

MUNICIPAL COUNCIL AGENDA (Amended)

THIS IS THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF ORANGE TOWNSHIP HELD VIA AUDIO-VIDEO CONFERENCING ON TUESDAY, MARCH 1, 2022 FOLLOWING THE CONFERENCE MEETING.

1) **PLEDGE OF ALLEGIANCE TO THE FLAG**

2) **ROLL CALL**

PRESENT

ABSENT

Hon. Tency A. Eason Council Vice President	(North Ward)	_____	_____
Hon. Harold J. Johnson, Jr.	(West Ward)	_____	_____
Hon. Weldon M. Montague, III	(At-Large)	_____	_____
Hon. Clifford R. Ross	(At-Large)	_____	_____
Hon. Jamie Summers-Johnson	(South Ward)	_____	_____
Hon. Adrienne Wooten	(At-Large)	_____	_____
Hon. Kerry J. Coley Council President	(East Ward)	_____	_____

ALSO PRESENT

Joyce L. Lanier, City Clerk	_____	_____
Chris M. Hartwyk, Business Administrator	_____	_____
Laquana Best, Planning Director	_____	_____
Gerard Long, Fire Chief	_____	_____
Adrian Mapp, Finance Director	_____	_____
Marty Mayes, Public Works Director	_____	_____
Gracia R. Montilus, City Attorney	_____	_____
Vincent Vitiello, Police Chief	_____	_____
Paula Ferreira, Tax Collector	_____	_____
Chris Murray, Tax Assessor	_____	_____
Vincent DeFilippo, Health Officer	_____	_____
Nile Clements, Chief Financial Officer	_____	_____
Wendy Sykes, Director of Community Services	_____	_____
Marlin G. Townes, Legislative Research Officer	_____	_____
Margarette Homere, City Clerk's Office	_____	_____
Tamara Robinson, City Clerk's Office	_____	_____
Trisha Scipio, City Clerk's Office	_____	_____
Gabrielle Sims-Shelton, City Clerk's Office	_____	_____

3) 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 September 2, 2021, posted on the Bulletin Board in City Hall and on the Council's website (www.orangetwpnjcc.org), the City's website (www.ci.orange.nj.us) and filed in the Office of the City Clerk.

4) **APPROVAL OF MEETING MINUTES:**

- August 4, 2021 Conference & Regular Meeting Minutes

Motion to adopt:

Second:

- November 3, 2021 Conference & Regular Meeting Minutes
(Councilmember Wooten was absent and should abstain)

Motion to adopt:

Second:

- **November 15, 2021 Conference & Regular Meeting Minutes**

Motion to adopt:

Second:

- **February 15, 2022 Conference & Regular Meeting Minutes**

Motion to adopt:

Second:

5) REPORTS

DEPARTMENT MONTHLY REVENUE COLLECTION:

- **City Clerk’s Office – February 2022: \$60.00**
- **Historic Preservation Commission – February 2022: \$140.00**

CONSTABLE REPORTS: None.

OPRA REPORTS: None.

COUNCIL REPORTS - Council President directs Clerk to file reports.

6) COMMUNICATIONS AND PETITIONS:

- **Virtual Public Hearing March 3, 2022**
New Jersey American Water Company, Inc.
Re: Approval to change the levels of its purchased water adjustment clause & purchase wastewater treatment clause
Additional details and further instructions for dialing in to the meeting are posted on the NJ American Water website: <https://amwater.com/njaw/customer-service-billing/your-water-and-wastewater-rates>
 - Session 1 – 4:30 pm**
 - Call In Number: 1 (646) 828-7666**
 - Meeting ID: 161 139 5821#**
 - Password: 655147#**
 - Session 2 – 5:30 pm**
 - Call In Number: 1 (646) 828-7666**
 - Meeting ID: 161 139 5821#**
 - Password: 655147#**

7) 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 though electronic mail or written letter before the meeting shall be read aloud by the City Clerk. The City Council reserves the right to respond to 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.

Motion to Close Citizen Comments:

Second:

8) COUNCIL COMMENTS

9) **ORDINANCES-SECOND READING/PUBLIC HEARING**

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 Council Member Coley)
(Postponed since the 06/01/2021 Council Meeting)

a) Motion for final adoption: **Second:**

2-2022 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. (483 Codner Street) (Sponsored by Council Member Ross)

a) Motion to close Citizen Comments: **Second:**

b) Motion for final adoption: **Second:**

3-2022 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 authoring the execution of a financial agreement between the City and Freeman Orange Holdings Urban Renewal LLC

a) Motion to close Citizen Comments: **Second:**

b) Motion for final adoption: **Second:**

10) **ORDINANCES – INTRODUCTION/FIRST READING**

4-2022 An ordinance to amend the Code of the City of Orange Township, Chapter 4 Article XIV entitled, Administration of Government, Boards, Commissions and Committees to establish the City of Orange Township Human Relations Commission. (Sponsored by Council Members Wooten & Summers-Johnson)

a) Motion to adopt in First Reading: **Second:**

b) Final Reading: April 5, 2022

5-2022 An ordinance of the City of Orange Township authorizing the acceptance by the City of Orange Township a donation of capital improvements sponsored by the JEHH Memorial Fund to refurbish the Colgate Park basketball court(s) including but not limited to the erection of court side seating and court resurfacing, pursuant to and in accordance with N.J.S.A. 40A:12-1, et seq.

