

THIS IS 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, OCTOBER 2, 2018, 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 Jamie Summers-Johnson., South 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, City Attorney
Deputy Chief Petroccia, representing the Fire Director
Marty Mayes, Planning and Public Works Director
Todd Warren, Police Director
Joy Lascari, Chief Financial Officer
Marlin G. Townes, Legislative Research Officer
Lisette Sanchez, Records Support Technician
Margarette Homere, Senior Clerk

Absent: Councilman Harold Johnson, Jr. West 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 -None

- **CONSTABLE REPORTS -None**
- **OPRA REPORTS -None**

- **COUNCIL REPORTS**

- Finance: Mr. Coram Rimes reported on the attendance of that meeting. He briefly reviewed a number of ordinance and asked questions about which the Business Administrator answered. They spoke about the citywide clean-up and replanting on Main Street. There was A discussion regarding a beautification project for the city. The Business Administrator discussed Resolution 291-2018 – properties not purchased in the city auction – interested parties want to purchase property now. So Resolution 291-and 292 concern interested parties which want to purchase the two liens on those properties. Resolution 295-2018 – The Business Administrator will make changes to language – There are a number of properties identified to investigate emanate domain for a development. Includes Orange Memorial Hospital site, properties on Reock St., and properties relating to Ordinances. 49-2018 and 50-2018.
- Planning: No report.
- ABC: No report.
- Public Works: Ms. Gordon – master plan meeting not enough time only 1 of the 5 chapters discussed in detail. Received assurance from the Business Administrator that there would be a second meeting. There are 6 members there should be 7 members and will encourage council that appointees attend meetings.
Mr. Tim Walker, Essex County Liaison reported that the Orange basketball court completed. The Business Administrator advised they want to add security cameras. Councilman Jackson asked about plans for the fence, replacing and trimming trees. Mr. Walker asked that he send an e-mail.
- Housing: No report.
Councilwoman Williams advised Golf Outing has been rescheduled to October 15th.
- Library: The Business Administrator reported that Library documents are slowing being produced. Received payroll, and some resolutions. He announced 16 new computers and monitors have been donated to the library.
- Police Dept.: Captain Vitiello reported on the Crave initiative once a month to work with community eradication, strict enforcement, education, crime suppress team, 2) community engagement unit Recovered 7 bricks of heroin. 800 cars check over 200 tickets issued. Facebook page started today 10/02/18. Coffee with the cop scheduled tomorrow 10/03/18. Councilwoman Summers-Johnson thanked the police. Police promotions are scheduled tomorrow at St. Matthews.
- Fire: No report.

Council President directs Clerk to file reports.

COMMUNICATIONS AND PETITIONS –

The City Clerk announced:

- **Letter dated September 19, 2018 received from Passaic Valley Service Commission concerning the City of Newark Appeal Regarding PVSC Assessment of Third and Fourth Quarter 2018 User Charges – Notice of Public Hearing.**
- **Letter dated September 19, 2018 received from NJ Transit News – Progress continues on federally-mandated PTC; service adjustment requirements effective October 14, 2018 - 10% Rail Discount during Adjustments to Advance Positive Train Control.**
- **Information received from PSE&G on September 19, 2018- 2018 Natural Gas Public Awareness Program for Emergency Officials.**

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 – reminded council he sent them another memo this week, as well as, Feld #18 litigation. Inquired about the approval of minutes of closed executive session. Where is Mr. Mapp? He asked about the Audit and FBI subpoena. Addressed other concerns.

Ms. Kaitlyn Gordon – issue of new ord. re: Rossi Bldg. and REC Center. Questioning original purchase of REC center and grant funds received amounted to around 1.5 million dollars which we were told would repair the center; with perhaps one half million more. Then we find out that it would cost 7 million dollars to repair. Who was responsible for providing such a low estimate? Now she is concerned about new proposed REC center and transactions. Questions from previous meeting not answered. Suggested new procedure be in place and all speaker's questions be answered.

