

THIS WAS 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 TUESDAY, MARCH 1, 2016, IMMEDIATELY FOLLOWING THE CONFERENCE MEETING.

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

Roll Call:

Present: Councilman Kerry Coley, East Ward
Councilman Elroy A. Corbitt, At-Large
Councilwoman Tency A. Eason, North Ward
Councilman Harold Johnson, Jr. West Ward
Councilwoman Jamie Summers-Johnson., South Ward (arrived @ 8:14)
Councilwoman Donna K. Williams, At-Large
Council President April Gaunt-Butler, At-Large

Also Present: Joyce L. Lanier, City Clerk
Adrian Mapp, Finance Director
Dan Smith, City Attorney
Kevin Harris, Legislative Research Officer
Margarette Homere, Senior Clerk,
Kenneth Douglas, Fire Director,
John Wade, Acting Police Director
Joy Lascari, Chief Financial Officer
Marty Mayes, Acting Business Administrator

The City Clerk announces that the requirement of N.J. S.A. 10:4-9 et. seq., The Sunshine Law had been met. A notice of this meeting was sent to the Record-Transcript and published in the Star Ledger on July 16, 2015, posted on the Bulletin Board in City Hall and filed in the Office of the City Clerk.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS – None.

REPORTS:

DEPARTMENT MONTHLY REVENUE - None.

CONSTABLE REPORTS - None.

OPRA REQUESTS - None.

COUNCIL REPORTS-

Councilwoman Williams reported that the Finance Committee met on February 29th. The Councilwoman reported on who had attended the meeting. That they discussed Resolution 49-2016, reported on the Consultant's report on the Pilot program. She reported that they will review that report at the next Council meeting. She spoke about the Bill List and the amounts to the American Water Company. Legal would do a fact finding investigation and report back at the next meeting. Councilwoman Williams had Ms. Lascari come to the podium to speak about the temporary appropriations. Ms. Lascari reported that she had not had time to amend the appropriations. The Council reviewed Resolution 49-2016, the temporary appropriations, while Ms. Lascari was at the podium and answered questions about various amounts. Councilwoman Williams asked Mr. Copeland to come to the podium Mr. Copeland, Grant Wrier for the City of Orange, reported that the Administration would be introducing a resolution for insurance. The Council will need to decide if the City will continue with the current carrier or chose another carrier. The Council will be given information before the next meeting.

Councilman Johnson asked when the City was exposed to the dollar amount due to American Water. Attorney Montilus reported that in 2011 there was an agreement that they would provide emergency water to the city as needed. The city became aware of the amount that was due in the fall of 2015. The city had not received any bills prior to that time. United Water was determining when to use American Water on emergency bases, and United Water never received a bill for use of water provided by American Water. There were issues with the billing system at American Water until recently and that is when the city received the bills from American Water. The city is requesting information as to when United Water started to receive bills from American Water for the city and under which circumstances United Water used American Water. The amount for American Water that is on the bill list will need to be paid or American Water will shut off their water connection for emergency water use by the city. Councilman Johnson asked who in the Administration should have been discussing water bills with United Water. Director Mayes stated that there is one person responsible in the administration but he was not at the meeting Director Mayes stated that he was well aware that United Water was sending out a report of when they were using American water and how many gallons were being used.

Councilman Coley asked when the water from American Water was used. Director Mayes stated it is used when there is a lack of water in the city system or when the wells are down. Mr. House from United Water, answered questions about the wells and questions about American Water and when it was used.

Council President directs Clerk to file reports.

COMMUNICATIONS AND PETITIONS

Attorney Tarver reported on the results of the litigation of the City Council vs. the City of Orange Township.

Mr. Jenkins, Essex County liaison to the City of Orange, provided residents with upcoming event in the County.

