

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, DECEMBER 20, 2022 FOLLOWING THE CONFERENCE MEETING.

Council Vice President Clifford R. Ross led all assembled in the Pledge of Allegiance to the Flag.

Roll Call:

Present: Councilmember Kerry J. Coley, East Ward
Councilmember Quantavia L. Hilbert, West Ward
Councilmember Weldon M. Montague, III, At-Large
Council Vice President Clifford R. Ross, At-Large
Councilmember Jamie B. Summers-Johnson, South Ward
Council President Tency A. Eason, North Ward

Also Present: Joyce L. Lanier, City Clerk
Chris M. Hartwyk, Business Administrator
Nile Clements, Chief Financial Officer
Vincent DeFilippo, Health Officer
Adrian Mapp, Finance Director
Marty Mayes, Public Works Director
Aaron Mizrahi, Deputy City Attorney
Chris Murray, Tax Assessor
Marlin G. Townes, Legislative Research Office
Vincent Vitiello, Police Chief
Avram D. White, Esq., Law Department
Margaret Homere, City Clerk's Office
Trisha Scipio, City Clerk's Office
Gabrielle Sims-Shelton, City Clerk's Office

Absent: Councilmember Adrienne Wooten, At-Large
Laquana Best, Planning Director
Derrick Brown, Fire Chief
Paula Ferreira, Tax Collector
Gracia R. Montilus, City Attorney
Wendy M. Sykes, Director of Community Services
Tamara Robinson, City Clerk's Office

The Clerk announce 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 13, 2022, 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.

APPROVAL OF MEETING MINUTES

December 6, 2022 Conference and Regular Meeting Minutes

A motion to adopt the December 6, 2022 Conference and Regular Meeting Minutes was made by Council Vice President Clifford R. Ross and seconded by Councilmember Kerry J. Coley

Roll Call:

Yeas: Hon. Kerry J. Coley, Hon. Quantavia L. Hilbert, Hon. Weldon M. Montague, III, Hon. Clifford R. Ross, Hon. Jamie B. Summers-Johnson, and Hon. Tency A. Eason

Nays: None

Abstain: None

Absent: Hon. Adrienne Wooten

Motion Adopted

REPORTS**DEPARTMENT MONTHLY REVENUE COLLECTION**

The Department of Community Service collected \$7,297.00 for the month of November 2022

CONSTABLE REPORTS

Richard Noizy reported Volunteer Services on November 13th & 27th 2022

OPRA REPORTS

There were 58 OPRA requests received, 46 completed, and 12 remaining for the month of November.

COUNCIL REPORTS

Council President directs Clerk to file reports.

Police Department

Police Chief Vincent Vitello stated Thursday from 4pm-7pm at the Police Station there will be a Toy Give Away. This is a collaboration with all departments. He gave accolades to Director Laquana Best for persistence and dedication in the Safe Streets Program. The city has won a Gold Award. There were new recruits that have begun to work in the department. The model has been given accolades from other cities on the work the department has been doing. Councilmember Kerry J. Coley spoke about driveway blocking from a code enforcement standpoint. The Police Chief stated the department is assessing the situation and will work with code enforcement. Councilmember Kerry J. Coley would like to have a meeting with the Police Chief and Business Administrator about the cleanup following street repairs. Beginning December 30th at 12noon, there will be "Clap-out" for Senior members who are retiring. Council Vice President Clifford R. Ross asked about the new recruits which there were 13 new recruits, and the majority are from the City of Orange. The manpower is now at 143 with the new recruits and we should be at 150.

Finance Department

Finance Director Adrian Mapp stated the Budget process is underway. Information has been requested from each department and information is coming in. The annual budget cannot be complete until the Annual Financial Statement and the new submission date is March 3rd. Councilmember Weldon M. Montague, III inquired about the deadline date for department worksheets which CFO Nile Clements stated it was December 1st. Chief Financial Officer Nile Clements stated there are a few agenda items, the first is the Corrective Action Plan pertaining to the 2021 Calendar Year Audit. Last year there were seven audit comments this year there were six, so there is progress being made. There is a Walk-On Resolution for an appropriation. Council Vice President Clifford R. Ross inquired why this wasn't dealt with in a timely manner and the CFO explained that there was a new payroll. Director Mapp added that the city would like to end the year with the books in order.

Tax Assessor

Director Christopher Murray stated there was nothing new to share.

