

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, MAY 17, 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 (had stepped out of the room)
Councilman Elroy A. Corbitt, At-Large
Councilwoman Tency A. Eason, North Ward
Councilman Harold Johnson, Jr. West Ward
Councilwoman Jamie Summers-Johnson., South Ward
Councilwoman Donna K. Williams, At-Large (arrived @ 7:07)
Council President April Gaunt-Butler, At-Large

Also Present: Madeline Smith, Deputy City Clerk
Marty Mayes, Acting Duty BA
Adrian Mapp, Finance Director (arrived @ 7:13)
Dan Smith, City Attorney
Keith Harvest, Legislative Research Officer (arrived @ 7:21)
Margarette Homere, Senior Clerk,
Kenneth Douglas, Fire Director,

Absent: Joyce Lanier, City Clerk,
Joy Lascari, Chief Financial Officer

The Deputy City Clerk announces that the requirement of N.J. S.A. 10:4-9 et. seq., “Sunshine Law” has been met. A notice of this meeting was sent to the Star Ledger and published in the Record-Transcript 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

Clerk’s Office for the month of April 2016- Total: \$ 152.35

Community Service Department – for the month of April - \$16,592.00

CONSTABLE REPORTS-

- **Richard Noizy- Month of April 2016-- No activity**
- **Darnell Brodie-Month of April 2016 - No Activity**
- **Mohammed Toure – Month of April 2016 – No Activity**

OPRA REQUESTS

- **68 OPRA Items requested in April 2016, 65 were completed 3 remain outstanding.**

COUNCIL REPORTS - None

Councilwoman Williams asked Director Mayes if he knew when the budget would be ready but he did not know.

Council President directs Clerk to file reports

COMMUNICATIONS AND PETITIONS-

Councilwoman Williams read a statement from the firm of Lerch, Vinci & Higgins LLP dated May 14th in which they state that the delay in the budget process was not their fault as insinuated by the Acting Business Administrator and the Chief Financial Officer at a council meeting. The statement provided dates and actions by the company with regard to the budget and stated that they did not impede the administration's obligation to submit the 2016 Budget to the Council.

CITIZEN COMMENTS ON GENERAL ISSUES/AGENDA ITEMS

The Deputy 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. William Lewis spoke about his education and his military service scores. Provided Council Members with some suggestions on how to run a meeting.
- Mr. Jeffery Feld commented that there has to be a free exchange of ideas. Spoke about the website being down. The budget has not been presented according to the

laws of the State. Spoke about some vetoed ordinances and why did they ever get to the Council if they were unconstitutional. Mr. Feld spoke of other concerns that he had.

- Mr. Kevin Mason spoke about residents and the noise they have made in the past year. The Police come but nothing is done to stop the music for the long term.
- Ms. Patricia Arthur spoke about flyers she had received about the School district and the School Superintendent and the unjust claims that were made. She spoke about the audits the School District goes through each year.
- Kaitlin Gordon commented that the website is down again. She did not believe that Lerch, Vinci & Higgins should be the Forensic Auditor. Asked about contracts and who got the award of the contract.

Motion to Close Citizen Comments by Councilman Corbitt, seconded by Councilwoman Sommers-Johnson.

The Motion was approved by unanimous vote.

Some answers to resident's questions.

The Council President asked Director Mayes why the website was down. Director Mayes did not know. He would look into it.

The Council President asked Finance Director Mapp why the bill list was delivered so late. Director Mapp did not know why.

The Council President asked for a status on the budget. Director Mapp provided statements why the budget was not ready. Issues had arisen with the increased hours of crossing guards, a State court judgement and other issues had come up that would affect the budget. Councilman Corbitt asked Mr. Mapp if he was aware of all the issues before he went on vacation. Mr. Mapp stated he was not aware of those issues before he went on vacation. The City Attorney Dan Smith would look into the State Court issue and update the Council.

The Deputy BA, Mr. Copeland came to the podium to answer questions about payments that were made to American Water. Mr. Copeland stated that issue is in the Law Department.

Mr. Mapp stated that the Financial Statements would be delivered the following Thursday.

The depositor of the bulk sales tax for 1.7 million will have to be researched and reported back to the Council. Discussion ensued between Councilwoman Williams and Attorney Smith regarding the details of the bulk sale contract and its duration.

COUNCIL COMMENTS

Councilwoman Summers-Johnson reported that she attended the wake of Mr. Hooper. She had also attended the Orange Board of Education meeting. She had attended a Tee Ball tournament, the tournament was fun to watch.

June 1st will be the South Ward Community meeting and she reported on who would be there from the different city departments.

