

**CITY OF ORANGE TOWNSHIP  
REGULAR MEETING MINUTES  
June 16, 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, June 16, 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 Elroy A. Corbitt, At-Large  
Councilwoman Tency A. Eason, North Ward  
Councilwoman April Gaunt-Butler, At-Large  
Councilman Harold Johnson, Jr. West Ward  
Councilwoman Jamie Summers-Johnson., South Ward  
Council President Donna K. Williams, At-Large

**Also Present:** City Clerk, Joyce L. Lanier  
Finance Director, Adrian Mapp  
City Attorney, Dan Smith  
Legislative Research Officer, Kevin Harris  
Senior Clerk, Margarette Homere  
Fire Director, Kenneth Douglas  
Acting Police Director, John Wade  
CFO, Joy Lascari  
Director of DPW, Marty Mayes

**Absent:** Mayor Dwayne D. Warren, Esq.

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

**APPROVAL OF MINUTES MEETINGS**

May 19, 2015- Conference & regular Meeting

**Motion by Councilman Corbitt, seconded by Councilwoman Summers-Johnson, to approve the Conference and Regular meeting minutes from May 19, 2015.**

**Roll Call:**

Aye: Council Members: Coley, Corbitt, Eason, Gaunt-Butler, Johnson, Jr., Summers-Johnson, Council President Williams

Nays:

Abstain:

Absent:

**Motion Carries.**

May 27, 2015 Special meeting.

**Motion by Councilman Corbitt, seconded by Councilwoman Gaunt-Butler to approve minutes from May 27, 2015.**

**Roll Call:**

Aye: Council Members: Coley, Corbitt, Eason, Gaunt-Butler, Johnson, Jr., Summers-Johnson, Council President Williams

Nays:

Abstain:

Absent:

**Motion Carries.**

June 3, 2015- Conference & regular Meeting

Hon. Summers-Johnson cannot vote, because she was not present.

**Motion by Councilwoman Gaunt-Butler, seconded by Councilman Johnson Jr. to approved the minutes from June 3, 2015.**

Councilwoman Gaunt-Butler reported she was not at the June 3<sup>rd</sup> meeting.

**Motion by Councilman Corbitt, seconded by Councilman Johns Jr. to table minutes from June 3, 2015.**

**Roll Call:**

Aye: Council Members: Coley, Corbitt, Eason, Gaunt-Butler, Johnson, Jr., Summers-Johnson, Council President Williams

Nays:

Abstain:

Absent:

**Motion Carries.**

**REPORTS:**

- Clerk’s Office- Fees collected for the month of May 2015- Total: \$495.26.
- Community Services - Fees collected for the month of May 2015- Total: \$13,226.00.
- Department of Planning & Economic Development-- Fees collected for the month of April 2015- Total: \$166,345.00.
- Department of Planning & Economic Development-- Fees collected for the month of May 2015- Total: \$35,646.00.

**CONSTABLE REPORTS-**

- Richard Noizy- Month of May 2015- Pro –Cops-Security Service.
- Mohamed L. Toure-Month of May 2015-No Activity.

**OPRA REQUEST**

Month of May 2015- 106 OPRA received, 92 completed and 14 outstanding

**COUNCIL REPORTS**

Fire Director Douglas reported on minimum manning rules for the Fire Department and what happens when minimum standards are reached and reported on his goals to bring in more firefighters within the next three to four years. The Fire Director gave an update on current events by the Fire Department.

Fire Director Douglas answered questions from the Council Members.

Councilwoman Eason reported that 134 High St. was being renovated. Councilwoman Easton reported on the next ABC meeting and reported that some tavern owners would be coming in for some housekeeping issues.

Councilman Johnson Jr. reported on the next Orange Housing Authority meeting and he would give a report on that meeting. The Finance Committee is still reviewing the budget.

Councilman Coley reported that he had spoken to the demolition company that was working by an Orange School and they will keep the demolitions to a minimum until school is out.

Councilwoman Summers-Johnson reported that she had sent a list of questions to the Library Director and she had received adequate answers to her questions. She will send an OPRA request to the Library to receive the information she had requested.

