

City spurns county offer on reservoir tract

Essex wants land for boathouse restaurant; Orange officials dismiss \$700K offer as 'pitiful'

By Chris Sykes
Staff Writer

A proposed deal that would have leased the city's reservoir property in West Orange to Essex County has been called off.

On Monday, Mayor Eldridge Hawkins Jr., City Attorney Marvin Braker and Councilman Rayfield Morton issued a statement which stated the city's offer to lease the reservoir was rejected by Essex County Executive Joseph DiVincenzo. Instead, the county offered \$700,000 to purchase the property, which the city government refused.

"This pitiful offer is not acceptable for land that West Orange township has valued at approximately \$2.1 million based on its assessment," said Hawkins. "The larger issue is that our reservoir is simply not for sale. Neither the citizens of Orange, nor myself, nor a majority of our City Council, are prepared to discard such an important property."

County officials have sought the use of the reservoir property, with its frontage along Northfield Avenue near the Turtle Back Zoo and Codey Arena, to construct a boathouse restaurant as a revenue generator.

Hawkins said Orange's government would be willing to discuss a lease for the "scenic and historic" property, but a sale is "out of the question."

Hawkins also warned that Essex County risks a legal battle if it seeks to take the land through eminent domain.

"They have informed us that if we do not sell them the property, they will take our land through eminent domain. To sell the reservoir as a one-shot gimmick to help balance our budget is akin to an impoverished family throwing its furniture into the fireplace to gain a single day's heat," said Hawkins.

Morton said the city's retention of ownership would have greater benefits than just financial.

"The beautiful lake holds a special place in the hearts of Orange residents. It's a valuable asset for our city," said Morton. "It's where we hold our annual senior picnic. It's where generations of Orange residents have gone to hike and fish."

In a statement, DiVincenzo said county officials believed the city has failed to properly maintain the property and it has become

a safety hazard. It was something that could be solved, said DiVincenzo, only with a property sale.

"Through the years, Orange has demonstrated an inability to maintain and secure the Orange Reservoir property, and this neglect has led to extremely hazardous conditions on and along the waterway and in the abandoned water utility buildings," said DiVincenzo. "Our immediate and long-range development plans are to invest millions to transform the site into a showcase for hiking, boating and passive enjoyment. This will remove a potential liability from the city, provide access to an underutilized waterway and restore the natural beauty and enhance safety to the area."

Morton said he hopes the city can avoid a protracted legal battle with the county. As a veteran of the music industry, Morton said he understood how contracts get negotiated and how the parties involved can resort to threats and "hardball" tactics. In this case, however, he said he did not believe that would be wise.

"Our taxpayers would get ongoing income to hold down taxes and the people of

Essex County would get to enjoy our unique and irreplaceable water and open space if we can agree on a lease deal," said Morton.

Braker said the city was prepared to fight any county threats for a property takeover.

"The county can expect ferocious opposition from the city's legal defense team," said Braker.

Hawkins added he believed the county already trespassed on the reservoir by operating a small train for the zoo.

"Over a year ago, Orange informed Mr. DiVincenzo that the county is already illegally using our reservoir land, without permission, for a carnival train to the county-owned Turtle Back Zoo," said Hawkins. "We asked for a written response that might enable our city to receive compensation for use of our property, but have still not received an answer. If this issue is not resolved, we will be forced to consider litigation."

DiVincenzo said the reservoir would fit into what has become the South Mountain Recreation Complex with the zoo, arena and a miniature golf course which opened in 2010.