

MINUTES CITY COUNCIL
CITY OF ORANGE TOWNSHIP
NEW JERSEY

THIS WAS A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF ORANGE TOWNSHIP, HELD IN THE COUNCIL CHAMBERS OF CITY HALL, 29 NORTH DAY STREET, ORANGE, NEW JERSEY ON TUESDAY, MARCH 3, 2020 FOLLOWING THE CONFERENCE MEETING.

The City Clerk 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 Ward
Councilwoman Jamie Summers-Johnson, South Ward
Councilwoman Donna K. Williams, At-Large
Council-President Tency A. Eason

Also Present: Joyce L. Lanier, City Clerk
Chris Hartwyk, Business Administrator
Gracia R. Montilus, City Attorney
Kenneth Douglas, Fire Director
Marty Mayes, Director of Planning/Public Work
Paula Ferreira, Tax Collector
Kathrina Nease, Water Superintendent
Marlin G. Townes, Legislative Research Officer
Margarette Homere, City Clerk's Office
Tamara Robinson, City Clerk's Office

Absent: Councilwoman Adrienne Wooten, At-Large

SUNSHINE LAW The City Clerk announced 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* 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 MINUTES OF PREVIOUS MEETINGS: The City Clerk announced that there were no meeting minutes to be approved.

REPORTS: The City Clerk announced that there are no department monthly revenue collection reports.

CONSTABLE REPORTS: The City Clerk announced that there were no constable reports.

OPRA REPORTS: The City Clerk announced that there were no OPRA reports.

COUNCIL REPORTS – There are no Council Update Reports. Council President directs Clerk to move the agenda.

COMMUNICATIONS AND PETITIONS

The City Clerk announced that there were no communications and petitions.

CITIZEN COMMENTS ON GENERAL ISSUES/AGENDA ITEMS

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 AND ADDRESS 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 citizen made the comments below:

1. Jeffrey Feld commented on the following:
 - a. Heads up memo dated March 2nd;
 - b. Press release from N.J. U.S. Attorney regarding former Library Director;
 - c. Open OPRA requests due to him;
 - d. Posting meeting minutes online and suggested links to resolutions and minutes;
 - e. Perseverance in negligence claims against professionals;
 - f. False information included on the 2019 Closing Index; and
 - g. Budget reports and annual debt/finance statements
2. Derek Tague commented on the following:
 - a. Clock sign on Main Street
 - b. Star-Ledger article about film *Radium Girls*
3. Karen Wells commented on the following:
 - a. NJ Transit lease with the City of Orange regarding Highland Avenue Train Station;
 - b. Council website including the full resolution/ordinances, not just summary
 - c. Tax increases; and
 - d. Street repairs on South Center Street and Carteret Street

Motion to close the citizen comments by Councilman Coley, second by Councilwoman Johnson, Jr. The Motion was unanimously approved.

COUNCIL COMMENTS

Councilwoman Summers-Johnson commented about the following:

- Highland Avenue Train Station

Councilwoman Williams commented about the following:

- 2020 Census and Municipal voting importance;
- Orange Public Library Book Club; and
- Debt statement updates;
- Open Space restoration (Historic Preservation);
- Condolences to the Payne family, the family of Emmitt Brown and the Briggs family; and
- Read quote for Women's History Month.

Councilman Jackson commented about the following:

- 2020 Census and voting registration importance; and
- *Radium Girls* story, OSHA, and impact of pollution and hazardous materials.

Councilwoman Coley commented about the following:

- Resurfacing Freeway Drive West

Council President Eason commented about the following:

- Orange resident shredding event;
- Crossing guard signs
- Musical *Till* playing in South Orange, about life of Emmitt Till; and
- Urged senior residents to put together contact for next-to-kin in event of emergencies.

ORDINANCES—SECOND READING/PUBLIC HEARING

2-2020 An ordinance to amend and supplement the Code of the City of Orange Township, Chapter 7, "Affirmative Action", to add Article III, entitled "Orange Residents' Employment Policy" to require hiring of City residents on construction projects. (Sponsored by Council Member Donna K. Williams).

The City Clerk announced that Ordinance 2-2020 will be postponed and public hearing will remain open until the Policy & Planning Committee meets.

3-2020 An ordinance adopting the Main Street Redevelopment and Rehabilitation Plan with condemnation pursuant to N.J.S.A. 40A:12A-7.

The City Clerk declared the time open for a hearing on Ordinance Number 3-2020.

