

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, MARCH 19, 2024 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 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	_____	_____

3) **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.

4) **APPROVAL OF MEETING MINUTES:** None.

5) **REPORTS:**

DEPARTMENT MONTHLY REVENUE COLLECTION – February 2024

- Clerk’s Office \$0.00
- Historic Preservation \$280.00
- Planning Department \$179,165.00
- Community Service \$19,268.00

6) **OPRA REPORTS:** February 2024 – 70 requests received, 63 completed, 7 remaining.

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

8) COMMUNICATIONS AND PETITIONS: None.

9) CITIZEN COMMENTS ON GENERAL ISSUES/AGENDA ITEMS

Please be advised that members of the public wishing to orally address the Council on any subject matter shall be permitted to do so during this portion of the meeting by indicating a “raised hand” at this time. When called upon by the Council President, each speaker must enable his/her camera and microphone, and state his/her name and street address before proceeding further. Those unable to activate a camera feed may still be permitted to speak at the Council President’s discretion.

To facilitate maximum public involvement and maintain order, each speaker will have one 5-minute period to interact orally with the Council. Screen-sharing or visual aids will not be permitted. Written comments submitted in advance of this meeting were forwarded to all Council Members, published on the City’s website, and will be appended to final approved minutes – they will not be read aloud, and anyone submitting a written statement will not be permitted to also speak at this meeting. The Council will consider all comments and questions, oral or written, and respond if and when appropriate, which may or may not be during this meeting.

Members of the public are reminded to be courteous and mindful of other individuals’ rights when speaking. A Council meeting is not the proper venue to discuss personal matters or lodge complaints against specific City employees or private individuals who may have personal protections afforded them under State and/or Federal law. Therefore, each speaker should consider how his/her remarks may trigger those protections for anyone identified in or affected by them, and should be aware that they are legally responsible for their own statements. The City bears no liability for any comments made by any member of the public, and anyone repeatedly speaking out of turn or making comments that are disruptive, obscene or otherwise offensive in nature may be permanently removed from this 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 to Postpone:

Second:

2-2024 An ordinance to amend Chapter §200-32 and Chapter §200-38 of the City Of Orange Township Code (Frankfort Street) *(Tabled at the March 5, 2024 Council Meeting)*

a) Motion to close Citizen Comments:

Second:

b) Motion for Final Adoption:

Second:

8-2024 An ordinance of the Municipal Council of the City of Orange Township, Essex County, New Jersey, authorizing the grant of an air easement to VA 100M Urban Renewal LLC over portions of the City’s public rights of way along South Main Street and Prince Street, pursuant to N.J.S.A. 40A:12-13.

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

12) ORDINANCES – INTRODUCTION | FIRST READING

9-2024 An ordinance amending Chapter 95, entitled Flood Damage Prevention of the Municipal Code of the City of Orange Township creating Section 95.89 entitled Sump Pump Regulations. (Sponsored by Councilmembers Wooten & Summers-Johnson)

- a) Motion to adopt on First Reading: **Second:**
- b) Final Reading: April 16, 2024

10-2024 An ordinance amending Chapter 94, entitled Bicycles of the Municipal Code of the City of Orange Township creating Section 64.5 entitled Bicycle Regulations. (Sponsored by Councilmembers Wooten)

- a) Motion to adopt on First Reading: **Second:**
- b) Final Reading: April 16, 2024

11-2024 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. (279 North Day St.)

- a) Motion to adopt on First Reading: **Second:**
- b) Final Reading: April 16, 2024

12-2024 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. (364 Berwick St.)

- a) Motion to adopt on First Reading: **Second:**
- b) Final Reading: April 16, 2024

13-2024 An ordinance of the Municipal Council of the City of Orange Township, County of Essex, State of New Jersey, amending Chapter 210 of the City of Orange Township Municipal Code, entitled “Development Regulations” to revise the definition of “Retail Sales” to include “Personal Service Establishments”.

