

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 TUESDAY, SEPTEMBER 1, 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
Captain Vinny Vitiello, Police Department
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 City Clerk announced that 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:

July 1, 2020 Re-Organization Meeting Minutes

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

August 5, 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:

- Clerk's Office – Month of July 2020: \$1.00
- Historic Preservation Commission - Month of July 2020: \$70.00
- Department of Community Service – Month of July 2020: \$11,215.00

CONSTABLE REPORTS: None.

OPRA REPORTS:

The City Clerk announced that there was an update to the OPRA report; therefore, for the month of July 2020: 168 OPRA requests received, 157 completed and 11 pending.

COUNCIL AND DEPARTMENT REPORTS –

Captain Vinny Vitiello from the Orange Police Department reported the following:

- City wide crime statistics compared from 2019 until September 1, 2020: violent crimes have gone down 30% and non-violent crime have gone down 24%.
- Major complaints in the City are noise and large gathering complaints.
- As of June 2020, there has been 10 investigations and 15 arrests regarding violent offenders and illegal gambling in which money, drugs and weapons have been recovered.
- Commencing in October 2020, the Orange Police Department would like to meet with Council to go over the All Ward Crime Report.
- Provided Council with the following year to date report for each ward:
 - North Ward – 0 homicides, 5 sex offenses, 7 robberies, 11 aggravated assaults and 27 simple assaults;
 - East Ward – 0 homicides, 1 sex offense, 10 robberies, 12 aggravated assaults and 32 simple assaults;
 - West Ward – 0 homicides, 1 sex offense, 16 robberies, 16 aggravated assaults and 24 simple assaults; and
 - South Ward – 1 homicide, 4 robberies, 6 aggravated assaults and 6 simple assaults.
- Councilman Johnson, Jr. and Capt. Vitiello encouraged residents to call the Orange Police Department Hotline at (973) 666-0097 to report crime activity.
- Council Vice President Eason requested more surveillance in the North Ward from the Orange Police Department.
- Councilman Ross commended the Orange Police Department for their work around the City.

Council Vice President Eason reported the following from the September 1, 2020 Finance Committee:

- At the recommendation of the Assistant Budget Consultant Megan O’Hanlon and the Budget & Finance Committee all resolutions and ordinance with the exception of the following should be considered:
 - o Ordinance 30-2020 will be amended and postponed.
 - o Ordinance 32-2020 was amended.
 - o Resolution 356-2020 should be tabled.
- There are three (3) new members on the Budget & Finance Committee.

Council President directs Clerk to file reports.

COMMUNICATIONS AND PETITIONS

1. Petition for permit parking on Parkinson Street between Mt. Vernon and High Street from 7 p.m. to 6:00 a.m.
2. Petition to amend the permit parking on Elm Street from 2:00 a.m. to 6:00 a.m. to 4:00 p.m. to 6:00 a.m.

CITIZEN COMMENTS ON GENERAL ISSUES/AGENDA ITEMS

“SPECIAL NOTICE: Please be apprised anyone wishing to discuss Agenda or General Items shall use the “raise hand button”. Each person addressing the Council 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 three (3) minutes unless the comments are repetitive of other witnesses in which case the Presiding Officer may further limit the comment period. Citizens may also email questions or comments to citizencomments@orangenj.gov. All emailed questions or comments must be submitted no later than 7:00 p.m. the day prior to the scheduled public meeting for posting on the website and available to the public. *The City Council reserves the right to respond or not respond during the meeting to any citizen’s submission which includes and is not limited to emails, chats or live questions.*

City Clerk reported that the emailed citizen comments have been posted on the website www.orangetwpnjcc.org under the September 1, 2020 Council Meeting.

- 1) Jeff Felds submitted the following questions and/or comments, which contain responses:

CITIZENS COMMENTS COUNCIL MEETING SEPTEMBER 1, 2020

Regular Meeting Approval of Agenda and Minutes

- 1.** Who drafted, reviewed and approved the September 1, 2020 Agenda and Document Packet prior to its posting and submission to the entire local governing body and the administration? MY OFFICE DID AN INITIAL DRAFT, THEN THE CLERK’
- 2.** Who drafted, reviewed and approved the proposed July 1, 2020 and August 5, 2020 meeting minutes prior to their submission to the local governing body for approval? THE DEPUTY CITY CLERK
- 3.** 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? PROPOSED MINUTES

REFLECTS WHAT OCCURRED AT MEETING. MINUTES ARE TO REFLECT WHAT IS DONE AT A MEETING NOT WHAT IS SAID

July 2020 OPRA Report

- 4.** Of the 23 pending and open July 2020 OPRA Requests, who are the requestors? THERE ARE ONLY 11 OUTSTANDING NOT 23 – JEFF FELD – 9 ROCCO LAPORE DAVID MAZEIKA
- 5.** Of the 23 pending and open July 2020 OPRA Requests, what departments or boards have delayed production? SEE BELOW
- 6.** What was the average July 2020 OPRA response time? CLERK -

Department	Request Number pending
Personnel (T. Knight)	PER-20-0001 (payroll for Central Ave. Field House project)
Personnel (A. Cruz)	PER-20-0002 (Resume and application for police director)
BA	JF-20-0017 (Item #10), JF-20-0018 (Item #21, #25)
IT	JF-20-0017 (Item #8), JF-20-0018 (Items #18, #19)
Clerk	JF-20-0017 (Item #3), JF-20-0018 (Items #20)
Police	JF-20-0018 (Item #23)

- 7.** How many days did it take to produce requested documents relating to the July 22, 2020 planning board meeting to Attorney Feld? 2 days
- 8.** How many CY 2019 and CY 2020 OPRA Requests remain open and pending? CY-2019 – 14 PENDING (13 MR FELD 1 DEBBIE LITTE) CY- 2020 - 16 PENDING (12 MR. FELD)
- 9.** Did Orange receive any additional federal document subpoenas in CY 2019 and CY 2020? YES - - AUGUST 5, 2020
- 10.** If so, what were their dates of issuance and receipt by Orange’s record custodian? SUBPOENA IS DATED AUGUST 5, 2020 – CUSTODIAN RECEIVED IT AT AUGUST 6, 2020

