

**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 APRIL 5, 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 (back into meeting @ 9:15)  
Councilman Harold Johnson, Jr. West Ward  
Councilwoman Jamie Summers-Johnson., South Ward  
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

**Absent:** None.

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 MEETINGS - None**

**REPORTS:**

**DEPARTMENT MONTHLY REVENUE COLLECTION**

**Department of Planning & Economic Development**

<b>January 2016</b>	-	<b>\$25,202.00</b>
<b>February 2016</b>	-	<b>\$41,165.00</b>
<b>March 2016</b>	-	<b>\$102,187.00</b>

**CONSTABLE REPORTS- None****OPRA REQUESTS - None****COUNCIL REPORTS**

Councilman Johnson reported that there was no Housing Authority Report.

Councilwoman Summers-Johnson gave her Library report. The Councilwoman will be meeting with the Library Board regarding their fund raising efforts and grants. She had given the Library report to the Clerk's Office.

Councilwoman Williams reported for the Finance Committee reporting on who had been in attendance at the meeting.

- Reported on a program that was presented to the Finance Committee by Ms. Cleveland.
- Ordinance 12-2016 / resolution 69-2016. The Committee is concerned about waiving the 20 day waiting period for Ordinance 12-2016.
- They discussed Ordinance 23-2016 - regarding employee wages for City funded organizations.
- 64-2016 - Ms. Lascari reported that the split responsibilities for the two Acting BAs are being compensated an additional 20K for one and 10K for the other.
- 66-2016 67-2016 and 68-2016 shall be amended to "ask the Council to submit the grant".
- 71-2016 the City Council have not received the requested documents.
- 75-2016 spoke about a delay of 3rd approval signoffs for Purchase Orders. Councilwoman Williams reminded the Administration that the Clerk's Office is independent and the administration should only be assuring that the funds for the Clerk's office are available.
- It was recommended that a forensic audit be conducted to investigate certain areas of finance.

The Council and Acting BA Mayes discussed the roles of the Acting BA and Acting Deputy BA. The Council reminded Acting BA Mayes that there was no such position as Deputy BA. The Council President commented that the Acting BA position is only for one person, not two.

Councilman Eason reported that a Dollar Tree had just been approved for Orange.

- Acting Police Director Wade reported that the Community Service Unit was back in service.

- Citizen involvement - thanked the residents that have helped the police.
- The Police department will be involved with a Highway and Traffic Safety program.
- Director Wade reported on the grants that the Police department would be applying for.
- The Director reported that extra Police were assigned to City train stations for security due to current events. Director Wade answered questions from the Governing Body.
- Fire Director Douglas provided an update of the Fire Departments activities within the city for the past 4 weeks.
- Report on fires within the city within the last month. Spoke of the new initiatives that the Fire Department will do this summer. The Director answered questions from the Governing Body.

**Council President directs Clerk to file reports**

Mr. Ike Jenkins, Essex County Liaison to Orange came to the podium and shared information on Essex County’s grants and gave the dates for the cherry blossom festival. Council Members questioned when the County would be paving some streets in Orange. Mr. Jenkins had not received a schedule from the County yet.

Ms. Katalin Gordon reported on the last Public Works Committee meeting. They had addressed snow removal and she gave a report on the re-organization of the Public Works Committee.

**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. Derick Henry did not want Pennoni to get the water contract stating his reasons.

Ms. Katlin Gordon 71-2016 commented that the process of selection for Pennoni was flawed

providing her reasons. She spoke about a property that she felt should not be considered an abandoned property.

Ms. Gloria Stewart commented on the fact that the Mayor was not present and felt that being the Director of Finance in Orange and also being a Mayor in another City is a conflict. She spoke about other concerns that she had about the city.

Mr. S Monk spoke about the Class of 86 coming back to Orange and the plans they have for senior citizen and some mentoring of students. He asked if the Council Members would like to work with him. The start date is the weekend of July 29<sup>th</sup> 30 and 31<sup>st</sup>.

Mr. Christopher Jackson is against Pennoni having the water contract stating his reason. He would like to have the process started over again.

Ms. Murphy Wilson was against Pennoni getting the contract but keeping the current vendor for another year so the city is ready to correctly hire a vendor for the city water. Ms. Wilson was in favor of having a Forensic Audit.

