

**CITY OF ORANGE TOWNSHIP
REGULAR MEETING MINUTES
April 21, 2015**

This was a regular meeting of the City Council of the City of Orange, Township held in the Council Chambers 4th Floor of City Hall, 29 North Day Street, Orange, New Jersey, on Tuesday, April 21, 2015 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
Councilman Elroy A. Corbitt, At-Large Councilman
Councilwoman Tency A. Eason, North Ward Councilwoman
Councilwoman April Gaunt-Butler, At-Large Councilwoman
Councilman Harold Johnson, Jr. West Ward Councilwoman
Councilwoman Jamie Summers-Johnson., South Ward Councilman
Council President Donna K. Williams, At-Large Councilwoman

Also Present: Deputy Clerk Madeline Smith
Finance Director Adrian Mapp
City Attorney Dan Smith
Legislative Research Officer Kevin Harris
Senior Clerk Margarett Homere
Fire Director Douglas
Mr. Mayes, Representing the Administration
Police Director Sims
CFO Ms. Lascari

Absent: Mayor Dwayne D. Warren, Esq.

The Municipal 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 17, 2014, posted on the Bulletin Board in City Hall and filed in the Office of the Municipal Clerk.

APPROVAL OF MINUTES MEETINGS

March 17, 2015 Executive (Closed) Session (postponed from April 7, 2015 meeting)

Councilmembers, Johnson, Jr., and Williams cannot vote, because they were not present.

Motion by Councilman Corbitt, seconded by Councilwoman Summers-Johnson, to approve the Executive Closed Session from March 17th 2015.

Roll Call:

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

Nays: Councilmembers: None.

Motion Carries.

REPORTS:

- Clerk’s Office Month of March 2015-\$334.41
- Community Services Month of March 2015- \$24,193.00

CONSTABLE REPORTS

- Darnell Brodie- Month of March 2015- No activity
- Richard Noizy- Month of March 2015- No activity

OPRA REQUEST

Month of March 2015- 56 OPRA received - 204 items completed and 2 outstanding.

COUNCIL REPORTS

Councilman Corbitt reported that the Police Director would be at the next meeting to give a quarterly report and the city’s summer plans.

Councilwoman Gaunt-Butler reported that Director Douglas had a report. Fire Director Douglas reported on the successes of the smoke detectors campaign and that the smoke detectors task force personnel will have uniforms on to identify themselves when going to houses to install the detectors. Director Douglas answered questions from the Council members.

A representative from the Public Works Committee reported that there was a meeting last week and there will be another meeting May 14th and invited Council members-at-large. They would be speaking on the up keep of abandoned properties. The committee is planning documentation projects on abandoned properties.

Director Mayes reported on streets that were scheduled to be paved.

There was no report for Housing Authority

There was no report for A.B.C.

There was no report for Planning.

There was no report for Personnel.

The Finance Committee has been involved with the Budget and hearings. The public hearing for the budget will be May 19th. Community Day will take place May 2 from 10:00 – 2:00 behind Town Hall.

Council President directs Clerk to file reports

COMMUNICATIONS AND PETITIONS

Communication received in the Clerk’s Office from – None.

CITIZEN COMMENTS ON GENERAL ISSUES/AGENDA ITEMS

The Deputy 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 (10) minutes. The public is expected to conduct themselves in a proper manner, any derogatory, abusive or threatening statements will not be permitted. The Chair will immediately rule such conduct out of order and terminate any further comments.

The following residents and business owners made comments.

Mr. William Lewis from Orange reported on past organizations he was involved in. Mr. Lewis does not approve of the shorten time for citizens comments. Mr. Lewis gave the Council some advice on management. Mr. Lewis commented on a number of resolutions and ordinances that he felt should be reviewed again by the Council.