New and Amended Virtual Meeting Citizens Comments Restrictions and Limitations

- 11.** When and why did the citizens comments virtual meeting limitations caption change? DUE TO COVID-19 AND THE LEARNING CURVE OF VIRTUAL MEETING PROCEDURES – THE POLICY AND PROCEDURE IS A WORK IN PROGRESS
- 12.** Does this new citizens’ comment virtual meeting limitation caption violate the terms and spirit of Res. 297-2020 adopted July 8, 2020 and Orange Administrative Code Section 2-10(G)? TO BE ANSWERED BY CITY ATTORNEY UPON RETURN TO THE OFFICE.
- 13.** Does this new citizens’ comment virtual meeting 3 minutes limitation blur the distinction between second reading public hearing comments, agenda item comments and non-agenda item public comments? NO, PEOPLE WILL STILL BE PROVIDED AN OPPORTUNITY TO SPEAK ON SECONDRADING
- 14.** Under what authority can the local governing body unilaterally impose a 3 minutes limitation on second reading public hearing, agenda item and non-agenda item virtual public comments without providing stakeholders reasonable notice and an opportunity to be heard prior to instituting these new political free speech restraints? TO BE ANSWERED BY CITY ATTORNEY UPON RETURN TO THE OFFICE. CLERK’S OFFICE DO NOT PROVIDE LEGAL OPINIONS.
- 15.** Who issued the written legal opinion as to the validity of this unilateral prior restraint on virtual political free speech? THE LAW DEPARTMENT DOES NOT HAVE A LEGAL OPINION AT

THE MOMENT.

- 16.** What was the cause for this stealth new and amended virtual meeting citizens' comment policy and procedure? REEVALUATION OF PROCEDURE DUE TO COVID-19
- 17.** Was this new and amended virtual meeting citizens' comment based upon some other template or public guidance? CONSULTATION WITH MUNICIPAL CLERKS IN ESSEX COUNTY
- 18.** Does this new and amended posted virtual meeting citizens' comment policy constitute an admission against interest by the local governing body, the municipal clerk, the city attorney and legislative research officer? NO COMMENT.

Ordinances Second Reading

North Main Street Non-Condemnation Redevelopment Plan Approval Ord. 29-2020

- 19.** Who drafted, reviewed, fact checked and approved this non condemnation powers redevelopment plan ordinance prior to its inclusion on the August 5, 2020 first reading agenda? BA, LAW, PLANNING REDEVELOPMENT COUNSEL.
- 20.** Under what authority did the local planning board consider and approve a non- condemnation powers redevelopment plan prior to the local governing body approving the investigative study and authorizing the local planning board redevelopment plan?
- 21.** Will there be a public city council presentation about the North Main Street non- condemnation redevelopment area and plan prior to its approval? CLERK / BA HAVE NO PROBLEM DOING SO
- 22.** Why was my family's former warehouse excluded from the North Main Street Redevelopment plan? I DIDN'T KNOW IT WAS UNTIL YOU TOLD ME. I ALSO DON'T KNOW THE OWNERS' NAMES FOR THE OTHER PARCELS.
- 23.** When was the Main Street Redevelopment Plan described in the North Main Street Redevelopment Plan adopted? **CLERK/LAW THIS DOCUMENT WOULD BE IN THE CUSTODY OF THE CLERK'S OFFICE.**
- 24.** Why did Orange have to recommence the Main Street (with condemnation powers) Investigative Study and Redevelopment Plan Process in CY 2019? NOTICE ISSUES
- 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? ON MOST PROJECTS/CITY PROJECTS WOULD BEEEXEMPT
- 26.** When did our mayor execute the Nishuane Group CY 2020 retention agreement? THE CONTRACT WAS SENT TO ADMINISTRATION – NO EXECUTED CONTRACT ON FILE WITHIN THE CLERK'S OFFICE.
- 27.** Was the Nishuane Group implicated in any of the CY 2020 federal indictments or guilty pleas relating to Orange? NO COMMENT
- 28.** After the August 26, 2020 planning board amended Reock Street (with condemnation powers) investigative study cross examination of the Nishuane Group, what weight should be accorded to the Nishuane Group work product? SAME WEIGHT AND DEFERENCE AS ANY OTHER PLANNING PROFESSIONAL

Main Street Business Hours Ord 30-2020 (sponsored by Councilperson Eason)

- 29.** Who drafted, reviewed, fact checked and approved this proposed ordinance prior to its inclusion on the August 5, 2020 first reading agenda? BA REVIEWED LRO DRAFTED ORIGINAL ORDINANCE. LAW – REVIEWED AND APPROVED CLERK – PREPARED FOR AGENDA

- 30.** With whom was the proposed Main Street business hours ordinance vetted? VARIETY OF BUSINESS ON MAIN STREET
- 31.** Did the Warren Administration sign off on this proposed business hours ordinance? ADMIN DOES NOT NEED TO SIGN OFF ON COUNCIL LEGISLATION
- 32.** Did the local chamber of commerce sign off on this proposed business hours ordinance? NO
- 33.** Does this proposed ordinance discriminate against businesses that traditionally serviced the trade and opened and closed earlier than the hours proposed in the ordinance? NOT THE INTENT -- EXAMPLE PLEASE
- 34.** Does this proposed ordinance unfairly aid competing businesses located in other parts of the City? NOT THE INTENT -- EXAMPLE PLEASE
- 35.** In this pandemic, is it prudent to impose any additional restrictions on small business owners? COMMENT NOTED
- 36.** Under fundamental, basic and elementary municipal State law, can a resolution amend an ordinance? YES, AS LONG AS THE RESOLUTION AMENDS A MATERIAL ASPECT OF THE ORDINANCE AND THE ORDINANCE PUBLIC HEARING AND PUBLICATION ARE MODIFIED
- 37.** Who monitors the work product of all local elected officials, city employees and outside professionals? THE PUBLIC/DEPARTMENT DIRECTORS AND BA/ DEPARTMENT DIRECTORS
- 38.** How many years has this ordinance sponsor sat on this legislative governing body? 18 YEARS

