

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, AUGUST 3, 2016, 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
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
Adrian Mapp, Acting Finance Director
Dan Smith, Acting City Attorney
Kevin Harris, Legislative Research Officer
Margaret Homere, Senior Clerk,
Marty Mayes, Acting Public Works and Planning
Carl Smith, Acting Tax Collector

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

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

(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 21, 2016 by Councilwoman Eason, seconded by Councilwoman Summers-Johnson.

Roll Call:

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

Motion Carries.

**Motion to approve the Conference and Regular meeting minutes from July 6, 2016 by Councilwoman Eason, seconded by Councilwoman Summers-Johnson.
The Motion was approved by unanimous vote.**

REPORTS:

DEPARTMENT MONTHLY REVENUE COLLECTION

- Clerk's Office – Month of June 2016 - \$86.50
- Department of Community Service – Month of June 2016 - \$38,546.00

CONSTABLE REPORTS-

- Darnell Brodie-Month of June 2016-No activity
- Mohamed L. Toure-Month of June 2016-No activity
- Richard Noizy-Month of June 2016 - F.O.C. Meeting Pro Cops – June 14, 2016

OPRA REQUESTS

The Office of the City Clerk received 85 OPRA requests during the month of June of which 81 were completed and 5 are incomplete.

COUNCIL REPORTS

- Councilwoman Eason reported that she had done a walk through at the Police Department on Tuesday to review their list of items that needed to be completed. The list was given to DPW so listed items could be handled. The Officers needed to clean up after themselves and not let the brand new building go downhill. She will be respecting the building in a few weeks. Councilwoman Eason reported that there is a new Acting Police Director is name is Todd Warren.
- Councilwoman Summers-Johnson stated that she had visited the Police and Fire Academy camp. She had attended the movie night sponsored by Orange and reported that the Flamingo dancers were back. The movie they showed was Star Wars.
- Councilman Jackson reported that he attended the Planning Board meeting. He reported on a proposal for a new business on Washington Street.
- Councilman Johnson stated that he gave Ms. Mason his recommendation to fill a vacancy on the Board of Adjustments.
- Councilwoman Wooten reported that on September 6th there will be the ribbon cutting ceremony at the Water G Apartments, phase III. She reported on National Night.
- Council President Williams stated that the budget process is continuing and an anticipated date of August 16th there will be the public hearing on the amendments for the budget.

Council President directs Clerk to file reports

COMMUNICATIONS AND PETITIONS-

- **State of New Jersey, Department of Transportation, Executive Order No. 210 State of Emergency – All work funded by the Transportation Trust Fund Authority is ordered to be shutdown**

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.

- Mr. Jeffery Feld commented that he was shocked that there had been no comment on the removal of files and computers from the Library and that the broadcasting of current meetings have been so bad. Mr. Feld commented that things are being blamed on the Clerk's Office when the issues lie with the lack of responses by the administration when the Clerk's Office tries to get information that residents request. Mr. Feld gave examples of what had been delayed and then spoke about the nepotism that is taking place within the city government. Mr. Feld spoke of other concerns he had.
- Mr. William Lewis reported on an item that was not reported correctly in the newspaper regarding prior School Superintendent Mr. Lee. Spoke about the high cost of legal fees that are caused by Mr. Feld. Mr. Lewis spoke about Ordinance 27-2016 and mistakes that had been made to it.
- Ms. Faith Alacartara requested that on Heyward between Berkley Ave and Lincoln Ave become a one-way, providing reason why it needed to be changed. She requested that the Heywood School have a Police presence as it had in the past. She was looking for information on PAL but there was nothing on the city website. She requested information on PAL.
- Ms. Genora Jenkins requested that there be more of a police presence in the parks. Spoke about the cancelation of the lunch program in the parks and requested that it be extended.
- Ms. Safiyah Samuel spoke of her concerns about police presence since the shooting in the park. She also requested more garbage cans and signs be placed on Clareadon Place.

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

The Motion was approved by unanimous vote.

Some responses to resident's questions.

