



**OPRA REPORTS:**

Month of September 2020: 161 OPRA requests received, 123 completed and 38 pending.

**COUNCIL REPORTS**

**Finance Committee** – Council Vice President Eason reported the following recommendations from the meeting held on October 20, 2020:

- The Administration has requested that Ordinance 52-2020 be returned to Administration.
- Supports remaining legislation on the agenda.

**Essex County** – Council Vice President Eason on behalf of Mr. Timothy Walker, Essex County Liaison for the City of Orange reported the following:

- COVID cases in Essex County are on the rise.
- Encouraged the residents to continue social distancing and respectfully requested that everyone wear their facial mask to combat the pandemic.
- Councilwoman Summers-Johnson inquired regarding the cleanliness of Orange parks and Business Administrator Hartwyk advised that he will be having a meeting with the County to address same.

**Fire Department** - Councilman Ross reported the following:

- October is Fire Prevention Month and the Fire Department will be doing a Senior Public Safety Demo on Thursday, October 22, 2020 from 11 a.m. to 2 p.m. at Oakwood Avenue which will include fire extinguisher demonstration, hands on CPR, stove fire demonstration, display new fire apparatus, and health and safety giveaways. Refreshments will be given.
- Director Douglas also reported that fire prevention literature and goody bags will be distributed to seniors in other senior buildings.
- Fire prevention literature and gift bags will be distributed to the students in Orange.
- Safety measures on portable heaters, checking boilers, fire and carbon monoxide alarms.

**Council President directs Clerk to file reports.**

**COMMUNICATIONS AND PETITIONS**           None.

**CITIZEN COMMENTS ON GENERAL ISSUES/AGENDA ITEMS**

“SPECIAL NOTICE: Please be apprised anyone wishing to discuss Agenda or General Items shall be allowed to participate in this portion of the Council Meeting via audio call in number and video conferencing platform by stating their name and address when directed to do so by the Council President. All public comments submitted through electronic mail or written letter before the meeting shall be read aloud by the City Clerk. The City Council reserves the right to respond or not respond during the meeting to any citizen’s questions or comments. If the Council wishes to address any comments it shall be done during the remote public meeting.

The following citizens commented live:

**1) Carmen Engle, 174 Heywood Avenue:**

- Amendment to the noise ordinance for the City of Orange and decibel meters.
- Avram White, Deputy City Attorney confirmed that the City is working on amending the noise ordinance.

The City Clerk reported that the emailed citizen comments received from Jeff Felds has been posted on the website [www.orangetwpnjcc.org](http://www.orangetwpnjcc.org) under the October 20, 2020 Council Meeting.

**2) Jeff Felds, [hardwaredad@aol.com](mailto:hardwaredad@aol.com):**

The City Clerk stated that the first 17 questions submitted by Mr. Felds regarding the Essex County Board of Elections was addressed by the Essex County Clerk's presentation.

**September 2020 OPRA Report**

1. Of the 38 pending and open September 2020 OPRA Requests, who are the requestors?
2. Of the 38 pending and open September 2020 OPRA Requests, what departments or boards have delayed production?
3. What is the status of the executed CY 2020 Nishuane Group retention agreement?
4. What is the status of all affidavits of title and closing statements delivered in connection with the Bank of America/Rossi Paints March 2019 acquisition transaction?
5. What was the average September 2020 OPRA response time?
6. How many days did it take to produce requested documents relating to the August 26, 2020 planning board meeting to Attorney Feld?
7. How many CY 2019 and CY 2020 OPRA Requests remain open and pending? Did Orange receive any additional federal document subpoenas in CY 2019 and CY 2020?
8. If so, what were their dates of issuance and receipt by Orange's record custodian?
9. Why the delay in producing and posting the "notorious" Walk-On \$350,000 Contract Approval Res. 237-2015 adopted September 18, 2015, the availability of funds certification, the three requisitions for payment and the three issued checks?

