

THIS WAS A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF ORANGE TOWNSHIP HELD IN THE COUNCIL CHAMBERS, CITY HALL, 29 NORTH DAY STREET, ORANGE, NEW JERSEY ON WEDNESDAY, AUGUST 7, 2019 FOLLOWING THE CONFERENCE MEETING.

The Chair led all assembled in a Salute to the American Flag.

Roll Call:

Present:

Councilman Kerry Coley, East Ward
Councilman Christopher Jackson, At-Large
Councilman Harold Johnson, Jr. West War (arrived @ 8:40)
Councilwoman Jamie Summers-Johnson., South Ward
Council-President Donna K. Williams, At-Large
Councilwoman Adrienne Wooten, At-Large
Councilwoman Tency A. Eason, North Ward

Also Present:

Joyce L. Lanier, City Clerk
Chris Hartwyk, Business Administrator
Gracia R. Montilus, City Attorney
Marlin Townes, Legislative Research Officer
Marty Mayes, Director of Planning/Public Work
Adrian Mapp, Acting Director of Finance
Tod Warren, Police Director
Lisette Sanchez, Records Support Technician

Absent:

The requirement of N.J.S.A. 10:4-9 et. seq., “Sunshine Law” has been met. A notice of this meeting was published in the Star Ledger on July 5, 2019 and the Record-Transcript on July 11, 2019, posted on the Bulletin Board in City Hall and filed in the Office of the City Clerk.

APPROVAL OF MEETING MINUTES

May 21, 2019 – Conference and Regular Meeting Minutes

Motion to approve the Conference and Regular meeting minutes from May 21, 2019 by Councilman Coley, seconded by Councilwoman Williams.

Roll Call:

Ayes: Coley, Jackson, Summers-Johnson, Williams, Wooten, Eason
Nays: None.
Abstain: None.
Absent: Johnson, Jr.

Motion Carries.

June 5, 2019 – Conference and Regular Meeting Minutes
(Council Member Wooten was absent and cannot vote)

Motion to approve the Conference and Regular meeting minutes from June 5, 2019 by Councilwoman Williams, seconded by Councilman Coley.

Roll Call:

Ayes: Coley, Jackson, Summers-Johnson, Williams, Eason

Nays: None.

Abstain: Wooten

Absent: Johnson, Jr.

Motion Carries.

June 11, 2019 – Budget Hearing Meeting Minutes
(Council Member Summers-Johnson was absent and cannot vote)

Motion to approve the Budget hearing meeting minutes from June 11, 2019 by Councilwoman Williams, seconded by Councilman Jackson.

Roll Call:

Ayes: Coley, Jackson, Williams, Wooten, Eason

Nays: None.

Abstain: Summers-Johnson

Absent: Johnson, Jr.

Motion Carries.

June 13, 2019 – Budget Hearing Meeting Minutes
(Council Member Johnson, Jr. was absent and cannot vote)

Motion to approve the Budget hearing meeting minutes from June 13, 2019 by Councilwoman Williams, seconded by Councilman Coley.

Roll Call:

Ayes: Coley, Jackson, Summers-Johnson, Williams, Wooten, Eason

Nays: None.

Abstain: None.

Absent: Johnson, Jr.

Motion Carries.

June 18, 2019 – Conference and Regular Meeting Minutes

Motion to approve the Conference and Regular meeting minutes from June 18, 2019 by Councilwoman Williams Coley, seconded by Councilman Coley.

Roll Call:

Ayes: Coley, Jackson, Summers-Johnson, Williams, Wooten, Eason

Nays: None.

Abstain: None.

Absent: Johnson, Jr.

Motion Carries.

July 1, 2019 – Re-organization Meeting Minutes

Motion to approve the Conference and Regular meeting minutes from July 1, 2019 by Councilwoman Williams Coley, seconded by Councilman Coley.

Roll Call:

Ayes: Coley, Jackson, Summers-Johnson, Williams, Wooten, Eason

Nays: None.

Abstain: None.

Absent: Johnson, Jr.

Motion Carries.

REPORTS:

DEPARTMENT MONTHLY REVENUE COLLECTION 2019:

- **Department of Planning & Economic Development – Month of March 2019: \$82,879.00**
- **Department of Planning & Economic Development – Month of April 2019: \$65,304.00**
- **Department of Planning & Economic Development – Month of May 2019: \$46,674.00**
- **Department of Planning & Economic Development – Month of June 2019: \$55,643.00**
- **Department of Community Service – Month of June 2019: \$12,327.00**
- **City Clerk’s Office – Month of June 2019: \$5.00**
- **Orange Historic Preservation Commission – Month of June 2019: \$280.00**
- **Orange Historic Preservation Commission – Month of July 2019: \$70.00**

CONSTABLE REPORTS

- **Darnell Brodie - Month of May 2019: No activity**
- **Darnell Brodie - Month of June 2019: No activity**
- **Darnell Brodie - Month of July 2019: No activity**
- **Mohamed Toure – Month of June 2019: No activity**
- **Mohamed Toure – Month of July 2019: No activity**
- **Richard Noisy – Month of June 2019: 06/01/19 monthly meeting and 06/09/19 and 06/23/19 church security.**
- **Richard Noisy – Month of July 2019: 07/06/19 monthly meeting and 07/07/19 and 07/21/19 church security.**

OPRA REPORTS

Month of June 2019 –97 requests received, 81 completed and 16 pending.