- The Council President asked Director Mayes to take care of the garbage cans and signs for Clarendon Place. Acting Director Mayes will have an engineer take a look at Berkley Ave and Lincoln Ave.
- The Council President asked Councilman Coley and Councilwoman Eason to look into having the police have an 'Adopt a School Program'.
- Councilwoman Eason spoke about having the PAL and the Fire Department Programs in the Orange Schools.
- Councilwoman Summers-Johnson commented that the park workers need a police contact to speak to when there are no police assigned to parks. Council President Williams requested that the Liaisons to the Police Department speak with the Police Director to find out his plan to have policemen at the parks. Councilman Coley stated that would require a lot of overtime.
- Ms. Cooper, the Chief of Staff came to the podium and reported on the Lunch Program in the city; reporting that just after the shooting at Lincoln Avenue, the State Monitor happened to be there touring the City of Orange. They had concerns which the administration took care of. The children this week will be able to come and get their breakfast and lunch and take it back home with them; so they don't have to stay on site. The following week the schedule will go back to normal. The program goes until the last week in August.
- Council President Williams thanked Mr. Lewis regarding attending court cases and stated that Council Members do attend court cases when they can.
- Attorney Smith stated that the City Library is open to the public and that is all he could say without going into executive session.
- The Council President commented that any settlement money would come from the GL settlement account which is where the money would come from.
- Acting Director Mapp came up to the podium with his reasons as to why the salary and wages had not been put on the bill list. Other questions regarding finances he could not answer.
- Council President Williams updated Captain Dunn from the Police Department about discussions and questions that were made during the residents' comments.

COUNCIL COMMENTS

- Councilwoman Summers-Johnson reported that she had attended the second part of the Community march and she felt that it was a lot of finger pointing and blame. But some good did come out of the meeting by having a prayer in front of the library. She reported that the next day she would be having a meeting at the Rec Center for woman and young girls. She has been contacted by many organizations that are willing to help. The Councilwoman reported that she is working on a schedule with the Heywood School to have her community meetings bi-monthly to help bridge the gap between residents and the government. The city needs to inform the residents more quickly than it has in the past.

- Councilwoman Eason asked Mr. Mayes if there were any regulations for the parks. The soccer game that had taken place was very crowded and she was concerned that players from other areas would take over the park without some kind of regulation. Director Mayes will speak with the recreation director and form a plan. Councilwoman Eason had a great time at National Night Out. She suggested that when residents see something wrong happening they should help the police by taking pictures with the cell phones or trying to give a good description of the people or person.
- Councilwoman Wooten thanked all the communities that participated in National Night Out program. Councilwoman Wooten and the Council President discussed the procedures for standing committees.
- Councilwoman Eason commented that with regards to the Finance Committee there should be one new Council person on that committee instead of the Council Members that have already served.
- Council President Williams thanked all the Police for their help with National Night Out. The Council President spoke about the success of the community march and all of the good suggestions by the resident that came out of it. She spoke of the loss of the Orange men that had occurred recently and stated that as a community they have to do better.

STATEMENT FOR THE RECORD BY THE CITY CLERK

Ordinance 17-2016 introduced on March 15, 2016, adopted May 3, 2016, delivered to the Mayor's Office on May 5, 2016 was not returned by the Mayor within the 10 day period. This ordinance became effective without the Mayor's signature and upon publication in accordance to the law.

17-2016 An ordinance amend the Code of the City of Orange Township, Chapter 200, entitled "Vehicles & Traffic", Section 200-64 Parking Permit Meter Zones designated) (Sponsored by Council Member April Gaunt-Butler)

ORDINANCES-SECOND READING/PUBLIC HEARING

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)

Seeing no one, the Chair declared the time closed.

Motion to close the public hearing by Councilwoman Summers-Johnson, seconded by Councilman Johnson, Jr.

The Motion was approved by unanimous vote.

Motion to adopt Ordinance Number 39--2016 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.

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)

Seeing no one, the Chair declared the time closed.

Motion to close the public hearing by Councilman Johnson, Jr., seconded by Councilwoman Summers-Johnson

The Motion was approved by unanimous vote.

Motion to adopt Ordinance Number 40-2016 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.

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)

Seeing no one, the Chair declared the time closed.

Motion to close the public hearing by Councilwoman Summers-Johnson, seconded by Councilman Jackson

The Motion was approved by unanimous vote.

Motion to adopt Ordinance Number 41-2016 by Councilman Coley, seconded by Councilwoman Eason.

Roll Call:

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

Motion Carries.

ORDINANCES INTRODUCTION/ FIRST READING

ORDINANCES TABLED 6-8- 2016 & 6- 21-2016 & 7-12-2016

The Clerk read 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.

The Motion to lift from the table by Councilwoman Eason was not seconded.

The Ordinance remains on the table.

The Clerk read 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 lift.

The Clerk read 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 lift.

The Clerk read Ordinance 42-2016 by title.

