

**CITY OF ORANGE TOWNSHIP  
REGULAR MEETING MINUTES  
May 5, 2015**

This was a regular meeting of the City Council of the City of Orange, Township held in the Council Chambers 4<sup>th</sup> Floor of City Hall, 29 North Day Street, Orange, New Jersey, on Tuesday, May 5, 2015 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 Councilman  
Councilwoman Jamie Summers-Johnson., South Ward Councilman  
Council President Donna K. Williams, At-Large Councilwoman

**Also Present:** Municipal Clerk Joyce Lanier  
Finance Director Adrian Mapp  
Assistant City Attorney Avram White  
Legislative Research Officer Kevin Harris  
Senior Clerk Margarete Homere  
Fire Director Dowd  
City CFO Ms. Lascari  
Deputy BA Edwards  
Fire Director Kenneth Douglas

**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.

The Clerk reported the following information:

There were no minutes to approve.

**Reports:**

- Department of Planning & Economic Development-Month of March 2015- \$45,895.00
- Clerk's Office- Month of April 2015- \$585.90

### **Constable Reports:**

- Mohammad Toure- Revised report for the month of February -2015-Court Summons served to Ramae Doe on 2-27-2015.
- Mohammad Toure- Month of March 2015-No activity
- Mohammad Toure- Month of April 2015-No activity
- Richard Noizy- Month of April 2015-No 4-18-15- Security service for Pro-Cops
- Darnell Brodie- Month of April 2015- No activity

### **OPRA Reports:**

There was no Opra report at this time for review.

### **Council Reports:**

The Council President requested that reports be cancelled until next meeting unless there was something that could not wait.

Councilwoman Eason reported that there would be a Taco Bell opening up on Main St off N. Jefferson in the fall. The White Castle will start there rebuilding in September.

Council President directs the Clerk to file reports.

### **Communications and Petitions:**

There were no communications or petition reported.

### **Citizen Comments:**

The Clerk read the following:

“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:

Ms. Alexander Charles commented that the overtime for Police is excessive and the City should be more pro active in hiring Police. The water department needs a clerk to collect bills; the city needs to be aggressive with residents who do not pay their water bills.

Ms. Katalin Gordon questioned the rules for speaking during citizen comments with regard to what happened with Mr. Feld at the last meeting and questioned resolution 132-2015 (a contract to decommission well #6) the price that was accepted and why there was such differences in the contractors prices, Also questioned resolution 133-2015 (Change Order No. 1 to modify the contract for the project known as the Monroe Street Sewer Lining Project) and why there was a change order to modify the contract, along with other questions and concerns.

Ms. Gloria Stewart thanked the Council for the Proclamation and commented that the Mayor should be at the meetings. Thanked the Council for having the Senator and Assembly persons at the meeting, they were very informative.

Ms. Stewart wanted the Council to investigate other towns with regard to the sharing of water in case of an emergency. Spoke about code enforcement personnel and their responsibility regarding abandoned properties.

**Motion by Councilman Corbitt, seconded by Councilwoman Gaunt-Butler to close citizen comments.**

Motion approved by unanimous vote.

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

**Roll Call:**

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

Nays: Councilmembers: Corbitt, Gaunt-Butler,

Abstain: None.

Absent: None.

**Motion Carries.**

The Council President had City employees answer certain questions made by the residents and then went into Council Comments.

Regarding the change order Mr. Mayes provided some history of the situation regarding resolution 133-2015, (Change Order No. 1 to modify the contract for the project known as the Monroe Street Sewer Lining Project) Resolution 132-2015(a contract to decommission well #6) Mr. Mayes commented that he could not say why some contractors are more expensive than others. Mr. Mayes addressed other questions and concerns regarding those two resolutions.

Mr. Mobley explained that well #6 was replaced because it was no longer functioning and would be filled as required by law. Mr. White explained the law regarding making comments during the citizen comments as an answer to Ms. Gordon's question. There was no hard and fast rule but was determined by the situation and the litigation taking place. Mr. Harris, the Legislative Research Officer commented that Mr. Feld was not denied his right to finish his comments and explained why. The Council President answered other questions and concerns that were brought up that evening.

**Council Comments:**

Ms. Eason reported that the Council will follow up with the Director and get new Police Officers.

Councilman Coley commented that we need to hire Police from the City's list.

