

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, JANUARY 5, 2021 FOLLOWING THE CONFERENCE MEETING.

Council President Coley 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 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
Adrian Mapp, Director of Finance
Nile Clements, Chief Financial Officer
Todd Warren, Police Director
Vinny Vitiello, Chief of Police
Kenneth Douglas, Fire Director
Marty Mayes, Director of Public Works
Laquana Best, Director of Planning
Marlin G. Townes, Legislative Research Officer
Tamara Robinson, City Clerk's Office
Maggie Homere, City Clerk's Office

Absent: Councilwoman Jamie Summers-Johnson, South Ward

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:

- **December 1, 2020 Conference & Regular Meeting Minutes (Council Member Wooten was absent and should abstain)**

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

Roll Call:

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

Motion passed.

REPORTS:

DEPARTMENT MONTHLY REVENUE COLLECTION 2020: None.

CONSTABLE REPORTS: None.

OPRA REPORTS: None.

CONSTABLE REPORTS: None.

OPRA REPORTS: None.

COUNCIL REPORTS

Finance Committee – Council Vice President Eason reported the following recommendations from the meeting held on January 5, 2021:

- The Department of Administration has requested that the Resolutions 7-2021, 8-2021, 9-2021, 10-2021, 11-2021, 12-2021, 13-2021 and 15-2021 be returned to Administration.
- The Budget Consultant and Finance Committee have reviewed all the legislation and there are no outstanding objections; therefore, the legislation can move forward.

COVID 19 Vaccine – Business Administrator Hartwyk reported the following:

- The vaccine rollout is proceeding logistically very well.
- Vaccine location for Orange is at the Sears & Roebuck building in Livingston Mall.
- The County and Municipalities managing the site are doing a fantastic job.
- Distribution of vaccine is ahead of schedule.
- Council Vice President Eason reported that there are two new vaccine locations: 1) Donald M. Payne, Sr. School of Technology and 2) Essex County College; therefore, arrangements are being made to allow residents to go to those sites as they are closer.

Orange Police Department – Director Todd Warren and Police Chief Vinny Vitiello reported the following:

- Wished everyone a Happy New Year.
- Thanked Fire Director Douglas, his staff and the Council for partnering with the Police Department for the annual toy drive.
- Business Administrator Hartwyk reported an arrest of an armed LYFT passenger by the Orange Police.
- Uniform Crime Report comparing 2020 to 2019:
 - o Crime in Orange has been going down:
 - Violent crime down 25%;
 - Non-violent crime down 19%; and
 - Total crime index down 21%.
- Orange Police Department have been assigned to assist and provide security at the COVID testing sites.

- Food pantry services – during the month of December 2020 over 7,200 families were serviced.
- Tip for the month from the Police Department – To prevent car thefts, do not leave your keys in the car, keep your doors locked and park in a well lite area.
- Encouraged the residents to call the Orange Police Department’s tip line at (973) 666-0097.

Orange Fire Department – Director Douglas reported the following:

- Wished everyone a Happy New Year.
- Toy drive with the Departments of Police and Community Service.
- Fires in Orange for 2020 were below average.
- The department is working on a 2021 schedule to do fire prevention presentations.
- Councilman Ross thanked the Director Douglas for donating toys for the Orange Democratic Committee toy drive.
- Thanked Katrina Nease for all of her assistance to the Fire Department with the preparation of paperwork for the pandemic.

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 City Clerk inquired if there were any citizens that wished to make comments. The following citizen commented live:

1. **Lydell Carter**
 - Thanked the Orange Fire Department for their support in organizing a fire prevention presentation for the Claremont Neighborhood Watch Association.
 - Thanked Detectives Cherry and Polhill for participating and attending the Claremont Neighborhood Watch Association meeting.
 - Thanked Councilman Summers-Johnson for also participating in the Claremont Neighborhood Watch Association meeting.

Thereafter, the City Clerk reported that the following emailed citizen comments received from Jeff Felds have been posted on the website www.orangetwpnjcc.org under the January 5, 2021 Council Meeting.