CITIZEN COMMENTS ON GENERAL ISSUES/AGENDA ITEMS

The City Clerk made the following statement:

“Please be apprised anyone wishing to discuss Agenda or General Items shall sign one (1) book. There will be two (2) columns in the book, one (1) for Agenda Items (not including public hearings/final adoption of ordinances) or General Issues. If they check Agenda Items or General Issues, they will be allowed to speak for a maximum of 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.

Dr. Juliano commented that Essex County College was looking for a location in Orange for an Essex County focus Center or satellite.

Mr. William Lewis, commented on some of the programs that he helped in the city and the people he worked with and gave his opinion about the YWCA resolution.

Mr. Orlando Soto spoke of his time working for the City of Orange Police Department, thanking the residents of Orange, the Council Members and people from the administration.

Mr. Jeffrey Feld, thanked Mr. Soto for his years of service to the community. Mr. Feld wanted to know who voted for the release of claims against the Mayor during the City Council vs. The City of Orange trial. He said that the bill list was missing the salary and wages pages. He asked when the city would post the Council meeting minutes on the website. Mr. Feld felt that there were questions that needed to be asked about the YWCA grant. Also noted that the 2015 Annual Debt Statement had not been posted on the website.

Mr. Chris King provided the Council with updates on various programs such as the Student Snow Clearing, and upcoming events for students of Orange and the community; such as Adopt Highland Avenue Station and Orange Station.

Ms. Gloria Stewart asked again, about Mr. Mapp being Mayor in one town and Finance Director for this town, and wasn't that a conflict. She spoke about the days an Acting BA can be in that position and perhaps if the city had a BA the issue with the water companies and the water quality would not be an issue because someone would have been checking into those issues. Ms. Stewart spoke about other concerns she has about what is happening in the city.

Mr. Eric Henry commented on the purchase of the YWCA, he did not approve of the purchase.

Mr. Henry does not approve of hiring Pennoni as the Water Company. Thanked the Council for their pursuit of Mr. Edwards but wanted to know how much money did the Council spend recovering the amount awarded.

Ms. Katalin Gordon spoke about the Court case between Mr. Feld and the city. Ms. Gordon made suggestions to the Council about the water supply in the city and recalled that the Council did vote on a number of fees for the American Water Company.

Ms. Gordon questioned if the American Water bills had been coming in since last September why wasn't Mr. Mapp, the Finance Director, aware of it. She asked about emergency usage of water and how often the city has to use it and what percentage of the total did it cover since last September?

Mr. Wilson representing the Police Union, stated that the Police have been without a contract for 7 years and asked the Council about the entitlements that had been approved by the Council but the Police never received.

Motion by Councilwoman Eason, seconded by Councilwoman Williams, to close the citizen comments.

The Motion was approved by a unanimous vote

Responses to some of the resident's questions.

- The Council President asked Director Mayes when items would be put up on the website, he replied he would get back to the Council with that information.
- Attorney Smith was asked to explain the time frame of someone in an Acting position. Attorney Smith stated that an Acting Director is given 90 days and then that person is submitted to the Council for a permanent position.
- Clerk Lanier reported that the results of a closed session would be released once the litigation is finished and then the minutes would be available for the public.
- Attorney Montilus recalled the dates that the city was contacted by American Water on the City's outstanding water bill. Information about East Orange and Orange Water connections will be investigated and the resolution will be reviewed
- Regarding the entitlements that the Police had not received Attorney Smith stated that he will have to review that and inform the Council the next day.

Motion to recess by Councilwoman Williams, seconded by Councilwoman Summers-Johnson.

The Motion was approved by a unanimous vote.

COUNCIL COMMENTS

Councilwoman Summers-Johnson reviewed her South Ward meeting dates which brings the Government to the people.

Councilwoman Eason made announcements of seminars for summer jobs. She spoke of the stop sign on Washington and Cleveland and also wanted a white line on the street to show vehicles were to stop. Councilwoman Eason asked about paving Dodge St. Director Mayes stated that the city is trying to find the money to pave Dodd St, and he will have an answer next week.