Councilman Johnson had also attended Mr. Hooper wake.

Councilman Corbitt reported on a meeting he attended. A CDGB held in Montclair. He requested some repairs that needed to be addressed by the Department of Public Works.

Councilwoman Eason reported that St Matthews Church was hosting a family game night on May20th.

Councilwoman Williams asked Director Mayes if there was any preparation for summer youth employment. Director Mayes stated that the process is underway.

Councilman Coley suggested placement of a Stop light at an intersection of Park Avenue and Cleveland Street. Councilman Coley reported on fires that had been started at abandoned homes that were not secured by the city.

Council President Gaunt-Butler thanked the residents for their support and it was a privilege to service the City of Orange. She congratulated the newly elected and reelected Council Members and hoped that they would do what was best for the residents of Orange. Mr. Hooper would be missed in the community.

Spoke about the Crossing Guards monitoring Scotland Road and how dangerous it is for them.

ORDINANCE FOR RECONSIDERATION

(The Mayor Did Not return the ordinance)

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)

Ordinance 22-2016 shall take effect without the Mayor’s signature.

(Mayor Vetoed)

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 to override veto by Councilman Corbitt, seconded by Councilwoman Williams.

On the motion Attorney Smith reported that the Mayor vetoed this ordinance because it was unconstitutional explaining why.

Councilman Johnson asked where was ‘legal’ during the hearing and introduction of the ordinance.

Roll Call:

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

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

Motion Carries.

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 override veto by Councilwoman Williams, seconded by Councilman Corbitt.

On the motion Attorney Smith stated that employees would be exposed. It was determined that the ordinance would be postponed while information was gathered and brought back at the next meeting.

Motion to postpone by Councilwoman Gaunt-Butler, seconded by Councilwoman Williams.

Roll Call:

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

Motion Carries.

26-2016 And 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 override the veto by Councilwoman Williams, seconded by Councilman Johnson, Jr.

On the motion Attorney Smith stated that the private property owner should have the right to charge for the use of his private property, providing the reasons why. Councilwoman Williams stated that the owner of the property had taken over the parking area property with a PILOT and does not pay taxes as other residents do. His proposed prices are much higher than what the city charges for parking. After further discussion between Attorney Smith and Councilwoman Williams the vote was taken.

Roll Call:

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

Motion Carries.

ORDINANCES–SECOND READING/PUBLIC HEARING None.

ORDINANCES INTRODUCTION/ FIRST READING

23-2016 An ordinance calling for the establishment of a minimum wage at agencies that received funding from the City of Orange Township. (Sponsored by Council Member Donna K. Williams) (TABLED) 4-19-2016)

There was no second to a motion to lift from the table.

27-2016 An ordinance amending Chapter 4 of the Municipal Code of the City of Orange Township entitled Administration of Government (Sponsored by Council Members Jamie Summers-Johnson & Elroy A. Corbitt) (TABLED 4-19-2016)

Motion to lift from the table by Councilwoman Summers-Johnson, second by Councilwoman Williams.

On the motion Councilman Corbitt stated that he would want the time changed to 11:30. and wording about outburst from the audience.

Roll Call:

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

Motion Carries.

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

Roll Call:

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

Motion Carries.

32-2016 An ordinance to amend the Code of the City of Orange Township, Chapter 200, entitled "Vehicles & Traffic", Residential Parking Permit & prohibited parking during certain hours (Sponsored by Council Member Jamie Summers-Johnson)

Motion that Ordinance 32-2016 be introduced on first reading and that the public hearing would be held June 21, 2016 by Councilman Corbitt, seconded by Councilwoman Williams.

Roll Call:

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

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

Motion Carries.

33-2016 An ordinance amending the Code of the City of Orange Township, Chapter 210 of the Municipal Code entitled development regulations. (Sponsored by Council Member Donna K. Williams)

Motion that Ordinance 33-2016 be introduced on first reading and that the public hearing would be held June 21, 2016 by Councilman Corbitt, seconded by Councilwoman Williams.

Roll Call:

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

Motion Carries.

34-2016 An ordinance to amend the code of the City of Orange Township, Chapter 142, entitled "Parking Lots") (Sponsored by Council Member Tency A. Eason)

Motion that Ordinance 34-2016 be introduced on first reading and that the public hearing would be held June 21, 2016 by Councilman Corbitt, seconded by Councilwoman Williams.

Roll Call:

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

Motion Carries.

Motion to suspend the rules to add Resolution 93-2016 to the constant agenda 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 Deputy Clerk read Resolution 93-2016 by Title.

