

MINUTES CITY COUNCIL
CITY OF ORANGE TOWNSHIP
NEW JERSEY

THIS IS THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF ORANGE TOWNSHIP HELD VIA AUDIO-VIDEO CONFERENCING ON WEDNESDAY, AUGUST 5, 2020 FOLLOWING THE CONFERENCE MEETING.

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

Roll Call:

Present:

Council Vice-President Tency A. Eason, North Ward
Councilman Harold Johnson, Jr. West Ward
Councilman Weldon M. Montague, III, At-Large
Councilman Clifford R. Ross, At-Large
Councilwoman Jamie Summers-Johnson, South Ward
Councilwoman Adrienne Wooten, At-Large
Council President Kerry Coley, East Ward

Also Present:

Joyce L. Lanier, City Clerk
Lisette Sanchez, Deputy City Clerk
Chris M. Hartwyk, Business Administrator
Gracia R. Montilus, City Attorney
Adrien Mapp, Director of Finance
Nile Clements, Chief Financial Officer
Kenneth Douglas, Fire Director
Marty Mayes, Planning/Public Works Director
Marlin Townes, Legislative Research Officer
Katrina Nease, Superintendent of Water
Maggie Homere, City Clerk's Office
Tamara Robinson, City Clerk's Office

The requirements of N.J.S.A. 10:4-9 et. seq., "Sunshine Law" has been met. A notice of this meeting was sent to the Record Transcript, published in the Star Ledger on July 16, 2020, posted on the City's Website (www.ci.orange.nj.us) and the Council's Website (www.orangetwpnjcc.org) and filed in the Office of the City Clerk.

APPROVAL OF MEETING MINUTES:

- **June 16, 2020 Conference & Regular Meeting Minutes**

Motion to adopt by Councilman Montague, second by Councilman Johnson, Jr.

Motion was approved by unanimous vote.

Motion passed.

Motion to rescind motion to adopt the June 16, 2020 Conference & Regular Meeting Minutes by Councilman Montague, second by Councilman Johnson, Jr.

**Motion was approved by unanimous vote.
Motion passed.**

Motion to adopt the June 16, 2020 Conference & Regular Meeting Minutes by Councilwoman Wooten, second by Council Vice President Eason.

Roll Call:

Ayes: Eason, Johnson, Jr., Summers-Johnson, Wooten and Council President Coley
Nays: None
Abstain: Montague, III and Ross
Absent: None

Motion passed.

- **July 8, 2020 Conference & Regular Meeting Minutes**

**Motion to adopt by Councilman Ross, second by Councilman Johnson, Jr.
Motion was approved by unanimous vote.
Motion passed.**

REPORTS:

DEPARTMENT MONTHLY REVENUE COLLECTION 2020:

- Department of Planning & Economic Development – Month of June 2020: \$89,686.00
- Clerk’s Office – Month of June 2020: \$35.00
- Historic Preservation Commission - Month of June 2020: \$70.00
- Department of Community Service – Month of June 2020: \$9,057.00

CONSTABLE REPORTS:

- Richard Noizy – June 2020 – No activities due to COVID-19

OPRA REPORTS: None.

COUNCIL REPORTS: None.

COMMUNICATIONS AND PETITIONS:

The City Clerk read into the record the following petitions received:

1. Petition for permit parking on New Street between Park Street and North Center Street from 7 p.m. to 6:00 a.m.
2. Petition of New Jersey American Water Company, Inc. for authorization to implement a tariff supplement establishing a distribution system improvement charge – Virtual Public Hearing scheduled for August 17, 2020 at 4:30 p.m. and 5:30 p.m.

CITIZEN COMMENTS ON GENERAL ISSUES/AGENDA ITEMS

“SPECIAL NOTICE: Please be apprised anyone wishing to discuss Agenda or General Items shall email their statements or questions to citizencomments@orangenj.gov. no later than 7:00 p.m. the day prior to the scheduled public meeting. For the citizen comment portion of the meeting, the public will be allowed to question or comment on any new matter raised during the meeting. New matter is any discussion had by a Council Member or a city administrative staff person regarding any agenda item during the course of the meeting. Please email any question or comment relating to any new matter to Council Vice President at TEason@orangenj.gov with your name and address. The City Council reserves the right to respond or not respond during the meeting to any citizen’s submission.”

- Council Vice-President Eason advised the public that the following citizens submitted questions and/or comments:

