

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, SEPTEMBER 5, 2023 FOLLOWING THE CONFERENCE MEETING.

1) <u>ROLL CALL</u>		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	_____	_____
Margarette 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 Record Transcript, published in the Record-Transcript on July 13, 2023, posted on the Bulletin Board in City Hall and on 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:

- August 2, 2023 Conference & Regular Meeting Minutes

Motion to adopt:

Second:

4) REPORTS:

DEPARTMENT MONTHLY REVENUE COLLECTION: JULY 2023

- Clerk’s Office - \$6.25
- Historic Preservation Commission - \$70.00
- Planning Department - \$111,920.00

5) CONSTABLE REPORTS: None.

6) OPRA REPORTS: July 2023 – 73 OPRA requests received, 66 completed & 7 remaining.

7) **COUNCIL REPORTS:**

Council President directs Clerk to file reports.

8) **COMMUNICATIONS AND PETITIONS:**

PSE&G will hold a virtual public hearing for Basic Generation Service charges procured on behalf of its customers and proposed recovery from statewide auction for Basic Generation Services on Monday, September 18, 2023 at 4:30 p.m. Emailed comments may be submitted to the Board Secretary Sherri L. Golden at board.secretary@bpu.nj.gov or by calling (609) 913-6241.

Zoom Meeting ID: 928 4615 8128
No Password Needed
Dial In: (888) 475-4499

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 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:

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:

39-2023 A bond ordinance providing for the acquisition of various properties pursuant to a redevelopment plan, by and in the City of Orange Township, in the County of Essex, State of New Jersey; appropriating \$1,500,000 therefor and authorizing the issuance of \$1,500,000 in bonds or notes of the City to finance the cost thereof.

a) Motion to close Citizen Comments:

Second:

b) Motion for Final Adoption:

Second:

40-2023 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. (183 Oakwood Place)

a) Motion to close Citizen Comments:

Second:

b) Motion for Final Adoption:

Second:

41-2023 An ordinance to amend the Code of the City of Orange Township, Chapter 200, entitled “Vehicles and Traffic” Section 200-10.2 Residential Parking Permit & Prohibited Parking During Certain Hours. (Sponsored by Councilmember Montague, III)

- a) **Motion to close Citizen Comments:** **Second:**
- b) **Motion for Final Adoption:** **Second:**

42-2023 An ordinance of the Municipal Council of the City of Orange Township, Essex County, New Jersey, Chapter 88 of the Municipal Code of the City of Orange Township, entitled “Fees” to reflect updated Police Department fees.

- a) **Motion to close Citizen Comments:** **Second:**
- b) **Motion for Final Adoption:** **Second:**

43-2023 An ordinance to amend and supplement the Code of the City of Orange Township, to create Chapter 201, entitled “Volleyball Courts”. (Sponsored by Councilmember Eason)

- a) **Motion to close Citizen Comments:** **Second:**
- b) **Motion for Final Adoption:** **Second:**

44-2023 An ordinance to amend Chapter 210-30.9 entitled Main Street (CBD) Shopping District – Signs, Awnings, Canopies, Marquees, Security Gates and facades. (Sponsored by Councilmembers Wooten & Eason)

- a) **Motion to close Citizen Comments:** **Second:**
- b) **Motion for Final Adoption:** **Second:**

45-2023 An ordinance to amend and supplement the Code of the City of Orange Township Chapter 142, Section 142-151.1 entitled for parking by multi-family dwellings. (Sponsored by Councilmember Eason)

- a) **Motion to close Citizen Comments:** **Second:**
- b) **Motion for Final Adoption:** **Second:**

46-2023 A bond ordinance providing for the purchase of two Elgin street sweepers for the Department of Public Works of the City of Orange Township, in the County of Essex, State of New Jersey; appropriating \$700,000 therefor and authorizing the issuance of \$666,000 bonds or notes of the City to finance part of the cost thereof

- a) **Motion to close Citizen Comments:** **Second:**
- b) **Motion for Final Adoption:** **Second:**

47-2023 A bond ordinance providing for the acquisition of a 9-1-1 system and radio equipment for the Police Department and Fire Department, respectively, by and in the City of Orange Township, in the County of Essex, State of New Jersey; appropriating \$840,000 therefor and authorizing the issuance of \$800,000 bonds or notes of the City to finance part of the cost thereof.

