

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, JUNE 15, 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
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
Laquana Best, Director of Planning
Kenneth Douglas, Fire Director
Adrian Mapp, Finance Director
Marty Mayes, Director of Public Works
Avram White, Deputy City Attorney
Vincent Vitiello, Police Chief
Nile Clements, Chief Financial Officer
Marlin G. Townes, Legislative Research Officer
Margarette Homere, City Clerk's Office
Tamara Robinson, City Clerk's Office

Absent: Councilman Clifford R. Ross, At-Large

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: None.

REPORTS:

DEPARTMENT MONTHLY REVENUE COLLECTION 2021:

- Department of Planning & Economic Development – May 2021: \$85,209.00
- City Clerk's Office – May 2021: \$200.00
- Historic Preservation Commission – May 2021: \$280.00

CONSTABLE REPORTS:

- Richard Noizy – Month of April 2021 – April 4, 11 & 25, 2021 Volunteer
- Richard Noizy – Month of May 2021 – May 2, 16 & 23, 2021 Volunteer

OPRA REPORTS:

Month of May 2021: 111 OPRA requests received, 65 completed and 45 pending.

COUNCIL REPORTS

Police Department – Police Chief Vincent Vitiello reported the following:

- Collaboration with the Essex County Prosecutor’s Office working on an initiative to arrest heroin and crack users and offer them counseling in lieu of prosecution.
- Arrest of an individual at 584 Scotland Road who had a gun.
- Attendance at the end of the year celebration for K-3rd grade at Rosa Parks School.
- Upcoming participation of the Police and Fire Departments at the high school graduation parade.

Fire Department – Fire Director Kenneth Douglas reported the following:

- Continued assistance by the Police Department at the food pantry.
- Upcoming participation of the Police and Fire Departments at the high school graduation parade.
- Training of new fire apparatus.

Council President directs Clerk to file reports.

Motion to suspend the rules to consider Resolution 313-2021 by Councilman Johnson, Jr., second by Councilman Montague, III.

Roll Call:

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

Motion passed.

313-2021 A resolution rescinding resolution 403-2020 and adopting a City of Orange Township policy for public questions or comments during virtual conference and regular meetings of the City Council in accordance with the regulations of the Division of Local Government Services.

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

Roll Call:

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

Motion passed.

COMMUNICATIONS AND PETITIONS

None.

CITIZEN COMMENTS ON GENERAL ISSUES/AGENDA ITEMS

The City Clerk announced the "SPECIAL NOTICE: Please be apprised anyone wishing to discuss Agenda or General Items shall email their statements or questions to citizencomments@orangenj.gov, no later than 7:00 p.m. the day prior to the scheduled public meeting. The City Council reserves the right to respond or not respond during the meeting to any citizen's submission."

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

- 1) **Aisha Samuel** inquired regarding the pool opening, cannabis ordinance and snake bate.

Thereafter, the City Clerk read the following comments received, which have been posted on the Council's website under the June 15, 2021 Council Meeting:

- 2) **Jeffrey Feld, hardwaread@aol.com**

CY 2021 Snow Removal Refunding Bond Ord. 26-2021

1. When will amortization of this refunding obligation commence?
2. What is the projected annual cost to an average taxpayer?
3. Will Orange commence funding its depleted snow removal reserve in CY 2021?

540 Mitchell Street Amending Private Sale Ord 33-2021

4. Have we come full circle to January 2008 when Attorney Feld caused former Municipal Attorney Braker to appear, to relieve a former junior in-house attorney and to amend the "original" 540 Mitchell Street Private Sale Ordinance at its "original" second reading?
5. How much money did Orange expend defending Feld I?
6. Why the sudden urgency to amend the prior "second" 540 Mitchell Street Private Sale Ordinance?
7. When was the "original" Feld I 540 Mitchell Street Private Sale Ordinance Rescinded?
8. What are the amended material terms of this "third" 540 Mitchell Street private sale ordinance?
9. When is the proposed new closing date?
10. Who is counsel to the non-urban renewal entity purchaser?
11. Is this new purchaser subject to an amended redeveloper agreement?
12. If a property is located within and subject to a duly authorized redevelopment plan, is a duly approved redeveloper agreement a condition precedent to any private sale of municipal property?
13. How many years did it take for Orange and its professionals to disgorge the frivolous and vexatious retaliatory and intimidating invalidated Feld I monetary sanctions imposed against the Feld family and their related entities?
14. Why hasn't Orange severed its relationship with all professionals and city employees associated with the "original" 540 Mitchell Street private sale ordinance and subsequent Feld I litigation?