First Reading Police and Fire Chiefs Creation Ordinances 39- and 42-2020

- 39.** What is the purpose and need for these para-military chief creation ordinances? THE PURPOSES ARE TO PROVIDE ACCOUNTABILITY WITHIN EACH DEPARTMENT/PROVIDE COMPETITION WITHIN THE RANKS/TO RESTORE THE DEPARTMENTS TO CONFORM WITH THE LETTER AND INTENT OF A FAULKNER ACT, CIVIL SERVICE POLICE AND FIRE STRUCTURE.
- 40.** What is will be the functions of these chief positions? THE TWO CHIEF POSITIONS HAVE CIVIL SERVICE JOB DESCRIPTIONS
- 41.** Did we ever have police and fire chiefs? THEY ARE PROMOTED PURSUANT TO CIVIL SERVICE, NOT HIRED
- 42.** Is so, why were those positions eliminated? IT WAS APPARENTLY THE WILL OF PRIOR MAYORS AND COUNCILS
- 43.** Are these two ordinances premised upon the consolidation of the director positions? NO
- 44.** What criteria will be used to select the chiefs? CIVIL SERVICE EXAM
- 45.** Will the selection of chiefs be subject to the advice and consent of the local governing body? NO
- 46.** What will be the cost savings from these chief creation ordinances? IT IS COST NEUTRAL

Purchase & Sale Ord.40-2020

- 47.** Why the sudden need for this ordinance? LACK OF FREQUENCY OF MEETINGS OF THE NJ STATEHOUSE COMMISSION
- 48.** Is this purchase and sale ordinance related to: (i) Res 280-2020 (WO) adopted July 1, 2020 or (ii) Res. 337-2020 adopted Aug 12, 2020? IT IS RELATED TO PHASE IV OF REOCK REDEVELOPMENT
- 49.** Who drafted and approved these 3 pieces of municipal legislation? OUTSIDE DEVELOPMENT

COUNSEL

Salary Increase Ord. 43-2020

- 50.** Why the sudden urgency for these salary increases during a pandemic? THESE ARE ADJUSTED RANGES NOT RAISES
- 51.** When was the last time the local governing body approved base range salary increases? 2017
- 52.** In what CY Budget, will these increases be included? NO
- 53.** What is the anticipated increase in salaries, pension other related costs? "0"
- 54.** Is there a 4 columns chart tracing the increases? NO
- 55.** Were any new positions created? TITLES HAVE BEEN ADDED
- 56.** Is there a chart showing who currently serves in these positions?

Resolutions

\$600,000 Emergency Workers' Compensation Appropriation Res. 340-2020

- 57.** When did this \$600,000 workmen's compensation liability occur? LAW
- 58.** Why wasn't it included in the amended CY 2020 Budget? IT IS ONGOING AND THERE IS A LAG IN REPORTING
- 59.** When will this \$600,000 emergency appropriation begin to be amortized in a CY Budget? CY 2020? CY 2021? 2021
- 60.** Why wasn't the amount of this emergency appropriation set forth in the caption? IT DOESN'T HAVE TO BE

Public Safety Department 15 Person Working Committee Creation Res. 351- 2020

- 61.** Does the creation of this 15 person working committee undermine the structural reforms represented to the Local Finance Board in connection with various City's CY 2020 budget related applications? DO NOT UNDERSTAND QUESTION, PLEASE ELABORATE
- 62.** What is the purpose of this 15 person working committee? TO LOOK FOR SAVINGS IN THESE DEPARTMENTS
- 63.** Does this resolution delay the need to approve the two chiefs' ordinances? NO

Attorney Retention Res. 345-, 350- and 354-2020

- 64.** When were Childress & Jackson approved and added to the list of special shelf registration outside counsel? Res. 345-2020 MARCH 17, 2020
- 65.** Does Orange have any colorable claims and causes of actions against Attorney Childress? DO NOT KNOW
- 66.** What are the basic allegations in this retention matter (ESX-L-174-2020)? THE DOCUMENT IS A PUBLIC RECORD
- 67.** Why the sudden need to retain Attorney Armstrong in the Anthony Carey matter? Res. 350-2020 IT ISN'T SUDDEN – CAREY FILED A LAWSUIT, WE NEED TO RESPOND AND DEFEND
- 68.** What are the basic allegations in this Carey matter (ESX-L-2475-2020)? THE DOCUMENT IS A PUBLIC RECORD
- 69.** Didn't the local governing body retain the Pennington law firm to defend Orange in this Anthony Carey matter? IT IS BEING CHANGED
- 70.** Is former city attorney Eric Pennington a potential fact witness in this Carey matter? DON'T

KNOW

- 71.** What claims have plaintiff and defendants (City, Mayor and Ray Wingfield) asserted against each other? PUBLIC DOCUMENTS
- 72.** Why the need to retain Attorney Stanziale to investigate a matter in which the notice of tort claim was filed years after the complaint was filed and the City has filed an answer? Res. 354-2020 ATTORNEY CLIENT PRIVILEGE
- 73.** What are the basic allegation in this retention investigatory matter (2-18-cv-09324 (SDW/LDW))? TO BE ANSWERED BY CITY ATTORNEY UPON RETURN TO THE OFFICE.

Litigation Settlement Res. 346- and 355-2020

- 74.** Why the delay in settling these matters? WHAT DELAY ARE YOU REFERRING TOO
- 75.** How much was expended defending these matters? TO BE ANSWERED BY CITY ATTORNEY UPON RETURN TO THE OFFICE AFTER OBTAINING RECORDS FROM FINANCE DEPARTMENT.
- 76.** Are these \$40,000 and \$30,000 settlements self-funded? TO BE ANSWERED BY CITY ATTORNEY UPON RETURN TO THE OFFICE.
- 77.** What were the nature of the settled claims and allegations? (ESX-L-3600-17 and ESX-L-3581-17) THE DOCUMENTS ARE PUBLIC RECORD.