2. **JEFF FELDS – hardwaredad@aol.com:**
Ordinances

Second Reading**D & R Orange Urban Renewal II 30 Year Long Term Tax Exemption Ord. 60-2020**

- 1) Do local elected officials-fiduciaries of a public trust-have a constitutional, statutory or common law duty to respond to all pertinent second reading public hearing questions on an ordinance not subject to a referendum challenge prior to taking official action?
- 2) Did the Local Finance Board approve the issuance of a nonrecourse redevelopment area bond for this discretionary long term tax exemption project?
- 3) What is the statutory percentage of revenue floor for all discretionary market rate long term tax exemption projects?
- 4) Does the Local Finance Board approved nonrecourse redevelopment area bond exception apply in this proposed discretionary long term tax exemption transaction?
- 5) Is this project located in an Opportunity Zone?
- 6) What is the current rate of return on a thirty year Treasury obligation?
- 7) What is the current rate of return on a thirty year mortgage?
- 8) What is the guaranteed rate of investment return for this long term tax exemption project?
- 9) Is this guaranteed rate of investment return, coupled with the deference of all taxable gain, too rich an incentive and taxpayer subsidy for this discretionary long term tax exemption project?
- 10) Does the applicant have the power and right to agree to a less than a 12% guaranteed rate of investment return?
- 11) Should consideration and approval of this discretionary long term tax exemption be delayed one meeting cycle and a noticed conference meeting presentation?
- 12) Does this discretionary long term tax exemption comply with the Long Term Tax Exemption Handbook issued on or about November 18, 2020?
- 13) Who approved the post December 9, 2020 Local Finance Board meeting form and legality of this discretionary long term tax exemption transaction under State law?
- 14) Did the local planning board grant approvals to this discretionary long term tax exemption project prior to the local governing body approving redeveloper status to this urban renewal entity?
- 15) Does this proposed discretionary long term tax exemption project concur with or undermine the City of Orange Township's submitted Feld X Walter G. Alexander Phase III "fairness" report?

Municipal Court Director Ord. 62-2020

- 16) What is the urgent need for this structural change?
- 17) What is the projected anticipated savings from this structural reform?

First Reading**Amending Reock Street Redevelopment Plan (with Condemnation Powers) Ord. 1-2021**

- 18) Under what authority did the local planning board approve this amended redevelopment plan with condemnation powers prior to the local governing body accepting the underlying investigative study?
- 19) By what resolution did this local governing body approve and accept the local planning board investigative study?

- 20) Has each council member reviewed and compared the videos and local planning board minutes regarding the expansion of this redevelopment area and the need for condemnation powers?
- 21) Who approved the form and legality of this transaction under State law?
- 22) What weight should be afforded to any transaction approved under the watch of the Nishuane Group?
- 23) What is the status of the executed Nishuane Group CY 2020 retention agreement?
- 24) By adopting this proposed ordinance, will the City of Orange Township bless all actions taken by the local planning board and its acting planning board attorney in connection with this transaction?

Resolutions

Preliminary

CY 2019 Corrective Action Plan Res. 1-2021

Amending Public Safety Advisory Board Res. 4-2021

Lagniappe Foods Res. 15-2021

Bill List Res. 18-2021.

- 25) Should the local governing body investigate the delay in providing virtual access to these four resolutions?
- 26) What is the urgency of approving these resolutions without providing stakeholders prior reasonable virtual access to the resolutions and supporting materials?
- 27) Why is Attorney Mishari's name and telephone number omitted from the posted list of key city employees?

Expanded Reock Street Investigative Study With Condemnation Powers Res. 2-2021

- 28) Why the delay in approving this Expanded Reock Street Investigative Study with Condemnation Powers?
- 29) By adopting this resolution, will the local governing body bless all actions taken by the local planning board and its acting planning board attorney in connection with this proposed resolution?
- 30) Has each council member reviewed and compared the videos and local planning board minutes regarding the expansion of this redevelopment area and the need for condemnation powers?
- 31) Who approved the form and legality of this transaction under State law?
- 32) What weight should be afforded to any transaction approved under the watch of the Nishuane Group?