- a) **Motion to close Citizen Comments:** **Second:**
- b) **Motion for Final Adoption:** **Second:**

48-2023 An ordinance of the Municipal Council of the City of Orange Township, Essex County, New Jersey, amending the Municipal Code of the City of Orange Township, to update current regulations governing film and digital entertainment production activities in the City and to establish a new Chapter of the Municipal Code to be designated as Chapter 90 and titled ‘Film and Digital Entertainment Production’ for purposes of reorganizing same. (Amended)

- a) Motion to close Citizen Comments: Second:
- b) Motion for Final Adoption: Second:

12) ORDINANCES – INTRODUCTION/FIRST READING

49-2023 An ordinance to amend the Code of the City of Orange Township, Chapter 200, entitled “Vehicles & Traffic”, Section 200-10.2 Residential Parking Permit. (Pierson Street) (Sponsored by Councilmember Wooten)

- a) Motion to adopt on First Reading: Second:
- b) Final Reading: October 3, 2023

50-2023 An ordinance to amend and supplement the Municipal Code of the City of Orange Township as Chapter 121 entitled “Driving School Registration”. (Sponsored by Councilmembers Wooten & Summers-Johnson)

- a) Motion to adopt on First Reading: Second:
- b) Final Reading: October 3, 2023

51-2023 An ordinance of the City of Orange Township to approve a tax exemption for a twenty-two (22) year period and to authorize the twenty-two (22) year exemption and authorizing the execution of a financial agreement between the City and 150 Taylor Orange Urban Renewal LLC.

- a) Motion to adopt on First Reading: Second:
- b) Final Reading: October 3, 2023

52-2023 An ordinance rescinding Ordinance #42-2022 adopted on August 3, 2022, creating a parking authority in accordance with N.J.S.A. 40:11A-1 et seq.

- a) Motion to adopt on First Reading: Second:
- b) Final Reading: October 3, 2023

53-2023 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. (325 Olcott Street)

- a) Motion to adopt on First Reading: Second:
- b) Final Reading: October 3, 2023

54-2023 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. (725 Burnside Street)

- a) Motion to adopt on First Reading: Second:
- b) Final Reading: October 3, 2023

55-2023 An ordinance of the Municipal Council of the City of Orange Township to approve a tax exemption for a twenty-two (22) year period and to authorize the twenty-two (22) year exemption and authorizing the execution of a financial agreement for payments in lieu of taxes between the City and B&O Urban Renewal Entity, LLC, and authorizing a pledge agreement and other documents in connection with the issuance by the City of its redevelopment area bonds in an amount not to exceed \$1,000,000 to finance a portion of the costs of such redevelopment project.

- a) Motion to adopt on First Reading: Second:
- b) Final Reading: October 3, 2023

56-2023 A bond ordinance providing for the acquisition of various properties required to construct Joyce Carnegie Memorial Park, by and in the City of Orange Township, in the County of Essex, State of New Jersey; appropriating \$1,500,000 therefor and authorizing the issuance of \$1,428,500 bonds or notes of the City to finance part of the cost thereof.

- a) Motion to adopt on First Reading: Second:
- b) Final Reading: October 3, 2023

57-2023 A bond ordinance providing for various acquisitions and improvements to the City’s water and sewer system, by and in the City of Orange Township, in the County of Essex, State of New Jersey; appropriating \$5,000,000 therefor and authorizing the issuance of \$5,000,000 bonds or notes of the water and sewer utility of the City to finance the costs thereof.

- a) Motion to adopt on First Reading: Second:
- b) Final Reading: October 3, 2023

58-2023 A capital ordinance appropriating \$250,000 from the Capital Improvement Fund to pay for various upgrades to police vehicles for the Police Department of the City of Orange Township, in the County of Essex, State of New Jersey.

- a) Motion to adopt on First Reading: Second:
- b) Final Reading: October 3, 2023

59-2023 An ordinance of the City of Orange Township to approve a Tax Exemption for a Thirty (30) year period and to authorize the twenty-two (22) year exemption and authorizing the execution of a financial agreement between the city and 595 Lincoln Orange Urban Renewal LLC.

- a) Motion to adopt on First Reading: Second:
- b) Final Reading: October 3, 2023

60-2023 An ordinance of the City of Orange Township to approve a tax exemption for a twenty-two (22) year period and to authorize the twenty-two (22) year exemption and authorizing the execution of a financial agreement between the City and 151 Taylor Urban Renewal LLC.

