

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, OCTOBER 6, 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
Councilman Harold Johnson, Jr. West Ward
Councilwoman Jamie Summers-Johnson., South Ward
Councilwoman Donna K. Williams, At-Large (arrived @ 7:34)
Council President April Gaunt-Butler, At-Large

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

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

• **September 1, 2015 Conference & Regular Meeting Minutes**

Motion to approve the Conference and Regular meeting minutes from September 1, 2015 by Councilman Corbitt, seconded by Councilwoman Eason.

By consensus the Regular and Conference meeting minutes were approved.

• **Special Meeting September 14, 2015 (Councilmembers Eason & Summers-Johnson cannot vote, because they were not present.)**

Motion to approve the Special meeting minutes from September 14, 2015 by Councilman Corbitt, seconded by Councilman Coley.

Roll Call:

Ayes: Coley, Corbitt, Johnson, Jr., Gaunt-Butler
Nays: None.
Abstain: Eason, Summers-Johnson
Absent: Williams

Motion carries.

The City Clerk reported on the following:

REPORTS:

- Clerk’s Office-Month of September-2015: \$103.55
- Department of Community Service-Month of August 2015: \$13,321.00

CONSTABLE REPORTS-

- Richard Noizy-Security Service Pro Cops- September 1st and 15, 2015.
- Mohamed L.Toure- Month of August 2015-No activity
- Mohamed L.Toure- Month of September 2015-No activity

OPRA REQUESTS

27 OPRA Request received, 24 completed, which consisted of 50 items requested for the month of September 2015.

COUNCIL REPORTS

Councilman Corbitt directed Acting Police Director Wade to come to the podium and give a report. Acting Police Director Wade reported that City issues were being addressed. The local grant was applied for by the Police department but was not approved. Only 4 grants were given out this year by the Federal Government. There are a number of IT upgrades that are taking place within the Police department. The department is looking into getting more cameras on polls

Councilwoman Summers-Johnson reported that she had received a plan from the Library regarding what they would be doing as far as fund raising and matching grants but nothing specific regarding dates and times were given to the Councilwoman.

Fire Director Douglas provided a summary of facts regarding the fireman in the City. The Fire Department will reapply for the Safer Grant in February 2016. They are waiting for information on the Communication Grant which they applied for along with Irvington and Maplewood. Information on that should be forthcoming in December. The AFG Grant will be applied for in 2016. The Director gave an update on the fire equipment in the City. The Director spoke about Fire Prevention Month in the City. The Director answered questions from the Council Members.

The Council President asked the County Liaison to speak on communications. Mr. Ike Jenkins reported on the County Recycling Day and what can be accepted. Mr. Jenkins commented he would like to meet with the City’s OEM representative regarding information that the City would need during an emergency. Paving of County and Municipal roads will be coming soon. Downed trees are being worked on by the County. Mr. Jenkins answered questions from the Council Members.

Council President directs Clerk to file reports.

COMMUNICATIONS AND PETITIONS

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

The Council President requested a motion to suspend the rules.

Motion to suspend the rules and have an Executive Closed Session by Councilwoman Williams, seconded by Councilwoman Eason. The reason is for Personnel matters and litigation.

Roll Call:

Ayes: Coley, Corbitt, Eason, Johnson, Jr., Summers-Johnson, Williams, Gaunt-Butler
Nays: None.
Abstain: None.
Absent: None.

Motion carries.

Motion to go into Executive Closed session by Councilwoman Williams, seconded by Councilwoman Eason.

Roll Call:

Ayes: Coley, Corbitt, Eason, Johnson, Jr., Summers-Johnson, Williams, Gaunt-Butler
Nays: None.
Abstain: None.
Absent: None.

Motion carries.

Motion to reconvene by Councilman Coley, seconded by Councilwoman Williams.

Roll Call:

Ayes: Coley, Corbitt, Eason, Johnson, Jr., Summers-Johnson, Williams, Gaunt-Butler
Nays: None.
Abstain: None.
Absent: None.

Motion carries.

CITIZEN COMMENTS ON GENERAL ISSUES/AGENDA ITEMS

The City Clerk made the following statements:

“Please be apprised anyone wishing to discuss Agenda or General Items shall sign one (1) book. There will be two (2) columns in the book, one (1) for Agenda Items (not including public hearings/final adoption of ordinances) or General Issues. If they check Agenda Items or General Issues, they will be allowed to speak for a maximum of 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 on the gun laws in this state and others.

Mr. Jeffery Feld commented and questioned the following:

- When will the Council have a public discussion on the City's calendar year 2015 Best Practices?
- Mr. Feld gave the dates of his Court appearances with the City.
- Mr. Feld commented on the OPRA reports on the agenda and a response he got from the Finance
- Mr. Feld felt that the tax payers should be informed about settlements before they are approved.
- Mr. Feld questioned why his 2 proposed ordinances were not on the agenda.