Bill List Res 358-2020

- 78.** Are monies released from planning escrows used to pay certain professionals? YES
- 79.** Are time summaries attached to all professional purchase orders? DEPENDS, TIME SUMMARIES ARE RECEIVED BUT MAY CONTAIN PRIVILEGED INFORMATION
- 80.** Is there backup to the new COVID 19 S & W line item racing from which CY 2020 budget line item these expenses were shifted? INTERNAL
- 81.** When was this COVID 19 S & W line added? WHEN BUDGET WAS DRAFTED
- 82.** What is the aggregate amount of monies allocated though this Bill List to this new COVID 19 S & W line item? \$1,770,984.64

Main Street Business Hours Amending Res. 362-2020

- 83.** Can a resolution amend an ordinance? YES
- 84.** Why did the local governing body elect not to amend a not yet adopted ordinance and to amend the contested ordinance by a resolution? NO COMMENT
- 85.** Did our council president, municipal clerk, municipal attorney, and legislative research officer each bless this method of amendment? DOCUMENTS WERE REVIEWED BY LAW DEPARTMENT

Non-Agenda Matters

- 86.** After being sworn into office on July 1, 2020, did Councilperson Cliff Ross resign from the local housing authority board? COUNCIL MAN ROSS IS CURRENTLY STILL ON THE BOARD.
- 87.** If so, when? SEE RESPONSE ABOVE
- 88.** If not, under what authority or written opinion? LAW DEPARTMENT IS CURRENTLY REVIEWING THE LEGALITY
- 89.** Does the local housing authority owe any monies to the City? YES

- 90.** What is the status of Feld X per se disqualifying conflict of interest Walter G. Alexander Phase III fairness report? LITIGATION – NO COMMENT
- 91.** What is the status of the Lincoln Avenue former police station private sale? PENDING AMENDMENT
- 92.** What is the status of the Rossi Paints renovation of the former Bank of America site? STILL WORKING ON IT
- 93.** If a complaint is filed within a twenty days statutory estoppel period, who bears the risk of loss and how can counsel deliver a clean transactional opinion? DEPENDS
- 94.** When will the local governing body take a non-binding vote of confidence on Orange’s finance director and municipal attorney? NO COMMENT
- 95.** Under Mr. Mapp’s watch, how many entities were granted five years short term tax exemptions by Orange? RESEARCH NEEDS TO BE CONDUCTED
- 96.** Under Mr. Mapp’s watch, how many entities failed to make yearly and increasing five year short term tax exemption payments to Orange? SEE ABOVE
- 97.** Under Mr. Mapp’s watch, how much long term tax exemption revenues does Orange owe the County? SEE ABOVE
- 98.** Can the law partner of a planning board member act as counsel for that planning board? TO BE ANSWERED BY CITY ATTORNEY UPON RETURN TO THE OFFICE.
- 99.** What are the consequences of this disqualifying conflict of interest? RETORICAL
- 100.** What is the status of the CY 2019 Audit? PENDING
- 101.** Since the introduction of the CY 2020 Budget, has the City hired any new full or part time employees? YES
- 102.** Did Orange breach its August 5, 2020 promise to post within 48 hours responses to all August 5, 2020 written citizen comments and questions? THE PROMISE WAS TO MAKE BEST EFFORTS AND DID NOT SAY ALL
- 103.** Did Orange breach its February 7, 2018 agreement with the Appellate Division and Attorney Feld to present a \$20,000 Feld V settlement agreement negotiated by the BA and former city attorney Pennington to the local governing body for approval? NO COMMENT
- 104.** What current councilmembers voted in favor of a certain walk-on \$350,000 contract resolution approved without any public comment after a closed executive session and the subject of a certain federal indictment announced on August 19, 2020? PLEASE BE MORE SPECIFIC – WHAT IS THE WALKON
- 105.** Would the City of Orange Township qualify as an “overburdened community” under new State environmental law? RESEARCH

2) Charlie Wirene, Managing Director, The HUUB, Inc., 35 & 47 Cleveland St, Orange, NJ 07050 submitted the following letter with questions:

Dear Council President Coley,

My name is Charlie Wirene and we have met before. I am the Managing Director of The HUUB at the First Unitarian Universalist Church of Essex County, 35-47 Cleveland St, Orange, NJ, 07050. I am writing to submit a citizen comment and questions for the council and administration that I request you read at the appropriate time during tonight's city council meeting. Thank you:

To the City of Orange Township Administration and City Council,

The First Unitarian Universalist Church of Essex County was founded on Cleveland St in 1890, and has been an institution in Orange for 130 years. Over the past five years, through The HUUB, First UU's growing urban ministry, we have cultivated relationships across the city, developed community based programs, and invested significantly in repairs and improvements to our properties to make them more useful spaces for our neighbors. We are home to four small churches, four community based organizations, and a handful of resident groups. We serve Orange residents from all four wards and across its diverse cultural groups. The HUUB and First UU are a beloved community space for countless Orange residents and community members.

As active community members we are disheartened and disappointed at the lack of communication about these plans to the properties in the redevelopment area. To date we have received one letter after the plan was being made. We are deeply concerned that this plan is punitive to people trying to maintain older buildings and those struggling economically in these times.

We have three questions:

1. We received notice in June about a presentation of this study at the planning board meeting, but the notice arrived too late for us to attend. We have also been witness to 9 other plans being memorialized by the planning board, and have seen that questions and concerns raised are completely disregarded by both the Nishuane Group, the Planning Board, and the Administration. Do council members feel comfortable that there has been adequate community engagement when at every council meeting and every planning board meeting there are residents and property owners saying they have received little to no communication, and that there has been no attempt at truly engaging the community in these studies?
 2. We've been told churches and community centers have been included in study areas for the "benefit" that can be derived from the process for these entities. We have yet to hear a clear articulation of what these benefits may be. What are the benefits associated with being included in this plan as a church and community center? What assurances are you offering that this isn't a stepping stone towards a plan with condemnation?
 3. In the current economic climate, greatly exacerbated by the conditions of COVID-19, we question the validity of both the Master Plan and subsequent neighborhood plans' reliance on chain/franchise brick and mortar retailers as a cornerstone for local economic development. Does the City Council or Business Administrator have any plans to offer support to existing small businesses and residents?
- 3) Richard Dunn, Senior Vice President, Paramount Assets, LLC, 45 Academy Street, 5th Floor, Newark, New Jersey 07102, Email: rdunn@paramountassets.com, Tel: (201) 215-9207 submitted the following outline in objection to Ordinance 30-2020:

Outline – Objection to Ordinance 30-2020
City of Orange Township; City Council Meeting

