

MUNICIPAL COUNCIL AGENDA

THIS IS THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF ORANGE TOWNSHIP HELD VIA AUDIO-VIDEO CONFERENCING ON TUESDAY, FEBRUARY 21, 2023 FOLLOWING THE CONFERENCE MEETING.

1) PLEDGE OF ALLEGIANCE TO THE FLAG

2) ROLL CALL

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

ALSO PRESENT

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

4) APPROVAL OF MEETING MINUTES:

- **February 7, 2023 Conference and Regular Meeting Minutes**
Councilmembers Summers Johnson & Wooten were absent and should abstain.

Motion to adopt:

Second:

5) REPORTS:

DEPARTMENT MONTHLY REVENUE COLLECTION

DECEMBER 2022

- **Department of Planning & Economic Development – \$231,585.00**
 - Building \$195,354

- Code Enforcement \$7,625
- Rent Leveling \$3,800
- Parking \$12,290
- Zoning \$2,100
- Vacant & Abandoned \$2,750
- Planning Board Applications \$7,666
- **Clerk’s Office – \$400.00**
- **Historic Preservation Commission – \$140.00**

JANUARY 2023

- **Department of Planning & Economic Development – \$124,227.00**
 - Zoning Applications \$3,100
 - Vacant & Abandoned Registrations \$2,500
 - Sales \$3,900
 - Certificates of Habitability \$3,800
 - Superintendent Registrations \$350
 - Rent Leveling \$390
 - Commuter Parking Lot 1 \$2,515
 - Commuter Parking Lot 2 \$4,800
 - Planning Board Applications \$1,200
 - Building \$101,672
- **City Clerk’s Office – \$100.55**
- **Historic Preservation Commission – \$70.00**

CONSTABLE REPORTS: None

OPRA REPORTS: January 2023 – 61 OPRA requests received, 37 completed & 24 remaining.

COUNCIL REPORTS:

Council President directs Clerk to file reports.

6) COMMUNICATIONS AND PETITIONS:

A. The City of Orange Planning Board will hold a virtual public hearing on a development application for D&R Orange Urban Renewal, LLC ("Applicant"), owner of the property located at 377 Crane Street and designated as Block 2703, Lot 1 and Block 2702. A copy of the complete application is available for public inspection by appointment by contacting Planning Board Secretary Alexandra Reyes at (973) 952-6069 or areyes@orangenj.gov.

**Meeting Date & Time: Wednesday, February 22, 2023 at 7:30pm
Meeting ID: 819 4089 8077
Passcode: 611351**

B. The New Jersey American Water will hold two public hearings in the Matter of the Petition of New Jersey-American Water Company, Inc. for Approval to Change the Levels of Its Purchased Water Adjustment Clause and Purchase Wastewater Treatment Clause BPU Docket No. WR22110693

**February 23, 2023 -4:30 PM
Call in number: 1-862-294-2638
Meeting ID: 242 367 640#**

Or Video conference at <https://bit.ly/3Y2LgFX>

**February 23, 2023 -5:30 PM
Call in number: 1-862-294-2638
Meeting ID: 994 539 572#**

Or Video conference at <http://bit.ly/3R8jHEU>

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

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”. (Amended) (Sponsored by Councilmember Eason)

a) Motion to close Citizen Comments:

Second:

b) Motion for Final Adoption:

Second:

10) ORDINANCES – INTRODUCTION/FIRST READING

5-2023 An ordinance of the Municipal Council of the City of Orange Township, County of Essex, State of New Jersey, approving and authorizing a 30-year tax exemption and authorizing the execution of a financial agreement between the City and PEEK Cleveland I Owner Urban Renewal, LLC. (Postponed at the 2/7/2023 Council Meeting)

a) Motion to adopt on First Reading:

Second:

b) Final Reading: March 21, 2023

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 *85-2023 THROUGH *112-2023

*85-2023 A resolution recognizing Lunar New Year (Sponsored by Council Member Quantavia Hilbert)

*86-2023 A resolution authorizing a professional services agreement with CP Professional Services to provide engineering services to the City of Orange Township Planning Board and Zoning Board of Adjustment for a period beginning January 1, 2023 and continuing through December 31, 2023 with all fees paid exclusively through escrowed funds.