Mr. Bruce Myer made the following comments:

- The bill list and agenda were not put online for the meeting.
- The city website is totally wrong, they say it will be fixed, but it is not.
- Mr. Myer commented on the old ordinance 25-1985 which was not codified.
- Mr. Myer commented on the Business Administrator position and its requirements.
- Mr. Myer was concerned that due to the settlement with Mr. Edwards that the Mayor will not appoint a qualified Business Administrator.
- Mr. Elelake Jefferson commented that he is asking for 10 parking spots for his new business in the City.

Motion to Close Citizen Comments by Councilman Corbitt, seconded by Councilwoman Williams.

The Motion was approved by a unanimous vote.

Answers to resident's questions.

- Attorney Smith stated that the tax lien resolution was not valid after 30 days from when it was entered.
- The Council President asked Mr. Marty Mayes, for a status on the YWCA. Mr. Mayes did not have an update, but would have something at the next meeting.
- Mr. Mayes did not have a status on minutes not being posted on the website.
- The Council President stated that the City Council will setup a meeting for the Best Practices.
- The Council President stated that the bill list was posted but the agenda was not posted to the website.
- The City Clerk reported that the research was done on Ordinance 25-1985 and that Ordinance had been repealed.
- The City Clerk commented that the two ordinances that Mr. Feld presented to the Clerk's Office were taken down to the Law department for review. Citizens don't legislate, the Municipal Council does. He should have taken up that issue during citizen comments.
- The Council President commented that Mr. Feld should have discussed those proposals with a Council Member first.

COUNCIL COMMENTS

Councilman Corbitt spoke of the 5 year budget that had been submitted by Mr. Mapp and wanted to speak to Mr. Mapp about those 5 year projections. Councilman Corbitt reported on a phone scam that

he received regarding owing money to the IRS. Councilman Corbitt spoke about the Police and Fireman contracts and that the Administration should do everything they can so the Police and Fireman do not strike.

Councilman Johnson, Jr. thanked the residents for coming out to discuss the YWCA and that he did not know that the discussion was pulled off the agenda before the meeting. The Councilman asked Mr. Mapp when the 2015 salaries would be posted on the City website. Mr. Mapp did not know.

The Councilman asked Attorney Smith about unanswered questions regarding Resolution 112-2015. Attorney Smith stated that he could answer questions in Executive Session regarding the YWCA.

Councilwoman Williams spoke about resolutions that were honoring residents. The Councilwoman suggested that information regarding fraud be distributed throughout City Hall to help the residents. The Councilwoman asked Mr. Smith to give her a status on the 2 fire and 2 police labor contracts. The Council will receive a report with an update. Councilwoman Williams stated that she was proud to serve the community.

Councilman Coley reported on a gas main that was being replaced and how it would help with the gas leaks in the area. The Councilman reported that this was the third meeting that he was requesting the information on the Public Works vehicle that was involved in an accident. The Councilman reported that Mr. Edwards had stated that he could not answer that question without a plate and Vin number from the vehicle. The Councilman read the plate and Vin number to Mr. Mayes and restated the information that he wanted on the vehicle. Per the Councilman's request Mr. Mayes gave an update on the salt dome.

The Councilman questioned the whereabouts of the money that was put aside last year for negotiations of the Police contracts. The Councilman questions if it was ethical for an employee to have a vendor do work for them? Is it ethical to have a City bill mailed to an employee's home? Attorney Smith provided answers to those questions.

Councilwoman Eason asked Attorney Smith when a contract goes into arbitration can the contract still be negotiated and settled or do we have to wait for the arbitrator? Attorney Smith stated that the City is always free to negotiate a settlement. Councilwoman Eason spoke about the cost of Mr. Feld's lawsuits to the taxpayers.

The Council President reported on the Pink Out event. The Council President commented that she had noticed a positive change in the Orange Police Department and thanked them for all they do. The Council President asked Mr. Mapp about any outstanding debt that the City may have such as outstanding pharmaceutical cost before the year end. Mr. Mapp stated he was not aware of any. The Council President asked if the budget process had started for 2016 and Mr. Mapp stated that it had.

Councilwoman Williams announced that there would be a dedication of a statue of Dr. King the following week at the Hall of Records, in Newark.

Motion by Councilwoman Eason, seconded by Councilwoman Williams, to close the citizen comments.

The Motion was approved by a unanimous vote.

ORDINANCES–SECOND READING/PUBLIC HEARING

The Clerk read Ordinance 47-2015 by Title.