**Preliminary Repetitive Re-Occurring Not-Yet Answered Non-Agenda Item Questions**

10. Why the delay in posting the October 6, 2020 virtual meeting video on a public website?
11. Who is the mayor's current chief of staff?
12. What is the status of the written legal opinion or memorandum regarding the validity of holding a non-virtual planning board meeting in a heated tent on a contested Wawa application?
13. What is the status of the CY 2020 Audit?
14. What was the statutory or Best Practices filing deadline for the CY 2020 Audit?
15. When do you expect the CY 2020 Best Practices Inventory Responses to be posted on a public website?
16. When do you anticipate holding a public hearing on Orange's CY 2020 Best Practices Inventory Responses?
17. Has Orange enacted an anti-nepotism policy?
18. What is the status of the private sale of the former Lincoln Avenue police station?
19. What is the status of the promised Long Term Tax Exemption Policy and Procedure Ordinance?
20. What is the status of the July, August and September 2020 monthly operating and revenue reports?

21. What is the status of the accounting of all long term tax exemption revenues due and owing the County?
22. What is the status of the accounting of all short term tax exemption revenues not collected by Orange due to the blanket waiver and the lack of increasing staged payments?
23. What is the status of the written legal opinions regarding the validity of all pre-October 6, 2020 virtual meetings' civic participation restrictions and limitations?
24. What is the status of the written legal opinion or memorandum regarding the validity and adverse consequences of a mayor's current or former law partner acting as the local planning board attorney at the August 26, 2020 and October 7, 2020 planning board meetings during which the mayor was present and acting in a quasi-judicial function?
25. When did Attorney Aaron Mizrahi become a city employee?
26. What is the status of the written legal opinion or memorandum regarding a city councilperson simultaneously serving in an official (and not liaison or ex officio) capacity on the local housing authority?
27. Has Councilperson Ross availed himself to an advisory ethical opinion from the State Division of Local Government Services?
28. Have the two newly elected council members attended any basic local government seminars regarding their new statutory and common law fiduciary councilperson duties and obligations?
29. What is the status of Feld XIX defendants' outstanding discovery responses?
30. What are the adverse consequences of a public official asserting his or her Fifth Amendment right against self-incrimination?
31. What is the status of Orange's current water/sewer utility capacity?
32. Without interconnections with other water utilities, can Orange meet its current water/sewer needs?
33. Without interconnections with other water utilities, can Orange meet its projected increased redevelopment needs?

The City Clerk read into the record Citizen Comments up to the five-minute timeframe allotted to each citizen. As a result, all of the comments submitted by Jeff Felds were not all read into the record.

**Motion to close Citizen Comments by Councilman Johnson, Jr., second by Councilman Ross. The motion was approved by unanimous vote.**

### **COUNCIL COMMENTS**

Councilman Ross commented on the following:

- Expressed his concerns with the low number of votes in the City of Orange and urged the residents to vote.
- U.S.P.S. is hiring visit [usps.com/careers](https://usps.com/careers)

Councilwoman Summers-Johnson commented on the following:

- Teaching her students grades 7 and 8 the importance of voting.
- Ord. 50-2020 regulating fire pits in the City of Orange.
- Two little libraries will be installed: Forrest Street School and near the clock by Hat City.
- Acknowledged Abdul Hanif's questions (1) paving on Thompkins Street and (2) Garden State Kitchen permits. The Administration will reach out to Mr. Hanif and answer his questions.

Councilman Montague, III commented on the following:

- Encouraged all the residents to vote and assist others.
- Job openings for package handlers. There will be a job recruitment held on Saturday at Main Street near the old Bank of America Building.
- Job openings for GED teachers

Councilwoman Wooten commented on the following:

- Thanked the residents in the City of Orange Township who responded to the 2020 Census
- Participation at the bike tour event and thanked the Historic Preservation Commission
- Domestic Violence Event
- Thanked Councilman Montague for the School Backpack Giveaway and Skateboard Competition event that all the children enjoyed
- October is Breast Cancer Awareness Month

Council Vice President Eason commented on the following:

- Thanked everyone who contributes to the community in the City of Orange and everything you do.
- St. Matthews Church will be having an initiative to assist men being released early from prison.
- Encouraged residents to vote and to ask for assistance.

Councilman Johnson, Jr. commented on the following:

- Thanked colleagues for all their work on the General Election.
- Encouraged residents to vote, as well as, for the School Board Election in the City of Orange.

Business Administrator Hartwyk provided the following COVID 19 update:

- The City has reinstated weekly calls with OEM and have meet with Health Officer.
- The numbers are slightly up and are being monitored.

