

A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF ORANGE TOWNSHIP HELD IN THE COUNCIL CHAMBERS, CITY HALL, 29 NORTH DAY STREET, ORANGE, NEW JERSEY, ON WEDNESDAY, JANUARY 2, 2013 IMMEDIATELY FOLLOWING THE CONFERENCE MEETING AT 8:26PM.

- 1) **PLEDGE OF ALLEGIANCE TO THE FLAG**
- 2) **ROLL CALL**

	PRESENT	ABSENT
Hon. Hassan Abdul-Rasheed (West-Ward)	_____	_____X_____
Hon. Elroy A. Corbitt (At-Large)	_____X_____	_____
Hon. April Gaunt-Butler (At-Large)	_____X_____	_____
Hon. Linda Jones-Bell (East-Ward)	_____X_____	_____
Hon. Edward B. Marable Jr. (South Ward)	_____	_____X_____
Hon. Donna K. Williams (At-Large)	_____X_____	_____
Hon. Tency A. Eason (North Ward)	_____X_____	_____
Council President		

ALSO PRESENT

Shinell Smith, Deputy Municipal Clerk	_____X_____	_____
Hon. Dwayne D. Warren, Esq., Mayor	_____	_____X_____
Dan S. smith, City Attorney	_____X_____	_____
Kevin D. Harris, Legislative Research Officer	_____X_____	_____
Shirley Bailey, Clerk’s Office	_____X_____	_____

- 3) **The Deputy Municipal Clerk announces that the requirement 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 and published in the Star Ledger on July 5, 2012, posted on the Bulletin Board in City Hall and filed in the Office of the Municipal Clerk.**

- 4) **APPROVAL OF MINUTES OF PREVIOUS MEETINGS**

December 4, 2012- Conference & Regular Meeting - REMOVED

Motion: _____ Second: _____

December 18, 2012 - Conference & Regular Meeting - REMOVED

Hon. Abdul- Rasheed & Jones- Bell cannot vote, because they were not present.

Motion: _____ Second: _____

- 5) **REPORTS:**

None

CONSTABLE REPORTS:

None

OPRA REQUEST REPORTS

None

6) COMMUNICATIONS AND PETITIONS

None

- 7) CITIZEN COMMENTS ON GENERAL ISSUES/AGENDA ITEMS
PURSUANT TO SECTION 4-10 OF THE CODE OF THE CITY OF ORANGE
TOWNSHIP, "EACH PERSON ADDRESSING THE COUNCIL SHALL STEP UP
TO THE MICROPHONE, SHALL GIVE HIS OR HER NAME IN AN AUDIBLE
TONE FOR THE RECORD, AND UNLESS FURTHER TIME IS GRANTED BY
THE PRESIDING OFFICER, SHALL LIMIT HIS OR HER ADDRESS TO TEN
(10) MINUTES".**

**THE PUBLIC IS EXPECTED TO CONDUCT THEMSELVES IN A PROPER MANNER,
ANY DEROGATORY, ABUSIVE OR THREATENING STATEMENTS WILL NOT
BE PERMITTED. THE CHAIR WILL IMMEDIATELY RULE SUCH CONDUCT
OUT OF ORDER AND TERMINATE ANY FURTHER COMMENTS.**

Jeffrey Feld – 268 Main Street

Mr. Feld:

- **Wished everyone a Happy New Year**
- **Complimented the Council for having Special Meetings**
- **Asked if the Legislative Research Officer could meet with him**
- **Complained that the meetings are not recorded**
- **Stated walk-ons should only be temporary**
- **Conflict of interest with McEnerney & Brady as they represent RPM**
- **Suggested the Council read best practices & user friendly budgets**
- **Said the bills list on the City's website is not the same as the one given in the packages**
- **Said Willis Edwards III signed papers for FEMA**
- **Questioned the use of grant monies**
- **Said the City cannot afford a media consultant**

William R. Lewis

Mr. Lewis wished everyone a Happy New Year. He said the Council has the power or authority to get people to do what they may not want to do. He said the Council should be careful with whom they select for different positions and they should understand the role of the City attorney. He said he has an issue with Resolution 19-2013 (Media Allies, LLC), hiring someone already on the pay roll.

