

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, APRIL 6, 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 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
Avram White Deputy City Attorney
Adrian Mapp, Finance Director
Nile Clements, Chief Financial Officer
Vincent Vitiello, Chief of Police
Kenneth Douglas, Fire Director
Matthew Kohault, Fire Chief
Marty Mayes, Director of Public Works
Laquana Best, Director of Planning
Wendy Sykes, Director of Community Services
Paula Ferreira, Tax Collector
Marlin G. Townes, Legislative Research Officer
Margarette Homere, 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:

- **March 2, 2021 Conference & Regular Meeting Minutes**

Motion to adopt by Councilman Ross, second by Councilman Montague, III.
The motion was approved by unanimous vote.
Motion passed.

CONSTABLE REPORTS:

- **Richard Noizy – Month of March 2021 – Volunteer Services on March 6, 20 and 28, 2021**

OPRA REPORTS: None.

COUNCIL REPORTS

Housing Authority – Councilwoman Wooten reported the following:

- Johnson & Johnson vaccinations have been administered to over 98 residents living at 340 Thomas Boulevard.

Finance Committee – Council Vice President Eason reported the following recommendations from the meeting held on April 6, 2021:

- The Budget Consultant and Finance Committee have reviewed all the legislation and there are no outstanding objections; therefore, the legislation can move forward.

Council President directs Clerk to file reports.

Motion to take a five (5) minute recess by Council Vice President Eason, second by Councilman Johnson, Jr. Motion was approved by unanimous vote.

Motion Pass.

In recess at 8:09 p.m.

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

Motion Pass.

Back in Regular Meeting at 8:15 p.m.

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 the 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 citizens commented live:

- 1) Murphy Wilson thanked the Council for supporting the amendments to the Zoning Ordinance.

Thereafter, the City Clerk read the following comments received by Jeffrey S. Feld, which have been posted on the Council’s website under the April 6, 2021 Council Meeting:

2) Jeffrey S. Feld, 11 Alexander Lane, Short Hills, New Jersey: **Preliminary Agenda Related Items- CY 2021 Covid-19 Related Budget**

1. Do all public officials and their retained professionals have an affirmative duty to report official wrongdoing up the ladder? See ECBOC written response dated March 24, 2021.
2. Are the April 6, 2021 Orange and Millburn Local Governing Bodies' Agendas "sting operation" honeybee traps which will expose a historical pattern of arrogant ineptitude and official misconduct?
3. In Democratic Party Controlled Orange and Millburn, is the fox guarding the henhouse?
4. Is it time for Orange to replace its Legal and Finance Departments?
5. When will the Orange CY 2021 Covid 19 Related Budget be introduced?
6. When will the CY 2021 Covid 19 Related Introduced Budget, the CY 2021 User Friendly Budget and the CY 2020 Unaudited Financial Statement be posted upon a public website?
7. When will the Res. 155-2021 federal municipal capital markets offering statement be posted on a public website?
8. How much long term tax exemption revenues does Orange owe the County?
9. Does Orange currently possess the water/sewer infrastructure to bear all current and projected needs?
10. Should certain long term tax exemption projects bear a position of these water/sewer infrastructure costs?

Attorney Wenzel's Planning Board Attorney Retention Res. 157-2021

11. Did the Warren Administration (Willis Edwards III) terminate Orange's in-house labor lawyer relationship with Attorney Wenzel in or about July 2012?
12. In connection with RPM II, did Attorney Wenzel report Orange's collusive efforts to suppress and to stifle Attorney Feld's political free speech up the reporting ladder?

\$50,000 Bond Counsel Extension Res. 163-2021

13. Does Orange have any colorable claims or causes of actions against any outside bond counsel law firms and other professionals?
14. While representing Orange, did Bond Counsel violate RPC 3.9 at any CY 2018, CY 2019, CY 2020 and CY 2021 Local Finance Board Meeting?
15. Is Orange's bond counsel and other retained professionals co-conspirators in a Statewide long term tax exemption redevelopment area bonds official wrongdoing cabal?

\$145,000 Lerch Vinci Special Financial Services Retention Res. 180-2021

16. Why is the finance department seeking \$145,000 in additional outside financial services from its Budget Consultant who according to the Feld X special master approved the "fairness" of the Walter G. Alexander Phase III long term tax exemption transaction under State law?
17. What distinguishes these outside professional financial services from the professional services approved by the local governing body on January 19, 2021?
18. Since the arrival of our BA in or about August 2016, how much has Orange expended in additional outside financial services, including auditing and annual budget consulting?
19. Did Orange's former outside redevelopment counsel implicate Orange's special outside budget consultant in a Statewide long term tax exemption official wrongdoing conspiracy?