September 1, 2020

1. Brian Shemesh, appearing on behalf of Paramount Assets, LLC and its affiliate entities, which as you know owns a host of properties in the City, including within the Main Street Corridor.
2. As noted in letters to the Mayor, Council and Business Administrator dated August 21, 2020 and August 27, 2020, we strongly oppose Ordinance 30-2020, and believe it will have a number of negative effects.
3. While we agree the underlying reasons for the Ordinance are noble causes, such as reducing crime, loitering and litter, we do not believe this is an appropriate solution to these problems, as the Ordinance will have unintended consequences for the City.
4. We will not recite all of the negative economic effects listed in the letters previously sent, however we wish to emphasize some of the material adverse economic effects the Ordinance will cause.
 - a. First, retail businesses are suffering tremendously at this time. Putting aside the continuing shutdowns related to COVID-19, retail businesses have been facing challenges due to the effects of online retail. This has been exacerbated significantly by COVID-19 shutdowns. We do not believe this is an appropriate time to saddle existing retail businesses with additional regulation limiting their ability to make profit.
 - b. Second, there is no doubt the ordinance will slow or stop retail redevelopment in the City and along the Main Street Corridor. Developers will be forced to compare an investment in Orange with an investment in other municipalities that do not have similar ordinances, thus making the City less likely to receive that investment and redevelopment.
 - c. Hindering redevelopment will likely be counterproductive, since it will reduce the attractiveness for companies and residents to move and invest in the City. Blighted areas tend to be hubs for crime, loitering and littering, so we believe it is critically important to ensure the continued redevelopment of the City.
5. As you know, Paramount is the process of finalizing approvals for its Wawa project. However, this Ordinance would result in termination of that project in light of the Ordinance's effect on the Wawa's ability to generate profit.
6. In discussions with Councilwoman Eason, we were informed that the Planning Board can grant relief from the Ordinance, including for the Wawa project. However, the Ordinance makes no mention of exceptions, or the ability of the Planning Board (or any other governing body) to grant such relief. Our view is that, as drafted, the Planning Board would not have authority to grant that relief, and therefore passage of the Ordinance in its current form will result in the loss of the Wawa project for the City and Paramount, a devastating result for both parties.
7. In summary, we ask that the Council vote no on Ordinance 30-2020, or in the alternative, table such Ordinance for the time being until affected stakeholders and City representatives can discuss these matters more fully.

Point of Order: City Attorney Montilus expressed his concern regarding the Citizens Comments policy read into the record by the City Clerk and believes it was not voted by the Governing Body. If so, City Attorney Montilus requested the resolution number for new policy.

City Clerk reported there was no resolution like there was no resolution for the public hearing for the budget. In addition, the City Clerk confirmed that the Council President is going to read into the record a process to revise and develop the procedure for Citizen Comments. The City Clerk also reported that the new proposed policy was sent to the City Attorney and approved.

**Motion to close Citizens Comments by Councilman Johnson, Jr., second by Councilman Ross. The Motion was unanimously approved.
Motion passed.**

COUNCIL COMMENTS

Councilman Ross commented on the following:

- Requested garbage cans on Lincoln Avenue from Central Avenue to Tremont Avenue.
- Public Works truck following around garbage truck.
- Requested yellow painting and/or repainting of curb areas especially 10” from the intersection.
- Parks closing at dusk and locking parks.
- Opening of indoor seating in New Jersey’s bars and restaurants on Friday, September 11, 2020.
- General Election - November 3, 2020 deadlines: Tuesday, October 13th registered to vote or change address and Monday, November 2, 2020 request an absent ballot.
- Ballot drop box to be placed in front of the Orange Police Station located at 29 Park Street.
- Public Service agreed to reimburse customers for food or medications that spoiled during Tropical Storm Isaias. The deadline to apply is September 16, 2020.

Councilman Montague, III commented on the following:

- Job fair on Thursday, September 3rd at 10:00 a.m. at Colgate Park. Amazon is looking for drivers. In addition, 40 forklift operator positions are available.
- Re-entry job fair at Bethel Baptist Church on Friday, September 4th. Five employers will be in attendance and all jobs are offender friendly.
- September 29th at Colgate Park there will be a back to school event, which will include a skateboard competition, back pack give aways and food for the kids.

Councilwoman Wooten commented on the following:

- Meeting with the Administration and Police Department regarding noise complaints in the City.
- Census float will be in Orange from 2:00 p.m. to 5:00 p.m. on September 12th.
- Little free library installation at Metcalf Park on September 18th.
- Little free library installation at Colgate Park on September 25th.

- Meeting with Assemblywoman Timberlake and expressed here gratitude for her interest in the City of Orange Township. Some of the topics discussed were housing, noise complaints and closed captioned ordinance.
- Meeting with restaurant owners and Mayor Warren's Executive Order #3 which states pursuant to Governor Murphy's Executive Order 107 restaurants can operate during their normal business hours. Encouraged residents to go and enjoy outdoor dining.
- Annual Domestic Violence event scheduled for October 8th at Military Park.
- Encouraged residents to call her for assistance at (973) 518-3360, which has a 24/7 answering service.
- Visit to the East Ward during her walking tour.

Council Vice President Eason commented on the following:

- Encouraged residents to visit the website to get information on the events around the City.
- Recommended that the City's website get updated and become more user friendly.
- Rutgers University Hospital will be testing for a new vaccine for COVID 19.
- Encouraged residents to come see Assemblywoman Timberlake on Thursday, September 3rd at 2 p.m. at St. Matthews Church parking lot to discuss any concerns they may have.
- Reminded Council Members they are there to legislate and appropriate, which will help the Police Officers and Public Works when issuing violations.

Councilwoman Summers-Johnson commented on the following:

- Requested garbage cans on Lincoln Avenue between Heywood Avenue to Tremont Avenue.
- Attended a ribbon cutting on August 14th for a garden at 340 Thomas Boulevard by Kami Willis of Baba Gardens who assisted residents.
- Meeting with Public Works for an upcoming garden at Metcalf Park and will provide information for residents to assist.
- Attended a Sterling Avenue Neighborhood Association Block Party on August 22nd and thanked the Fire Department for their participation.
- September 4th a second free library in Memory of the City of Orange's first African American Mayor Robert Bookie Brown will be installed.
- Registration of free libraries in Orange.
- Jacob Blake's shooting and need for walks and non-violent protests.
- Thanked Councilwoman Wooten for sponsoring Resolution 361-2020 A resolution designating August 26, 2020 as Women's Equality Day in the City of Orange Township.
- Expressed gratitude towards Governor Murphy for signing legislation criminalizing race based 911 calls in the State of New Jersey.

Councilman Johnson, Jr. commented on the following:

- Requested an Executive Closed Session to get an update from the City Attorney regarding pending litigation.

