

City nearing reservoir lease with county

Another tax foreclosure filing by West Orange hangs over council and freeholder votes

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After a long period of acrimony, an agreement appears to have been made for the city to lease the Orange Reservoir in West Orange to Essex County. This would occur even as Orange faces another tax foreclosure claim by West Orange.

The Orange City Council had been scheduled Tuesday night to vote on a resolution that would approve an agreement in which the site, approximately 100 acres along Northfield Avenue in West Orange, would be leased to the county for 20 years.

According to several sources, the county would pay \$75,000 a year for the first 10 years and \$85,000 for each of the following 10 years.

Part of the plan, however, would be that the county would put up \$525,000 — seven years — as the initial payment. The

reason for the lump sum was not specified.

County freeholders also would have to approve the agreement; if an ordinance is required, the board would need to vote twice to grant approval.

This action comes as West Orange officials filed a complaint to begin another tax foreclosure action against the city over the reservoir property. In the July 27 filing, Michael Pellegrino, an outside attorney who was hired to represent the township, stated that most of the amount due to redeem a tax certificate issued in March 2010 had not been paid.

An email request for comment, containing a list of questions, was sent to Pellegrino on Monday. It was not answered. Jessica Glicker, the township's public information officer, said Tuesday she was attempting to get information about the case.

According to township records included

in the filing, approximately \$172,000 was required to redeem the certificate as of May 9. That amount would grow to nearly \$185,000 by Nov. 9.

It is not the first time the city has faced problems with West Orange regarding the reservoir. The township's Tax Collector's Office provided documents in April which showed the city owed West Orange nearly \$602,000 as of the first week of April. The amount covered a period since 2004, according to the documents.

In an interview at the time, Hawkins said city officials claim township assessors incorrectly zoned the reservoir for single-family residences based on frontage along Cherry Lane. Hawkins said city officials consider the reservoir a recreational site and tax-exempt under state law.

Hawkins did not respond to a Monday request for comment.

An agreement to lease the reservoir likely would result in the city withdrawing a suit it had filed against the county in April. In it, city officials alleged the county encroached upon a portion of the reservoir by operating a train ride through the Turtle Back Zoo, which is separated from the reservoir by the Richard Codey Arena. The city sought \$1 million from the county in its lawsuit.

The lawsuit was filed after more than a year of claims from both sides. City officials claimed the county was attempting a potential "eminent domain" claim in order to connect the zoo, arena and a miniature golf course on the opposite side of the reservoir into a county recreational complex with a restaurant. County officials have claimed the city has provided little maintenance to the point that areas within the reservoir are unsafe.