

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, JULY 11, 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
Madeline Smith, Deputy City Clerk
Chris Hartwyk, Business Administrator (BA)
Gracia R. Montilus, Deputy City Attorney
Marlin Townes, Acting Legislative Research Officer
Kenneth Douglas, Fire Director,
Marty Mayes, Director of Planning/Public Work
Adrian Mapp, Director of Finance
Joy Lascari, Chief Financial Officer
Capt. Dunn, representing Police Director
Margarette Homere, Senior Clerk
Lisette Sanchez, Records Support Technician

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 June 28, 2018, posted on the Bulletin Board in City Hall and filed in the Office of the City Clerk.

APPROVAL OF MINUTES MEETINGS

May 1, 2018 Conference and Regular Meeting Minutes

Motion to adopt the Conference and Regular meeting minutes from May 1, 2018 by Councilman Johnson, Jr., seconded by Councilwoman Williams.

The Motion was approved by unanimous vote.

REPORTS:

DEPARTMENT MONTHLY REVENUE COLLECTION 2018

Clerk's Office – Month of June 2018 – Total: \$55.05

CONSTABLE REPORTS

- Richard Noisy - Month of June 2018 activity - Church Security June 9, 2018 and June 23, 2018 monthly meeting.
- Darnell Brodi - Month of June 2018 - June 4, 18 and June 25 Black belt security.

OPRA REPORTS MONTH OF JUNE 2018- 103 OPRA requested, 86 completed and 17 pending. Total pending of 86 OPRA as of July 6, 2018

COUNCIL REPORTS

Finance: No report.

Planning: Councilwoman Eason reported that the Board met and she reported they approved the redevelopment for 377 Crain Street and reported on their progress.

A.B.C.: No report.

Library: No report. Councilman Jackson reported the Board will be meeting the next day.

Housing: No report.

Personnel: Councilwoman Williams asked Attorney Montilus what date did he become Acting City Attorney. He stated July 2, 2018. The BA nor Attorney Montilus were sure if a notice was sent out regarding that action.

Police: Capt. Dunn reported on arrest, summons and violations that had been made in the city. He reported on a vehicle stop on July 6th when 3 stolen hand guns were recovered and persons arrested. Councilwoman Wooten asked about permit parking and she was told by the BA that temporary parking permits had been issued for the residents. There will be a parking lot for them to use soon.

Fire: Fire Director Douglas reported that the Junior Public Safety Academy will begin for Orange kids ages 12 to 16, and he provided information on how to apply. He provided information on the State Fire exam and how to apply. He provided information on who to contact if a resident was having issues with their electricity or other issues with their home during the hot days. He answered questions from the Council Members. The BA reported on the cooling stations within the city.

Council President Coley called up Mr. Johnson to inform residents about Resolution 199-2018. Mr. Edward Johnson spoke about the three-million-dollar issuance of a tax anticipation note for 2018 on Resolution 199-2018. The money would only be used for items in the budget.

Council President directs Clerk to file reports.

COMMUNICATIONS AND PETITIONS – None**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 his opposition brief that he sent to McManimon & Scotland He commented that there was no conversation regarding what happened at the Local Finance Board meeting that afternoon and if they granted the application that had been put in. He commented on other issues that he had with the city and their response to his request.
- Mr. Edward Johnson spoke about the three-million-dollar issuance of a tax anticipation note for 2018 on Resolution 199-2018. The money would only be used for items in the budget.
- Mr. Derick Henry asked about cost of the case known as the State vs. Dwayne Warren, and who will be paying. Will it be the elected official or the city?
- Ms. Karen Wells stated that she had the Essex County Real-estate records for the property at 377 Crain Street and it had not been sold. She reported her issues with the bill list and the cost of technology. She commented on the PILOTS on the bill list stating that many of them did not pay the PILOTS but the city did not cancel them. She feels that the city is wasting money. She commented that the tax payers are thinking about putting their taxes in escrow until the city gets things right.
- Ms. Janice Morrell addressed Council President Coley regarding Comcast rebroadcasting the Council meetings and the status of that. Also she commented about the budget work session that would take place the next day and asked when would the publication of the amended budget be presented and will it include the changes. She would like to see the changes by category and asked when there would be a public hearing on the budget. Ms. Morrell asked when there was a public hearing for the parking regulations changes in the area. Asked when will the parking meters be upgraded. She spoke about a church within the city and the lack of parking in that area.

