

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 WEDNESDAY, JULY 6, 2016, IMMEDIATELY FOLLOWING THE CONFERENCE MEETING.

ROLL CALL

Present: Councilman Kerry Coley, East Ward
Councilwoman Tency A. Eason, North Ward
Councilman Christopher Jackson, At-Large
Councilman Harold Johnson, Jr. West Ward
Councilwoman Jamie Summers-Johnson., South Ward
Councilwoman Donna K. Williams, At-Large
Councilwoman Adrienne Wooten, At-Large

Also Present: Joyce L. Lanier, City Clerk
Dan Smith, Acting City Attorney
Margarette Homere, Senior Clerk,
Kenneth Douglas, Acting Fire Director
John Wade, Acting Police Director
Marty Mayes, Acting Business Administrator

Absent:
Joy Lascari, Chief Financial Officer
Kevin Harris, Legislative Research Officer
Adrian Mapp, Acting Director of Finance

The City Clerk announced 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 June 23, 2016, posted on the Bulletin Board in City Hall and filed in the Office of the City Clerk.

APPROVAL OF MINUTES MEETINGS

May 3, 2016- Conference & Regular Minutes

(Council Members Jackson and Wooten cannot vote, because they were not Council Members at that time.)

Motion to approve the Conference and Regular meeting minutes from May 3, 2016 by Councilwoman Eason, seconded by Councilman Johnson.

Roll Call:

Ayes: Coley, Eason, Johnson, Jr., Summers-Johnson, Williams
Nays: None.
Abstain: Jackson, Wooten
Absent: None.

Motion carries.

May 17, 2016- Conference & Regular Minutes

(Council Members Jackson and Wooten cannot vote, because they were not Council Members at that time.)

Motion to approve the Conference and Regular meeting minutes from May 17 2016 by Councilwoman Eason, seconded by Councilman Johnson.

Roll Call:

Ayes: Coley, Eason, Johnson, Jr., Summers-Johnson, Williams
Nays: None.
Abstain: Jackson, Wooten
Absent: None.

Motion carries.

June 8, 2016- Conference & Regular Minutes

(Council Members Jackson and Wooten cannot vote, because they were not Council Members at that time.)

Motion to approve the Conference and Regular meeting minutes from June 8, 2016 by Councilwoman Eason, seconded by Councilman Johnson.

Roll Call:

Ayes: Coley, Eason, Johnson, Jr., Summers-Johnson, Williams
Nays: None.
Abstain: Jackson, Wooten
Absent: None.

Motion carries.

REPORTS:

DEPARTMENT MONTHLY REVENUE COLLECTION None

CONSTABLE REPORTS-

Darnell Brodie-Month of May 2016-No activity
Richard Noisy-Month of May 2016-5-14-2016 Security at F.O.C. Meeting,

OPRA REQUESTS None

COUNCIL REPORTS

- Acting Police Director Wade reported on a number of Grants that the Police Department had applied for. Reported on the progress of the National Night Out caravan. Spoke about a magazine called Inspire. He spoke about meetings the Orange Police are having with New Jersey Transit Police.
- Acting Fire Director Kenneth Douglas invited the new Council Members to the Fire Department to see all the improvements that have been made. Acting Director Douglas

gave a report on the Fire Department. Spoke about the firemen's work schedule for the summer. The Acting Director reported that there are 72 fire fighters that work the line in Orange.

- Council President Williams spoke about having stronger protocols for properties that had fires. The inspections of the 504 fire hydrants will be completed by the end of summer. The Acting Director answered questions from the Council Members.
- The Council President reported that the Finance Committee is in the middle of the budget season and that the following day was the last hearing with the departments. July 12th would be the public hearing for the budget.

Council President directs Clerk to file reports.

COMMUNICATIONS AND PETITIONS - None

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 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 commented about the Governor's budget cuts to the funding for schools and reported that it would be a ballot question in November. Mr. Lewis provided his suggestions to the Council Members on keeping up with current events.
- Mr. Jeffery Feld commented that he was still waiting on documents regarding the YWCA it had been over 60 days since he asked for them. Commented that the Mayor's bill board should not be paid for by the citizens. Commented that the salary and wages were not on the bill list. Commented that the citizens had a right to know how much the city has spent on Mr. Edward's attorney fees.
- Mr. Mario Mendoza and his attorney Mr. Levasseur spoke about the 1199Club that the city had shut down. The Attorney stated that Mr. Mendoza was the owner of the club. The Club has been under his watch and management for over a decade. He commented that he knew that the Council makes sure that the taxes, revenues and permits are in order every year. The

attorney stated that Mr. Mandoza told him that the Club had been shut down on June 30th because of a tax clearance issue. The Attorney provided some facts of what was currently going on with regard to the family disagreement regarding the Club. Mr. Levasseur reported that Mr. Mandoza had paid for the license renewal and the taxes. The Council President suggested that the rest of the matter be said in the executive session that would be taking place.