A resolution approving the bill list for Council meeting vote on May 17, 2016 dated May 13, 2016 and approving checks issued by the Finance Department in accordance with Ordinance 2-95. (Grand Total: \$16,011,081.00)

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.

RESOLUTION NUMBERS *90-2016 - *93-2016

*90-2016 A resolution authorizing the award of a non-fair and open contract with OCA Architects, 211 Warren Street, Suite 219, Newark, New Jersey 07103 to provide professional architectural, surveying, design and construction inspection services for the new 2-story Central Playground Field House in the amount not to exceed \$45,500.00.

***91-2016 A resolution authorizing Change Order No. 1 to modify the contract for the project known as the 2015 CDBG Metcalf Park Pathway Improvements in the amount not to exceed \$4,000.00.**

*92-2016 A resolution authorizing a Fair and Open Contract with Lerch, Vinci & Higgins, LLP, Registered Municipal Accountants, 17-17 Route 208 Fair Lawn, New Jersey 07410, to serve as Forensic Auditor to the Municipal Council of the City of Orange Township, New Jersey commencing upon adoption this resolution for a period of up to six (6) months in the amount not to exceed \$30,000.

Motion to approve the Consent Agenda by Councilwoman Eason, 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.

Resolutions removed for a separate vote:

The Deputy Clerk read Resolution 90-2016 by title.

- *90-2016 A resolution authorizing the award of a non-fair and open contract with OCA Architects, 211 Warren Street, Suite 219, Newark, New Jersey 07103 to provide professional architectural, surveying, design and construction inspection services for the new 2-story Central Playground Field House in the amount not to exceed \$45,500.00.

Motion to approve Resolution 90-2016 by Councilman Corbitt, seconded by Councilwoman Williams.

On the motion Councilwoman Williams asked Director Mayes about work that had been done at the Central Playground. Was this part of that. Director Mayes stated that this was the tearing down of the field house. Councilman Corbitt commented that the basketball court is on a downward slant.

When asked, Director Mayes stated that this money is from the bond, not grant money. Director Mayes stated that the Council can review the plans for the 2 story building as they become available. Director Mayes clarified that the bond money for this project has not been spent, he estimated that there was around \$450,000.00 left to develop this project.

Director Mayes answered other questions about the building and the design of the building from Council Members. Director Mapp answered questions about the bond money.

Roll Call:

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

Nays: None.

Abstain: None.

Absent: None.

Motion Carries.

The Deputy Clerk read Resolution 90-2016 by title.

- *92-2016 A resolution authorizing a Fair and Open Contract with Lerch, Vinci & Higgins, LLP, Registered Municipal Accountants, 17-17 Route 208 Fair Lawn, New Jersey 07410, to serve as Forensic Auditor to the Municipal Council of the City of Orange Township, New Jersey commencing upon adoption this resolution for a period of up to six (6) months in the amount not to exceed \$30,000.

Motion to approve Resolution 90-2016 by Councilman Corbitt, seconded by Councilwoman Williams.

Roll Call:

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

Nays: None.

Abstain: Gaunt-Butler

Absent: None.

Motion Carries.

The Deputy Clerk read Resolution 93-2016 by Title.

A resolution approving the bill list for Council meeting vote on May 17, 2016 dated May 13, 2016 and approving checks issued by the Finance Department in accordance with Ordinance 2-95. (Grand Total: \$16,011,081.00)

Motion to approve Resolution 90-2016 by Councilman Corbitt, seconded by Councilwoman Eason.

On the motion Councilwoman Williams addressed Director Mapp about the Council’s frustration caused by the lack of information when it comes to the bill list. The Council has had no qualifying information to pass the bill lists and this bill list is the fourth bill list without salary and wage information.

Employees are being paid so there must be a report. Director Mapp addressed the salary information stating that the CFO was not comfortable releasing information that was not accurate and complete. Mr. Mapp stated that the city has an obligation to pay vendors.

Council President Gaunt Butler stated that she understood that the CFO wanted to be accurate but the city is spending money that the Council had not approved and there are no reports on salary and wages. The Council President and Mr. Mapp spoke about the 27th pay that happens every 10 years. But had no answer on how it would be handled. Mr. Mapp answered questions about other items on the bill list.

Director Mayes was asked to check on the Council’s approval for the Central Park basketball court repairs. Council Williams does not recall approving anything on the basketball or volleyball courts.

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 Councilwoman Summers-Johnson, seconded by Councilman Corbitt.

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

Madeline Smith
Deputy City Clerk

April Gaunt-Butler
Council President