

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 TUESDAY, JANUARY 15, 2019 FOLLOWING THE CONFERENCE MEETING.

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

Roll Call:

Present:

Councilman Tency A. Eason, North Ward
Councilman Christopher Jackson, At-Large
Councilman Harold Johnson, Jr. West Ward
Councilwoman Donna K. Williams, At-Large
Councilwoman Adrienne Wooten, At-Large
Council-president Kerry Coley, East Ward

Also Present:

Joyce L. Lanier, City Clerk
Chris M. Hartwyk, Business Administrator
Gracia R. Montilus, Acting City Attorney
Kenneth Douglas, Fire Director
Adrian Mapp, Finance Director (arrived @ 7:49)
Marty Mayes, Director of Public Works/Planning
Captain Vinny Vitiello, Police Department
Lisette Sanchez, Records Support Technician

Absent: Councilwoman Jamie Summers-Johnson., South Ward

The City Clerk announces that the requirement of N.J.S.A. 10:4-9 et. seq., “Sunshine Law” has been met. A notice of this meeting was sent to the Star Ledger and published in the Record - Transcript on July 12, 2018, posted on the Bulletin Board in City Hall and filed in the Office of the City Clerk.

APPROVAL OF MINUTES MEETINGS None.

REPORTS:

DEPARTMENT MONTHLY REVENUE COLLECTION 2018

- Department of Community Service – Month of December – Total: \$15,054.00
Clerk’s Office- Month of December 2018- Total: \$472.00

CONSTABLE REPORTS

- Darnell Brodi-Month of December 2018-No activity
- Mohamad Toure-Month of December 2018- No activity
- Richard Noizy-December 2018- 12/8/2018 monthly meeting, 12/15/2018 security, 12/23/2018 church security and 12/31/2018 church security.

OPRA REPORTS

Month of December 2018- 143 OPRA received, 120 completed and 23 pending

COUNCIL REPORTS

- Finance:** Councilwoman Williams reported on who attended their Finance Committee meeting. She provided information on a report given by a representative from Direct Development. She reported that the City website is being redesigned. The tentative date for the work shop for the Corrective Action Plan, audit and best practices will be March 9th. She provided information on the ordinances and resolutions on the agenda.
- Planning:** No report.
- A.B.C.:** No report.
- Library:** The BA reported that the Library has a part time Director.
- Public Works:** Ms. Gordon 12/28/18 meeting snow removal, abandoned properties ordinance and master plan draft were discussed. 01/08/19 meetings garbage disposal was discussed.
- Housing:** No report.
- Police:** No report.
- Fire:** No report

Council President directs Clerk to file reports.

COMMUNICATIONS AND PETITIONS

Letter received from New Jersey American Water for filing petition to change the levels of purchased water and purchased wastewater treatment adjustment clauses. Time of the public hearing will be January 24, 2019 at 5:30 p.m.

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. Jeffrey Feld advised he provided a heads-up memo. Commented on 2 items on the agenda.
The 2019 budget consultant agreement and then the settlement agreement for the Upchurch litigation. On 01/07/19 the city sued RPM on 3 pilots. On 01/09/19 he filed an OPRA complaint for the subpoenas he has been asking for.
- Ms. Kaitlyn Gordon reported that the library did not have internet access. With regard to Resolution 26-2019, the Upchurch settlement. She agrees with Mr. Feld that City is not providing the settlement agreement to public because they are hiding something.
- Ms. Murphy Wilson was concerned about Orange businesses. City needs to decide if they want cannabis businesses in the city. Have a public meeting on this.
- Ms. Gloria Stewart wished governing body a productive year. Requested more information on the status of the Library. She commented that the Roads are awful. Reminded the city that when it snows the sidewalk entry should be cleared. She reported on a water sample that she sent away and it was reported that the water is in poor condition.
- Dr. Stadard attended state of address in Trenton - water, tax incentives, audit were discussed. Offered church for Governing Body to meet with residents. 02/09/19 at 12 p.m. to Senate Barry Black on how to improve the community.

Motion to Close Citizen Comments by Councilwoman Williams, seconded by Councilwoman Wooten.