The Council President stated that the citizen comments would remain open for the attorney to return and make comments.

- Ms. Knight from the Finance department came to the podium and stated that the salary and wages would be available tomorrow.

The Council moved to Council Comments without closing citizen comments.

COUNCIL COMMENTS

- Councilwoman Summers-Johns reported that the pools are open and she and her children had a great time. On Saturday is attended the three n three at the Central park in Orange. She attended the 100th anniversary of the Berkley Tennis Club and because of a grant Orange children had free tennis lessons.
- Councilwoman Wooten reported that she would have an answer about when the spray park would be open the following day. The Councilwoman read a message from the Wooten family to the residents.
- Councilman Coley wanted a list of the Acting Directors because he felt that the 90 day clock for Acting positions had already started. Councilman Coley was annoyed with the Administration's late responses to questions by the Council and by the residents.
- Councilman Johnson agreed with Councilman Coley. The Councilman gave examples of no responses from Administration.
- Councilman Jackson also agreed with both Councilman.

Motion to Close Citizen Comments by Councilwoman Summers-Johnson, seconded by Councilman Johnson

The Motion was unanimously approved.

The Council President thanked the City Clerk for the wonderful job she did with the inauguration ceremony. The Council President reported that Essex County College is having a camp for 7th through 12th graders. It is a free program. She provided information on the program. Council President Williams asked the Council Members to have their list of Committee appointees for the July 12th meeting.

The Clerk reported that Ordinance 32-2016, 33-2016 and 34-2016 were introduced on May 17th. After they were approved by the Council the ordinances were sent down to the Mayor's Office. The Mayor did not sign them. The Ordinances were published stating that fact and will go into effect 20 days after being published. The Clerk read each ordinance by title.

ORDINANCES-SECOND READING/PUBLIC HEARING

The Clerk read Ordinance 27-2016 by Title.

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)

Mr. Lewis did not approve of the ordinance stating his reasons why.

Motion to close Citizen Comments by Councilwoman Eason, seconded by Summers-Johnson

The Motion was approved by unanimous vote.

Motion to adopt Ordinance Number 27-2016 by Councilwoman Summers-Johnson, seconded by Councilman Johnson

Roll Call:

Ayes:	Coley, Eason, Johnson, Jr., Summers-Johnson, Wooten, Williams
Nays:	Jackson
Abstain:	None.
Absent:	None.

Motion Carries.

ORDINANCES INTRODUCTION/ FIRST READING

ORDINANCES TABLED Ordinance 6-8- 2016 & Ordinance 6- 21-2016.

The Clerk read tabled Ordinance 35-2016 by Title

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.

There was no motion to life from the table.

The Clerk read tabled Ordinance 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 life from the table

The Clerk read tabled Ordinance 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 life from the table.

The Clerk read Ordinance 38-2016 by Title

38-2016 An ordinance relating to salaries and classifications of certain employees of the City of Orange Township.

There was no motion to introduce Ordinance 38-2016.

The Clerk read Ordinance 39-2016 by Title

39-2016 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 (421 Minton Place)

Motion that Ordinance 39-2016 be introduced on first reading and that the public hearing would be held date August 3, 2016 by Councilwoman Summers-Johnson, seconded by Councilwoman Eason

Roll Call:

Ayes: Coley, Eason, Jackson, Johnson, Jr., Summers-Johnson, Wooten, Williams
Nays: None.
Abstain: None.
Absent: None.

Motion Carries.

The Clerk read Ordinance 40-2016 by Title

40-2016 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 (156 N. Day Street)

Motion that Ordinance 40-2016 be introduced on first reading and that the public hearing would be held date August 3, 2016 by Councilwoman Summers-Johnson, seconded by Councilman Johnson.