\$125,000 Paula McDougald Settlement Res. 186-2021

20. Who handled and defended this claim on behalf of Orange?
21. Who handled and prosecuted this claim of Paula McDougald?
22. What is the source of this \$125,000 payment?
23. Has Orange's JIF Insurance carrier denied coverage?
24. If this claim arose in 2013, was a proper notice of tort claim filed in connection with this monetary claim?
25. If this claim arose in 2013, when was the local governing body notified of this contingent claim which was apparently disclosed in a foreclosure action?
26. Was this CY 2013 contingent claim disclosed in any financial statement or audit?

Bill List Res. 170-2021

27. Did the Nishuane Group deliver a time summary supporting its \$20,833.33 monthly payment?
28. Who approved the Lamb Kretzer payment requisition/purchase order? (20-00896)
29. Who reviewed the Lamb Kretzer Feld related work product prior to approving payment to this law firm?
30. Was Judith S. Feld a named party in any post November 2010 Feld related litigation against Orange?

Motion to close citizen comments by Councilman Ross, second by Councilman Montague, III.

The motion was approved by unanimous vote.

Motion passed.

COUNCIL COMMENTS

Councilman Ross commented on the following:

- Requested that the Business Administrator Hartwyk confirm receipt of the stimulus check and what it will be used for.
 - o Business Administrator confirmed that the City has received \$1.9 million from the Cares Act, which has been inserted into budget. In addition, the City is eligible and will receive from the American Rescue Plan \$3 million, which will be received in two payments. The first payment of \$1.5 million is expected on or before June 2021 and the other \$1.5 million is expected one year from the first payment in 2022.
- Inquired about the water main break on High Street.
 - o Business Administrator Hartwyk confirmed that the water main break has been fixed, but advised the Council that the infrastructure is old.
- Inquired from Director Mayes if there is a street paving plan and if so requested a schedule.
 - o Director Mayes confirmed that 6 or 7 streets will be paved in the summer. The City is preparing the bid for same.
- Requested the Department of Recreation make a presentation to the Council regarding the City's recreation plan for the spring, summer and fall.
- Attended the March 29th Police Department's swearing in of nine (9) police officers and ten (10) cadets.
- Vaccination by Essex County of 131 seniors at a Housing Authority building on March 30th.
- Expressed his gratitude towards Essex County, Health Officer DeFillippo and Stephanie Cosey.
- Inquired regarding the fire on Henry Street.

Council Vice President Eason commented on the following:

- Encouraged residents who want to get vaccinated to contact Stephanie Cosey from the Health Department for assistance in obtaining an appointment. In addition, residents can go to NJIT located at 323 Dr. Martin Luther King Boulevard as walk-ins since no appointment is needed.
- The County has vaccinated all of the seniors at 300, 340-355, 358 and 400 Thomas Boulevard, as well as, 98 High Street.
- Thanked the Essex County Executive Joseph N. DiVincenzo, Jr. and Chief of Staff Philip B. Alagia for their assistance in getting seniors vaccinated, as well as, Dr. Thomas who is vaccinating inbound seniors in their homes.
- Thanked Vincent DeFillippo, Health Officer and Stephanie Cosey both from the Health Department for all of their assistance in getting residents vaccinated.
- Orange school opening is scheduled for April 19th.
- Recruitment of State Troopers closes on April 23rd.
- Inquired about the fire on Henry Street.

Councilman Johnson, Jr. commented on the following:

- Promotes getting vaccinated.
- Inquired about the proposed development in the West Ward on Scotland Road.
 - o Director Best confirmed that the development is in the planning stages and has not been on the agenda with the Planning Board.

