

**CITY OF ORANGE TOWNSHIP  
REGULAR MEETING MINUTES  
June 4, 2014**

THIS WAS A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF ORANGE TOWNSHIP HELD IN CITY HALL, COUNCIL CHAMBERS, 29 NORTH DAY STREET, ON WEDNESDAY, JUNE 4, 2014 IMMEDIATELY FOLLOWING THE CONFERENCE MEETING.

The Chair led all assembled in a Salute to the American Flag

**Roll Call:**

**Present:**

At-Large Councilman Elroy A. Corbitt  
North Ward Councilwoman Tency A. Eason  
At-Large Councilwoman Gaunt-Butler  
East Ward Councilwoman Linda Jones-Bell  
South Ward Councilman Edward B. Marable, Jr.  
At-Large Council President Donna K. Williams

**Also Present:**

Deputy Municipal Clerk, Madeline F. Smith  
Marty Mayes, Administrative Representative  
James Wolfe, City Attorney's Office  
Margarette Homere, Clerk's Office  
Kevin D. Harris, Legislative Research Officer (arrived @ 7:25)

**Absent:**

West Ward Councilman Abdul-Rasheed

Council President Williams reported that Council-members Elect Summers-Johnson, Johnson and Coley, were in the audience and there was a representative for the Fire Department also present and Mr. Carl Smith from the Tax office.

The Deputy Municipal 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 Record-Transcript and published in the Star Ledger on December 21, 2013, posted on the Bulletin Board in City Hall and filed in the Office of the Municipal Clerk.

There were no minutes presented for approval.

**REPORTS:**

**OPRA REPORTS: None**

## **DEPARTMENTS REPORTS –**

Police report – None  
Fire Department report – None  
Library report – None  
Personnel report – None  
Housing Authority report – None

Council President Williams commented on a School report that was handed out by Ms. Gloria Stewart, an Orange resident.

## **CONSTABLE REPORTS - NONE**

## **COUNCIL REPORTS**

## **COMMUNICATIONS AND PETITIONS - NONE**

## **CITIZEN COMMENTS ON GENERAL ISSUES/AGENDA ITEMS**

The Deputy Clerk read 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 TEN (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.

Mr. William Lewis – commented he attended a meeting with the founders and supporters of the New Jersey School of Technology. He spoke about the degree he received from that institute. Mr. Lewis spoke about a woman that had addressed the Council at the last meeting. Commented on Ordinance 11-2014 and made suggestions to the Council.

Mr. Jeffery Feld commented that this was the 7th anniversary of the first time he spoke to the Council and at that time he was speaking on a City Pilot. Mr. Feld spoke about 3 decisions that came out of the Appellate Division regarding the relationship of the Executive and Legislative Branches of the County. Mr. Feld suggested that they read the decision regarding conflict of interest. Mr. Feld asked how much money the City had gotten from the Storm Sandy fund and how was it spent. Mr. Feld suggested that the Council should look at the summary of litigation. Mr. Feld spoke about a letter from the State regarding the application submitted with the Bond Ordinance. Litigation fees should be broken down into individual item on the Bill List not joined together under one total. Mr. Feld gave his opinion on other issues.

Mr. Bergson Leneus commented that he is the President of the East Orange Board of Education and he and other residents are concerned about the reappointment of Judge Sybil Elias providing his reasons. Mr. Leneus would like to have the Mayor and Council meet with the Haitian people of

Orange before making a decision. Other people in support of Judge Elias also spoke angrily regarding their vote and the Warren Administration.

The Council Members provided Mr. Leneus with information and suggested that Judge Elias supporters make an appointment to see the Mayor. The Council supports Judge Elias and her reappointment.

Mr. Josh Salcolsly – commented he was pleased to hear from Director Sims and the plans for the area parks. The fences in Orange Park that had been downed by Storm Sandy still need to be replaced. Reported on his concern regarding the Tax department spending money to send public tax data to a private organization. They should come to the Office and get the information.

Mr. Salcolsly was concerned about the litigation cost for the City. Mr. Garrett Essex County Liaison to Orange commented that he was told that the fences were repaired. Parts were ordered and replaced.

Ms. Gloria Stewart commented that she wanted the Council to see the Cleveland Street School photos that she had sent to Council Present Williams. The School needs to be repaired or rebuilt. Ms. Stewart is not in support of the Resolution 144-2014, The Signature Information Solutions Company. Ms. Stewart would prefer Council not vote on the ordinance that needs to have the impact statement. The City needs Crossing Guards and that should be taken care of right away. The overpass on Oakwood is still bad and needs improvements. Ms. Stewart asked that the outgoing Councilmembers please be active in the community. Ms. Stewart made inquiries regarding the Library and had suggestions regarding the City and the Administration.

