

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, SEPTEMBER 19, 2023 FOLLOWING THE CONFERENCE MEETING.

1) 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 K. 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	_____	_____
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	_____	_____
Margaret Homere, City Clerk's Office	_____	_____
Trisha Scipio, City Clerk's Office	_____	_____
Gabrielle Sims-Shelton, City Clerk's Office	_____	_____

2) SUNSHINE LAW

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 Star Ledger, and published in the Record-Transcript on July 13, 2023, posted on the Bulletin Board in City Hall, the Council's website (www.orangetwpnjcc.org), the City's website (www.orangenj.gov) and filed in the Office of the City Clerk.

3) APPROVAL OF MEETING MINUTES:

- September 5, 2023 Budget Public Hearing Meeting Minutes
(Councilmembers Hilbert & Summers-Johnson were absent, Councilmember Wooten arrived late, and all should abstain)

Motion to adopt:

Second:

- September 5, 2023 Conference & Regular Meeting Minutes

Motion to adopt:

Second:

4) REPORTS:

DEPARTMENT MONTHLY REVENUE COLLECTION: AUGUST 2023

- Clerk's Office - \$61.90
- Historic Preservation Commission - \$70.00
- Planning Department - \$181,605.00

5) **CONSTABLE REPORTS:** None.

6) **OPRA REPORTS:** August 2023 – 89 OPRA requests received, 78 completed & 11 remaining.

7) **COUNCIL REPORTS:**
Council President directs Clerk to file reports.

8) **COMMUNICATIONS AND PETITIONS:** None.

9) **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 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:

10) **COUNCIL COMMENTS**

11) **ORDINANCES – SECOND READING/PUBLIC HEARING.**

24-2021 An ordinance to amend the City Code of the City of the Orange Township Chapter 4 entitled "Administration of Government", Article II entitled "City Council"; Section 15 entitled "City Clerk". *(Postponed since the June 1, 2021 Council Meeting)*

a) Motion for Final Adoption:

Second:

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

61-2023 An ordinance of the Municipal Council of the City of Orange Township, Essex County, New Jersey, amending Chapter 60 of the Municipal Code of the City of Orange Township, currently entitled “Barbershops and Beauty Parlors” to include regulations governing body art establishments located within the City of Orange Township.

a) Motion to adopt on First Reading:

Second:

b) Final Reading: October 17, 2023

62-2023 An ordinance of the Municipal Council of the City of Orange Township, County of Essex, State of New Jersey, amending Chapter 74 of the Municipal Code of the City of Orange Township, titled “Construction Codes, Uniform” and Chapter 156 of the Municipal Code of the City of Orange Township, titled “Property Maintenance” in order to update language and transfer certain functions within the Department of Planning and Economic Development from the Building and Construction Division to the Code Enforcement Division.

a) Motion to adopt on First Reading:

Second:

b) Final Reading: October 17, 2023

63-2023 An ordinance of the Municipal Council of the City of Orange Township, County of Essex County, State of New Jersey, establishing Chapter 124 of the Municipal Code of the City of

Orange Township, to be entitled “Liability Insurance Registration” as required pursuant to N.J.S.A. 40A:10A-1 et seq.

- a) Motion to adopt on First Reading: Second:
b) Final Reading: October 17, 2023

64-2023 An ordinance of the Municipal Council of the City of Orange Township to approve a tax exemption for a twenty-three year (23) year period and to authorize the twenty-three (23) year exemption and authorizing the execution of a financial agreement for payments in lieu of taxes between the City and Peek Highland II Owner Urban Renewal, LLC.