Councilwoman Summers-Johnson commented on the following:

- Thanked Essex County for doing a great job vaccinating the residents.
- Inquired about the speeding signs on Heywood Avenue.
- Meeting with Administration and Code Enforcement regarding complaints received.
- Confirmed with Business Administrator Hartwyk that the crossing guards are ready for the April 19th school opening.
- Attended the Wali Muhammed Street naming at Ward and Park Street.
- Pictures with the Easter Bunny at Central Playground.
- Zumba for the autistic community is scheduled for April 17th from 10 a.m. to 11 a.m. at Metcalf Park.
- Community meetings regarding cannabis are scheduled for April 10th at 1 p.m. at Brwn Box and on April 17th at 1 p.m. at the Huub on Cleveland Street.
- Upcoming meeting with the block captains of Nassau Street Neighborhood Watch Association.
- Requested Business Administrator Hartwyk explain the budget surplus to the residents.
 - o Business Administrator Hartwyk advised that all towns rely on budget surplus. They can be used for various purposes such as: police, fire, additional hires and tax relief.
- Proud of Dr. Cayce J. Cummins being honored as an outstanding woman in the City of Orange Township.

Councilman Montague, III commented on the following:

- Encouraged residents to get vaccinated.

Councilwoman Wooten commented on the following:

- Distribution of over 2,000 palms to residents on Palm Sunday.

- Made a shout out to Assemblywoman Timberlake and the Health Department for their assistance in getting seniors vaccinated.
- Importance of attending the community meetings regarding cannabis.
- Congratulated Dr. Cayce J. Cummins for being honored as an outstanding woman in the City of Orange Township.
- Sent condolences to the family of Janie Daniels.

Council President Coley commented on the following:

- Thanked the Health Department for all of their work getting residents vaccinated.
- Thanked Katrina Nease of the Office of Emergency Management for her hard work.
- Inquired from the Chief Financial Officer what is the COVID 2020 and 2021 up-to-date costs.
 - o Nile Clements, Chief Financial Officer confirmed that the City incurred \$3 million in 2020 and \$500,000 in 2021 thus far.
- Requested that the Police Department increase the task force on back yard parties where alcohol is being sold held by residents around the City.
- Inquired from Business Administrator Hartwyk regarding water improvements.
 - o Business Administrator Hartwyk confirmed that well 5 and 8 are being rehabilitated and the City is in contract renegotiations to increase of the water supply. In addition, the City must make improvements to comply with the PFOA standards, which will require investment.
- Announced the City's shredding event scheduled for Saturday, May 22nd at City Hall parking lot.

ORDINANCES-SECOND READING/PUBLIC HEARING

3-2021 An ordinance to amend Chapter 4, Article II of the Municipal Code of the City of Orange Township to clarify and update the qualifications for the Legislative Research Officer. (Sponsored by Council Member Kerry J. Coley)

The City Clerk inquired if there were any citizens that wish to make a comment. There were no live citizen comments; therefore, the City Clerk read into the record the following comments received by Jeffrey S. Feld – hardwaredad@aol.com Ordinances Second Reading:

Tabled Legislative Research Officer Amending Ord. 3-2021

\$25,000 Harwood Lloyd Conflicts Counsel Retention Res. 122-2021 Rescission Res. 186-2021

1. I incorporate herein by reference all my prior unanswered questions about the legality of this legislative research officer position under State law.
2. Why the urgent need to rescind the conflicts counsel retention resolution? When are the Legislative Research Officer Requests for Proposal/Qualifications due?

Motion to postpone and keep the Public Hearing open 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.

10-2021 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). (Sponsored by Council Member Adrienne Wooten)

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

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

Motion passed.

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

Roll Call:

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

Motion passed.

11-2021 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 South Center Street Urban Renewal Associates, L.P.

The City Clerk inquired if there were any citizens that wish to make a comment. There were no citizen comments; therefore, the City Clerk read into the record the following comments received by Jeffrey S. Feld – hardwaredad@aol.com Ordinances Second Reading:

LTTEL Rehabilitation Long Term Tax Exemption Ord. 11-2021 - RPM Related South Center Street Urban Renewal Associates LP 30 Year

LTTEL Rehabilitation Long Term Tax Exemption Ord. 12-2021 - RPM Related 651 Lincoln Avenue Urban Renewal Associates LP 30 Year

1. Are residents, taxpayers and interested stakeholders entitled to written responses to all pertinent first reading public hearing written and oral questions before the CC considers and takes official second reading public hearing action on an ordinance agenda action item not subject to referendum challenge? See, Jeffrey S. Feld, v. City of Orange Township, A-3449-15T1 (Aug. 8, 2018) ("Feld XIV").
2. Are residents, taxpayers and interested stakeholders entitled to a prompt oral response to all pertinent second reading public hearing written and oral questions before the CC considers and takes official action on a second reading public hearing ordinance agenda

