

MINUTES CITY COUNCIL
CITY OF ORANGE TOWNSHIP
NEW JERSEY

Municipal Council June 17, 2014 Regular Minutes

A Regular meeting was held of the City Council of the City of Orange Township held in the Council Chambers of City Hall, 29 North Day Street, Orange, New Jersey on Tuesday, June 17, 2014, immediately following the Conference Meeting.

Deputy Clerk Smith led the **Pledge of Allegiance to the Flag.**

Deputy Clerk Smith Called a **Roll Call.**

PRESENT

Hon. Elroy A. Corbitt (At-Large)
Hon. Tency A. Eason (North Ward)
Hon. April Gaunt-Butler (At-Large)
Hon. Linda Jones-Bell (East-Ward)
Hon. Edward B. Marable Jr. (South Ward)
Hon. Donna K. Williams (At-Large)
Council President

ALSO PRESENT

Madeline F. Smith, Deputy Municipal Clerk
Ms. Calderon-Arnold, City Attorney's Office
Mr. Townes, Legislative Research Officer
Margarette Homere, Clerk's Office
Councilwoman Summers-Johnson
Councilman Harold Johnson

ABSENT

Hon. Hassan Abdul-Rasheed (West-Ward)
Hon. Dwayne D. Warren, Esq., Mayor
Dan S. Smith, City Attorney
Adrian Mapp, Director of Finance

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 Star Ledger and published in the Record-Transcript on July 18, 2013, posted on the Bulletin Board in City Hall and filed in the Office of the Municipal Clerk.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

May 6, 2014 – Conference and Regular Meetings

A motion to adopt the approval of minutes was made by Councilwoman Eason and was seconded by Councilwoman Williams.

A motion to table the approval of minutes was made by Councilman Corbitt and it was seconded by Councilwoman Williams.

ROLL CALL

Ayes: Corbitt, Eason, Marable, Gaunt-Butler, Williams

Nays:

Abstain:

Absent: Abdul-Rasheed, Jones-Bell

Motion Carries

REPORTS

DEPARTMENTS REPORTS:

Clerk's Office – Month of May 2014- \$ 1,341.75

Department of Community Services –Month of May 2014 - \$ 17,322.22

CONSTABLE REPORTS:

Cutbert Harris- Month of May 2014-no activities

Darnell Brodie- Month of May 2014-no activities

Mohamed Toure-Month of May 2014- no activities

OPRA REPORTS:

Month of May 2014 - 34 OPRA requests were received (137) items were completed 9 items pending.

COUNCIL REPORTS

Police Liaison – No Report

Fire Department – No Report

Personnel – No Report

Library – No Report

Finance Committee – Recommends withdrawal of Resolution 161-2014 from Agenda.

Council President directs Clerk to file reports

COMMUNICATIONS AND PETITIONS

None

CITIZEN COMMENTS ON GENERAL ISSUES/AGENDA ITEMS

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 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.

PUBLIC COMMENTS

Jeffery Feld, 268 Main Street, Orange NJ 07050

- Claimed he is being falsely sued for comments made at the public hearing.
- He elaborated about the two press releases that were made on Friday. One for East Orange and the other regarding the SCC Port Authority.
- Mr. Feld thanks the council members that are leaving the council and congratulates them on a job well done.
- He stated that there were two resolutions that were voted on last meeting were not approved by the City's Attorney. Also that it ties into a resolution tonight (June 17th) in which they plan to retain Attorney Tarver in the event that there is a regulation.
- Mr. Feld stated that he will file a motion by the end of June, also he asked the Clerk's Office to have the resolutions for the June 25th meeting ready 48hrs prior to the meeting.

Williams R. Lewis, 688 Mosswood, Orange NJ 07050

- Mr. Lewis stated that there was a lack of identity for the persons who come forth to the podium for the public comments.
 - He advises the council to attend Mr. Feld court cases so they can know the results for themselves rather than believing the newspaper.
 - He stated that Resolution 156-2014 and 158-2014 needs addresses added. He questioned the council asking them how a council member that is leaving the council can appoint someone at this stage of the game. Also he included Resolution 160-2014 saying that it didn't state the purpose or status.
 - Mr. Lewis questioned Resolution 161-2014 asking why the calendar year budget isn't ready.
- Councilwoman Williams: Clarifies that identification was given.

Ken Garret, County of Essex

- He discussed the fencing of Orange Park.

Shawn Thomas

- He explains that he is standing on behalf of his father Eugene Thomas, thanking the council for making his life better and easier with providing him a handicap parking spot at his residents.

Michael Marshall, 340 Thomas Blvd, Orange NJ 07050 (Tenant)

- He stated that you don't need a degree to know right from wrong.