Councilman Corbitt asked Mr. Mayes who cleans the catch basins after a rain storm and if we do not have a plan can one be implemented. Mr. Mayes reported that he would put one together. Councilman Corbitt asked if the City was leasing the YWCA property yet. Mr. White, the Assistant City Attorney, commented that they are negotiating an agreement with the trustee. The City is not in a lease yet. Councilman Coley questioned the soccer field at the Central playground and if it has a team that is leasing the field. Mr. Mayes will look into

that to determine if true, how the funds are being maintained and who they are going to. Councilman Corbitt reported that he was disappointed with the responses from Mr. Mayes regarding the city vehicles. Councilman Corbitt reported that there was a new city vehicle that was being taken home every night. Councilman Corbitt revisited the list of items that he was waiting on by Director Mayes. Director Mayes stated that he could provide a lot of that information but until he is named Fleet Manager by resolution to take on those responsibilities he was not taken on that responsibility. Councilman Coley stated that he would look into that and then spoke about an ordinance that he was sponsoring that evening.

Councilman Johnson, Jr. commented that he agreed with Councilman Corbitt. He did not see a reason for a Fleet Manager nor was it in the budget.

The Council President reported that Mr. Monica had been laid to rest that day and sent condolences to his family. The Council President reported that the Council President Holman of East Orange lost her mother. Council President Williams provided information of the services. The Council President reported on upcoming city events and meetings. The Council President wished all mothers a Happy Mother's Day.

There were no ordinances ready for their second reading.

### **ORDINANCE INTRODUCTION\FIRST READING**

**24-2015 An Ordinance creating the City of Orange Township Arts & Culture Commission and to further provide for membership, tasks and responsibilities, other administrative functions and other general provisions. (Sponsored by: Council Member April Gaunt-Butler)**

**Motion by Councilman Corbitt, seconded by Councilman Johnson, Jr. to adopt Ordinance 24-2015 on first reading with a public hearing on June 3, 2015.**

#### **Roll Call:**

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

Nays: None.

Abstain: None.

Absent: None.

#### **Motion Carries.**

**25-2015 An ordinance amending Chapter 185 of the Municipal Code of the City of Orange Township regarding street and sidewalks. (Sponsored by: Council Member Kerry J. Coley)**

**Motion by Councilman Corbitt, seconded by Councilwoman Gaunt-Butler. to adopt Ordinance 25-2015 on first reading with a public hearing on June 3, 2015.**

#### **Roll Call:**

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

Nays: None.

Abstain: None.

Absent: None.

**Motion Carries.**

**26-2015 An ordinance amending Chapter 23 of the Municipal Code of the City of Orange Township regarding personnel policies. (Sponsored by: Council Member Elroy A. Corbitt)**

**Motion by Councilwoman Gaunt-Butler, seconded by Councilman Johnson, Jr., to adopt Ordinance 26-2015 on first reading with a public hearing on June 3, 2015.**

**Roll Call:**

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

Nays: None.

Abstain: None.

Absent: None.

**Motion Carries.**

**27-2015 An ordinance repealing Chapter 156, Article XVIII of the Municipal Code of the City of Orange Township entitled Abandoned Property. (Sponsored by Council Members Kerry J. Coley & Harold Johnson, Jr.)**

**Withdrawn**

**28-2015 An ordinance amending Chapter 156, Article XXI of the Municipal Code of the City of Orange Township entitled vacant properties, registration. (Sponsored by Council Members Kerry J. Coley & Harold Johnson, Jr.)**

**Withdrawn**

**29-2015 An ordinance amending Chapter 4 of the Municipal Code of the City of Orange Township Entitled administration of government creating the position of Aide to the Mayor under the office of the Mayor. (Sponsored by: Council Member Kerry J. Coley)**

**Withdrawn**

**30-2015 An ordinance amending Chapter 4 of the Municipal Code of the City of Orange Township Entitled administration of government creating the position of Chief of Staff under the office of the Mayor. (Sponsored by : Council Member Kerry J. Coley)**

**Withdrawn**

**31-2015 An ordinance relating to salaries and classifications of certain Municipal Employees of the City of Orange Township.**

**Withdrawn**

**32-2015 An ordinance establishing a water and sewer billing policy for the City of Orange Township.**

**Motion by Councilman Corbitt, seconded by Councilwoman Eason to adopt Ordinance 32-2015 on first reading with a public hearing on June 3, 2015.**

**Roll Call:**

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

Nays: None.

Abstain: None.

Absent: None.

**Motion Carries.**

**Motion by Councilman Corbitt, seconded by Councilwoman Gaunt-Butler to suspend the rules and place Resolution 142-2015 and 143-2015 on the agenda.**

**Roll Call:**

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

Nays: None.