Motion to close Citizen Comments by Councilwoman Summers-Johnson, seconded by Councilman Johnson, Jr.

The Motion was approved by unanimous vote.

- The BA commented that the church is at 177 Central Ave. He is aware of the zoning of that site, the lack of parking for that site. There is a contract to sell that property to a new church. They have been noticed to apply for the appropriate applications if they want to continue that use of the property. There is no paperwork for a use variance for that property. He reported

that the user friendly budget is on the city website. With regard to the rebroadcast of meetings he said they are taped and the rebroadcasting will start sometime in August. With regard to 377 Crain Street it was put under contract on 9/24/2016 and the purchaser can redevelop that property. He reported that the city is working on a plan to replace a number of parking meters and have pay stations. He commented on the law with regard to late payments for PILOTS. He provided information on the new PILOT contracts by the city and how they have improved the protection against late payments. He reported that the public hearing on parking permit changes was scheduled for July 18th at 6:30 providing the location of the meeting.

COUNCIL COMMENTS

- Councilwoman Summers-Johnson thanked the Clerk's Office for the wonderful inauguration program on July 1st. She had kind words for Mr. Daniels's family. She spoke about what she had volunteered for and that she was not paid. She asked for a report on the revenue for pool badges, there were too many children that could not swim in the pools. She commented that there should be seasonal schedules so residents can plan for events. She spoke of the Valley Arts camp.
- Councilwoman Wooten reported that there would be an East Ward Community Meeting on August 2nd. She had kind words for the Daniels family.
- Councilwoman Eason thanked the Council for the flowers she received while in the hospital. She thanked all the residents that visited her and contacted her. She asked the BA about the School funding. He said that all the school numbers had not been released yet. She reported that the St. Matthew has a new Pastor. She reported that there would be a fish fry at the church. She had kind words for the Daniels family.
- Councilman Jackson gave his condolences and kind words to the Daniels family. He spoke about the Council and the budget process. He thanked the Clerk's Office for the inauguration program that took place on July 1st. He thanked the residents for coming to the meetings and speaking out.
- Councilwoman Williams reminded residents of the Community meeting the following Wednesday. She reminded residents of the City Wide Cleanup Program. With regard to the HPC when the tax bills go out will the notice be included. The BA said no because the Mayor did not want it. She called up Ms. Wells, a member of the Historic Preservation Commission (HPC) she said that the Commission was told that the notice was going in the tax bill. Councilwoman Williams stated that the Council approved the notice being added to the tax bill and if the notice is not going in the tax bill the Mayor needs to notify the Council the reason why. The BA and Councilwoman Williams discussed other issues with regard to the Historic Preservation Commission. She asked the Legislative Research Officer to review the issue and give her a legal opinion. Clerk Lanier provided an update on reports that came from Mr. Wolfe. Councilwoman Williams thanked the Clerk for the inauguration program and gave her condolences to the Daniels family and spoke of times she remembered.
- Council President Coley asked Director Mayes for an update on 190 Hickory St. Director Mayes stated that it is due to be demolished some time the following week. He was asked about 184 Hickory St. Director Mayes stated that the fines continue to accrue. They have \$19,000.00 in fines. Council President Coley reminded Director Mayes that he was getting plans from the owner a few meetings back. Director Mayes said that the owner had no plans he is trying to sell the property. Attorney Montilus and Director Mayes assured the Council

that they are doing everything possible to resolve the issue. The BA provided an update on the Budget process.

ORDINANCES—SECOND READING/PUBLIC HEARING

The Clerk read the ordinance and asked for a motion to lift the ordinance from the table. There was no response.

15-2018 An ordinance rescinding ordinance #73-2017 adopted on November 8, 2017 to amend the Code of the City of Orange Township, Chapter 200, entitled “Vehicles and Traffic”, Section 200-33 No Parking Certain Hours on Heywood Avenue. (TABLED APRIL 17, 2018, MAY 1, 2018, MAY 15, 2018, JUNE 6, 2018 and JUNE 19, 2018 REGULAR MEETINGS)

The Clerk read the ordinance by title.