Mr. Jeffrey Feld, an attorney and a business person who’s local business address is 268 Main St, Orange. Mr. Feld gave his condolences to the Mrs. Stewart. Mr. Feld questioned who were the tax appeal attorneys for the city, and other questions for the City Attorney. Mr. Feld and Attorney Smith had a discussion and the Council President had Mr. Feld sit down. Attorney Smith questioned if Mr. Feld was the lawyer for Epstein Hardware and was Mr. Feld addressing the Council as their representative. Attorney Smith asked if Mr. Feld was discussing litigation if so, then the Council would need to go into Executive session.

Mr. Orlando Soto, asked the Council for assistance with the settlement of his lawsuit with the city because he is retiring in 2016. The Council President reported that his lawsuit will be discussed in an executive session which will be scheduled.

Ms. Katalin Gordon, spoke about the Public Works Committee meeting. She again invited the Council Members-at-Large to attend their next meeting. Ms. Gordon questioned the votes for the YWCA and made comments about the Council’s reasons for their votes. Ms. Gordon commented on Ordinance 18-2015 and Ordinance 23-2015, and questioned vacant property and land codes.

Mr. Joshua Sakolsky, member of the Public Works Committee, spoke of a number of items that were on the bill list.

Ms. Gloria Stewart thanked everyone for their kind words and requested a report from the city regarding city water. Would like a report on Walter G and how it will affect parking in the area. Ms. Stewart stated that broadcasting of the city council meetings should be brought back to the city. Would like to have a Community Center for seniors in the YWCA and have the YWCA under the control of the City Council. Ms. Stewart was concerned that the Finance Director for this city was Mayor of another city; she wants an ordinance against those situations. Ms. Stewart feels that the pot holes in the city are an issue.

The Council President stated that questions would be answered at this time.

Mr. Kevin Harris, Legislative Research Office for the Council, spoke about the code regarding vacant land and vacant property and when an owner of that property can be sited.

Mr. Mapp reported that the City can have an acting BA and since it does not have a certified Tax collector, they have a finance department employee to assist in that function; the Mayor will present a name to the Council for their consideration in the future.

Mr. Mayes, Director of Public Works, and Ms. Lascari, the City CFO, answered questions regarding the bill list. The Council President reported on the Council's communications with the Administration to have the Council meetings broadcasted in the past year and half and their decision to have a video made of the meetings until the meetings can be broadcasted. Councilman Johnson spoke about the vacant lot on Oakland Avenue and other areas on Oakland Avenue.

The Essex County Liaison to the City of Orange reported on Essex County events and programs.

Motion by Councilman Corbitt, seconded by Councilwoman Summers-Johnson to close citizen comments.

The Motion was approved by a unanimous vote.

COUNCIL COMMENTS

Councilman Corbitt requested dates for the DPW Committee meetings.

Councilman Corbitt spoke about some abandoned and poorly kept houses in Orange.

Councilman Corbitt feels that the City needs more Police Officers and will make sure that more Police are hired.

Councilwoman Eason spoke about vendors that had not been paid; the finance department has been short staffed this past year, in order to keep tract it has been decided that vendors not take orders unless there is a purchase order for items so vendors can be paid on time.

Councilman Johnson requested that the public come to the budget hearings.

Councilwoman Summers-Johnson commented that when the Council meetings are broadcasted again she would like the Council and the public to respect one another.

Councilman Coley wants a plan in place for abandoned properties.

The Council President congratulated Councilwoman Summers-Johnson for receiving the "Woman on Fire" award. Councilwoman Summers-Johnson is a teacher in the Newark School system. The award is given to woman in Newark that make a positive impact on the city.

Council President Williams reported on the activities of the May 2nd Community Day at Town Hall.

Council President Williams reported that there would be a celebration on Thursday for the first woman Fire Fighter, in the City of Orange. Ms. Altwood. The Council President reminded residents that the Council Members are available to them all the time, and residents should reach out to them when needed not just when there is a Council meeting.

ORDINANCES—SECOND READING/PUBLIC HEARING

14-2015 An ordinance amending Chapter 4 of the Municipal Code of the City of Orange Township entitled Administration of Government regarding Department Directors. (Sponsored by: Council Member April Gaunt-Butler)

The Deputy Clerk read Ordinance 14-2015 by Title.