JEFF FELDS

Conference Meeting Presentation

Amended Master Plan Zoning Ordinance

1. If the Master Plan was amended in late CY 2018, why the delay in presenting this amended master plan zoning ordinance during the summer and during a pandemic?
2. Is there a blacklined amended master plan zoning ordinance highlighting the changes to this voluminous ordinance?
3. If so, why wasn't it shared with all interested stakeholders?
4. Does the amended master plan zoning ordinance address the planning board procedural requirement arising after the adoption of a redevelopment plan, such as the need to obtain a redeveloper designation and a fiscal impact study?
5. Was this proposed amended master plan zoning ordinance vetted and approved by planning board, zoning board and special outside redevelopment counsel prior to its submission to the local governing body?
6. Was this proposed amended master plan zoning ordinance vetted with the local planning and zoning boards prior to its submission to the local governing body?
7. Why the delay in producing to me pursuant to OPRA the Nishuane Group executed CY 2020 retention contract?
8. What were Willis Edwards III connections to the Nishuane Group principals?
9. Do any other city employees, consultants and outside professionals have similar connections to Willis Edwards III?
10. How much has Orange paid the Nishuane Group to prepare this proposed amended master plan zoning ordinance?
11. In the last three years, how much has Orange paid the Nishuane Group to correct and to cure certain patent procedural errors and omissions?
12. In the last three years, how much has Orange paid the Nishuane Group without obtaining detailed time summaries and allocations of services? See, PO 20-00145
13. Are monies turned over from certain planning board escrows used to reduce the amount of monies due and owing the Nishuane Group? See, PO 19-01232, 20-00927, -00929, - 00932, - 00950, -00950.
14. Has the planning board and zoning board each enacted annual reorganization rules and procedures governing their meetings and approval processes?

Regular Meeting

Approval of Minutes

15. Who drafted, reviewed and approved the proposed June 16, 2020 and July 8, 2002 meeting minutes prior to their submission to the local governing body for approval?
16. Do the proposed minutes adequately and correctly disclose whether written responses to my written agenda related questions were posted on a public website prior to consideration by the local governing body, whether stakeholders were provided a reasonable opportunity to fact check legislative representations and warranties prior to municipal approvals, and whether the local governing body provided stakeholders a reasonable second reading public hearing opportunity to be heard on ordinances not subject to referendum challenge?
17. Why the delay in posting the June 16, 2020 regular meeting video on a public website?
18. When will the June 16, 2020 “initial” CY 2020 Budget Public Hearing minutes be approved and posted on a public website?

Ordinances

First Reading

North Main Street Redevelopment Plan Approval Ord. 29-2020

19. Who drafted, reviewed fact checked and approved this redevelopment plan ordinance prior to its inclusion on the August 5, 2020 agenda?
20. Under what authority did the local planning board consider and approve a redevelopment plan prior the local governing body approving the investigative study and authorizing the local planning board to consider a redevelopment plan?
21. Will there be a public city council presentation about the North Main Street redevelopment area and plan prior to its approval?
22. Why was my family’s former warehouse excluded from the North Main Street redevelopment plan?
23. When was the Main Street Redevelopment Plan described in the North Main Street redevelopment Plan adopted?
24. Why did Orange have to recommence the Main Street Investigative Study and Redevelopment Plan Process in CY 2019?
25. Under the terms of this proposed redevelopment plan, when are redeveloper designation and a fiscal impact study a precondition to any planning board approvals?

Main Street Commercial Hours of Operations Ord. 30-2020

(Sponsored by Council person Eason)

26. Who drafted, reviewed, fact checked and approved this proposed ordinance prior to its inclusion on the August 5, 2020 agenda?
27. With whom was the proposed Main Street business hours ordinance vetted?
28. Did the Warren Administration sign off on this proposed business hours ordinance?
29. Did the local chamber of commerce sign off on this proposed business hours ordinance? Does this proposed ordinance discriminate against businesses that traditionally serviced the trade and opened and closed earlier than the hours proposed in the ordinance?
30. Does this proposed ordinance unfairly aid competing businesses located in other parts of the City?

31. In this pandemic, is it prudent to impose any additional restrictions on small business owners?

Resolutions

Amended and Expanded Reock Street Redevelopment Plan with Condemnation Powers Planning Board Authorization Res. 311-2020

32. Who drafted, reviewed, fact checked and approved this proposed condemnation redevelopment plan resolution prior to its inclusion on the August 5, 2020 agenda?
33. Why isn't the proposed area or name of this condemnation redevelopment plan area disclosed in the caption?
34. Why the urgent need to convert this plan to a condemnation plan?
35. How much additional monies will be paid to the Nishuane Group for this sudden and on the eve of planning board approval change?

Blau & Blau Affirmative Tax Appeal Retention Res. 320-2020

36. Despite my various OPRA requests, why the delay in disclosing all affirmative tax appeal cases filed by Orange?
37. What are the Blau & Blau contingent fee terms? **33 1/3%**?
38. Based upon schedule A, what is the projected Blau & Blau aggregate contingent fee?
39. Why did our mayor reject my **10%** of additional short and long term tax exemption recovery settlement negotiated with our BA and former city attorney Pennington? Cf: PO 20-00720. See, McNellis-Wallace v. Hoffman, __ N.J. Super.____(App. Div. July 31, 2020); Mills v. State, A-5356-18T2 (App. Div. Aug. 3, 2020).
40. Which proposal on its face was more beneficial to Orange and its taxpayers?