Councilman Marable reported that the State requires the City to provide around a half a million dollars toward the Library. The City Council had provided the Library with more than a million dollars to take care of repairs but the house needed to be cleaned before you can take care of the building.

Ms. Katalin Gordon commented that she did not support Resolution 144-2014, providing the Council with her suggestions. Asked questions regarding Ms. Copper and her position as Deputy BA. Commented on the Emergency Appropriation resolution and reported on items that she was still waiting for from the Clerk's Office. Agreed that the Council and public should be able to see the financial impact statement before voting on Ordinance 12-2014.

Mr. Mayes commented that there is no requirement to have an impact statement done for this ordinance explaining the process to Ms. Gordon. Mr. NNaeto came to the podium and expressed his desire to have this ordinance voted on tonight providing his reasons.

Mr. NNaeto answered questions from the Councilmembers.

Councilman Marable questioned the documents that Mr. Feld had regarding Ms. Cooper specifically regarding the dates on the documents. Mr. Feld responded to the questions.

Ms. Gordon came back to the podium asking about large money items and how are they being spent and the rate of spending. Mr. Mapp was asked to answer and reported that item are listed on the Bill List on a monthly bases. Mr. Mapp was directed to provide the Council President with the amount of the pension payments and the amount for the Liability insurance.

Motion by Councilman Corbitt, seconded by Councilwoman Gaunt-Butler, to Close Citizen Comments. Motion was approved by unanimous vote.

## COUNCIL COMMENTS

Councilman Marable commented on a comment that Mr. Feld had made regarding Resolution 122-2014 and others that related to that resolution explaining that the Council was not correctly advised regarding the temporary position for a City Judge.

Councilman Marable also commented on the expired term of Judge Elias and his work with Judge Elias in the past.

Councilwoman Eason had questions regarding the 3 way stop sign at the Oakwood School and why it had not been put up. Attorney Harris responded to questions asked by Councilwoman Eason and Mr. Mayes commenting that the new City Engineer is checking the ordinance and will come back with a report. Councilwoman Eason commented that the signage was already approved by the Council and Mayor and that the new City Engineer did not have to look at it again. Why can't the sign be installed? Mr. Mayes was directed to contact Ms. Smith, the resident who had asked for the sign and explain to her why the sign was not up. Mr. Garrett was asked to make a note that there was a big pothole on Central Avenue and South Harrison which needed to be fixed. What is the status of the YWCA and memorandum of understanding? Attorney Wolfe commented that the memorandum of understanding is in process and it is moving forward. Councilwoman Eason commented to Attorney Wolfe that there needs to be a contract between the City and the WYCA; depicting what the city will be responsible for and what the YWCA will be responsible for.

How many grants have been received and inserted in the budget?

Ms. Eason asked the following to Attorney Wolfe:

Is it legal to enter into an agreement with the YWCA when they are in bankruptcy?

Would the city be responsible for some of that debt?

The Council needs something in writing that the City would not be responsible for that debt.

Councilwoman Eason requested other information which Attorney Wolfe would find out.

Councilman Marable stated that no action should be taken regarding the MOU without the Council knowledge and approval.

Councilwoman Jones-Bell commented that she did not approve of the way the Administration handled the Judge Elias reappointment.

Commented that the 3 way stop sign should have been put up already and not being reviewed again.

Councilwoman Jones-Bell congratulated the three Council Elect people and wished them luck.

Councilwoman Gaunt-Butler announced that the Senor Breeze application deadline had been extended to September 15<sup>th</sup> 2014. Councilwoman Gaunt-Butler thanked the public that came out and participated in yesterday's election and commented on how important it was to vote during elections.

Council President Williams reported that she is the President of the Board of Directors for the YWCA and she is a Councilwoman for the City of Orange. She has not been engaged in any decisions regarding the YWCA and the City. She will reclude herself from the YWCA Board and City Council if the matter is discussed. Should there be any questions before the Council regarding the matter between the City and the YWCA they should be directed Councilwoman Eason. She is not engaged in those conversations.

Council President Williams addressed some of Ms. Gordon's questions. Council President Williams offered her condolences to the Boyd family. Council President Williams provided information regarding upcoming events.

Councilwoman Eason reminded residents to be active with the Board of Education and commented that Mr. Leneus has been the best leader of the Board of Education that the City has had in years. Council President Williams gave the date and time for the next Board of Education meeting.

Councilman Corbitt reported to Mr. Mayes, the DPW Director, an issue that a resident reported regarding recycling. Mr. Corbitt spoke of his concerns regarding the bankruptcy of the YWCA and considerations that the City may have of helping them financially.