Month of July 2019 – 92 requests received, 62 completed and 30 pending

COUNCIL REPORTS – None.

Council President directs Clerk to file reports.

COMMUNICATIONS AND PETITIONS

- **Letter from the State of New Jersey, Department of Transportation dated June 18, 2019 addressed to Mayor Dwayne Warren, Esq. regarding the executed Agreements for the Project: Various Streets – 2019 – Orange.**
- **Letter received from the State of New Jersey, Department of Transportation dated July 15, 2019 addressed to the NJ Department of Environmental**

Protection, Historic Preservation Office regarding the Highland Avenue Station Rehabilitation.

CITIZEN COMMENTS ON GENERAL ISSUES/AGENDA ITEMS

The City Clerk made the following statement.

Pursuant to section 4-10 of the Code of the City of Orange Township, each person addressing the Council shall step up to the microphone, shall give his or her name in an audible tone for the record, and unless further time is granted by the presiding officer, shall limit his or her address to Five (5) minutes. The public is expected to conduct themselves in a proper manner, any derogatory, abusive or threatening statements will not be permitted. The Chair will immediately rule such conduct out of order and terminate any further comments.

The following residents and business owners made comments.

- Mr. Jeffery Feld spoke about an article in the Star Ledger about a city paying for a Mayor's legal bills. Spoke about the open OPRA request. Spoke about missing utility and PILOTs from the revenue report. Spoke about the in house and outside Attorney for the city. Suggested line item amounts for each emergency appropriation resolution. Suggestion adding docket numbers for cases in resolutions.
- Ms. Donna Lordly spoke about the lack of services for removing trash from the vacant lot next to her complex on Central Avenue. Chemicals had been dumped in the lot and a resident throws his trash in the lot. The lot was only clean once by the property management. The Director of {Police, Mr. Warren reported he would take lead on the issue and involve Code Enforcement.

Motion to Close Citizen Comments by Councilwoman Williams, seconded by Councilwoman Summers-Johnson.

COUNCIL COMMENTS

- Councilwoman Summers-Johnson provided information on the events she attended. There was one incident and the ambulance took 20 minutes to respond. She suggested that residents join the Public Schools website for events that are taking place.
- Councilwoman Williams commented on National Night Out and her experiences. Provided information on current and upcoming events.
- Councilwoman Wooten spoke about the National Night Out and her experiences. She provided information on the events she attended.
- Councilman Coley thanked the NJ Transit Authority for paving Freeway Drive.
- Councilman Jackson commented on National Night Out and his experiences. He also said that he hoped there would be more communications between the Board of Education and the Administration so the residents could see more events.
- Council President Eason reported that on September 21 the High School will be celebrating its 150th anniversary and there will be a mixer on that Friday. She reported to Director Mayes that going forward on the handicapped resolutions she wants a clause that states if the person moves or dies the city can immediately remove the handicap sign for that person. The ordinance will also be amended. She commented on National Night Out and asked that if people don't want the parade to come to their block they should let the Council know.

ORDINANCES—SECOND READING/PUBLIC HEARING

24-2019 A refunding bond ordinance authorizing the issuance of not to exceed \$1,565,000 aggregate principal amount of refunding bonds and/or refunding notes by the City of Orange Township, in the County of Essex, State of New Jersey, for the purpose of funding an emergency temporary appropriation for legal judgments. (06/18/2019 PUBLIC HEARING OPEN) **(Postponed) (The public hearing remains open)**

The Clerk read the ordinance by title.

25-2019 An ordinance rescinding Ordinance No. 36-2018 and terminating the financial agreements with Carthage NJ Arlington LLC for payment in lieu of taxes pertaining to the property identified as Block 491, Lots 18 and 19 on the official tax map of the City.

The Chair declared the time open for a hearing on Ordinance Number 25-2019.

Mr. Jeffery Feld reported that he had told the city that the State cannot fund the transaction. The property had been transferred to a different owner. The property is now taxable.

Seeing no one else, the Chair declared the time closed.

Motion to close the public hearing by Councilman Coley, seconded by Councilman Jackson.

The motion was approved by unanimous vote

Motion to adopt Ordinance Number 25-2019 by Councilwoman Williams, seconded by Councilman Coley.

On the motion: The Business Administrator reported that the city was notified by the NJ Housing and Financing Agency that the loan commitment approval had expired and the project would not go forward. No funding had been received.

Roll Call:

Ayes: Coley, Jackson, Summers-Johnson, Williams, Wooten, Eason

Nays: None.

Abstain: None.

Absent: Johnson, Jr.

Motion Carries.

The Clerk read the ordinance by title.

27-2019 An ordinance to amend the code of the City of Orange Township, Chapter 200, entitled “Vehicles and Traffic”, Section 46, Schedule XV (Prohibited Turns at Intersections).

The Chair declared the time open for a hearing on Ordinance Number 27-2019.

Seeing no one, the Chair declared the time closed.

Motion to close the public hearing by Councilwoman Williams, seconded by Councilwoman Summers-Johnson.

The motion was approved by unanimous vote

Motion to adopt Ordinance Number 27-2019 by Councilwoman Williams, seconded by Councilwoman Wooten.

On the Motion: Council President Eason suggested that the Police review the agendas and if there is an ordinance or resolution that pertains to them, they should inform their officers of the change. The Police should have one person assigned to review the agenda and pass on the information.

