

City of Newark

*City Hall
920 Broad Street
Newark, New Jersey 07102*



Meeting Minutes - Final

SPECIAL MEETING

Wednesday, November 8, 2017

10:00 AM

Council Chamber

Municipal Council

*President Mildred C. Crump
Council Member Augusto Amador
Council Member Carlos M. Gonzalez
Council Member John Sharpe James
Council Member Gayle Chaneyfield Jenkins
Council Member Joseph A. McCallum, Jr.
Council Member Eddie Osborne
Council Member Luis A. Quintana
Council Member Anibal Ramos, Jr.*

Kenneth Louis, City Clerk Kathleen Marchetti, Deputy City Clerk

CALL TO ORDER

Special meeting of the Municipal Council was called to order on the above date in the Council Chamber, Second Floor, City Hall, Newark, New Jersey, at 10:10 a.m.

STATEMENT ON OPEN PUBLIC MEETINGS ACT

In accordance with New Jersey P.I. 1975, Chapter 231, Section 5, adequate notice of this meeting has been provided to the Star Ledger, the Jersey Journal and the public at large; establishing the date, time and location of this meeting, by posting on the designated bulletin board in City Hall and by filing with the Office of the City Clerk, the schedule of regular meetings and conferences of the Newark Municipal Council as adopted as 7R9-a on December 7, 2016. In addition, the agenda for this meeting was disseminated on November 3, 2017 at the time of preparation.

ROLL CALL

Present: 7 - Augusto Amador, Carlos M. Gonzalez, John Sharpe James, Joseph A. McCallum Jr., Eddie Osborne, Luis A. Quintana, and Anibal Ramos Jr.

Absent: 2 - Gayle Chaneyfield Jenkins, and Mildred C. Crump

Chaneyfield Jenkins arrived at 10:25 a.m.

Present: 8 - Augusto Amador, Carlos M. Gonzalez, John Sharpe James, Gayle Chaneyfield Jenkins, Joseph A. McCallum Jr., Eddie Osborne, Luis A. Quintana, and Anibal Ramos Jr.

Absent: 1 - Mildred C. Crump

AGENDA RESOLUTION CODES PER DEPARTMENT

- 1 Administration**
- 2 Economic and Housing Development**
- 3 Engineering**
- 4 Finance**
- 5 Health and Community Wellness**
- 6 Law**
- 7 Mayor's Office**
- 8 Municipal Council and City Clerk**
- 9 Public Safety**
- 10 Public Works**
- 11 Recreation, Cultural Affairs and Senior Services**
- 12 Water and Sewer Utilities**

7. RESOLUTIONS

7R2 Economic and Housing Development

7R2-a(s) [17-1270](#)

Dept/ Agency: Economic and Housing Development

Action: () Ratifying (X) Authorizing (X) Amending

Type of Service: Professional Services Contract

Purpose: First Amended Contract to increase contract amount for Real Estate Rehabilitation Cost Estimator Services

Entity Name: Ellana, Inc.

Entity Address: 32 Broadway, Suite 801, New York, New York 10004

Contract Amount: Amount not to exceed \$30,000.00

Funding Source: 2016-2017 Budget/ Economic and Housing Development

Contract Period: One (1) Year from the Notice to Proceed issued on January 9, 2017

Contract Basis: () Bid () State Vendor (X) Prof. Ser. () EUS (X) Fair & Open () No Reportable Contributions () RFP (X) RFQ () Private Sale () Grant () Sub-recipient () n/a

Additional Information:

Resolution 7R2-h (S) adopted on November 29, 2016 awarded contract for \$10,000.00; Amendment increases contract amount by \$20,000.00, for a new total contract amount not to exceed \$30,000.00.

A motion was made by the Council of the Whole that this item be Adopted. The motion was adopted by the following votes:

Yes: 7 - Augusto Amador, Carlos M. Gonzalez, John Sharpe James, Joseph A. McCallum Jr., Eddie Osborne, Luis A. Quintana, and Anibal Ramos Jr.