Council President Coley commented on the following:

- Thanked all Council Members for all their comments.
- Expressed his gratitude for everything that he can do in serving the community.
- Expressed his concern for the low voter turnout in Orange.

#### **ORDINANCES-SECOND READING/PUBLIC HEARING**

**45-2020     An ordinance of the Municipal Council of the City of Orange Township adopting the amended Central Orange Redevelopment Plan pursuant to N.J.S.A. 40A:12A-7 (generally located by Lincoln Avenue, Main Street, South Essex Avenue, Freeway Drive East, the border with the City of East Orange and Central Avenue/Jackson Street).**

The City Clerk inquired if there were any residents wishing to comment. There were no live citizen comments. Thereafter, the City Clerk read into the record the following questions submitted by Mr. Jeff Feld:

1. Will there be a noticed public city council presentation about this Amending Central Orange Redevelopment Plan prior to its approval?
2. Is this a with or without condemnation powers amending redevelopment plan?
3. When in the planning board approval process is a Central Orange Redevelopment Plan redeveloper required to obtain a redeveloper designation or redeveloper agreement and a net benefits fiscal impact study?
4. When did the Nishuane Group replace Don Meisel as our city planner?
5. Since its original retention, how many original and amending redevelopment studies as well as original and amending redevelopment plans has the Nishuane Group prepared?
6. How much has Orange paid the Nishuane Group for this work?
7. Has the Nishuane Group broken out its fees for each investigative redevelopment study and plan?
8. How many approved redevelopment plans currently exist in Orange?
9. Which redevelopment plans are located within Opportunity Zones?
10. Is there a master map highlighting the boundaries of all these redevelopment plans and opportunity zones?
11. Under the terms of this proposed redevelopment plan, when are redeveloper designation and a fiscal impact study a precondition to any planning board approvals?
12. When did our mayor execute the Nishuane Group CY 2020 retention agreement?
13. Was the Nishuane Group implicated in any of the CY 2020 federal indictments or guilty pleas relating to Orange?
14. After the Franklyn Ore guilty plea, why hasn't Orange terminated its relationship with the Nishuane Group?
15. 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?

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

**The Motion was unanimously approved. Motion passed.**

**Motion to adopt on Second Reading by Council Vice President Eason, 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.**

**ORDINANCES-INTRODUCTION/FIRST READING:**

**50-2020** An ordinance to amend the Code of the City of Orange Township, Chapter 46 entitled "Air Pollution", to update open burning/open fire requirements and responsibility for overnight functions. (Sponsored by Council Member Jamie Summers-Johnson)

**Motion to adopt 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 Monday, November 16, 2020.**

**51-2020** 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. (433 Lincoln Avenue)

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

**On the motion:** Council President Coley inquired if all of the back-up has been submitted. The City Clerk confirmed same.

**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 Monday, November 16, 2020.**

**52-2020** An ordinance to amend the Code of the City of Orange Township, Chapter 88, "Fees" Article VIII entitled "Department of Public Works".

**Motion to Return to Administration 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.**

**53-2020 A bond ordinance amending bond ordinance number 43-2019 finally adopted by the City Council of the City of Orange Township, in the County of Essex, state of New Jersey on November 18, 2019 to amend the description of improvements and the useful life set forth therein**

**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 Monday, November 16, 2020.**

**54-2020 A bond ordinance amending bond ordinance number 51-2019 finally adopted by the City Council of the City of Orange Township, in the County of Essex, State of New Jersey on November 18, 2019, to amend sections 1, 3 and 5 therein**

**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 Monday, November 16, 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.

**RESOLUTIONS NO. \*413-2020 THROUGH \*426-2020**

The City Clerk announced that Resolution 423-2020 was removed from the Consent Agenda for a separate vote.

