

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, JUNE 21, 2016, IMMEDIATELY FOLLOWING THE CONFERENCE MEETING.

The Clerk reported that this was an amended agenda.

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

Present: Councilman Kerry Coley, East Ward
Councilman Elroy A. Corbitt, At-Large
Councilwoman Tency A. Eason, North Ward
Councilman Harold Johnson, Jr. West Ward
Councilwoman Donna K. Williams, At-Large
Council President April Gaunt-Butler, At-Large

Also Present: Joyce L. Lanier, City Clerk
Dan Smith, City Attorney
Margarette Homere, Senior Clerk,
Kenneth Douglas, Fire Director,
Cpt. Dunn, Representing the Police Director
Adrian Mapp, Director of Finance
Marty Mayes, Acting Business Administrator
Kevin Harris, Legislative Research Officer (arrived for the regular meeting)

Absent:
Joy Lascari, Chief Financial Officer
Councilwoman Jamie Summers-Johnson., South Ward

The 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

- Department of Planning and Economic Development-Month of April 2016-\$38,568.00
- Department of Planning and Economic Development-Month of May 2016-\$22,035.00
- Office of the City Clerk -Month of May 2016-\$875.86

CONSTABLE REPORTS- None

OPRA REQUESTS

87 OPRA received for the month of May 2016, 78 completed and 9 items pending

COUNCIL REPORTS Council President directs Clerk to file reports

- Councilwoman Williams had the Clerk announce the dates of the upcoming budget hearings and confirm that the late notice from the State regarding the late budget had been read into the record.
- Councilwoman Eason asked Director Mapp to report on the dates he would be available for the budget hearings. He reported that Ms. Knight would be at all the meetings and he reported on the meetings that he would attend.
- Councilwoman Williams reported that the Orange Housing Authority will have a ribbon cutting ceremony for phase 3 July 26th.
- Councilman Corbitt did not have any report for the Police Department.
- Fire Director Douglas provided residents with safety tips for the summer. The Director reported that he has sent 3 individuals to take arson training and 6 individuals for CPR training. Spoke about EMS complaints and who they could contact. The Director answered questions from the Council Members.
- Councilwoman Williams and Police Captain Dunn spoke about the current shooting incidents in the city and how to stop the problem.

COMMUNICATIONS AND PETITIONS-

- Mr. Ike Jenkins, Essex County Liaison to Orange, reported on events and plans by the County.

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 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 wished the outgoing Council Members good luck in their future endeavors.
- Mr. Lewis commented on the resolutions that concerned new positions in the Administration.
- Mr. Lewis spoke of his concerns on a number of resolutions that were on the agenda.
- Mr. Jeffery Feld spoke of his concerns on the friendly budget and recent Court decisions. Spoke about litigation that he had against the city. Named all the items that he has requested from the Administration that he had not received.

- Ms. Gloria Stewart commented about ordinances 36 and 37 asking for feedback on those and other items on the agenda. The timer for the lights on Central Ave and Oakwood need to be changed because traffic builds up waiting for the light to change. Ms. Stewart also asked for the information about the cost benefits of recycling. Ms. Stewart also spoke about her concerns regarding Director Mapp being Finance Director in Orange and Mayor of another town.
- Asked about different positions in the Finance office. Spoke about channel 35 not playing the Council meetings after the original broadcast.
- Ms. Deborah Funderburk commented that she had gone to Trenton for the talk on Education and the missing funds for the Municipalities. She felt that someone from the Council should have gone to that meeting in support of the children that the funding would help. She felt that the Council is not supporting Mayor Warren and she would like to give a team building course for the Council at no cost to help the city.
- Mr. William Hathaway thanked April Gaunt-Butler and Elroy Corbitt for their service to the city.
- He had also attended the hearing in Trenton on the school funding that had been cut and asked that the Council support those efforts by drafting a resolution of support for that funding.

Motion to close citizen comments by Councilman Corbitt, seconded by Councilwoman Williams.

The Motion was approved by unanimous vote.

Attorney Smith spoke about some of the appeals that Mr. Feld had spoken about during citizens' comments, reporting that Mr. Feld's appeals were denied by the courts due to lack of sufficient merit to warrant discussion.

Answers to some of the citizen's questions:

The Sale of Oakwood Towers will be looked into.

- Director Mapp spoke about the Bond Council and Attorney Smith stated that an opinion will be given as to whether there is a conflict of interest with Director Mapp being a Mayor of another city. Council President stated that with regards to having the Clerk post the minutes, it is the administrations responsibility to post the minutes. The Clerk had given the minutes to the administration in a timely manner but the administration did not post them. Councilwoman Williams agreed with the Council President. The Clerk will be trained so she can add the minutes to the website. Director Mayes was asked to explain ordinances 36 and 37 and resolution 116.
- Director Mayes stated that the administration is asking that Ordinance 36 and 37 remain tabled and resolution 116 is to award a contract to OCA which will be the architect for the Recreation Center. As far as the traffic light at Central and Oakwood he will follow up with Mr. Jenkins so the County can be told. Director Mayes stated that the city received \$50,000 for the recycling from the State. Council President Gaunt-Butler agreed with Ms. Stewart with regard to having a Council Member be appointed to the Board of Education meetings. The Council President requested that Director Mayes inform the administration about the channel 35 complaint. Director Mapp reported that there are statutory positions in the Finance department. The CFO position is for a term of 4 years and is a statutory position. The Director of Finance is not a statutory position and has broader responsibilities.