Bill List Res. 328-2020

41. What additional services did our outside budget consultant provide Orange? PO 20- 00151, -00496
42. How much did the July 2020 primary cost Orange? PO 20-01345, -00154.
43. How much has Orange pay its special outside bond counsel in CY 2020? PO 20-00981, 01267,-01264.
44. Over the last ten years how much we expended responding to Judy Rothenberger matters? PO 20-00156.
45. In what matters are we paying Gluck Walworth? PO 20-00720
46. When did Orange's relationship with the Clark Law Group terminate? PO 20-01344.
47. Did the Nishuane Group provide appropriate time summaries to its purchase orders? PO 00145
48. Who reviewed all purchase orders prior to their inclusion on the Bill List? How much have we expended to date responding to the COVID-19 pandemic?

CY 2020 Municipal Budget Amendment Res. 331-2020

49. Are these proposed CY 2020 Budget Amendments subject to State approval?
50. Will there be an advertised public hearing on these proposed amendments prior to the adoption of the amended CY 2020 Budget?
51. When does Orange anticipate Orange finally adopting its amended CY 2020 Budget?
52. What is the status of the CY 2019 Audit?
53. Was our water/sewer utility self-liquidating in CY 2017?

Non-Agenda Items

54. Do public officials have a statutory or common law duty to disclose his or her receipt of a federal or state grand jury subpoena, search warrant or visit by a municipal regulator? See, Gilbert v. Stewart, A-1841-18T2 (App. Div. July 28, 2020)
55. If so, what are the adverse consequences of non-compliance?
56. Do local public officials have a duty to mitigate litigation and to cure all patent material procedural and substantive errors and omissions, including the failure to provide stakeholders a reasonable second reading public hearing opportunity to be heard on ordinances not subject to referendum challenge?
57. When will Orange respond and post all virtual meeting written responses?
58. Were legislative material boxes removed from Orange's official public website?
59. Who authorized the removal of these legislative material boxes from Orange's official public website?
60. When will Orange respond to all my open OPRA and common law right to access document requests, including disclosing the dates of issuance and receipt of all CY 2019 and CY 2020 federal or state subpoenas?
61. When will the local governing body adopt minutes to the January 2018 special water/sewer utility amended contract hearing?
62. Under developing case law and the Internal Revenue Code as amended, does a redeveloper receive reportable gross income from a below market sale and transfer of municipal property? See Commissioner of Internal Revenue v. Brokertec Holding, F. 3d_____(3d Cir July 28, 2020).
63. Will there be any special meetings in August?
64. What is the status of the former Lincoln Avenue police station private sale approved in CY 2019?
65. Since our BA's arrival in August 2016 shortly after the FBI raid of Orange's public library, how many different public officials, consultants and professionals have been terminated and replaced? Mayor's Chief of Staff? City Attorney? Deputy City Attorney? CFO? Tax Collector? Tax Assessor? Water/Sewer Utility Director? Recreation Director? Community Services Director? Special Outside Redevelopment Counsel? Planning Board Counsel? Planning Board Secretary? Tax Appeal Counsel?

Murphy Wilson <mightymurf@gmx.com>

In reference to page 49, " Administration and Procedures", chart of "Application Submission requirements"

Recent events have forced this process to become paperless and even blueprints are put online so that we can all view them during virtual meetings.

It would be very progressive to continue this practice after we resume in person meetings.

The application process really should be paperless, especially when there are 15 copies required.

1) it saves trees!

2) it saves **postage \$\$\$**

MEMBERS OF THE SEVEN OAKS SOCIETY

Regarding the statement (#7 Citizens comments on general issues/ general item):

Channeling public comments to email only reduces the dialogue with our Council as it eliminates those with questions who have limited or no means to connect to the internet. Also how does this action facilitate trust and collaboration in our community?

RESO 312-2020	<i>Amends reso 151-2020 to extend Galls uniform contract until 12/31, in the amount of 50k but not to exceed 70k, for police uniforms (as part of contract city of orange)</i>
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- Please clarify what was purchased, we saw a line item for 40K for riot gear that was passed through a resolution. We'd like more information on what this purchase entails.

RESO 314- 2020	<i>Authorizing acceptance of 1 million grant from the safe routes to school prog.</i>
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- Is it possible for some of the received \$1M be allocated to aid in School Pedestrian Safety around other schools in the district or is this sum only dedicated for Park Ave Elementary?

RESO 315-2020	<i>Authorizing acceptance of 195k from NJDOT</i>
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- Where can we find information on the plan to improve the Orange Train Station?
- Is it possible to provide a detailed allocation of the accepted funds from 2018?

RESO 320-2020	<i>Authorizing's Blau & Blau (they filed such appeals in 2019 and 2020) law firm to file tax appeal for increase the assessments on the properties listed on schedule A</i>
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- Coronavirus Relief Fund how does the \$1.285M balance with how much was been spent to respond to the pandemic.

RESO 331-2020	<i>Budget amendment -> should be reviewed.</i>
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- Please advise in detail how the city plans to allocate the additional funds?
- EC Recreation and Open Space Trust Fund - How will this \$150K be spent. Can it be used to offset improvements to cover the costs for 310-2020 Metcalf Park Baseball Fields. Additionally, can some funds be used towards the existing Tennis courts at Metcalf Park, as they are in disrepair.
- Please Explain the projected rise in Section F - Revenues?
- It appears the city has captured some savings in the budget General Appropriations, when can we expect a presentation of the cost saving measures employed?
- How was the choice of Continental Trading and Hardware of Newark decided? Was there not a local City of Orange vendor who could have been chosen?