The following residents appeared and voiced their comments and/or concerns:

1. Jeffrey Feld urged Council to review redevelopment plan for errors and suggested to have outside counsel review to avoid possible conflicts and maintain transparency.
2. Karen Wells expressed concern about how the redevelopment plan may affect the Historic Preservation Commission's role in reviewing filed Planning Board applications.

Motion to close Citizen Comments by Councilwoman Williams, second by Councilwoman Summers-Johnson. The motion was approved by unanimous vote.

Motion to adopt on Second Reading by Councilwoman Williams, second by Councilman Coley.

On the motion: Councilwoman Williams asked the Business Administrator what would happen should a property included in the Main Street Plan be included under Historic Preservation. Business Administrator explained jurisdiction of Commission in regards to actions that can be taken and what cannot.

Roll Call:

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

Motion passed.

4-2020 An ordinance to amend the Code of the City of Orange Township, Chapter 203, "Water", Article I, entitled "Connections and Use Requirements" to authorize separate meters for irrigation and to address charges for swimming pools. (Sponsored by Council Member Donna K. Williams).

The City Clerk declared the time open for a hearing on Ordinance Number 4-2020. No one appearing.

Motion to close Citizen Comments by Councilwoman Williams, second by Councilman Coley. The motion was approved by unanimous vote.

Motion to adopt on Second Reading by Councilwoman Williams, second by Councilman Johnson, Jr.

On the motion: Councilwoman Williams asked the Business Administrator how can ordinance be implemented. Business Administrator says he will meet with the Water Superintendent to create plan.

Roll Call:

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

Motion passed.

ORDINANCES-INTRODUCTION/FIRST READING: The City Clerk announced there were no Ordinances – Introduction/First Reading.

TABLED – MUST BE LIFTED FROM TABLE TO BE PLACED ON CONSENT AGENDA

400-2020 A resolution granting developer designation for Skyview Capital LLC and/or its affiliated B&O Urban renewal entity as a developer within the Transit Village district east portion of the Central Orange Redevelopment Area. (Amended)

(TABLED FROM THE 12/03/2019, 12/17/2019, 01/03/2020 AND 02/04/2020 & 2/18/2020 REGULAR MEETINGS)

The City Clerk asked if there was a motion to lift from the table. Seeing none Resolution 400-2019 remains tabled.

40-2020 A resolution appointing Ismael Ituarte-Perez as Alternate Member No. 4 of the Zoning Board of Adjustment. (Sponsored by Council Member Donna K. Williams) (POSTPONED FROM THE 02/04/2020 & 02/18/2020 REGULAR MEETING)

Motion to postpone by Councilwoman Williams, second by Councilman Jackson.

Roll Call:

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

Motion passed.

CONSENT AGENDA

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 REQUESTS, IN WHICH EVENT, THE ITEM WILL BE REMOVED FROM THE GENERAL ORDER OF BUSINESS AND CONSIDERED IN ITS NORMAL SEQUENCE OF THE AGENDA.

***85-2020 A resolution appointing Carl Fields, Jr. as a member to the Citizen's Budget Advisory Committee for Calendar Year 2020 Municipal budget process. (Sponsored by Council Member Tency A. Eason)**

***86-2020 A resolution appointing Millicent Jackson as a member to the Citizen's Budget Advisory Committee for Calendar Year 2020 Municipal budget process. (Sponsored by Council Member Tency A. Eason)**

***87-2020 A resolution re-appointing Antoinett Hall, a resident of Orange, New Jersey as a second alternate member to the Zoning Board of Adjustment of the City of Orange Township, New Jersey.**

***88-2020 A resolution designating Hickory Street beginning at Central Avenue and ending at Parrow Street as Superintendent Clarence C. Williams, Sr. Way – Memoriam. (Sponsored by Council Members Adrienne Wooten, Donna K. Williams & Kerry J. Coley)**

***90-2020 A resolution celebrating the life of Maureen Majette-Archie. (Sponsored by Council Member Donna K. Williams and Council Member Adrienne Wooten) (Amended)**

