

**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, MAY 4, 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  
Dwayne D. Warren, Esq., Mayor  
Chris M. Hartwyk, Business Administrator  
Laquana Best, Director of Planning  
Adrian Mapp, Finance Director  
Marty Mayes, Director of Public Works  
Gracia R. Montilus, City Attorney  
Vincent Vitiello, Police Chief  
Nile Clements, Chief Financial Officer  
Marlin G. Townes, Legislative Research Officer  
Margaret Homere, City Clerk's Office  
Tamara Robinson, City Clerk's Office

The City Clerk announced that the requirements of N.J.S.A. 10:4-9 et. seq., "Sunshine Law" has been met. A notice of this meeting was sent to the Record Transcript, published in the Star Ledger on July 16, 2020, posted on the City's Website ([www.ci.orange.nj.us](http://www.ci.orange.nj.us)) and the Council's Website ([www.orangetwpnjcc.org](http://www.orangetwpnjcc.org)) and filed in the Office of the City Clerk.

**APPROVAL OF MEETING MINUTES: None.**

**REPORTS:**

**DEPARTMENT MONTHLY REVENUE COLLECTION 2021:**

- Department of Community Service – March: \$15,282.00

**CONSTABLE REPORTS: None.**

**OPRA REPORTS: None.**

**COUNCIL REPORTS**

**Finance Committee** – the following recommendations were reported from the meeting held on May 4, 2021:

- Business Administrator Hartwyk reported the following recommendations at the Conference Meeting:
  - o Ordinance 14-2021 should remain tabled.
  - o Ordinance 24-2021 should be introduced and the Administration will file a declaratory judgment.
- City Clerk reported the following recommendations:
  - o Ordinance 3-2021 should remain postponed.
  - o Resolution 257-2021 and Ordinance 25-2021 correlate with each other.
  - o Resolution 251-2021 and 255-2021 will be removed from the Consent Agenda for a separate vote.

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 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**, 262 Heywood Avenue – expressed her concern regarding the proposed amendments to the zoning ordinance.
- 2) **Zonasha Ward**, 743 Haxton Avenue – thanked the City Clerk’s Office for all of their help. Ms. Ward also inquired regarding the outstanding OPRA requests, pavement plan, and school signage.
- 3) **Aisha**, 401 Highland Terrace – inquired regarding driveway painting, Highland Terrace resurface and street cleaning.
- 4) **Levi A. Holmes**, Freeway Drive – thanked Mayor Warren for his leadership.
- 5) **Onisha Smith**, 1 Austin Road – inquired about the house at 177 Austin Road and street lights on Austin Road.
- 6) **James Ward**, 743 Haxton Avenue – inquired about the pending 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 May 4, 2021 Council Meeting:

- 1) **Jeffrey Feld, [hardwardad@aol.com](mailto:hardwardad@aol.com)**
  1. Have all Local Government Officials filed their annual CY 2021 Ethics Disclosure Statements due April 30, 2021?
  2. Has any local public officials abused their powers and injured the citizens they are supposed to protect?
  3. Has any local public official abused their positions for personal gain?
  4. Has any local public official failed to uphold the law and weaponized it against specific groups because of what they believe?
  5. What is the proposed CY 2021 municipal tax rate?
  6. What is the anticipated aggregate CY 2021 tax rate?
  7. When will the CY 2020 Financial Statement, CY 2021 User Friendly Budget and introduced CY 2021 Budget be posted on a public website?
  8. When will all unattached supplemental debt statements be posted on a public website?
  9. When will all unattached Local Finance Board Applications be posted on a public website?
  10. When is it anticipated the Local Finance Board will hold public hearings on all pending Orange applications?
  11. If the Local Finance Board approves all Orange qualified municipal bond applications how much unpledged state aid will remain available to Orange?
  12. If the \$8,000,000 Thomas Boulevard Water Main financing is rescinded, how does Orange anticipate completing and funding this water main infrastructure obligation?
  13. Without this Water Main infrastructure improvement, does Orange have current water/sewer infrastructure capacity to handle all approved and contemplated new development?
  14. Was the \$1,900,000 health care obligation incurred in CY 2020 or in CY 2021?
  15. In what CY will amortization of this health care obligation commence?
  16. In what CY will amortization of the CY 2021 snow removal obligation commence?
  17. When does Orange anticipate receiving CY 2020 Cares Act monies?
  18. When does Orange anticipate receiving CY 2021 American Relief Act monies?
  19. Through what date will the Seventh Emergency Temporary Appropriation fund Orange?
  20. Has Orange received a copy of the local housing authority's March 2020 Fiscal Year Audit recently summarized in the Star Ledger?
  21. Does the local housing authority owe any monies to Orange?
  22. Why the urgent need to amend the City Clerk's appointment powers?
  23. Will the local governing body finally take official action on two tabled ordinances?
  24. As to the bill list, why is Orange still paying legal bills on invoices for closed Feld related litigation? See PO 21-00538
  25. How much has Orange paid its special outside bond counsel in CY 2021? See PO 21-00569, 21-00733
  26. What is the status of the Rossi Paints/Bank of America transaction? See PO 21-00569, 21-00733
  27. Does Orange have any colorable claims and causes of actions against any third parties relating to the premature issuance and closing of the Rossi Paints/Bank of America

- “redevelopment” transaction?
28. What is the status of the Rossi Paints/Bank of America transaction?
  29. How much has Orange paid outside professionals in connection with the Rossi Paints/Bank of America transaction?
  30. Why is Orange returning monies to the proposed former Orange Police Station redeveloper?
  31. What law firm represented this proposed former Orange Police Station redeveloper who failed to acquire the property?
  32. Why was the Tyshammie Cooper OPRA dispute listed on the State Government Records Council’s April 2021 Meeting Agenda?

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

**Motion to Suspend the Rules by Council Vice President Eason, second by Councilman Johnson, Jr. The motion was approved by unanimous vote.  
Motion passed.**

**Timothy Walker, Director of Risk Management with Essex County provided the following update:**

- Essex County is committed to increase the number of vaccination rate in the City of Orange and throughout the county.
- Vaccination locations will start to close due to the lack of registered appointments.
- The Essex County College vaccination location will remain open.
- Essex County has distributed over \$3 million in PPE.
- All county parks, reservations and golf courses are now open.
- Requested enforcement at Orange Park.

**COUNCIL COMMENTS**

Councilwoman Summers-Johnson commented on the following:

- Abandoned and beautification properties around the City.
- Enforcement of fines to animal owners who fail to clean up after their pets.
- Zoning ordinance amendment.
- Suggested City parks remain open year long.
- School zone marking of all the schools.

Councilman Ross commented on the following:

- Thanked Mayor Warren for speaking on the cannabis ordinance.
- Inquired regarding the demolition of a property on Henry Street.
- Inquired about the garbage on 280 Henry Street at the rear of the Orange Hospital.
- Requested a list of roads to be repaved in the City.
- Thanked Business Administrator Hartwyk for the update on the water.
- Community meeting held on April 25<sup>th</sup> regarding garbage and rodents.
- Proposed new ordinance regarding garbage and recycling.

Council Vice President Eason commented on the following:

- Wished all the mothers a Happy Mother’s Day.
- Proposed change to Bradford Street to become a one-way street.
- Meeting with Green Acres and funding to beautify the parks.
- Home Depot considering making a donation to the Orange Library.
- Asked everyone to keep Sergeant Jacobs from the Police Department in prayer.

Councilman Montague, III commented on the following:

- Thanked Mayor Warren for his leadership and guidance on a cannabis ordinance.
- First day of baseball at Metcalf Park.
- COVID vaccinations will be available at the Presbyterian Church of Ghana located at 510 Linden Place on May 13<sup>th</sup>.