General issue/ items:

- In regard to the water infrastructure upgrades: Can there be more information provided around the “Maturity clauses” and how they relate to Orange? Has any of the work been done already? Or are starting from zero?
-
- Please advise when the community will be receiving the Approved finalized budget for Calendar year 2020?
- Please provide documents to

As always, we are eager and available to assist the Council and the Township with Moving Orange Forward, and we want to continue to be supportive of our town by becoming informed, getting involved, and conducting meaningful conversations with set boundaries.



Zonasha Ward
Secretary, Seven Oaks Society
sevenoakssociety@gmail.com
www.SevenOaksSociety.com

- The questions have been posted on the Council’s website under the August 5, 2020 Council Meeting folder.
- Business Administrator Hartwyk confirmed that written answers will be provided within 48 hours and posted on the websites.

Motion to close Citizens Comments by Council Vice President Eason, second by Councilman Johnson, Jr.

The Motion was unanimously approved.

Motion passed.

COUNCIL COMMENTS

Councilman Ross commented on the following:

- Thanked Councilwoman Summers-Johnson and the Department of Public Works on cleaning up the property on Elmwood and South Center Street.
- Expressed his excitement and gratitude for being part of the Council who are giving out food and cleaning up the City.
- Can be reached at (973) 666-1866.
- 2020 Census.

Councilwoman Summers-Johnson commented on the following:

- Successful backyard meetings with individual residents to hear their concerns.

- Citywide cleanup partnered with St. Matthews Church and planted flowers in front of Walgreens on Central Avenue with Councilwoman Wooten and Orange resident Kami Willis.
- Little Free Libraries have launched in the South Ward. You do not need a permit if it's located on your own property, but must get a permit from the City to install anywhere else.
- Thanked Coach Randy Daniels for building hers and Alexandria for sponsoring two.
- Looking for carpenters to build libraries. Councilwoman Summers-Johnson can be reached at jsummers@orangenj.gov.
- Looking for sponsors for libraries and donation of books.
- Police Council Community Meeting on July 16, 2020.
- Distribution of 350 bags of food at Cleveland Street on July 25, 2020.
- Garden Tour held on July 25, 2020.
- Tremont Court new Neighborhood Watch sleepover on July 25, 2020
- Nassau Street Neighborhood Watch Seven Oaks meeting.
- Thanked South Ward residents who cleaned their property and helped others clean their property after the storm.

Council Vice-President Eason commented on the following:

- Name change for St. Matthews Church which is now St. Matthews Church a Servant Church of the Oranges and their collaborative efforts with other churches and the County to get COVID testing in Orange.
- Thanked the residents, St. Matthews Church members and volunteers who participated in the clean-up in Orange.
- Thanked Katrina Nease for all her hard work. Oakwood and Clay Street did not flood.
- Distribution of 1,100 boxes of food in collaboration with Essex County is scheduled for August 6, 2020 starting at 8:00 a.m. at St. Matthews Church.
- East Orange Senior Center distributes food every Saturday from 9:30 a.m. until it all gone.
- Food distribution every Wednesday at the Eagle Flight Squadron, Inc. located at 410 Springdale Avenue, East Orange.
- Food distribution at Ebenezer Baptist Church in Orange.
- Encouraged residents to help the seniors and pick
- 2020 Census deadline is September 30, 2020 and St. Matthews Church offers assistance in completing by providing computer access to complete the 2020 Census from 11 a.m. to 1 p.m. every day except Wednesday.
- Autism Camp held at St. Matthews Church.
- Farmer's Market on August 10th from 8:00 a.m. to 11 a.m. at Monte Irvin Park bringing fresh fruit and vegetables.
- Thanked Department of Public Works for all of their hard work after the storm.
- Prays for residents to get their lights on.
- Distribution of 500 dinners every Sunday starting at 1 p.m. for the month of August at St. Matthews Church.
- Distribution of 100 boxes of food every Thursday at St. Matthews Church.

Councilman Montague, III commented on the following:

- Work fair scheduled for August 6th at 10:00 a.m. at Colgate Park. FedEx has committed to hire 150 residents from Orange. Thanked Mayor, Municipal Council, and Captain Viteillo for their support.
- Work fair scheduled for August 13th at Metcalf Park for residents with college degrees or trades.

Councilman Johnson, Jr. commented on the following:

- Volunteered his services to pick up and deliver boxes of food to residents in need. Councilman Johnson can be reached at (973) 747-7884.

Councilwoman Wooten commented on the following:

- Voter registration drive starting the week of August 10th.
- Requested County Liaison to come to participate in the next Council Meeting and would like to discuss Monte Irvin Park general overhaul of park.
- Kami Willis of Baba Gardens and her crew will revamp garden at 340 Thomas Boulevard to help feed residents.
- Census information was collected while food was distributed.
- Thanked all residents and agencies who gave food.
- Meetings with the Business Administrator and Code Enforcement regarding Scotland Road clean-up. Summonses have been issued.
- Little Free Libraries requests from the East Ward and donation of 2 designated for the East Ward once they are refurbished.
- Thanked the Department of Public Works for their quick response regarding trees.
- Rodent problem near Hampton Terrance and other areas in Orange.
- Ordinance requiring residents to cover trash cans with lids.

