

This was a regular meeting of the City Council of the City of Orange, Township held in the Council Chambers of City Hall, 29 North Day Street, Orange, New Jersey, on Tuesday, January 3, 2017 following the Conference meeting.

The Chair led all assembled in a Salute to the American Flag.

Roll Call:

Present: Councilman Kerry Coley, East Ward
Councilwoman Tency A. Eason, North Ward
Councilman Christopher Jackson, At-Large
Councilman Harold Johnson, Jr. West Ward
Councilwoman Jamie Summers-Johnson., South Ward
Councilwoman Donna K. Williams, At-Large
Councilwoman Adrienne Wooten, At-Large

Also Present: Joyce L. Lanier, City Clerk
Chris Hartwyk, Business Administrator (BA)
Eric Pennington, City Attorney
Todd Warren, Police Director
Kenneth Douglass, Fire Director
Marty Mayes, Director of Planning/Public Works
Adrian Mapp, Acting Finance Director
Joy Lascari, Chief Financial Officer
Marlin Townes, Representing the Acting Legislative Research Officer
Margarette Homere, Senior Clerk,

The City 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 Star Ledger and published in the Record-Transcript on July 14, 2016, posted on the Bulletin Board in City Hall and filed in the Office of the City Clerk.

The City Clerk reported on the following:

APPROVAL OF MINUTES MEETINGS **None.**

REPORTS:

DEPARTMENT MONTHLY REVENUE COLLECTION **None**

CONSTABLE REPORTS **None**

OPRA REPORTS **None**

COUNCIL REPORTS **None**

Council President directed the Clerk to file reports.

COMMUNICATIONS AND PETITIONS

None

CITIZEN COMMENTS ON GENERAL ISSUES/AGENDA ITEMS

The City Clerk made the following statement:

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 Five (5) 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.

The following residents and business owners made comments.

- Mr. William Lewis commented on the Presidential Election and the hacking that may have taken place. He spoke about the Council developing their skills and the roll of the Council.
- Business Administrator Hartwyk provided the residents with information about the new phone system in Town Hall
- Mr. Jeffery Feld commented that there will be hearing on the City's director retention resolution. Thanked the BA, Clerk's Office and the Chief Financial Officer for their efforts to increase transparency and accountability. Spoke about the minutes, broadcasting of the meetings. Spoke about Resolution 9-2017 and the bill list. Spoke about the transfer of money between different accounts at the end of the year. He asked for the cost of the Willis Edwards attorneys. An accounting of the litigation between the City and the Council.
- Ms. Katelin Gordon asked about ordinance 60-2016 regarding the Public Works Committee which had been withdrawn and when would it be put back on the agenda. She stated that she had asked about the number of abandoned properties that had been cleaned up by the Department of Public Works and were to have a lien on them. She Spoke of a property that was on the Resolution 5-2017 that had been assessed at zero dollars and asked how could that be. How many properties are assessed at their fair market value? She spoke of other concerns she had.
- Ms. Gloria Stewart commented that she would like the resident's 10 minutes back.

She commented that the City has a Business Administrator but still has the Mayor of Plainfield as the Finance Director and do we really need a Director of Finance. She stated that she did not see the police car on Taylor Street anymore. How was that resolved? How were 3 Directors put on one resolution? Asked about the acting Directors and how long will they be acting. Asked questions about the March election.

Motion to Close Citizen Comments by Councilwoman Summers-Johnson, seconded by Councilman Johnson.

The Motion was unanimously approved.

The Council President asked for the Fire and Police reports.

- Police Director Todd Warren provided a summary on the activity of the Police Officers and incidents within the city. Spoke about the PAL and the program for residents that have just finished their incarceration time. Councilwoman Summers-Johnson asked if there could be a notification to parents about shootings in their area. He and the BA will look into it.
- Director Douglass reported on the Fire Department's responses to fires in the City. He spoke about events that were for the children during the holidays. He provided an overview of the Fire Department's manpower and responses for last year.

Some answers to resident's questions and concerns.

- Council President Williams stated that at one time you could be an Assemblyman and a Mayor at the same time so perhaps this will also change, that a Mayor of one city can be a city employee somewhere else.
- The property with zero dollars assessment was assessed as such because of a bill board on the property.
- BA Hartwyk stated that the abandoned property list will be updated in February. He also reported that the property maintenance codes are being enforced.
- The BA stated to the Council President that the accounting of the litigation between the City and the Council had already been requested and it is being worked on.
- Mr. Mapp spoke about the inter fund transfers. By law when one fund is short moneys from another fund can be transferred over.
- The City Clerk commented that the executive session notes can only be brought to the public once the session is closed.
- The Council President provided a summary of the School Board election that will take place in March. The election will add two more board members so there are 9 board members on the board.