- a) Motion to adopt on First Reading: **Second:**
- b) Final Reading: April 16, 2024

13) 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 *159-2024 THROUGH *189-2024

- *159-2024** A resolution for the transfer of appropriation reserves.
- *160-2024** A resolution authorizing the issuance of not to exceed \$5,000,000 of tax anticipation notes of 2024 for the City of Orange Township, in the County of Essex, State of New Jersey.
- *161-2024** A resolution authorizing the Tax Collector to refund DSHS Enterprises LLC for tax subsequent payments on cancelled certificate #23-00146 for Block 1205 Lot 13 also known as 225 Baldwin Terrace in the amount of \$1,834.29.
- *162-2024** A resolution amending Resolution 252-2023 a contract with Spatial Data Logic (SDL), 290 Davidson Avenue, Somerset, New Jersey 08873, to provide DPW training and 3 additional enterprise licensees for employees to access the City of Orange Township servers from any location in an amount not to exceed \$8,220.00, beginning January 1, 2024 until June 30, 2024.
- *163-2024** A resolution authorizing and ratifying the award of a non-fair and open professional services agreement with Integra Realty Resources – Northern NJ, LLC, 301 South Livingston Avenue, Livingston, New Jersey for the preparation of market, feasibility, economic impact, valuation (appraisal) analysis, fiscal impact and payment in lieu of taxes (PILOT) studies in connection with certain proposed development and proposed redevelopment projects within the City of Orange Township for a period of January 1, 2024 through December 31, 2024 in an amount not to exceed \$50,000.00.
- *164-2024** A resolution authorizing Change Order No. 1 – Final from Cifelli & Son, 4 Coppola Street, Nutley, New Jersey 07110 for a decrease to the project known as the CDBG '22 Roadway Resurfacing of Laurel Street to adjust the contract quantities to meet final as-built conditions in the amount of \$23,064.43.
- *165-2024** A resolution authorizing Pennoni Associates, 1085 Raymond Boulevard, Suite 2102, Newark, New Jersey 07102 to provide professional engineering, design, construction administration and inspection services for the NJDOT 2023 Roadway Improvements in an amount not to exceed \$67,100.00.
- *166-2024** A resolution authorizing Pennoni Associates, 1085 Raymond Boulevard, Suite 2102, Newark, New Jersey 07102 to provide professional engineering, design, construction administration and inspection services for the NJDOT 2024 Roadway Improvements in an amount not to exceed \$99,500.00.
- *167-2024** A resolution authorizing a contract to Rosando Fence Company, Inc., DBA Fox Fence, 411 Crooks Avenue, 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, 2024 through November 19, 2024 in an amount not to exceed \$60,000.00.