Katilin Gordon – 211 Park Street

Ms. Gordon wished everyone Happy New Year. She asked about the urgency of resolutions being walked on and accepted by the Council. She also wanted to know if there will be public forums given by the reval company.

Matt Rinaldi, Tax Assessor stated after the reval company is retained, it is his intention to have them here for the second reading and a public forum.

Ms. Gordon stated she had a complaint about an undelivered OPRA request concerning information needed from Mr. McEnerney. She said he was not helpful and would not recommend him.

Gloria Stewart

Mrs. Stewart said she attended the meetings on Christmas Eve and New Year's Eve and she is still in the dark. She said she had hoped with the new administration and the newly elected officials, the Council would be able to move forward. She said things were allowed by the previous administration and this administration is paying for them. She said she would like for the City Attorney and the LRO to speak up. She said she is disturbed with the back and forth. She suggested not having a meeting until the problems of taping of the meetings are resolved. She asked about the houses that were burned out on Oakwood Avenue. She said she would like to see the Council resolve the position of the Business Administrator. She asked who is the Qualified Purchasing Agent (QPA).

Council President Eason stated Mr. Mapp is the QPA, but purchases should be approved by the Council before payment is made.

Councilwoman Williams said the Housing Authority had a resolution at their November meeting for demolition of the burned out houses. She said they are going through the bidding process at this time.

Council President Eason entertained a Motion to Close Citizen Comments:

Motion: Corbitt

Voice Vote

Second: Jones-Bell

8) COUNCIL COMMENTS

Councilwoman Jones-Bell wished everyone a Happy New Year and said as far as she knows, we are legally in our rights to have the meetings aired. She voiced her displeasure with what is going on. She suggested an Executive (Closed) Session to try to resolve some of the problems between the administration and the Council.

Councilwoman Williams:

- **Gave a reflection of new Mayor and Administration**
- **Said something went wrong**
- **Said she is frustrated in 90 days**
- **The Council is being disrespected**

- **In less than 24 hours, a person who was rejected was put in another position**
- **Things are coming to the Council underhanded and needs to stop**
- **Orange Library is in disarray**
- **Court has ordered 11 people on the lay-off lists returned but that has not happened**
- **No one should say you can't talk to the Council**
- **Remember the mission is to serve the residents of Orange**
- **Asked Police Director Sims about a form informing those who need to know what is going on**

Police Director Sims stated he has not moved on the form yet. He said the Council is always free to contact him for information. He said he would like to bring the form before his executive staff and the prosecutor. He would like to discuss the form with his Chief of Detectives to make sure he does not give out information that would impede an investigation.

Councilwoman Williams announced L&M (doing development at 50-55 South Essex) will have a community meeting Tuesday, January 08, 2013 from 6:30PM-8:00PM at the Orange YWCA on Main Street. She said the Orange Library will be meeting on January 10, 2013 at 7:00PM.

Councilwoman Gaunt-Butler wished everyone a Happy New Year, stated she is willing to be the person to bridge the gap between the Council and the administration. She said she has concerns that the meetings are not being recorded.

Council President Eason stated for future reference please remember the Board of Education have their meetings every 2nd Tuesday.

Councilman Corbitt wished everyone a Happy New Year. He said he has no problem working with the administration. He said we should have open and fair negotiations.

