

FINANCE COMMITTEE MEETING MINUTES

FEBRUARY 16, 2021

Meeting Began at 5:38 PM

Attendees: Council Vice President Tency A. Eason (TA), Council Member Weldon M. Montague III (WM), Council Member Clifford R. Ross, (CR), Christopher Hartwyk (CH) Business Administrator, Nile Clements (NC) Chief Financial Officer, Avram White (AW) City Attorney, Joyce Lanier, (JL) City Clerk, Marlin Towns (MT) Legislative Research Officer, Carol Perkins (CP) Citizen Representative, Tom Boran (TB) Citizen Representative, Lydell Carter (LC), Citizen Representative, Charles Pryor II (CP II), Citizen Representative

ORDINANCES-SECOND READING/PUBLIC HEARING

2-2021 Adopting the Main Street Streetscape and Traffic Control Project – CH confirmed that increase in project and materials costs caused increase in pricing. TB asked when and how the increase was calculated. CH explained that costs were rechecked against other bids and found that there was an increase in materials needed. TB asked if the material costs were to decrease, would funds be used to decrease bond amount. CH confirmed that it can downsize the bond. LC cited that costs increase was possibly due to COVID and CH advised that was correct and there were additional materials needed to resolve some Historic Preservation Committee concerns. MOVE FORWARD

ORDINANCES-INTRODUCTION/FIRST READING

3-2021 Amending Chapter 4 to clarify and update qualifications for Legislative Research Officer – MOVE FORWARD

5-2021 Providing for the issuance of redevelopment area bonds to assist with redevelopment project located at Block 2805, Lot 1.01 – CH reviewed Ordinance 5-2021 and 6-2021, confirming that they have been approved by Local Finance Board and are ready to proceed. TB asked what the difference between the two ordinances was. CH confirmed that the projects are by the same developer, but for two different lots. TE asked if the new design had been completed yet. CH confirmed that it had not but he was working with project architect and engineer to finalize. TB asked if there was a time frame estimated for groundbreaking. CH confirmed that once construction is completed at the nearby park, the construction for Reock phases can begin. MOVE FORWARD

6-2021 Providing for the issuance of redevelopment area bonds to assist with redevelopment project located at Block 2805, Lot 1.02 – MOVE FORWARD

7-2021 To exceed the municipal budget appropriation limits and establish a cap bank – CH explained in 2018, cap laws allow Municipalities to bank unused cap space on the unused appropriation side; these ordinances must be passed annually in order to deposit into the bank. MOVE FORWARD

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- 8-2021** **Approving tax exemption with Peek Reock II Owner Urban Renewal, LLC** – TB asked if a developer has ever used the entire 30 years’ tax abatement. CH are allowed but provision in statue that if you get to appoint during 30-year period where what you would pay under the abatement agreement and what you would pay in taxes equal, then from that point on, you would pay taxes. TB asked if the abatement would become void should the owner decide to sell the property. CH confirmed that that may not necessarily be true, but it depends on when they sell it and a transfer approval would be needed. MOVE FORWARD
- 9-2021** **Approving tax exemption with Peek Reock III Owner Urban Renewal, LLC** – LC asked if Reock II and Reock III will break ground at the same time. CH stated that project will begin shortly, but not at the same time. Reock II will begin first and once Reock I and II have been completed, they will start Reock III. MOVE FORWARD

TABLED AT JANUARY 19, 2021 REGULAR MEETING

- 24-2021** **Awarding contract for special counsel to provide legislative research officer services**

RESOLUTIONS

- 72-2021** **Authorizing emergency contract for traffic signal maintenance and repairs to Jen Electric** – TB asked why there was a need for an emergency contract. CH explained that Department of Public Works does not have the in-house capabilities to perform traffic repair and maintenance. MOVE FORWARD
- 73-2021** **Reallocating \$23,000 in excess bonds from section 3(h) to section 3(d) of bond ordinance 52-2019** – TB asked where were the funds being removed and where will it be put. NC confirmed that not as much money was spent on fire trucks so the funds are moving from the trucks to the Department of Public Works’ yard tank installations. MOVE FORWARD
- 74-2021** **Approving the bill list (Grand Total: \$7,121,738.98)** – MOVE FORWARD
- 75-2021** **Authorizing additional funds for heating and air conditioning maintenance to Unitemp** – MOVE FORWARD
- 76-2021** **Authorizing extension of agreement with Unitemp, Inc. for heating and air conditioning services** – TE asked what the difference between this resolution and 77-2021. NC explained that Resolution 76-2021 extends the 2020 contract for some emergency overage for work needed and Resolution 77-2021 is a full year contract for 2021. MOVE FORWARD
- 77-2021** **Acquiring services to maintain electronic document management for police policies from PowerDMS** – MOVE FORWARD
- 78-2021** **To purchase weapons/ammunition from Atlantic Tactical** –MOVE FORWARD
- 79-2021** **To purchase uniforms with Galls LLC** – TB asked if dry cleaning services for the uniforms were still being included in the union contract. CH confirmed that the

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dry cleaning is still included in the union contract for now, but it is currently up for discussion on new contract negotiations.