*87-2023 A resolution authorizing the cancellation of Tax Sale Certificate No. 19-00660 on Block 2201, Lot 19 also known as 81 High St. in addition to issuing a refund for all accrued interest, premium and penalties to Fig Cust FigNJ19LLC in the amount of \$577.92.

- *88-2023** A resolution authorizing the Tax Collector to refund overpayment of real estate taxes paid for 2022 in the amount of \$969.38 and to cancel any future tax billings for the premises located at Block 5104, Lot 2 a/k/a/ 498 Mountainview Avenue for a 100% totally disabled veteran.
- *89-2023** A resolution authorizing T&M Associates, 11 Tindall Road, Middletown, New Jersey 07748 to provide professional environmental services for the Chestnut Street Pump Station located at 632 Chestnut Street, Orange, New Jersey in an amount not to exceed \$10,920.00.
- *90-2023** A resolution authorizing a contract to Rosando Fence Company, Inc., dba Fox Fence, 411 Crooks Ave., Clifton, New Jersey 07011 to provide emergency fence repairs to all city owned properties under the ESCNJ 20/21-37 Co-op commencing January 1, 2023 through November 19, 2023 in an amount not to exceed \$60,000.00.
- *91-2023** A resolution authorizing the awarding of a contract to Denville Line Painting, Inc., 2 Green Pond Road, Rockaway, New Jersey 07866 through the Morris County Cooperative Pricing Council Contract #36 for traffic stripping on roadways commencing January 1, 2023 through December 31, 2023 in the amount not to exceed \$30,000.00.
- *92-2023** A resolution authorizing Mott MacDonald, 111 Wood Avenue South, Iselin, New Jersey 08830 to provide professional engineering services to support the water utility commencing January 1, 2023 through December 31, 2023 in an amount not to exceed \$200,000.00.
- *93-2023** A resolution authorizing Change Order No. 1 to modify the contract for the project known as the CDBG '20 Colgate Park Pool Improvements Phase II to All State Technology, Inc., 10 Lark Lane, Oak Ridge, New Jersey 07438 in the amount not to exceed \$117,000.00.
- *94-2023** A resolution authorizing the awarding of a contract for the demolition of the Chestnut Street Pump Station (CSPS) to IBN Construction Corp., 49 Hermon Street, Newark, New Jersey 07105 in the amount not to exceed \$323,369.00.
- *95-2023** Resolution renewing a professional service agreement with the law offices of David C. Stanziale, LLC to represent the City of Orange Township in the matter "Deborah Upchurch v. Inservco Insurance Company, et al.", Docket No. ESX-6471-22 in an amount not to exceed \$20,000.00 for calendar year 2023.
- *96-2023** A resolution authorizing the services of David C. Stanziale, LLC to represent Police Officer L. Worthen Barnes in the matter, "Yanley Sandy v. City of Orange Township, et al", Docket No. ESX-L-2274-17 in an amount not to exceed \$20,000.00 for calendar year 2023.
- *97-2023** A resolution authorizing the services of Michael A. Armstrong & Associates ,LLC to represent the City of Orange Township in the matter "Yanley Sandy v. City of Orange Township, et al", Docket No. ESX-L-2274-17 in an amount not to exceed \$20,000.00 for calendar year 2023.
- *98-2023** A resolution appointing the law firm of Gluck Walrath, LLP to provide special redevelopment counsel services for CY 2023 January 1, 2023 through December 31, 2023 not to exceed \$50,000 that will be paid by escrow funds.
- *99-2023** A resolution authorizing the services of Lamb Kretzer, LLC to represent Sergeant Rene Wilson in the matter "Norma Moscoso and Carlos Moscoso v. City of Orange Township, et al", Docket No. ESX-L-6867 in an amount not to exceed \$20,000.00 for calendar year 2023.