- *168-2024** A resolution authorizing Remington & Vernick Engineers, 2059 Springdale Road, Cherry Hill, New Jersey 08003 to provide professional engineering services Phases I – III for the CDBG’23 Tompkins Street Roadway Improvements (between Forest Street to Freeman Street) in an amount not to exceed \$24,740.00.
- *169-2024** A resolution amending resolution #124-2024 to modify the purchase of two (2) broom street sweepers with belt conveyors from W.E. Timmerman Company, Inc., 3554 Route 22 West, P.O. Box 71, Whitehouse, New Jersey 08888 in an amount not to exceed \$6,549.30.
- *170-2024** A resolution authorizing Waterman, LLC, 3107 Atlantic Avenue, P.O. Box 309, Allenwood, New Jersey 08720 to provide professional engineering and construction administrative services for the CDBG’23 Reprogramming Central Playground Phase III in an amount not to exceed \$15,000.00.
- *171-2024** A resolution authorizing the purchase of playground equipment (Steel Hip Shelter) from MRC, Inc., 2130 Route 35, Building B, Suite 222, Sea Girt, New Jersey 08750 for the Central Playground Improvements Phase IV under the ESCNJ Contract #20/21-06 in an amount not to exceed \$20,917.00.
- *172-2024** A resolution authorizing Whirl Construction, Inc., 194 Main Street, P.O. Box 110, Port Monmouth, New Jersey 07758 the Central Playground Improvements Phase III under the Educational Services Commission of New Jersey (ESCNJ) Co-Op Contract #20/21-02 in an amount not to exceed \$85,500.00.
- *173-2024** A resolution authorizing payment to Mott MacDonald for storm water engineering compliance review services incidental to applications for development before the City of Orange Township Planning Board for a period beginning January 1, 2024 and continuing through December 31, 2024 with all fees paid exclusively through escrowed funds.
- *174-2024** A resolution authorizing and ratifying a mediation agreement between the City of Orange Township and the Honorable L. Anthony Gibson J.S.C. ret. of D’Arcy Johnson Day, to participate in court ordered mediation in connection with matter Imprestate vs. City of Orange Township ESX-C-217-21 with Mediator Hon. L. Anthony Gibson in an amount not to exceed \$7,500.00.
- *175-2024** A resolution authorizing a professional services contract for the provision of interpreting services for the year 2024 to the City of Orange Township Municipal Court pursuant to the non-fair and open process.
- *176-2024** A resolution of the Municipal Council of the City of Orange Township, Essex County, New Jersey, ratifying the acquisition in lieu of condemnation of Block 2805, Lot 4 on the City’s official tax maps, more commonly known as 55 South Day Street, for an amount not to exceed \$255,000.00.
- *177-2024** A resolution of the Municipal Council of the City of Orange Township, Essex County, New Jersey, ratifying the acquisition in lieu of condemnation of Block 2805, Lot 6 on the City’s official tax maps, more commonly known as 61 South Day Street, for an amount not to exceed \$255,000.00.
- *178-2024** A resolution authorizing execution of an agreement with VerusRx for pharmacy benefit management services of high-cost therapy and brand drugs for a one year period from June 1, 2024 through May 31, 2025 with two one-year options to renew.

- *179-2024 A resolution for emergency temporary appropriations #4 to the Calendar Year 2024 Budget.
- *180-2024 A resolution authorizing payment of legal fees to the Law Firm of Blau & Blau, LLP as Tax Appeal Counsel for an amount not to exceed \$92,046.29 for services rendered in prior years.
- *181-2024 A resolution authorizing and ratifying the retention of Blau & Blau, Attorneys at Law, as Special Counsel to file affirmative tax appeals on behalf of the City of Orange Township from January 1, 2024 until December 31, 2024.
- *182-2024 A resolution approving the Bill List for Council Meeting vote on March 19, 2024 dated March 13, 2024 and approving checks issued by the Finance Department in accordance with Ordinance 2-95. (Grand Total: \$6,232,209.72)
- *183-2024 A resolution recognizing Ramadan. (Sponsored by Councilmember Hilbert)
- *184-2024 A resolution recognizing Mom and Pop Business Day on March 29, 2024 in the City of Orange Township.
- *185-2024 A resolution recognizing and celebrating St. Patrick’s Day in the City of Orange Township.
- *186-2024 A resolution recognizing Marion J. Phillips for her dedication to childcare and advocacy for mental awareness as Director of Orange Day Care 100 for 18 years. (Sponsored by Councilmember Wooten & the Orange Municipal Council)
- *187-2024 A resolution recognizing Allyson W. Cotton as the Chief Executive Officer, Owner, Manager And Funeral Director of Cotton Funeral Home Service. (Sponsored by Councilmember Wooten & the Orange Municipal Council)
- *189-2024 A resolution authorizing an agreement for professional services with Joseph A. Garcia, Esq. of Cleary Giacobbe Alfieri Jacobs, LLC for legal services from January 1, 2024 to December 31, 2024 at a rate of \$150.00 per hour not to exceed \$20,000.00.

MOTION TO ADOPT CONSENT AGENDA: Second:

14) 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, April 2, 2024 virtually at 7:00 p.m.