- *91-2020** A resolution celebrating the life of Jorge Martinez, Sr. (Sponsored by Council Member Donna K. Williams)
- *92-2020** A resolution honoring Cleo Hill, Jr. (Sponsored by Council Member Donna K. Williams)
- *93-2020** A resolution opposing the Presidential Travel Ban from Nigeria. (Sponsored by Council Member Donna K. Williams)
- *94-2020** A resolution authorizing the awarding of a contract to Schifano Construction Corp., 1 Smalley Avenue, Middlesex, New Jersey 08846 for road resurfacing under the Morris County Cooperative Pricing Council Contract #6 in an amount not to exceed \$1,544,296.06.
- *96-2020** A resolution appointing Fairview Insurance Agency Associates, Inc. as the City of Orange Township's Risk Management Consultant (RMC) for the Public Entity Joint Insurance Fund (PEJIF) and authorizing the execution of an agreement for Risk Management Consultant Services with Fairview Insurance Agency Associates Inc.
- *97-2020** A resolution authorizing the tax collector to refund Corelogic for overpayment of real estate taxes paid in the third and fourth quarter of 2019 and first quarter of 2020 in the amount of \$2,835.28 and to cancel 50% of any future tax billings for the premises owned by Thomas Burton, III, located at Block 3402 Lot 41 also known as 195 Chapman Street.
- *98-2020** A resolution authorizing the refund to William Fleming, Jr. for taxes paid on Block 1802 Lot 31 also known as 75 William Street in the amount of \$803.70.
- *99-2020** A resolution issuing a refund to 751 Vose Avenue Urban Renewal, LLC for a water payment made on Block 7004 Lot 4 also known as 751 Vose Avenue in the amount of \$2,083.13.
- *100-2020** A resolution authorizing the cancellation of Tax Sale Certificate No. 16-00004 on Block 701, Lot 26, also known as 477 Alden Street and issuing a refund for all accrued interest, penalties to US Bank Cust Pro Cap 4 in the amount of \$4,684.41.
- *101-2020** A resolution authorizing the cancellation of Tax Sale Certificate No. 18-00149 on Block 6705, Lot 7, also known as 232 Stirling Avenue in addition to a refund to Wells Fargo for redemption amount paid in the amount of \$617.19.
- *102-2020** A resolution authorizing the Tax Collector to refund Wells Fargo for duplicate payment remitted for Block 1904, Lot 28 also known as 191 New Street in the amount of \$156.00.

- *103-2020** A resolution authorizing the cancellation of Tax Sale Certificate No. 19-00854 on Block 1802, Lot 30 also known as 47 Hillyer Street in addition to issuing a refund for all accrued interest, penalties to CC1 NJ II LLC in the amount of \$4,376.97.
- *104-2020** A resolution authorizing the cancellation of Tax Sale Certificate Numbers 19-00159 on Block 401, Lot 28, also known as 500 Burnside Street; 19-00160 on Block 2301, Lot 9, also known as 44 N. Jefferson Street; and 19-00162 on Block 3203, Lot 9, also known as 42 Webster Place in addition to a refund for all accrued interest, penalties, fees and premium to Fig Cust FIGNJ19, LLC & Sec Pty in the total amount of \$123,368.78.
- *105-2020** A resolution authorizing and ratifying the award of a non-fair and open professional services agreement with Integra Realty Resources-Northern NJ, LLC, 301 South Livingston Avenue, Livingston, New Jersey for the preparation of market, feasibility, economic impact, valuation (appraisal) analysis, fiscal impact and payment in lieu of taxes (PILOT) studies in connection with certain proposed development and proposed redevelopment projects within the City of Orange Township for a period of March 1, 2020 through December 31, 2020 in an amount not to exceed \$50,000.00.
- *106-2020** A resolution authorizing the extension of the contract between the City of Orange Township and Lamb Kretzer, LLC for various workers' compensation matters for a period of ninety (90) days, ending March 31, 2020 in an amount not to exceed \$10,000.00.
- *107-2020** A resolution authorizing the extension of the contract between the City of Orange Township and Wilentz, Goldman and Spitzer, P.A. as bond counsel for a period of ninety (90) days, ending March 31, 2020 in an amount not to exceed \$10,000.00.
- *108-2020** A resolution authorizing the City of Orange Township to fix the rate of interest to be charged on delinquent taxes and other municipal charges.
- *109-2020** A resolution for the transfer of appropriation reserves.
- *110-2020** A resolution authorizing a contract with PFK O'Connor Davies, LLP to serve as municipal auditors and to perform the calendar year 2019 audit, and to assist with the preparation of the Annual Financial and Debt Statements, as needed, along with ancillary accounting services in an amount not to exceed \$125,000.00.
- *112-2020** A resolution authorizing the Planning Board to conduct an investigation pursuant to N.J.S.A. 40A:12A-6 for designation of certain properties as a non-condemnation redevelopment area and/or an area in need of rehabilitation, directing the Planning Board to hold the public hearing and report to the City Council, and directing the Planning Board to prepare a redevelopment plan for any properties so designated by the City Council.