Public Works

Director Marty Mayes stated despite the weather, Colgate Park Pool is being worked on. There is a Resolution on tonight's agenda accepting an additional \$117,000 from CDBG which will give the city the ability to resurface the pool. There was a pre-construction meeting concerning Military Park as there will be some tree work done in January. The department is preparing for the spring projects. Council Vice President Clifford R. Ross inquired about the progress on the Spray Park at Central. Director Mayes stated the park was approved to purchase insurance and working on the FEMA angle. The department anticipates the park being up and running for Summer 2023. Councilmember Weldon M. Montague, III asked for an update on the brand-new system gas station which Director Mayes mentioned in the previous meeting was up and running. The department is testing the dexterity of the system. There will be a soft opening coming soon. Councilmember Kerry J. Coley inquired if the engineers

were able to investigate Thomas Blvd. Director Mayes stated the rendering is coming soon. The snow plan is in place and the city is fully stocked and ready to go. Council President Tency A. Eason asked if there were equipment needed that needs to go on the budget which will be discussed internally.

COMMUNICATIONS AND PETITIONS

The City of Orange Township Planning Board will hold a special virtual public meeting on December 21, 2022 at 7:30 p.m. to review and take formal action upon an application for bulk variance, preliminary and final major site plan approvals with respect to 53 North Essex Avenue & 56-68 Central Avenue:

Meeting ID: 830 5222 5493

Passcode: 309601

Dial In – (646) 931-3860

Zoom Link: (<https://us02web.zoom.us/j/83052225493?pwd=QzMrS3NlZFppaHhPbnlsYjc1alZWZz09>)

Members of the public interested in participating in the public hearing can reach out to Board Secretary Alexandra Reyes in advance by sending an email to areyes@orangenj.gov or by calling (862) 400-3019.

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.

Kweli Campbell of 552 Argyle Avenue commented on Resolution 504-2022 the Ropes Parks project. She asked for someone to explain what would happen once Councilmembers voted on this and tie it to the amount listed. She stated that as a member of the Open Space Recreation and Historic Preservation Advisory Committee it is a waste of her time. The meetings are not well attended, there are not clear agendas, and the Chair is not present. The committee requests information but has not been given all information requested. We don’t know if we make quorum. She is confused and feels the Ordinance I not written well. There is nothing in the ordinance about quorums and how the committee should effectively run. This is a waste of her time, and she is thinking of withdrawing from the committee. Director Mayes stated the funds listed in Resolution 504-2022 is for the engineer fees which is \$106,000 in the Resolution. Ms. Campbell asked what the engineers will do, and will they determine the budget which they will not. Council President Tency A. Eason asked Trisha Scipio to explain the concerns of the Open Space Recreation and Historic Preservation Committee. Ms. Scipio explained one of the concerns that Ms. Campbell could not understand was the meaning of a quorum and that the law department was also on hand at the committee meeting to confirm that Ms. Campbell could find the information in Robert’s Rules online. Ms. Campbell stated the Roberts Rules does not give the rules on a quorum. Council President Tency A. Eason stated that Open Space will meet in January.

Ronald Scott of 548 Argyle Avenue inquired about the gas station, where it is was located and does the public have access to it. Council President Tency A. Eason explained it is for City vehicles and it saves the city money. This does not include the Councilmembers.

A motion to close Citizens Comments was made by Councilmember Jamie B. Summers Johnson and seconded by Council Vice President Clifford R. Ross

COUNCIL COMMENTS

Councilmember Jamie B. Summers wished everyone a Merry Christmas and Happy Kwanza. She suggested going into 2023 that questions be raised before the meeting so that meetings can move smoothly. She also gave accolades to Council President Tency A. Eason for making the Council Meetings move more smoothly. She also suggested everyone get their Flu shots.

Councilmember Quantavia L. Hilbert stated the Orange Democratic Committee will have a Holiday Event tomorrow at the Appian Way. There was an e-mail from the Superintendent of Schools, Dr. Fitzhugh about a street naming for Mr. James from the board. This will take place in the West Ward on Mountainview Avenue on Wednesday at 11am. She thanked the Administration, Councilmembers and Directors for assistance in her first six months and wished all Happy Holidays. The Toy Give Away will be held on Thursday at 3:30pm, 170 Scotland Road.