Terry Brahmin, 340 Thomas Blvd, Orange NJ 07050 (Tenant)

- He recommends Betty McLeod as commissioner of the Housing Authority.

Barbara Price, 340 Thomas Blvd, Orange NJ 07050 (Tenant)

- She recommends Betty McLeod as commissioner of the Housing Authority.

Katalin Gordon, 211 Park Place, Orange NJ 07050

- She thanks city council members that are leaving the council board.
- She asked Councilwoman Eason along with Councilwoman Williams to project their voice better so they can be heard.
- She also addresses the noise issue she has been having for a while and that she did just what the council advised her to do which is to go the Police Department but nothing has yet been done about the issue.
- Ms. Gordon questioned Resolution 152-2014 asking whether or not the resolution obligates the city to approve the Income Housing Pilot Program.

Director Mayes: States that it is a resolution for the City of Orange to continue in the consortium of CDBG funds through the county.

Sheridan Benewah

- States that the YWCA has been experiencing some financial challenges and asked the council what role do they play in keeping the YWCA open if there is a possibility in it closing.
- She believes that the YWCA is not getting the support they need from the council or city at-large. She asked the question “How can the council assist them in making sure that the YWCA of Essex and West Hudson stay open”

Councilwoman Eason: stated that the request was handed over to the city attorney so that the council can help but it has to be through a contract, because Ms. Benewah is a private entity

Michael Scott

- Discusses the struggles at the YWCA and that they need support. Stating that the staff at the YWCA needs the support and help of the Council or the YWCA will be no more.

Councilwoman Eason: States that it's a process to lend a helping hand with the YWCA and that she requests more time so that the council can help.

A motion to Close Citizen Comments was made by Councilman Corbitt and it was seconded by Councilwoman Jones-Bell.

Deputy Smith called Roll Call

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

Nays:

Abstain:

Absent: Abdul-Rasheed

Motion Carries

COUNCIL COMMENTS

- Councilwoman Eason: inquired about the security and cleanliness of the park at High and Alden streets Orange, NJ. She also inquired about the DPW tree trimming and mulching equipment for 495 Main Street, Orange NJ.
- Dir. Mayes: stated that his department can trim the tree for that address.

- Michael Dowd: Stating in regards to the Sal & Tommy fire that they are in the process of repairing the building that was destroyed by the fire and are assisting the victims with finding new permanent residence.
- Councilman Corbitt: acknowledges the work and accomplishments of the leaving council members wishing them all the best.
- Councilwoman Gaunt-Butler: gave her farewells to her former council colleagues and asked them to stay involved in the city.
- Councilwoman Eason: thanked the former council members for the time and effort placed into the council.
- Councilwoman Williams: acknowledged her time served as a council member. She was thankful for serving with the other council members, also the opportunities and new people that came her way.
- Councilman Marable: said the council needs to stay in its lane. He thanks his wife for her support and his time served.

ORDINANCES–SECOND READING/PUBLIC HEARING

Second reading by title - Ordinance 13-2014 of the City of Orange Township amending Chapter 210, Development Regulations Ordinance Zoning and Land Development (adopted May 2, 2006) of the City of Orange Township, by adding a section within Article V: Development Standards Chapter 210-38 Entitled; Outdoor Landscape Water Conservation Guidelines.

PUBLIC COMMENTS

Ms. Wilson, 362 Heywood Avenue, Orange NJ

- She feels that the ordinance is unnecessary and out of order in the town, considering that there is a problem with flooding.

A motion to close the public hearing was made by Councilwoman Jones-Bell and seconded by Councilman Corbitt.

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

Nays:

Abstain:

Absent: Abdul-Rasheed

A motion to adopt the final reading was made by Councilman Corbitt and was seconded by Councilwoman Jones-Bell

ORDINANCE TABLED FROM MAY 20, 2014 REGULAR MEETING

A motion to lift from table was made by Councilwoman Eason and seconded by Councilman Corbitt.

Ordinance 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 therefore and authorizing the issuance of \$8,333,400 bonds or notes of the City to finance part of the costs thereof.

ROLL CALL

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

Nays:

Abstain:

Absent: Abdul-Rasheed

Motion Carries

Second reading by title:

PUBLIC COMMENTS

Jeffery Feld, 268 Main Street, Orange NJ

- The Council needs to know how they are going to market the bonds.

William Hathaway, Orange, NJ

- Encourages the council to pass the bond.
- States that every department in the city needs help because they were affected by the storm.

Murphy Wilson, Heywood Ave, Orange, NJ

- Encourages the council not to vote on the ordinance.
- States that there is not a budget so a decision cannot be made.