Council President Coley commented on the following:

- Lack of parking enforcement on Park Place.
- Inquired regarding the remaining 2020 Pavement Plan in the City of Orange and requested that the Department of Public Works give residents ample notification.
- Beruit explosion.

ORDINANCES-SECOND READING/PUBLIC HEARING

***24-2020 An ordinance to amend the Code of the City of Orange Township, Chapter 200, entitled "Vehicles and Traffic" section 200-52-2 Handicapped Parking Spaces. (213 Oakwood Place) (Sponsored by Council Member-at-Large Adrienne Wooten)**

The City Clerk inquired if there were any residents wishing to comment. Council Vice President Eason confirmed there were none.

Motion to close Citizen Comments by Councilwoman Wooten, second by Council Vice President Eason. The Motion was unanimously approved.

Motion to adopt by Councilwoman Wooten, second by Councilwoman Summers-Johnson.

Roll Call:

Ayes: Eason, Johnson, Jr., Montague, III, Ross, Summers-Johnson, Wooten and Council President Coley
Nays: None
Abstain: None
Absent: None

Motion passed.

***25-2020 An ordinance to amend and supplement the Code of the City of Orange Township, Chapter 200, "Vehicle and Traffic" to create Article XVIII entitled "Tampering with City Parking Property". (Sponsored by Council Member Kerry Coley).**

The City Clerk inquired if there were any residents wishing to comment. Council Vice President Eason confirmed there were none.

Motion to close Citizen Comments by Councilwoman Wooten, second by Councilman Ross. The Motion was unanimously approved.

Motion to adopt by Councilman Johnson, Jr., second by Councilwoman Wooten.

Roll Call:

Ayes: Eason, Johnson, Jr., Montague, III, Ross, Summers-Johnson, Wooten and Council President Coley
Nays: None
Abstain: None
Absent: None

Motion passed.

ORDINANCES-INTRODUCTION/FIRST READING:

***26-2020 An ordinance to amend the Code of the City of Orange Township, Chapter 200, entitled "Vehicles and Traffic", section 200-16, Loading Zone (Oakwood Avenue) (Sponsored by Councilmember-At-Large Adrienne Wooten) (Postponed from the July 8, 2020 Regular Meeting)**

Motion to adopt by Council Vice President Eason, second by Councilman Montague, III.

Roll Call:

Ayes: Summers-Johnson
Nays: Eason, Johnson, Jr., Montague, III, Ross, Wooten and Council President Coley
Abstain: None
Absent: None

Motion failed.

***27-2020 An ordinance to amend the Code of the City of Orange Township, Chapter 200, entitled "Vehicles and Traffic", section 200-10.2, Residential Permit. (New Street)**

Motion to adopt by Councilwoman Wooten, second by Councilman Ross.

Roll Call:

Ayes: Eason, Johnson, Jr., Montague, III, Summers-Johnson, Ross, Wooten and Council President Coley
Nays: None.
Abstain: None
Absent: None

Motion passed.

The City Clerk announced that the Final Reading is scheduled for Tuesday, September 1, 2020.

***28-2020 An ordinance to amend the Code of the City of Orange Township, Chapter 200, entitled "Vehicles and Traffic", section 200-52-2 Handicapped Parking Spaces. (105 Wilson Place Unit 114) (Sponsored by Councilmember-At-Large Adrienne Wooten)**

Motion to adopt by Councilman Montague, III, second by Councilman Johnson, Jr.

Roll Call:

Ayes: Eason, Johnson, Jr., Montague, III, Summers-Johnson, Ross, Wooten and Council President Coley
Nays: None.
Abstain: None
Absent: None

Motion passed.

The City Clerk announced that the Final Reading is scheduled for Tuesday, September 1, 2020.

***29-2020 An ordinance of the Municipal Council of the City of Orange Township adopting the North Main Street Redevelopment and Rehabilitation Plan to N.J.S.A. 40A:12A-7.**

Motion to adopt by Councilman Ross, second by Councilman Montague, III.

Roll Call:

Ayes: Eason, Johnson, Jr., Montague, III, Summers-Johnson, Ross, Wooten and Council President Coley
Nays: None.
Abstain: None
Absent: None

Motion passed.

The City Clerk announced that the Final Reading is scheduled for Tuesday, September 1, 2020.

***30-2020 An ordinance to amend and supplement the Code of the City of Orange Township to create Chapter 72 entitled "Commercial Hours of Operation – Main Street". (Sponsored by Council Member Tency A. Eason)**

Motion to adopt by Councilman Montague, III, second by Councilman Ross.

Roll Call:

Ayes: Eason, Johnson, Jr., Montague, III, Summers-Johnson, Ross and Council President Coley
Nays: Wooten
Abstain: None
Absent: None

Motion passed.