Councilwoman Wooten commented on the following:

- Thanked everyone who reached out and attended the community meetings regarding cannabis.
- Open Space, Recreation & Historic Preservation Advisory Board.
- Shortage of plexi-glass.
- Zoning Ordinance.
- Upcoming meeting with Essex County regarding county roads and street sweeping signage.
- Reminded residents to call the Council if they have any concerns.
- Zoning violations and issues.

Councilman Johnson, Jr. commented on the following:

- Complaints received regarding Orange hospital site and clean up by the Department of Public Works.
- Requested that the Police Department address the noise issues around the City.

Council President Coley reported the following:

- Increasing the footprint of the Department of Public Works.
- Boarding of the old dialysis center on Hickory and Central Avenue.
- Garbage pickup at the Walter G. Alexander complex.
- Wished all the mother’s a Happy Mother’s Day.

**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)**

**Motion to postpone and keep the Public Hearing open by Councilman Montague, III, second by 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.**

**14-2021 An ordinance to amend the code of the City of Orange Township, Chapter 210, “Development Regulations”, to prohibit any class of cannabis businesses within its geographical boundaries. (Sponsored by Council Member Tency A. Eason)**

The City Clerk inquired if there was a motion to lift from the table. Seeing none Ordinance 14-2021 remains tabled.

**ORDINANCES-INTRODUCTION/FIRST READING**

**24-2021 An ordinance to amend the City Code of the City of Orange Township Chapter 4 entitled “Administration of Government”, Article II entitled “City Council”, Section 15 entitled “City Clerk”. (Sponsored by Councilmember Coley)**

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

**On the motion:** Councilwoman Wooten expressed her concern regarding tax dollars being spent taking this matter to court when City Attorney Montilus rendered a legal opinion.

City Attorney Montilus confirmed that he has rendered a legal opinion on the legality of this ordinance.

Business Administrator Hartwyk advised that the cost will be absorbed since this matter will be handled in-house.

**Roll Call:**

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

**Motion passed.**

Final Reading is scheduled for June 1, 2021

**25-2021 A refunding bond ordinance authorizing the issuance of not to exceed \$1,900,000 aggregate principal amount of refunding bonds and/or refunding notes by the City of Orange Township, in the County of Essex, State of New Jersey, for the purpose of funding an emergency temporary appropriation for health insurance costs.**

**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.**

Final Reading is scheduled for June 1, 2021

**26-2021**            **A refunding bond ordinance authorizing the issuance of not to exceed \$580,000 aggregate principal amount of refunding bonds and/or refunding notes by the City of Orange Township, in the County of Essex, State of New Jersey, for the purpose of funding an emergency temporary appropriation to fund an emergency contract for snow removal services.**

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

Final Reading is scheduled for June 1, 2021

**27-2021**            **An ordinance to amend the Code of the City of Orange Township, Chapter 200, entitled "Vehicles and Traffic" Section 200-52-2 Handicapped Parking Spaces. (448 Meade Street) (Sponsored by Councilmember Wooten)**

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

**Roll Call:**

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

**Motion passed.**

Final Reading is scheduled for June 1, 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 Resolutions 251-2021 and 255-2021 were removed from the Consent Agenda for a separate vote.