***113-2020** A resolution approving the bill list for council meeting vote on March 3, 2020 dated February 27, 2020 and approving checks issued by the Finance Department in accordance with Ordinance 2-95. (Grand Total: \$5,203,950.93)

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

Roll Call:

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

Motion passed.

***89-2020** A resolution authorizing the issuance of a bingo license to Hazel Avenue Elementary School PTA.

The City Clerk announced that the bingo has been cancelled.

Motion to adopt by Councilman Johnson, Jr., second by Councilwoman Summers-Johnson.

Roll Call:

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

Motion failed.

***95-2020** A resolution authorizing the award of a non-fair and open contract with Neighborhood Planning and Architectural Design, Inc. (NPAD), 132 South Harrison Street, East Orange, New Jersey 07018 to provide professional architectural, surveying, design and construction inspection services for the Public Works Brook Alley Garage Restroom Upgrades in an amount not to exceed \$15,000.00.

Motion to postpone by Councilwoman Williams, second by Councilman Johnson, Jr.

Roll Call:

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

***111-2020** A resolution authorizing additional funding for the contract with Sysnet Solution, Inc., 746 Route 18, Suite 2B, East Brunswick, New Jersey 08816 until the termination of the contract on August 14, 2020 in an amount not to exceed \$125,000.00. (Amended)

Motion to adopt as amended by Councilwoman Williams, second by Councilman Johnson, Jr.

Roll Call:

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

Motion passed.

NEW BUSINESS AND WALK-ON ORDINANCES/RESOLUTIONS

The City Clerk announced that there was one walk-on Ordinance and one walk-on Resolution being considered for tonight's meeting and read each by title:

8-2020(WO) An ordinance amending Chapter 95 of the Code of the City of Orange Township Code entitled "Flood Damage Prevention".

114-2020(WO) A resolution authorizing the four (4) year appointment of Nile Clements as the Chief Municipal Financial Officer from January 1, 2020 to December 31, 2023.

Motion to walk Ordinance 8-2020(WO) and Resolution 114-2020(WO) onto the agenda by Councilman Coley, second by Councilman Jackson.

Roll Call:

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

Motion passed.

The City Clerk declared the time open for citizen comments on the walk-on ordinance and resolution.

The following citizen commented on Resolution 114-2020(WO):

1. Jeffrey Feld commented that new appointee should not be responsible for and actions occurring during January 1st through March 3rd. He expressed concern about term length and how what affects this could have on the consolidation and separation of the two (2) positions of Finance Director and Chief Municipal Financial Officer.

Motion to close the citizen comments by Councilwoman Williams, second by Councilman Johnson, Jr. The Motion was unanimously approved.

8-2020(WO) An ordinance amending Chapter 95 of the Code of the City of Orange Township Code entitled "Flood Damage Prevention".

Motion to adopt on First Reading by Councilwoman Williams, second by Councilman Johnson, Jr.

Roll Call:

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

The City Clerk announced that the public hearing for Ordinance 8-2020(WO) will be held March 17, 2020.

114-2020(WO) A resolution authorizing the four (4) year appointment of Nile Clements as the Chief Municipal Financial Officer from January 1, 2020 to December 31, 2023.

On the motion: Business Administrator advised that the Statute requires a four-year appointment for a Chief Municipal Financial Officer. The Department of Community Affairs had approved another CFO for the beginning of the year; therefore, if something comes up or brought to the Administration, Mr. Clements will not be recognized as the CFO and not responsible from January 1, 2020 through March 3, 2020.

Motion to adopt by Councilwoman Williams, second by Councilman Jackson.

Roll Call:

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

Motion passed.

OTHER PENDING BUSINESS

Council president Eason asked attendees to pray for victims of the recent tornado in Nashville, Tennessee. Councilwoman Williams congratulated new CFO Nile Clements and wished him success in his new position.

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


The Motion was unanimously approved.

Regular Meeting adjourned at 8:31 p.m.

The next City Council Conference and Regular Meeting will be held on Tuesday, March 17, 2020 at City Hall, 29 North Day Street, in the Council Chamber at 7:00 p.m.

APPROVED:


Joyce L. Lanier
City Clerk


Tency A. Eason
Council President