The City Clerk announced that the Final Reading is scheduled for Tuesday, September 1, 2020.

***31-2020 A capital ordinance appropriating \$156,000 from the Capital Improvement Fund to pay for equipment for the Police Department, in and by the City of Orange Township, in the County of Essex, State of New Jersey.**

Motion to adopt by Councilman Montague, III, second by Councilwoman Wooten.

Roll Call:

Ayes: Eason, Johnson, Jr., Montague, III, Ross, Wooten and Council President Coley
Nays: Summers-Johnson
Abstain: None
Absent: None

Motion passed.

The City Clerk announced that the Final Reading is scheduled for Tuesday, September 1, 2020.

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.

The City Clerk announced that Resolutions 295-2020, 310-2020, 317-2020, 322-2020 were removed for a separate vote.

RESOLUTIONS NO. *300-2020 THROUGH *331-2020

- *300-2020** A resolution appointing Victoria Gray Pryor to the Affirmative Action Commission of the City of Orange Township. (Sponsored by Council Member Jamie Summers-Johnson)
- *301-2020** A resolution appointing Council Members Tency A. Eason, Weldon M. Montague, III and Clifford R. Ross to the Budget and Finance Committee of the City of Orange Township.
- *302-2020** A resolution appointing Council Members Harold J. Johnson, Jr., Jamie Summers-Johnson and Adrienne Wooten as members of the Human Resources and Personnel Committee of the City of Orange Township.
- *303-2020** A resolution appointing Council Members Tency A. Eason as member of the Planning Board of the City of Orange Township.
- *304-2020** A resolution appointing Council Members Harold J. Johnson, Jr. as member of the Policy and Planning Committee of the City of Orange Township.
- *305-2020** A resolution appointing Thomas Boran as a citizen member of the Budget and Finance Committee of the City of Orange Township. (Sponsored by Council President Kerry J. Coley)
- *306-2020** A resolution appointing Charles H. Pryor, II as a citizen member of the Budget and Finance Committee of the City of Orange Township. (Sponsored by Council Member Jamie Summers-Johnson)
- *307-2020** A resolution appointing Rosanna Rodriguez as a citizen member of the Public Works Committee of the City of Orange Township. (Sponsored by Council Member Jamie Summers-Johnson)
- *308-2020** A resolution celebrating the life of Julienne Gracieuse Dorvil Delpeche. (Sponsored by Council Member Weldon M. Montague, III)
- *309-2020** A resolution appointing Kami Willis as a citizen member of the Public Works Committee of the City of Orange Township. (Sponsored by Council Member Adrienne Wooten)
- *311-2020** A resolution amending Resolution 228-2020, authorizing the Planning Board to conduct an investigation to determine if certain areas within the City of Orange Township should be determined to be an area in need of redevelopment with condemnation or an area in need of rehabilitation.
- *312-2020** A resolution amending Resolution 151-2020 titled “A resolution authorizing a contract to purchase uniforms with Galls Uniforms, 1015 Broad Street, Newark, New Jersey 07102 under state contract #20-FOOD-00801 until April 30, 2020, in an amount not to exceed \$20,000.00” seeking to extend the contract until December 31,

2020 and additional funds in the amount of \$50,000.00 making a new in an amount not to exceed of \$70,000.00.

- *313-2020** A resolution authorizing an addendum to Resolution #23-2019 to Pennoni Associates, Inc., 24 Commerce Street, Suite 300, Newark, New Jersey 07102 for providing additional civil engineering, design, bid and construction inspection support services for the NJDOT'19 Roadway improvements in the amount not to exceed \$10,000.00.
- *314-2020** A resolution authorizing the acceptance of the New Jersey Department of Transportation grant funds for the City of Orange Township for 2019 Safe Routes to School Program for the Pedestrian Safety Upgrades – Park Avenue Elementary School Project in the amount of \$1,000,000.00.
- *315-2020** A resolution authorizing the acceptance of the New Jersey Department of Transportation grant funds for the City of Orange Township for 2018 Transit Village Program for the Orange Transit Station improvements in the amount of \$195,000.00.
- *316-2020** A resolution authorizing the acceptance of a total of \$52,237.00 from New Jersey Association of County and City Health Officials (NJACCHO) for expenses incurred by the City of Orange Township for COVID-19 related response activities.
- *318-2020** A resolution authorizing inclusion in the Essex County Urban County Community Development Program for program years 2021 – 2023.
- *319-2020** A resolution authorizing a one (1) year extension of the agreement between the City of Orange Township and Municipal Inspection Corp, 183 West 4th Street, Bayonne, NJ 07002 to provide elevator sub code services for the City of Orange Township expiring on September 6, 2021.
- *320-2020** A resolution ratifying and authorizing Blau & Blau Attorneys at Law of the State of New Jersey, located at 223 Mountain Avenue, Springfield, New Jersey 07081, to file tax appeal to increase the assessments on the properties listed on Schedule A.
- *321-2020** A resolution honoring Dr. Nicole Pride named West Virginia State University (WVSU) President. (Submitted by South Ward Council Member Jamie Summers-Johnson and Council Member-At-Large Adrienne Wooten)
- *323-2020** A resolution authorizing a contract with Konica Minolta Business Solutions U.S.A., Inc., 100 Williams Drive, Ramsey, New Jersey 07446 to purchase thermal cameras in an amount not to exceed \$58,409.00.
- *324-2020** A resolution to recognize the service and legacy of Doris L. Beck, first woman to serve as Mayor of Livingston. (Sponsored by Council Members Summers-Johnson and Wooten, and the Orange Municipal Council)