Abstain: None.

Absent: None.

**Motion Carries.**

**The Clerk read Resolution 142-2015 by Title**

Resolution authorizing settlement of litigation entitled Orlando Soto V. City of Orange Township, ET AL.

**The Clerk read Resolution 143-2015 by Title. (REMOVED)**

Resolution authorizing the City of Orange Township to receive bids for the sale of various tax sale certificates, including subsequent municipal liens, held by the City of Orange township.

**Consent Agenda:**

The 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 from 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.

**RESOLUTIONS NO. \*125-2015-141-2015**

- \*125-2015** A resolution authorizing the cancellation of eight premiums **(REMOVED)**
- \*126-2015** A resolution authorizing the refund of taxes due to state board judgments in the amount of **\$89,833.98.**
- \*127-2015** A resolution authorizing the cancellation of credit balances due to tax overpayments as per the attached list. **(REMOVED)**
- \*128-2015** A resolution authorizing the purchase of 2,500 square feet of sureplay aquapour rubberized resurfacing under state contract #A81418 for the Central Park Improvements (Spray & Play) to Picerno Giordano Construction, 200 Market Street, Kenilworth, NJ 07033 in an amount not to exceed \$25,000.00.
- \*129-2015** A resolution authorizing the award of a non-fair and open contract with Pennoni Associates, Inc., 105 Fieldcrest Avenue, Suite 52, Edison, New Jersey 08837 to provide professional engineering, surveying, design and construction administration services for the roadway improvements to Lincoln Place and Berwick Street in the amount not to exceed \$32,750.00.
- \*130-2015** A resolution authorizing the awarding of a contract for the roadway improvements to Synder Street, Jackson Street and Fairview Avenue to Vektor Corporation, 8 Dante Road, Monroe, New Jersey 08831 in the amount not to exceed \$473,467.78.
- \*131-2015** A resolution authorizing the awarding of a contract for the roadway improvements to Burnside Street and Burnside Place to JTG Construction, Inc., 41 Hamilton Avenue, Kearny, New Jersey 07032 in the amount not to exceed \$182,242.50.
- \*132-2015** A resolution awarding a contract to decommission well #6 to Uni Tech Drilling Co., Inc., 61 Grays Ferry Road, PO Box 407, Franklinville, NJ 08322 in the amount not to exceed \$18,020.00.
- \*133-2015** A resolution authorizing Change Order No. 1 to modify the contract for the project known as the Monroe Street Sewer Lining Project due to unforeseen conditions in the amount not to exceed \$3,220.00.
- \*134-2015** A resolution authorizing the award of a non-fair and open contract with PS&S, LLC, 67B Mountain Boulevard Extension, PO Box 4039, Warren, New Jersey 07058 for professional engineering services for emergency water interconnection design, bid phase and construction management to enable the City of Orange Township to receive water on an emergency basis from the East Orange Water Commission (EOWC) for a lump sum fee of \$25,000.00. **(POSTPONED)**

- \*135-2015     **A resolution authorizing the issuance of a Raffle License for Saint John’s Catholic Church.**
- \*136-2015     **A resolution authorizing the issuance of a Raffle License four Our Lady of Mt. Carmel Church.**
- \*137-2015     **A resolution re-appointing Tekeste Ghebremicael as a member to the Rent Leveling Board in the City of Orange Township, New Jersey. (Appointed by Hon. April Gaunt-Butler.**
- \*138-2015     **A resolution re-appointing Sonja Anderson as a member to the Rent Leveling Board in the City of Orange Township, New Jersey. (Appointed by Hon. Elroy A. Corbitt)**
- \*139-2015     **A resolution re-appointing Antoinette Hall as a member to the Rent Leveling Board in the City of Orange Township, New Jersey. (Appointed by Hon. Kerry J. Coley)**
- \*140-2015     A resolution for Emergency Temporary Appropriations to the Calendar Year 2015 Budget for the month of May. **(REMOVED)**
- \*141-2015     A resolution approving the bill list for council meeting vote on May 5, 2015 dated May 1, 2015 and approving checks issued by the Finance Department in accordance with Ordinance 2-95 (Grand Total: \$ 2,795,817.23) **(REMOVED)**

**Motion by Councilman Corbitt, seconded by Councilwoman Gaunt-Butler to adopt the consent agenda.**

**Roll Call:**

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

Nays: None.

Abstain: None.