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 Ross, second by Councilman Johnson, Jr.

The motion was approved by unanimous vote.

Motion passed.

COUNCIL COMMENTS

Councilman Ross commented on the following:

- Wished everyone a Happy New Year.
- Accomplishments of 2020: roads paved, 2 elections (municipal and general), census, new constructions throughout the City, COVID testing, senior wellness check, community services, food banks, coat and toy drives, community meetings and much more.
- Council will continue to work hard and he will personally request complete transparency and accountability from the City's Administration.
- Welcomes the input and recommendation of the residents.
- Team work makes the dream work.
- Inquired about the introduction of 2021 budget.
 - o Business Administration Hartwyk reported that due to the pandemic, the Local Finance Board has issued a notice which has delayed the introduction for three weeks. Introduction of the Budget was postponed to February 26th from January 15th. Adoption of the budget postponed to April 30th from March 20th.
 - o Business Administrator Hartwyk, Finance Director Mapp and Chief Financial Officer Clements review the budgets submitted by the departments.
 - o There will be budget meetings with the Council and a public hearing.
 - o Once the Council has adopted the budget introduction, it is sent to Trenton and they notify the City when the budget can be approved for adoption.
- Expressed his non-support for walk-on resolutions.

Councilwoman Wooten commented on the following:

- Wished everyone happy holidays.
- Thanked the Fire and Police Departments for their toy donations for the seniors.
- Requested from the Director of Planning to provide a description of the procedure for residents to obtain a parking permit:
 - o Director Best reported the following:
 - There are three way in obtaining an application: 1) Security – front door, 2) City website and 3) requesting an emailed application from Haneefah Norman at (973) 952-6071 or hnorman@orangenj.gov.
 - If application is emailed, the resident must provide the application with a copy of their license and vehicle registration.
 - If application is mailed, the resident should also provide the application with a copy of their license and vehicle registration.
 - If hand delivering the application, they should bring it to City Hall and give to security.
 - Once Ms. Norman processes the permits, she will mail out the permits to residents.
 - Commuter parking permits is the same procedure for parking permits, but the resident must pay the fee required.
- Christmas tree pickup will be announced shortly via robo call and notice on the City's website.
- Thanked all of the City employees for all of their work done during the pandemic. In particular to the Department of Health & Community Services.

Council Vice President Eason commented on the following:

- Wished everyone a Happy New Year.
- Inquired from Director Best which streets will be added to permit parking?
 - o Director Best will inquire and get back to the Council with a list.
- Thanked Director Mayes that the City is finally getting a stop light at Cleveland and Park Avenue after pleading for 19 years.
- Announced occupational center has a new owner and tenant; therefore, is no longer vacant.
- New smoothie business at the corner of Bradford and Washington.

Councilman Montague, III commented on the following:

- Wished the citizens, Departments of Administration, Fire, Public Works and Recreation, Council Members a Happy New Year.
- Thanked Chief Vitiello, Director Warren, Director Mayes, Director Douglas, Fire Chief Kohault, Business Administrator Hartwyk for all of their help and looking forward to a great 2021.
- Inquired from Director Best if there will be an amnesty period for permit parking at Duane Street?
 - o Director Best advised that the Administration was going to talk to the Police Department.
 - o Business Administrator Hartwyk advised that if the permit has expired residents have until the end of January 2021 to renew.

Councilman Johnson, Jr. commented on the following:

- Thanked Councilman Ross for representing the whole Council.
- Inquired regarding lapse of water/sewer and tax bills.
 - o Business Administrator Hartwyk advised that Governor Murphy signed Executive Order 190 preventing New Jersey residents from having their utilities disconnected due to non-payment through March 15, 2021. Therefore, no delinquent water/sewer bills have been included in the tax lien sale.
 - o Business Administrator Hartwyk further advised that Governor Murphy's Executive Order did not provide any relief for property taxes. In addition, there is no statutory authority for the Municipality to forgive unpaid property taxes or structure payment plans.
 - o There was a lien sale at the end of December 2020 for unpaid 2020 taxes, which was advertised and notice provided to the residents.