a) Motion to adopt in First Reading: **Second:**

b) Final Reading: April 5, 2022

6-2022 An ordinance of the City of Orange Township authorizing the acceptance by the City of Orange Township a donation of capital improvements sponsored by Omar Sharife Cooper, The Lifestyle Sports Agency, and ADIDAS AG., to refurbish the Metcalf Park basketball court(s) including but not limited to the repair and/or erection of court side seating and court resurfacing, pursuant to and in accordance with N.J.S.A. 40A:12-1, et seq.

a) Motion to adopt in First Reading: **Second:**

b) Final Reading: April 5, 2022

7-2022 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. (363 Bradford Street) (Sponsored by Council Member Eason)

- a) Motion to adopt in First Reading: **Second:**
 b) Final Reading: April 5, 2022

8-2022 An ordinance to exceed the municipal budget appropriation limits and to establish a CAP bank in accordance with N.J.S.A. 40A: 4-45.14 for the calendar year 2022

- a) Motion to adopt in First Reading: **Second:**
 b) Final Reading: April 5, 2022

11) 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. *121-2022 THROUGH *145-2022

- *121-2022** A resolution appointing Hashim Garrett to the Open Space, Recreation, and Historic Preservation Advisory Board. (Sponsored by Councilmember Johnson, Jr.)
- *122-2022** A resolution appointing Alexandra Laurore to the Open Space, Recreation, and Historic Preservation Advisory Board. (Sponsored by Councilmember Montague, III)
- *123-2022** A resolution appointing Nakeema K. Simmons to the Open Space, Recreation, and Historic Preservation Advisory Board. (Sponsored by Councilmember Coley)
- *124-2022** A resolution celebrating the life of Janet Lee Laury. (Sponsored by Council Member Montague, III)
- *125-2022** A resolution authorizing the City of Orange Township Fire Department located at 419 Central Avenue, Orange, New Jersey to decommission and dispose of fire trucks no longer in use by the Department. (Amended)
- *126-2022** A resolution approving a settlement agreement and release by and between the City of Orange Township and Michael Jean Baptiste in the Personnel Matter of Former Employee Michael Jean Baptiste in order to prophylactically prevent further litigation and possible legal exposure to the City of Orange Township.
- *127-2022** A resolution approving the settlement in the Tax Court matter of 256 Realty Management v. Spencer Savings Bank, et al., in the amount of twelve thousand dollars (12,000.00).
- *128-2022** A resolution authorizing the services of The David C. Stanziale, LLC., to represent the City of Orange Township and the City of Orange Police Department in the matter,

“Christian Obikwelu v. City of Orange Township and City of Orange Police Department, et al.” Docket No. ESX-L-000777-22 in an amount not to exceed \$25,000.00 for Calendar Year 2022.

- *129-2022** A resolution rescinding Resolution 452-2021 entitled “A resolution appointing Kami Willis to the Open Space, Recreation and Historic Preservation Advisory Board”. (Sponsored by Council Member Montague, III)
- *130-2022** A resolution of the Municipal Council of the City of Orange Township authorizing in REM Foreclosure of certain tax sale certificates currently held by the City of Orange Township, in accordance with the In Rem Tax Foreclosure Act (1948), N.J.S.A. 54:5-104.29 et seq.
- *131-2022** A resolution declaring an emergency and ratifying a contract between the City of Orange Township and E&B Hauling Services, LLC, 52 Whittlesey Avenue, West Orange, New Jersey 07052 for emergency additional trucking, rubbish/garage removal due to Tropical Storm Ida in the amount not to exceed \$700.00.
- *132-2022** A resolution awarding a contract to Associated Humane Societies, 124 Evergreen Avenue, Newark, New Jersey 07114 in the amount of \$74,500 to provide animal shelter and other veterinary services for the City of Orange Township for the period of January 1, 2022 to December 31, 2022. (Amended)
- *133-2022** A resolution authorizing the acceptance of the New Jersey Department of Transportation Grant funds for the City of Orange Township for 2022 Various Streets Project.
- *134-2022** A resolution accepting a grant fund from the Hazardous Discharge Site Remediation Fund Public Entity Program through the New Jersey Economic Development Authority and the New Jersey Department of Environmental Protection.
- *135-2022** A resolution allowing the City of Orange Township to accept grant funds from the New Jersey Department of Law and Public Safety Office of the Attorney General for the 2020 JAG Bolstering Police Youth Program in the amount of \$16,500.
- *136-2022** A resolution authorizing Matrix New World Engineering, 26 Columbia Turnpike, 2nd Floor, Florham Park, New Jersey 07932 to provide professional engineering and construction administrative services for the CDBG’20 Colgate Park Pool Improvements Phase II in an amount not to exceed \$68,000.00. (Amended)
- *137-2022** A resolution of the Municipal Council of the City of Orange Township, County of Essex, State of New Jersey, authorizing the submission of an application to the New Jersey Clean Energy Program Community Energy Planning Grant Program.
- *138-2022** A resolution recognizing March 2022 as Irish Americans Month in the City of Orange Township. (Sponsored by Council Members Wooten & Summers-Johnson)
- *139-2022** A resolution for the transfer of appropriation reserves #3.