- a) Motion to adopt on First Reading: Second:
- b) Final Reading: October 3, 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 *308-2023 THROUGH *356-2023

- *308-2023** A resolution authorizing the issuance of a raffle license to Saint John’s Catholic Church.
- *309-2023** A resolution appointing Janicea Jones-Vance as a Citizen Member of the Budget and Finance Committee of the City of Orange Township.
(Sponsored by Councilmember Coley)
- *310-2023** A resolution reappointing Gloria Fisher, a resident of Orange, New Jersey to the Affirmative Action Commission of the City of Orange Township.
(Sponsored by Councilmember Eason)
- *311-2023** A resolution appointing Janicea Jones-Vance as a member to the Citizen’s Budget Advisory Committee for Calendar Year 2024 Municipal Budget process.
(Sponsored by Councilmember Montague, III)
- *312-2023** A resolution appointing Carl Fields, Jr. as a Member to the Citizen’s Budget Advisory Committee for Calendar Year 2024 Municipal Budget process.
(Sponsored by Councilmember Eason)
- *313-2023** A resolution appointing Charles H. Pryor, II as a Member to the Citizen’s Budget Advisory Committee for Calendar Year 2024 Municipal Budget process.
(Sponsored by Councilmember Ross)
- *314-2023** A resolution appointing Christopher Bailey as a Member to the Citizen’s Budget Advisory Committee for Calendar Year 2024 Municipal Budget process.
(Sponsored by Councilmember Montague, III)
- *315-2023** A resolution appointing Antoinett Hall as a Member to the Citizen’s Budget Advisory Committee for Calendar Year 2024 Municipal Budget process.
(Sponsored by Councilmember Coley)
- *316-2023** A resolution appointing Marsha Escalliere as a Member to the Citizen’s Budget Advisory Committee for Calendar Year 2024 Municipal Budget process.
(Sponsored by Councilmember Coley)
- *317-2023** A resolution appointing Carol Perkins as a Member to the Citizen’s Budget Advisory Committee for Calendar Year 2024 Municipal Budget process.
(Sponsored by Councilmember Hilbert)
- *318-2023** A resolution appointing Jashlyn Wingfield as a Member to the Citizen’s Budget Advisory Committee for Calendar Year 2024 Municipal Budget process.
(Sponsored by Councilmember Wooten)
- *319-2023** A resolution appointing Leonor Young as a Member to the Citizen’s Budget Advisory Committee for Calendar Year 2024 Municipal Budget process.
(Sponsored by Councilmember Ross)
- *320-2023** A resolution appointing Jonathan A. Beckford as a Member to the Citizen’s Budget Advisory Committee for Calendar Year 2024 Municipal Budget process.

(Sponsored by Councilmember Hilbert)

- *321-2023** A resolution appointing Karen Jeffries Wells as a Member to the Citizen's Budget Advisory Committee for Calendar Year 2024 Municipal Budget process.
(Sponsored by Councilmember Wooten)
- *322-2023** A resolution appointing Karen Jeffries Wells as a Citizen Member of the Budget and Finance Committee of the City of Orange Township.
(Sponsored by Councilmember Wooten)
- *323-2023** A resolution appointing Dr. Darren A. Ferguson, a resident of Orange, New Jersey to the Affirmative Action Commission of the City of Orange Township.
(Sponsored by Councilmember Wooten)
- *324-2023** A resolution appointing Henry Thompson, a resident of Orange, New Jersey, as a Third Alternate Member to the Zoning Board of Adjustment of the City of Orange Township, New Jersey. (Sponsored by Councilmember Wooten)
- *325-2023** A resolution to amend the City of Orange Township CY 2023 Municipal Budget.
- *326-2023** A resolution for emergency temporary appropriations #9 to the Calendar Year 2023 Budget.
- *327-2023** A resolution designating official depositories for the City of Orange Township.
- *328-2023** A resolution recognizing National POW/MIA Recognition Day in the City of Orange Township. (Sponsored by Councilmember Wooten)
- *329-2023** A resolution recognizing September 2023 as National Suicide Prevention Month in the City of Orange Township. (Sponsored by Councilmember Wooten)
- *330-2023** A resolution authorizing the Tax Collector to do an accelerated tax sale for all properties delinquent as of November 11, 2023.
- *331-2023** A resolution authorizing the Tax Collector to participate in an electronic tax sale with NJ Lien Investors/Real Auction.
- *332-2023** A resolution authorizing the Tax Collector to refund Joseph N. Battista, Estate for overpayment of water/sewer made on Block 1803, Lot 41 also known as 141 Ward Street in the amount of \$315.56.
- *333-2023** A resolution authorizing the acceptance of New Jersey Department of Transportation grant funds for the City of Orange Township for 2023 Transportation Alternative Set-Aside program for the Scotland Road Gateway Beautification project in the amount of \$1,488,000.00.
- *334-2023** A resolution amending Resolution No. 125-2023 to authorize additional funds to procure firearm training for the City of Orange Township Police Department from Essex County Police Academy, 250 Grove Avenue, Cedar Grove, New Jersey 07009 commencing on January 1, 2023 through December 31, 2023 in the amount of \$7,500.00 for a total amount of \$19,500.00.