COUNCIL COMMENTS

Councilwoman Summers-Johnson reported on the coat drive that had taken place. She reported that the start of the basketball program sign up will start the following week for \$25.00 per player. She will be co-sponsoring a My Friend Martin Day on Martin Luther

King Day for the children at the Library. She spoke about her Southward meeting and that many questions were answered regarding the special election.

Councilwoman Eason reported that there will be a woman's march on January 21 in Washington DC. Councilwoman Eason reported that St. Matthews will have the President of the NAACP speaking from Noon to 3:00 P.M. Councilwoman Eason asked that more information be given on the new payroll system. Director Mapp stated that PrimePoint is the new payroll system and provided information on some of the procedures. Councilwoman Eason commended the Police department for their participation in the funeral that past Friday.

Councilman Johnson spoke about a Christmas card that a resident had received by the Mayor and how far the City has come and how much further it will go in 2017.

Councilman Coley asked about the budget and the BA stated that the Council will get the Administration's budget in February. Director Mapp responded with his procedures regarding his signature pad and how he will prevent it from being used by other employees when asked by Councilman Coley. The people that can sign off on checks are the Business Administrator, the Chief financial Officer and himself. Hand checks can be signed off by two signatures if one of the three is out. The BA spoke about the ten thousand dollars that Mr. Ashley had not returned to the city stating that the work had been done so the money could not be returned to the City. The Library had hired him so the ten thousand dollars will be deducted from the Library's payment from the City. Councilman Coley asked about the status of the water. The BA reported that the RFP has been cancelled and the process has started over. There is an interim agreement that is being drafted between United Water and the City. The BA will now be involved with the City water dealings. The BA reported that there would be a meeting concerning the city wells which will update the city on the repairs of the wells.

Councilwoman Wooten thanked the residents for participating in the coat drive. She and the Police department personnel gave out presents to families in the area. She reported that a block on Central Avenue was not being cleaned by store owners. Director Mayes stated that he would send out inspectors to those. Director Mayes stated that he just got his Clean Community certification and he and Councilwoman Eason are seeking to hire teens to be street sweepers. BA Hartwyk informed the residents of a number of informational documents that will be distributed throughout the city. Director Mayes stated that the Glee street issue had been corrected.

Councilman Jackson asked about traffic management proposals for the city. The BA stated there will be a proposal for a parking utility which has financial benefits to the city. He requested a closed session during the January 17th meeting. Councilman Jackson reported to Director Warren that there were certain areas in the city where the signage was not being obeyed. Do the Police have a plan to correct that? The Council President stated that would be discussed in closed session.

Council President Williams gave a summary of the Finance committee meeting with regard to upcoming proposals and projects, new policies for checks and purchase orders, the budget and RFPs for the water. She reported on upcoming events that are to take place in Trenton and Washington DC.

ORDINANCES-SECOND READING/PUBLIC HEARING

None

ORDINANCES INTRODUCTION/ FIRST READING

The City Clerk read Ordinance Number 1-2017 by title.

1-2017 An ordinance to amend the code of the City of Orange Township, Chapter 200 entitled "Vehicles and Traffic", Section 200-33, No Parking Certain Hours on Ogden Street.

Motion that Ordinance 1-2017 be introduced on first reading and that the public hearing would be held February 7, 2017 by Councilwoman Summers-Johnson, seconded by Councilman Jackson.

Roll Call:

Ayes: Coley, Eason, Jackson, Johnson, Jr., Summers-Johnson, Wooten, Williams
Nays: None.
Abstain: None.
Absent: None.

Motion Carries.

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 request, in which event, the item will be removed from the general order of business and considered in its normal sequence of the agenda.

RESOLUTION NUMBERS*1-2017-*13-2017

- *1-2017 A resolution authorizing the cancellation of Tax Sale Certificate No. 15-0014 and authorizing refund payment to lien holder in the amount of \$7,805.36 plus interest.**
- *2-2017 A resolution authorizing the tax collector to refund subsequent charges paid by the outside**

lien holder, Pro Cap III, LLC for property known as 227 N. Center St., Block 1006, Lot 41 in the amount of \$29.92.