**Motion by Councilwoman Williams, seconded by Councilman Johnson, Jr., to extend the meeting past 10:30 P.M.**

**Roll Call:**

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

**Motion Carries.**

Ms. Tisha Carter spoke of her concerns about the water condition and how it's going to affect the residents. She spoke of a number of residents in her neighborhood that had died of cancer. She spoke of an unauthorized parking sign which should be taken down.

Rev D. Guyton was in support of the purchase of the prior YWCA property. He spoke of all the positive effects it will have on the community.

**Motion by Councilwoman Williams, seconded by Councilwoman Summers-Johnson, to close the citizen comments.**

The Motion was approved by a unanimous vote.

**Some answers to resident's questions:**

- Director Mayes reported that there is a yearly report that tells you what kind of money that the city recoups from recycling. He will provide the report to the council in the near future.
- With regard to the no parking sign from 4:30 p.m. to 4:30 a.m. Director Mayes was not aware of the sign.

Council-President Gaunt-Butler stated that the Council will have to go into an Executive Closed session at this time.

**Motion to go into executive session by Councilwoman Williams, seconded by Councilman Johnson, Jr.**

**Roll Call:**

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

Nays: None.

Abstain: None.

Absent: Eason (stepped out)

**Motion Carries.**

**COUNCIL COMMENTS**

Councilwoman Summers-Johnson spoke about growing up in Orange and when she became the representative of the South Ward she knew that the South Ward would be her priority and address the city issues. She spoke about her quarterly meetings and why she has them. She also stated that all residents are welcomed to come to her meetings. She has many informative speakers at her meetings. Her next meeting will be April 27th at 6:30 after that May 11th and then June 1st at the Hayward School. She stated again that the meetings are for all residents to come and ask questions and find answers.

Councilman Johnson, Jr. asked about Mr. Copeland's Business Administrator report and the bulk tax sale of 2015. The Councilman would like to have reports from Administration about what is going on in Orange as far as tax liens, grants, properties sold etc. Councilman Johnson asked about any response from the Finance department regarding Nishuane Group invoices. City Clerk Lanier stated that she had not received any response to her three request. The Councilman commented that the Administrations is spending money without the approval of the Governing Body. Attorney Smith would have to look into it. Ms. Lascari, the City CFO, stated all the reports have been gathered and would be given to the Council at the next Council meeting.

Councilwoman Williams read 2C:30-4 regarding dispersing money and current obligations in excess of appropriations out loud for the residents. She continue to state that the Council has to appropriate monies that have been requested. She spoke about the Court case and that a motion had been filed for reconsideration scheduled for April 15th. The Councilwoman reported that on May 26th there is an Essex County job fair which you have to register for. The Councilwoman reported that there would be a debate on April 6th at 6:30 p.m. at the Orange United Methodist.

Mr. Copeland had come back into the room and Councilman Johnson asked him to expound on the Bulk tax sales of 2015. Mr. Copeland stated that the monies from

that sale did not arrive until December 15th. CFO Lascari stated that there was one purchaser for the bulk sale, the payment of that sale did not come through in a timely manner but was received by Dec of 2015. Neither Mr. Copeland nor Ms. Lascari remembered who the purchaser was.

The Council President remembered that the sale did not happen and the resolution was rescinded. Several Council Members agreed with her.

Councilwoman Williams asked Ms. Lascari asked about an expiring time period for the tax sale moneys. Ms. Lascari stated that the city did receive 1.7 million from the bulk tax sale. Attorney Smith stated that he did not recall the resolution being rescinded.

Councilman Johnson, Jr. stated that the administration went ahead with the tax lien sale after the expiration of the contract without telling the Council.

The Council President called Mr. Copeland back to the podium and asked about the onsite planning assistance 24 hours per month by the Nishuane Group and them being onsite 2 and one half days per week. Mr. Copland stated that would allow 4 planners to work on 4 developments areas within the city. Mr. Copeland stated that the plan would reduce the cost by \$20,000.00. The planners will also be part of the Planning and Zoning Boards which were also included in the cost.

Councilman Johnson, Jr. asked Mr. Copeland if he could recall the name of the purchaser of the tax liens. The City clerk had found the resolution and reported that the resolution was for the Washington Bay group, but that was not the final buyer.

Councilman Coley spoke of his concern regarding delayed purchasing request by the Administration when the Clerk's Office orders supplies. Ms. Cooper, representing the Administration, provided the Council with the procedures for ordering items and stated that items are processed within 30 days.