Council President Coley commented on the following:

- Praised Business Administrator Hartwyk for keeping track of all of the documentation regarding the state of emergency, which is needed for reimbursement.
- Inquired about a shared services agreement with the Orange Board of Education.
 - o Business Administrator Hartwyk advised he had a conversation with now deceased School Business Administrator and will continue conversation once there is a new Business Administrator assigned.
- Inquired about the status of the gas pumping station at Public Works.

- o Director Mayes confirmed that the platform has been poured, security measures are being considered and tanks will be delivered in February.
- Traffic Light at South Main and Hickory knocked down and there is no traffic device.
- Thanked the Department of Public Works for their great job during the snow storm.
- Thanked Business Administrator Hartwyk that the City of Orange is becoming a model city.
- Democracy unfolding in Georgia.

ORDINANCES-SECOND READING/PUBLIC HEARING

City Clerk inquired from City Attorney Montilus if she should reread the comments from Jeff Felds into the record for Ordinances 60-2021 and 62-2021, since she had read them during the citizen comments.

City Attorney Montilus advised that the City Clerk that the minutes should reflect that the comments were previously read under citizen comments.

Motion to suspend the Rules to consider Resolution 2-2021 by Councilman Montague, III, second by Councilwoman Wooten.

Roll Call:

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

Motion passed.

***2-2021 A resolution accepting the Planning Board’s recommendation to designate the expanded Reock Street Study Area between South Center Street and the border with the City of East Orange as an area in need of redevelopment with condemnation and an area in need of rehabilitation in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.**

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

Roll Call:

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

Motion passed.

Point of Order: City Attorney recommended that the Council take a five minute recess to address a legal issue.

Motion to take a five minute recess by Council Vice President Eason, second by Councilwoman Wooten.

The motion was approved by unanimous vote.

Recess at 8:46 p.m. for five minutes.

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

The motion was approved by unanimous vote.

Reconvened at 8:53 p.m.

60-2020 An ordinance of the City of Orange Township to approve a tax exemption for a thirty (30) year period and to authorize the thirty (30) year exemption and authorizing the execution of a financial agreement between the City and D&R Orange Urban Renewal II, LLC.

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 email comments sent in by Jeff Felds, which were also previously read into the record during Citizen Comments:

- 1) Do local elected officials-fiduciaries of a public trust-have a constitutional, statutory or common law duty to respond to all pertinent second reading public hearing questions on an ordinance not subject to a referendum challenge prior to taking official action?
- 2) Did the Local Finance Board approve the issuance of a nonrecourse redevelopment area bond for this discretionary long term tax exemption project?
- 3) What is the statutory percentage of revenue floor for all discretionary market rate long term tax exemption projects?
- 4) Does the Local Finance Board approved nonrecourse redevelopment area bond exception apply in this proposed discretionary long term tax exemption transaction?
- 5) Is this project located in an Opportunity Zone?
- 6) What is the current rate of return on a thirty year Treasury obligation?
- 7) What is the current rate of return on a thirty year mortgage?
- 8) What is the guaranteed rate of investment return for this long term tax exemption project?
- 9) Is this guaranteed rate of investment return, coupled with the deference of all taxable gain, too rich an incentive and taxpayer subsidy for this discretionary long term tax exemption project?
- 10) Does the applicant have the power and right to agree to a less than a 12% guaranteed rate of investment return?
- 11) Should consideration and approval of this discretionary long term tax exemption be delayed one meeting cycle and a noticed conference meeting presentation?
- 12) Does this discretionary long term tax exemption comply with the Long Term Tax Exemption Handbook issued on or about November 18, 2020?
- 13) Who approved the post December 9, 2020 Local Finance Board meeting form and legality of this discretionary long term tax exemption transaction under State law?
- 14) Did the local planning board grant approvals to this discretionary long term tax exemption project prior to the local governing body approving redeveloper status to this urban renewal entity?
- 15) Does this proposed discretionary long term tax exemption project concur with or undermine the City of Orange Township's submitted Feld X Walter G. Alexander Phase III "fairness" report?