Council President Eason:

- **Wished everyone a Healthy, Prosperous and Safe New Year.**
- **Congratulated Police Director Sims for positive comments coming from police department**
- **Commended the Council for coming together**
- **Thanked Mr. Garrett from the County, Orange Park looks better**

Council President Eason entertained a Motion for a 5 minute break at 9:55PM

Motion: Williams

Voice Vote

Second: Corbitt

Council President Eason entertained a Motion to reconvene at 10:17PM

Motion: Corbitt

Voice Vote

Second: Gaunt-Butler

9) ORDINANCES–SECOND READING/PUBLIC HEARING

35-2012 An ordinance to amend the Code of the City of Orange Township, Chapter 200, entitled "Vehicles and Traffic" Section 220-52-1 Handicapped Parking Spaces. (120 Central Place, Apt. #204)

The Deputy Municipal Clerk announced that this ordinance had been published and posted pursuant to law; copies of the ordinance had been made available to the public when requested.

The Deputy Municipal Clerk then read the ordinance by title that constitutes a second reading pursuant to law.

Council President Eason then announced that there would be a public hearing on this ordinance and any persons wishing to speak on this ordinance should come forward, state his/her name and address for the record, all remarks should be directed to the Presiding Officer.

Council President Eason entertained a Motion to Close Public Hearing

Motion: Eason

Voice Vote

Second: Jones-Bell

Council President Eason entertained a Motion to Adopt

Motion: Corbitt

Second: Gaunt-Butler

The roll call by the Deputy Municipal Clerk was as follows:

Yeas: Corbitt, Gaunt-Butler, Jones-Bell, Williams, Council President Eason

Nays: None

Abstentions: None

Absences: Abdul-Rasheed, Marable

Council President Eason ruled the Motion was carried by Five Yeas, No Nays, No Abstentions, Two Absent.

10) ORDINANCE INTRODUCTION /FIRST READING

Council President Eason entertained a Motion to add Ordinance 1-2013 to the Agenda

1-2013 Ordinance of the City of Orange Township, in the County of Essex, State of New Jersey (The "City") providing for a special emergency appropriation in an amount not to exceed \$154,200.00 to fund the preparation and execution of a complete program of revaluation of real property in the city.

Motion: Corbitt

Second: Williams

The roll call by the Deputy Municipal Clerk was as follows:

Yeas: Corbitt, Gaunt-Butler, Jones-Bell, Williams, Council President Eason

Nays: None

Abstentions: None

Absences: Abdul-Rasheed, Marable

Council President Eason ruled the Motion was carried by Five Yeas, No Nays, No Abstentions, Two Absences.

Council President Eason entertained a Motion to Adopt**Motion: Corbitt****Second: Jones-Bell**

On the Motion, Jeffrey Feld stated the public has not had an opportunity to view this and the Council should rescind the old ordinance and come back with a new ordinance with the full amount. He said he thinks a portion of the money should have been used last year.

Mr. Mapp stated Mr. Feld is incorrect. He said the money can be used at any time, however, what it does require is that you pass 1/5 of the cost on to the taxpayers in each of the next five years. He said it does not suggest you have to spend 1/5 of the amount in 2012.

Council President Eason stated she thinks the ordinance should be revised and brought back to the Council with a total cost.

Councilman Corbitt asked if Mr. Rinaldi what is the urgency.

Mr. Rinaldi stated the urgency is we were ordered to have a reval in 2012. We requested an extension and was granted same. The reval company stated they need a minimum of ten months. We have to set the reval for 2014. He then gave the time frame for the process which is why he wanted the ordinance passed tonight.

Council President Eason said to rescind this ordinance and have a new one on January 15, 2013 for the total cost. She said we can waive the twenty days waiting period.

Council President Eason entertained a Motion to rescind the Motion and Second

Motion: Corbitt**Second: Gaunt-Butler**

The roll call by the Deputy Municipal Clerk was as follows:

Yeas: Corbitt, Gaunt-Butler, Jones-Bell, Williams, Council President Eason

Nays: None

Abstentions: None

Absences: Abdul-Rasheed, Marable

Council President Eason ruled the Motion was carried by Five Yeas, No Nays, No Abstentions, Two Absences.