The Chair declared the time open for a hearing on Ordinance Number 14-2015.

Seeing no one, the Chair declared the time closed.

Motion by Councilman Corbitt, seconded by Councilwoman Gaunt-Butler to close the hearing.

Roll Call:

Ayes: Councilmembers: Coley, Corbitt, Eason, Gaunt-Butler, Johnson, Summers-Johnson and Council President Williams

Nays: None.

Abstain: None.

Absent: None.

Motion Carries.

Motion by Councilman Corbitt, seconded by Councilwoman Summers-Johnson, to adopt Ordinance Number 14-2015.

Roll Call:

Ayes: Councilmembers: Coley, Corbitt, Eason, Gaunt-Butler, Johnson, Summers-Johnson and Council President Williams

Nays: None.

Abstain: None.

Absent: None.

Motion Carries.

15-2015 An ordinance amending Chapter 4 of the Municipal Code of the City of Orange Township entitled Administration of Government amending the section regarding Council Committees. (Sponsored by: Council Member April Gaunt-Butler)

The Deputy Clerk read Ordinance 15-2015 by Title.

The Chair declared the time open for a hearing on Ordinance Number 15-2015.

Seeing no one, the Chair declared the time closed.

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

Roll Call:

Ayes: Councilmembers: Coley, Corbitt, Eason, Gaunt-Butler, Johnson, Summers-Johnson and Council President Williams

Nays: None.

Abstain: None.

Absent: None.

Motion Carries.

Motion by Councilman Corbitt, seconded by Councilwoman Summers-Johnson, to adopt Ordinance Number 15-2015.

Roll Call:

Ayes: Councilmembers: Coley, Corbitt, Eason, Gaunt-Butler, Johnson,
Summers-Johnson and Council President Williams

Nays: None

Abstain: None.

Absent: None.

Motion Carries.

18-2015 An ordinance amending Chapter 4 of the Municipal Code of the City of Orange Township entitled Administration of Government amending the powers of the City Council regarding Council activity. (Sponsored by: Council Member April Gaunt-Butler)

The Deputy Clerk read Ordinance 18-2015 by Title.

The Chair declared the time open for a hearing on Ordinance Number 18-2015.

Ms. Gloria Stewart asked about the amending of powers. Councilwoman Gaunt-Butler reported that the Ordinance would give the Council Members the power to enter into contracts that have already been budgeted for.

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

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

Roll Call:

Ayes: Councilmembers: Coley, Corbitt, Eason, Gaunt-Butler, Johnson, Summers-Johnson and
Council President Williams

Nays: None.

Abstain: None.

Absent: None.

Motion Carries.

Motion by Councilman Corbitt, seconded by Councilwoman Summers-Johnson, to adopt Ordinance Number 18-2015.

Roll Call:

Ayes: Councilmembers: Coley, Corbitt, Eason, Gaunt-Butler, Johnson, Summers-Johnson and Council President Williams

Nays: None.

Abstain: None.

Absent: None.

Motion Carries.

19-2015 An ordinance to exceed the municipal budget appropriation limits to establish a cap bank in accordance with N.J.S.A. 40A:4-45.14.

The Deputy Clerk read Ordinance 19-2015 by Title.

The Chair declared the time open for a hearing on Ordinance Number 19-2015.

Ms. Gordon, questioned the budget cap and made recommendations to not expand the financial appropriations.

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

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

Roll Call:

Ayes: Councilmembers: Coley, Corbitt, Eason, Gaunt-Butler, Johnson, Summers-Johnson and Council President Williams

Nays: None.

Abstain: None.

Absent: None.

Motion Carries.

Motion by Councilman Corbitt, seconded by Councilwoman Summers-Johnson, to adopt Ordinance Number 19-2015.

Roll Call:

Ayes: Councilmembers: Coley, Corbitt, Eason, Gaunt-Butler, Johnson, Summers-Johnson and Council President Williams

Nays: Coley, Johnson, Jr.

Abstain: None.