Roll Call:

Ayes: Coley, Jackson, Summers-Johnson, Williams, Wooten, Eason

Nays: None.

Abstain: None.

Absent: Johnson, Jr.

Motion Carries.

The Clerk read the ordinance by title.

28-2019 An ordinance of the Municipal Council of the City of Orange Township adopting the Lincoln-Highland Avenue Redevelopment & Rehabilitation Plan pursuant to N.J.S.A. 40A:12A-7(e).

The Chair declared the time open for a hearing on Ordinance Number 28-2019.

Seeing no one, the Chair declared the time closed.

Motion to close the public hearing by Councilwoman Williams, seconded by Councilman Coley

The motion was approved by unanimous vote

Motion to adopt Ordinance Number 28-2019 by Councilman Jackson, seconded by Councilwoman Williams.

Roll Call:

Ayes: Coley, Jackson, Summers-Johnson, Williams, Wooten, Eason

Nays: None.

Abstain: None.

Absent: Johnson, Jr.

Motion Carries.

The Clerk read the ordinance by title.

29-2019 A capital ordinance appropriating \$85,000 from the Capital Improvement Fund to pay for energy efficient improvements to various city facilities, in and by the City of Orange Township, in the County of Essex, State of New Jersey.

The Chair declared the time open for a hearing on Ordinance Number 29-2019.

Seeing no one, the Chair declared the time closed.

Motion to close the public hearing by Councilwoman Williams, seconded by Councilwoman Wooten.

The motion was approved by unanimous vote

Motion to adopt Ordinance Number 29-2019 by Councilman Jackson, seconded by Councilwoman Williams.

Roll Call:

Ayes: Coley, Jackson, Summers-Johnson, Williams, Wooten, Eason

Nays: None.

Abstain: None.

Absent: Johnson, Jr.

Motion Carries.

The Clerk read the ordinance by title.

30-2019 An ordinance of the City of Orange Township amending Chapter 4, Administration of (WO) Government, Section 4-17.2, Constables, of the City of Orange Township Municipal Code.

The Chair declared the time open for a hearing on Ordinance Number 30-2019.

Seeing no one, the Chair declared the time closed.

Motion to close the public hearing by Councilwoman Williams, seconded by Councilwoman Wooten.

The motion was approved by unanimous vote

Motion to adopt Ordinance Number 30-2019 by Councilwoman Williams, seconded by Councilman Coley.

On the Motion: Councilwoman Williams had confirmed that the constables were still appointed by the Council Members by the Business Administrator. What is the screening process? Councilman Coley stated that there is a screening process that they had to pass. The Business Administrator reported that it will be a salary item in the budget with the 2020 budget. Benefits will depend on how many hours the person works.

Roll Call:

Ayes: Coley, Jackson, Summers-Johnson, Williams, Wooten, Eason

Nays: None.

Abstain: None.

Absent: Johnson, Jr.

Motion Carries.

The Clerk read the ordinance by title.

31-2019 An ordinance to amend the code of the City of Orange Township, Chapter 200, “Vehicles and Parking”, Article II, entitled “Parking” to further regulate overnight parking of commercial vehicles. (Sponsored by Council Member Kerry J. Coley)

The Chair declared the time open for a hearing on Ordinance Number 31-2019.

Seeing no one, the Chair declared the time closed.

Motion to close the public hearing by Councilwoman Williams, seconded by Councilwoman Wooten.

The motion was approved by unanimous vote

Motion to adopt Ordinance Number 31-2019 by Councilwoman Williams, seconded by Councilman Jackson.

Roll Call:

Ayes: Coley, Jackson, Summers-Johnson, Williams, Wooten, Eason

Nays: None.

Abstain: None.

Absent: Johnson, Jr.

Motion Carries.

ORDINANCES INTRODUCTION/FIRST READING

The City Clerk read Ordinance Number 26-2019 by Title.

26-2019 An ordinance rescinding Ordinance No. 25-2017 and terminating the approval of a tax exemption for a thirty (30) year period and terminating the authorization of an executed financial agreement between the City and Walter G. Alexander Village IV Urban Renewal LLC. (POSTPONED FROM 06/05/2019 AND 06/18/2019 REGULAR MEETINGS)

Withdrawn

The City Clerk read Ordinance Number 32-2019 by Title.

32-2019 An ordinance to amend the Code of the City of Orange Township, Chapter 200, entitled “Vehicles and Traffic”, Section 200-10.2, residential permit. (Hickory Street)

Motion that Ordinance 32-2019 be introduced on first reading by Councilwoman Williams, seconded by Councilman Coley and that the public hearing would be held September 3, 2019.

On the Motion: Councilwoman Williams commented that enforcement is not being maintained.

Roll Call:

Ayes: Coley, Jackson, Summers-Johnson, Williams, Wooten, Eason

Nays: None.

Abstain: None.

Absent: Johnson, Jr.

Motion Carries.

The City Clerk read Ordinance Number 33-2019 by Title.

33-2019 An ordinance amending Sections 84.1 of the City of Orange Township Administrative Code relating to Article I, Paraphernalia, Sale and Display restricted. (Sponsored by Council Member Adrienne Wooten)

Motion that Ordinance 33-2019 be introduced on first reading by Councilwoman Williams, seconded by Councilwoman Wooten and that the public hearing would be held September 3, 2019.