Council President Coley commented on the following:

- Wants to create a committee with three council members and establish a policy conducive of meeting.
- Wants to create another committee to layout process for honorariums.

- Notification to residents regarding paving project in the City of Orange who will be affected by heavy traffic and detours, which will begin on or about September 8th.

ORDINANCES-SECOND READING/PUBLIC HEARING

The City Clerk announced that the policy published stated the citizens would be allowed to speak on Ordinances on Second Reading, which was sent out to the Law Department and approved. Moreover, the citizens were not given advance notice to email their comments.

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)

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

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

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

Roll Call:

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

Motion passed.

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)

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

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

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

Roll Call:

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

Motion passed.

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.

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

Motion to close Citizen Comments by Council Vice President Eason, second by Councilman Montague, III. The Motion was unanimously approved.

Motion to adopt by Councilman Ross, 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.

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)

The following citizens commented:

- 1) Brian Shemesh of Paramount Assets expressed his opposition to this ordinance.
- 2) Richard Dunn, Senior Vice President from Paramount Assets submitted citizen comments, which are listed under Citizen Comments in the Minutes.

Motion to keep Public Hearing open until the next meeting by Councilwoman Summers-Johnson, second by Councilman Montague, III.

The motion was unanimously approved.

Motion passed.

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.

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

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

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

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:

32-2020 An ordinance to amend the Code of the City of Orange Township, Chapter 200, entitled "Vehicles and Traffic", Section 200-10.2, Residential Permit. (Parkinson Terrace) (Sponsored by Council Member Tency A. Eason) (Amended)

The City Clerk advised the ordinance has been amended and read the amendment into the record. The word "between" was added in Section 1 under location and now reads "Between Mt. Vernon Avenue and High Street."

Motion to adopt as amended on First Reading by Councilman Montague, III, second by Council Vice President Eason.

Roll Call:

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

Motion passed.

Second Reading/Public Hearing is scheduled for Tuesday, October 6, 2020.

33-2020 An ordinance amending Chapter 200 of the City of Orange Township Municipal Code to repeal Ordinance 18-2016 entitled Handicapped Parking Spaces. (51 Hampton Terrace) (Sponsored by Councilmember-At-Large Adrienne Wooten)

Motion to adopt on First Reading by Councilman Montague, III, second by Councilman Ross.

Roll Call:

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

Motion passed.

Second Reading/Public Hearing is scheduled for Tuesday, October 6, 2020.

34-2020 An ordinance amending Chapter 200 of the City of Orange Township Municipal Code to repeal Ordinance 18-2018 entitled Handicapped Parking Spaces. (39 Hampton Terrace) (Sponsored by Councilmember-At-Large Adrienne Wooten)

Motion to adopt on First Reading by Councilman Ross, 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.

Second Reading/Public Hearing is scheduled for Tuesday, October 6, 2020.

35-2020 An ordinance amending Chapter 200 of the City of Orange Township Municipal Code to repeal Ordinance 2-2014 entitled Handicapped Parking Spaces. (46 Hampton Terrace) (Sponsored by Councilmember-At-Large Adrienne Wooten)

Motion to adopt on First Reading by Councilman Ross, 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.

Second Reading/Public Hearing is scheduled for Tuesday, October 6, 2020.

36-2020 An ordinance amending Chapter 4 of the City of Orange Municipal Code to establish and enact Section 4:17.4 entitled Closed Caption Procedures for Council Meetings and Committee Meetings. (Sponsored by South Ward Councilmember Jamie Summers-Johnson & Councilmember-At-Large Adrienne Wooten)

Motion to adopt on First Reading by Councilman Montague, III, second by Councilman Ross.

Roll Call:

Ayes: Eason, Johnson, Jr., Montague, III, Ross, Summers-Johnson, Wooten and Council President Coley

Nays: None

Abstain: None
Absent: None

Motion passed.

Second Reading/Public Hearing is scheduled for Tuesday, October 6, 2020.

37-2020 An ordinance to amend the Code of the City of Orange Township, Chapter 200, entitled “Vehicles and Traffic”, Section 200-10.2, Residential Permit Parking. (Elm Street) (Sponsored by Council Member Kerry J. Coley)

Motion to adopt on First Reading by Councilman Montague, III, second by Councilman Ross.

Roll Call:

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

Motion passed.

Second Reading/Public Hearing is scheduled for Tuesday, October 6, 2020.

38-2020 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. (764 Scotland Road) (Sponsored by Council Member Jamie Summers-Johnson)

Motion to adopt on First Reading 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.

Second Reading/Public Hearing is scheduled for Tuesday, October 6, 2020.

39-2020 An ordinance amending and supplementing Chapter 26, Article 2 of the revised Code of the City of Orange Township by establishing the position of Chief of Police. (Amended)

Business Administrator Hartwyk read the amendment into the record. A second Whereas clause was added which reads: **WHEREAS**, the Administration desires to officially create the position of Chief of

Police within the City of Orange Township and has presented such proposal to the City Council for action; and

Motion to adopt as amended on First Reading 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.

Second Reading/Public Hearing is scheduled for Tuesday, October 6, 2020.

40-2020 An ordinance of the City of Orange Township authorizing the acquisition, for redevelopment purposes, of certain property identified as Block 2804, Lot 8 (67 South Center) from the New Jersey Department of Transportation, and authorizing the Mayor to execute a purchase and sale agreement on behalf of the City.

Motion to adopt on First Reading by Councilman Ross, 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.

Second Reading/Public Hearing is scheduled for Tuesday, October 6, 2020.

41-2020 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. (263 Mount Vernon Avenue) (Sponsored by Council Member Clifford R. Ross)

Motion to adopt on First Reading 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.

Second Reading/Public Hearing is scheduled for Tuesday, October 6, 2020.

42-2020 An ordinance to amend and supplement Chapter 18, Article 1, Section 18-7, of the Code of the City of Orange Township entitled “Deputy Chiefs ” to establish Fire Chief position duties.

Motion to adopt on First Reading by Councilman Wooten, second by Councilwoman 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.

Second Reading/Public Hearing is scheduled for Tuesday, October 6, 2020.

43-2020 An ordinance amending Ordinance 21-2017 relating to salaries and classifications of certain employees of the City of Orange Township. (Non-uniform employees).