Councilmember Weldon M. Montague, III mentioned the passing of Arthur Wright who services will be held tomorrow at New Hope Baptist Church at 10am. He wished the Community, Council and Administration Happy Holidays. The city is making great progress and we should continue in 2023

Council Vice President Clifford R. Ross thanked is Council colleagues for their hard work and dedication to the city. He stated we must continue to make this city a better place. During the holiday season when suicide rates are up we must check on one another. He wished all a Happy Holiday.

Councilmember Kerry J. Coley he thanked Council Vice President for always having encouraging words and wished all Happy Holidays. Councilmember Coley inquired if there would be a Water Director. Business Administrator Chris Hartwyk stated the city advertised twice this year but have not received a lot of response. To be an Operator or Director there is a specific license needed and they call for premium prices.

Council President Tency A. Eason wished everyone a Merry Christmas and Happy New year. She called for all to work together in unity to make the city a better place. She thanked her Council colleagues who came out on Thursday to celebrate with the Clerk's Office. All assembled were in prayer for Councilmember Jamie B. Summers in her absence. Council President Eason stated in the New Year, Council will continue getting questions answered prior to the meeting to make the Council Meetings move more efficient.

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 to postpone Ordinance 24-2021 was made by Councilmember Weldon M. Montague, III and seconded by Councilmember Kerry J. Coley

Roll Call:

Yeas: Hon. Kerry J. Coley, Hon. Quantavia L. Hilbert, Hon. Weldon M. Montague, III, Hon. Clifford R. Ross, Hon. Jamie B. Summers-Johnson, and Hon. Tency A. Eason

Nays: None

Abstain: None

Absent: Hon. Adrienne Wooten

Motion Adopted: Postponed

64-2022 An ordinance of the City of Orange Township, in the County of Essex, State of New Jersey (The “City”) providing for a Special Emergency Appropriation in the amount of \$600,000 to fund contractually required Severance Liabilities resulting from the retirement of employees in the City.

A motion to close Citizens Comments was made by Council Vice President Clifford R. Ross and seconded by Councilmember Weldon M. Montague, III

A motion to adopt Ordinance 64-2022 on final was made by Council Vice President Clifford R. Ross and seconded by Councilmember Kerry J. Coley

Roll Call:

Yeas: Hon. Kerry J. Coley, Hon. Quantavia L. Hilbert, Hon. Weldon M. Montague, III, Hon. Clifford R. Ross, Hon. Jamie B. Summers-Johnson, and Hon. Tency A. Eason

Nays: None

Abstain: None

Absent: Hon. Adrienne Wooten

Motion Adopted

ORDINANCES – INTRODUCTION/FIRST READING

61-2022 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. (352 Mechanic St.) *(Postponed at the 11/01/2022 Council Meeting)*

A motion to postpone Ordinance 61-2022 was made by Council President Tency A. Eason and seconded by Councilmember Weldon M. Montague, III

Roll Call:

Yeas: Hon. Kerry J. Coley, Hon. Quantavia L. Hilbert, Hon. Weldon M. Montague, III, Hon. Clifford R. Ross, Hon. Jamie B. Summers-Johnson, and Hon. Tency A. Eason

Nays: None

Abstain: None

Absent: Hon. Adrienne Wooten

Motion Adopted: Postponed

66-2022 An ordinance of the Municipal Council of the City of Orange Township, Essex County, New Jersey, to amend and supplement Chapter 200 of the Code of the City of Orange Township entitled “Vehicles and Traffic”. (Sponsored by Councilmember Eason)

A motion to postpone Ordinance 66-2022 was made by Councilmember Weldon M. Montague, III and seconded by Councilmember Kerry J. Coley

Roll Call:

Yeas: Hon. Kerry J. Coley, Hon. Quantavia L. Hilbert, Hon. Weldon M. Montague, III, Hon. Clifford R. Ross, Hon. Jamie B. Summers-Johnson, and Hon. Tency A. Eason

Nays: None

Abstain: None

Absent: Hon. Adrienne Wooten

Motion Adopted: Postponed

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 * 487-2022 THROUGH *509-2022