Councilwoman Williams and the Chief of Staff Ms. Cooper, discussed the role of the Clerk's Office in the City and spoke about the purchasing procedures.

Councilman Coley asked Attorney Montilus how long had he been Chairman of American Future Leaders and if he felt that it was a conflict of interest also being an Attorney for the City. Attorney Montilus did not want to comment on that.

Councilman Corbitt asked Attorney Harris to look into changing some verbiage on resident's conduct during Council meetings. The Councilman also asked about the Pay-to Play law regarding contributions by the contract holder. Attorney Harris provided the rules of that law to the Council. Also explained that Pay-to Play law only apply to contracts without a bid.

Councilwoman thanked a number of city food establishments that had donated food for the May family repass. She spoke about the new things that were coming to the

school districts and commented on the different reactions that people have had to the current water conditions in the city and the water company that let it happen. The Councilwoman feels that a change in Water Company is needed.

Council President Gaunt-Butler reported that the public forum for the cable renewal contract would be on April 11<sup>th</sup> at Town Hall. She spoke about the South Ward Co-ward Grant and changing the name of the grant providing her reasons why. She reiterated that the Council meetings should be for city business and not for campaigning.

**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 Clerk read Ordinance 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)**

The Chair declared the time open for a hearing on Ordinance Number 11-2016. Seeing no one, the Chair declared the time closed.

**Motion to close the public hearing by Councilman Corbitt, seconded by Councilwoman Summers-Johnson.**

The Motion was approved by a unanimous vote.

**Motion to adopt Ordinance 11-2016 by Councilman Corbitt, seconded by Councilwoman Eason.**

On the motion Councilwoman Williams commented that there should be redacted items on page 3.

**Roll Call:**

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

Nays: None.

Abstain: None.

Absent: None.

**Motion Carries.**

The Clerk read Ordinance 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)**

The Chair declared the time open for a hearing on Ordinance Number 12-2016.

Ms. Murphy Wilson commented that she is against the ordinance because there is no budget for this year, so expenses for the property are unknown. She also provided other reasons why the ordinance should not be passed.

Ms. Katalin Gordon was not in favor of the ordinance.

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

**Motion to close the public hearing by Councilman Corbitt, seconded by Councilman Johnson.**

The Motion was approved by a unanimous vote.

**Motion to adopt Ordinance 12-2016 by Councilman Corbitt, seconded by Councilwoman Summers-Johnson.**

On the motion Councilman Johnson, Jr. commented that he is not in favor of the ordinance stating his reasons.

Councilwoman Eason commented that she approves of the purchase providing her reasons.

Councilwoman Summers-Johnson commented that she had been contacted by residents and approved of the purchase.

Councilman Corbitt is in favor of the purchase providing his reasons.

**Roll Call:**

Ayes: Coley, Corbitt, Eason, Summers-Johnson

Nays: Johnson, Jr.

Abstain: Williams Gaunt-Butler

Absent: None.

**Motion Carries.**

The Clerk read Ordinance 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.**

The Chair declared the time open for a hearing on Ordinance Number 13-2016.

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 to adopt Ordinance 12-2016 by Councilman Corbitt, seconded by Councilwoman Eason.**

**Roll Call:**

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



Nays: None.  
Abstain: None.  
Absent: None.

**Motion Carries.**

The Clerk read Ordinance 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)**

The Chair declared the time open for a hearing on Ordinance Number 14-2016. Seeing no one else, the Chair declared the time closed.

**Motion by Councilman Corbitt, seconded by Councilman Johnson, to close the public hearing.**

The Motion was approved by a unanimous vote.

**Motion to adopt Ordinance 14-2016 by Councilman Corbitt, seconded by Councilman Johnson.**

On the motion Councilwoman Eason asked exactly where was the location and was told it was by the Fire department.

**Roll Call:**

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

**Motion Carries.**

The Clerk read Ordinance 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)**

The Chair declared the time open for a hearing on Ordinance Number 15-2016. Seeing no one else, the Chair declared the time closed.

**Motion by Councilman Corbitt, seconded by Councilman Johnson, to close the public hearing.**

The Motion was approved by a unanimous vote.

**Motion to adopt Ordinance 15-2016 by Councilman Corbitt, seconded by Councilman Williams.**

On the motion Councilman Corbitt would not support the ordinance stating there needed to be more time for snow removal.

Councilman Coley stated that he agreed to 18 hours instead of 12 hours for snow removal.