COUNCIL COMMENTS

Councilwoman Wooten commented on the following:

- Thanked CBAC members for their participation.
- Attendance at the School Board and Administration cook off.
- Rock the Block event at MetCalf Park.
- Juneteenth celebration events at Colgate and Skateboard parks.
- LBGTQ flag raising.
- Requested prayers for the Orange Firefighter who has been injured on the job.

Councilman Montague, III commented on the following:

- Job fair at the Orange High School by the Board of Education and the City Council on June 16, 2021 from 1:30 p.m. to 3:30 p.m., which will include resume workshop and job readiness classes.
- Long term program with Board of Education to assist in vocational training and counseling.
- Coaching t-ball.

Council Vice President Eason commented on the following:

- Wishes to continue working together in collaboration for the betterment of the City and that each other opinions are considered for the entire City.
- Addressed the parking issues and suggested vacant lots be converted into parking lots.
- Urged residents to support Senate S1 to protect the black vote.

Councilwoman Summers-Johnson commented on the following:

- Thanked Code Enforcement who have been helping residents with their complaints.
- Upcoming neighborhood watch meetings.
- Attendance at the Rock the Block at Metcalf Park.
- Bed and Bag event for college bound seniors.
- Sent a shout out to all the students for making it through the year.

Councilman Johnson, Jr. commented on the following:

- Suggested that the City Clerk's Office keep a pool of interested residents that want to serve on the CBAC.

Council President Coley commented on the following:

- Announced that the Senate passed a bill to make Juneteenth a federal holiday.
- Expressed his concern regarding the old dialysis center and suggested property be sealed.
- Freeway Drive paving by the Department of Transportation.
- Maintenance of the City's website.

ORDINANCES-SECOND READING/PUBLIC HEARING

- 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 Councilmember Eason) (Tabled at the 04/20/2021 Council Meeting)**

- 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.**

The City Clerk inquired if there were any citizen comments. There were no live citizen comments. Therefore, the City Clerk read into the record the following comments submitted by Jeffrey Feld, which were posted on the Council's website under the June 15, 2021 Council meeting:

1. When will amortization of this refunding obligation commence?
2. What is the projected annual cost to an average taxpayer?
3. Will Orange commence funding its depleted snow removal reserve in CY 2021?

Motion to close citizen comments by Councilman Johnson, Jr., second by Councilman Montague, III. The motion was approved by unanimous vote. Motion passed.

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

Roll Call:

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

Motion passed.

- 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)**

The City Clerk announced that this ordinance has been recommended to be postponed. Therefore, the citizen comments will remain open. Thereafter, the City Clerk inquired if there were any citizen comments. There were no citizen comments. The ordinance will be on the heard on the next council meeting scheduled for Wednesday, July 7, 2021.

- 28-2021** **An ordinance to amend the Code of the City of Orange Township, Chapter 200, entitled "Vehicles and Traffic" Section 200-16, Loading Zone. (Cleveland Street)**

The City Clerk inquired if there were any citizen comments. There were no citizen comments.

Motion to close citizen comments by Councilman Montague, III, second by Council Vice President Eason. The motion was approved by unanimous vote. Motion passed.