- *3-2017** A resolution authorizing the tax collector to refund subsequent charges paid by the outside lien holder, Pro Cap III, LLC for property known as 620 Tremont Ave., Block 6108, Lot 6 in the amount of \$463.47.
- *4-2017** A resolution authorizing the cancellation of Tax Sale Certificate Number 15-00124 and subsequent property taxes for 2015 sold to the City of Orange Township in the amount of \$59,859.25 for the property located at 212 Pierson Street Block 3403, Lot 3.
- *5-2017** A resolution authorizing the cancellation of Tax Sale Certificate Number 130230A and subsequent property taxes for 2016 sold to Imperstate LLC in the amount of \$8,314.42 for the property located at 297 Scotland Road, Block 4003, Lot 7 Qual B01. **(removed for separate vote)**
- *6-2017** A resolution authorizing the City of Orange Township to fix the rate of interest to be charged on delinquent taxes and other municipal charges. **(removed for separate vote)**
- *7-2017** A resolution authorizing the award of a non-fair and open contract with Netta Architects, 1084 Route 22 West, Mountainside, New Jersey 07092 to provide professional architectural, surveying, design and construction inspection services for the Washington Street Fire House Roof Replacement in the amount not to exceed \$18,000.00.
- *8-2017** A resolution to terminate all participation under the State Health Benefits Program and School Employees' Health Benefit Program (including Prescription Drug Plan and/or Dental Plan coverage. **(removed for separate vote)**
- *9-2017** A resolution affirming a contract for professional services for special appellate counsel to represent the City of Orange Township with regard to appellate litigation pursuant to non-fair and open process. **(removed for an Executive Session discussion)**
- *10-2017** A resolution authorizing an addendum to Resolution #302-2014 to Peonni Associates, Inc., 24 Commerce Street, Suite 300, Newark, New Jersey 07102 for providing additional construction administration inspections for the roadway improvements to Fairview Avenue, Snyder Street and Jackson Street in an amount not to exceed \$17,010.00.

***11-2017** A resolution authorizing a contract with O'Connor Davies, LLC (O'Connor Davies) and its division, McEnerney, Brady & Company, LLC (McEnerney Brady), to serve as municipal auditors to perform the calendar year 2016 audit, and to assist with the preparation of the annual Financial Statement along with ancillary accounting services in an amount not to exceed \$100,000.00.

***12-2017** A resolution designating Parrow Street beginning at Oakwood Avenue and Ending at Hickory Street as He4rman E. Hicks, Jr. Way-In honorarium M (Sponsored by: Council Member Adrienne Wooten & The Orange Municipal Council) (removed for separate vote)

***13-2017** A resolution authorizing the adoption of Current Fund and Water/Sewer Utility Fund temporary budget appropriations for months of January through March 2017 prior to the adoption of the CY2017 Budget in accordance with N.J.S.A. 40A:4-19.

***14-2017** A resolution approving the bill list for council meeting vote on January 3, 2017 dated December 30, 2016 and approving checks issued by the Finance Department in accordance with Ordinance 2-95 (Grand Total: \$ 7,216,059.42). (removed for separate vote)

Motion to adopt the Consent Agenda by Councilman Johnson, seconded by Councilwoman Eason

Roll Call:

Ayes: Coley, Eason, Jackson, Johnson, Jr., Summers-Johnson, Wooten, Williams

Nays: None.

Abstain: None.

Absent: None.

Motion Carries.

The Chair read Resolution 5-2017 by Title.

5-2017 A resolution authoring the cancellation of Tax Sale Certificate Number 130230A and subsequent property taxes for 2016 sold to Imperstate LLC in the amount of \$8,314.42 for the property located at 297 Scotland Road, Block 4003, Lot 7 Qual B01.

Motion to adopt Resolution 5-2017 by Councilwoman Eason, seconded by Councilwoman Summers-Johnson.

Council President Williams requested that the Legislative Research Officer and the City Attorney report back on Resolution 154-2015 regarding matters that were of concern.

Roll Call:

Ayes: Coley, Eason, Jackson, Johnson, Jr., Summers-Johnson, Wooten, Williams

Nays: None.

Abstain: None

Absent: None

Motion Carries.

The Chair read Resolution 6-2017 by Title.

6-2017 A resolution authorizing the City of Orange Township to fix the rate of interest to be charged on delinquent taxes and other municipal charges.

Motion to adopt Resolution 6-2017 by Councilwoman Eason, seconded by Councilman Johnson.