- action item not subject to referendum challenge? See, Jeffrey S. Feld, v. City of Orange Township, A-3449-15T1 (Aug. 8, 2018) (“Feld XIV”).
3. When will Attorney Feld receive a written response to all his prior written virtual remote questions submitted at the February 16, 2021 first readings?
 4. Do these two proposed discretionary RPM related long term tax exemption rehabilitation ordinances validate Attorney Feld’s prior post April 17, 1992 non-urban renewal entity NJHMFA Section 37 long term tax exemption legal analysis? Also see, City of Camden v. Victor Urban Renewal, LLC, CAM-L-4612-18 (Law Div. March 29, 2021)
 5. Why do the two proposed discretionary RPM related long term tax exemption rehabilitation ordinances bear the approval signature of our City Attorney and not special outside redevelopment counsel?
 6. Do the two proposed discretionary long term tax exemption transactions comply with the terms and spirit of the State’s Long Term Tax Exemption Handbook issued on or about November 18, 2020?
 7. Were either affordable housing project subject to a post April 17, 1992 non-urban renewal entity NJHMFA Section 37 long term tax exemption?
 8. If so, were these discretionary non-urban renewal entity NJHMFA Section 37 long term tax exemptions approved by resolution or by ordinance?
 9. When was or will the non-urban renewal entity NJHMFA Section 37 long term tax exemption mortgage be refinanced or discharged?
 10. What adverse consequences arise from the discharge and satisfaction of a NJHMFA Section 37 long term tax exemption mortgage?
 11. When will the current affordable housing rental subsidies lapse?
 12. Does Orange have an enacted long term tax exemption policy and procedure ordinance?
 13. When were the instant LTTEL long term tax exemption applications initially submitted to the City for consideration and approvals?
 14. Why the delay in submission to the local governing body for approval?
 15. Did our BA, Finance Director, Economic Development & Planning Director, Tax Assessor and Special Outside Redevelopment Counsel each review and sign off on these two RPM related discretionary transactions?
 16. On what basis or assessment is the minimum guaranteed/land tax credit payment being fixed?
 17. Did Integra Realty prepare net benefits fiscal impact studies in connection with these two proposed LTTEL long term tax exemption ordinances?
 18. If not, who made the decision not to obtain a supporting net benefits fiscal impact study?
 19. What was the internal rate of return for these two transactions?
 20. Will the supporting net benefits fiscal impact studies be posted on a public website prior to the second readings?
 21. Is it odd that annual water/sewer charges exceed the proposed annual PILOT payment to the community?
 22. Does the proposed the financial agreement template differ from the two PEEK Reock Related Owners Urban Renewal LLC long term tax exemption transactions considered by the local governing body at its last February 16, 2021 and March 16, 2021 meetings?

23. If the developer sells the project, is Orange entitled to any net sale proceeds after the recovery of a guaranteed investment return? See, City of Camden v. Victor Urban Renewal, LLC, CAM-L-4612-18 (Law Div. March 29, 2021)
24. Are these projects located within a duly designated opportunity zone?
25. Is a 12% guaranteed rate of return too great?
26. Did the “original” housing sponsor agree to a lower guaranteed rate of return with the NJHMFA?
27. Is the County entitled to any portion of the annual 2% administrative fee?
28. Did Orange, RPM and prior special outside redevelopment counsel conspire to restrict Attorney Feld’s access to the judicial system?
29. Did Orange and RPM conspire together in violating Attorney Feld’s political free speech by the filing of a retaliatory Tony Galento Transit Village Defamation SLAPP Suit (RPM II) against Attorney Feld for his answered questions about the restructuring of the Tony Galento Transit Village transaction from a market rate private sale to a long term ground lease?
30. Has all RPM/Orange non-Feld related land tax credit long term tax exemption litigation been resolved, settled or adjudicated?
31. Other than the payments to be made under the financial agreements, is the developer making any other contributions or infrastructure payments to Orange?
32. From whom has the local governing body received a legal opinion or memorandum that the long term tax exemption transactions comply with the terms and spirit of the State’s Long Term Tax Exemption Handbook issued on or about November 18, 2021?
33. Are these two properties current in all their obligations to the City, including the filing of all annual long term tax exemption audit reports? See, City of Camden v. Victor Urban Renewal, LLC, CAM-L-4612-18 (Law Div. March 29, 2021)

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

Motion passed.