26-2018 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. (195 Duane Street)

The Chair declared the time open for a hearing on Ordinance Number 26-2018.

Seeing no one, the Chair declared the time closed.

Motion to close the public hearing by Councilman Johnson, Jr, seconded by Councilman Jackson

The Motion was approved by unanimous vote.

Motion to adopt Ordinance Number 26-2018 by Councilman Jackson, seconded by Councilwoman Williams.

Roll Call:

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

Nays: None.

Abstain: None.

Absent: None.

Motion Carries.

The Clerk read Ordinance 27-2018 by Title.

27-2018 An ordinance amending the Code of the City of Orange Township, Chapter 200, entitled “Vehicles and Traffic” Section 33 – Schedule II: No Parking Certain Hours (520 Thomas Blvd).

The Chair declared the time open for a hearing on Ordinance Number 27-2018.

Seeing no one, the Chair declared the time closed.

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

The Motion was approved by unanimous vote.

Motion to adopt Ordinance Number 27-2018 by Councilwoman Williams, seconded by Councilwoman Wooten.

On the motion: It was determined that 90 days should be added to the ordinance.

Motion to adopt as amended by Councilwoman Williams, seconded by Councilwoman Wooten.

Roll Call:

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

Nays: None.

Abstain: Eason

Absent: None.

Motion Carries.

The Clerk read Ordinance 28-2018 by Title.

28-2018 An ordinance authorizing the purchase of 113 North Center Street, Orange, New Jersey, Block 2002, Lot 18 for the new construction of a skate park.

The Chair declared the time open for a hearing on Ordinance Number 28-2018.

Mr. Jeffery Feld stated that he had requested to see the appraisal and did not get it. He suggested that The Council wait for the appraisal

Seeing no one else, 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 28-2018 by Councilwoman Williams, seconded by Councilman Jackson.

On the Motion: Councilwoman Williams asked the BA about the fiscal impact. Where was the 25% that was not from Green Acers coming from. Director Mayes stated that the majority of the funds would be from Green Acers. The BA provided they city's plans regarding the funds.

Roll Call:

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

Nays: None.

Abstain: None.

Absent: None.

Motion Carries.

ORDINANCES INTRODUCTION/ FIRST READING

29-2018 An ordinance of the City of Orange Township to approve a tax exemption for a thirty (30) year period and to authorize the thirty (30) year exemption and authorizing the execution of a Financial Agreement between the City and 751 Vose Avenue Urban Renewal, LLC. (withdrawn by the BA)

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.

RESOLUTION NUMBERS *191-2018 THROUGH *209-2018

- *191-2018 A resolution authorizing the issuance of a raffle license for Our Lady of Mount Carmel Church.**
- *192-2018 A resolution appointing Coram J. Rimes as a citizen member of the Budget and Finance Committee of the City of Orange Township. (Sponsored by Council Member Tency A. Eason)**
- *193-2018 A resolution supporting the electrification of New Jersey's Transportation Sector. (Sponsored by Council Member Donna K. Williams)**
- *194-2018 A resolution cancelling the disbursement of a cash incentive to eligible Orange Municipal Employees and Elected Officials who waive health care benefits for the 2018 Budget Year. (removed for separate vote)**
- *195-2018 A resolution authorizing Change Order No. 1 to modify the contract with Cifelli & Son General Contracting, Inc., 81 Franklin Avenue, Nutley, New Jersey 07110 for the project known as The Curb Restoration to South Jefferson Street (between Central Avenue and Mitchell Street) in an amount not to exceed \$2,200.00.**
- *196-2018 A resolution authorizing the awarding of a contract for the NJDOT '18 Roadway Improvements to McChesney Street, Burnside Street, Lakeside Avenue and Stetson Street to A&J Contractors Group, Inc., 105 Federal Road, Monroe Township, New Jersey 08831 in an amount not to exceed \$789,730.85.**
- *197-2018 A resolution awarding a contract to Karson Food Service, Inc., 3409 Rose Avenue, Ocean, New Jersey 07712 in an amount not to exceed \$271,796.70.**
- *198-2018 A resolution authorizing the Tax Collector to cancel the property taxes and accumulated interest for 476 Thomas Boulevard and 520 Thomas Boulevard.**
- *199-2018 A resolution authorizing the issuance of tax anticipation notes of 2018 of the City of Orange Township, in the County of Essex, State of New Jersey not to exceed \$3,000,000.00.**
- *200-2018 A resolution authorizing additional attorney's fees to be paid to Scarinci & Hollenbeck, LLP, in calendar year 2018 as special counsel with regard to various legal matters and litigation regarding the City of Orange Township by amending resolution 125-2018.**