Councilman Johnson reported that there would be line dancing at the YWCA. He was concerned that the Council was not informed about the line dancing event at the YWCA. The Clerk reported that it was sent by e-mail. He also remarked that a lady's picture who was running for office was on the line dancing announcement. The Councilman was happy that the Edwards litigation was over and he could now speak to his residents about the case.

Councilman Coley asked Attorney Smith shouldn't the name, title and salary of employees be on the website. Attorney Smith stated that information is in the budget which residents have access too. Councilman Coley asked for the water damage cost from the recent flood in city hall. Director Mayes stated the estimates are still coming in. He was given the resolution on the East Orange water connection and he asked that the Council come back to him after he has had time to review the resolution.

Councilman Corbitt reported that he was at the Police station last week and he reported that there is a lot of work that has to be done in the Police locker room. The Councilman suggested that when items break they should be replaced quickly and he did not understand why the corrections to the locker room were taken so long. Director Mayes had not heard that there was an issue with the Police locker room. Director Mayes will look into that.

Councilwoman Williams asked Director Mayes the timeline on the removal of radium from the Alden Street Park. Director Mayes stated the State came in and cleaned the site. The Park will be open in the spring time. Director Mayes stated that the main way the site was cleared was by the removal of the soil. Councilwoman Williams asked Director Mayes about having a Skate Board Park built in Orange and he reported that the city is looking to have one within 2 years. The Councilwoman reported on events in Essex County that would interest residents. Councilwoman Williams asked if the process had been started for the Budget Committee. The Councilwoman had Director Mayes confirm that he was sharing duties of the Business Administrator with Mr. Copeland. Mr. Copeland is the Deputy BA and Director Mayes is the Acting BA. January 19th, 2016 was the date that he was assigned as Acting BA. Both positions were assigned on the same day. Councilwoman Williams would like that information in writing.

Councilman Coley referred to Resolution 134-2015 and asked if the resolution was ever put into effect. Director Mayes stated it was not, due to the fact that East Orange has issues with their own water capacity and were not allowed to move forward with the plan. Councilman Coley wanted the resolution rescinded and asked

where was the money that would have gone toward the contract. Director Mayes stated there was no money for that contract.

Attorney Harris reported that Resolution 134-2015 could be rescinded and cancel the contract. With regard to the Pennoni Water Company Councilman Coley wanted to start the bidding process all over again. The City Attorney stated that an executive session would have to take place before it could be talked about.

Councilman Coley stated that the Mayor had wasted 1 million dollars in 3 ½ years trying to get a legal position for an unqualified friend. The city spent 1 million dollars and Mr. Edwards will pay back around \$300,000.00.

The Council President asked for a recess at this time.

Motion to recess by Councilwoman Williams, seconded by Councilwoman Summers-Johnson.

The Motion was approved by a unanimous vote.

Motion to reconvene by Councilwoman Williams, seconded by Councilwoman Summers-Johnson.

The Motion was approved by a unanimous vote.

Councilwoman Williams asked if Mr. Mosley had been contacted to attend. Attorney Montilus had spoken to Mr. Mobley that afternoon regarding the water issue, he did not request that Mr. Mobley be at this meeting. Director Mayes stated that he had spoken to Mr. Mobley about attending meetings that involved the city water but he will make sure that he attends.

Councilman Johnson asked what was Mr. Mobley's title and how long had he been doing it. Director Mayes agreed that Mr. Mobley was the liaison for water since 2014. The Councilman asked what the Mayor had done with the 6 to 7 hundred thousand dollars of grant money for the Highland Train Station. Director Mayes reported on what will be done for the Highland Station. Director Mayes reported that he had gone for special training in order to be in charge of the project.

Councilwoman Summers-Johnson reported that there is graffiti around the Highland Station. Director Mayes will take care of that.

