

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 21, 2017, FOLLOWING THE CONFERENCE MEETING.

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
Eric Pennington, City Attorney
Todd Warren, Police Director
Kenneth Douglass, Fire Director
Marty Mayes, Director of Planning/Public Works
Adrian Mapp, Finance Director /representing Mr. Hartwyk (BA)
Joy Lascari, Chief Financial Officer
Marlin Townes, Acting Legislative Research Officer
Margaret Homere, Senior Clerk,
Carl Smith, Tax Collector

Absent: Chris Hartwyk, Business Administrator (BA)

The Deputy 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 14, 2016, posted on the Bulletin Board in City Hall and filed in the Office of the City Clerk.

APPROVAL OF MINUTES MEETINGS

Conference and Regular Meeting Minutes - January 3, 2017

Motion to adopt the Conference and Regular meeting minutes from January 3, 2017 by Councilman Johnson, Jr., seconded by Councilwoman Summers-Johnson.

By consensus the Regular and Conference meeting minutes were approved.

REPORTS:

- **DEPARTMENT MONTHLY REVENUE COLLECTION**
 - **Department of Planning & Economic Development**
 - **January 2017 - \$31,132.00**
 - **February 2017 - \$51,175.00**
 - **Department of Community Service**
 - **January 2017 - \$15,641.00**
 - **February 2017 - \$18,731.00**
 - **Office of the City Clerk**
 - **February 2017 - \$113.00**
- **CONSTABLE REPORTS**
 - **Richard Noizy - ProCops February 4, 2017
Constable Monthly Meeting February 15, 2017**
 - **Cory Perkins - No Activity for the month of February 2017**
- **OPRA REPORTS**
 - **Month of February 2017 - 70 items received, 68 Complete and 2 pending.**
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- **COUNCIL REPORTS**

Public Works: Ms. Gordon reported on the categories that were established for properties established by BA Hartwyk. The Public Works Committee plans on keeping track of these properties. She reported on the procedures that will take place with abandoned properties which are in category C. Ms. Gordon spoke about other procedures that the committee will be enacting.

Police: No report.

Fire: Fire Director Douglas gave a report on the newly purchased defibrillator. He reported on a meeting he attended regarding smoke detectors. He reported that in February 17 candidates at the academy and currently there are now 15 candidates. They should be graduating on the 27th of April. Director Douglas provided information to residents that needed new smoke detectors. Director Douglas answered questions from the Council.

A.B.C. Councilwoman Eason stated the meeting was rescheduled for April 13th.

Planning: Councilwoman called Director Mayes to the podium and requested that he provide information on what is happening in the city, regarding new construction, housing etc. Director Mayes will present at the next meeting. Councilman Jackson reported that they heard the presentation by the Reock Group and it was unanimously passed.

Finance: Council President Williams reported that the Finance Committee met the night before and reported that the L&M Company presented the Reock project. The Finance Committee recommends that the city move forward with that project. Walter G present phase 4 necessary documents will be presented at the next meeting. They have requested that the 20 day waiting period on the ordinance be waived. Ordinance 10-2017 will allow the city to pay American Water debt will be paid in full. Finance Committee approves of the ordinance. She reported that all financial ordinances and resolution that would be on the agenda at the next Council meeting were suggested for approval.

Housing: Councilman Johnson, Jr. reported that phase 4 of the Walter G. project is approaching quickly.

Library: No report. Councilman Jackson was asked to follow up with Library Director Davis regarding the leak from the Library roof and the Library Audit that has not been given to Council.

Council President directs 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. Jeffery Feld agreed with Councilman Jackson regarding adding the statute code to resolutions. He spoke about the new law suit by the Board of Education. Asked how

much is being paid for Mr. Willis's Court cases and how much is being paid to Mr. Tarver. Budget documents have not been posted on the website. Asked if the Council would investigate whether the Municipal Court forwarded any of his citizen misconduct complaints to the Essex County Prosecutors Office. It was an OPRA request that was not answered. Spoke of other concerns

- Ms. Katlyn Gordon requested that her OPRA request be answered. She stated that regarding the Reock Project the Planner should be present at certain times and he is not. The ordinance should not be passed without a financial analysis being done on the Reock project. She wanted to know how the Acting Directors became Directors. She said that she had looked at the City Code and she does not agree with how those Acting Directors became Directors without the consent of the Council. She spoke of other concerns.
- Mr. Derick Henry asked when will the environmental impact study be ready for the Reock Project. Thanked all that helped the Board of Education candidates.
- Ms. Connor asked for more transparency with regard to the abandoned properties and how they are determined. She questioned the East Ward development, are there any more projects and how can she find out this information.