- *325-2020** A resolution designating North Day Street beginning at Main Street and ending at William Street as Mayor Robert Brown Way – In Memoriam. (Sponsored by The Orange City Council)
- *326-2020** A resolution appointing E. Lyndell Carter as a citizen member of the Budget and Finance Committee of the City of Orange Township. (Sponsored by Council Member Adrienne Wooten)
- *327-2020** A resolution appointing Carol Perkins as a citizen member of the Budget and Finance Committee of the City of Orange Township. (Sponsored by Council Member Harold Johnson, Jr.)
- *329-2020** A resolution authorizing an agreement with Gold Type Business Machines, Inc. (State Contract No. 89980) located at 351 Paterson Avenue, East Rutherford, New Jersey, 07073 to provide e-ticketing hardware, software, supplies, maintenance, and no worry coverage plan for the Orange Police Department vehicles with e-ticketing capabilities for a period of three (3) years commencing August 10, 2020 through August 10, 2023 in an amount not to exceed \$227,600.70.
- *330-2020** A resolution authorizing a contract with Civil Solutions, a division of ARH located at 215 Bellevue Ave, PO Box 579, Hammonton, NJ 08037 to update tax maps for the City of Orange Township terminating December 31, 2020 in an amount not to exceed \$18,000.00.
- *331-2020** A resolution to amend the City of Orange Township CY 2020 Municipal Budget.

Motion to adopt Consent Agenda by Councilwoman Wooten, second by Councilwoman Summers-Johnson.

Roll Call:

- Ayes: Eason, Johnson, Jr., Montague, III, Ross, Summers-Johnson, Wooten and Council President Coley
- Nays: None
- Abstain: None
- Absent: None

Motion passed.

The following resolutions were removed from the Consent Agenda for a separate vote:

- 295-2020** A resolution designating Main Street beginning at Day Street and ending at Park Street as Black Lives Matter Plaza – In Honorarium. (Sponsored by Council Member-at-Large Adrienne Wooten and South Ward Council Member Jamie Summers-Johnson) *(Postponed from the July 8, 2020 Regular Meeting)*

Motion to adopt by Councilman Johnson, Jr., second by Councilman Montague, III.

Roll Call:

Ayes: None
Nays: Eason, Johnson, Jr., Montague, III, Ross, Summers-Johnson, Wooten and Council President Coley
Abstain: None
Absent: None

Motion failed.

***310-2020 A resolution authorizing the Metcalf Park baseball fields improvements to Whirl Construction, Inc., 194 Main Street, P.O. Box 110, Port Monmouth, New Jersey 07758 under the Educational Services Commission of New Jersey (ESCNJ) Co-Op Contract #20/21-02 in an amount not to exceed \$33,000.00.**

Motion to adopt by Councilman Montague, III, second by Councilman Ross.

Roll Call:

Ayes: None
Nays: Eason, Johnson, Jr., Montague, III, Ross, Summers-Johnson, Wooten and Council President Coley
Abstain: None
Absent: None

Motion failed.

***317-2020 A resolution amending Resolution #192-2020 titled “A resolution authorizing the award of an emergency contract between the City of Orange Township and Continental Trading & Hardware, Inc., 400 Delancy Street, Newark, New Jersey 07105 to provide hardware materials and supplies in response to the COVID-19 pandemic in an amount not to exceed \$29,000.00” seeking additional funds in the amount of \$20,000.00 making a new amount not to exceed \$49,000.00.**

Motion to adopt by Councilman Montague, III, second by Council Vice President Eason.

Roll Call:

Ayes: Eason, Johnson, Jr., Montague, III, Summers-Johnson, Ross, Wooten and Council President Coley
Nays: Montague
Abstain: Johnson, Jr.
Absent: None

Motion passed.

***322-2020 A resolution designating Park Street beginning at Main Street sign and ending at William Street as Black Lives Matter Plaza (Sponsored by the Orange City Council) (Amended)**

On the Motion: Councilmembers discussed the following:

- Black Lives Matter street sign and painting.
- East Orange’s BLM street painting.
- Council’s approval for street painting.
- Mayor’s use of an Executive Order for street painting.
- Who will pay for work and supplies?
- Council President requested legal opinion of what an Executive Order can be used for.

Motion to adopt as amended by Councilman Montague, III, second by Councilwoman Wooten.

Roll Call:

Ayes: Eason, Johnson, Jr., Montague, III, Ross, Summers-Johnson, Wooten and Council President Coley
 Nays: None
 Abstain: None
 Absent: None

Motion passed.