Roll Call:

Ayes: Coley, Eason, Jackson, Johnson, Jr., Summers-Johnson, Wooten, Williams
Nays: None.
Abstain: None.
Absent: None.

Motion Carries.

The Clerk read Ordinance 41-2016 by Title

41-2016 An ordinance to amend the Code of the City of Orange Township, Chapter 200, entitled “Vehicles and Traffic” Section 200-40, Schedule IX – Stop Intersections. (All-way Stop) (Valley Street & Morris Street)

Motion that Ordinance 41-2016 be introduced on first reading and that the public hearing would be held date August 3, 2016 by Councilwoman Summers-Johnson, seconded by Councilman Johnson

Roll Call:

Ayes: Coley, Eason, Jackson, Johnson, Jr., Summers-Johnson, Wooten, Williams
Nays: None.
Abstain: None.
Absent: None.

Motion Carries.

A motion to suspend the rules and add resolutions 129-2016, 130-2016, 131-2016 and 135-2016 to the agenda by Councilwoman Summers-Johnson, seconded by Councilman Coley.

Roll Call:

Ayes: Coley, Eason, Jackson, Johnson, Jr., Summers-Johnson, Wooten, Williams
Nays: None.
Abstain: None.
Absent: None.

Motion Carries.

The following resolutions were read by title by the Clerk

129-2016 A resolution authorizing the acceptance of grant funding totaling \$264,062.08 from the State of New Jersey for Summer Food Program participation for 2016.

130-2016 A resolution awarding a contract to Karson Food Service, INC., 3409 Rose Avenue, Ocean, New Jersey 07712 in the amount not to exceed \$211,126.13 for the summer Food Program for Children 2016

131-2016 A resolution appointing Tracey Latta as a member to the Citizen’s Budget Advisory Committee for Calendar Year 2016 Municipal Budget process

132-2016 A resolution appointing Bruce Meyer as a member to the Citizen’s Budget Advisory Committee for Calendar Year 2016 Municipal Budget process (Removed for separate vote)

- 133-2016** A resolution to approve settlement for DOS Condos, LLC V. City of Orange Township, Docker No. 015436-2011 and Docket No. 019097-2010, 765 Vose Avenue. **(Removed for separate vote)**
- 134-2016** A resolution to approve settlement for Trio Condo, L.L.C V. City of Orange Township, Docket No. 016944-2011 and Docket No.019206-2010, 765 Vose Avenue. **(Removed for separate vote)**
- 135-2016** A resolution to approve settlement for 765 Vose Avenue Association, LLC V. City of Orange Township, Docket No. 016945-2011 and Docket No.019113-2010, 765 Vose Avenue. **(Removed for separate vote)**

A motion to recess by Councilwoman Summers-Johnson, seconded by Councilman Johnson.

The Motion was unanimously approved.

Motion to reconvene @ 9:03 P.M. by Councilwoman Eason, seconded by Councilman Johnson.

The Motion was unanimously approved.

A motion to suspend the rules and add resolutions 129-2016, 130-2016, 131-2016 and 135-2016 to the agenda by Councilwoman Summers-Johnson, seconded by Councilman Coley.

Roll Call:

Ayes: Coley, Eason, Jackson, Johnson, Jr., Summers-Johnson, Wooten, 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 NUMBERS *121-2016 –135-2016

- *121-2016** A resolution to read the Calendar Year 2016 Budget by title.
(Removed for separate vote)

- *122-2016** A resolution for Emergency temporary appropriations to the Calendar Year 2016 Budget. **(Removed for separate vote)**
- *123-2016** A resolution authorizing the Mayor of the City of Orange Township or his designee at the Orange Police Department to apply for the FY 2016 Justice Assistance Grant (JAG) Program.
- *124-2016** A resolution authorizing the awarding of a contract for the Jackson Street Garage Roof Replacement to Safeway Contracting, 636 North Michigan Avenue, Kenilworth, New Jersey 07033 in the amount not to exceed \$159,900.00.
- *125-2016** A resolution to call for a referendum at the next General Election to be held on November 8th, 2016 for the City of Orange Township to change from a Appointed School Board to an Elected School Board effective immediately, with the first School Board Election to be held during the General Election in November 2017.
- *126-2016** 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
(Removed for separate vote)
- *127-2016** A resolution appointing Tracey Latta and Bruce Meyer as members to the Citizen's Budget Advisory Committee for Calendar Year 2016 Municipal Budget process. **(Withdrawn)**
- *128-2016** A resolution approving the bill list for council meeting vote on July 6, 2016 dated July ___, 2016 and approving checks issued by the Finance Department in accordance with Ordinance 2-95 (Grand Total: \$ 1,463,064.86. **(Removed for separate vote)**)
- 129-2016** A resolution authorizing the acceptance of grant funding totaling \$264,062.08 from the State of New Jersey for Summer Food Program participation for 2016.
- 130-2016** A resolution awarding a contract to Karson Food Service, INC., 3409 Rose Avenue, Ocean, New Jersey 07712 in the amount not to exceed \$211,126.13 for the summer Food Program for Children 2016
- 131-2016** A resolution appointing Tracey Latta as a member to the Citizen's Budget Advisory Committee for Calendar Year 2016 Municipal Budget process