On the Motion: Councilwoman Wooten stated that residents have come to her regarding certain stores in their neighborhood that need this ordinance. Discussion ensued by the Business Administrator and Council Members regarding items that should not be sold.

Roll Call:

Ayes: Coley, Jackson, Summers-Johnson, Williams, Wooten, Eason

Nays: None.

Abstain: None.

Absent: Johnson, Jr.

Motion Carries.

The City Clerk read Ordinance Number 34-2019 by Title.

34-2019 An ordinance to amend the Code of the City of Orange Township, Chapter 200, entitled "Vehicles and Traffic", Section 200-10.2, Residential Parking Permit. (Hickory Street)

Motion that Ordinance 34-2019 be introduced on first reading by Councilwoman Williams, seconded by Councilman Coley and that the public hearing would be held September 3, 2019.

Roll Call:

Ayes: Coley, Jackson, Summers-Johnson, Williams, Wooten, Eason

Nays: None.

Abstain: None.

Absent: Johnson, Jr.

Motion Carries.

Motion to suspend the rules by Councilwoman Williams, seconded by Councilman Coley for a report by the Fire Department.

The motion was approved by unanimous vote.

A representative from the Fire Department reported that the Police and Fire Department completed their two-week training with the Junior Public Safety Academy and reported on the training that took place.

CONSENT AGENDA

The City Clerk read the following statement.

All items listed with an asterisk (*) are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council member so request, in which event, the item will be removed from the general order of business and considered in its normal sequence of the agenda.

***182-2019** A resolution rescinding resolution 160-2017 adopted April 25, 2017 authorizing a redevelopment agreement between the City of Orange Township, the Housing Authority for the City of Orange, and the Orange Housing Redevelopment Corporation. (POSTPONED FROM THE 05/21/19, 06/05/2019 AND 06/18/2019 REGULAR MEETINGS)

(Withdrawn)

***184-2019** A resolution to enter into contact with Mr. Justice Rountree of 360 Poetry Night for spoken word hosting and presentation services in an amount not to exceed \$4,000.00. (POSTPONED FROM THE 05/21/2019, 06/05/2019 AND 06/18/2019 REGULAR MEETINGS)
(Postponed to next meeting)

RESOLUTION NUMBERS *229-2019 THROUGH *289-2019

***229-2019** A resolution re-appointing Augustus Mitchell as a citizen member to the Public Works Committee of the City of Orange Township. (Sponsored by Council Member Kerry J. Coley)

***230-2019** A resolution appointing Tom Boran as a citizen member to the Public Works Committee of the City of Orange Township. (Sponsored by Council Member Christopher Jackson)

***231-2019** A resolution celebrating the life of Katherine Thompson Payne. (Sponsored by Council Member Donna K. Williams)

***232-2019** A resolution honoring Willie Sumlar for his years of service in Essex County. (Sponsored by Council Member Donna K. Williams and the Orange Municipal Council)

***233-2019** A resolution celebrating the life of Salena Lesniak. (Sponsored by Council Member Donna K. Williams and the Orange Municipal Council)

***234-2019** A resolution celebrating the life of Anthony J. Trezza, III. (Sponsored by Council Member Donna K. Williams and the Orange Municipal Council)

***235-2019** A resolution honoring Captain James Anderson for his service at the Orange Fire Department. (Sponsored by Council Member Donna K. Williams and the Orange Municipal Council)

***236-2019** A resolution celebrating the life of Detective Louis Alvarez. (Sponsored by Council Member Donna K. Williams and the Orange Municipal Council)

***237-2019** A resolution designating East Orange/Orange Record-Transcript, Star Ledger and Local Talk as the official newspapers for the City of Orange Township, New Jersey.

***238-2019** A resolution appointing Council President Tency A. Eason as the liaison to the 2nd River Joint Meeting on behalf of the City of Orange Township.

***239-2019** A resolution appointing Council President Tency A. Eason as member of the Planning Board of the City of Orange Township.(Separate Vote)

***240-2019** A resolution appointing Council Members Kerry J. Coley, Donna K. Williams and Adrienne Wooten to the Cable Television Advisory Committee. (Amended)

***241-2019** A resolution appointing Council Members Christopher Jackson, Jamie Summers-Johnson and Adrienne Wooten as members of the Human Resources and Personnel Committee of the City of Orange Township. (Amended)

***242-2019** A resolution appointing Council Members Adrienne Wooten and Donna K. Williams to the Budget and Finance Committee of the City of Orange Township. (Amended)

***243-2019 A resolution in support of the Port Authority of New York and New Jersey's improvements to Newark Airport. (Sponsored by Council Member Donna K. Williams)**

***244-2019 A resolution approving the Bill List for Council Meeting vote on July 22, 2019 dated July 16, 2019 and approving checks issued by the Finance Department in accordance with Ordinance 2-95. (Grand Total: \$3,157,136.34)**

***245-2019 A resolution authorizing the cancellation of Tax Sale Certificate No. 16-00042 on Block 1702, Lot 28, 43A William Street in addition to a refund of all accrued interest, penalties and fees to Richard Leonardis in the amount of \$17,298.03.**

***246-2019 A resolution authorizing an amnesty program to waive 2019 interest for 2019 property taxes, 2019 water charges and 2019 sewer charges from August 8, 2019 through September 30, 2019. (Amended)**