Ms. Karen Wells – city council website has improved. Wants to see documentation on all agenda items.

Mr. Tyrone Tarver – here was there as a resident not as a school board member – thanked the Business Administrator for informing school board about Master Plan meeting. Expressed concern about REC acquisition costs. Is the \$3 million include acquisition cost and relocation cost to Rossi? Will Rossi have to pay taxes on the property they are moving from? Will the new development over the Rec Center be designated as a pilot project or if not a pilot, how much will the City get in taxes?

Mr. Derrick Henry question the ordinance regarding main Street. Asked if residents had been asked about proposed REC project?

Ms. Gloria Stewart commented that the Mayor and Mr. Mapp were not in attendance. Commended She appreciated Mr. Feld and his comments and the fact that he does a give back. Library report was not really good. Believes reservoir was given away. Expressed concerned about proposed REC project considering the residents were promised a bed of roses the last time. Asked if the volunteer services consider transportation to a disabled person that works at the school.

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

The Motion was approved by unanimous vote.

Business Administrator Hartwyk provided an overview of Ordinance 49 and 50-2018. He reported that since 2010 the city has utilized their surplus budget. Last year and this year we used the surplus to balance the budget. There of the surplus that the city used required a waiver by the state. Both ordinances (49 and 50-2018) clearly state that the cost of the projects will be reimbursed by the developer.

He addressed the issue of have Rossi to pay 1.00 a month until they can move to the new location. At this point in time we do not know if the project will be a PILOT, a developer has not been chosen. The Business Administrator reported that with regard to the subpoena he had not meet with the city attorney yet to discuss the city's cause of action. When there is a decision it will be announced to all the residents

that have put in OPRA request. The financial package to go on website and given to the Clerk's Office. Audit should be here by the end of the week or next week.

Funding of two settlement agreements – seeking to fund through resolution on agenda. Have spoken to court and litigators and they are on board with the delay in payment.

Local finance board – if city files only bond anticipation notes then do not need Local Finance Board approval – only required if city is going to issue bonds.

COUNCIL COMMENTS

- Councilwoman Summers-Johnson – thanked the Business Administrator for clearing up rumors. Discussed South Ward meetings - East Clark Circle signage and Tremont Court signage still up. She reported that Councilwoman Williams provided residents with information on the Open Space tax question that would be on the ballot in November. The next South Ward meeting will be October 25th.
- Councilwoman Williams – Moore family shout out for Mrs. Moore's 90th birthday. Jessica Mazola contest on NJ.com about NJ best downtowns. Article on Website. October 11th Save a lot – grand opening will be on city website. This Saturday, pink out at the Bell Stadium. Municipal Open Space information and there are discussion throughout the city.
- Councilwoman Wooten – thanked various departments and the Business Administrator for help. She reported that on Saturday, October 20 the resident can have city do their shredding
- Councilwoman Eason – thanked Raymond Wingfield of Public Works. Wanted to know who is on call on weekends, she had to call 5 times to get a response. Asked the Business Administrator when will the city get new code enforcement officers. The Business Administrator will advise her offline. She asked residents come on out and walk on Pink Out Day. Asked about handicap signs in the city.
- Councilman Jackson – thanked citizens for attending and providing comments. He spoke about the City moving in a positive direction and improvements that the Council had made to be more efficient. He thanked Nishuane Group, the Business Administrator and organizers of the Master Plan.
- Council President Coley – update from last meeting from Mr. Mayes – were you able to speak with the Business Administrator and City Attorney re: 186 Hickory St. Director Mayes said they did not meet. Yellow lines on Main Street will be completed tomorrow at 7:00 a.m. He commented about the condition of this building and its age. It has served its purpose and we should be looking for a new building and the Police building as well. He spoke about his vision of Orange in the future and made some suggestions.

ORDINANCES–SECOND READING/PUBLIC HEARING -None

The Clerk read Ordinance 41-2018 by Title.