***328-2020 A resolution approving the bill list for council meeting vote on August 5, 2020 dated July 29, 2020 and approving checks issued by the Finance Department in accordance with Ordinance 2-95. (Grand Total: \$7,825,779.08)**

Motion to adopt by Councilwoman Wooten, second by Councilman Montague, III.

Roll Call:

Ayes: Eason, Johnson, Jr., Montague, III, Summers-Johnson, Wooten and Council President Coley
 Nays: Montague and Ross
 Abstain: Johnson, Jr.
 Absent: None

Motion passed.

NEW BUSINESS AND WALK-ON ORDINANCES/RESOLUTIONS

City Clerk read into the record the following walk-on resolutions:

332-2020(WO) A resolution of the City of Orange Township, in the County of Essex, State of New Jersey, determining the form and other details of it’s “Note relating to the water bank construction financing program of the New Jersey infrastructure Bank”, to be issued in the principal amount up to \$4,550,000, 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 Water Bank Construction Financing Program of the New Jersey Infrastructure Bank.

333-2020(WO) A resolution of the City of Orange Township, in the County of Essex, State of New Jersey, determining the form and other details of it's "Note relating to the water bank construction financing program of the New Jersey infrastructure Bank", to be issued in the principal amount up to \$1,864,000, 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 New Jersey Infrastructure Bank, all pursuant to the Water Bank Construction Financing Program of the New Jersey Infrastructure Bank.

334-2020(WO) A resolution of the City of Orange Township, in the County of Essex, State of New Jersey, determining the form and other details of it's "Note relating to the water bank construction financing program of the New Jersey infrastructure Bank", to be issued in the principal amount up to \$700,000, 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 New Jersey Infrastructure Bank, all pursuant to the Water Bank Construction Financing Program of the New Jersey infrastructure Bank.

Motion to walk Resolutions 332-2020(WO), 333-2020(WO) and 334-2020(WO) onto the agenda by Council Vice President Eason, second by Councilwoman Summers-Johnson.

Roll Call:

Ayes: Eason, Johnson, Jr., Montague, III, Ross, Summers-Johnson, Wooten and Council President Coley
Nays: None
Abstain: None
Absent: None

Motion passed.

The City Clerk inquired if there were any residents wishing to comment. Council Vice President Eason confirmed there were none.

Motion to close Citizen Comments by Councilman Montague, III, second by Councilwoman Summers-Johnson.

The Motion was unanimously approved.

332-2020(WO) A resolution of the City of Orange Township, in the County of Essex, State of New Jersey, determining the form and other details of it's "Note relating to the water bank construction financing program of the New Jersey infrastructure Bank", to be issued in the principal amount up to \$4,550,000, 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

Water Bank Construction Financing Program of the New Jersey Infrastructure Bank.

Motion to adopt by Councilman Montague, III, second by Councilman Johnson, Jr.

Roll Call:

Ayes: Eason, Johnson, Jr., Montague, III, Ross, Summers-Johnson, Wooten and Council President Coley
Nays: None
Abstain: None
Absent: None

Motion passed.

333-2020(WO) A resolution of the City of Orange Township, in the County of Essex, State of New Jersey, determining the form and other details of it's "Note relating to the water bank construction financing program of the New Jersey infrastructure Bank", to be issued in the principal amount up to \$1,864,000, 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 New Jersey Infrastructure Bank, all pursuant to the Water Bank Construction Financing Program of the New Jersey Infrastructure Bank.

Motion to adopt by Councilman Montague, III, second by Councilman Johnson, Jr.

Roll Call:

Ayes: Eason, Johnson, Jr., Montague, III, Ross, Summers-Johnson, Wooten and Council President Coley
Nays: None
Abstain: None
Absent: None

Motion passed.

334-2020(WO) A resolution of the City of Orange Township, in the County of Essex, State of New Jersey, determining the form and other details of it's "Note relating to the water bank construction financing program of the New Jersey infrastructure Bank", to be issued in the principal amount up to \$700,000, 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 New Jersey Infrastructure Bank, all pursuant to the Water Bank Construction Financing Program of the New Jersey infrastructure Bank.

Motion to adopt by Councilman Johnson, Jr., second by Councilman Montague, III.

Roll Call:

Ayes: Eason, Johnson, Jr., Montague, III, Ross, Summers-Johnson, Wooten and Council President Coley
Nays: None
Abstain: None
Absent: None

Motion passed.

OTHER PENDING BUSINESS:

The City Clerk announced that the Public Hearing for the amendments to the Calendar Year 2020 Budget is scheduled for August 12, 2020 at 7:00 p.m.

Business Administrator Hartwyk announced that there will be a few resolutions from the Administration for the agenda.


Motion to adjourn by Councilman Montague, III, second by Councilwoman Summers-Johnson. The motion was approved by unanimous vote.

Meeting adjourned at 9:56 p.m.

The next City Council Conference and Regular Meeting will be held on Tuesday, September 1, 2020 virtually at 7:00 p.m.

APPROVED: September 1, 2020


Joyce L. Lanier
City Clerk


Kerry J. Coley
Council President