Motion to close Citizen Comments by Councilman Montague, III, second by Councilwoman Wooten.

The Motion was unanimously approved.

Motion passed.

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

Roll Call:

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

Motion passed.

62-2020 An ordinance to amend the Code of the City of Orange Township, Part 1, Chapter 14 Municipal Court to establish the position of Municipal Court Director.

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 email comments sent in by Jeff Felds, which were also previously read into the record during Citizen Comments:

- 1) What is the urgent need for this structural change?
- 2) What is the projected anticipated savings from this structural reform?

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

The Motion was unanimously approved.

Motion passed.

Motion to adopt on Second Reading by Council Vice President Eason, second by Councilman Johnson, Jr.

Roll Call:

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

Motion passed.

Point of Order: City Attorney Montilus advised based on the question previously asked by the City Clerk, he recommends that the rules be suspended to allow the City Clerk to go back and read into the record the citizen comments.

Motion to suspend the rules by Councilman Montague, III, second by Councilman Johnson, Jr.

Roll Call:

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

Abstain: None
Absent: Summers-Johnson

Motion passed.

The City Clerk announced that the rules have been suspended; therefore, she is going back to the citizen comments portion of the meeting.

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 City Clerk read into the records the emailed citizen comments received from Jeff Felds:

First Reading

Amending Reock Street Redevelopment Plan (with Condemnation Powers) Ord. 1-2021

1. Under what authority did the local planning board approve this amended redevelopment plan with condemnation powers prior to the local governing body accepting the underlying investigative study?
2. By what resolution did this local governing body approve and accept the local planning board investigative study?
3. Has each council member reviewed and compared the videos and local planning board minutes regarding the expansion of this redevelopment area and the need for condemnation powers?
4. Who approved the form and legality of this transaction under State law?
5. What weight should be afforded to any transaction approved under the watch of the Nishuane Group?
6. What is the status of the executed Nishuane Group CY 2020 retention agreement?
7. By adopting this proposed ordinance, will the City of Orange Township bless all actions taken by the local planning board and its acting planning board attorney in connection with this transaction?

Resolutions

Preliminary

CY 2019 Corrective Action Plan Res. 1-2021

Amending Public Safety Advisory Board Res. 4-2021

Lagniappe Foods Res. 15-2021

Bill List Res. 18-2021.

8. Should the local governing body investigate the delay in providing virtual access to these four resolutions?

9. What is the urgency of approving these resolutions without providing stakeholders prior reasonable virtual access to the resolutions and supporting materials?
10. Why is Attorney Mishari's name and telephone number omitted from the posted list of key city employees?

Expanded Reock Street Investigative Study With Condemnation Powers Res. 2-2021

11. Why the delay in approving this Expanded Reock Street Investigative Study with Condemnation Powers?
12. By adopting this resolution, will the local governing body bless all actions taken by the local planning board and its acting planning board attorney in connection with this proposed resolution?
13. Has each council member reviewed and compared the videos and local planning board minutes regarding the expansion of this redevelopment area and the need for condemnation powers?
14. Who approved the form and legality of this transaction under State law?
15. What weight should be afforded to any transaction approved under the watch of the Nishuane Group?
16. What is the status of the executed Nishuane Group CY 2020 retention agreement?

CY 2021 Temporary Budget Res. 3-2021

17. Under what authority can a local governing body authorize a temporary budget appropriation in excess of the statutory temporary budget appropriation percentage?
18. Were the payroll checks delivered on December 31, 2020 included in the CY 2020 Appropriations?
19. Were the payroll checks delivered on December 31, 2020 included in this CY 2021 Temporary Budget?
20. Who approved the form and legality of this resolution under State law?