The Clerk read Ordinance 15-2015 as amended.

**Motion to adopt as amended Ordinance 15-2016 by Councilwoman Eason, seconded by Councilman Corbitt.**

**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 Clerk read Ordinance 21-2016 by Title.

**21-2016           An ordinance amending Chapter 23 of the Municipal Code of the City of Orange Township regarding personnel policies (Sponsored by: Council Members April Gaunt-Butler and Donna K. William)**

**Motion by Councilman Corbitt, seconded by Councilwoman Williams that Ordinance 21-2016 be introduced on first reading and that the public hearing would be held May 3, 2016.**

On the motion Councilman Coley asked wasn't what was in the ordinance already in the employee handbook. Attorney Smith commented that the section about employees putting sign in their cars or on their property could be contested in court for prohibiting their 1<sup>st</sup> amendment rights.

Councilwoman Williams did not feel it could be contested because it would pertain to a law for Orange approved by this Council and pertaining to our Municipal elections only.

Councilwoman Eason asked if it applied to Council Members. The Council President stated that it does not apply to Council Members because they are not city employees. She reported that residents are calling her to report that campaign signs are being put on their properties without their permission. Councilwoman Williams reported that there was a law on the books and code enforcement should be called.

Councilman Corbitt commented on sections of the ordinance that he felt should be restated and some sections that should be removed. It was determined that items 4 and 7 would be removed from the ordinance and item 3, 8 and 10 would state 'during working hours'.

**Motion to adopt Ordinance 21-2016 as amended by Councilwoman Williams, seconded by Councilman Corbitt that Ordinance 21-2016 be introduced on first reading and that the public hearing would be held May 3, 2016.**

**Roll Call:**

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

Nays: None.

Abstain: None.

Absent: None.

**Motion Carries.**

The Clerk read Ordinance 22-2016 by Title.

**22-2016 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. Hawthorne Street)**

**Motion to adopt Ordinance 22-2016 by Councilwoman Eason, seconded by Councilman Corbitt and that Ordinance 22-2016 be introduced on first reading and that the public hearing would be held May 3, 2016.**

**Roll Call:**

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

Nays: None.

Abstain: None.

Absent: None.

**Motion Carries.**

The Clerk read Ordinance 23-2016 by Title.

**23-2016 An ordinance calling for the establishment of a minimum wage at agencies that receive Funding from the City of Orange Township (Sponsored by Council Member Donna K. Williams)**

**Motion to adopt Ordinance 23-2016 by Councilman Corbitt, seconded by Councilwoman Summers-Johnson and that Ordinance 23-2016 be introduced on first reading and that the public hearing would be held May 3, 2016.**

On the motion Attorney Smith spoke about the effects this can have with grants and contractors and suggested speaking to the State first to see what it intended to do about wages.

Councilwoman Williams stated that this ordinance was more for agencies that the city dealt with, such as the Library employees that have been there for years making twenty something a year, but when hiring new employees to the Library they were making over \$10,000 more than the people that have been there for 10 or more years. There were other examples such as the MOET program that were given to prove the need for the ordinance.

Councilwoman Eason felt that the Union should be dealing with raises for the Library people. Attorney Harris was called on and he stated that he had spoken to Councilwoman Williams about the pros and cons of the ordinance.

Attorney Smith requested to continue this conversation at the next meeting.

**Motion to table by Councilwoman Eason, seconded by Councilman Corbitt**

**Roll Call:**

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

Nays: None.  
Abstain: None.  
Absent: None.

**Motion Carries.**

The Clerk read Ordinance 24-2016 by Title.

**24-2016            An ordinance repealing and abolishing Section 23:1-4.16 of the code of the City of Orange Township entitled “False arrest and liability insurance: (Sponsored by Council Member April Gaunt-Butler)**

**Motion to adopt Ordinance 24-2016 by Councilwoman Williams, seconded by Councilwoman Summers-Johnson that Ordinance 24-2016 be introduced on first reading and that the public hearing would be held May 3, 2016.**

**Roll Call:**

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

**Motion Carries.**

The Clerk read Ordinance 25-2016 by Title.