41-2018 An ordinance to amend the Code of the City of Orange Township, Chapter 200, entitled "Vehicles and Traffic" Section 200-52-1 Handicapped Parking Spaces. (262 North Center Street)

The Chair declared the time open for a hearing on Ordinance Number 41-2018.

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 by unanimous vote.

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

Roll Call:

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

Nays: None.

Abstain: None.

Absent: Johnson, Jr.

Motion Carries.

The Clerk read Ordinance XX-2018 by Title

ORDINANCES INTRODUCTION/ FIRST READING

The Clerk read Ordinance 48-2018 by Title

48-2018 An ordinance to amend Chapter 210 (Zoning & Land Development) of the Code of the City of Orange Township and provide for a Planning and Zoning Technical Advisory Review Committee by adding one (1) new member.

Motion that Ordinance 48-2018 be introduced on first reading and that the public hearing would be held November 7, 2018 by Councilwoman Williams, seconded by Councilman Jackson.

Roll Call:

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

Nays: None.

Abstain: None.

Absent: Johnson, Jr.

Motion Carries.

The City Clerk read Ordinance Number -2018 by Title.

49-2018 An ordinance approving an agreement between the City of Orange Township and J. Rossi Paint and Wallpaper, Joseph J. Rossi, and Annemarie P. Rossi to relocate J. Rossi Paint and Wallpaper to 425 Main Street, Orange, New Jersey to make improvements to 425 Main Street, Orange New Jersey necessary for business operations and to accept the transfer of real property from J. Rossi Paint and Wallpaper, Joseph J. Rossi, and Annemarie P. Rossi to the City of Orange Township.

Motion that Ordinance 49-2018 be introduced on first reading and that the public hearing would be held November 7, 2018 by Councilwoman Williams, seconded by Councilman Jackson.

Roll Call:

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

Nays: None.

Abstain: None.

Absent: Johnson, Jr.

Motion Carries.

The City Clerk read Ordinance Number 50-2018 by Title.

50-2018 An ordinance of the City of Orange Township authorizing the acquisition of 425 Main Street, Orange, New Jersey land also identified as Lot 25, Block 2201 for the purchase price of \$1,990,000.

Motion that Ordinance 50-2018 be introduced on first reading and that the public hearing would be held November 7, 2018 by Councilwoman Williams, seconded by Councilwoman Summers-Johnson.

On the motion: Councilwoman Williams reminded residents of the dates that public forum will take place on this ordinance

Roll Call:

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

Nays: None.

Abstain: None.

Absent: Johnson, Jr.

Motion Carries.

Councilwoman Wooten commented that she had to leave the meeting because she was the baby sitter that evening.

The Council suspended the rules so any resolutions that needed 5 Council votes were done immediately. It was determined that a walk-on ordinance would need 5 votes.

Motion to suspend the rules to walk-on Ordinance 51-2018 by Councilwoman Williams, seconded by Councilwoman Wooten.

Roll Call:

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

Nays: None.

Abstain: None.

Absent: Johnson, Jr.

Motion Carries.

The Clerk read the ordinance by title.

51-2018(WO) A Bond Ordinance providing for the acquisition and renovation of 425 Main Street, by and in the City of Orange Township, in the County of Essex, State of New Jersey (The “City”); appropriating \$3,000,000 therefor and authorizing the issuance of \$2,857,000 bonds or notes of the City to finance part of the costs thereof.

Motion to Walk-on Ordinance 51-2018(WO) by Councilwoman Williams, Councilman Jackson.

Roll Call:

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

Nays: None.

Abstain: None.

Absent: Johnson, Jr.

Motion Carries.

The Clerk asked if any resident would like to speak on the ordinance.

- Mr. Jeffery Feld asked about an attorney’s signature which was not required because the ordinance was done by an out bond attorney. He asked other questions regarding time lines and anticipated dates.

Motion to close citizen comments by Councilwoman Williams, seconded by Councilwoman Summers-Johnson.

Motion was approved by a unanimous vote.

The Clerk read the ordinance by title.