Absent: 2 - Gayle Chaneyfield Jenkins, and Mildred C. Crump

7R2-b(s) [17-1271](#)**Dept/ Agency:** Economic and Housing Development**Action:** () Ratifying (X) Authorizing (X) Amending**Type of Service:** Professional Services Contract**Purpose:** First Amended Contract to increase contract amount for Real Estate Title Search Services**Entity Name:** Two Rivers Title Company, LLC.**Entity Address:** 26 Ayers Lane, Suite 202, Little Silver, New Jersey 07739-1253**Contract Amount:** Amount not to exceed \$60,000.00**Funding Source:** 2016-2017 Budget/Economic and Housing Development**Contract Period:** One Year from the Notice to Proceed, dated January 9, 2017**Contract Basis:** () Bid () State Vendor (X) Prof. Ser. () EUS (X) Fair & Open () No Reportable Contributions () RFP (X) RFQ () Private Sale () Grant () Sub-recipient () n/a**Additional Information:**

Resolution 7R2-i (S) adopted on November 29, 2016 awarded contract for \$10,000.00; Amendment increases contract amount by \$50,000.00, for a new total contract amount not to exceed \$60,000.00.

A motion was made by the Council of the Whole that this item be Adopted. The motion was adopted by the following votes:

Yes: 7 - Augusto Amador, Carlos M. Gonzalez, John Sharpe James, Joseph A. McCallum Jr., Eddie Osborne, Luis A. Quintana, and Anibal Ramos Jr.

Absent: 2 - Gayle Chaneyfield Jenkins, and Mildred C. Crump

7R2-c(s) [17-1530](#)

Dept/ Agency: Economic and Housing Development
Action: () Ratifying (X) Authorizing () Amending
Type of Service: Private Sale/Redevelopment
Purpose: Redevelopment project for warehouse/distribution and/or light manufacturing uses (North Ward)
Entity Name: 2052 McCarter Industrial Urban Renewal, LLC.
Entity Address: 75 Parkhurst Street, Suite 5, Newark, New Jersey 07102
Sale Amount: \$40,000.00
Cost Basis: () \$ PSF (X) Negotiated () N/A () Other:
Assessed Amount: \$1,532,100.00
Appraised Amount: \$1,300,000.00
Contract Period: To commence within three (3) months and be completed within two (2) years from the transfer of ownership by the City
Contract Basis: () Bid () State Vendor () Prof. Ser. () EUS () Fair & Open () No Reportable Contributions () RFP () RFQ (X) Private Sale () Grant () Sub-recipient () n/a
List of Property:
(Address/Block/Lot/Ward)
 2052-2070 McCarter Highway/Block 827-01/Lot 12/North Ward
 2078-2090 McCarter Highway/Block 827-01/Lot 11/North Ward
Additional Information:

A motion was made by the Council of the Whole that this item be Adopted. The motion was adopted by the following votes:

Yes: 7 - Augusto Amador, Carlos M. Gonzalez, John Sharpe James, Joseph A. McCallum Jr., Eddie Osborne, Luis A. Quintana, and Anibal Ramos Jr.

Absent: 1 - Mildred C. Crump

Abstain: 1 - Gayle Chaneyfield Jenkins

7R2-d(s) [17-1617](#)

Dept/ Agency: Economic and Housing Development
Action: () Ratifying (X) Authorizing () Amending
Type of Service: Private Sale/Redevelopment
Purpose: Office building and parking redevelopment project on Haynes Street (South Ward)
Entity Name: 133 Haynes Avenue Urban Renewal, LLC.
Entity Address: 77 Parkhurst Street, Suite 5, Newark, New Jersey 07102
Sale Amount: \$50,000.00
Cost Basis: () \$ PSF (X) Negotiated () N/A () Other:
Assessed Amount: \$1,161,700.00
Appraised Amount: \$1,100,000.00
Contract Period: To commence within three (3) months and be completed within two (2) years from the transfer of ownership by the City
Contract Basis: () Bid () State Vendor () Prof. Ser. () EUS () Fair & Open () No Reportable Contributions () RFP () RFQ (X) Private Sale () Grant () Sub-recipient () n/a