**The Council President directed the Clerk to file reports.**

## **COMMUNICATIONS AND PETITIONS**

The City Clerk reported that there were no communications or petitions.

## **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 (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 made suggested on what questions should be asked by Council Members on certain resolutions and ordinances. Stopped 1:34
- Mr. Jenkins, the Essex County liaison to Orange that sections of High St and Main St would be paved. Mr. Jenkins reported on Essex County events for the summer. Mr. Jenkins listened to issues that Council Members brought to his attention.
- Mr. Jeffery Feld reported that County Judges had issued their public opinion on Mr. Feld’s issues with the YWCA and the City’s leasing of that property. Mr. Feld questioned status of the bulk tax lien.
- Mr. Feld spoke of other concerns he had regarding items on the agenda.
- Ms. Katalin Gordon spoke of her concern about the 4% tax increase. Asked if the obligations for affordable housing application have been met. Ms. Gordon spoke of other concerns she had with the way information is withheld from residents.
- Ms. Gloria Stewart commented on the following issues.
- The need of a Crossing Guard for Haywood Ave School.
- Ms. Stewart felt that the East Orange police should patrol East Orange and Orange police should patrol Orange. The Walter G construction produces noise and debris, consideration for residents should be a high priority.
- Ms. Stewart hoped that Council Member Summers-Johnson will get the answers she has requested from the Library. Ms. Stewart requested that the Fire department building have needed improvements and repairs.
- Ms. Stewart commented on the Director of Finance and a possible conflict because he is Mayor in another city.
- Ms. Stewart stated that the City Mayor should be at these meeting and when will the City get a BA.
- Mr. Herlinsky Jr. from a local law firm, representing Oakwood Terrance Urban Renewal, came to the meeting to answer any questions that the Council may have. He requested that the ordinance approving the application be accepted at first reading. He gave a summary on the renovations that they would make at Oakwood Terrace.

- A representative of the University of Orange, which is a free university, provided a summary of the contributions that the University has provided to Orange. She gave information on the classes they offered.

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

The Motion was approved by a unanimous vote.

Comments and answers from the Council and Administration.

- Mr. Smith, the City Attorney, reported that the bankruptcy Court approved the lease and purchase of the YWCA by the City. Mr. Smith also addressed Mr. Feld's relentless law suits and the fact that Mr. Feld does not own property or is a business owner and that the Court ruled that Mr. Feld does not have Common Law Standing.
- The Council President addressed the discounts for residents and stated that the Turtle Back Zoo is not included in those discounts. The Council President requested a response from Administration regarding Campbell's Pond. The Council President stated that Ms. Lanier, the City Clerk will distribute the Montclair article to Council Members and Attorney Smith.
- The Council President asked Mr. Mobley to speak to Ms. Gordon regarding the water payment structure and the minimum payments for water for city residents. The Council President requested that the notice that is sent to City Hall by United Water be mailed to residents along with their bill.
- Mr. Mapp reported that no money had been received for the bulk tax lien sale.
- Mr. Mapp reported that money had been added to the Council's budget for recording of the Council meetings and that the City will have Channel 35 up and running soon.

**COUNCIL COMMENTS**

- Councilman Corbitt asked if the Housing Authority had been billed to pay their Pilot payments and have they paid. The Council President directed Mr. Mapp to give a report on all Pilots payments and report if they are up to date on their payments. Councilman Corbitt spoke about the staff shortage in the Public Works Dept.
- Councilwoman Eason spoke to Mr. Mayes, the Director of DPW, about residents not getting permits for activities and construction. Eason asked the Attorney from Oakwood Terrance Urban Renewal about their security plans.
- Councilman Corbitt asked the Attorney a number of questions regarding the length of time for repairs and questions about the ordinance backup paperwork.
- Councilwoman Eason reported that the Wounded Warrior Project would be coming to Orange on Saturday and a Gospel Concert on Sunday.
- Councilman Johnson, Jr. asked Mr. Mapp about the Bulk Tax Sales payment and the YWCA payment based on the Bulk Tax Sale. Mr. Mapp could not answer any questions regarding the money with any certainty. Councilman Johnson Jr. asked Ms. Lascari, the CFO of the City, about a \$100,000.00 payment to a lawyer and how that would affect the 2015 budget. The CFO replied that it

would not affect the 2015 budget providing her reasons. The resolution for the \$100,000.00 payment will be brought to the Council for approval.