132-2016 A resolution appointing Bruce Meyer as a member to the Citizen’s Budget Advisory Committee for Calendar Year 2016 Municipal Budget process
(Removed for separate vote)

133-2016 A resolution to approve settlement for DOS Condos, LLC V. City of Orange Township, Docker No. 015436-2011 and Docket No. 019097-2010, 765 Vose Avenue. **(Removed for separate vote)**

134-2016 A resolution to approve settlement for Trio Condo, L.L.C V. City of Orange Township, Docket No. 016944-2011 and Docket No.019206-2010, 765 Vose Avenue. **(Removed for separate vote)**

135-2016 A resolution to approve settlement for 765 Vose Avenue Association, LLC V. City of Orange Township, Docket No. 016945-2011 and Docket No.019113-2010, 765 Vose Avenue. **(Removed for separate vote)**

Motion to approve the Consent Agenda by Councilman Johnson, seconded by Councilman Jackson.

Roll Call:

Ayes: Coley, Eason, Jackson, Johnson, Jr., Summers-Johnson, Wooten, Williams
Nays: None.
Abstain: None.
Absent: None.

Motion Carries.

The Clerk read Resolution 121-2016 by title.

121-2016 A resolution to read the Calendar Year 2016 Budget by title. To be amended to read “shall be available in the Orange Public Library”

Motion to approve Resolution 121-2016 as amended by Councilman Coley, seconded by Councilman Johnson

Roll Call:

Ayes: Coley, Eason, Jackson, Johnson, Jr., Summers-Johnson, Wooten, Williams
Nays: None.
Abstain: None.
Absent: None.

Motion Carries.

The Clerk read Resolution 122-2016 by title.

122-2016 A resolution for Emergency temporary appropriations to the Calendar Year 2016 Budget

Motion to approve Resolution 122-2016 by Councilman Johnson, seconded by Councilwoman Eason

Councilman Johnson questioned the \$600,000.00 figure he saw. The Council President commented that figure was a year to date figure.

Councilman Coley questioned the human resource position and the Council President confirmed that the position had not been created by an ordinance.

Roll Call:

Ayes: Coley, Eason, Jackson, Johnson, Jr., Summers-Johnson, Wooten, Williams
 Nays: None.
 Abstain: None.
 Absent: None.

Motion Carries.

The Clerk read Resolution 126-2016 by title

126-2016 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

Motion to approve Resolution 126-2016 by Councilwoman Summers-Johnson, seconded by Councilman Johnson

Councilman Johnson asked Acting Director Mayes what the Nishuane Group will be doing when it comes to the Master Plan. Acting Director Mayes stated that the Group will be moving the Master Plan forward by having regular meetings with the community to help shape the plan. Councilman Jackson asked about the hourly wage for Nishuane Group feeling that the wages were too high and with regard to the increase of \$60,000 is that half of the contract. Acting Director Mayes stated that the amount was half of the contract for this year, the other half will be paid next year. Councilman Jackson asked if there was a search going on for another consultant that would be charging less than \$10,000.00 a month for their services.

Acting Director Mayes stated that there was not, however, once this contract is finished the city could go back to an in house planner. Other questions were answered by the Director.

Roll Call:

Ayes: Coley, Eason, Johnson, Jr., Summers-Johnson, Wooten, Williams
 Nays: Jackson
 Abstain: None.
 Absent: None.

Motion Carries.

The Clerk read Resolution 128-2016 by title

128-2016 A resolution approving the bill list for council meeting vote on July 6, 2016 dated July 1, 2016 and approving checks issued by the Finance Department in accordance with Ordinance 2-95 (Grand Total: \$ 1,463,064.86).