Councilwoman Williams asked if the city was going to purchase the train station. Director Mayes said that was not determined yet, but there will be negotiations going forward, it could be a lease or a purchase. The training that he went through was the first step that the city needed to take. How long does the city have to spend the money and the answer was a two year time frame the amount was \$614,000.00 Is there a reporting process that he could be used to update the Council. Director Mayes said he could make a report to the Council.

Councilwoman Eason stated that an adult volunteer has to be at the Aldon Park when it is open and there are no contaminants in the park.

Motion to extend the meeting by Councilwoman Williams, seconded by Councilman Johnson.

The Motion was approved by a unanimous vote.

Councilwoman Williams and Director Mayes continued to speak about the areas surrounding Aldon Park.

Council President Gaunt-Butler stated that there was still a pot hole on Dodd St. She spoke about the western entrance to the Main St. Train Station stating that the steps are very steep on that side. Handicapped residents need to have that corrected. The Council President also asked about the tree on Berkley Avenue which Director Mayes addressed. Council President Gaunt-Butler announced that the public hearing on the water was scheduled for Monday, the 14th at 6:30 at the Lincoln School. The Council President asked Attorney Smith if he found the letter about campaigning on city time. He had not found it for this meeting. He will have that letter for the March 15th meeting.

Council President Gaunt-Butler stated that the Orange Recreation Center is a great concept for children and seniors to go to however; she was concerned about the lack of financial information from the administration and the sustainability of the project. The experts that were running the YWCA were not effective and she is concerned if the city can be effective.

Motion to close Council Comments by Councilwoman Eason, seconded by Councilwoman Summers-Johnson.

The Motion was approved by a unanimous vote.

ORDINANCES—SECOND READING/PUBLIC HEARING

The City Clerk read Ordinance 8-2016 by Title.

8-2016 An ordinance to amend the Code of the City of Orange Township, Chapter 88-1 entitled fees for certificates of occupancy (Sales Inspections)

The Chair declared the time open for a hearing on Ordinance Number 8-2016.

Mr. Jeffery Feld commented that he had asked for the drafts of the ordinance which he did not receive. He stated that the city could not base the fee on what other cities charge.

Ms. Gloria Stewart wanted to know what the fees are and the need to increase them. Director Mayes explained the fees and the need to increase them.

Seeing no one else, the Chair declared the time closed.

Motion by Councilman Corbitt, seconded by Councilwoman Eason, to close the public hearing.

The Motion was approved by a unanimous vote.

Motion by Councilman Corbitt, seconded by Councilwoman Eason, to adopt Ordinance Number 8-2016.

On the motion – Councilwoman Williams was concerned that the ordinance would not enforced. Director Mayes stated that if the fees are not paid the housing units will not be inspected. The Councilwoman stated that she knows that people are moving into units without the Certificate of Occupancy and some residents are not aware of the process.

Roll Call:

- Ayes: Coley, Corbitt, Eason, Johnson, Jr., Summers-Johnson, Williams, Gaunt-Butler
- Nays: None.
- Abstain: None.
- Absent: None.

Motion Carries.

ORDINANCES INTRODUCTION/ FIRST READING

The City Clerk read Ordinance Number 11-2016 by Title.

11-2016 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. (156 Pierson Street)

Motion by Councilman Corbitt, seconded by Councilwoman Eason that Ordinance 11-2016 be introduced on first reading and that the public hearing would be held April 5 2016

Roll Call:

- Ayes: Coley, Corbitt, Eason, Johnson, Jr., Summers-Johnson, Williams, Gaunt-Butler
- Nays: None.
- Abstain: None.
- Absent: None.

Motion Carries.

The City Clerk read Ordinance Number 12-2016 by Title.

12-2016 An ordinance authorizing the City of Orange Township to acquire 395 Main Street Orange, New Jersey for the total sum of one million five Hundred thousand dollars (\$1,500,000.00) (YWCA building)

Motion by Councilman Corbitt, seconded by Councilwoman Eason that Ordinance 12-2016 be introduced on first reading and that the public hearing would be held April 5, 2016.