- \*413-2020** A resolution authorizing approval to amend the CY 2020 Municipal Budget by inserting items of revenue and appropriations totaling \$708,119.59 in additional grant funding.
- \*414-2020** A resolution authorizing the refund to lienholder fig cust FIGNJ19LLC for water payment made on Block 901 Lot 7 also known an 206 North Center Street in the amount of \$50.22.
- \*415-2020** A resolution authorizing the Tax Collector to refund duplicate payment of taxes by Corelogic for Block 5004 Lot 27.02 Qual C037 also known as 475 South Jefferson Street Apt #5A in the amount of \$2,447.83.
- \*416-2020** A resolution authorizing the Tax Collector to refund duplicate payment of taxes by Corelogic for Block 5004 Lot 27.02 Qual C039 also known as 475 South Jefferson Street Apt #5C in the amount of \$2,553.76.
- \*417-2020** A resolution clarifying Resolution 364-2020 and authorizing the Tax Collector to abate the outstanding water balance on 372 Crane Street, Orange, New Jersey Block 2702, Lot 7.
- \*418-2020** A resolution naming October 2020 as National Breast Cancer Month in the City of Orange Township. (Sponsored by Councilmembers Summers-Johnson and Wooten)
- \*419-2020** A resolution naming October 13, 2020 Metastatic Breast Cancer Awareness Day in the City of Orange Township. (Sponsored by Councilmembers Summers-Johnson and Wooten)
- \*420-2020** A resolution honoring Thomas Wright for his significant contribution to the City of Orange Township community and his efforts to uplift and heal our most challenged residents. (Sponsored by Councilmembers Wooten and Montague, III)
- \*421-2020** A resolution designating D&R Orange Urban Renewal II, LLC as the redeveloper for properties identified on the city tax map as Block 2603, Lots 2, 3, 4, 14 and 15 (33-51 Lincoln Avenue and 60 Scotland Road) within the Main Street Redevelopment Area.

- \*422-2020** A resolution authorizing the awarding of a contract between the City of Orange Township and IBN Construction Corporation, 49 Hermon Street, Newark, New Jersey 07105 for the demolition of 47-51 Hillyer Street, in the amount not to exceed \$39,765.00.
- \*424-2020** A resolution amending resolution 55-2020(WO) titled “Resolution authorizing the Tax Collector to enter into an installment payment agreement with Rev. Norman Sheriff of Debre Ganet Kidus Gabriel Ethiopian Church for the collection/payment of delinquent taxes owed on the properties designated as Block 3002 Lot 2 on the official tax map of the City of Orange Township” seeking approval of amendments to the agreement.
- \*425-2020** A resolution authorizing the Planning Board of the City of Orange Township to conduct a preliminary investigation as to whether certain parcels should collectively be designated as an area in need of redevelopment without condemnation and/or an area in need of rehabilitation and further directing the Planning Board to hold a public hearing, report recommendations to the City Council, and prepare a redevelopment and/or rehabilitation plan for any area so designated by the City Council.
- \*426-2020** A resolution approving the bill list for Council Meeting vote on October 20, 2020 dated October 14, 2020 and approving checks issued by the Finance Department in accordance with Ordinance 2-95. (Grand Total: \$5,331,570.84).

**Motion to adopt Consent Agenda by Councilman Ross, 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 resolution was removed from the Consent Agenda for a separate vote:**

- \*423-2020** A resolution amending resolution 54-2020(WO) titled “A resolution authorizing the Tax Collector to enter into an installment payment agreement with St. Matthew Neighborhood Improvement and/or St. Matthew A.M.E. Church for the collection/payment of delinquent taxes owed on the properties designated as Block 4302 Lot 10, 11, 13, 14, and 15 on the official tax map of the City of Orange Township more commonly known as 263 Hickory Street” seeking approval of amendments to the agreement.

**Motion to adopt by Councilman Montague, III, second by Councilwoman Summers-Johnson.**

**Roll Call:**

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

**Motion passed.**

**NEW BUSINESS AND WALK-ON ORDINANCES/RESOLUTIONS – None.**

**OTHER PENDING BUSINESS – None.**

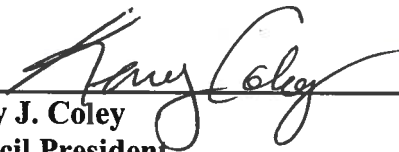
**Motion to adjourn by Councilman Montague, III, second by Council Vice President Eason.  
The motion was approved by unanimous vote.**

**Meeting adjourned at 8:31 p.m.**

**The next City Council Conference and Regular Meeting will be held on Wednesday, November 4, 2020 virtually at 7:00 p.m.**

**APPROVED: December 1, 2020**

  
\_\_\_\_\_  
Joyce L. Lanier  
City Clerk

  
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Kerry J. Coley  
Council President