- Councilwoman Summers-Johnson gave a report on her quarterly Ward meeting she presided over and that the Mayor had said that the Council meetings will be back on the air as of July 1<sup>st</sup>.

- Councilman Coley reported a roadway that needed repair and asked if the City was on target for the June 30<sup>th</sup> audit. Mr. Map, the Finance Director, stated that he felt the audit would be in on time. The Councilman requested a list of street that would be repaved and an update on the new light for Main and Oakwood Ave. The Councilman suggested a periodic check of driver licenses for employees that drive vehicles. The Councilman made other inquires and suggestions.

- The Council President reported that on July 13<sup>th</sup> that Councilman Corbitt and Councilwoman will have an event for the residents at St Matthews Church. PSE&G, the County Liaison, Verizon and Galaxy along with other will give presentations and give answers to questions from the residents. The Council President that FIOS is coming to Orange.

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

**Roll Call:**

Aye: Council Members: Coley, Corbitt, Eason, Johnson, Jr., Summers-Johnson Council President Williams

Nays: Council Member Gaunt-Butler,

Abstain:

Absent:

**Motion Carries.**

The Council President commented on the lack of response from Administration to computer problems in the Clerk’s Office and the lack of payment to the Vendor that was recording the meetings.

Also commented that the Administration has not sent over a list of computers that the City needed.

The Council President reported that the reorganization meeting is on July 1<sup>st</sup>, Wednesday, at 5:00 P.M.

The Council President commented on the great loses the City had in the past week.

The Council President spoke to the City Attorney regarding resolution 166 and an amendment she wanted added to the resolution.

**ORDINANCES–SECOND READING/PUBLIC HEARING**

Ordinance 24-2015 was tabled at the June 3<sup>rd</sup> regular meeting.

**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)**

**Councilwoman Gaunt-Butler requested that the ordinance not be lifted.**

Ordinance 25-2015 was postponed at the June 3<sup>rd</sup> meeting.  
**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)**

The City Clerk noted that the ordinance was amended to reflect the following language.  
“Said access shall include the creation and maintenance of a minimum of 1 passageway from the street, avenue or highway to the sidewalks which shall be a minimum of 24 inches wide.”

The Chair declared the time open for a hearing on Ordinance Number 25-2015.  
Mr. Feld stated that the ordinance should be republished because of the change.  
Ms. Stewart questioned the number of sidewalk openings there should be. Councilman Coley stated that there should be one 24 inch wide opening for each property and business.

Seeing no one else, the Chair declared the time closed.  
**Motion by Councilwoman Eason, seconded by Councilwoman Gaunt-Butler to close the hearings.**

**Roll Call:**

Ayes: Council Members: Coley, Corbitt, Eason, Gaunt-Butler, Johnson, Jr., Summers-Johnson and Council President Williams

Nays: None.

Abstain: None.

Absent: None.

**Motion Carries.**

**Motion by Councilwoman Eason, seconded by Councilwoman Gaunt-Butler, to accept the amendment made to Ordinance 25-2015.**

**Roll Call:**

Ayes: Council Members: Coley, Corbitt, Eason, Gaunt-Butler, Johnson, Jr., Summers-Johnson and Council President Williams

Nays: None.

Abstain: None.

Absent: None.

**Motion Carries.**

**Motion by Councilman Corbitt, seconded by Councilwoman Gaunt-Butler, to adopt Ordinance Number 25-2015.**

**Councilman Corbitt stated it is difficult to remove the snow from a corner property. The residents will have to shovel in a timely manner.**

**Roll Call:**

Ayes: Council Members: Coley, Corbitt, Eason, Gaunt-Butler, Johnson, Jr., Summers-Johnson and Council President Williams

Nays: None.

Abstain: None.

Absent: None.