Gloria Stewart, 62 Hampton Terrace, Orange, NJ

- Says that the council should pass the ordinance and have accountability.

Katalin Gordon, 211 Park Place, Orange, NJ

- States what she thinks the council should do with the bond.

A motion to close the public hearing was moved by Councilwoman Jones-Bell and seconded by Councilwoman Eason.

ROLL CALL

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

Nays:

Abstain:

Absent: Abdul-Rasheed

Motion Carries

Discussion on the Motion Ordinance 9-2014

- Adrian Mapp: There was no property value placed in the ordinance. Mr. Mapp believes Mr. Feld is referring to the annual financial statement. He stated that his team was able to get the approval from the local financial board with a unanimous vote.
- Dir. Mayes: Clarifies what Ms. Gordon, he stated that he pointed out the number 1 and number 2 priorities for the bond. He stated that Mr. Feld and Ms. Murphy sent letters to the financial board with extensive questions.
- Councilwoman Gaunt-Butler: inquired the presence of the bond council with Mr. Mapp when he went to the financial board. She also questioned that if money from the bond that is spent on bond assets comes back before the council. Mr. Mapp stated saying "yes in order for the contract to be awarded it has to come back before the council."
- Councilwoman Eason: asked Dir. Simms if he plans on putting radars on the cars. Dir. Simms implied that yes they will be doing so.

A motion was made to table ordinance 9-2014 until June 25th by Councilwoman Gaunt-Butler and it was seconded by Councilwoman Jones-Bell.

Motion Carries

ROLL CALL

Ayes: Corbitt, Jones-Bell, Gaunt-Butler, Williams
Nays: Eason, Marable
Abstain:
Absent: Abdul-Rasheed

A motion to extend the meeting was moved by Councilman Corbitt and seconded by Councilwoman Jones-Bell.

Motion Carries

A motion to take a five minutes break was moved by Councilwoman Eason and it was seconded by Councilman Corbitt.

ROLL CALL

Ayes: Corbitt, Eason, Williams
Nays: Jones-Bell, Gaunt-Butler
Abstain:
Absent: Abdul-Rasheed

Motion Carries

A motion to reconvene the meeting was moved by Councilman Corbitt and seconded by Jones-Bell.

ROLL CALL

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

Nays:

Abstain:

Absent: Abdul-Rasheed

Motion Carries

ORDINANCE TABLED FROM JUNE 4, 2014 REGULAR MEETING

A motion to lift from table was moved by Councilman Corbitt and seconded by Councilwoman Jones-Bell.

ROLL CALL

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

Nays:

Abstain:

Absent: Abdul-Rasheed

Motion Carries

Ordinance 12-2014 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.

PUBLIC COMMENTS

Jeffery Feld, 268 Main Street, Orange, NJ

- Implies that the council did not keep their word.
- He believes that fiscal impact studies are needed and that pilot was not placed on the agenda because the council is hiding something.

Gloria Stewart, Orange, NJ

- Thinks that city should stop giving out tax abetments.
- Wants to know the intent of the project.

A motion to close public comments was moved by Councilman Corbitt and seconded by Councilwoman Eason.

ROLL CALL

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

Nays:

Abstain:

Absent: Abdul-Rasheed

Motion Carries

A motion to adopt on final reading was moved by Councilman Corbitt and seconded by Councilwoman Eason.

COMMENTS

- Arthur Lifaunte: stated this is his first small fiscal impact study. He also states that he is looking at 90 residents coming out of the study. Also neighboring properties will rise in value due to incoming retail sales.
- Amelia Oradell: stated that she provided the council with a fiscal impact statement also the pilot numbers were calculated. Councilwoman Donna inquired the current taxes for that property as of right now. Ms. Oradell stated that it is a vacant property and Mr. Lifaunte also stated that the taxes are about \$69,000 total.

ROLL CALL

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

Nays:

Abstain:

Absent: Abdul-Rasheed

Motion Carries

ORDINANCE INTRODUCTION /FIRST READING

Ordinance 14-2014 amending Chapter 23 of the Municipal Code of the City of Orange Township regarding personnel policies (Sponsored by Hon. Elroy A. Corbitt)

A motion to adopt on first reading was made by Councilman Corbitt and seconded by Councilwoman Jones-Bell

ROLL CALL

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

Nays:

Abstain:

Absent: Abdul-Rasheed

Motion Carries

CONSENT AGENDA

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.