47-2015 An ordinance to amend Chapter 200 of the Code of the City of Orange Township by establishing a reserved parking area in the municipal parking plaza number four (4) providing ten (10) parking spaces to J’s Southern Style Café LLC, 16 South Center Street, Orange, New Jersey to provide reserved parking for their customers.

The Chair declared the time open for a hearing on Ordinance Number 47-2015.

Seeing no one, the Chair declared the time closed.

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

The Motion was approved by a unanimous vote.

Motion by Councilman Corbitt, seconded by Councilwoman Eason, to adopt Ordinance Number 47-2015.

The Council President recused herself because she knows the owner of the establishment.

Roll Call:

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

Nays: None.

Abstain: Gaunt-Butler

Absent: None.

Motion Carries.

ORDINANCES INTRODUCTION/FIRST READING

The City Clerk read Ordinance Number 51-2015 by Title.

51-2015 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. (443 Lakeside Avenue)

Motion by Councilman Corbitt, seconded by Councilwoman Eason that Ordinance 51-2015 be introduced on first reading and that the public hearing would be held November 4, 2015.

Roll Call:

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

Nays: None.

Abstain: None.

Absent: None.

Motion Carries.

The City Clerk read Ordinance Number 52-2015 by Title.

52-2015 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 (400 Highland Terrace, Apt. 4B)

Motion by Councilman Corbitt, seconded by Councilman Johnson that Ordinance 52-2015 be introduced on first reading and that the public hearing would be held November 4, 2015.

Roll Call:

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

Motion to suspend the rules 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: None.

Motion Carries.

Resolutions 254-2015, 255-2015, 256-2015 and 257-2015 added to the Consent Agenda.

The City Clerk read each resolution by title.

Motion to approve the Consent Agenda (with the corrections as noted) 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: None.

Motion Carries.

RESOLUTIONS NO. *238- 2015*257-2015

- *238-2015** A resolution authorizing the public auction of surplus, unserviceable vehicles and equipment from the motor fleet of the City of Orange Township Police, Fire and Public Works Departments.
- *239-2015** A resolution authorizing Change Order No. 2 and No. 3 to modify the contract for the project known as the Colgate Park Remediation and Reconstruction Project in the amount not to exceed \$31,029.84.
- *240-2015** A resolution authorizing the award of a non-fair and open contract with Remington & Vernick Engineers, 300 Penhorn Avenue, 3rd Floor, Secaucus, New Jersey 07094 to provide professional engineering, structural inspection, evaluation and design of repairs for the Central Firehouse headquarters in the amount not to exceed \$42,320.00.
- *241-2015** A resolution authorizing approval to submit a grant application and execute a grant application with the New Jersey Department of Transportation for the City of Orange Township Roadway Improvements for 2016 various streets project.
- *242-2015** A resolution authorizing Change Order No. 3 to modify the contract with Vektor Corporation, Inc. for the project known as the Roadway Improvements to Snyder Street, Fairview Avenue and Jackson Street for the increase of additional concrete 4" thick sidewalk and in the amount not to exceed \$42,473.44. **(Removed for separate vote)**
- *243-2015** A resolution re-appointing Jesse Mozell as an Alternate Tenant Member to the Rent Leveling Board in the City of Orange Township, New Jersey.
- *244-2015** A resolution appointing Kenneth Black, from Orange, New Jersey as a Second Alternate Member to the Zoning Board of Adjustment of the City of Orange Township, New Jersey.
- *245-2015** A resolution proclaiming the month of October 2015 as Breast Cancer Awareness Month. (Sponsored by Council Member Donna K. Williams and the Orange City Council)
- *246-2015** A resolution authorizing approval to submit a grant application and executive a grant agreement with the New Jersey Department of transportation for the City of Orange Township Orange Transit Station Improvement Project.
- *247-2015** A resolution celebrating September 2015 as National Alcohol & Drug Addition Recovery Month (Sponsored by Council Member Donna K. William & the Orange City Council)
- *248-2015** A resolution celebrating Tuesday, September 22, 2015 as National Voter Registration Day (Sponsored by Council Member Donna K. Williams & The Orange City Council)

- *249-2015** A resolution celebrating the life of Dr. Robert Curvin (Sponsored by Council Member Donna K. Williams and the Orange City Council)
- *250-2015** A resolution authorizing the awarding of a contract for the Roadway Improvements to Lincoln Place to J.A. Alexander, 130-158 John F. Kennedy Drive North, Bloomfield, New Jersey 07003 in the amount not to exceed \$99,198.08
- *251-2015** A resolution celebrating the life of Leroy J. Jones, Sr. (Sponsored by Council Member Tency A. Eason and the Orange City Council)
- *252-2015** A resolution approving the bill list for council meeting vote on October 6, 2015 dated October 2, 2015 and approving checks issued by the Finance Department in accordance with Ordinance 2-95 (Grand Total: \$ 4,152,980.96) **(Removed for separate vote)**
- *253-2015** A resolution celebrating the life of Clifford William, Blake, Jr. (Sponsored by Council Member Donna K. Williams and the Orange City Council)