Motion to adopt on First Reading by Councilman Ross, second by Councilwoman 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.

Second Reading/Public Hearing is scheduled for Tuesday, October 6, 2020.

44-2020 An ordinance to amend Chapter 71-12.1 Fence Materials; Prohibitions; of the Municipal Code of the City of Orange Township to further prohibit barbed wire on any residential or commercial property in the City. (Sponsored by Councilmember-At-Large Adrienne Wooten)

Motion to adopt on First Reading 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.

Second Reading/Public Hearing is scheduled for Tuesday, October 6, 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 344-2020, 345-2020, 346-2020, 350-2020, 354-2020, 355-2020, 356-2020, 358-2020, 359-2020, 360-2020 and 362-2020 were removed from the Consent Agenda for a separate vote.

RESOLUTIONS NO. *338-2020 THROUGH *362-2020

- *338-2020** A resolution appointing Carl Fields, Jr. as a citizen member to the Public Works Committee of the City of Orange Township. (Sponsored by Council member Tency A. Eason)
- *339-2020** A resolution celebrating the life of Congressman John R. Lewis. (Sponsored by the Orange City Council)
- *340-2020** A resolution of the City of Orange Township authorizing an Emergency Appropriation pursuant to N.J.S.A. 40A:4-46 and N.J.S.A. 40A:4-48 for worker's compensation costs incurred by the City and authorizing the issuance of emergency notes pursuant to N.J.S.A. 40A:4-51.
- *341-2020** A resolution to cancel trust fund reserves.
- *342-2020** A resolution authorizing an addendum to resolution #39-2019 to Maser Consulting, P.A., 331 Newman Springs Road, Suite 203, Red Bank, New Jersey 07701 for providing additional engineering, design services and construction inspection services for the Colgate Skate Park Phase II project in an amount not to exceed \$17,456.84.
- *343-2020** A resolution authorizing a refund of two hundred seventy dollars paid by various senior residents for a day trip to Tropicana Casino in Atlantic City, New Jersey.

- *346-2020** A resolution authorizing settlement in the matter of Maria H. Pessoa and Maria A. Silva v. City of Orange Township, et al., Docket No. ESX-L-3600-17, in the amount of forty thousand dollars (\$40,000.00).
- *347-2020** A resolution amending resolution 287-2020 titled “A resolution authorizing Remington & Vernick Engineers, One Harmon Plaza, Suite 210, Secaucus, New Jersey 07094 to provide professional construction administration and construction observation services Phases IV for the Lincoln Avenue (between Central Avenue to Heywood Avenue) and South Center Street (between Central Avenue to Tremont Avenue) Roadway Resurfacing Project in an amount not to exceed \$39,000.00.” seeking to correct the account number.
- *348-2020** A resolution amending resolution 224-2020(WO) titled “A resolution authorizing and ratifying the award of an emergency contract between the City of Orange Township and Williams Scotsman, Inc., 100 Pennval Road, Woodbridge, NJ 07095 contract number R160101 under the Omnia Partners National Cooperative to provide trailers for the EOC Annex and decontamination center in response to the Covid-19 pandemic in an amount not to exceed \$32,250.86.” seeking additional funds in the amount of \$42,000.00 making a new amount not to exceed of \$74,250.86.
- *349-2020** A resolution supporting the State House Commission pre-application to the NJDEP Green Acres Program for diversion of Parkland within South Mountain Reservation adjacent to Glen Avenue Bridge in the Township of Millburn.
- *351-2020** A resolution establishing a fifteen-person working committee to investigate and assessing the benefits and disadvantages of creating a Public Safety Department within the City of Orange Township through the merger of the Orange Police Department and the Orange Fire Department.
- *352-2020** A resolution authorizing the award of a non-fair and open contract with Lewis Consulting Group, 2517 Highway 35, Building P, Suite 202, Manasquan, New Jersey 08736 to provide environmental site assessment for the Chestnut Street Pump Station located at 632 Chestnut Street (Block 6201, Lot 1) in an amount not to exceed \$18,021.00.
- *353-2020** A resolution authorizing the award of a non-fair and open contract with Lewis Consulting Group, 2517 Highway 35, Building P, Suite 202, Manasquan, New Jersey 08736 to provide licensed site remediation professional services to comply with current Green Acres NJDEP administrative requirements for property located at 113 North Center Street (Block #2002, Lot 18) in an amount not to exceed \$25,168.50.
- *357-2020** A resolution amending resolution 289-2020 which amended resolutions 249-2020, 211-2020 and 163-2020(WO) awarding an emergency contract between the City of

Orange Township and MIA Restoration dba Puroclean of Morristown NJ, 9 Montgomery Road, Livingston, New Jersey 07039 for decontamination services of EMS and ALS trucks, passenger vehicles, equipment and supplies in response to the Covid-19 pandemic in an amount not to exceed \$393,187.70 seeking additional funds in the amount of \$22,148.00 making a new amount not to exceed \$415,335.70.

***361-2020 A resolution designating August 26, 2020 as Women’s Equality Day in the City of Orange Township (Sponsored by Councilmember-At-Large Adrienne Wooten)**

Motion to adopt Consent Agenda by Councilman Ross, 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.

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

***344-2020 A resolution authorizing approval to amend the CY 2020 Municipal Budget by inserting items of revenue and appropriations totaling \$1,247,237.00 in additional grant funding. (Amended)**

Chief Financial Officer Nile Clements read amendment into the record, wherein he advised that the police grant was removed from this resolution and a new resolution 363-2020(WO) will be walked onto the agenda which includes the police grant funds.

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

Roll Call:

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

Motion passed.

***345-2020 A resolution authorizing the services of Childress & Jackson, LLC, to represent the City of Orange Township in the matter of Kason Scruggs, Jr., an infant by his g/a/l Salena West and Salena West, individually v. City of Orange Township, et al, Docket No. ESX-L-1742-20, in an amount not to exceed \$15,000.00 for Calendar Year 2020.**

Motion to adopt 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.

***346-2020 A resolution authorizing settlement in the matter of Maria H. Pessoa and Maria A. Silva v. City of Orange Township, et al., Docket No. ESX-L-3600-17, in the amount of forty thousand dollars (\$40,000.00).**

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

Roll Call:

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

Motion passed.