**RESOLUTIONS NO. \*243-2021 THROUGH \*258-2021**

- \*243-2021** A resolution approving the bill list for council meeting vote on May 4, 2021 dated April 28, 2021 and approving checks issued by the Finance Department in accordance with Ordinance 2-95. (Grand Total: \$3,525,670.75)
- \*244-2021** A resolution celebrating the last Friday in April as National Arbor Day in the City of Orange Township. (Sponsored by Councilmembers Summers-Johnson and Wooten)
- \*245-2021** A resolution celebrating May 1, 2021 as May Day in the City of Orange Township. (Sponsored by Councilmembers Summers-Johnson and Wooten)
- \*246-2021** A resolution to rescind resolution 152-2021 authorizing the emergency temporary appropriation pursuant to N.J.S.A 40A:4-20 appropriating \$8,000,000 for the replacement of water main on Thomas Boulevard.
- \*247-2021** A resolution authorizing a refund to Lienholder Fig Cust FIGNJ19LLC & SEC PTY for subsequent water/sewer payment made on Block 4701, Lot 15 also known as 397 Olcott Street in the amount of \$135.73.
- \*248-2021** A resolution accepting a general release from and authorizing a settlement payment in the amount of \$20,000 to 595 Lincoln Avenue Urban Renewal, 35 Vestry Street, New York, NY 10013 refunding professional development fees associated with a residential development project at 595 Lincoln Avenue and identified on the city tax map as Block 6303, Lot 7.
- \*249-2021** A resolution amending resolution 55-2021 entitled "A resolution authorizing the extension of the agreement for the Public Works Uniform Rental and Cleaning Services with American Wear, Inc., 261 North 18th Street, East Orange, New Jersey 07018 for an additional ninety day (90) period commencing January 1, 2021 through March 31, 2021 in the amount not to exceed \$5,364.00" making the new amount not to exceed \$5,370.00.
- \*250-2021** A resolution authorizing the City of Orange Township Police Department to apply to New Jersey Department of Law and Public Safety Office of the Attorney General SFY21 body-worn camera grant program.
- \*252-2021** A resolution authorizing the purchase of traffic signage materials and accessories for the Department of Public Works through the Somerset County Cooperative Pricing System Bid #2-SOCCP, Contract #CC-0099-19 from Garden State Highway Products, Inc., 301 Riverside Drive, Millville, New Jersey



**08332 commencing May 1, 2021 through September 30, 2021 in the amount not to exceed \$15,000.00.**

**\*253-2021 A resolution approving the utilization of the Three-Year Average Method to determine anticipated revenues.**

**\*254-2021 A resolution introducing and approving the 2021 calendar year budget (January 1, 2021 - December 31, 2021).**

**\*256-2021 A resolution making application to the Local Finance Board pursuant to N.J.S.A. 40A:4-45.3ee.**

**\*257-2021 A resolution of the City of Orange Township, in the County of Essex, State of New Jersey (the "City") authorizing the submission of an application to the Local Finance Board pursuant to (I) N.J.S.A. §40A:2-51 and N.J.S.A. §40A:2-55 in connection with the issuance of not to exceed \$1,900,000 aggregate principal amount of refunding bonds and/or refunding notes to fund an emergency temporary appropriation to fund health insurance costs and (II) N.J.S.A. §40A:3-4 in connection with the approval of a refunding bond ordinance under the provisions of the Municipal Qualified Bond Act.**

**\*258-2021 A resolution of the City of Orange Township, in the County of Essex, State of New Jersey (the "City") authorizing the submission of an application to the Local Finance Board Pursuant to (I) N.J.S.A. §40A:2-51 and N.J.S.A. §40A:2-55 in connection with the issuance of not to exceed \$580,000 aggregate principal amount of refunding bonds and/or refunding notes to fund an emergency temporary appropriation to fund an emergency contract for snow removal services and (II) N.J.S.A. §40A:3-4 in connection with the approval of a refunding bond ordinance under the provisions of the Municipal Qualified Bond Act.**

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

**Roll Call:**

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

**Nays: None**

**Abstain: None**

**Absent: None**

**Motion passed.**

The following Resolutions were removed from the Consent Agenda for a separate vote.

**251-2021 A resolution for Emergency Temporary Appropriations #7 to the Calendar Year 2021 Budget.**

**Motion to adopt 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.**

**255-2021 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 health insurance costs in the amount of \$1,870,000 pursuant to N.J.S.A. 40A:4-20.**

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

**Roll Call:**

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

**Motion passed.**

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

**OTHER PENDING BUSINESS -None.**

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

**Meeting adjourned at 9:24 p.m.**

The next City Council Conference and Regular Meeting will be held on Tuesday, May 18, 2021 virtually at 7:00 p.m.

**Approved: August 4, 2021**



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



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**Kerry J. Coley**  
 Council President