**25-2016            An ordinance amending and supplementing the code of the City of Orange Township by creating Chapter 24 entitled “Defense and Indemnification.**

**Motion to adopt Ordinance 25-2016 by Councilwoman Williams, seconded by Councilwoman Gaunt-Butler that Ordinance 25-2016 be introduced on first reading and that the public hearing would be held May 3, 2016.**

On the motion Councilwoman Williams spoke to Attorney Smith about an addition to the ordinance. The City Attorney and Councilwoman Williams discussed the language in the ordinance. Other sections were questioned, changed and crossed out. There was a request to table.

**Motion to table by Councilwoman Williams, seconded by Councilwoman Summers-Johnson.**

**Roll Call:**

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

**Motion Carries.**

The Clerk read Ordinance 26-2016 by Title.

**26-2016** An ordinance amending chapter 200 entitled “Vehicles and Traffic”, article XVI “Commuter Parking” to prevent predatory parking rates for commuter parking on private property within the City of Orange Township. (Sponsored by: Council Member Donna K. Williams)

**Motion to adopt Ordinance 26-2016 by Councilman Corbitt, seconded by Councilwoman Summers-Johnson and that Ordinance 26-2016 be introduced on first reading and that the public hearing would be held May 3, 2016.**

On the motion Councilwoman Eason asked how it would be monitored. Councilwoman Williams stated it would apply to private parking in the transit area. Gave the example that the city charges \$360 a year and the Tony Galeno Is proposing a \$960 a year parking fee.

Councilman Coley was told that the city would get some of the Galeno fee but these are the citizens that are paying and the prices are high.

**Roll Call:**

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

Nays: None.

Abstain: None.

Absent: None.

**Motion Carries.**

**RESOLUTION NO. 53-AND 55-2016 TABLED FROM MARCH 15, 2016 REGULAR MEETING**

The Clerk read Resolution 53-2016 by title.

**\*53-2016** A resolution authorizing the City of Orange Township to add 208 Hickory Street to its existing City of Orange Township abandoned properties list.

**Motion to lift from table and add to the consent agenda by Councilman Corbitt, seconded by Councilwoman Summers-Johnson.**

**Roll Call:**

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

Nays: Johnson, Jr.,

Abstain: None.

Absent: None.

**Motion Carries.**

The Clerk read Resolution 55-2016 by title.

**\*55-2016** A resolution awarding a three (3) year contract for municipal refuse and recycling collection services for the City of Orange Township to Joseph Smentkowski, Inc., 3 New York Avenue, Jersey City, New Jersey 07307

commencing April 1, 2016 through March 31, 2019 in the amount not to exceed \$3,007,260.00.

**Motion to lift from table and add to the consent agenda by Councilman Corbitt, seconded by Councilman Johnson.**

**Roll Call:**

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

Nays: None.

Abstain: None.

Absent: None.

**Motion Carries.**

**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 Williams, seconded by Councilman Johnson 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.**

**\*53-2016 A resolution authorizing the City of Orange Township to add 208 Hickory Street to its existing City of Orange Township abandoned properties list.**

**\*55-2016 A resolution awarding a three (3) year contract for municipal refuse and recycling collection services for the City of Orange Township to Joseph Smentkowski, Inc., 3 New York Avenue, Jersey City, New Jersey 07307 commencing April 1, 2016 through March 31, 2019 in the amount not to exceed \$3,007,260.00. (Removed for separate vote)**

**\*65-2016 A resolution authorizing settlement of a worker's compensation claim in the matter of Keith Jackson v. the City of Orange Township, in an amount not to exceed One Hundred Seventy Thousand \$170,000.00 Dollars.**

**\*66-2016 A resolution authoring the Mayor of the City of Orang Township or his designee at the Orange Police Department to apply for, accept, and utilize the United**

- States Department of Justice Bulletproof Vest Partnership Grant to purchase bullet proof vests. **(Removed for separate vote)**
- \*67-2016** A resolution to apply and accept grant funds from the New Jersey Department of Environmental Protection for the 2016 Non-Point Source Pollution Control. **(Removed for separate vote)**
- \*68-2016** A resolution authoring the City of Orange Township Fire Department to submit and accept the Federal Emergency Management Agency's Assistance to Firefighters Grant Program (SAFER). **(Removed for separate vote)**
- \*69-2016** A resolution waiving 20 day period for Ordinance No. 12-2016. **(Removed for separate vote)**
- \*70-2016** A resolution appointing fund commissioner and alternate fund commission for the public entity joint insurance fund. **(Removed for separate vote)**
- \*71-2016** A resolution 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 in an amount not to exceed One Million Two Hundred Ninety Thousand (\$1,290,000.00) Dollars. **(Removed for separate vote)**
- \*72-2016** A resolution authorizing the submission of the Governor's Council on Alcohol and Drug Abuse Grant under the 2017 Municipal Alliance Grant for Prevention and Awareness Education Programs in the City of Orange Township.
- \*73-2016** A resolution authorizing the issuance of a raffle license for Our Lady of Mount Carmel Church
- \*74-2016** A resolution mourning the passing & celebrating the life if Robert I. Schachtel (sponsored by Council Member Donna K. Williams)
- \*75-2016** A resolution approving the bill list for council meeting vote on April 5, 2016 dated April 1, 2016 and approving checks issued by the Finance Department in accordance with Ordinance 2-95 (Grand Total: \$2,730,050.40). **(Removed for separate vote)**