***247-2019 A resolution authorizing the Tax Collector to refund Block 2101, Lot 27, 47 Cleveland Street a/k/a First Unitarian Church of Essex of Essex County for overpayment of taxes for 2016 and 2018 in the amount of \$11,900.61.**

***248-2019 A resolution authorizing a refund of one thousand dollars (\$1,000) to Berwyn, LLC, 200 Claremont Avenue, Montclair, NJ 07042 for a Certificate of Habitability Sales Inspection at 52 Berwyn Street, Orange, N.J.**

***249-2019 A resolution authorizing a refund of one thousand dollars (\$1,000) to KNE Investments, LLC, 200 Claremont Avenue, Montclair, NJ 07042 for a Certificate of Habitability Sales Inspection at 42 Berwyn Street, Orange, N.J.**

***250-2019 A resolution authorizing a refund of four hundred dollars (\$400.00) to Kathleen Roache, 1343 Janette Avenue, Port Saint Lucie, FL 34953 for a Certificate of Habitability Sales Inspection at 355 High Street, Orange, N.J.**

***251-2019 A resolution authorizing the services of the Pennington Law Group, P.C. to represent the City of Orange Township and Anthony M. Carey in the matter of Albanery Cruz-Rodriguez v. City of Orange Township, Anthony M. Carey and John Does 1-10 in an amount not to exceed \$20,000.00 for calendar year 2019. (Separate Vote)**

***252-2019 A resolution authorizing approval to submit a grant application with the New Jersey Department of Transportation for the City of Orange Township Roadway Improvements for 2020 various street projects.**

***253-2019 A resolution authorizing Pennoni Associates, Inc., 24 Commerce Street, Suite 300, Newark, New Jersey 07102 to provide professional engineering, surveying, design and construction administration services for the 2019 NJDOT Roadway Improvements to Joyce Street, Forest Street and Christopher Street in an amount not to exceed \$120,000.00.**

***254-2019 A resolution authorizing an emergency agreement for the extension of municipal refuse and recycling collection services to Joseph Smentkowski, Inc., 3 New York Avenue, Jersey City, New Jersey 07307 up to an additional ninety day period commencing July 1, 2019 through September 30, 2019 in the amount not to exceed \$249,729.99.**

***255-2019 A resolution authorizing Louella Enterprises, LLC, d/b/a Enerchange Power & Gas (EP&G), 322 N. Shore Drive, Building 200, Pittsburg, PA 15212 as the sole broker/consultant to assist the City of**

Orange Township in obtaining price quotes and evaluating competing offers and energy service level agreements. **(Withdrawn)**

***256-2019** A resolution authorizing the Tax Collector to refund Corelogic for overpayments made on Block 6301, Lot 10 a/k/a 474 Willow Street in the amount of \$9,364.66. **(Withdrawn)**

***257-2019** A resolution authorizing Tax Collector to lien properties and bill property owners and collect for reimbursement of expenditures made by the City of Orange Township for emergency order clean-ups.

***258-2019** A resolution authorizing the services of the Pennington Law Group, P.C. to represent the City of Orange Township in the matter of Estate of Ann Marie Breus by Maria Derosiers, Administratrix Ad Prosequendum, and Maria Derosiers, individually v. Isiah J. Jordan, City of Orange Township, et al., in an amount not to exceed \$25,000.00 for calendar year 2019. **(Separate Vote)**

***259-2019** A resolution authorizing the services of Lamb Kretzer, LLC to represent City of Orange Township in the matter “Kauri D. Taliaferro, Administrator Ad Prosequendum of Safiyyah Scott, deceased v. City of Orange, et al.” in an amount not to exceed \$25,000.00. **(Separate Vote)**

***260-2019** A resolution authorizing additional attorney’s fees to be paid to Scarinci & Hollenbeck, LLP in calendar year 2019 as special counsel with regard to various legal matters and litigation regarding the City of Orange Township by amending Resolution No. 71-2019 from an amount not to exceed \$50,000 to an amount not to exceed \$110,000.00 by authorizing the execution of an addendum allowing for the payment of additional attorney’s fees.

***261-2019** A resolution granting developer designation for 595 Lincoln Avenue Urban Renewal Entity, LLC as a developer within the Lincoln Avenue Redevelopment Area.

***262-2019** A resolution authorizing the City of Orange Township to make payment of \$3,500.00 for the 2019 annual membership fee to the Urban Essex Coalition for Smart Growth.

***263-2019** A resolution accepting grant funds from the 2019 New Jersey Clean Communities Grant Program.

***264-2019** A resolution amending Resolution No. 141-2019 to authorize additional attorney fees and for David C. Stanziale, LLC as special counsel in calendar year 2019 with regard to Ian Betz v. City of Orange Township, Docket No. ESX-L-4009-17 in an amount not to exceed \$25,000.00.

***265-2019** A resolution authorizing Maser Consulting, P.A., 331 Newman Springs Road, Suite 203, Red Bank, New Jersey 07701 to provide professional engineering services and playground equipment inspections to the various playgrounds in an amount not to exceed \$9,800.00.
(Withdrawn)

***266-2019** A resolution retaining Whipple Azzarello, LLC, as special counsel to represent Tyshammie Cooper in connection with matters pertaining to governmental inquires and investigations regarding the City of Orange Township and its employees in an amount not to exceed \$15,000.00 for calendar year 2019. **(Withdrawn)**

***267-2019** A resolution in celebration of Women’s Equality Day. **(Sponsored by Council Member Donna K. Williams and the Orange Municipal Council)**

***268-2019** A resolution authorizing the issuance of not to exceed \$3,000,000 of Tax Anticipation Notes of 2019 of the City of Orange Township, in the County of Essex, State of New Jersey.