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

On the motion: Councilwoman Wooten confirmed with Business Administrator Hartwyk that this is more of a preservation ordinance regarding affordable housing. If this ordinance is voted down, the building will lose their affordable housing certificate resulting in residents being displaced.

Business Administrator Hartwyk further confirmed that this project is in the New Jersey Housing and Mortgage Finance Agency Preservation Program. It has been a low and moderate building for 30 years. If the pilot is not approved, then the refinancing will not be approved and the building will have no choice but to go market value.

Roll Call:

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

Motion passed.

12-2021 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 651 Lincoln Avenue Urban Renewal Associates, L.P.

The City Clerk inquired if there were any citizens that wish to make a comment. The following citizen commented live:

1. James Ward, 743 Haxton Avenue understands the concerns of residents and Council regarding low income housing, but he does not support.

The City Clerk noted that Jeffrey S. Feld’s Citizens Comments were read during Ordinance 11-2021 above.

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

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

On the motion: Councilwoman Wooten requested that Business Administrator explain policy for low and moderate income housing.

Business Administrator Hartwyk confirmed that supporting low and moderate income housing is a policy issue. The City is required to keep a certain amount of low and moderate income housing.

Roll Call:

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

Motion passed.

13-2021 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 (241 Wallace Street). (Sponsored by Council Member Kerry J. Coley)

The Council President requested a resolution waiving the twenty (20) day estoppel period be walked on the agenda.

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

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

Motion to adopt as on Second Reading by Councilwoman Wooten, 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.

ORDINANCES-INTRODUCTION/FIRST READING None.

RESOLUTION POSTPONED FROM THE MARCH 16, 2021 COUNCIL MEETING

135-2021 A resolution of the City of Orange Township, in the County of Essex, State of New Jersey providing for the issuance of special emergency notes in an amount not to exceed \$500,000 to fund the revaluation of real property in and for the City.

Postponed to the April 20, 2021 Council Meeting.

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. *157-2021 THROUGH *190-2021

The City Clerk announced that Resolutions 165-2021 and 186-2021 will be removed from the Consent Agenda and voted separately.

- *157-2021** A resolution authorizing Joseph Wenzel, Esq. to provide legal services to the Orange Municipal Planning Board of the City of Orange and land use in an amount not to exceed \$7,500.00 for the Calendar Year 2021.
- *158-2021** A resolution authorizing the award of a professional services contract to Szaferman Lakind, P.C. to provide legal counseling to the Orange Historic Preservation Commission of the City of Orange Township in matters as they relate to the Historic Preservation Commission in an amount not to exceed \$5,000.00 for the Calendar Year 2021.
- *159-2021** A resolution authorizing the award of a professional services contract to Gail Mitchell, Esq. to provide legal services to the Orange Municipal Zoning Board of Adjustment of the City of Orange Township in matters relating to zoning and land use in an amount not to exceed \$5,000.00 for the Calendar Year 2021.
- *160-2021** A resolution of the City of Orange Township creating a Temporary Capital Budget for 2021.
- *161-2021** A resolution authorizing a refund of the three hundred and fifteen dollars paid by David A. Magalhaes for a credit card online payment in error to the Police Department.
- *162-2021** A resolution of the City Council of the City of Orange Township, in the County of Essex, State of New Jersey authorizing an emergency temporary appropriation to fund an emergency contract for snow removal services in the amount of \$560,000 pursuant to N.J.S.A. 40A:4-20. (Amended)
- *163-2021** A resolution appointing Everett Johnson of Wilentz, Goldman and Spitzer, P.A. as bond counsel for the City of Orange Township for an amount not to exceed \$50,000.00 for Calendar Year 2021.
- *164-2021** A resolution reallocating \$138,195.86 in excess bond proceeds from Sections 3(h), (i) and (j) of Section 3(a) of Bond Ordinance number 52-2019 finally adopted by the City Council on November 18, 2019, by and for the City of Orange Township, in the County of Essex, State of New Jersey.
- *166-2021** A resolution recognizing April 14, 2021 as National Gardening Day in the City of Orange Township. (Sponsored by Councilmembers Summers-Johnson and Wooten)
- *167-2021** A resolution celebrating National Autism Awareness Month. (Sponsored by Councilmembers Summers-Johnson and Wooten)
- *168-2021** A resolution recognizing April 22, 2021 as National Earth Day in the City of Orange Township. (Sponsored by Councilmembers Summers-Johnson and Wooten)