**Motion Carries.**

**ORDINANCE INTRODUCTION/FIRST READING**

The Township Clerk read Ordinance Number 37-2015 by Title.

**37-2015      An ordinance of the City of Orange Township authorizing the execution of a financial agreement with Oakwood Towers Urban Renewal, LLC granting a tax exemption for Oakwood Towers.**

**Motion by Councilman Corbitt, seconded by Councilwoman Gaunt-Butler that Ordinance 37-2015 be introduced on first reading and that the public hearing would be held July 1, 2015.**

Ms. Rodell an Attorney from RPM, stated that after speaking with other attorneys there were changes to be made to community benefits section.

**Motion by Councilwoman Gaunt-Butler, seconded by Councilwoman Eason to accept the amendment to Ordinance 37-2015.**

**Roll Call:**

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

Nays: None.



Abstain: None.

Absent: None.

**Motion Carries.**

(Roll call to accept the ordinance on first reading.)

**Roll Call:**

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

Nays: None.

Abstain: None.

Absent: None.

**Motion Carries.**

**The Township Clerk read Ordinance Number -2015 by Title.**

**38-2015            The Township Clerk read Ordinance Number -2015 by Title.  
An ordinance amending Chapter 138 of the Municipal Code of the City of Orange  
Township entitle Noise (Sponsored by Council Member Tency A. Eason.**

**Motion by Councilman Corbitt, seconded by Councilwoman Gaunt-Butler, that Ordinance 38-2015 be  
introduced on first reading and that the public hearing be held July 1, 2015**

**Roll Call:**

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

Nays: None.

Abstain: None.

Absent: None.

**Motion Carries.**

**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 134-2015 postponed May 5, 2015**

- \*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.  
**(Removed for separate vote)**

**RESOLUTIONS NO. \*166-2015-169-2015**

- \*166-2015** A resolution authorizing amnesty to waive interest for property taxes, water charges & sewer charges from July 1, 2015 to July 31, 2015  
**(Removed for separate vote)**
- \*167-2015** A resolution awarding a contract to Karson Food Services, Inc., 3409 Rose Avenue, Ocean, New Jersey 07712 in the amount of \$174,712.80 for the Summer Food Program for Children 2015. **(Removed for separate vote)**
- \*168-2015** A resolution making application to the local Finance Board pursuant to N.J.S.A.40A:4-45.3ee. **(Removed for separate vote)**
- \*169-2015** A resolution approving the bill list for council meeting vote on June 16, 2015 dated June 12, 2015 and approving checks issued by the Finance Department in accordance with Ordinance 2-95 (Grand Total: \$ 3,321,780.88)  
**(Removed for separate vote)**

The Chair read Resolution xx-2015 by Title.

- 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.

**Motion by Councilman Corbitt, seconded by Councilwoman Eason to approve resolution 134-2015.**

Councilwoman Gaunt-Butler asked why it is a lump sum fee.

Mr. Mobley reported that they had received lump sums from that contractor in the past. Councilman Corbitt commented he does not approve of the agreement with East Orange Water Commission but understands the necessity of having the agreement.

Councilman Johnson asked if there were any other towns to connect to. Mr. Mobley stated not without spending thousands of dollars.

**Roll Call:**

Ayes: Council Members: Corbitt, Eason, Gaunt-Butler, Johnson, Jr.,  
Summers-Johnson

Nays: Council Members: Coley, Williams

Abstain: None.

Absent: None.

**Motion Carries.**

The City Clerk read Resolution 166-2015 by Title.

**166-2015** A resolution authorizing amnesty to waive interest for property taxes, water charges  
& sewer charges from July 1, 2015 to July 31, 2015.

**Motion by Councilman Corbitt, seconded by Councilwoman Eason to approve resolution  
166-2015.**

**The Council President had the City Clerk read the added verbiage.**

“Whereas, unless the lien holder falls to comply with terms of the bulk lien”

**Motion by Councilwoman Gaunt-Butler, seconded by Councilman Johnson Jr. to accept  
the amendment.**

**Roll Call:**

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

Nays: None.

Abstain: None.