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

ORDINANCES-INTRODUCTION/FIRST READING

33-2021 **An ordinance amending ordinance 19-2020 to increase the purchase price of 540 Mitchell Street, Orange, New Jersey from \$290,000.00 to \$350,000.00 in the contract of sale previously authorized by the Municipal Council of the City of Orange Township and authorizing the Mayor or his designee to execute and/or re-execute the documents necessary to implement the conveyance of this property at the amended purchase price.**

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

Roll Call:

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

Motion passed. Final Reading is scheduled for July 7, 2021

34-2021 **An ordinance of the Municipal Council of the City of Orange Township amending the Central Valley Redevelopment Plan to include Block 4009, Lot 1, currently owned by New Jersey Transit Corporation, in District 4.**

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

Roll Call:

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

Motion passed. Final Reading is scheduled for July 7, 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 Resolution 313-2021 was voted upon earlier in the meeting and Resolution 315-2021 is being removed from the Consent Agenda for a separate vote.

- *311-2021** A resolution re-designating McGee Ryan Assets, LLC as the redeveloper for the property located at 595 Lincoln Avenue and identified on the City Tax Map as Block 6303, Lot 7 and approving and authorizing the execution of a redevelopment agreement with McGee Ryan Assets, LLC for the sale and redevelopment of this property.
- *312-2021** A resolution authorizing and ratifying a contract between the City of Orange Township and Magic Touch Construction Co., Inc., 59 West Front Street, Keyport, New Jersey 07735 for plumbing, leak remediation, and restroom repair in city-owned buildings for the period of April 1, 2021 through December 31, 2021 in an amount not to exceed \$60,000.00.
- *314-2021** A resolution to amend resolution 240-2020 and continue the contract with 2020 Karson Food Service, Inc., 3409 Rose Avenue, Ocean, New Jersey 07712 contract in an amount not to exceed \$372,879.50 for the 2021 USDA Summer Food program.
- *316-2021** A resolution authorizing the execution of a redevelopment agreement between the City of Orange Township and Peek Highland I Owner Urban Renewal, LLC for the undertaking of a redevelopment project to be located at 416, 410, 406, 394 & 386 Highland Avenue and designating Peek Highland I Owner Urban Renewal, LLC as redeveloper.

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

Roll Call:

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

Nays: None

Abstain: None

Absent: Ross

Motion passed.

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

- 315-2021** A resolution authorizing the City or Orange Township to enter into a one-year extension agreement with SEUZ Water Environmental Services, Inc., to provide continuing operation and maintenance of the water supply, transmission and distribution system, wastewater collection system, storm water system, and customer service, billing and collection system commencing February 9, 2022 through February 8, 2023 in an amount not to exceed \$2,500,000.00 with an option for an additional six month extension. (Amended)

Motion to adopt as amended by Councilman Montague, III, second by Council Vice President Eason.

- 3) **Zonasha Ward** inquired regarding the additional parking spaces and burden on taxpayers regarding the tax exemption being offered to the developer.

Motion to close Citizen Comments by Council Vice President Eason, second by Councilman Montague, III. The motion was approved by unanimous vote. Motion passed.

35-2021 (WO) An ordinance of the City of Orange Township to approve a tax exemption for thirty (30) year period and to authorize the thirty (30) year exemption and authorizing the execution of a financial agreement between the City and Peacock Highland I Owner Urban Renewal, LLC.

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

Roll Call:

Ayes: Eason, Johnson, Jr., Montague, III, Ross and Council President Coley

Nays: Summers-Johnson

Abstain: None

Absent: Wooten

Motion passed. Final Reading is scheduled for July 7, 2021


OTHER PENDING BUSINESS

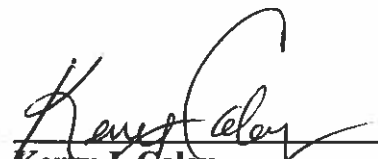
Council President Coley requested that Directors Mayes and Best remove the handicap parking space in front of a resident's home on North Essex, who has recently sold their home.

The City Clerk announced that there is a Reorganization Meeting scheduled for Thursday, July 1, 2021 and the next City Council Conference and Regular Meeting will be held on Wednesday, July 7, 2021 in City Hall, 29 North Day Street at 7:00 p.m.

Motion to adjourn by Councilman Montague, III, second by Council Vice President Eason. The motion was approved by unanimous vote. Motion passed. Meeting adjourned at 8:30 p.m.

Approved:


Joyce D. Lanier
City Clerk


Kerry J. Coley
Council President