42-2016 An ordinance to amend the Code of the City of Orange Township, Chapter 200, entitled "Vehicles and Traffic" Section 200-10.2 Residential Parking Permit (Sponsored by Council Member Adrienne Wooten)

Motion that Ordinance 42-2016 be introduced on first reading and that the public hearing would be held September 6, 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 City Clerk read Ordinance Number 43 -2016 by Title.

43-2016 An ordinance setting forth an employee tuition reimbursement policy and guidelines for the City of Orange Township and amending and supplementing Chapter 23 of the Municipal code and the appendix titled City of Orange Township – Employee Handbook of Personnel Policies and Procedures.

The Clerk reported that the passing grade would be changed from a C to a B grade for passing a course.
Motion that Ordinance 43-2016 be introduced on first reading as amended with a public hearing to be held September 6, 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 City Clerk stated that Ordinance 44-2016 was withdrawn.

44-2016 An ordinance to amend Title 23 City of Orange Township Employee Handbook of Personnel Policies and Procedures, Chapter VII –Dress Code & Uniforms, 23:1-7.1 of the Code of the City of Orange Township.

The City Clerk stated that Ordinance 45-2016 was withdrawn.

45-2016 An ordinance to amend Title 23 City of Orange Township Employee Handbook of Personnel Policies and Procedures, Chapter VII-Substance Abuse Testing Policy for the City of Orange Township Police, Fire and Non-Uniformed Workers of the Code of the City of Orange Township pertaining to Substance Abuse.

The City Clerk read Ordinance Number 46-2016 by title.

46-2016 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. (13 Manor Terrace).

Motion that Ordinance 46-2016 be introduced on first reading and that the public hearing would be held September 6, 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 City Clerk read Ordinance Number 47 -2016 by Title.

47-2016 An ordinance to amend Ordinance No. 19A-94 Limiting the Use of Construction of Landscaping Equipment

Motion that Ordinance 47-2016 be introduced on first reading and that the public hearing would be held September 6, 2016 by Councilman Coley, seconded by Councilwoman Wooten.

On the motion -Councilwoman Eason asked Mr. Mayes about the time of workers which he detailed for the Councilwoman.

The Council President spoke about the start and end times of the employees. Director Mayes was asked to go to surrounding towns to determine their start and stop times and days of work.

Councilman Coley suggested that 8:00 be a start time.

Roll Call:

Ayes: Coley, Jackson, Johnson, Jr., Summers-Johnson, Wooten, Williams

Nays: None.

Abstain: None.

Absent: Eason_(had stepped out)

Motion Carries.

The City Clerk read Ordinance Number 48 -2016 by Title.

48-2016 An ordinance of the City of Orange Township, County of Essex, State of New Jersey, amending Chapter 142, entitled "Parking" so as to create Article IV to be entitled "Parking Services Office".

Motion that Ordinance 48-2016 be tabled 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.

Council President Williams requested that Ms. Cooper, the Chief of Staff, send a memo to the Clerk's Office regarding the ordinance and her comments so it could be distributed to the Council Members.

The City Clerk read Ordinance Number 49 -2016 by Title.

49-2016 An ordinance authorizing a special emergency appropriation pursuant to N.J.S.A. 40A:4-53 for funding of terminal pay for retired employees.

Motion that Ordinance 49-2016 be introduced on first reading and that the public hearing would be held September 6, 2016 by Councilwoman Eason, seconded by Councilman Johnson, Jr.

On the motion – Council President Williams suggested to the Council that they be proactive with this in terms of the retirements. Suggested they have a plan in place before the 2017 budget.

Roll Call:

Ayes: Coley, Eason, Jackson, Johnson, Jr., Summers-Johnson, Wooten, Williams

Nays: None.
Abstain: None.
Absent: None.

Motion Carries.

RESOLUTIONS TABLED FROM SPECIAL MEETING ON JULY 12, 2016

The Clerk read Resolution 252-2016 by title.

***252-2016 A resolution authorizing ratification of the Collective Bargaining Agreement between the City of Orange Township and the Superior Officers Association, Local 89**

Motion to lift from the table and add to the consent agenda by Councilwoman Summers-Johnson, 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 254-2016 by title.