### **ORDINANCES-SECOND READING/PUBLIC HEARING**

The Council President read Ordinance 10-2014 by Title.

#### **10-2014 An ordinance to vacate Kirke Street**

The Chair declared the time open for a hearing on Ordinance Number 10-2014.

Seeing no one, the Chair declared the time closed.

**Motion by Councilman Corbitt, seconded by Councilwoman Jones-Bell, to adopt Ordinance Number 10-2014.**

#### **Roll Call:**

Ayes: Councilmembers: Corbitt, Eason, Gaunt-Butler, Jones-Bell, Marable and Council President Williams

Nays: None.

Abstain: None.

Absent: Councilman Abdul-Rasheed

#### **Motion Carries.**

The Council President read Ordinance 11-2014 by Title.

#### **11-2014 An ordinance amending Chapter 23 of the Municipal Code of the City of Orange Township regarding Personnel Policies (Sponsored by: Hon. Tency A. Eason)**

The Chair declared the time open for a hearing on Ordinance Number 11-2014.

Mr. Jeffery Feld commented that the ordinance was not signed by the City Attorney.

Ms. Gloria Stewart asked about the purpose of the ordinance. Legislative Research Officer Harris answered questions regarding the ordinance.

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

**Motion by Councilman Corbitt, seconded by Councilwoman Eason to adopt Ordinance Number 11-2014.**

Councilwoman Eason commented that the ordinance was to protect employees from being pressured regarding their vote by other employees.

Councilman Marable commented that he thought the City Attorney was going to research the law to see if the ordinance infringed on anyone's free speech rights. It was reported that there was no communications with the City Attorney.

Council President Williams gave examples of employees having to buy tickets for candidates; this ordinance was to give a hands off approach to these things.

**Roll Call:**

Ayes: Councilmembers: Corbitt, Eason, Gaunt-Butler, Jones-Bell, Marable and Council President Williams

Nays: None.

Abstain: None.

Absent: Councilman Abdul-Rasheed

**Motion Carries.**

The Council President read Ordinance 12-2014 by Title

**12-2014      An ordinance of the City of Orange Township authorizing the execution of a financial agreement with the Living Fountain Urban Renewal Entity, LLC and granting a tax exemption for the Living Fountain Housing Project.**

The Chair declared the time open for a hearing on Ordinance Number 12-2014.

Mr. Jeffrey Feld commented that the Council should move slowly on this ordinance. Seeing no one else, the Chair declared the time closed.

**Motion by Councilman Corbitt, seconded by Councilwoman Eason, to table Ordinance Number 12-2014.**

Councilman Corbitt commented that there was no financial impact statement delivered to Council.

Mr. Mayes, Director of DPW, stated that the impact statement was given but not distributed to the council.

Councilman Corbitt suggested that the ordinance be tabled till the financial impact statement is reviewed by Council.

Mr. Christopher Nathan of the Living Fountain project shared his concerns regarding the project and any delays.

**Roll Call:**

Ayes: Councilmembers: Corbitt, Eason, Gaunt-Butler, Jones-Bell,

Nays: Councilman Marable, Council-President Williams

Abstain: None.

Absent: Councilman Abdul-Rasheed

**Motion Carries.**

The Chair reported that the Local Finance Board had not reviewed the Bond yet and had the Deputy Clerk move the agenda.

**ORDINANCE TABLED FROM MAY 20, 2014 REGULAR MEETING**

**9-2014      A Bond Ordinance providing for various capital acquisitions and improvements by and in the City of Orange Township, in the County of Essex, State of New Jersey (the "City"); appropriating \$8,772,000 therefor and authorizing the issuance of \$8,333,400 bonds or notes of the City to finance part of the costs thereof.**

**No ordinances were presented for first reading.**

**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 REQUESTS, 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 Councilman Corbitt, seconded by Councilwoman Jones-Bell, to approve the Consent Agenda (with the corrections as noted) by the Township Council as follows:**

**RESOLUTIONS \*138-2014-\*147-2014**

- \*138-2014** A resolution authorizing the refund of taxes due to state board judgments in the amount of \$45,447.31.
  
- \*139-2014** A resolution authorizing the City of Orange Township to remove 493 Madison Street from its existing City of Orange Township abandoned properties list.
  
- \*140-2014** A resolution authorizing the awarding of a contract for the 2013 CDBG A.D.A. Accessible Crosswalk Construction in the vicinity of 300 & 400 Oakwood Avenue to P.A. Contractors, Inc., 105 Davis Avenue, Kearny, New Jersey 07032 in the amount not to exceed \$29,308.48.
  