Absent: None.

**Motion Carries.**

Motion approved by unanimous vote.

**125-2015**     A resolution authorizing the cancellation of eight premiums.

**Motion by Councilman Corbitt, seconded by Councilwoman Summers-Johnson to adopt Resolution 125-2015.**

Councilwoman Gaunt-Butler asked why there were cancellations of premiums

Ms. Wingfield stated they could be sold at a percentage rate or the third party holder will pay a premium and if the lien is not redeemed within 5 years then the premium belongs to the City.

**Roll Call:**

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



Summers-Johnson, Council president Williams

Nays: None.

Abstain: None.

Absent: None.

**Motion Carries.**

**127-2015** A resolution authorizing the cancellation of credit balances due to tax overpayments as per the attached list.

**Motion by Councilman Corbitt, seconded by Councilwoman Summers-Johnson to adopt Resolution 127-2015.**

Councilwoman Gaunt-Butler asked why these cancellations were coming up more frequently.

Ms. Wingfield reported that these were credits on properties and that the home owners were given 30 days to claim them; these overpayments were over 4 years old.

Councilman Johnson, Jr. asked if there was any response. Ms. Wingfield responded there was no response at all.

**Roll Call:**

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

Nays: None.

Abstain: None.

Absent: None.

**Motion Carries.**

**140-2015** A resolution for Emergency Temporary Appropriations to the Calendar Year 2015 Budget for the month of May

**Motion by Councilman Corbitt, seconded by Councilwoman Summers-Johnson to adopt Resolution 140-2015.**

**Roll Call:**

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

Nays: None.

Abstain: None.

Absent: None.

**Motion Carries.**

**141-2015** A resolution approving the bill list for council meeting vote on May 5, 2015 dated May 1, 2015 and approving checks issued by the Finance Department in accordance with Ordinance 2-95 (Grand Total: \$ 2,795,817.23)

**Motion by Councilman Corbitt, seconded by Councilwoman Eason to adopt Resolution 141-2015.**

**Roll Call:**

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

Nays: Councilmember: Gaunt-Butler

Abstain: None.

Absent: None.

**Motion Carries.**

**143-2015** Resolution authorizing the City of Orange Township to receive bids for the sale of various tax sale certificates, including subsequent municipal liens, held by the City of Orange township.

**Motion by Councilman Corbitt, seconded by Councilwoman Summers-Johnson to adopt Resolution 143-2015.**

Councilwoman Eason asked about the list they were supposed to get from the Tax Department.

The Council President reminded the Councilwoman that they had received the list.

Ms. Wingfield did have extra copies with her at the meeting and gave Councilwoman Eason another copy.

Councilwoman Gaunt-Butler asked if it was an emergent matter and Ms. Wingfield reported that the responses to the bidders regarding the bid were to be given after this meeting. The Council President reported that she had asked for a copy of the ad. Ms. Wingfield asked if she could have that at the Clerk's Office the next day. Councilman Johnson commented that the bids were not time stamped by the tax collectors office.

Ms. Wingfield reported that the tax department does not usually time stamp documents.

Councilman Johnson commented that there were no signatures on the documents by the Administration.

Ms. Wingfield reported that she was told that only the attorney had to sign the documents at this time.

Ms. Wingfield answered other questions from Councilman Johnson and the Council President.

Councilman Johnson commented that there was adequate time for the Administration to provide all the information that the Council had requested and to sign the documents. The Councilman stated he would not be supporting the resolution.

Mr. Mapp, the Finance Director, requested that the Council favorable consideration stating that the liens have no value to the City of Orange. The liens cannot be taken back to a tax sale, they will just sit on the City books. Once the liens are sold the City can again get taxes on the properties.

Mr. Mapp answered questions by Councilmembers. Councilman Corbitt commented that the City should have something in the contracts that states what the properties can be used for. He did not want to see a number of boarding houses coming up in the City.

Ms. Eason questioned the reason for a church to be on the tax rolls and was answered by the Assistant City Attorney.

**Roll Call:**

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

**Motion Fails:**

The Council President provided a list of items that were not given to Council that were needed to make a sound decision.

**OTHER PENDING BUSINESS**

None

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

By consensus the regular meeting adjourned at 11:30 P.M

*JOYCE LANIER*

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**Joyce Lanier  
Municipal Clerk**

*DONNA K. WILLIAMS*

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**Donna K. Williams  
Council President**

\*\*Original Copy of the Minutes can be obtained from the Office of the City Clerk.