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

The Motion was approved by unanimous vote.

COUNCIL COMMENTS

- City Attorney Pennington stated that Attorney Tarver had received 185,998.00 for his services.
- Finance Director Mapp reported that money for the redevelopment attorneys come from the escrow funds which is normal. The annual financial statement will be posted to the website.
- The Council President spoke about the position of "Acting Directors" the City Attorney at the time gave his legal opinion also research had been done and since there was no change in administration, that those persons staying on did not have to be reappointed. There is a fiscal impact being conducted and there will be a presentation for the Governing Body which will include how the new development will affect the water resources. It was determined that all developments are not posted on the website. It is requested that updates be given on projects during every Council meeting. She reminded the residents that the Planning Board meetings are public meeting and anyone can attend.
- Councilwoman Summers-Johnson stated that she felt that snow removal was good last year. The main complaint by residents was that they would clear their driveways and the snow plows would plow them back in again. The City DPW did help residents to remove snow from their driveways if they were plowed back in.

Director Mayes is working on a solution. There are 4 houses that are on the boarder of South Orange which are being neglected because the snow plows are not going down that street. She reported that the Spring Programs signup had begun for children 5 to 12 years old. She spoke about the upcoming programs and their fees.

- Councilwoman Eason asked how residents can get information on the upcoming programs. Councilwoman Summers-Johnson reported on flyers that would be going home with the children from schools and they are on the website. She asked for the status of Spring St. Director Mayes stated that there would be something for Spring St on the next agenda. There are new parking meters at the Jefferson on S. Day St which should not be there. Director Mayes will follow-up with Chris Mobley regarding the parking meters. On the Corner of Reock and S. Day St. the vacant lot is becoming a dumping ground for cars. Director Mayes will speak with the owner of the lot.
- Councilwoman Wooten spoke the kick but day which would take place on the upcoming Friday and who would be attending. On Mach 30th, she will be at the Library and will have vacant and abandoned properties information for the residents. She gave a positive report on the snow removal by DPW.
- Councilman Johnson, Jr. – spoke about how the Council does not gets informed about really important things in town. As an example developers speak with the administration but the information is not relayed to the Council. He cited other examples and how there is a need for the information to be given to the Council before the Council has to make a decision on a project.
- Councilman Coley also agreed with Councilman Johnson, Jr. Thanked the Department of Public Works for their efforts with snow removal and suggested planning for dump trucks and other equipment to get rid of the snow instead of dumping it. He commented that Resolution 11-2017 had been pulled but should not been added to the agenda in the first place providing his reasons. He suggested that the city should have a wish list for development and things that the city wants done. He expects the Library to have a explanation as to where they are with their budget. He asked about the status of the City Council website. He said that the administration does not put enough information on their website.
- Director Mayes showed the tonnage report that had been requested.
- Council President Williams reported that every church received a letter regarding an agreement to use their lots for off street parking during snow storms so they do not get snowed in. Councilwoman Summers-Johnson requested that signs be used to let people know when they have to move their cars after a snow storm.
- The Council President said that residents were aware of the effort put forth to remove the snow from the streets. She reported that the budget hearings start next week and provided the dates. She reported that at the HUB there will be a foreclosure forum that Friday at 6:00 P.M. There would be a candidates forum that coming Saturday at the Baptist Church on Scotland Rd and Main St.

ORDINANCES–SECOND READING/PUBLIC HEARING

The Clerk read Ordinance 9-2017 by Title.

9-2017 An ordinance creating Chapter 188A of the Municipal Code of the City of Orange Township prohibiting tobacco and nicotine sales to person under the age of 21.