- a) Motion to adopt on First Reading: Second:
b) Final Reading: October 17, 2023

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 *358-2023 THROUGH *384-2023

- *358-2023 A resolution appointing Lynn A. Ogbourne, a resident of Orange, New Jersey, as a Fourth Alternate Member to the Zoning Board of Adjustment of the City of Orange Township, New Jersey. (Sponsored by Councilmember Hilbert)**
- *359-2023 A resolution appointing Carol Perkins as a Citizen Member of the Budget and Finance Committee of the City of Orange Township. (Sponsored by Councilmember Hilbert)**
- *360-2023 A resolution naming October 2023 as National Breast Cancer Awareness Month in the City of Orange Township. (Sponsored by Councilmember Wooten)**
- *361-2023 A resolution naming October 2023 as National Domestic Violence Awareness Month in the City of Orange Township. (Sponsored by Councilmember Wooten)**
- *362-2023 A resolution authorizing the Tax Collector to refund overpayment of real estate taxes paid for 2023 in the amount of \$10,578.06 and to cancel any future tax billings for the premise located at Block 5602, Lot 21 a/k/a 147 Tremont Avenue for a 100% totally disabled veteran.**
- *363-2023 A resolution authorizing the extension of the awarded contract with American Forensic Engineering, 5383 Gagnon Terrace, North Port, Florida 34291 to provide professional engineering construction administration services for the Military Park Rehabilitation Project in the amount not to exceed \$4,292.30.**
- *364-2023 A resolution authorizing the extension of the awarded contract with American Forensic Engineering, 5383 Gagnon Terrace, North Port, Florida 34291 to provide professional engineering construction administration services for the NJDOT’22 Safe Streets to transit improvements in the amount not to exceed \$19,725.00.**

- *365-2023** A resolution authorizing the extension of the awarded contract with Remington & Vernick Engineers, 2059 Springdale Road, Cherry Hill, New Jersey 08003 to provide professional engineering construction administration services for the Colgate Park Improvements in the amount not to exceed \$26,332.99.
- *366-2023** A resolution authorizing the extension of the awarded contract with Remington & Vernick Engineers, 2059 Springdale Road, Cherry Hill, New Jersey 08003 to provide professional engineering construction administration services for the Metcalf Park Improvements in the amount not to exceed \$9,484.63.
- *367-2023** A resolution authorizing the extension of the awarded contract with Remington & Vernick Engineers, 2059 Springdale Road, Cherry Hill, New Jersey 08003 to provide professional support services related to the “Administrative Compliance Order” for the Municipal Separation Storm Sewer Systems (MS4) violations in the amount not to exceed \$9,898.38.
- *368-2023** A resolution declaring an emergency and ratifying a contract between the City of Orange Township and Lewis Consulting Group, Inc., 2604 Atlantic Avenue, Suite 600, Wall, New Jersey 07719 for emergency asbestos abatement services and laboratory testing for the Baby Clinic at City Hall in the amount not to exceed \$119,100.00.
- *369-2023** A resolution declaring an emergency and ratifying a contract between the City of Orange Township and Shauger Property Services, Inc., 429 Dodd Street, East Orange, New Jersey 07017 for emergency main water and sewer replacements on Thomas Street (between Burnside Street and Carroll Street) in the amount not to exceed \$1,679,416.95.
- *370-2023** A resolution authorizing the extension of the awarded contract with Pennoni Associates, Inc., 1085 Raymond Boulevard, Suite 2102, Newark, New Jersey 07102 to provide professional engineering construction administration services for the NJDOT’22 LTPF Roadway Improvements in the amount not to exceed \$31,631.33.
- *371-2023** A resolution approving the Bill List for Council Meeting vote on September 19, 2023 dated September 13, 2023 and approving checks issued by the Finance Department in accordance with Ordinance 2-95. (Grand Total: \$2,438,781.84)
- *372-2023** A resolution authorizing the extension of the awarded contract with Pennoni Associates, Inc., 1085 Raymond Boulevard, Suite 2102, Newark, New Jersey 07102 to provide professional engineering construction administration services for the NJDOT’22 Roadway Improvements in the amount not to exceed \$34,390.00.
- *373-2023** A resolution authorizing the services of Ruderman & Roth, LLC, to represent Orange Police Department, Chief Vitiello, Captain Christopher Dunn, Police Director Todd Warren and Sergeant Rene Wilson in the matter, “Keri Payne v. City of Orange Township, et al” Docket No. ESX-L-6850-22 in an amount not to exceed \$5,000.00 for Calendar Year 2023.
- *374-2023** A resolution authorizing and ratifying a contract with Stewart Business Systems, LLC, 6000 Irwin Road, Suite A, Mount Laurel, New Jersey 08054, under State contract G-2075 for supplies, maintenance and management of printers and multifunctional devices for the period January 1, 2023 – July 31, 2023 in an amount not to exceed \$123,673.47.
- *375-2023** A resolution of the Municipal Council of the City of Orange Township, Essex County, New Jersey, approving and authorizing execution of a settlement agreement between the City of Orange Township and Mazzanti Inc. regarding various claims alleged between the parties.