On the motion – Councilman Johnson questioned Director Mayes on the Engineering cost of 629,245.00 to correct reported problems in their reports. Director Mayes will have to get back to the Councilman. The Environmental Assessment Report will have to be given to the Council before the second reading of this ordinance.

Council President Gaunt-Butler stated that this is a very difficult decision for her and stating her reasons why.

Roll Call:

Ayes: Coley, Corbitt, Eason, Summers-Johnson,
Nays: Johnson, Jr
Abstain: None. Williams, Gaunt-Butler
Absent: None.

Motion Carries.

The City Clerk read Ordinance Number 13-2016 by Title.

13-2016 An ordinance to establish a private outdoor surveillance camera registry and allow any person who owns a private outdoor video surveillance camera on a residential or business property in the City of Orange Township to voluntarily register the camera with the Orange Police Department for the purpose of assisting law enforcement investigations on criminal activity that occurred within the vicinity of the camera's location.

Motion by Councilman Corbitt, seconded by Councilwoman Eason that Ordinance 13-2016 be introduced on first reading and that the public hearing would be held April 5, 2016.

Roll Call:

Ayes: Coley, Corbitt, Eason, Johnson, Jr., Summers-Johnson, Williams, Gaunt-Butler
Nays: None.
Abstain: None.
Absent: None.

Motion Carries.

The City Clerk read Ordinance Number 14-2016 by Title.

14-2016 An ordinance to amend the code of the City of Orange Township, Chapter 200, entitled "Vehicles & Traffic", Section 200-10.2 Residential Parking Permit -N. Center Street. (Sponsored by: Council Member Donna K. Williams)

Motion by Councilman Corbitt, seconded by Councilman Johnson that Ordinance 14-2016 be introduced on first reading and that the public hearing would be held April 5, 2016.

Roll Call:

Ayes: Coley, Corbitt, Eason, Johnson, Jr., Summers-Johnson, Williams, Gaunt-Butler
Nays: None.
Abstain: None.
Absent: None.

Motion Carries.

The City Clerk read Ordinance Number 15-2016 by Title.

15-2016 An ordinance amending Chapter 185 of the Municipal Code of the City of Orange Township entitled street and sidewalks. (Snow and Ice Removal) (Sponsored by Council Member Kerry J. Coley)

Motion by Councilman Corbitt, seconded by Councilman Johnson that Ordinance 15-2016 be introduced on first reading and that the public hearing would be held April 5, 2016.

On the motion – Councilwoman Eason asked why was the renter of a home responsible for removing the snow from the property. It should be the owner of the property. It was pointed out that agreements of that nature are usually in the lease the renters sign. Attorney Harris was called to the podium for a legal answer. He reported that part of the ordinance was already in affect but the Council could amend the ordinance to read **“and or tenant or occupant”**

Councilman Corbitt and Councilman Johnson rescinded the original motion.

Motion to adopt Ordinance 15-2016 as amended by Councilwoman Summers-Johnson, seconded by Councilwoman Williams with a public hearing on April 5, 2016.

Roll Call:

Ayes: Coley, Corbitt, Eason, Johnson, Jr., Summers-Johnson, Williams, Gaunt-Butler

Nays: None.

Abstain: None.

Absent: None.

Motion Carries.

The City Clerk reported that there may be two walk-on Resolutions.

The City Clerk read 48A-2016 by title.

Authorizing an acceptance of the Governor’s Council on Alcohol and Drug Abuse grant under the 2016 alliance grant for the prevention and awareness education programs in the City of Orange Township.

The City clerk read the possible walk-on Resolution 50-2016 Authorizing the award of a fair and open contract with Pennoni, 2015 Fieldcrest Avenue, Suite 502, Edison, New Jersey 08837 to provide program management of the water treatment and distribution system; wastewater collection system; and customer service, billing and collection system for the city of Orange Township, New Jersey.