- *100-2023** Resolution renewing a professional service agreement with the law offices of Lamb Kretzer, LLC to represent the City of Orange Township in the matter, “51 South Day Street, LLC; Exit 11 Gentlemen’s Club, LLC v. Peek Reock II Owner Urban Renewal, LLC, et al,” “Docket No. ESX-L-9682-21 in an amount not to exceed \$20,000.00 for calendar year 2023.
- *101-2023** A resolution of the Municipal Council of the City of Orange Township authorizing a release of a performance bond totaling \$51,689.13, provided by 164 Main LLC in connection with construction of a convenience store and fuel filling station at Block 2903, Lot 1 commonly known as 164 South Main Street, Orange, New Jersey.
- *102-2023** A resolution authorizing a professional services agreement with Joseph Wenzel, Esq., of Friend & Wenzel LLC, to provide legal services to the City of Orange Township Planning Board for a period beginning January 1, 2023, and continuing through December 31, 2023, in an amount not to exceed \$7,500.00.
- *103-2023** A resolution for the transfer of appropriations reserves.
- *104-2023** A resolution for the emergency temporary budget appropriations #4 to the Calendar Year 2023 Budget.
- *105-2023** A resolution authorizing a contract with PFK O’Connor Davies, LLP to serve as Municipal Auditors and to perform the Calendar Year 2022 Audit, and to assist with the preparation of the annual financial statement, as needed, along with ancillary accounting services in an amount not to exceed \$125,000.00.
- *106-2023** A resolution authorizing an addendum to Resolution 82-2023 correcting the name of the cooperative purchasing contract from CDW-G through SHI International IT should be CDW through Sourcewell Cooperative Purchasing Contract #081419 and correcting the term commencing January 1, 2023 until December 31, 2023 in an amount not to exceed \$20,429.10.
- *107-2023** A resolution to appoint Lerch, Vinci & Bliss, LLP of 17-17 Route 208, Fair Lawn, New Jersey 07410 to provide financial consulting services to the Orange Water Utility and finance training and consulting services to the City of Orange Township’s Finance Department and Administration for an amount not to exceed \$130,000.00.
- *108-2023** A resolution authorizing the application of a grant by the Department of Public Works and Engineering from the State of New Jersey Department of Environmental Protection Green Acres Programs for Orange multi-parks.
- *109-2023** An enabling resolution authorizing the application of a grant by the Department of Public Works and Engineering from the State of New Jersey Department of Environmental Protection Green Acres Programs for Orange multi-parks.
- *110-2023** A resolution authorizing award of a non-fair and non-open professional services contract to Nishuane Group LLC to provide professional planning consultant services to the City of Orange Township and its land use boards for a period beginning January 1, 2023 through December 31, 2023, excluding fees for development application review services paid through applicant-funded escrows.
- *111-2023** A resolution authorizing the awarding of a contract for cloud hosting of all servers, backup, maintenance, management solutions and technical support to Sysnet Solution, 746 Route 18, Suite 2B, East Brunswick, New Jersey 08816 for two years in an amount not to exceed \$311,400.

***112-2023 A resolution approving the bill list for council meeting vote on February 21, 2023 dated February 15, 2023 and approving checks issued by the Finance Department in accordance with Ordinance 2-95 (Grand Total: \$9,236,117.22).**

MOTION TO ADOPT CONSENT AGENDA:

Second:

12) POSTPONED RESOLUTIONS

20-2023 A resolution of the Municipal Council of the City of Orange Township amending Resolution No. 276-2022 to authorize additional funds to Szaferman Lakind, P.C. for legal counseling to the Orange Historic Preservation Commission of the City of Orange Township in the amount of \$3,564.00 for a total amount not to exceed \$8,564.00.

21-2023 A resolution authorizing the award of a professional service 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 \$7,500.00 for the Calendar Year 2023.

28-2023 A resolution authorizing the award of a professional services contract to Gail Mitchell, Esq. of Schwartz, Barkin and Mitchell LLC 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 \$7,500.00 for the Calendar Year 2023.

76-2023 A resolution authorizing the extension of a professional services agreement with Nishuane Group LLC to provide professional planning consultant services to the City of Orange Township and its Land Use Boards for a period beginning January 1, 2023 and continuing through December 31, 2023 in an amount not to exceed \$250,000.00.

13) NEW BUSINESS AND WALK-ON ORDINANCES/RESOLUTIONS

14) 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 7, 2023 virtually at 7:00 p.m.