- *487-2022 A resolution appointing Carol Perkins as member to the Citizen’s Budget Advisory Committee for Calendar Year 2023 Municipal Budget process. (Sponsored by Councilmember Hilbert)**
- *488-2022 A resolution appointing Jonathan A. Beckford as a member to the Citizen’s Budget Advisory Committee for Calendar Year 2023 Municipal Budget process. (Sponsored by Councilmember Hilbert)**
- *489-2022 A resolution appointing Sharief Williams as a member of the Citizens Budget Advisory Committee. (Sponsored by Councilmember Wooten)**
- *490-2022 A resolution appointing Jashlyn Wingfield as a member of the Citizens Budget Advisory Committee. (Sponsored by Councilmember Wooten)**
- *491-2022 A resolution to recognize and congratulate the efforts of Bris Avrohom, for placing over 140 menorahs throughout the State of New Jersey. (Sponsored by Councilmember Wooten and the Orange Municipal Council)**
- *492-2022 A resolution recognizing December 18, 2022 to December 26, 2022 as Chanukah in the City of Orange Township and urge all citizens to take cognizance of this event and participating fittingly in its observance. (Sponsored by Councilmember Wooten and the Orange Municipal Council)**
- *493-2022 A resolution recognizing December 26, 2022 to January 1, 2023 as Kwanzaa in the City of Orange Township and urge all citizens to take cognizance of this event and participate fittingly in its observance. (Sponsored Councilmembers Wooten, Summers-Johnson and the Orange Municipal Council)**
- *494-2022 A resolution authorizing the Tax Collector to lien properties and bill property owners and collect reimbursement of expenditures made by the City of Orange Township for the abatement of code violations to bring the property in compliance with the property maintenance code.**
- *495-2022 A resolution amending Resolution #174-2021 authorizing the acceptance of community development block grant funds of the program year 2020.**
- *496-2022 A resolution amending Resolution #435-2022 entitled “A resolution authorizing Whirl Construction, Inc., 194 Main Street, P.O. Box 110, Port Monmouth, New Jersey 07758 for the Central Playground Improvements Phase II (mobilization, supply/install safety surface around fitness area and merry go musical and supply/install fencing materials) under the Educational Services Commission of New Jersey (ESCNJ) Co-Op contract #20/21-02 in the amount not to exceed \$54,053.60” making the new amount not to exceed \$59,774.00.**
- *497-2022 A resolution authorizing the City of Orange Township Police Department to participate in the Defense Logistics Agency, Law Enforcement Support Office, 1033 Program to enable the City of Orange Police Department to request and acquire excess Department of Defense equipment.**
- *498-2022 A resolution authorizing an addendum to Resolution #518-2021 to increase the contract amount for car washing services with KC Car Wash, 360 Thomas Blvd, Orange, New Jersey 07050 in an amount not to exceed \$4,000.00.**
- *499-2022 A resolution authorizing the extension of the agreement for the removal of solid waste and recycling services with Joseph Smentkowski, Inc., 160 James Avenue, Jersey City, New Jersey 07306 for an additional ninety day (90) period commencing January 1, 2023 through March 31, 2023 in the amount not to exceed \$345,000.00.**

- *500-2022** A resolution of the Municipal Council of the City of Orange Township authorizing a release of a performance bond totaling \$24,524.79, provided by FTGRE 205 Mt. Vernon LLC in connection with construction of a multi-unit residential development at Block 1201, lot 28, commonly known as 205 Mount Vernon Avenue, Orange, New Jersey.
- *501-2022** A resolution amending Resolution #105-2022 to authorize additional attorney fees to be paid to Scarinci & Hollenbeck, LLP as special counsel with regard to various legal matters and litigation regarding the City of Orange Township.
- *502-2022** A resolution approving a final payment of \$37,000.00 to Williams Scotsman Inc. and settlement agreement and release by and between the City of Orange Township and Williams Scotsman Inc. in order to settle the Williams Scotsman Inc. vendor account and prophylactically prevent collection activity, litigation and possible legal exposure to the City of Orange Township.
- *503-2022** A resolution of the City of Orange Township, the County of Essex, State of New Jersey, providing for the issuance of special emergency notes in an amount not to exceed \$600,000 to fund contractually required severance liabilities resulting from the retirement of employees in the City.
- *504-2022** A resolution authorizing Remington & Vernick Engineers, 2059 Springdale Road, Cherry Hill, New Jersey 08003 to provide professional engineering services of the Ropes Playground improvements in an amount not to exceed \$106,840.00.
- *505-2022** A resolution authorizing an agreement with several firms for the purpose of investigating and assessing potential claims arising out of the presence of contaminants in water supply wells affecting the City's water systems; and to provide representation of City in any civil action that may be filed in the Superior Court of New Jersey and/or United States District Court and any proceeding by writ or appeal related to that action filed on behalf of City's.
- *506-2022** A resolution approving the Bill List for Council meeting vote on December 20, 2022 dated December 14, 2022 and approving checks issued by the Finance Department in accordance with Ordinance 2-95. (Grand Total: \$17,327,606.90)
- *507-2022** A resolution to approve the Corrective Action Plan for Calendar Year 2021.
- *508-2022** A resolution approving Qualified Consultant Engineers to provide consulting engineering on an "as needed" basis for one (1) year commencing January 1, 2023 through December 31, 2023.
- *509-2022** A resolution rescinding Resolution 469-2022 entitled "A resolution authorizing Whirl Construction, Inc., 194 Main Street, P.O. Box 110, Port Monmouth, New Jersey 07758 the Central Playground Improvements Phase II (mobilization, supply/install safety surface around fitness areas and merry go musical and supply/install fencing materials) under the Educational Services Commission of New Jersey (ESCNJ) Co-Op contract #20-21-02 in an amount not to exceed \$54,053.60".