***350-2020 A resolution authorizing the services of Michael A. Armstrong & Associates, to represent the City of Orange Township in the matter, "Anthony Carey v. the City of Orange Township, et al.", Docket No. ESX-L-002475-20, in an amount not to exceed \$20,000.00 for Calendar Year 2020.**

Motion to adopt 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.

***354-20202 A resolution authorizing the services of David C. Stanziale, LLC, to conduct an investigation on behalf of the City of Orange Township in the matter of Marie Conserve and Louis Dessources in an amount not to exceed \$20,000.00 for Calendar Year 2020.**

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

Roll Call:

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

Motion passed.

***355-2020 A resolution authorizing settlement in the matter of Nicholas Awoyera v. City of Orange Township, et al., Docket No. ESX-L-3581-17, in the amount of thirty thousand dollars (\$30,000.00).**

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

Roll Call:

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

Motion passed.

***356-2020 A resolution authorizing a contract for extra duty management services to Extra Duty Solutions, 1 Waterview Drive, Suite 101, Shelton, CT 06484 for three years with the right to renew for an additional two years commencing September 1, 2020. (Amended)**

The City Clerk reported that this resolution was amended. The contract is for two years and not three.

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

Point of Order: Council Vice President Eason made a motion to table to allow the Council go to through package and get more details on how this contract is going to work.

Motion to table by Council Vice President Eason, second by Councilman Johnson, Jr.

Point of Order: Councilwoman Wooten inquired about the extra duties and who in the Orange Police Department are in charge.

Business Administrator Hartwyk reported Lt. Eason and Sgt. Lopez were in charge.

Councilwoman Wooten inquired can Council Member vote if there is a family member?

City Attorney Montilus advised that if the council has a family member involved it raises a conflict and they would abstain from voting.

Council Vice President Eason advised she has no issue with abstaining.

Council Vice President Eason withdrew her motion request to table resolution.

Councilman Johnson, Jr. withdrew his second from request to motion to table.

Business Administrator reported that this contract was initiated by the Administration and has support of administration within the Police Department. The contract will outsource side jobs.

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

Roll Call:

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

Motion passed.

***358-2020 A resolution approving the bill list for council meeting vote on September 1, 2020 dated August 28, 2020 and approving checks issued by the Finance Department in accordance with Ordinance 2-95. (Grand Total: \$8,692,266.89)**

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

Roll Call:

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

Motion passed.

***359-2020 A resolution designating Ward Street beginning at Park Street and ending at Hillyer Street as Wali Muhammad Way-In Honorarium. (Sponsored by Councilmember-At-Large Adrienne Wooten, South Ward Councilmember Jamie Summers-Johnson and Councilmember-At-Large Weldon Montague, III)**

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

On the Motion: Councilwoman Wooten asked the Council to support the resolution.

Roll Call:

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

Motion passed.

***360-2020 A resolution honoring and celebrating Dwayne “Nippy” Broadway for his historic bodybuilding career. (Sponsored by Councilmember-At-Large Weldon Montague, III, Councilmember-At-Large Adrienne Wooten and South Ward Councilmember Jamie Summers-Johnson)**

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

Roll Call:

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

Motion passed.

***362-2020 A resolution to amend proposed ordinance 30-2020 titled “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” by adding an additional clause for painting and hardware stores hours of operation (Sponsored by Council Member Tency A. Eason)**

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

On the Motion: Council Vice President Eason asked the Council for their support of the resolution, which will not economically affect the businesses.

Roll Call:

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

Motion passed.

NEW BUSINESS AND WALK-ON ORDINANCES/RESOLUTIONS

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

363-2020(WO) A resolution authorizing approval to amend the CY 2020 Municipal Budget by inserting items of revenue and appropriations totaling \$1,875,000.00 in additional grant funding.

364-2020(WO) A resolution authoring the Tax Collector to abate the existing property tax balance and outstanding water balance on 372-Crane Street, Orange, New Jersey Block 2702, Lot 7.

Motion to walk on Resolutions 363-2020(WO) and 364-2020(WO) by Councilwoman Wooten, second by Councilman Montague, III. The motion was approved by unanimous vote.

The City Clerk inquired if there were any residents wishing to comment. There were no citizen who wished to comment.

Motion to close citizen comments by Councilman Montague, III, second by Councilman Ross. The motion was approved by unanimous vote.

363-2020(WO) A resolution authorizing approval to amend the CY 2020 Municipal Budget by inserting items of revenue and appropriations totaling \$1,875,000.00 in additional grant funding.

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

Roll Call:

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

Motion passed.

364-2020(WO) A resolution authoring the Tax Collector to abate the existing property tax balance and outstanding water balance on 372-Crane Street, Orange, New Jersey Block 2702, Lot7

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

On the Motion: Councilman Montague, III inquired about details regarding this property.

Business Administrator Hartwyk advised that the owner of the property passed away without a will. The current owner will owe approximately \$41,539.49 in unpaid property taxes as of September 11, 2020 and has been in negotiations to sell the property to Russo Development and/ or D& R Urban Renewal, LLC, the designated redeveloper in the Central Orange Redevelopment Area to avoid an almost certain and imminent tax foreclosure. This property is expected to be incorporated into a redevelopment project the will include a municipal parking

facility expected to initially bring \$70,000.00 annually to the City of Orange Township.

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

Roll Call:

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

Motion passed.

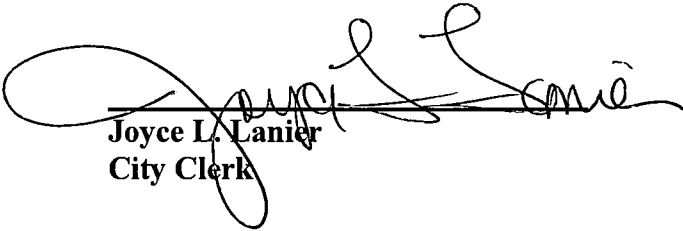
OTHER PENDING BUSINESS None.

**Motion to adjourn by Councilman Montague, III, second by Councilwoman Wooten.
The motion was approved by unanimous vote.**

Meeting adjourned at 10:55 p.m.

The next City Council Conference and Regular Meeting will be held on Tuesday, September 15, 2020 virtually at 7:00 p.m.

APPROVED: October 6, 2020



Joyce L. Lanier
City Clerk



Kerry J. Coley
Council President