51-2018(WO) A Bond Ordinance providing for the acquisition and renovation of 425 Main Street, by and in the City of Orange Township, in the County of Essex, State of New Jersey

(The “City”); appropriating \$3,000,000 therefor and authorizing the issuance of \$2,857,000 bonds or notes of the City to finance part of the costs thereof.

Motion to adopt the ordinance by Councilwoman Williams, seconded by Councilwoman Wooten.

Roll Call:

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

Nays: None.

Abstain: None.

Absent: Johnson, Jr.

Motion Carries.

The Clerk announced that the seconding reading of the ordinance would be November 7, 2018.

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 *290-2018 THROUGH *298-2018

- *290-2018 A resolution recognizing and welcoming Lowcountry Voices to the City of Orange. (Sponsored by Councilman Harold Johnson, Jr.)**
- *291-2018 A resolution authoring assignment of city owned municipal tax lien certificates to RRS Holdings LLC.**
- *292-2018 A resolution authorizing assignment of city owned municipal tax lien certificates to Parris Development Projects LLC.**
- *293-2018 A resolution appointing Everett Johnson of Wilentz, Goldman and Spitzer, P.A. as Bond Counsel for the City of Orange Township for an amount not to exceed \$20,000.00.**
- *294-2018 A resolution designating Chadwick Capital, LLC as redeveloper in the Lincoln Avenue Redevelopment Area for 595 Lincoln Avenue. (Postponed 10-16-18)**
- *295-2018 A resolution authorizing and ratifying the award of a non-fair and open contract with Integra Realty Resources-Northern NJ, LLC, 301 South Livingston Avenue, Livingston, New Jersey for the preparation of market, feasibility, economic impact, and fiscal impact studies and valuation (appraisal) analysis in connection with certain proposed development and proposed redevelopment projects within the City of Orange Township from October 1, 2018 through June 30, 2019 in an amount not to exceed \$71,000.00. (amended and voted on separately)**
- *296-2018 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 2019 various streets project.**
- *297-2018 A resolution approving the bill list for council meeting vote on October 2, 2018 dated September 28, 2018 and approving checks issued by the Finance Department in accordance with Ordinance 2-95 (Grand Total: \$5,551,346.31)**

***298-2018** Emergency resolution authorizing the payment of settlements reached in the total amount of \$750,000.00 by way of an emergency appropriation. **(Removed for separate vote)**

Motion to adopt the Consent Agenda by Councilwoman Williams, seconded by Councilwoman Summers-Johnson.

Roll Call:

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

Motion Carries.

The Clerk read the resolution by title and read the amendments.

***295-2018** A resolution authorizing and ratifying the award of a non-fair and open contract with Integra Realty Resources-Northern NJ, LLC, 301 South Livingston Avenue, Livingston, New Jersey for the preparation of market, feasibility, economic impact, and fiscal impact studies and valuation (appraisal) analysis in connection with certain proposed development and proposed redevelopment projects within the City of Orange Township from October 1, 2018 through June 30, 2019 in an amount not to exceed \$71,000.00.

Motion to adopt the resolution as amended by Councilwoman Williams, seconded by Councilman Jackson.

Roll Call:

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

Motion Carries.

298-2018 Resolution of the City Council of the City of Orange Township, in the County of Essex, State of New Jersey authorizing an emergency appropriation pursuant to N.J.S.A. 40A:46 and 40A:4-48 to pay for legal settlements in the aggregate amount of \$750,000.

Motion to adopt the resolution as amended by Councilwoman Williams, seconded by Councilman Jackson.

Roll Call:

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

Motion Carries.

NEW BUSINESS AND WALK-ON ORDINANCES / RESOLUTIONS None.

OTHER PENDING BUSINESS None.

Motion to adjourn by Councilwoman Williams, seconded by Councilwoman Summers-Johnson.

By consensus the regular meeting adjourned at 10:16 P.M.

Approved:

Joyce L. Lanier
City Clerk

Kerry Coley
Council President