List of Property:
(Address/Block/Lot/Ward)
 133 Haynes Avenue/Block 5090/Lot 2/South Ward

Additional Information:

A motion was made by James, seconded by Osborne, that this item be Adopted. The motion was adopted by the following votes:

Yes: 8 - Augusto Amador, Carlos M. Gonzalez, John Sharpe James, Gayle Chaneyfield Jenkins, Joseph A. McCallum Jr., Eddie Osborne, Luis A. Quintana, and Anibal Ramos Jr.

Absent: 1 - Mildred C. Crump

7R2-e(s) [17-1665](#)

Dept/ Agency: Economic and Housing Development
Action: () Ratifying (X) Authorizing () Amending
Type of Service: Private Sale/Redevelopment
Purpose: Redevelopment project for warehouse/distribution and/or light manufacturing uses (North Ward)
Entity Name: 123-131 Riverside Urban Renewal, LLC.
Entity Address: 857 Broad Street, Newark, New Jersey 07102
Sale Amount: \$50,000.00
Cost Basis: () \$ PSF (X) Negotiated () N/A () Other:
Assessed Amount: \$5,001,900.00
Appraised Amount: \$2,955,000.00
Contract Period: To commence within three (3) months and be completed within two (2) years from the transfer of ownership by the City
Contract Basis: () Bid () State Vendor () Prof. Ser. () EUS () Fair & Open () No Reportable Contributions () RFP () RFQ (X) Private Sale () Grant () Sub-recipient () n/a

List of Property:

(Address/Block/Lot/Ward)

- 49-59 Riverside Avenue/Block 614/Lot 58/North Ward
- 77-83 Riverside Avenue/Block 674/Lot 4/North Ward
- 85 Riverside Avenue/Block 674/Lot 3/North Ward
- 87-101 Riverside Avenue/Block 674/Lot 5/North Ward
- 123-129 Riverside Avenue/Block 725/Lot 12/North Ward
- 1682-1696 McCarter Highway Rear/Block 614/Lot 68/North Ward
- 1700-1712 McCarter Highway Rear/Block 614/Lot 63/North Ward
- 1702-1716 McCarter Highway/Block 614/Lot 64/North Ward
- 1718-1728 McCarter Highway/Block 614/Lot 61/North Ward
- 1826-1848 McCarter Highway/Block 725/Lot 16/North Ward

Additional Information:

A motion was made by the Council of the Whole that this item be Adopted. The motion was adopted by the following votes:

Yes: 8 - Augusto Amador, Carlos M. Gonzalez, John Sharpe James, Gayle Chaneyfield Jenkins, Joseph A. McCallum Jr., Eddie Osborne, Luis A. Quintana, and Anibal Ramos Jr.

Absent: 1 - Mildred C. Crump

7R2-f(s) [17-1666](#)

Dept/ Agency: Economic and Housing Development
Action: () Ratifying (X) Authorizing () Amending
Type of Service: Private Sale/Redevelopment
Purpose: Redevelopment project for warehouse/distribution and/or light manufacturing uses (North Ward)
Entity Name: 281 Passaic Street Urban Renewal, LLC.
Entity Address: 857 Broad Street, Newark, New Jersey 07102
Sale Amount: \$40,000.00
Cost Basis: () \$ PSF (X) Negotiated () N/A () Other:
Assessed Amount: \$1,059,900.00
Appraised Amount: \$1,000,000.00
Contract Period: To commence within three (3) months and be completed within two (2) years from the transfer of ownership by the City
Contract Basis: () Bid () State Vendor () Prof. Ser. () EUS () Fair & Open () No Reportable Contributions () RFP () RFQ (X) Private Sale () Grant () Sub-recipient () n/a
List of Property:
(Address/Block/Lot/Ward)
 281-289 Passaic Street/Block 436/Lot 13/North Ward
 1266-1270 McCarter Highway/Block 436/Lot 18//North Ward
 1272 McCarter Highway/Block 436/Lot 21/North Ward
 1274 McCarter Highway/Block 436/Lot 22/North Ward
Additional Information:
Deferred 7R2-f (s) 110817