COUNCIL COMMENTS

- Councilwoman Wooten extended a happy New-year to everyone. Asked that everyone come out and support the Housing Authority on January 17th.
- Councilwoman Eason reported that on 01/21/19 there will be a Dr. Martin Luther King Service at 12 p.m. She will be looking into the Finance Committee duties. She felt that presentations should not be given before the Council as a whole is informed.
- Councilman Jackson responded to Eason's comment. Encouraged young adults to become involved. Public service is undervalued.
- Councilman Johnson commented that there are many things that the Council has to deal with tonight but he remains positive.
- Councilwoman Williams responded positively to Eason's comment. Recommended contract be postponed and have representative to come back. Encouraged everyone to attend a Dr. Martin Luther King event.
- Council President Coley advised agenda software will be going live at the next meeting.
- Councilwoman Eason reported that a cannabis forum was held on 10/10/18. She will have another public forum on that topic.
- Peter Traceman from Newark, NJ. Reported that the city building official closed his business at 538 Christopher Street in Orange. Would like to request the Council to consider information from Richard Wolfe and Paul Arthur by providing sworn statements regarding their actions of refusing to conduct required inspections, 2) identify any identified improvements to be made, 3) allow tenant to obtain a temporary CO, 4) to rescind the improper revoking of a zoning permit which was done without any due process. 5) remove padlocks from doors.

ORDINANCES-SECOND READING/PUBLIC HEARING

The Clerk read the ordinance by title.

62-2018 Ordinance to amend Ordinance No. 12-2010, Chapter 98 Food Handling Establishments, adopted August 4, 2010 and amended Ordinance No. 21-2012, adopted September 4, 2012.

The Chair declared the time open for a hearing on Ordinance Number 62-2018.

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 unanimously.

Motion to adopt Ordinance Number 62-2018 by Councilwoman Williams, seconded by Councilwoman Wooten.

Roll Call:

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

Nays: None.

Abstain: None.

Absent: Summers-Johnson

Motion Carries.

63-2018 Capital Ordinance appropriating \$400,000 from the capital surplus fund to pay for various capital improvements and acquisitions of equipment for various departments, 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 63-2018.

Seeing no one, the Chair declared the time closed.

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

The motion was approved unanimously.

Motion to adopt Ordinance Number 63-2018 by Councilwoman Eason, seconded by Councilman Jackson.

Roll Call:

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

Nays: None.

Abstain: None.

Absent: Summers-Johnson

Motion Carries.

ORDINANCES INTRODUCTION/ FIRST READING

The Clerk read the ordinance by title and the amendments.

2-2019 An ordinance to amend the Code of the City of Orange Township, Chapter 200, entitled ‘Vehicles & Traffic’, Section 200-10.2 Residential Parking Permit & Prohibited Parking During Certain Hours. (Hawthorne Street)

Motion by Councilwoman Williams, seconded by Councilwoman Wooten that amended Ordinance 2-2019 be introduced on first reading and that the public hearing would be held

Roll Call:

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

Nays: None.

Abstain: None.

Absent: None.

Motion Carries.

The Clerk reported that Resolution 5-2019 is postponed to the next meeting.

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.

RESOLUTIONS NUMBERS *11-2019 THROUGH*26-2019

(*5-2019 WAS POSTPONED FROM JANUARY 3, 2019 REGULAR COUNCIL MEETING)

***5-2019** A resolution authorizing the appraisal firms of Federal Appraisal, LLC, New Jersey Advisory Group, LLC and Wade Appraisal, LLC to provide real estate appraisal and expert witness testimony for condemnation hearing and litigation. **(postponed till February 5th)**

***11-2019** A resolution authorizing the extension of a communications services contract with Direct Development, LLC in an amount not to exceed \$15,000.00 per year.

***12-2019** A resolution authorizing a professional services contract with Lerch, Vinci & Higgins, LLP, to provide budget consultant services for the City of Orange Township commencing January 1, 2019 through December 31, 2019 in an amount not to exceed \$70,000.00.

***13-2019** A resolution authorizing the Tax Collector to refund Hylton, Seymour, Jr. & Hendricks, S. for duplicate payment remitted for Block 2003, Lot 2 a/k/a 54 North Day Street in the amount of \$2,024.15.

***14-2019** A resolution authorizing the Tax Collector to refund overpayment of real estate taxes paid for 2018 and to cancel any future tax billings for the premises located at Block 6702, Lot 17 a/k/a 177 Stirling Drive.