Motion to go into Executive Session by Councilwoman Williams, seconded by Councilman Johnson.

The purpose is to discuss the contract regarding city water.

The Motion was approved by a unanimous vote.

**Motion to suspend the rules to add Resolution 49A-2016 to the Consent Agenda by Councilwoman Summers-Johnson, seconded by Councilman Johnson.
The Motion was approved by a unanimous vote.**

CONSENT AGENDA

The City Clerk read the following statement.

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.

Motion by Councilwoman Eason, seconded by Councilwoman Williams to approve the Consent Agenda.

Roll Call:

Ayes: Coley, Corbitt, Eason, Johnson, Jr., Summers-Johnson, Williams, Gaunt-Butler
Nays: None.
Abstain: None.
Absent: None.

Motion Carries.

RESOLUTION NUMBERS *44-2016 -*49-2016

The Clerk reported that Resolutions 44, 45, 46, 47 and 48A-2016 are now on the Consent Agenda.

- *44-2016** A resolution celebrating the achievement of Elijah J. Smith on attaining the rank of Eagle Scout (Sponsored by Council Member Kerry J. Coley)
- *45-2016** A resolution celebrating the achievement of Stephens J. Jennings on attaining the rank of Eagle Scout (Sponsored by Council Member Kerry Coley)
- *46-2016** A resolution authorizing the City of Orange Township to remove 344 Alden Place, 346 Alden Place, 348 Alden Place and 350 Alden Place from its existing City of Orange Township abandoned properties list.
- *47-2016** A resolution authorizing an agreement between the City of Orange Township and EIC Inspection Agency Corp., 3705 Kennedy Blvd., Jersey City, NJ 07307 to provide elevator subcode services for the City of Orange Township for a (1) year term, with one (1) one year option to renew.

***48-2016** A resolution approving the bill list for council meeting vote on March 1, 2016 dated February 25, 2016 and approving checks issued by the Finance Department in accordance with Ordinance 2-95 (Grand Total: \$ \$2,079,910.38) . **(Removed for separate vote)**

48A-2016
Authorizing an acceptance of the Governor’s Council on Alcohol and Drug Abuse grant under the 2016 alliance grant for the prevention and awareness education programs in the City of Orange Township.

***49-2016** A resolution for emergency temporary appropriation to the calendar year 2016 budget. **(Removed for separate vote)**

Resolutions voted on separately:

The City Clerk read the Resolution by title.

48-2016 A resolution approving the bill list for council meeting vote on March 1, 2016 dated February 25, 2016 and approving checks issued by the Finance Department in accordance with Ordinance 2-95 (Grand Total: \$ \$2,079,910.38)

Motion to approve Resolution 48-2016 by Councilwoman Eason, seconded by Councilwoman Summers-Johnson.

Roll Call:

Ayes: Corbitt, Eason, Summers-Johnson,
Nays: Coley, Johnson, Jr, Williams, Gaunt-Butler
Abstain: None.
Absent: None.

Motion Fails

49-2016 A resolution for emergency temporary appropriation to the calendar year 2016 budget.

The City Clerk read the Resolution’s changes for the residents.

Motion to amend Resolution 49-2016 by Councilwoman Eason, seconded by Councilwoman Summers-Johnson.

Roll Call:

Ayes: Coley, Corbitt, Eason, Johnson, Jr., Summers-Johnson
Nays: Williams, Gaunt-Butler
Abstain: None.
Absent: None.

Motion Carries.

NEW BUSINESS Councilwoman Eason stated that each time the Bill List is not passed it jeopardizes this city and the services that she pays for as a tax payer.

OTHER PENDING BUSINESS None.

Motion to adjourn by Councilwoman Eason, seconded by Councilwoman Summers-Johnson.

By consensus the regular meeting adjourned at 12:00 A.M. March 2, 2016.

Joyce L. Lanier
Municipal Clerk

April Gaunt-Butler
Council President