A motion to adopt the Consent Agenda was made by Councilmember Weldon M. Montague, III and seconded by Council Vice President Clifford R. Ross

Roll Call:

Yeas: Hon. Kerry J. Coley, Hon. Quantavia L. Hilbert, Hon. Weldon M. Montague, III, Hon. Clifford R. Ross, Hon. Jamie B. Summers-Johnson, and Hon. Tency A. Eason

Nays: None

Abstain: None

Absent: Hon. Adrienne Wooten

Motion Adopted

ITEMS REMOVED FROM CONSENT AGENDA

There were no items removed from the Consent Agenda.

POSTPONED RESOLUTIONS

There were no Postponed Resolutions.

NEW BUSINESS AND WALK-ON ORDINANCES/RESOLUTIONS

A motion to add Resolutions 510-2022(WO) and 511-2022(WO) to the agenda was made by Council President Tency A. Eason and seconded by Councilmember Weldon M. Montague, III

Roll Call:

Yeas: Hon. Kerry J. Coley, Hon. Quantavia L. Hilbert, Hon. Weldon M. Montague, III, Hon. Clifford R. Ross, Hon. Jamie B. Summers-Johnson, and Hon. Tency A. Eason

Nays: None

Abstain: None

Absent: Hon. Adrienne Wooten

Motion Adopted

510-2022(WO) A resolution ratifying and establishing a Citizen’s Budget Advisory Committee (CBAC) for the 2023 Annual Municipal Budget process.

A motion to close Citizens Comments was made by Councilmember Kerry J. Coley and seconded by Councilmember Weldon M. Montague, III

A motion to adopt Resolution 510-2022(WO) was made by Councilmember Weldon M. Montague, III and seconded by Councilmember Kerry J. Coley

Roll Call:

Yeas: Hon. Kerry J. Coley, Hon. Quantavia L. Hilbert, Hon. Weldon M. Montague, III, Hon. Clifford R. Ross, Hon. Jamie B. Summers-Johnson, and Hon. Tency A. Eason

Nays: None

Abstain: None

Absent: Hon. Adrienne Wooten

Motion Adopted

511-2022(WO) A resolution for the transfer of appropriations

A motion to close Citizens Comments was made by Council Vice President Clifford R. Ross and seconded by Councilmember Kerry J. Coley

A motion to adopt Resolution 511-2022(WO) was made by Council President Tency A. Eason and seconded by Councilmember Kerry J. Coley

Roll Call:

Yeas: Hon. Kerry J. Coley, Hon. Quantavia L. Hilbert, Hon. Weldon M. Montague, III, Hon. Clifford R. Ross, Hon. Jamie B. Summers-Johnson, and Hon. Tency A. Eason

Nays: None

Abstain: None

Absent: Hon. Adrienne Wooten

Motion Adopted

OTHER PENDING BUSINESS

There was no Pending Business.

MOTION TO ADJOURN


A motion to adjourn the meeting was made by Councilmember Kerry J. Coley and seconded by Councilmember Weldon M. Montague, III


The meeting was adjourned at 9:02pm.

PUBLIC NOTICE

The next City Council Conference and Regular Meeting will be held on Tuesday, January 3, 2023 virtually at 7:00 p.m.

Approved: January 3, 2023


Joyce L. Danier
City Clerk


Tency A. Eason
Council President