***15-2019** A resolution authorizing the Tax Collector to refund Juanita Jordan for duplicate payment remitted for water/sewer on Block 1904, Lot 33 a/k/a 215 New Street in the amount of \$3,029.28.

***16-2019** A resolution to accept Essex County Local Arts Program (ECLAP) grant funds in the amount of \$1,000.00 for 2019 Farmer’s Market Live Music.

- *17-2019** A resolution approving qualified consulting engineers to provide consulting engineering on an “as needed” bases for one (1) year commencing January 1, 2019 through December 31, 2019.
- *18-2019** A resolution authorizing Remington & Vernick Engineers, 232 Kings Highway East, Haddonfield, New Jersey 08033 to provide professional engineering services as a municipal engineer for one (1) year commencing January 1, 2019 through December 31, 2019 in an amount not to exceed \$95,000.00.
- *19-2019** A resolution awarding a contract for car washing services for all city owned vehicles to KC’s Car Wash, LLC, 360 Thomas Blvd., Orange, New Jersey 07050 for one (1) year commencing January 1, 2019 through December 31, 2019 in the amount not to exceed \$7,000.00.
- *20-2019** A resolution authorizing the awarding of a contract for supplying asphalt pavement and stone dust from Newark Asphalt Corp., Foot of Passaic Street, Newark, New Jersey 07104 for one (1) year commencing January 1, 2019 through December 31, 2019 in an amount not to exceed \$30,000.00. (Withdrawn)
- *21-2019** A resolution awarding a contract to American Wear, Inc., 261 North 18th Street, East Orange, New Jersey 07018 for the Public Works uniform rental and cleaning services for two (2) years commencing February 1, 2019 through December 31, 2020 in an amount not to exceed \$54,184.00 over the term of the agreement.
- *22-2019** A resolution rejecting the bids for the Central Field House Project Phase I.
- *23-2019** A resolution of the City of Orange Township, in the County of Essex, State of New Jersey, determining the form and other details of its “Note relating to the Transportation Bank Short-Term Loan Program of the New Jersey Infrastructure Bank”, to be issued in the principal amount of up to \$10,000,000, and providing for the issuance and sale of such note to the New Jersey Infrastructure Bank, and authorizing the execution and delivery of such note by the City of Orange Township in favor of the New Jersey Infrastructure Bank, all pursuant to the New Jersey Infrastructure Bank Short-Term Loan Program.
- *24-2019** A resolution of the City of Orange Township, in the County of Essex, State of New Jersey declaring its official intent to reimburse expenditures for the leak detection and engineering evaluation of a portion of the City’s sanitary sewer collection system and water distribution system from the proceeds of bonds and/or bond anticipation notes to be authorized in connection with the City’s application to the New Jersey Infrastructure Bank for water and sewer projects.
- *25-2019** A resolution approving the bill list for council meeting vote on January 15, 2019 dated January 9, 2019 and approving checks issued by the Finance Department in accordance with Ordinance 2-95 (Grand Total: \$1,700,150.44).
- *26-2019** Resolution approving the settlement in the matter of Deborah Upchurch v. City of Orange Township et. al. in the amount of \$1,250,000.00.

27-2019(WO) A resolution celebrating the life Freeholder Leby Jones. (Sponsored by City of Orange Council)

28-2019(WO) A resolution authorizing the award of a contract between the City of Orange Township and M. Guerrieri & Sons Excavating LLC, 117 South Valley Road, West Orange, NJ 07052 for the demolition of 691 Scotland Road, Orange, New Jersey in an amount not to exceed \$28,000.00.

29-2019(WO) A resolution for emergency temporary appropriation fo the Calendar Year 2019 Budget.

30-2019(WO) A resolution authorizing a contract with SHI International Corporation and Swiftreach Networks Inc., 14 Industrial Avenue, Mahwah, New Jersey 07034 to provide reverse 9-1-1 Public Safety Communications technology and other communication and notification platforms to the residents of the City of Orange Township for the period of January 16, 2019 through January 15, 2020 in an amount not to exceed \$11,895.00

Councilwoman Williams asked for information regarding Resolution 19-2019. The Director of DPW reported that they had asked for 4 quotes. There was only one response.