RESOLUTIONS *151-2014-*159-2014

- *151-2014** A resolution authorizing the inclusion in the Essex County Urban County Community Development Program for program years 2015-2017.
- *152-2014** A resolution authorizing approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the 2014 safe routes to school program for the 2014 City of Orange Township Public School Accessibility Project.
- *153-2014** A resolution authorizing approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the City of Orange Township Highland Avenue Station Rehabilitation Project.
- *154-2014** A resolution rejecting the bids for the janitorial services for City Hall & Polhill Law and Justice Complex.
- *155-2014** A resolution rejecting the bids for the Monroe Street Sanitary Sewer Lining Project.
- *156-2014** A resolution appointing Cordell Aarons to the City of Orange Township Historic Commission for a term of one (1) year, commencing on June 17, 2014 through June 17, 2015.
- *157-2014** A resolution appointing Betty McLeod, from Orange, New Jersey, as a Commissioner of the Housing Authority of the City of Orange Township, New Jersey for a term of five (5) years. (Voted on separately)

- *158-2014** A resolution appointing Fred Vandermeer, Jr., from Orange, New Jersey, as a third alternate member to the Zoning Board of the Adjustment of the City of Orange3 Township, New Jersey .
- *159-2014** A resolution approving the bill list for council meeting vote on June 17, 2014 dated June 13, 2014 and approving checks issued by the Finance Department in accordance with Ordinance 2-95 (Grand Total: \$ 2,434,339.18). (Voted on separately)
- *160-2014** A resolution authorizing the City Council to retain the Law Offices of Robert L. Tarver, Jr., Esq., to initiate litigation as is necessary to enforce the will of the Orange City Council related to the appointment of Michael Hackett, Esq. as a Municipal Court Judge. (Voted on Separately)
- *161-2014** A resolution authorizing the City of Orange Township Tax Collector to prepare and mail estimated tax bills. (Withdrawn)

A motion to adopt the Consent Agenda was moved by Councilman Corbitt and seconded by Councilwoman Gaunt-Butler.

Roll Call

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

Nays:

Abstain:

Absent: Abdul-Rasheed

Motion Carries

- *157-2014** A resolution appointing Betty McLeod, from Orange, New Jersey, as a Commissioner of the Housing Authority of the City of Orange Township, New Jersey for a term of five (5) years. (Voted on separately)

A motion was made to table resolution 157-2014 by Councilwoman Eason and seconded by Councilman Corbitt.

ROLL CALL

Ayes: Corbitt, Eason

Nays: Marable, Jones-Bell, Williams, Gaunt-Butler

Abstain:

Absent: Abdul-Rasheed

Motion does not carry

A motion to appoint Betty McLeod as commissioner of the housing authority of the City of Orange Township was moved by Councilwoman Jones-Bell, and seconded by Councilwoman Williams.

ROLL CALL

Ayes: Jones-Bell, Marable, Williams

Nays: Eason, Gaunt-Butler

Abstain: Corbitt

Absent: Abdul-Rasheed

Motion Carries

***159-2014 A resolution approving the bill list for council meeting vote on June 17, 2014 dated June 13, 2014 and approving checks issued by the Finance Department in accordance with Ordinance 2-95 (Grand Total: \$ 2,434,339.18).**

A motion to approve the bill list was moved by Councilman Corbitt and seconded by Councilwoman Eason.

ROLL CALL

Ayes: Corbitt, Eason, Gaunt-Butler, Williams

Nays: Marable, Jones-Bell

Abstain:

Absent: Abdul-Rasheed

Motion Carries

***160-2014 A resolution authorizing the City Council to retain the Law Offices of Robert L. Tarver, Jr., Esq., to initiate litigation as is necessary to enforce the will of the Orange City Council related to the appointment of Michael Hackett, Esq. as a Municipal Court Judge.**

A motion was moved by Councilman Corbitt and seconded by Councilwoman Williams.

ROLL CALL

Ayes: Corbitt, Eason, Marable, Jones-Bell, Williams

Nays: Gaunt-Butler

Abstain:

Absent: Abdul-Rasheed

Motion Carries

OTHER PENDING BUSINESS

None

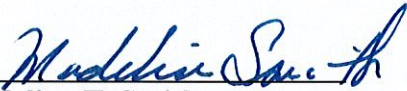
A motion to adjourn was made by Councilwoman Gaunt-Butler and seconded by Councilwoman Jones-Bell

Adjournment Time: 11:30pm

All voted yes.

PUBLIC NOTICE

The next City Council Reorganization, Conference & Regular Meetings will be held on Tuesday, July 1, 2014 in the Orange Preparatory Auditorium, 400 Central Avenue, Orange, New Jersey, preceded by the Inauguration Ceremony at 12:00 noon.



**Madeline F. Smith
Deputy Municipal Clerk**



**Donna Williams
Council President**