A motion was made by Chaneyfield Jenkins, seconded by Ramos, that this item be Deferred. The motion was adopted by the following votes:

Yes: 7 - Augusto Amador, Carlos M. Gonzalez, John Sharpe James, Gayle Chaneyfield Jenkins, Eddie Osborne, Luis A. Quintana, and Anibal Ramos Jr.

Absent: 2 - Joseph A. McCallum Jr., and Mildred C. Crump

7R2-g(s) [17-1803](#)

Dept/ Agency: Economic and Housing Development

Action: () Ratifying (X) Authorizing (X) Amending

Type of Service: Referral of Proposed of a Second Amendment to the Newark’s River: Public Access and Redevelopment Plan to Central Planning Board

Purpose: Requesting that the Central Planning Board to consider a Second Amendment to the Newark’s River: Public Access and Redevelopment Plan, pursuant to N.J.S.A.40A:12A-7(f)

Name of Plan: Second Amendment to the Newark’s River: Public Access and Redevelopment Plan

Additional Information:

Ordinance 6PSF-a(s) adopted on August 7, 2013 Newark’s River: Public Access and Redevelopment Plan (“Redevelopment Plan”).

Ordinance 6PSF-f adopted on October 11, 2017 the First Amendment to Newark’s River: Public Access and Redevelopment Plan (“Amended Plan”)(East Ward)

A motion was made by Amador, seconded by Chaneyfield Jenkins, that this item be Adopted. The motion was adopted by the following votes:

Yes: 8 - Augusto Amador, Carlos M. Gonzalez, John Sharpe James, Gayle Chaneyfield Jenkins, Joseph A. McCallum Jr., Eddie Osborne, Luis A. Quintana, and Anibal Ramos Jr.

Absent: 1 - Mildred C. Crump

7R4 Finance

7R4-a(s) [17-1799](#)

Dept/ Agency: Finance

Action: () Ratifying (X) Authorizing () Amending

Type of Service: Preliminary/Official Statement and Disclosure Agreement for Issuance of Notes

Purpose: Approving official statement and disclosure agreement for sale

of bond anticipation notes and special emergency notes

Amount to be Financed: \$22,813,000.00 (Twenty-Two Million Eight Hundred Thirteen Thousand Dollars and Zero Cents)

Project Information:

(Description/ Project No./Amount Appropriated/Ordinance No.)

RESOLUTION DETERMINING CERTAIN MATTERS IN CONNECTION WITH THE SALE OF AGGREGATE PRINCIPAL AMOUNT OF TAX APPEAL REFUNDING NOTES AND GENERAL IMPROVEMENT BOND ANTICIPATION NOTES NOT TO EXCEED \$22,813,000.00 (TWENTY-TWO MILLION EIGHT HUNDRED THIRTEEN THOUSAND DOLLARS AND ZERO CENTS), OF THE CITY OF NEWARK, IN THE COUNTY OF ESSEX, STATE OF NEW JERSEY

Additional Information:

A motion was made by the Council of the Whole that this item be Adopted. The motion was adopted by the following votes:

Yes: 8 - Augusto Amador, Carlos M. Gonzalez, John Sharpe James, Gayle Chaneyfield Jenkins, Joseph A. McCallum Jr., Eddie Osborne, Luis A. Quintana, and Anibal Ramos Jr.