Councilwoman Williams commented that information is not clear in the resolution. She was told that going forward that information will be stated more clearly.

Motion to approve the Consent Agenda by Councilwoman Williams, seconded by Councilman Johnson, Jr.

Roll Call: The Clerk announced that Councilwoman Wooten stepped out.

Ayes: Eason, Jackson, Johnson, Jr., Williams, Coley

Nays: None.

Abstain: None.

Absent: Summers-Johnson,

Motion Carries.

NEW BUSINESS AND WALK-ON ORDINANCES / RESOLUTIONS

The Clerk read the walk-on resolutions 27-2019(WO), 28-2019(WO), 29-2019(WO) and 30-2019(WO) by title.

Motion to walk-on these resolutions by Councilwoman Williams, seconded by Councilman Johnson, Jr.

Roll Call:

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

Nays: None.

Abstain: None.

Absent: Summers-Johnson,

Motion Carries.

Attorney Montilus reported that Resolution 30-2019 has an amendment to the title. He asked that Professional services be stuck out.

The Clerk asked if any citizens wished to speak.

Mr. Jeffery Feld spoke about his concern regarding Resolution 29-2019 and its lack of transparency.

Motion to close citizens' comments by Councilwoman Williams, seconded by Councilman Johnson, Jr.

Councilwoman Williams asked why they are doing a regular emergency instead of a special emergency The BA stated that the decision had not been determined yet. They do not have the closing numbers yet for 2018. If the city has to pay it over time it will brought back. Other information was given by the BA.

The Clerk read Resolution 27-2019(WO) by Title.

27-2019(WO) A resolution celebrating the life of Freeholder Lebby Jones. (Sponsored by City of Orange Council)

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

Roll Call:

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

Nays: None.

Abstain: None.

Absent: Summers-Johnson

Motion Carries.

The Clerk read Resolution 28-2019 by Title.

28-2019(WO) A resolution authorizing the award of a contract between the City of Orange Township and M. Guerrieri & Sons Excavating LLC, 117 South Valley Road, West Orange, NJ 07052 for the demolition of 691 Scotland Road, Orange, New Jersey in an amount not to exceed \$28,000.00.

Motion to adopt Resolution 28-2019 by Councilwoman Williams, seconded by Councilman Johnson, Jr.

Roll Call:

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

Nays: None.

Abstain: None.

Absent: Summers-Johnson

Motion Carries.

The Chair read Resolution 29-2019 by Title.

29-2019(WO) A resolution for emergency temporary appropriation fo the Calendar Year 2019 Budget.

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

Roll Call:

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

Nays: None.

Abstain: None.

Absent: Summers-Johnson

Motion Carries.

The Chair read Resolution 30-2019 by the amended Title.

30-2019(WO) A resolution authorizing a contract with SHI International Corporation and Swiftreach Networks Inc., 14 Industrial Avenue, Mahwah, New Jersey 07034 to provide reverse 9-1-1 Public Safety Communications technology and other communication and notification platforms to the residents of the City of Orange Township for the period of January 16, 2019 through January 15, 2020 in an amount not to exceed \$11,895.00

Motion to adopt as amended Resolution 30-2019 by Councilman Johnson, Jr., seconded by Councilwoman Williams.

On the motion: Councilwoman Williams asked if this was being done because it was expiring. The BA stated that it already expired and the city cannot be without an emergency service system There would be a snow storm this weekend. We do not have to go out to bid for this amount. The city is also working on an upgrade of the database by doing a direct mailing.

Roll Call:

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

Motion Carries.

OTHER PENDING BUSINESS

Councilwoman Williams thanked all the Federal workers that are showing up to work during this shut down.

Councilwoman Wooten made an announcement for Councilwoman Summers-Johnson’s 1st South Ward meeting would be on January 24th at 6:30 in the Our Lady of the Valley Church.

Council President Coley had asked from the Law Department a list of all expiring contracts. He had not received that list and is asking for the list again. The City Attorney stated he would have it by the end of the week.

Councilwoman Williams stated that Direct Development would be doing a presentation on February 5th.

Motion to adjourn by Councilwoman Wooten, seconded by Councilwoman Williams.

By consensus the regular meeting adjourned at 8:53 P.M

APPROVED:

Joyce L. Lanier
City Clerk

Kerry J. Coley
Council President