- *169-2021** A resolution declaring an emergency and ratifying a contract between the City of Orange Township and Brandon Property Management Group, 52 Whittlesey Avenue, West Orange, New Jersey 07052 for emergency snow plowing services for the period of January 31, 2021 through February 2, 2021 in the amount not to exceed \$18,749.50.
- *170-2021** A resolution approving the bill list for council meeting vote on April 6, 2021 dated March 31, 2021 and approving checks issued by the Finance Department in accordance with Ordinance 2-95. (Grand Total: \$4,377,467.11)
- *171-2021** A resolution authorizing a contract to Carrier Corporation, 9 Farms Spring Road, Farmington, CT 06032-2569 (Northern New Jersey Branch located at 100 Delawanna Avenue, Suite 401, Clifton, New Jersey 07014) to provide HVAC service and maintenance at the Freddie Polhill Law & Justice Complex under the Sourcewell Cooperative Pricing Council Contract #030817-CAR commencing April 1, 2021 through December 31, 2023 in an amount not to exceed \$71,092.00
- *172-2021** A resolution awarding a contract to American Wear, Inc., 261 North 18th Street, East Orange, New Jersey 07018 for the Public Works uniform rental and cleaning services for two (2) years commencing April 1, 2021 through March 31, 2023 in the amount not to exceed \$40,991.60.
- *173-2021** A resolution authorizing Bright View Engineering to provide engineering services to prepare a subdivision plan for the parcel located at 313 Main Street (Block 2001; Lot 41) in an amount not to exceed \$10,000.00.
- *174-2021** A resolution authorizing the acceptance of Community Development Block Grant funds for the program year 2020.
- *175-2021** A resolution authorizing a contract to SHI International, 290 Davidson Ave., Somerset, NJ 08873 to enter into a contract with Civicplus, a software platform that will host the City of Orange Township website and will allow better and easier management of Township business and employees under Contract # ITS58 and Subcontract #89851 commencing May 13, 2021 through May 13, 2022 in an amount not to exceed \$38,097.89.
- *176-2021** A resolution approving the City of Orange Township Debris Management Plan I and Snow Removal Plan I prior to being submitted to FEMA for certification to continue receiving Category A debris removal funding.
- *177-2021** A resolution authorizing the acceptance of New Jersey Department of Transportation Grant funds for the City of Orange Township for 2021 various streets project.
- *178-2021** A resolution declaring an emergency and ratifying a contract between the City of Orange Township and Flores Trucking, LLC, 170 Main Street, West Orange, New

Jersey 07052 for emergency snow removal services for the period of January 31, 2021 through February 18, 2021 in the amount not to exceed \$720.00.

- *179-2021** A resolution authorizing a contract to Thyssenkrupp Elevator Corporation (TK Elevator Corp), P.O. Box 3796, Carol Stream, IL 60132-3796 (Northern New Jersey branch located at 400 Raritan Center Parkway, Suite H, Edison, New Jersey 08837) to provide elevator service and maintenance at the Polhill Law & Justice Complex and City Hall under the Sourcewell Cooperative Pricing Council contract #080420-TKE commencing April 1, 2021 through August 28, 2024 in an amount not to exceed \$20,500.00.
- *180-2021** A resolution amending Resolution 83-2020 titled "A resolution authorizing a contract with Lerch, Vinci, & Higgins, LLP, of 17-17 Route 208, Fair Lawn, New Jersey 07410 to provide finance training and assistance consulting services to the City of Orange Township's Finance Department Personnel commencing February 20, 2020 until February 19, 2021 in an amount not to exceed \$100,000.00" to supplement the contract an additional \$45,000.00 for a new not to exceed \$145,000.00.
- *181-2021** A resolution authorizing the awarding of a contract for the DPW Yard Facility and site improvements to MBT Contracting, LLC, 63 Beaver Brook Road, Suite 104C, Lincoln Park, New Jersey 07035 in the amount not to exceed \$1,540,305.00.
- *182-2021** A resolution approving the settlement in the matter of Paula McDougald v. City of Orange Township et al., Docket No. ESX- F-007135-20.
- *183-2021** A resolution declaring an emergency and ratifying a contract between the City of Orange Township and C & L Towing service, P.O. Box 341, East Hanover, NJ 07936-0341 for emergency towing services for the period of January 31, 2021 through February 18, 2021 in the amount not to exceed \$13,200.00.
- *184-2021** A resolution authorizing Remington & Vernick Engineers, 232 Kings Highway East, Haddonfield, New Jersey 08033 to contract administration and construction observation services Phase IV for the Department of Public Works Brook Alley Garage Improvement Project in an amount not to exceed \$69,735.00.
- *185-2021** A resolution rescinding resolution 154-2021 authorizing the services of the Law Offices of Christopher N., LLC, as an alternate municipal court prosecutor on an as needed basis for the Calendar Year 2021 in an amount not to exceed \$2,500.00
- *187-2021** A resolution authorizing the services of Michael A. Armstrong & Associates, LLC, to represent Denise Banks in the matter, "Marie Conserve v. City of Orange Township, et al" Docket No. 2:21-CV-00872-SDW-ESK in an amount not to exceed \$30,000.00 00 for Calendar Year 2021.