Absent: 1 - Mildred C. Crump

7R6 Law

7R6-b(s) [17-1822](#)

Dept/ Agency: Law

Action: (X) Ratifying (X) Authorizing () Amending

Type of Service: Professional Services Contract

Purpose: Affirmative Litigation Legal Services

Entity’s Name/Addresses:

- 1. D’Arcy Johnson Day, P.C., 3120 Fire Road, Suite 100, Egg Harbor Township, New Jersey 08234
- 2. Motley Rice, LLC., 401 9th Street, N.W., Suite 1001, Washington, D.C. 20004
- 3. Law Offices of Eric Pennington, P.C., 1 Gateway Center, Suite 105, Newark, New Jersey 07102

Contract Amount: Contingency Fee

Funding Source:

Contract Period: September 28, 2017 through September 27, 2018

Contract Basis: () Bid () State Vendor (X) Prof. Ser. () EUS
() Fair & Open (X) No Reportable Contributions () RFP () RFQ
() Private Sale () Grant () Sub-recipient () n/a

Additional Information:

Authorizing the City to retain the legal services of two (2) law firms to help it affirmatively address the opioid crisis by investigating pharmaceutical companies and seeking to hold them accountable for their actions and misconduct.

A motion was made by Gonzalez, seconded by James that this item be Adopted. The motion was adopted by the following votes:

Yes: 8 - Augusto Amador, Carlos M. Gonzalez, John Sharpe James, Gayle Chaneyfield Jenkins, Joseph A. McCallum Jr., Eddie Osborne, Luis A. Quintana, and Anibal Ramos Jr.

Absent: 1 - Mildred C. Crump

Executive Session

A motion was made by the Council of the Whole to enter executive session at 10:51 a.m. The motion was adopted by the following votes:

Yes: 6 - Augusto Amador, Carlos M. Gonzalez, John Sharpe James, Joseph A. McCallum Jr., Eddie Osborne, and Anibal Ramos Jr.

Absent: 3 - Gayle Chaneyfield Jenkins, Luis A. Quintana, and Mildred C. Crump

Executive session closed at 11:42 a.m.

7R6-a(s) [17-1789](#)

Dept/ Agency: Law
Action: () Ratifying (X) Authorizing () Amending
Purpose: Settlement of Civil Litigation
Docket No.: A-001556-16
Claimant: OTG Management EWR, LLC.
Claimant's Attorney: Lawrence H. Shapiro, Esq., Ansell Grimm & Aaron, P.C.
Attorney's Address: 1500 Lawrence Avenue, Ocean, New Jersey 07712
Settlement Amount: Special
Funding Source: N/A
Additional Comments:
Deferred 7R6-a (s/as) 102417
Deferred 7R6-a 110117

A motion was made by the Council of the Whole that this item be Adopted. The motion was adopted by the following votes:

Yes: 5 - Augusto Amador, John Sharpe James, Joseph A. McCallum Jr., Eddie Osborne, and Anibal Ramos Jr.

No: 1 - Gayle Chaneyfield Jenkins

Absent: 3 - Carlos M. Gonzalez, Luis A. Quintana, and Mildred C. Crump

ADJOURNMENT

A motion was made by the Council of the Whole to Adjourn this meeting at 11:47 a.m. The motion was adopted by the following votes:

Yes: 5 - Augusto Amador, John Sharpe James, Gayle Chaneyfield Jenkins, Eddie Osborne, and Anibal Ramos Jr.

Absent: 4 - Carlos M. Gonzalez, Joseph A. McCallum Jr., Luis A. Quintana, and Mildred C. Crump

AUGUSTO AMADOR
VICE PRESIDENT OF THE MUNICIPAL COUNCIL
NEWARK, NEW JERSEY

KENNETH LOUIS
CLERK OF THE MUNICIPAL COUNCIL
NEWARK, NEW JERSEY