Absent: None.

**Motion Carries.**

**Motion by Councilman Corbitt, seconded by Councilwoman Eason to approve resolution 16-2015  
as amended.**

**Roll Call:**

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

Nays: Councilman Johnson Jr.

Abstain: None.

Absent: None.

**Motion Carries.**

The City Clerk read Resolution 167-2015 by Title.

**167-2015** A resolution awarding a contract to Karson Food Services, Inc., 3409 Rose Avenue, Ocean, New Jersey 07712 in the amount of \$174,712.80 for the Summer Food Program for Children 2015.

**Motion by Councilman Corbitt, seconded by Councilwoman Eason to approve resolution 167-2015.**

**Roll Call:**

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

Nays: None.

Abstain: None.

Absent: None.

**Motion Carries.**

The City Clerk read Resolution 168-2015 by Title.

**168-2015** A resolution making application to the local Finance Board pursuant to N.J.S.A.40A:4-45.3ee.

**Motion by Councilman Corbitt, seconded by Councilwoman Eason to approve resolution 168-2015.**

**Councilman Corbitt asked how much money does the City have in surplus.**

**Ms. Lascari, the City CFO, responded that the City wouldn't have a figure until the audit comes back but she believes it is more than \$600,000.00.**

**Roll Call:**

Ayes: Council Members: Corbitt, Eason, Summers-Johnson

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

Abstain: None.

Absent: None.

**Motion Fails.**

The City Clerk read Resolution 169-2015 by Title.

**169-2015** A resolution approving the bill list for council meeting vote on June 16, 2015 dated June 12, 2015 and approving checks issued by the Finance Department in accordance with Ordinance 2-95 (Grand Total: \$ 3,321,780.88)

**Motion by Councilman Corbitt, seconded by Councilwoman Eason to approve resolution 169-2015.**

Councilman Johnson Jr commented that the Council should not pass this resolution because the Administration does not pay the bills of certain vendors.

**Roll Call:**

Ayes: Council Members: Corbitt, Eason, Summers-Johnson

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

Abstain: None.

Absent: None.

**Motion Fails.**

Mr. Mapp, the Finance Director came to the podium and reported that after further review he found that in 2014 the surplus that was generated was 2.9 million dollars. He stated that at a minimum there should be an estimated 1.4 million dollars in surplus. He suggested that the Council reconsider the resolution.

**Motion by Councilwoman Gaunt-Butler, seconded by Councilwoman Williams to reconsider.**

**Roll Call:**

Ayes: Council Members: Corbitt, Eason, Gaunt-Butler, Summers-Johnson Williams

Nays: Council Members: Coley, Johnson Jr.

Abstain: None.

Absent: None.

**Motion Carries.**

The Council President asked Mr. Mapp the Finance Director the surplus amount in 2014. Mr. Mapp reported that the surplus was 2.9 million dollars and they are estimating 1.4 million dollars in surplus for 2015.

**Motion by Councilman Corbitt, seconded by Councilwoman Gaunt-Butler, to approve Resolution 168-2015.**

- Councilwoman Gaunt-Butler provided her reasons for her original vote stating that the Council was not given the information needed to make a sound decision and now they have been given the proper information to make a decision.
- Mr. Mapp commented that he stands up for the residents.
- Johnson asked if the budget that the Council received was within the 2 percent CAP and that the amended budget that is present will need to have surplus money added to it.
- It was determined that the Council added the additional 2 percent and that is why some surplus money needed to be added to the budget.
- Council Members commented on the vendor that had not been paid and that it was the Deputy BA that stopped the payments to the vendor who was recording the Council's meetings.

At this time they continued with the vote to reconsider and approve Resolution 168-2015

**Roll Call:**

Ayes: Council Members: Corbitt, Eason, Gaunt-Butler, Williams  
Summers-Johnson

Nays: Council Members: Coley, Johnson Jr.

Abstain: None.

Absent: None.

**Motion Carries.**

**NEW BUSINESS - None**

**OTHER PENDING BUSINESS -None**

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

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

*JOYCE L. LANIER*

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**Joyce L. 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.