- 80-2021 To enter into a Voluntary Cooperative Pricing System with Somerset County Cooperative Pricing System – MOVE FORWARD**
- 81-2021 To accept grant funds from the U.S. DOJ for the 2020 Coronavirus Emergency Supplemental funding program – LC asked if this grant will include any funds to offset the Fire Department’s overtime. CH confirmed that it will not. MOVE FORWARD.**
- 82-2021 Accepting funds from the NJ OLPH for the 2020 Strengthening Local Health Department Capacity Program grant – MOVE FORWARD**
- 83-2021 Entering into a contract with RELX, Inc. for online legal research and legal publication updates – MOVE FORWARD**
- 84-2021 Authorizing David C. Stanziale, LLC to represent the City and Mayor Warren in the matter “Keri Payne v. City of Orange Township” – In reviewing Resolutions 84-2021, 85-2021, and 86-2021, TB asked if the \$50,000 was for each case or in total. AV confirmed that each resolution is separate, \$50,000 each. TE asked if cases get dismissed if the costs can be lowered. AV confirmed that it can. CH added that the monies can also be added as surplus as end of year. MOVE FORWARD**
- 85-2021 Authorizing Lamb Kretzer, LLC to represent the City Council members in the matter “Keri Payne v. City of Orange Township” – MOVE FORWARD**
- 86-2021 Authorizing Ruderman & Roth, LLC to represent the Orange Police Dept., Captains Vitiello & Dunn, Sergeant Stefanelli and Director Warren in the matter “Keri Payne v. City of Orange Township” – MOVE FORWARD**
- 87-2021 Amending Resolution 188-2020 to authorize additional attorney fees for Lamb Kretzer, LLC as special counsel in Keith Butts v. City of Orange Township In reviewing Resolutions 87-2021, 88-2021, 90-2021, 91-2021, & 92-2021, AV confirmed that these are ongoing cases which needed additional attorney representation. TB asked if some of the frivolous cases against the City have diminished in number since using outside counsel. AV confirmed that they have slowed down. MOVE FORWARD**
- 88-2021 Amending Resolution 187-2020 to authorize additional attorney fees for Lamb Kretzer, LLC as special counsel in JSPJ, LLC v. City of Orange Township – MOVE FORWARD**
- 89-2021 Amending contract with Lamb Kretzer, LLC to handle workers’ compensation conflicts – TB ask how are attorney fees are calculated. AV confirmed through research, based on past cases, man hours needed for the case, etc. MOVE FORWARD**

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- 90-2021** Amending Resolution 184-2020 to authorize additional attorney fees for David C. Stanziale, LLC as special counsel in Louis D. Dessources v. Dennis Manning – MOVE FORWARD
- 91-2021** Amending Resolution 183-2020 to authorize additional fees for David C. Stanziale, LLC as special counsel in Anthony Carey v. City of Orange MOVE FORWARD
- 92-2021** Retaining Scarinci & Hollenbeck, LLC as special counsel to various legal and litigation matters MOVE FORWARD
- 93-2021** Authorizing contract with Emmanuel Pierre and Emel Interpreting and Translating Services, LLC for interpreting services – CH confirmed this contract includes court translation as well as transcribing services. MOVE FORWARD
- 94-2021** Authorizing Change Order No. 1 to modify contract with E.O. Habegger, Co., Inc. for fuel tanks and equipment installation NC stated that because Resolution 94-2021 is contingent on Resolution 73-2021, it should be removed for a separate vote. CH suggested to pull both 73-2021 and 94-2021 for separate vote.
- 95-2021** Amending Resolution 185-2020 to authorize additional attorney fees for Lamb Kretzer, LLC as special counsel in Louis D. Dessources v. Dennis Manning – TE stated that this was an on-going case; she asked what the status of case was. AV confirmed that his office will provide the Council with status for case. MOVE FORWARD
- 96-2021** Re-appointing Richard Noizy as constable for the City LC asked what the role of a constable was to the City. CH explained that the primarily function is to service and execute on civil processes and debts; instead of having the police or a sergeant taken away from higher-priority matters, the constable can perform those duties. MOVE FORWARD

ADJORN 6:16 PM