- *201-2018** A resolution authorizing the services of Jeanette Calderon-Arnold, Esq., to represent Police Officer Pablo Cajiga in the matter, “Kyyanna Pulyado v. Township of Orange, et al.”, in an amount not to exceed \$10,000.00.
- *202-2018** A resolution authorizing the services of Jeanette Calderon-Arnold, Esq. to represent Police Officer David Fanfan in the matter, “Evelyn Popa v. Township of Orange, et al.”, in an amount not to exceed \$10,000.00.
- *203-2018** A resolution authorizing the services of David C. Stanziale, LLC., to represent City of Orange Township, Vincent DeFilipo and Louis Copeland in the matter, “Nicholas Awoyera v. the City of Orange Township, et al.”, in an amount not to exceed \$10,000.00.
- *204-2018** A resolution authorizing the services of David C. Stanziale, LLC., to represent all defendants in the matter “Paola R. Martinez v. the City of Orange Township, et al.”, in an amount not to exceed \$10,000.00.
- *205-2018** A resolution authorizing a state contract with Stewart Business Systems, LLC, 6000 Irwin Road, Suite A, Mt. Laurel, New Jersey 08054 for replacement, maintenance, service and management of printers and multifunctional devices in an amount not to exceed \$133,048.08 over two annual budgets.
- *206-2018** A resolution accepting grant funds from the 2018 New Jersey Clean Communities Grant Program.
- *207-2018** 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.
- *208-2018** A resolution rescinding the award of a contract to Falak Construction, Inc., for the New Central Avenue Field House construction project.
- *209-2018** A resolution approving the bill list for council meeting vote on July 11, 2018 dated July 9, 2018 and approving checks issued by the Finance Department in accordance with Ordinance 2-95 (Grand Total \$ will be available Monday, July 9, 2018). (Removed for a separate vote)

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

- 194-2018** A resolution cancelling the disbursement of a cash incentive to eligible Orange Municipal Employees and Elected Officials who waive health care benefits for the 2018 Budget Year.

Resolutions removed for a separate vote:

194-2018 A resolution cancelling the disbursement of a cash incentive to eligible Orange Municipal Employees and Elected Officials who waive health care benefits for the 2018 Budget Year.

Motion to approve Resolution 194-2018 by

Roll Call:

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

Nays: Williams

Abstain: None.

Absent: None.

Motion Carries.

209-2018 A resolution approving the bill list for council meeting vote on July 11, 2018 dated July 10, 2018 and approving checks issued by the Finance Department in accordance with Ordinance 2-95 (Grand Total \$16,967,545.63).

Motion to approve Resolution 209-2018 by Councilwoman Williams, seconded by Councilman Johnson, Jr.

On the Motion: Council Members asked the BA questions regarding certain payments on the bill list which were answered by the BA.

Roll Call:

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

Nays: None.

Abstain: Johnson, Jr.

Absent: None.

Motion Carries.

NEW BUSINESS AND WALK-ON ORDINANCES / RESOLUTIONS

Motion for walk-on Resolutions to be placed on the agenda by Councilman Johnson, Jr., seconded by Councilman Jackson.

Roll Call:

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

Nays: None.

Abstain: None.

Absent: None.

Motion Carries.

The following resolutions were walk-ons:

The Clerk Resolution 210-2018(WO) by title.

A resolution designating Adrienne Court as Louis D. Hassell Way-in Memoriam (Sponsored by Council Member Harold J. Johnson, Jr.)