**Resolutions removed for separate vote:**

The Clerk read Resolution 55-2016 by title.

**55-2016** A resolution awarding a three (3) year contract for municipal refuse and recycling collection services for the City of Orange Township to Joseph Smentkowski, Inc., 3 New York Avenue, Jersey City, New Jersey 07307 commencing April 1, 2016 through March 31, 2019 in the amount not to exceed \$3,007,260.00.

**Motion to approved Resolution 55-2016 by Councilman Corbitt, seconded by Councilwoman Eason.**

On the motion Councilman Corbitt asked how this will impact the city as far as a fee. Mr. Copeland stated that the fee would be in excess of \$30,000.00 a month without a contract. The vendor has agreed to reduce the cost if the resolution was passed by the 5<sup>th</sup> of April then the city pays 12,000.00 that comes out to 12,000.00 for 5 days.

Councilman Johnson stated that he would abstain because the losing bidder is a client of his.

Councilwoman Williams reported that the law office was asked an opinion and she would like to table the resolution until that opinion is presented.

Council President Gaunt-Butler asked why the new contract amount had gone up a million dollars more than the last contract of 2 years ago. Director Mayes stated that the tipping fee had gone up, which is what is paid when you get to the incinerator or landfill to empty the trucks. That cost goes up yearly.

**Motion to table by Williams, seconded by Councilman Johnson, Jr.**

**Roll Call:**

Ayes: Coley, Williams, Gaunt-Butler

Nays: Corbitt, Eason, Johnson, Summers-Johnson,

Abstain: None.

Absent: None.

**Motion Fails.**

**Roll Call:**

Ayes: Corbitt, Eason, Summers-Johnson

Nays: Coley, Williams, Gaunt-Butler

Abstain: None.

Absent: Johnson, Jr.,

**Motion Fails.**

The Clerk read Resolution 64-2016 by title.

**64-2016** A resolution for emergency temporary appropriations to the calendar year 2016 budget.

**Motion to approved Resolution 64-2016 by Councilwoman Eason, seconded by Councilwoman Williams.**

On the motion Ms. Lascari was called to the podium and asked about what she had removed from the emergency appropriations, which is showed the Council.



**Roll Call:**

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

Nays: Gaunt-Butler

Abstain: None.

Absent: None.

**Motion Carries.**

Attorney Smith stated that the reason for a rejection of the Smentkowski bid was not given. Councilwoman Williams stated again that she had asked for an opinion from the law department and wanted the resolution tabled until she got that opinion. Attorney Harris came to the podium and read to Council the reasons for rejections of bids. Councilwoman Williams stated that the administration deemed part of the contract in violation of a conflict and until there is a legal opinion on that she wanted to table the resolution. After further discussion it was decided to reconsider the resolution.

**Motion to reconsider resolution 55-2016 by Councilwoman Eason, seconded by Councilwoman Williams****Roll Call:**

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

Nays: None

Abstain: None.

Absent: None.

**Motion Carries.****Motion to table resolution 55-2016 by Councilwoman Williams, seconded by Councilwoman Summers-Johnson.****Roll Call:**

Ayes: Coley, Eason, Summers-Johnson, William, Gaunt-Butler

Nays: Corbitt

Abstain: Johnson, Jr.

Absent: None.

**Motion Carries.**

**66-2016** A resolution authoring the Mayor of the City of Orang Township or his designee at the Orange Police Department to apply for, accept, and utilize the United States Department of Justice Bulletproof Vest Partnership Grant to purchase bullet proof vests.

On the motion Councilwoman Williams asked that resolution 66, 67 and 68-2016 be amended to just read 'apply' and once it is awarded then we can accept.