Absent: None.

Motion Carries.

ORDINANCE INTRODUCTION\FIRST READING

17-2015 An ordinance amending Chapter 210 of the Municipal Code of the City of Orange Township entitled development regulations regarding the Historic Preservation Commission. (Postponed from previous meeting)

The Council President requested that this ordinance be withdrawn because Ordinance 22-2015 had been written to align with the State Statutes. Mr. Harris provided the legal reasons.

Motion by Councilwoman Williams, seconded by Councilwoman Gaunt-Butler to withdraw Ordinance 17-2015.

Roll Call:

Ayes: Councilmembers: Coley, Corbitt, Eason, Gaunt-Butler, Johnson, Summers-Johnson and Council President Williams

Nays: None.

Abstain: None.

Absent: None.

Motion Carries.

The Township Deputy Clerk read Ordinance Number 22-2015 by Title.

22-2015 An ordinance amending Chapter 210 of the Municipal Code of the City of Orange Township entitled development regulations regarding the Historic Preservation Commission.

Motion by Councilman Corbitt, seconded by Councilwoman Gaunt-Butler that Ordinance 22-2015 be introduced on first reading and that the public hearing would be held May 19th.

Roll Call:

Ayes: Councilmembers: Coley, Corbitt, Eason, Gaunt-Butler, Johnson, Summers-Johnson and Council President Williams

Nays: None.

Abstain: None.

Absent: None.

Motion Carries.

The Township Deputy Clerk read Ordinance Number 23-2015 by Title.

23-2015 An ordinance amending Chapter 4 of the Municipal Code of the City of Orange Township entitled administration of government dealing procedural rules of the City Council.

Motion by Councilman Corbitt, seconded by Councilman Johnson, Jr. that Ordinance 23-2015 be introduced on first reading and that the public hearing would be held May 19th.

Roll Call:

Ayes: Councilmembers: Coley, Eason, Johnson, Summers-Johnson and Council President Williams

Nays: Councilmembers: Corbitt, Gaunt-Butler

Abstain: None.

Absent: None.

Motion Carries.

CONSENT AGENDA

The Deputy 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.

Resolution 82-2015 postponed March 17, 2015

82-2015 A resolution authorizing City Council to retain the Law Offices of Robert L. Tarver, Jr. as Legislative Counsel to the City Council of the City of orange Township. (Postponed Attorney Tarver will be at the next meeting)

RESOLUTIONS NO. *113-2015-123-2015

***113-2015 A resolution authorizing the purchase of one (1) 2015 Hino Miniature Garbage**

Truck for the City of Orange Township Public Works Department, Street Division under State Contract #A83010 to H.K. Truck Services, Inc., 2624-A Hamilton Boulevard, South Plainfield, New Jersey 07080 in an amount not to exceed \$107,960.00.
(Removed for separate vote)

- *114-2015** A resolution of the City of Orange Township authorizing the adoption of the 2015 Essex County All Hazard Mitigation Plan Update.
- *115-2015** A resolution authorizing the City of Orange Township to add various vacant properties to its existing City of Orange Township abandoned properties list.
- *116-2015** A resolution authorizing membership in the Houston Galveston area Council cooperative purchasing program and acquisition of a 2015 Ferrara Custom Heavy Duty Cinder Pumper.
(Removed for separate vote)
- *117-2015** A resolution authorizing Hendricks Appraisal Company, LLC to represent the City of Orange Township in regard to appraisal on real property in tax appeal matters in an amount not to exceed \$15,000.00
- *118-2015** A resolution authorizing the Law Firms of Michael A. Armstrong & Assoc., Scarinci Hollenbeck, LLC., Mack & Gil, LLC., Connie Bentley McGhee, Esq., Calvin Souder, P.C., Clarence Barry-Austin, P.C., David Stanziale, LLC., Florio & Kenny, LLP., Lamb Kretzer, LLC, Feinstein, Raiss, Kelin & Booker, LLC., Hunt, Hamlin & Ridley, LLC., William J. Ewing, P.C. and Joseph M. Wenzel, Esq., to participate on an as needed basis in the pool of qualified defense counsel on behalf of the City, its officers and employees for one (1) year period.
- *119-2015** A resolution authorizing payment to Central Jersey Video, LLC for Services rendered.
- *120-2015** A resolution approving the bill list for council meeting vote on April 21, 2015 dated April 17, 2015 and approving checks issued by the Finance Department in accordance with Ordinance 2-95 (Grand Total: \$ 3,041,984.93).
(Removed for separate vote)
- *121-2015** A resolution appointing Weldon Montague, III as Commissioner to the Insurance Fund Commission of the City of Orange Township.
- *122-2015** A resolution authorizing the Law Firms of Florio & Kenny and Feinstein, Raiss, Kelin & Booker, L.L.C., Stephens & Baugh and Wolff & Samson to represent the City of Orange Township in regard to tax appeal matters. **(Removed for separate vote)**
- *123-2015** A resolution authorizing a month to month agreement with Central Jersey Video, LLC.