The Chair declared the time open for a hearing on Ordinance Number 9-2017.

Ms. Gordon did not agreed with the ordinance providing her reasons why. Seeing no one else, the Chair declared the time closed.

Motion to close the public hearing by Councilwoman Summers-Johnson, seconded by Councilwoman Eason.

Roll Call:

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

Motion Carries.

Councilman Jackson was away from his seat

Motion to adopt Ordinance Number 9-2017 by Councilwoman Wooten, seconded by Councilwoman Eason,

Roll Call:

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

Motion Fails

Councilman Jackson was away from his seat

The Clerk read Ordinance 10-2017 by Title.

10-2017(WO) A refunding Bond Ordinance authorizing the issuance of not to exceed \$2,150,000 aggregate principal amount of refunding bonds and/or refunding notes by the City of Orange Township, in the County of Essex, State of New Jersey, for the purpose of funding an Emergency Appropriation for the Water Utility System.

The Chair declared the time open for a hearing on Ordinance Number 10- 2017.

- Mr. Jeffery Feld stated that the ordinance had not been signed by the City Attorney. The Annual Debt Statement which was prepared January 2017 was not certified and delivered

to him last week. He has not seen the Supplemental Annual Debt Statement and he did not know if it was delivered to the Clerk's Office. He reported on discrepancy's that he found. Mr. Feld reported on other concerns he had regarding the City finances.

- Ms. Gordon commented on the language of the Bond Ordinance that disturbed her and that bonds should not be rolled over as the city does.
- Ms. Arthur was concerned about the Bond for the water. She suggested that the Council should see how East Orange is lowering their resident's taxes while Orange taxes are going up. East Orange had a good solution regarding the water system. They didn't need a bond to fix their problems.
- When asked by the Council President Director Mapp stated that the Bond Ordinance could be carried over to the next meeting without affecting anything. It was determined that the public hearing on the ordinance would stay open till the next Council meeting on April 4th.

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

ORDINANCES INTRODUCTION/ FIRST READING

The Clerk reported that Ordinance 15-2017 was withdrawn.

15-2017 An ordinance amending article VI (Department of the City Attorney) of the code of the City of Orange Township to allow the City Attorney the autonomy to hire Assistant City attorneys and to assign the Insurance Fund Commission within the Department of Law.

The Clerk read Ordinance 16-2017 by title.

16-2017 An ordinance to amend the code of the City of Orange Township, Chapter 23 titled Personnel Policies, Section 1-4.8 Tuition Reimbursement and the Appendix titled City of Orange Township – Employee Handbook of Personnel Policies and Procedures.

Motion by Councilwoman Williams, seconded by Councilman Johnson, Jr that Ordinance 16-2017 be introduced on first reading and that the public hearing would be held April 18, 2017.

The Council Members made an amendment to section E of the ordinance.

Roll Call:

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

Nays: None.

Abstain: None.

Absent: None.

Motion Carries.

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

Roll Call:

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

Nays: None.

Abstain: None.

Absent: None.

Motion Carries.

The Clerk reported that Ordinance 17-2017 was withdrawn.

17-2017 An ordinance relating to salaries and classifications of certain employees of the City of Orange Township by repealing Ordinance 32-1989.

The Clerk reported that Ordinance 18-2017 was withdrawn.

18-2017 An ordinance to amend Ordinance 23-2013 relating to salaries of certain employees of the City of Orange Township. (Management)

The Clerk read Ordinance 19-2017 by title.

19-2017 An ordinance of the City of Orange Township to approve a tax exemption for a thirty (30) year period and to authorize the thirty (30) year exemption and authorizing the execution of a financial agreement between the City and Reock Urban Renewal LLC.

Motion by Councilman Johnson, Jr., seconded by Councilwoman Williams that Ordinance 19-2017 be introduced on first reading and that the public hearing would be held April 18, 2017.

Roll Call:

Ayes: Johnson, Jr., Williams,

Nays: Coley, Summers-Johnson, Wooten

Abstain: Eason, Jackson

Absent: None.

Motion Fails.

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.