ADDENDUM

- *254-2015** A resolution authorizing the issuance of a Raffle License for St. John's Catholic Church.
- *255-2015** A resolution authorizing the issuance of a Raffle License for Our Lady of the Valley Church.
- *256-2015** A resolution authorizing the issuance of a Raffle License for Our Lady of Mt. Carmel Church.
- *257-2015** A resolution rescinding Resolution No. 237-2015 and terminating the contract with Jznettech for computer services at the Freddie Polhill Justice Complex (Sponsored by Council Member Kerry J. Coley & the Orange City Council) **(Removed for separate vote)**

Items removed for separate vote.

The City Clerk read Resolution 242-2015 by Title.

- 242-2015** A resolution authorizing Change Order No. 3 to modify the contract with Vektor Corporation, Inc. for the project known as the Roadway Improvements to Snyder Street, Fairview Avenue and Jackson Street for the increase of additional concrete 4" thick sidewalk and in the amount not to exceed \$42,473.44.

Motion to approve Resolution 242-2015 by Councilman Corbitt, seconded by Councilwoman Eason

Councilman Johnson commented that he did not like to have as many change orders for a contract. He will not support this change order. Mr. Mayes, Director of DPW, defended the change order. Councilwoman Williams asked Mr. Mayes how much was budgeted and what is the status of that budget. Mr. Mayes stated that there was one million dollars and there is one hundred thousand left. The remaining money is being spent on Lincoln Place.

Roll Call:

Ayes: Coley, Corbitt, Eason, Summers-Johnson, Williams, Gaunt-Butler
Nays: Johnson, Jr.,
Abstain: None.
Absent: None.

Motion Carries.

The City Clerk read Resolution 252-2015 by Title.

252-2015 A resolution approving the bill list for council meeting vote on October 6, 2015 dated October 2, 2015 and approving checks issued by the Finance Department in accordance with Ordinance 2-95 (Grand Total: \$ 4,152,980.96)

Motion to approve Resolution 252-2015 by Councilman Corbitt, seconded by Councilwoman Eason.

Roll Call:

Ayes: Coley, Corbitt, Eason, Summers-Johnson, Williams,
Nays: Johnson, Jr., Gaunt-Butler
Abstain: None.
Absent: None.

Motion Carries.

The City Clerk read Resolution 257-2015 by Title.

257-2015 A resolution rescinding Resolution No. 237-2015 and terminating the contract with Jznettech for computer services at the Freddie Polhill Justice Complex.

Motion to approve Resolution 257-2015 by Councilman Corbitt, seconded by Councilwoman Eason.

Councilwoman Eason wanted to know why this resolution is up for a vote when that vendor was approved at the last Council meeting. Councilman Coley stated that the Council had not done their due diligence. The Council did not have time to investigate. Attorney Smith stated that termination of the contract would be based on good cause related to the performance of the vendor. The resolution before us does not speak to that.

Councilwoman Williams stated that she had spoken to ALC and was told that Jznettech procedures were not in compliance with ALC and the amount being charged is very, very high with regard to the scope of work that is being done.

Councilwoman Eason disagreed with Councilwoman Williams. It was confirmed the work had already been started at the Police and Court house.

This resolution would require a 2/3 vote. (5 votes to pass)

Roll Call:

Ayes: Coley, Johnson. Jr., Williams,
Nays: Corbitt, Eason Summers-Johnson, Gaunt-Butler
Abstain: None.
Absent: None.

Motion Fails.

Councilwoman Williams asked all residents to join the Council at the next meeting wearing pink.

Voter registration will be held October 13th till 9:00 P.M. in the Clerk’s Office.

The frames for the Council Members’ pictures are being ordered.

NEW BUSINESS None.

OTHER PENDING BUSINESS

The Council President requested that the Council Members make time to discuss the Best Practices. Mr. Mapp stated that the Council Members only have a few questions to fill out on the form. The Best Practices answers do not need Council’s approval, but you have to acknowledge that you have reviewed the answers.

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

By consensus the regular meeting adjourned at 9:40 P.M

Approved:

JOYCE L. LANIER

APRIL GAUNT-BUTLER

Joyce L. Lanier
City Clerk

April Gaunt-Butler
Council President

**Original Copy of the Minutes can be obtained from the Office of the City Clerk.