11) 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.

Council President Eason entertained a Motion to Suspend the Rules of the Agenda to add Resolutions 24-2013, 25-2013, 26-2013 and 27-2013 to the Consent Agenda.

***24-2013** An emergency authorizing payment of service rendered from July 1, 2012 to December 31, 2012. This contract with the University of Medicine and Dentistry of New Jersey, 65 Bergen Street, Suite 1419, Newark, New Jersey 07107 for dispatch services for the City's fire Department.

***25-2013** A resolution approving an agreement between the City of Orange Township and the University of Medicine and Dentistry of New Jersey, 65 Bergen Street, Suite 1419, Newark, New Jersey 07107, to continue providing dispatch services for the City's Fire Department.

Motion: Corbitt

Second: Gaunt-Butler

The roll call by the Deputy Municipal Clerk was as follows:

Yeas: Corbitt, Gaunt-Butler, Jones-Bell, Williams, Council President Eason

Nays: None

Abstentions: None

Absences: Abdul-Rasheed, Marable

Council President Eason ruled the Motion was carried by Five Yeas, No Nays, No Abstentions, Two Absences.

RESOLUTIONS: *2-2013 – *7-2013, *09-2013, *11-2013 - *18-2013, *20-2013, *23-2013 - 25-2013

***2-2013** A resolution authorizing the refund of taxes paid due to overpayment in the total amount of \$273.50.

***3-2013** A resolution authorizing the refund of taxes due to county board judgment in the amount of \$1,633.92 to Childress, Tracy D., 408 Heywood Avenue, Block 6901, Lot 010.

***4-2013** A resolution authorizing the tax collector to cancel fourth quarter 2011 and all quarters of 2012 tax billing for A.K.J. Realty, LLC, 228 Main Street, block 2902, Lot 009.

***5-2013** A resolution authorizing the refund of taxes due to county board judgment in the amount of \$10,759.01 to Andrew S. Kessler, Esq.

***6-2013** A resolution authorizing the refund of taxes due to county board judgment in the amount of \$2,816.73 to Christine Hinds, Esq.

***7-2013** A resolution authorizing the refund of 3rd quarter 2012 taxes paid due to overpayment in the total amount of \$2,872.13.

***9-2013** A resolution authorizing the refund of taxes due to state tax court judgments in the amount of \$18,205.91.

- *11-2013** A resolution authorizing the refund of taxes due to county board judgment in the amount of \$1,776.00 to Ashiel, Luul G., 414 Berwick Street, Block 5802, Lot 004.
- *12-2013** A resolution authorizing the refund of taxes due to county board judgment in the amount of \$2,550.33 to Champagne, Mary Alice & Trudy, 653 Tremont Court, Block 6602, Lot 009.
- *13-2013** A resolution authorizing the refund of taxes due to county board judgment in the amount of \$3,196.80 to Champagne, Trudy, 171 Tremont Avenue, Block 5602, Lot 026.
- *14-2013** A resolution authorizing the refund of taxes due to county board judgment in the amount of \$1,065.60 to Williams, Sandra E., 543 Morris Street, Block 6210, Lot 008.
- *15-2013** A resolution authorizing the refund of taxes due to county board judgment in the amount of \$710.40 to Cregget, Loretta & David, Joseph, 399 Tremont Place, Block 6402, Lot 010.
- *16-2013** A resolution authorizing the tax collector to refund the subsequent water paid by the outside lien holder, U.S. Bank custodian for Tower DBW, for property known as 81 North Day Street, Block 2001, Lot 029, qualifier C0003 in the amount of \$166.98.
- *17-2013** A resolution authorizing the refund of taxes due to county board judgment in the amount of \$3,632.31 to Alexander, Jerrell E. & Robin, 194 Stirling Avenue, Block 6705, Lot 013.
- *18-2013** A resolution authorizing the execution of an agreement with the “Female Achievers Program” as a component of the Municipal Alliance Program funded through the New Jersey Governor’s Council on Alcoholism and Drug Abuse Program from January 1, 2012 – December 31, 2012 in an amount not to exceed \$7,500.00.
- *20-2013** A resolution authorizing the City of Orange Township to enter into an emergency contract with E.I.C. Inspection Agency Corp., 3705 Kennedy Blvd., Jersey City, NJ 07307 to conduct elevator subcode and inspection services for the City of Orange Township for a period of 60 days or less.
- *23-2013** A resolution authorizing the issuance of a Raffle License. (Our Lady of Mount Carmel Church)