(Withdrawn)

***269-2019** A resolution re-appointing Hashim Garrett, a resident of Orange, New Jersey as a commissioner member to the Housing Authority of the City of Orange Township, New Jersey for a term of five (5) years.

***270-2019** A resolution celebrating the life of Rita Bragg White. (Sponsored by Council Member Donna K. Williams)

***271-2019** A resolution appointing Council Members Kerry J. Coley, Christopher Jackson and Harold J. Johnson, Jr. as members to the Policy and Planning Committee of the City of Orange Township.

***272-2019** A resolution amending Resolution 43-2019 that authorized the award of a non-fair and open contract for financial consulting services to Motivate Capital Markets, LLC, 45 Rockefeller Plaza, Suite 2000, New York, New York 10111 for an amount not to exceed \$60,000.00 for a one year term commencing January 1, 2019 to December 31, 2019 by changing the name of the contracting entity from Motivate Capital Markets, LLC to Rockfleet Financial Services, Inc. **(Withdrawn and replaced by 292-2019(WO))**

***273-2019** A resolution authorizing the City of Orange to enter into a contractual agreement with Aurea De Leon for health education services in the Orange and Belleville Health Departments in an amount not to exceed \$3,500.00.

***274-2019** A resolution authorizing Pennoni Associates, Inc., 24 Commerce Street, Suite 300, Newark, New Jersey 07102 to provide engineering services relating to the water system in an amount not to exceed \$600,000.00. **(Separate Vote)**

***275-2019** A resolution authorizing an emergency contract to Ryan Industries, LLC, 205 Washington Street #2, Jersey City, NJ 07302 for roof repairs at City Hall where a purchase order was previous granted for \$14,423.00 and Changer Order #1 is needed for additional repairs in an amount of \$6,445.00 totaling an amount not to exceed \$20,868.00.

***276-2019** A resolution authorizing the purchase of licensed software and product maintenance for managing water and sewer affairs under State Contract M-7003 for the City of Orange Township Public Works & Water Department, from Environmental Research Systems Institute, Inc., 380 New York Street, Redlands, California 92373-8100 in an amount not to exceed \$37,310.00 from July 23, 2019 to July 22, 2022.

***277-2019** A resolution authorizing the tax collector to refund Union Chapel AIM Church, Block 6702, Lot 11, a/k/a 725 S. Center Street for an overpayment made for water/sewer in the amount of \$523.83.

***278-2019** A resolution authorizing the tax collector to refund overpayment of real estate taxes paid for 2019 in the amount of \$9,529.06 and to cancel any future tax billings for the premises located at Block 5401, Lot 3 a/k/a 188 Austin Road for 100% totally disabled veteran.

***279-2019 A resolution authorizing the tax collector to refund Zhilan XIA and Jian Chen for 2018 overpayment in the amount of \$992.08 for Block 2102, Lot 11 a/k/a 66 Cleveland Street.**

***280-2019 A resolution for the approval to purchase weapons ammunition under the New Jersey State Contract #81297 for the City of Orange Township Police Department from Atlantic Tactical, 763 Corporate Circle, New Cumberland, PA 17070 in an amount not to exceed \$90,000.00.**

***281-2019 A resolution authorizing the public auction of surplus, unserviceable vehicles and/or equipment from the motor fleet of the City of Orange Township Police, Fire and Public Works Departments.**

***282-2019 A resolution seeking authorization from the City Council of the City of Orange Township to pay W.E. Timmerman Company Inc., outstanding invoices totaling eight thousand, six hundred nineteen and thirty eight cents (\$8,619.38) , which has been deemed a confirming order and exceeds the quote threshold amount and subsequently violates the local public contract law.**

***283-2019 A resolution authorizing a refund to Daniel Haag, 130 W. Pleasant Avenue, Suite 386, Maywood, NJ 07607 for a cash performance bond posted in connection to the road opening permit on premises known as 12-20 Canfield Street, Orange New Jersey in the amount of \$4,650.00.**

***284-2019 A resolution for the approval to acquire the service to maintain the lights and radios for the police vehicles under the New Jersey State Contract #83898 for the City of Orange Township Police Department from Northeast Communications, 244 East Union Turnpike, Wharton, New Jersey 07885 in an amount not to exceed \$20,000.00.**

***285-2019 A resolution for the approval to accept services for the maintenance of the Orange Police Department Mobile Support System, Fixed Camera Support and Boss Server Support under the New Jersey State Contract #81330 for the City of Orange Township Police Department from General Sales and Administration, 47 N. Dell Avenue, Kenil, New Jersey 07847 in an amount not to exceed \$6,500.00.**

***286-2019 A resolution amending Resolution 188-2019 authorizing an extension of the contract with Atlantic Uniform, 468 Washington Avenue, Belleville, New Jersey 07109 until June 2019 in an amount not to exceed \$20,000.00 by extending the contract until December 31, 2019 with an additional \$30,000.00 totaling an amount not to exceed \$50,000.00. (Separate Vote and amended)**

***287-2019 Amending Resolution 395-2016 a resolution awarding a contract with Magic Touch Construction Co., Inc., 59 W. Front Street, Keyport, New Jersey 07735 for electrical services to all municipal owned buildings changing the number of years from two (2) years to three (3) years commencing in an amount not to exceed \$82,056.00 per year.**

***288-2019 A resolution for Emergency Temporary Appropriations #5 to the Calendar Year 2019 Budget.**

***289-2019 A resolution approving the bill list for council meeting vote on August 7, 2019 dated August 7, 2019 and approving checks issued by the Finance Department in accordance with Ordinance 2-95 (Grand Total: \$4,372,548.47).**

Motion to approve the amended Consent Agenda by Councilman Coley, seconded by Councilwoman Williams.