The Council President reported on amendments to the bill list:
 Page 1, the \$18,000 should be removed.

Page 11 \$100.00 should be removed.

The new total would be \$1,444,964.86

Motion to approve amended Resolution 128-2016 by Councilman Johnson, seconded by Councilwoman Summers-Johnson

Councilman Coley stated that it was the second meeting in a row that Acting Attorney Smith had not given an answer to the bill board being used for a campaign and being paid for by the residents. Acting Attorney Smith stated it was still being reviewed.

Roll Call:

Ayes: Coley, Eason, Jackson, Johnson, Jr., Summers-Johnson, Wooten, Williams
Nays: None.
Abstain: None.
Absent: None.

Motion Carries.

The Clerk read Resolution 132-2016 by title

132-2016 A resolution appointing Bruce Meyer as a member to the Citizen's Budget Advisory Committee for Calendar Year 2016 Municipal Budget process
(Sponsored by Christopher Jackson)

Motion to approve Resolution 132-2016 by Councilwoman Summers-Johnson, seconded by Councilman Jackson.

Roll Call:

Ayes: Coley, Eason Jackson, Johnson, Jr., Summers-Johnson, Wooten, Williams
Nays: None
Abstain: None.
Absent: None.

Motion Carries.

Motion to go into Executive Session to discuss legal matter by Councilman Johnson, seconded by Councilman Jackson.

Roll Call:

Ayes: Coley, Eason, Jackson, Johnson, Jr., Summers-Johnson, Wooten, Williams
Nays: None.
Abstain: None.
Absent: None.

Motion Carries.

Motion to enter into Executive Session by Councilman Coley, seconded by Councilwoman Summers-Johnson.

Roll Call:

Ayes: Coley, Eason, Jackson, Johnson, Jr., Summers-Johnson, Wooten, Williams
Nays: None.
Abstain: None.
Absent: None.

Motion Carries.

Motion to return to regular session at 9:45 P.M. by Councilwoman Eason, seconded by Councilman Jackson.

The Motion was unanimously approved.

The Clerk read Resolution 133-2016 by title

133-2016 A resolution to approve settlement for DOS Condos, LLC V. City of Orange Township, Docker No. 015436-2011 and Docket No. 019097-2010, 765 Vose Avenue.

Motion to approve Resolution 133-2016 by Councilwoman Eason, seconded by Councilwoman Wooten.

Roll Call:

Ayes: Coley, Eason, Jackson, Johnson, Jr., Summers-Johnson, Wooten, Williams
Nays: None.
Abstain: None.
Absent: None.

Motion Carries.

The Clerk read Resolution 134-2016 by title

134-2016 A resolution to approve settlement for Trio Condo, L.L.C V. City of Orange Township, Docket No. 016944-2011 and Docket No.019206-2010, 765 Vose Avenue.

Motion to approve amended Resolution 134-2016 by Councilwoman Eason, seconded by Councilwoman Summers-Johnson.

Roll Call:

Ayes: Coley, Eason, Jackson, Johnson, Jr., Summers-Johnson, Wooten, Williams
Nays: None
Abstain: None.
Absent: None.

Motion Carries.

The Clerk read Resolution 135-2016 by title

135-2016 A resolution to approve settlement for 765 Vose Avenue Association, LLC V. City of Orange Township, Docket No. 016945-2011 and Docket No.019113-2010, 765 Vose Avenue.

Motion to approve Resolution 135-2016 by Councilwoman Eason, seconded by Councilwoman Summers-Johnson.

Roll Call:

Ayes: Coley, Eason, Jackson, Johnson, Jr., Summers-Johnson, Wooten, Williams
Nays: None.
Abstain: None.
Absent: None.

Motion Carries.

Attorney Maslow discussed the settlement claims for Resolutions 33-2016, 34-2016 and 35-2016 involving 765 Vose Avenue.

NEW BUSINESS The Council President reminded Council of the meeting the following night at 7:00 P.M.

OTHER PENDING BUSINESS None.

Motion to adjourn by Councilman Coley, seconded by Councilwoman Summers-Johnson.

By consensus the regular meeting adjourned at 9:55 P.M.

Approved:

Joyce L. Lanier
City Clerk

Donna K. Williams
Council President