Council President Eason entertained a Motion to Adopt Consent Agenda

Motion: Corbitt

Second: Williams

The roll call by the Deputy Municipal Clerk was as follows:

Yeas: Corbitt, Gaunt-Butler, Jones-Bell, Williams, Council President Eason

Nays: None

Abstentions: None

Absences: Abdul-Rasheed, Marable

Council President Eason ruled the Motion was carried by Five Yeas, No Nays, No Abstentions, Two Absences.

- *1-2013** A resolution approving the bill list for council meeting vote on January 2, 2013 dated December 24, 2012 and approving checks issued by the Finance Department in accordance with Ordinance 2-95 (Grand Total: \$3,070,351.69)

Council President Eason entertained a Motion to Amend and Adopt

Motion: Corbitt

Second: Williams

On the Motion, payments for the furniture (\$1,141.58), Media Allies (\$5,933.32), permits (\$275.00) and hotel charge (\$105.00) for Councilwoman Williams were deducted from the bills list.

The roll call by the Deputy Municipal Clerk was as follows:

Yeas: Corbitt, Gaunt-Butler, Jones-Bell, Williams, Council President Eason

Nays: None

Abstentions: None

Absences: Abdul-Rasheed, Marable

Council President Eason ruled the Motion was carried by Five Yeas, No Nays, No Abstentions, Two Absences

- *8-2013** A resolution authorizing the refund of taxes due to county board judgment in the amount of \$2,916.19 to Holloway, Russella, 504 Glebe Street, Block 3905, Lot 010.

Motion: Corbitt

Second: Williams

The roll call by the Deputy Municipal Clerk was as follows:

Yeas: Corbitt, Jones-Bell, Williams

Nays: None

Abstentions: Gaunt-Butler, Council President Eason

Absences: Abdul-Rasheed, Marable

Council President Eason ruled the Motion was carried by Three Yeas, No Nays, Two Abstentions, Two Absences

- *10-2013** A resolution authorizing the refund of taxes due to county board judgment in the amount of \$1,601.95 to Wilson, Effiom & Holloway, Russella, 591 Nassau Street, Block 5004, Lot 034.

Motion: Corbitt

Second: Jones-Bell

The roll call by the Deputy Municipal Clerk was as follows:

Yeas: Corbitt, Jones-Bell, Williams

Nays: None

Abstentions: Gaunt-Butler, Council President Eason

Absences: Abdul-Rasheed, Marable

Council President Eason ruled the Motion was carried by Three Yeas, No Nays, Two Abstentions,

- *19-2013** A resolution authorizing the award of a contract to Media Allies, LLC ads public relations consultant for the City of Orange Township for an amount not to exceed \$35,600.00.