The City Clerk read the amended resolution 66-2016 by title.

**66-2016** A resolution authoring the Mayor of the City of Orang Township or his designee at the Orange Police Department to apply for the United States Department of Justice Bulletproof Vest Partnership Grant to purchase bullet proof vests.

**Motion to approved Resolution 66-2016 as amended by Councilwoman Eason., seconded by Councilman Corbitt.**

**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 the amended resolution 67-2016 by title.

**67-2016** A resolution to apply for grant funds from the New Jersey Department of Environmental Protection for the 2016 Non-Point Source Pollution Control.

**Motion to approved Resolution 67-2016 as amended by Councilwoman Eason., seconded by Councilman Johnson.**

**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 the amended resolution 68-2016 by title.

**68-2016** A resolution authorizing the City of Orange Township Fire Department to submit the Federal Emergency Management Agency's Assistance to Firefighters Grant Program (SAFER)

**Motion to approved Resolution 68-2016 as amended by Councilwoman Eason., seconded by Councilman Corbitt.**

**Roll Call:**

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

Nays: None.

Abstain: None.

Absent: None.

**Motion Carries.**

The Clerk read Resolution 69-2016 by title.

**69-2016** A resolution waiving 20 day period for Ordinance No. 12-2016.

**Motion to approved Resolution 69-2016 by Councilman Corbitt, seconded by Councilwoman Eason.**

**Roll Call:**

Ayes: Corbitt, Eason, Summers-Johnson,

Nays: Coley, Johnson, Jr., Williams, Gaunt-Butler

Abstain: None.

Absent: None.

**Motion Fails.**

The Clerk read Resolution 70-2016 by title.

**70-2016** A resolution appointing fund commissioner and alternate fund commission for the public entity joint insurance fund.

**Motion to approved Resolution 70-2016 by Councilman Corbitt, seconded by Councilwoman Eason.**

On the motion Councilwoman Williams stated that Ms. Wilson asked about the appointments on this and in review it has to be an appointment by the Administration and not the Council.

**Roll Call:**

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

Nays: None.

Abstain: None.

Absent: None.

**Motion Carries.**

The Clerk read Resolution 71-2016 by title.

**71-2016** A resolution 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 in an amount not to exceed One Million Two Hundred Ninety Thousand (\$1,290,000.00) Dollars.

**Motion to approved Resolution 71-2016 by Councilman Corbitt, seconded by Councilwoman Summers-Johnson.**

On the motion Councilman Johnson did not like the contract and stating other reasons why he would not approve the resolution.

Councilwoman Williams stated that they had not received the paperwork she requested and she felt that the scoring of the two bidders was not correct. She felt that the process should be started over.

Councilman Coley agreed with Councilwoman Williams.

City Attorney Smith stated that there were only two bidders and the Administration had to look at the current water situation and what the city would get with a new vendor. The Administration's job is to move things along and do it in the best interest of the community and he felt the pricing was in the best interest of the community. Going through the bid process again will not help the current situation, it will only delay the current situation.

Councilwoman Williams stated that the contract was not an apples to apples contract. The scoring sheet was inaccurate and the current vendor was offering things that the other vendor was not.

Council President Gaunt-Butler stated she also had concerns about the resolution and the contract and agreed with Councilwoman Williams regarding the contracts differences and she had also wanted a more detailed outline of the services that would be provided.

**Roll Call:**

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

**Motion Fails.**

The City Clerk read Resolution 75-2016 by Title.  
75-2016 A resolution approving the bill list for council meeting vote on April 5, 2016 dated April 1, 2016 and approving checks issued by the Finance Department in accordance with Ordinance 2-95 (Grand Total: \$2,730,050.40)

**Motion to approve Resolution 75-2016 by Councilman Corbitt, seconded by Councilwoman Eason**

On the motion Councilman Johnson Jr. stated that unless he sees more cooperation by the Administration he will not be voting “yes” on any bill list.

**Roll Call:**

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

**Motion Fails.**

**NEW BUSINESS** - None.

**OTHER PENDING BUSINESS** – None.

Motion to adjourn by Councilman Corbitt, seconded by Councilman Johnson, Jr.

By consensus the regular meeting adjourned at 1:55 A.M, April 6, 2016

**APPROVED:**

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**Joyce L. Lanier**  
City Clerk

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**April Gaunt-Butler**  
Council President