- *188-2021** A resolution establishing a Citizen’s Budget Advisory Committee (CBAC) for the 2021 annual municipal budget process.
- *189-2021** A resolution for Emergency Temporary Appropriations #6 to the Calendar Year 2021 Budget. (Amended)
- *190-2021** A resolution authorizing the awarding of a contract between the City of Orange Township and I.B.N. Construction Corporation in the amount not to exceed \$12,000.00, for the removal of a crumbling façade at 37 William Street, Orange, New Jersey.

Motion to adopt Consent Agenda 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

The City Clerk announced that the following resolutions were removed from the Consent Agenda for a separate vote.

- *165-2021** A resolution honoring Dr. Cayce J. Cummins as an outstanding woman in the City of Orange Township 2021 Annual Celebration of Women’s History Month. (Sponsored by Councilmembers Summers-Johnson and Wooten)

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

On the Motion: Councilwoman Wooten and Council Vice President Eason both congratulated Dr. Cayce J. Cummins.

Roll Call:

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

Motion passed.

- *186-2021** A resolution rescinding resolution 122-2021 authorizing an agreement for professional services with Harwood Lloyd LLC to provide conflict counsel services to the Municipal Council for Calendar Year 2021, in an amount not to exceed \$25,000.00.

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

Roll Call:

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

Motion failed.

NEW BUSINESS AND WALK-ON ORDINANCES/RESOLUTIONS

The City Clerk announced that the following Resolutions 191-2021(WO) and 192-2021(WO) are being considered to be walked on the agenda:

191-2021(WO) A resolution to cancel 2020 current fund budget appropriation balances.

192-2021(WO) A resolution amending resolution 21-2021 authorizing an agreement for professional services with Joseph A. Garcia, Esq. of Cleary Giacobbe Alfrieri Jacobs, LLC for legal services from January 1, 2021 to December 31, 2021 at a rate of \$150.00 per hour increasing the contract by \$15,000.00 making the new not to exceed \$25,000.00.

Motion to walk-on Resolutions 191-2021(WO) and 192-2021(WO) onto the agenda by Councilman Johnson, Jr., second by Councilman Ross.

Roll Call:

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

The City Clerk inquired if there were any citizens who wished to make a comment. There were no citizen comments.

191-2021(WO) A resolution to cancel 2020 current fund budget appropriation balances.

Motion to adopt 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

192-2021(WO) A resolution amending resolution 21-2021 authorizing an agreement for professional services with Joseph A. Garcia, Esq. of Cleary Giacobbe Alfrieri Jacobs, LLC for legal services from January 1, 2021 to December 31, 2021 at a rate of \$150.00 per hour increasing the contract by \$15,000.00 making the new not to exceed \$25,000.00.

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.

OTHER PENDING BUSINESS

193-2021(WO) **A resolution allowing the City of Orange Township to waive the estoppel period and authorizing the immediate enactment of Ordinance 13-2021 titled “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. (241 Wallace Street)” upon adoption by the City Council.**

Motion to walk-on Resolution 193-2021(WO) onto the agenda by Councilman Montague, III, second by Councilwoman Summers-Johnson.

The City Clerk inquired if there were any citizens who wished to make a comment. There were no citizen comments.

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

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


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

Meeting adjourned at 9:58 p.m.

Approved: May 18, 2021



Joyce L. Lanier
City Clerk



Kerry J. Coley
Council President