The Clerk reported that 103, 108, 111 and 114-2017 were withdrawn

RESOLUTION NUMBERS*101-2017 - *114-2017

- *101-2017** A resolution making application to the Local Finance Board pursuant to N.J.S.A. 40A:4-45.3ee. **(Removed for separate vote)**
- *102-2017** A resolution retaining Robert L. Tarver Jr. to represent the interests of the City Council in the matter of City of Orange Township Board of Education versus the City Council of Orange Township. **(Removed for a separate vote)**
- *103-2017** A resolution authorizing the Orange Planning Board to conduct an investigation to expand the Central Valley Redevelopment Area within the City of Orange Township. **(Withdrawn)**
- *104-2017** A resolution authorizing the City of Orange Township to remove 434 Tremont Place and 207 Reynolds Street from its existing City of Orange Township abandoned properties list.
- *105-2017** A resolution to allow filing the 2016 year recycling tonnage grant.
- *106-2017** A resolution authorizing the award of a contract for the NJDOT '16 roadway improvements to North Center Street (between park Ave.-Washington St) to American Asphalt & Milling Co., 96 Midland Avenue, Kearny, New Jersey 07032 in the amount not to exceed \$240,418.22.
- *107-2017** A resolution authorizing an addendum to Resolution #90-2016 to OCA Architects, Inc., 211 Warren Street, Suite 218, Newark, New Jersey 07103 for providing additional architectural, engineering and design services for the Central Avenue Field House Project in an amount not to exceed \$9,500.00.
- *108-2017** A resolution approving Qualified Consultant Engineers to provide consulting engineering on an "as needed" basis for one (1) year commencing April 1, 2017 through March 31, 2018. **(Withdrawn)**
- *109-2017** A resolution for the transfer of appropriations reserves.
- *110-2017** A resolution to read the budget by title.
- *111-2017** A resolution authorizing, affirming and ratifying the award of an emergency contract to CSF Technologies, Inc., 200 Federal Street, Suite 218, Camden, New Jersey 08103 for cyber security, network security and firewall issues at City Hall, Freddie Polhill Law and

Justice Complex and the Fire Department in an amount not to exceed \$12,990.00. **(Withdrawn)**

***112-2017** A resolution approving the bill list for council meeting vote on March 21, 2017 dated March 15, 2017 and approving checks issued by the Finance Department in accordance with Ordinance 2-95 (Grand Total: \$ 8,208,534.43).

***113-2017** A resolution authorizing the issuance of a raffle license for our Lady of Mount Carmel Church.

***114-2017** A resolution appointing Tydirah Cunningham, a resident of Orange, New Jersey as a Second Alternate Member to the Zoning Board of Adjustment of the City of Orange Township, New Jersey.
(Withdrawn)

Motion by Councilwoman Eason, seconded by Councilman Johnson, Jr. to approve the Consent Agenda.

Roll Call:

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

Motion Carries.

The Clerk read the resolution by title.

101-2017 A resolution making application to the Local Finance Board pursuant to N.J.S.A. 40A:4-45.3ee.

A change to 101-2017 was made to the title to read 40A:4-5.3d and 40A:4-5.3e

Motion to adopt Resolution 101-2017 as amended by Councilman Jackson, seconded by Councilman Johnson, Jr.

Roll Call:

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

Motion Carries.

The Clerk read the resolution by title.

102-2017 A resolution retaining Robert L. Tarver Jr. to represent the interests of the City Council in the matter of City of Orange Township Board of Education versus the City Council of Orange Township.

Motion to adopt Resolution 102-2017 by Councilman Johnson, Jr., seconded by Councilwomen Williams.

Roll Call:

Ayes: Coley, Jackson, Johnson, Jr., Williams,

Nays: Eason, Summers-Johnson, Wooten

Abstain: None.

Absent: None.

Motion Carries.

NEW BUSINESS AND WALK-ON ORDINANCES / RESOLUTIONS

None.

OTHER PENDING BUSINESS

None.

Motion to adjourn by Councilwoman Summers-Johnson, seconded by Councilman Jackson.

By consensus the regular meeting adjourned at 10:32 P.M

APPROVED:

Joyce L. Lanier
City Clerk

Donna K. Williams
Council President