- *335-2023** A resolution authorizing the awarding of a contract for the 2022 CDBG Laurel Street Resurfacing to Cifelli & Son General Construction, Inc., 4 Coppola Street, Nutley, New Jersey 07110 in the amount not to exceed \$164,129.40.
- *336-2023** A resolution authorizing an addendum to Resolution #68-2022 to increase the contract amount for additional parts and repairs for the Elgin Street Sweeper(s) for the Department of Public Works from W.E. Timmerman Co., 3554 Route 22 West, P.O. Box 71, Whitehouse, New Jersey 08888 commencing July 1, 2023 through December 31, 2022 in the amount not to exceed \$8,000.00.
- *337-2023** 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 (90) day period commencing September 1, 2023 through November 30, 2023 in the amount not to exceed \$345,000.00.
- *338-2023** A resolution authorizing the awarding of a contract for the Ropes Playground Improvements to Picerno Giordano Construction, LLC, 200 Market Street, Kenilworth, New Jersey 07033 in the amount not to exceed \$1,249,844.00.
- *339-2023** A resolution authorizing the City of Orange Township to execute a temporary Right of Entry agreement between the City of Orange Township and Township of Millburn, 375 Millburn Avenue, Millburn, New Jersey 07041.
- *340-2023** A resolution authorizing the City of Orange Township to submit certain project applications for inclusion within the County of Essex Reprogramming Community Development Block Grant 2023.
- *341-2023** A resolution approving and authorizing the execution of a first amendment to the redevelopment agreement with B&O Urban Renewal, LLC for the redevelopment of the property located at 38-60 Berwyn Street, 39 Berwyn Street, 41 Berwyn Street, 22 Webster Place and 150 Oakwood Avenue identified on the official tax map of the City as Block 3202, Lots 4-10 and Block 3203, Lots 12, 16 and 17.
- *342-2023** A resolution approving and authorizing the execution of a community benefits agreement with B&O Urban Renewal Entity, LLC for the redevelopment of the property located at 38-60 Berwyn Street, 39 Berwyn Street, 41 Berwyn Street, 22 Webster Place and 150 Oakwood Avenue identified on the official tax map of the City as Block 3202, Lots 4-10 and Block 3203, Lots 12, 16 and 17.
- *343-2023** A resolution designating 150 Taylor Orange Urban Renewal, LLC as the redeveloper for the property located at 150 Taylor Street identified on the City tax map as Block 3402, Lot 26 and approving and authorizing the execution of a redevelopment agreement with 150 Taylor Orange Urban Renewal LLC for the redevelopment of the property.
- *344-2023** A resolution authorizing the acceptance of the New Jersey Urban Enterprise Zone for the Orange UEZ Military Park Rehabilitation project for the program year 2022.
- *345-2023** A resolution making application to the Local Finance Board pursuant to N.J.S.A. 40A:5A-1.

- *346-2023** A resolution of the City of Orange Township, in the County of Essex, State of New Jersey authorizing the submission of an application to the Local Finance Board requesting approval of a bond ordinance of the City under the provision of the Municipal Qualified Bond Act, N.J.S.A. 40A:3-1 et seq., (The “Act”).
- *347-2023** 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.
- *348-2023** 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.
- *349-2023** 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
- *350-2023** 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.
- *351-2023** 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.
- *352-2023** A resolution approving the bill list for Council meeting vote on September 05, 2023, dated August 30,2023 and approving check issued by the Finance Department in accordance with Ordinance 2-95. (Grand Total: \$12,404,754.90)
- *353-2023** A resolution requesting for a the Administration to research, within 4 weeks of approval of this resolution, whether or not the City of Orange Township owned parking lots can be utilized for overnight permit parking for residents living within a certain circumstance of the parking lots. (Sponsored by Councilmembers Wooten & Summers-Johnson)
- *354-2023** A resolution approving and authorizing the execution of a first amendment to the redevelopment agreement with 595 Lincoln Orange Urban Renewal, LLC for the redevelopment of the property located at 595 Lincoln Avenue identified on the official tax map of the City as Block 6303, Lot 7.
- *355-2023** A resolution of the City of Orange Township, in the County of Essex, State of New Jersey authorizing the submission of an application to the Local Finance Board requesting approval of a bond ordinance for the City related to the acquisition of various properties required to construct Joyce Carnegie Memorial park under the provisions of the Municipal Qualified Bond Act, N.J.S.A. 40A:3-1 et seq.

***356-2023** A resolution designating 151 Taylor Urban Renewal, LLC as the redeveloper for the property located at 151 Taylor Street identified on the City tax map as Block 3403, Lot 18 and approving and authorizing the execution of a development agreement with 151 Taylor Urban Renewal, LLC for the redevelopment of the property.

MOTION TO ADOPT CONSENT AGENDA: **Second:**

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, September 19, 2023 virtually at 7:00 p.m.