Roll Call:

Ayes: Coley, Jackson, Johnson, Jr., Summers-Johnson, Williams, Wooten, Eason

Nays: None.

Abstain: None.

Absent: None.

Motion Carries.

NEW BUSINESS AND WALK-ON ORDINANCES/RESOLUTIONS

(Resolution/s that were taken off Agenda for separate vote)

The Clerk read the resolution by title.

251-2019 A resolution authorizing the services of the Pennington Law Group, P.C. to represent the City of Orange Township and Anthony M. Carey in the matter of Albanery Cruz-Rodriguez v. City of Orange Township, Anthony M. Carey and John Does 1-10 in an amount not to exceed \$20,000.00 for calendar year 2019.

Motion to adopt Resolution 251-2019 by Councilman Coley, seconded by Councilwoman Williams.

On the Motion: Councilwoman Williams felt that it was too soon after Attorney Pennington left the city to have his Law Group represent the city. Councilwoman Wooten asked the City Attorney if there was any conflict. He stated there was no conflict.

Roll Call:

Ayes: Coley, Jackson, Johnson, Jr., Summers-Johnson, Wooten, Eason

Nays: Williams

Abstain: None.

Absent: None.

Motion Carries.

The Clerk read the resolution by title.

258-2019 A resolution authorizing the services of the Pennington Law Group, P.C. to represent the City of Orange Township in the matter of Estate of Ann Marie Breus by Maria Derosiers, Administratrix Ad Prosequendum, and Maria Derosiers, individually v. Isiah J. Jordan, City of Orange Township, et al., in an amount not to exceed \$25,000.00 for calendar year 2019.

Motion to adopt Resolution 258-2019 by Councilman Coley, seconded by Councilwoman Wooten

Roll Call:

Ayes: Coley, Jackson, Johnson, Jr., Summers-Johnson, Wooten, Eason

Nays: Williams

Abstain: None.

Absent: None.

Motion Carries.

The Clerk read the resolution by title.

259-2019 A resolution authorizing the services of Lamb Kretzer, LLC to represent City of Orange Township in the matter “Kauri D. Taliaferro, Administrator Ad Prosequendum of Safiyah Scott, deceased v. City of Orange, et al.” in an amount not to exceed \$25,000.00.

Motion to adopt Resolution 259-2019 by Councilman Coley, seconded by Councilman Jackson

On the Motion: Councilman Jackson brought up a number of issues that he find incorrect in the resolution. The City Clerk reported that there was an amended resolution which was distributed to the Council Members.

Roll Call:

Ayes: Coley, Jackson, Johnson, Jr., Summers-Johnson, Williams, Wooten, Eason

Nays: None.

Abstain: None.

Absent: None.

Motion Carries.

The Clerk read the resolution by title.

274-2019 A resolution authorizing Pennoni Associates, Inc., 24 Commerce Street, Suite 300, Newark, New Jersey 07102 to provide engineering services relating to the water system in an amount not to exceed \$600,000.00.

Motion to adopt Resolution 274-2019 by Councilman Coley, seconded by Councilman Jackson.

On the Motion: Councilwoman Williams asked if there were three quotes for this. The Business Administrator stated that they are on the prequalified list so there is no requirement for quotes. She would like to get a report on how much money the city has spent for the vendor year to date.

Roll Call:

Ayes: Coley, Jackson, Johnson, Jr., Summers-Johnson, Williams, Wooten, Eason

Nays: None.

Abstain: None.

Absent: None.

Motion Carries.

The Business Administrator commented that the city had gone out to bid for this two times and had no replies. Atlantic uniform wanted 20% more than the State contract. The city decided to do business with Galls LLC. The money is in the budget.

The Clerk read the resolution by title.

286-2019 A resolution authorizing the contract with Galls LLC, 1340 Russell Cave Road, Lexington, Kentucky 40505 until December 31, 2019, in an amount not to exceed \$30,000.00

Motion to adopt Resolution 286-2019 by Councilman Coley, seconded by Councilwoman Wooten.

Roll Call:

Ayes: Coley, Jackson, Johnson, Jr., Summers-Johnson, Wooten, Eason

Nays: None.

Abstain: Williams

Absent: None.

Motion Carries.

The Clerk read the resolution by title.

239-2019 A resolution appointing Council President Tency A. Eason as member of the Planning Board of the City of Orange Township.

Motion to adopt Resolution 239-2019 by Councilman Coley, seconded by Councilwoman Summer-Johnson.

Roll Call:

Ayes: Coley, Jackson, Johnson, Jr., Summers-Johnson, Williams, Wooten

Nays: None.

Abstain: Eason

Absent: None.

Motion Carries.