Special Outside Labor Counsel After-the Fact Increased CY 2020 Retention Cap Res. 7-2021

21. How much did the City pay its special outside labor counsel in CY 2020?
22. Who is responsible for monitoring professional services retention caps?
23. Will these outstanding professional labor counsel fees and expenses be reflected as CY 2020 expenses?
24. Will these outstanding professional labor counsel fees and expenses be paid pursuant to the CY 2021 Budget?
25. Is the City's special labor counsel the Irvington municipal attorney?
26. Is our mayor employed by Irvington in any capacity?
27. Who approved the form and legality of this resolution under State law?

CY 2021 Professional Services Retention Res. 8- to 14-2021

28. Who selected the professionals to be retained on January 5, 2021?

29. In CY 2020, did any of the proposed law firms appear before the local planning board or the local governing body on behalf of any PEEK related entity?
30. In CY 2020, is it anticipated that any of the proposed law firms will appear before the local planning board or the local governing body on behalf of any PEEK related entity?
31. When will the local governing body consider the retention of a CY 2020 Financial Statement Auditor?
32. When will the local governing body consider the retention of a CY 2021 Legislative Research Officer?
33. When will the local governing body consider the retention of a CY 2021 Bond Counsel, Outside Budget Consultant and Municipal Planner?
34. What metrics were used to select the Res. 8- to 14-2021 CY 2021 professionals?
35. Who is responsible for examining and evaluating the work product of each retained professional?
36. Who is responsible for ensuring that no professional exceeds his or her professional retention "cap"?

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.

ORDINANCES-INTRODUCTION/FIRST READING

1-2021 An ordinance of the Municipal Council of the City of Orange Township adopting the Reock Street Redevelopment Plan with condemnation pursuant to N.J.S.A. 40A:12A-7.

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

Roll Call:

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

Motion passed.

Second Reading/Public Hearing is scheduled for February 2, 2021.

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 the Department of Administration has requested that the following resolutions be Returned to Administration.

- *7-2021** A resolution amending resolution no. 207-2020 to authorize additional attorney fees to be paid to Scarinci & Hollenbeck, LLP, in Calendar Year 2020 as special counsel with regard to various legal matters and litigation regarding the City of Orange Township by amending resolution no. 207-2020 in an amount not to exceed \$70,000.00.
- *8-2021** A resolution authorizing a list of law firms to represent the City of Orange Township in regards to labor matters on an as needed basis for a period of one (1) year from January 1, 2021 through December 31, 2021.
- *9-2021** A resolution authorizing a list of firms to represent the City of Orange Township in regards to redevelopment matters on an as needed basis for a period of one (1) year from January 1, 2021 through December 31, 2021.
- *10-2021** A resolution authorizing a list of law firms to represent the City of Orange Township in regards to litigation matters on an as needed basis for a period of one (1) year from January 1, 2021 through December 31, 2021.
- *11-2021** A resolution authorizing a list of law firms to represent the City of Orange Township in regards to tax appeal matters on an as needed basis for a period of one (1) year from January 1, 2021 through December 31, 2021.
- *12-2021** A resolution authorizing a list of law firms to represent the City of Orange Township in regards to workers' compensation matters on an as needed basis for a period of one (1) year from January 1, 2021 through December 1, 2021.
- *13-2021** A resolution authorizing the city attorney to use alternate municipal court prosecutor on an on-call basis for the Calendar Year 2021 through a fair and open process.
- *15-2021** A resolution authorizing the Memorandum of Agreement between Lagniappe Foods Company and the City of Orange Township.

Motion to Return to Administration by Councilman Montague, III, second by Councilman Johnson, Jr.

Roll Call:

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

Motion passed.

The Consent Agenda consist of resolutions 1-2021, 4-2021, 5-2021, 6-2021, 14-2021, 16-2021, 17-2021, 18-2021 and 19-2021.

- *1-2021** A resolution to approve the Corrective Action Plan for Calendar Year 2019.