- \*141-2014** A resolution honoring Xivandell Emmanuel (Sponsored by Councilman Elroy A. Corbitt)
  
- \*142-2014** A resolution honoring Danelle Welcome (Sponsored by Councilman Elroy A. Corbitt.)
  
- \*143-2014** A resolution for emergency temporary appropriations to the Calendar Year 2014 Budget for the month of June.  
(Removed)
  
- \*144-2014** A resolution authorizing the Tax Department of the City of Orange Township to enter into an Agreement with signature information solutions for the transfer of real estate property tax information.  
(Removed)
  
- \*145-2014** A resolution approving the bill list for council meeting vote on June 4, 2014 dated May 31, 2014 and approving checks issued by the Finance Department in accordance with Ordinance 2-95 (Grand Total: \$ (510,906.10)  
(Removed)
  
- \*146-2014** A resolution rescinding resolution number 122-2014, appointing Michael Hackett, ESQ., as Judge of the Orange Municipal Court.  
(Removed)
  
- \*147-2014** A resolution appointing Michael Hackett, Esq., as a “Temporary” Judge of the Orange Municipal Court for a one –Year Term.  
(Removed)

**Consent Agenda approved by unanimous vote.**

**Council President read the Resolution 143-2014 by title.**



**143-2014** A resolution for emergency temporary appropriations to the Calendar Year 2014  
Budget for the month of June 2014.

**Motion by Councilman Corbitt, second by Councilwoman Jones-Bell to approve Resolution Number 143-2014**

**Roll Call:**

Ayes: Councilmembers: Corbitt, Gaunt-Butler, Jones-Bell, Marable and Council President Williams

Nays: None.

Abstain: Councilwoman Eason

Absent: Councilman Abdul-Rasheed

**Motion Carries.**

**Council President read the Resolution 144-2014 by title.**

**144-2014** A resolution authorizing the Tax Department of the City of Orange Township to enter into an Agreement with signature information solutions for the transfer of real estate property tax information.

**Motion by Councilman Corbitt, second by Councilwoman Jones-Bell to approve Resolution Number 144-2014**

**Roll Call:**

Ayes: Councilmembers: Corbitt, Eason  
Gaunt-Butler, Jones-Bell,

Nays: Councilman Marable, Council President Williams

Abstain:

Absent: Councilman Abdul-Rasheed

**Motion Carries.**

**Council President read the Resolution 145-2014 by title.**

**145-2014** A resolution approving the bill list for council meeting vote on June 4, 2014 dated May 31, 2014 and approving checks issued by the Finance Department in accordance with Ordinance 2-95 (Grand Total: \$ (510,906.10)

**Motion by Councilman Corbitt, second by Councilwoman Jones-Bell to approve Resolution Number 145-2014**

**Roll Call:**

Ayes: Councilmembers: Corbitt, Eason, Gaunt-Butler, Jones-Bell, Council President Williams

Nays: Councilman Marable

Abstain: None.

Absent: Councilman Abdul-Rasheed

**Motion Carries.**

**Council President read the Resolution 146-2014 by title.**

**146-2014 A resolution rescinding resolution number 122-2014, appointing Michael Hackett, ESQ., as Judge of the Orange Municipal Court.**

**Motion by Councilman Corbitt, second by Councilwoman Gaunt-Butler to approve Resolution Number 146-2014**

**Mr. Wolfe, representing the City Attorney's Office reported that Council should be aware that by changing the term from 3 years to 1 year Mr. Hackett may have the ability to file a legal action.**

**Councilman Corbitt reported on a document received by the City Attorney's office regarding the change in term.**

**Roll Call:**

Ayes: Councilmembers: Corbitt, Eason, Gaunt-Butler, Jones-Bell, Marable, Council President Williams

Nays: None.

Abstain: None.

Absent: Councilman Abdul-Rasheed

**Motion Carries**

**Council President read the Resolution 147-2014 by title.**

**147-2014      A resolution appointing Michael Hackett, Esq., as a “Temporary” Judge of the Orange Municipal Court for a one –Year Term.**

**Motion by Councilman Corbitt, second by Councilwoman Eason to approve Resolution Number 147-2014**

**Roll Call:**

Ayes: Councilmembers: Corbitt, Eason, Gaunt-Butler, Jones-Bell, Marable,  
Council President Williams

Nays: None.

Abstain: None.