- *376-2023** A resolution in opposition to the cancellation of the Coach USA 24 and 44 bus lines.
(Sponsored by Councilmember Coley)
- *377-2023** A resolution authorizing settlement in the matter of “Anthony Carey v. City of Orange Township, Mayor Dwayne D. Warren, Raymond Wingfield, And John Doe 1-10, docket no. Esx-L-002475-20, in the amount of \$370,000.00
- *378-2023** A resolution authorizing settlement with Maria H. Pessoa in the matter of Maria H. Pessoa v. City of Orange Township, Carlos A. Ayoso, John and Jane Does1-10 Docket No. ESX-L-3600-17, in the amount of \$80,000.00.
- *379-2023** A resolution approving and authorizing the execution of a Community Benefits Agreement with Peek Highland II Owner Urban Renewal, LLC for the redevelopment of this property located at 407-415 Highland Avenue and identified on the Official Tax Map of the City of Orange Township as Block 4902, Lots 16 and 17.
- *380-2023** A resolution designating Peek Highland II Owner Urban Renewal, LLC as the redeveloper for the property located at 407-415 Highland Avenue identified on the City Tax Map as Block 4902, Lots 16 and 17 and authorizing the execution of a redevelopment agreement with Peek Highland II Owner Urban Renewal, LLC for the redevelopment of this property.
- *381-2023** Resolution approving and authorizing the execution of a first amendment to MOU and Redevelopment Agreement with SYMREC Orange JV, LLC for the redevelopment of the property identified on the City Tax Map as Block 3601, Lots 1, 2, 3, 4, 5, 18, 33, 34, 35, 36, 37, 38 and Block 3702, Lots 4, 5 and 6
- *382-2023** Resolution approving and authorizing the execution of a Purchase and Sale Agreement between the City and SYMREC Orange JV LLC, related to the property identified on the City Tax Map as Block 3601, Lots 1, 33, 34, 35, 36, 37 and 38.
- *383-2023** A resolution authorizing the services of David C. Stanziale, LLC, to represent the City of Orange Township and Orange Police Department in the matter, “Nicholas Victoria v. Joshua Anderson, et al” Docket No. 2:23-CV-03765 in an amount not to exceed \$10,000.00 for Calendar Year 2023.
- *384-2023** A resolution authorizing the services of The Antoine Law Firm, LLC, to represent Police Officer Joshua Anderson, Police Officer Taal Harris, Police Officer Palmieri, Police Officer Richard Rosamilia and Police Officer Ryan McKay in the matter of “Nicholas Victoria v. Joshua Anderson, et al” Docket No. 2:23-CV-03765 in an amount not to exceed \$10,000.00 for Calendar Year 2023.

MOTION TO ADOPT CONSENT AGENDA:

Second:

13) NEW BUSINESS AND WALK-ON ORDINANCES/RESOLUTIONS OTHER PENDING BUSINESS

MOTION TO ADJOURN:

Second:

Adjournment Time: _____

PUBLIC NOTICE

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