- *4-2021** A resolution amending resolution 351-2020 entitled “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” to revise the membership. (Sponsored by Council Member Kerry J. Coley).
- *5-2021** A resolution authorizing Change Order #2 to modify the contract with Whirl Construction, Inc., 194 Main Street, P.O. Box 110, Port Monmouth, New Jersey 07758 for the project known as the Central Playground Improvements Project in an amount not to exceed \$8,500.00.
- *6-2021** A resolution to authorize and confirm a Shared Services Agreement with the Township of Belleville for public health services.
- *14-2021** A resolution authorizing a list of appraisers/consultants to represent the City of Orange Township in regard to appraisal and valuation of real property in tax appeal matters on an as needed basis for a period of one (1) year from January 1, 2021 through December 31, 2021.
- *16-2021** A resolution authorizing settlement in the matter of Staci Baldwin v. City of Orange Township, et al., Docket No. 2:18-CV-01305-CCF-MF, in the amount of fifty thousand dollars (\$50,000.00).
- *17-2021** A resolution authorizing the City of Orange Township to submit certain project applications for 2021 project funding through the Essex County Community Development Block Grant Program.
- *18-2021** A resolution approving the bill list for council meeting vote on January 5, 2021 dated December 30, 2020 and approving checks issued by the Finance Department in accordance with Ordinance 2-95. (Grand Total: \$10,632,875.11)
- *19-2021** A resolution supporting a National Day of Mourning for Coronavirus on January 21, 2021 presented by Congressman Donald Payne, Jr. and naming a National Day of Mourning for Coronavirus on January 21, 2021 in the City of Orange Township.

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

Roll Call:

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

Motion passed.

The City Clerk announced that the following resolution was removed from the Consent Agenda for a separate vote:

***3-2021 A resolution authorizing the adoption of current fund and water/sewer utility fund temporary budget appropriations for the beginning of 2021 prior to the adoption of CY 2021 budget in accordance with N.J.S.A. 40A:4-19.**

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

On the motion: Councilman Johnson, Jr. inquired if there will be any more transfers in regards to the 2020 budget.

Business Administrator Hartwyk advised that transfers are allowed during the first two months of the year. Director Mapp advised that he believes there will be another transfer of appropriation.

Roll Call:

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

Motion passed.

NEW BUSINESS AND WALK-ON ORDINANCES/RESOLUTIONS

Business Administrator Hartwyk announced that there is a request from the Administration to walk-on a resolution. The resolution is to accept a Cops Hired Program grant in the amount of \$1,875,000 for 15 police officers for three years beginning July 1, 2020 and ending June 30, 2023. The City’s cash match is \$3,001,121.00.

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

20-2021(WO) A resolution to accept grant funds from the United States Department of Justice for the 2020 Cops Hired Program.

Motion to walk-on Resolutions 20-2021(WO) Councilwoman Wooten, second by Councilman Johnson, Jr.

Roll Call:

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

Motion passed.

The City Clerk inquired if there were any citizens that wish to comment. There were no citizen comments.

Motion to close Citizen Comments by Councilman Montague, III, second by Councilwoman Wooten.

The Motion was unanimously approved.

Motion passed.

20-2021(WO) A resolution to accept grant funds from the United States Department of Justice for the 2020 Cops Hired Program.

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

On the motion: Councilman Johnson, Jr. inquired how will the City prepare to incur the salaries for the new 15 cops when the grant is over. Business Administrator Hartwyk advised that the City prepares in two ways. First, The City budgets in increments even in the years there is a grant. Second, the City needs the 15 cops to fill in the gaps.

Roll Call:

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

Motion passed.

OTHER PENDING BUSINESS None.

Motion to adjourn by Councilwoman Wooten, second by Councilman Johnson, Jr. The motion was approved by unanimous vote.

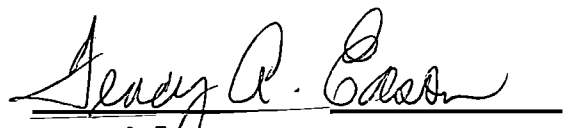
Meeting adjourned at 9:22 p.m.

The next City Council Conference and Regular Meeting will be held on Tuesday, January 19, 2021 virtually at 7:00 p.m.

Approved: February 2, 2021



Joyce L. Lanier
City Clerk



Tency A. Eason
Council Vice President