Attorney Pennington had a comma placed in paragraph 1 line 4 to indicate separate actions.

Motion to adopt Resolution 6-2017 as amended by Councilwoman Eason, seconded by Councilman Johnson.

Roll Call:

Ayes: Coley, Eason, Jackson, Johnson, Jr., Summers-Johnson, Wooten, Williams

Nays: None.

Abstain:

Absent:

Motion Carries.

The Chair read Resolution 8-2017 by Title.

8-2017 A resolution to terminate all participation under the State Health Benefits Program and School Employees' Health Benefit Program (including Prescription Drug Plan and/or Dental Plan coverage.

The Council President added to line 2 of the resolution. BA Hartwyk stated that if there are any changes to the wording the State will not accept it. She withdrew her change.

Motion to adopt Resolution 8-2017 by Councilwoman Eason, seconded by Councilman Johnson.

Roll Call:

Ayes: Coley, Eason, Jackson, Johnson, Jr., Summers-Johnson, Wooten, Williams

Nays: None.

Abstain:

Absent:

Motion Carries.

The Chair read Resolution 12-2017 by Title.

City Attorney Pennington provided changes to the resolution which Council agreed with.

12-2017 A resolution designating Parrow Street beginning at Oakwood Avenue and Ending at Hickory Street as Herman E. Hicks, Jr. Way-In memora?? (Sponsored by: Council Member Adrienne Wooten & The Orange Municipal Council)

Motion to adopt Resolution 12-2017 as amended by Councilwoman Eason, seconded by Councilman Johnson.

Councilwoman Wooten reported that there would be a reception at the Walter G apartments

Roll Call:

Ayes: Coley, Eason, Jackson, Johnson, Jr., Summers-Johnson, Wooten, Williams

Nays: None.

Abstain:

Absent:

Motion Carries.

Motion to have an Executive Session by Councilwoman Summers-Johnson, seconded by Councilman Johnson.

Roll Call:

Ayes: Coley, Eason, Jackson, Johnson, Jr., Summers-Johnson, Wooten, Williams

Nays: None.

Abstain:

Absent:

Motion Carries.

Motion to enter into Executive Session by Councilman Johnson, seconded by Councilman Jackson.

Roll Call:

Ayes: Coley, Jackson, Johnson, Jr., Summers-Johnson, Wooten, Williams

Nays: None.

Abstain:

Absent:

Motion Carries.

The Council President reported that Councilwoman Eason had stepped away.

The Council President stated that the reason for the Executive session to discuss safety measures and personnel and litigation.

Returning from the Executive Session the Clerk asked for a motion to extend the meeting past 10:30.

Motion to extend the meeting by Councilman Jackson, seconded by Councilman Johnson.

Roll Call:

Ayes: Coley, Jackson, Johnson, Jr., Summers-Johnson, Wooten, Williams

Nays: Eason.

Abstain:

Absent:

Motion Carries.

The Chair read Resolution 9-2017 as amended.

9-2017 A resolution affirming a contract for professional services for special appellate counsel to represent Mayor Warren in his official capacity as the Mayor of the City of Orange Township with regard to appellate litigation pursuant to non-fair and open process.

The Clerk reported other changes within the resolution.

Motion to adopt Resolution 9-2017 as amended by Councilwoman Eason, seconded by Councilman Johnson.

Roll Call:

Ayes: Coley, Eason, Jackson, Summers-Johnson, Wooten, Williams

Nays: None.

Abstain: Johnson, Jr.

Absent:

Motion Carries.

The Clerk read Resolution 14-2017 by Title.

14-2017 A resolution approving the bill list for council meeting vote on January 3, 2017 dated December 30, 2016 and approving checks issued by the Finance Department in accordance with Ordinance 2-95 (Grand Total: \$ \$7,216,059.42).

Motion to adopt Resolution 14-2017 by Councilman Jackson, seconded by Councilwoman Eason.

Roll Call:

Ayes: Coley, Eason, Jackson, Johnson, Jr., Summers-Johnson, Wooten, Williams

Nays: None.

Abstain:

Absent:

Motion Carries.

NEW BUSINESS

OTHER PENDING BUSINESS None.

Motion to adjourn by Councilwoman Eason, seconded by Councilwoman Wooten.

REGULAR MEETING

JANUARY 3, 2017

By consensus the regular meeting adjourned at 10:55 P.M

Approved:

Joyce L. Lanier
City Clerk

Donna K. Williams
Council President