Absent: Councilman Abdul-Rasheed

**Motion Carries**

**Council President Williams reported that the Council was going into Executive Session regarding Personnel and Legal Matters.**

**Motion by Councilman Marable, seconded by Councilman Corbitt, to have an Executive Session.**

**Roll Call:**

Ayes: Councilmembers: Corbitt, Gaunt-Butler, Jones-Bell, Marable, Council  
President Williams

Nays: Councilwoman Eason

Abstain: None.

Absent: Councilman Abdul-Rasheed

**Motion Carries**

**Motion by Councilwoman Jones-Bell, seconded by Councilwoman Gaunt-Butler to extend the meeting beyond 10:30 P.M.**

**Roll Call:**

Ayes: Councilmembers: Corbitt, Gaunt-Butler, Jones-Bell, Marable, Council President Williams

Nays: Councilwoman Eason

Abstain: None.

Absent: Councilman Abdul-Rasheed

### **Motion Carries**

Discussion ensued regarding the count for Ordinance 12-2014.

If the Ordinance is tabled for two week they may lose some investors in the Pilot program.

The Chair asked for a poll to hear from the public regarding Ordinance 12-2014

Councilman Corbitt – Yes

Councilwoman Eason – Yes

Councilwoman Jones-Bell –Yes

Councilwoman Gaunt-Butler – Yes

Councilman Marable – Yes

Council President Williams – Yes

Mr. Feld came to the podium and asked questions and made comments regarding the Pilot program.

Ms. Gordon of Orange stated her concerns regarding Ordinance 12-2014.

Ms. Stewart stated her concerns regarding Ordinance 12-2014.

**Motion by Councilwoman Jones-Bell, seconded by Councilwoman Gaunt-Butler to close public comments. Motion approved by unanimous vote.**

**Motion by Council President Williams, seconded by Councilman Corbitt, to table Ordinance 12-2014.**

### **Roll Call:**

Ayes: Councilmembers: Corbitt, Eason, Gaunt-Butler, Jones-Bell, Marable, Council President Williams

Nays:

Abstain: None.

Absent: Councilman Abdul-Rasheed

### **Motion Carries**

**Motion by Councilwoman Jones-Bell, seconded by Council-President Williams to enter into Executive Session.**

**Roll Call:**

Ayes: Councilmembers: Corbitt, Eason, Gaunt-Butler, Jones-Bell, Marable,  
Council President Williams

Nays: None.

Abstain: None.

Absent: Councilman Abdul-Rasheed

**Motion Carries**

**Motion by Councilman Corbitt, seconded by Councilwoman, Williams to adopt Resolution 148-2014. A Resolution to hold an Executive Session.**

**Roll Call:**

Ayes: Councilmembers: Corbitt, Eason, Gaunt-Butler, Jones-Bell, Marable,  
Council President Williams

Nays:

Abstain: None.

Absent: Councilman Abdul-Rasheed

**Motion Carries**

**The Councilmembers went into Executive Session.**

**The Chair did a roll call after the Executive Session.**

**Roll Call:**

**Present:**

At-Large Councilman Elroy A. Corbitt  
North Ward Councilwoman Tency A. Eason  
At-Large Councilwoman Gaunt-Butler  
East Ward Councilwoman Linda Jones-Bell  
South Ward Councilman Edward B. Marable, Jr.  
At-Large Council President Donna K. Williams

**Absent:**

West Ward Councilman Abdul-Rasheed

**The Chair reported that the Council would be voting on two resolutions.**

**The Chair read the resolution by title.**

**Resolutions 149-2014 A resolution amending resolution 106-2014 as to the formation of the special Investigatory Committee.**

**Motion by Councilman Corbitt, seconded by Councilwoman Jones-Bell to approve resolution 149-2014.**

**Roll Call:**

Ayes: Councilmembers: Corbitt, Eason, Gaunt-Butler, Jones-Bell, Council  
President Williams

Nays:

Abstain: Councilman Marable

Absent: Councilman Abdul-Rasheed

**Motion Carries**

**The Chair read the resolution by title.**

**Resolution 150-2014 – A resolution appointing Robert L. Tarver Jr. Esq., as special legal council to special investigatory committee in accordance with resolution 106-2014.**

**Motion by Councilman Corbitt, seconded by Councilwoman Jones-Bell to approve resolution 150-2014.**

**Roll Call:**

Ayes: Councilmembers: Corbitt, Eason, Gaunt-Butler, Jones-Bell, Council  
President Williams

Nays:

Abstain: Councilman Marable

Absent: Councilman Abdul-Rasheed

**Motion Carries**

**There was no pending business.**

**Motion by Councilman Corbitt, seconded by Councilwoman Jones-Bell to adjourn.**

By consensus the regular meeting adjourned at 11:12 P.M.

Madeline Smith  
Deputy Clerk

Donna K. Williams  
Council President