The Tax Assessor and the Tax Collector's departments report to the Finance Director. He provided more information on his positions as it relates to the administration.

- Council President Gaunt-Butler agreed with the suggestions by Mr. Hathaway and Ms. Funderburk. Councilwoman Williams commented that the Council Members have always supported the residents of the city, their educational efforts and Mr. Lee, the Superintendent of Schools.

COUNCIL COMMENTS

- Councilwoman Williams asked about the McGovern Case asking if there was a trial. Attorney Smith stated that there was no trial it was a default. There was no trial date. She asked Mr. Mapp about reimbursements on the bill list for Memorial Day. Mr. Mapp did not know of any and then was told that there was an event but details would be given at a later date. She asked about the phone companies that were used.
- Ms. Knight reported on the reasons for multiply phone companies. Councilwoman Williams questioned Director Mapp on other bills that were on the bill list. Director Mapp will get back to Council on the additional \$10,000.00 amount for the cleaning service and if it had come before the Council for approval. The Councilwoman thanked Councilmen Corbitt and the Council President for their service.
- Councilwoman Eason spoke about the Rec Center and giving the children something to do. Councilwoman Eason asked Mr. Feld to stop with the law suits that the city has to keep paying for while he keeps losing his cases. That money could be donated to the school district and be used for the children. The Councilwoman asked for volunteers with skills that they could bring to the Rec Center. Councilwoman Eason thanked Councilmen Corbitt and the Council President for their service.
- Councilman Johnson thanked both Council Members for their service and reported on the upcoming Orange High School graduation date and location. He asked which budget was the bulk tax lien added to, the 2015 or 2016 budget. Director Mapp stated that money from the sale went into 2015 surplus. Councilman Johnson questioned the \$70,000 that the YWCA owed the city from water liens and will that money be in the 2016 budget as anticipated revenue. Director Mapp stated that at the closing all money matters should be settled. The Councilman thanked Councilmen Corbitt and the Council President for their service.
- Councilman Coley questioned Carl Smith about the money owed by the YWCA. It was determined that the legal documents had to be reviewed before the Council could get an answer. Councilman Coley questioned Director Mayes about items on the bill list and maintenance on abandoned properties. Councilman Coley asked if the city can continue to operate without a full time tax collector. Director Mapp stated that it is common to have a part time Tax Collector as the city does with Tax Collector Carl Smith. The Councilman thanked Councilmen Corbitt and the Council President for their service.
- Councilman Corbitt reported that he had gone to Trenton to represent the Council and to give testimony on the lost funding for the city schools. The Councilman congratulated the new Council Members. Councilman Corbitt reminisced about his first days as Councilman and thanked the residents for having faith in him. He assured the residents that he was a community guy and would be staying in touch.

Motion to extend the meeting past 10:30 P.M. by Councilman Johnson, seconded by Councilwoman Williams.

The Motion was unanimously approved.

Council-President April Gaunt-Butler reported that she attended the Big Old Booster Club event which was a wonderful event. She wished all fathers a happy Father's Day. The Council-President recognized a number of residents and people that have helped the city thrive. She stated that it was an honor to serve the city's residents and she felt that she had left the community better off since she became a Councilperson. The Council President gave a summary of the legislation that she had sponsored and thanked the people that helped her and mentored her through life.

ORDINANCE FOR RECONSIDERATION

(Mayor Vetoed/Postponed 5/17/16 and 6/8/16)

The Clerk read Ordinance 24-2016 by title.

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 by Councilwoman Williams, seconded by Councilman Johnson.

On the motion Councilman Corbitt asked why it was vetoed by the Mayor.

The City Attorney provided the reasons why it was vetoed.

Roll Call:

Ayes: Coley, Johnson, Jr., Williams, Gaunt-Butler

Nays: Corbitt

Abstain: Eason

Absent: Summers-Johnson

Motion Fails

***Mayor Vetoed**

The Clerk read Ordinance 25-2016 by title.

**25-2016 An ordinance amending and supplementing the code of the City of Orange Township by creating Chapter 24 entitled "Defense and Indemnification" (Sponsored by: Council Member April Gaunt-Butler)
"Changes do not comport with Law"**

Motion to override by Councilwoman Williams, seconded by Councilman Johnson.

On the motion Councilwoman Williams asked if more information was given as to why the ordinance was vetoed. The Clerk reported that none were given.

City Attorney Smith and the Legislative Research Officer Mr. Harris discussed the merits of the Ordinance. It was determined that the motion was to move forward.

Roll Call:

Ayes: Coley, Johnson, Jr., Williams, Gaunt-Butler

Nays: Corbitt

Abstain: Eason

Absent: Summers-Johnson

Motion Fails

***Mayor Vetoed**

The Clerk read Ordinance 28-2016 by title.