Council President Eason entertained a Motion to Table

Motion: Williams

Second: Corbitt

The roll call by the Deputy Municipal Clerk was as follows:

Yeas: Corbitt, Jones-Bell, Williams

Nays: None

Abstentions: Gaunt-Butler, Council President Eason

Absences: Abdul-Rasheed, Marable

Council President Eason ruled the Motion was carried by Three Yeas, No Nays, Two Abstentions, Two Absences

- *21-2013** A resolution of the City of Orange Township, in the County of Essex, State of New Jersey authorizing Special Emergency notes in an amount not to exceed \$300,000 to fund the extraordinary expense for the repair or reconstruction of public property damaged by Hurricane Sandy. WITHDRAWN
- *22-2013** A resolution of the City of Orange Township, in the County of Essex, State of New Jersey (The "City") providing for a Special Emergency Appropriation in an amount not to exceed \$300,000 to fund the extraordinary expense for the repair or reconstruction of Public Property damaged by Hurricane Sandy. WITHDRAWN
- *26-2013** A resolution authorizing the adoption of current fund temporary budget appropriations for the months of January through March 2013 prior to the adoption of CY 2013 Budget in accordance with N.J.S.A. 40A:4-19.

Council President Eason entertained a Motion to Amend to \$11,656,460.00

Motion: Corbitt

Second: Williams

The roll call by the Deputy Municipal Clerk was as follows:

Yeas: Corbitt, Gaunt-Butler, Jones-Bell, Williams, Council President Eason

Nays: None

Abstentions: None

Absences: Abdul-Rasheed, Marable

Council President Eason ruled the Motion was carried by Five Yeas, No Nays, No Abstentions, Two Absences

Council President Eason entertained a Motion to Adopt

Motion: Corbitt

Second: Jones-Bell

The roll call by the Deputy Municipal Clerk was as follows:

Yeas: Corbitt, Gaunt-Butler, Jones-Bell, Williams, Council President Eason

Nays: None

Abstentions: None

Absences: Abdul-Rasheed, Marable

Council President Eason ruled the Motion was carried by Five Yeas, No Nays, No Abstentions, Two Absences

***27-2013 A resolution authorizing a contact with McEnerney, Brady & Company, LLC to serve as Municipal Auditors to perform the Calendar Year 2012 Audit along with Ancillary Accounting services to complete the City's Annual Financial Statement in an amount not to exceed \$83,500.00.**

Council President Eason entertained a Motion to Adopt

Motion: Corbitt

Second: Jones-Bell

The roll call by the Deputy Municipal Clerk was as follows:

Yeas: Corbitt, Gaunt-Butler, Jones-Bell, Williams, Council President Eason

Nays: None

Abstentions: None

Absences: Abdul-Rasheed, Marable

Council President Eason ruled the Motion was carried by Five Yeas, No Nays, No Abstentions, Two Absences

Council President Eason entertained a Motion to Extend the Meeting – 11:14PM

Motion: Jones-Bell

Second: Williams

The roll call by the Deputy Municipal Clerk was as follows:

Yeas: Jones-Bell, Williams, Council President Eason

Nays: Corbitt, Gaunt-Butler

Abstentions: None

Absences: Abdul-Rasheed, Marable

Council President Eason ruled the Motion was carried by Three Yeas, Two Nays, No Abstentions, Two Absences

12) OTHER PENDING BUSINESS

Council President Eason stated the Bond Ordinance is going to the Finance Committee and will meet on Monday at 7:00PM.

13) MOTION TO ADJOURN

Council President Eason entertained a Motion to Adjourn

Motion: Corbitt

Voice Vote

Second: Jones-Bell

Adopted:

Shinell V. Smith
Deputy Municipal Clerk

Tency A. Eason
Council President

MINUTES APPROVAL

Passed on February 5, 2013

Conference and Regular Meeting, January 2, 2013

Councilman Abdul-Rasheed and Councilman Marable cannot vote because he was not present.

Council President Eason entertained a Motion to adopt.

Motion to Adopt: Corbitt

Second: Jones-Bell

The roll call by Deputy Municipal Clerk was as follows:

Yeas: Corbitt, Gaunt-Butler, Jones-Bell, Williams and Eason

Nays: None

Abstentions: None

Absences: None

Council President Eason ruled the Motion was carried by Five yeas, No Nays, No Abstentions and No Absences.