***254-2016 A resolution authorizing the City Attorney to settle and resolve litigation matters against the City of Orange Township.**

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 *256-2016 through *274-2016

RESOLUTION:

***252-2016 A resolution authorizing ratification of the Collective Bargaining Agreement between the City of Orange Township and the Superior Officers Association, Local 89 (Removed for separate vote)**

***256-2016 A resolution amending Resolution #361-2013 requesting approval of the Director of the Division of Local Government Services to establish a dedicated trust by rider for snow removal, pursuant to N.J.S.A. 40A:4-62.1 and N.J.S.A. 40A:4-39.**

- *257-2016** A resolution to accept grant funds from the New Jersey Department of Agriculture for the 2016 Summer Food Program (SFSP).
- *258-2016** A resolution authorizing the refund of taxes due to overpayments in the amount of \$3,203.75 to the homeowners of Block 2606 Lot 1, Block 3304, Lot 10 & Block 5302, Lot 12.
- *259-2016** A resolution authorizing the refund of taxes due to state board judgments in the amount of \$85,525.70.
- *260-2016** A resolution authorizing the refund of taxes paid due to an inadvertent payment in the amount of \$2,745.85 for Block 1204, Lot 3.
- *261-2016** A resolution authorizing a refund of three hundred dollars (\$300.00) to Chenet Rosier, 440 Lakeside Avenue, 1st Floor, Orange, NJ 07050 for a Certificate of Habitability, Sales Inspection at 79 North Essex Avenue, Orange, NJ.
- *262-2016** A resolution authorizing the tax collector to refund subsequent charges paid by the outside lien holder, FNA Jersey Lien Services LLC for property known as 118 South Essex, Block 3501, Lot 31 in the amount of \$3,863.94.
- *263-2016** A resolution authorizing the cancellation of Tax Sale Certificate No. 15-0158 and authorizing refund payment to lien holder in the amount of \$3,782.29.
- *264-2016** A resolution authorizing the foreclosure of tax title liens in rem.
(Withdrawn)
- *265-2016** A resolution rejecting the bids for payroll services for the City of Orange Township.
- *266-2016** A resolution authorizing the public auction of surplus unserviceable vehicles and/or equipment from the motor fleet of the City of Orange Township Police, Fire and Public Works Departments.
- *267-2016** A resolution authorizing the City of Orange Township, Police Department located at 29 Park Street, Orange, New Jersey to dispose of damaged and antiquated equipment and police uniforms no longer in use by the department.
- *268-2016** A resolution approving settlement and authorizing the execution of a settlement agreement with Brian Trovato, with respect to the settlement of pending litigation with Brian Trovato and the mutual release of all other claims.
- *269-2016** A resolution requesting permission for the dedication by rider for affordable housing trust fund required by N.J.S.A. 40A:12A-3 et. Seq.
- *270-2016** A resolution amending resolution 242-2016 by removing Council Member Adrienne Wooten as a liaison to the Police Department of the City of Orange Township

- *271-2016 A resolution designating Parrow Street beginning at Oakwood Avenue and Ending at Hickory Street as Herman F. Hicks, Jr. Way – In-Honorarium (Sponsored by Council Member Adrienne Wooten) (**Withdrawn**)
- *272-2016 A resolution reserving 2014 Current Fund Budget Appropriations Reserves Balances.
- *273-2016 A resolution for emergency temporary appropriations to the Calendar Year 2016 budget.
- *274-2016 A resolution approving the bill list for council meeting vote on August 3, 2016 dated July 29, 2016 and approving checks issued by the Finance Department in accordance with Ordinance 2-95 (Grand Total: \$ \$7,701,909.34).

Motion to approve the Consent Agenda by Councilman Johnson, Jr., 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 252-2016 by title.

- 252-2016** A resolution authorizing ratification of the Collective Bargaining Agreement between the City of Orange Township and the Superior Officers Association, Local 89

Motion to approve Resolution 252-2016 by Councilwoman Eason, seconded by Councilman Coley
On the motion Councilman Jackson stated that on the signature page on the Mayor and the Labor Counsel had their names typed in. The other signatures are unidentifiable. The Council President stated that they are the Union representatives. Ms. Cooper, the Chief of Staff, told the Council Members who had signed the contract.

Roll Call:

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

Motion Carries.

The Clerk read Resolution 275-2016 by Title.

A RESOLUTION TO HOLD AN EXECUTIVE SESSION TO DISCUSS LITERGATION MATTERS REGARDING THE ORANGE LIBRARY.

Motion to have an executive session by Councilwoman Eason, seconded by Councilman Johns, Jr. The Motion was approved by unanimous vote.

Motion to enter into an executive session 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.

NEW BUSINESS None.

OTHER PENDING BUSINESS None.

Motion to adjourn by Councilwoman Eason, seconded by Councilman Jackson.

By consensus the regular meeting adjourned at 10:16 P.M

Approved:

Joyce L. Lanier
City Clerk

Donna K. Williams
Council President