**28-2016 An ordinance amending Chapter 4 of the Municipal Code of the City of Orange Township entitled Administration of Government
(Sponsored by Council Member April Gaunt-Butler)**

Motion to override by Councilman Corbitt, seconded by Councilman Johnson.

Roll Call:

Ayes: Coley, Johnson, Jr., Williams, Gaunt-Butler

Nays: Corbitt

Abstain: Eason

Absent: Summers-Johnson

Motion Fails

ORDINANCES-SECOND READING/PUBLIC HEARING

The Clerk read Ordinance 32-2016 by title.

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)

Ms. Gloria Stewart asked on which streets the permit parking would be enforced and was told it was for Tremont Court and Tremont Place.

Motion to close the public hearing by Councilman Corbitt, seconded by Councilwoman Williams

The Motion was approved by unanimous vote.

Motion to adopt Ordinance Number 32-2016 by Councilwoman Williams, seconded by Councilman Johnson

Roll Call:

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

Nays: None.

Abstain: None.

Absent: Summers-Johnson

Motion Carries.

The Clerk read Ordinance 33-2016 by title.

**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)**

Ms. Gloria Stewart asked about the ordinance and was told that the Council Members would like a say in the naming of developments in the city.

**Motion to close the public hearing by Councilman Corbitt, seconded by Councilman Johnson.
The Motion was approved by unanimous vote.**

Motion to adopt Ordinance Number 33-2016 by Councilman Corbitt, seconded by Councilwoman Williams.

On the motion Councilwoman Williams provided reasons why the ordinance should be passed and Councilwoman Eason spoke of her concerns. Council President Gaunt-Butler would vote for the ordinance because she felt that the names should come in front of the Council.

Roll Call:

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

Nays: None.

Abstain: None.

Absent: Summers-Johnson

Motion Carries.

The Clerk read Ordinance 34-2016 by title.

**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)**

Ms. Gloria Stewart asked for the meaning of the ordinance. Councilwoman Eason stated that as part of a person rental lease they should have car parking rights. The City Attorney answered questions regarding buildings with more apartments than parking spaces stating that they would get a variance. Notices about the new law will be given to tenants and landlords.

Motion to close the public hearing by Councilman Corbitt, seconded by Councilwoman Williams. The Motion was approved by unanimous vote.

Motion to adopt Ordinance Number 34-2016 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: Summers-Johnson

Motion Carries.

ORDINANCES INTRODUCTION/ FIRST READING

ORDINANCES TABLED 6/8/2016

35-2016 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.

The Clerk asked if there was a motion to lift the ordinance from the table.

There was no motion to lift from the table.

The Clerk read 36-2016 by title.

36-2016 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.

There was no motion to lift from the table.

The Clerk read 37-2016 by title.

37-2016 An ordinance to create and establish the position of Deputy Business Administrator in the Department of Administration.

There was no motion to lift from the table.

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 *111-2016 –117-2016

- 109-2016** A resolution authorizing the award of a contract with Nishuane Group, LLC, 105 Grove Street, Ste. 1, Montclair, New Jersey 07042 to provide professional planning services for a period of one (1) year in the amount not to exceed \$120,000.00. (POSTPONED 6-8-16) (Withdrawn by the Administration)
- *111-2016** A resolution establishing Citizen’s Budget Advisory committee and appointing members to serve on the committee for the Calendar Year 2016 Municipal Budget process.
- *112-2016** A resolution rejecting the bids for electrical services for all municipal owned buildings.
- *113-2016** A resolution rejecting the bids for plumbing services for all municipal owned buildings.
- *114-2016** A resolution authoring the City of Orange Township Tax Collector to prepare and mail estimated tax bills.
- *115-2016** A resolution authorizing the City Attorney to settle and/or resolve litigation matters against the City of Orange Township (Withdrawn by the Administration)
- *116-2016** 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 conversion of in Street to the Orange REC Center in the amount not to exceed \$63,000.00.
- *117-2016** A resolution approving the bill list for council meeting vote on June 21, 2016 dated June 17, 2016 and approving checks issued by the Finance Department in accordance with Ordinance 2-95 (Grand Total: \$ 3,711,674.49). (removed for separate vote)

Motion to adopt the Consent Agenda by Councilman Corbitt, seconded Councilwoman Eason.

Roll Call:

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

Nays: None.

Abstain: None.

Absent: Summers-Johnson

Motion Carries.

The Clerk read Resolution 117-2016 by title.

117-2016 A resolution approving the bill list for council meeting vote on June 21, 2016 dated June 17, 2016 and approving checks issued by the Finance Department in accordance with Ordinance 2-95 (Grand Total: \$ 3,711,674.49).

The Clerk reported that after removal of some items the Grand Total is \$3, 693,574.49.

Roll Call:

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

Nays: Gaunt-Butler

Abstain: None.

Absent: Summers-Johnson

Motion Carries.

NEW BUSINESS None.

OTHER PENDING BUSINESS None

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

The Motion was approved by unanimous vote.

By consensus the regular meeting adjourned at 11:35 P.M.

Approved:

Joyce L. Lanier
City Clerk

Donna K. Williams
Council President