Walk-on resolutions:

The Clerk read the titles of each walk-on resolution. Resolutions 290-2019(WO) to 294-2019(WO)
The Clerk announced that there would be an Executive Session held after Resolution 293-2019 to discuss Resolution 294-2019

Motion to walk-on Resolutions 290, 291,292,293,and 294-2019 by Councilwoman Williams, seconded by Councilwoman Wooten

Roll Call:

Ayes: Coley, Jackson, Johnson, Jr., Summers-Johnson, Williams, Wooten, Eason

Nays: None.

Abstain: None.

Absent: None.

Motion Carries.

The Clerk asked if any citizen would like to speak on the walk-ons.

- Mr. Jeffery Feld spoke about resolution 293-2019 not having the statute on the face of the ordinance and other issues that he found. Regarding 294-2019 he commented that there is no availability of funds being shown for \$750,000.00 and he was not aware of any settlement account that the city had.

Seeing no one else a motion was called for.

**Motion to close citizen's comments by Councilwoman Williams, seconded by Councilwoman Wooten
The motion was approved by unanimous vote.**

The Clerk read the resolution by title.

290-2019 (WO) A RESOLUTION AUTHORIZING THE CITY OF ORANGE TOWNSHIP TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE CITY OF ORANGE TOWNSHIP SAFE STREETS TO TRANSIT IMPROVEMENTS FISCAL YEAR 2020.

Motion to adopt Resolution 290-2019 by Councilwoman Williams, seconded by Councilwoman Wooten

Roll Call:

Ayes: Coley, Jackson, Johnson, Jr., Summers-Johnson, Williams, Wooten, Eason

Nays: None.

Abstain: None.

Absent: None.

Motion Carries.

The Clerk read the resolution by title.

291-2019(WO) A RESOLUTION AUTHORIZING THE CITY OF ORANGE TOWNSHIP TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE CITY OF ORANGE TOWNSHIP TRANSIT VILLAGE IMPROVEMENTS FISCAL YEAR 2020.

Motion to adopt Resolution 291-2019 by Councilwoman Williams, seconded by Councilman Jackson.

Roll Call:

Ayes: Coley, Jackson, Johnson, Jr., Summers-Johnson, Williams, Wooten, Eason
Nays: None.
Abstain: None.
Absent: None.

Motion Carries.

The Clerk read the resolution by title.

292-2019(WO) A RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR FINANCIAL CONSULTING SERVICES TO ROCKFLEET FINANCIAL SERVICES, INC., 45 ROCKEFELLER PLAZA, SUITE 2000, NEW YORK, NEW YORK 10111 UNTIL DECEMBER 31, 2019

Motion to adopt Resolution 292-2019 by Councilwoman Williams, seconded by Councilman Jackson.

Roll Call:

Ayes: Coley, Jackson, Johnson, Jr., Summers-Johnson, Williams, Wooten, Eason
Nays: None.
Abstain: None.
Absent: None.

Motion Carries.

The City Clerk read the resolution by title.

293-2019(WO) A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE LEASE AND OPERATING AGREEMENT FOR THE HIGHLAND AVENUE TRAIN STATION BETWEEN NEW JERSEY TRANSIT CORPORATION AND THE CITY OF ORANGE TOWNSHIP.

Motion to adopt Resolution 293-2019 by Councilwoman Williams, seconded by Councilman Johnson, Jr.

On the Motion: Councilwoman Williams asked why the resolution does not reflect the other grant. Director Mayes stated that the lease agreement only deals with the interior of the building. The other grant is for the exterior of the building.

Roll Call:

Ayes: Coley, Jackson, Johnson, Jr., Summers-Johnson, Williams, Wooten, Eason
Nays: None.
Abstain: None.
Absent: None.

Motion Carries.

The City Clerk read the resolution by title.

295-2019 A resolution to hold Executive Session to discuss pending litigation matters.

Motion to hold an Executive Session by Councilwoman Williams, seconded by Councilwoman Wooten.

Roll Call:

Ayes: Coley, Jackson, Johnson, Jr., Summers-Johnson, Williams, Wooten, Eason
Nays: None.
Abstain: None.
Absent: None.

Motion Carries.

Motion to go into Executive Session by Councilwoman Williams, seconded by Councilman Jackson.

Roll Call:

Ayes: Coley, Jackson, Johnson, Jr., Summers-Johnson, Williams, Wooten, Eason

Nays: None.

Abstain: None.

Absent: None.

Motion Carries.

Motion to reconvene by Councilman Jackson, seconded by Councilwoman Williams.

The motion was approved by unanimous vote.

The meeting reconvened at 10:13

The Clerk read the resolution by title.

294-2019 A resolution approving the settlement in the matter of Ian Betz V. City of Orange Township ET AL., Docket No. ESX-L-004009-17 in the amount of \$1,500,000.00

Motion to adopt Resolution 294-2019 by Councilman Coley, seconded by Councilwoman Wooten.

Roll Call:

Ayes: Coley, Jackson, Johnson, Jr., Summers-Johnson, Williams, Wooten, Eason

Nays: None.

Abstain: None.

Absent: None.

Motion Carries.

The Business Administrator reported that the city will fund the entire amount up front and will be reimbursed 50% by the excess carrier. He will come back to the Council with a financing solution once the budget is passed.

Motion to adjourn by Councilman Jackson, seconded by Councilwoman Wooten.

By consensus the regular meeting adjourned at 10:19 P.M

APPROVED:

Joyce L. Lanier
City Clerk

Tency A. Eason
Council President