The Clerk read Resolution 211-2018(WO) by title.

A resolution designating Highland Avenue beginning at Scotland Road and ending at South Center Street as Cleo Hill, Sr. Way-in memoriam.(Sponsored by Council Member Harold J. Johnson, Jr.)

The Clerk read Resolution 212-2018(WO) by title.

A resolution authorizing an addendum to resolution #44-2018 2017 to Warshauer Generator, LLC, 800 Shrewsbury Avenue, Tinton Falls, New Jersey 07724 to include the delivery charges for the generators to Wells#3 and #4 in an amount not to exceed \$10,260.00

The Clerk read Resolution 213-2018(WO) by title.

A resolution authorizing the award of a contract to Cedar Forest Products, LLC, 4625 Catalpa Drive SE, Grand Rapids, MI 49546-8630 for the purchase of a prefabricated field house facility under the H-GAC buy contract #PR11-16 in an amount not to exceed \$333,584.64

The Clerk asked if any citizen would like to speak on any resolution that was walked-on the agenda. Seeing no one the Chair declared the time closed.

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

The Motion was approved by unanimous vote.

210-2018(WO) A resolution designating Adrienne Court as Louis D. Hassell Way-in Memoriam (Sponsored by Council Member Harold J. Johnson, Jr.)

On the Motion: It was determined that Mr. Hassell had been honored in 2013 and this resolution would be for renaming the street. The title was changed to above.

Motion to approve Resolution 210-2018(WO) as amended by Councilwoman Williams, seconded by Councilman Johnson, Jr.

Roll Call:

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

Nays: None.

Abstain: None.

Absent: None.

Motion Carries.

211-2018(WO) A resolution designating Highland Avenue beginning at Adrienne Court and ending at South Center Street as Cleo Hill, Sr. Way-in memoriam.(Sponsored by Council Member Harold J. Johnson, Jr.)

Motion to motion: Councilman Johnson, Jr had changed the resolution to read:

A resolution designating Highland Avenue beginning at and ending at South Center Street as Cleo Hill, Sr. Way-in memoriam.

Motion to approve Resolution 211-2018(WO) as amended by Councilman Johnson, Jr., seconded by Councilwoman Williams.

On the Motion: The Council Members discussed the contributions by Mr. Hill to Orange. It was determined that the resolution needed a revision and it would be brought back at the next meeting.

Roll Call:

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

Nays: Eason, Jackson, Coley

Abstain: None.

Absent: None.

Motion Carries.

The Clerk reported that a new resolution for Mr. Hill would be presented the following day.

212-2018(WO) A resolution authorizing an addendum to resolution #44-2018 2017 to Warshauer Generator, LLC, 800 Shrewsbury Avenue, Tinton Falls, New Jersey 07724 to include the delivery charges for the generators to Wells#3 and #4 in an amount not to exceed \$10,260.00

Motion to approve Resolution 212-2018(WO) by Councilwoman Williams, seconded Councilman Jackson.

Roll Call:

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

Nays: None.

Abstain: None.

Absent: None.

Motion Carries.

Motion to extend the meeting past 10:30 P.M. by Councilwoman Williams, seconded by Councilman Johnson, Jr.

Roll Call:

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

Nays: None.

Abstain: None.

Absent: None.

Motion Carries.

213-2018(WO) A resolution authorizing the award of a contract to Cedar Forest Products, LLC, 4625 Catalpa Drive SE, Grand Rapids, MI 49546-8630 for the purchase of a prefabricated field house facility under the H-GAC buy contract #PR11-16 in an amount not to exceed \$333,584.64

Motion to approve Resolution 213-2018(WO) by Councilwoman Williams, seconded Councilman Johnson, Jr.

Roll Call:

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

Nays: None.

Abstain: None.

Absent: None.

Motion Carries.

OTHER PENDING BUSINESS - None

Motion to adjourn by Councilman Jackson, seconded by Councilwoman Summers-Johnson.

By consensus the regular meeting adjourned at 10:40 P.M.

Approved:

Joyce L. Lanier
City Clerk

Kerry Coley
Council President