- *140-2022** A resolution establishing a Green Team Advisory Committee to renew Sustainable Jersey certification, develop and guide the City of Orange Township's Energy Policy using guidelines established in the New Jersey Energy Master Plan. (Amended)
- *141-2022** A resolution awarding a contract of a fair and open contract, 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 2022.
- *142-2022** A resolution authorizing a contract with Bell & Shivas, P.C., with a principal business located at 150 Mineral Springs Drive, P.O. Box 220, Rockaway, New Jersey 07066 to serve as conflict counsel to represent the City of Orange Township and Dwayne D. Warren in the lawsuit entitled City of Orange Township and Dwayne D. Warren, Mayor v. Municipal Council of the City of Orange Township, (Docket No. ESX-L-003047-21), City of Orange Township and Dwayne D. Warren, Mayor v. Municipal Council of the City of Orange Township (Docket No. ESX-L-005312-21), and City of Orange Township and Dwayne D. Warren, Mayor v. Municipal Council of the City of Orange Township (Docket No. ESX-L-009649-21) in an amount not to exceed \$20,000.00 for calendar year ending December 31,2022.
- *143-2022** A resolution for emergency temporary appropriations #3 to the calendar year 2022 budget.
- *144-2022** A resolution for emergency temporary appropriations #4 to the calendar year 2022 budget.
- *145-2022** A resolution approving the Bill List for Council Meeting vote on March 01, 2022 dated February 23, 2022 and approving checks issued by the Finance Department in accordance with Ordinance 2-95. (Grand Total: \$3,341,633.94)

MOTION TO ADOPT CONSENT AGENDA:

Second:

11) POSTPONED RESOLUTIONS

- 71-2022** A resolution renewing a professional service agreement with the Law Offices of Michael A. Armstrong & Associates, LLC to represent the City of Orange Township in the matter, "Anthony Carey v. The City of Orange Township, et al., Docket No. EXL-002475-20 in an amount not to exceed \$20,000.00 for Calendar Year 2022.
- 72-2022** A resolution renewing a professional service agreement with the Law Offices of Childress & Jackson, LLC to represent the City of Orange Township in the matter, "Kason Scruggs, Jr. and infant by his G/A/L Salena West and Salena West, individually v. The City of Orange Township Docket No. EXL-1742-20, in an amount not to exceed \$15,000.00 for Calendar Year 2022.
- 75-2022** A resolution amending Resolution No. 186-2021 to authorize additional attorney fees for Ruderman & Roth, LLC, as special counsel in Calendar Year 2022 with regard to "Keri Payne v. City of Orange Township, et al." Docket No. ESX-L-8869-20 in an amount not to exceed \$20,000.00.
- 84-2022** A resolution authorizing the creation of a "Special Committee" on city infrastructure projects under the American Jobs Plan to develop and recommend

strategies for implementing leveraging and ensuring inclusion in city infrastructure projects funded under the American Jobs Plans. (Sponsored by Councilmembers Wooten & Summers-Johnson)

- 105-2022** A resolution retaining Scarinci & Hollenbeck, LLC as special counsel with regard to various legal matters and litigation regarding the City of Orange Township in an amount not to exceed \$100,000.00 for Calendar Year 2022.
- 106-2022** A resolution authorizing the services of The David C. Stanziale, LLC to represent the City of Orange Township and Orange Police Department in the matter **“Joseph M. Cruz, Jr. City of Orange Township”** Docket No. EXL-1742-20, in an amount not to exceed \$25,000.00 for Calendar Year 2022.
- 109-2022** A resolution authorizing the services of The Antoine Law Firm, LLC, to represent the City of Orange Township in the matter, **“Hillman Consulting, LLC v. City of Orange Township”** Docket No. ESX-L-005658-21 in an amount not to exceed \$20,000.00 for Calendar Year 2022.
- 110-2022** A resolution authorizing the services of The Antoine Law Firm, LLC to represent the City of Orange Township in the matter, **“Katalin Gordon v. City of Orange Township”** Docket No. A-001449-20T1 in an amount not to exceed \$20,000.00 for Calendar Year 2022.
- 111-2022** A resolution authorizing the retention of Florio Kenny Raval, LLP, to serve as tax counsel for the City of Orange Township, in the amount not to exceed \$10,000.00 for Calendar Year 2022.

12) NEW BUSINESS AND WALK-ON ORDINANCES/RESOLUTIONS

13) OTHER PENDING BUSINESS

MOTION TO ADJOURN:

Second:

Adjournment Time: _____

PUBLIC NOTICE

The next City Council Conference and Regular Meeting will be held on Tuesday, March 15, 2022 virtually at 7:00 p.m.