Motion by Councilman Corbitt, seconded by Councilwoman Gaunt-Butler, to approve the Consent Agenda (with the corrections as noted) by the City Council.

The Consent Agenda was approved by unanimous vote.

The Chair read Resolution 113-2015 by Title.

113-2015 A resolution authorizing the purchase of one (1) 2015 Hino Miniature Garbage Truck for the City of Orange Township Public Works Department, Street Division under State Contract #A83010 to H.K. Truck Services, Inc., 2624-A Hamilton Boulevard, South

Motion by Councilman Corbitt, seconded by Councilwoman Gaunt-Butler, to approve Resolution 113-2015.

Roll Call:

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

Nays: Gaunt-Butler

Abstain: None.

Absent: None.

Motion Carries.

The Chair read Resolution 116-2015 by Title.

116-2015 A resolution authorizing membership in the Houston Galveston area Council cooperative purchasing program and acquisition of a 2015 Ferrara Custom Heavy Duty Cinder Pumper.

Motion by Councilman Corbitt, seconded by Councilwoman Gaunt-Butler, to approve Resolution 116-2015.

Roll Call:

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

Nays: Councilmember: Johnson, Jr.,

Abstain: None.

Absent: None.

Motion Carries.

The Chair read Resolution 120-2015 by Title.

120-2015 A resolution approving the bill list for council meeting vote on April 21, 2015 dated

April 17, 2015 and approving checks issued by the Finance Department in accordance with Ordinance 2-95 (Grand Total: \$ 3,041,984.93).

Motion by Councilman Corbitt, seconded by Councilwoman Gaunt-Butler, to approve Resolution 120-2015.

Roll Call:

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

Nays: Gaunt-Butler

Abstain: None.

Absent: None.

Motion Carries.

The Chair read Resolution 122-2015 by Title.

122-2015 A resolution authorizing the Law Firms of Florio & Kenny and Feinstein, Raiss, Kelin & Booker, L.L.C., Stephens & Baugh and Wolff & Samson to represent the City of Orange Township in regard to tax appeal matters.

City Attorney Smith reported that the title of the resolution was incorrect. Wolff & Samson should not be on the title. The body of the resolution is correct.

Motion by Councilman Corbitt, seconded by Councilwoman Summers-Johnson, to approve Resolution 122-2015 as amended.

Roll Call:

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

Nays: Gaunt-Butler

Abstain: None.

Absent: None.

Motion Carries.

Ms. Stewart came to the podium and commented that the Bill List should not have been voted on because the format was incorrect.

The Council President reported that all the information was in the Bill list that should be.

Mr. Mapp commented that the next Bill List will be in the usual format.

Ms. Knight from the Finance Department provided the information regarding issues that the Finance Department was having.

Motion by Councilman Corbitt, seconded by Councilwoman Gaunt-Butler, to adjourn.

By consensus the regular meeting adjourned at 10:25 P.M

Madeline Smith
Deputy Municipal Clerk

Donna K. Williams
Council President