

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 20, 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
Council President April Gaunt-Butler, At-Large

Also Present: Joyce L. Lanier, City Clerk
James Wolfe, representing City Attorney
Kevin Harris, Legislative Research Officer
Margarette Homere, Senior Clerk,
Kenneth Douglas, Fire Director,
John Wade, Acting Police Director (arrived@ 7:29)
Joy Lascari, Chief Financial Officer
Marty Mayes, Director of DPW

Absent: Adrian Mapp, Finance Director

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 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 15, 2015 Conference, Regular & (Executive) Closed Session Meeting Minutes

Motion to approve the Conference and Regular and Executive closed session meeting minutes from September 15, 2015 by Councilwoman Eason, seconded by Councilman Coley.

The Motion was approved by a unanimous vote.

The City Clerk reported on the following:

REPORTS:

Department of Planning & Economic Development- Month of September 2015-\$43,999.00

CONSTABLE REPORTS-

Darnel Brodie-Month of September 2015-No activity

OPRA REQUESTS

None

COUNCIL REPORTS

None

COMMUNICATIONS AND PETITIONS

None

CITIZEN COMMENTS ON GENERAL ISSUES/AGENDA ITEMS

The City Clerk made the following statement.

“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. Feld commented that the Bill List was not delivered to the Clerk's Office until Monday morning.

- Requested to know the title of the sitting attorney James "Wolfe
- Commented on the OPRA request.
- Questioned if the Best Practice forms were filed on time.
- Questioned when the public hearing will be held on Best Practices.
- Reported that the LFB would not hear him at the meeting.
- Questioned the City tax bill and the tax rate that they received on their tax bill last week.

Ms. Paula McDougal commented she needed help with the bill she received because a sewer line backed up into her basement. She lost her belongings and she had put in a claim with the city two years ago.

Motion by Councilwoman Williams, seconded by Councilwoman Summers-Johnson, to close the citizen comments.

The Motion was approved by a unanimous vote.

Answer to resident's questions:

- The CFO came to the podium and reported that the Best Practices were electronically filed in a timely manner.
- Attorney Wolfe responded to Ms. McDougal by stating that the City is working on the situation but it is in litigation.

COUNCIL COMMENTS

Councilwoman Summers-Johnson asked about the bulk lien sale and why the buyer does not want to go further with the sale. Attorney Wolfe commented that the issue is still under investigation and the public will not be told about the investigation until after the investigation. Councilwoman Summers-Johnson asked why the Bill List was late Ms. Lascari, the CFO stated that she was away and when she got back she worked on the Best Practices and Bill list but was not able to get the bill list out on time. The Councilwoman asked why hadn't Mr. Mapp, who has his certification, fill in for her. Ms. Lascari stated that had not been arranged.

Councilwoman Eason commented that there is counterfeit money being given out. The pens that are supposed to tell if money is counterfeit do not allow work. Councilwoman Eason suggested that officials attend the training for Newly Elected Officials.

Councilwoman Summers-Johnson reported that on Saturday she and others had raised money for seniors.

Councilman Coley asked when the bulk lien sale investigation would be concluded. Attorney Wolfe reported that he would get back to Councilman Coley. Councilman Coley commented that he found out that there was not a line item in the budget for the YWCA. The Councilman asked the CFO what line item is being used for payment of expenses for the YWCA. Ms. Lascari commented that the city does not distinguish between buildings.

Council President Gaunt-Butler had a discussion with Ms. Lascari regarding the funding of the YWCA bills and where the funds should have come from.

Councilwoman Eason commented that the Council had been told that the City would not be responsible for any of the YWCA expenses or salaries. Ms. Lascari was directed to find out why the City is paying for the YWCA expenses.

There were follow up questions regarding the bulk liens and the YWCA payments which Ms. Lascari will follow up on.

Councilman Coley asked Mr. Mayes how many trucks and plows will the city have for snow removal. Mr. Mayes did not have an answer but will get back to him. The Councilman asked when the salt dome would be completed and Mr. Mayes stated that currently the date is in early December. The Councilman noted that the Police contract had not been settled and the longer it was delayed the more money it would cost the tax payers.

Councilman Corbitt stated that he has asked the Administration to settle the Police contract and asked Mr. Wolfe if there is any progress in the arbitrations. Mr. Wolfe commented that the arbitrator had set a date in November or the early part of December.

Councilman Corbitt asked Mr. Harris, the Legislative Research Officer to look into penalties for Department Heads that do not comply with the Council and ordinances.

Councilmembers and Mr. Mayes discussed the shortage of personnel in public works department and looking into having training courses that personnel could take to get specific licenses. Then when someone is out another licensed person could take their place.

Councilman Corbitt stated that he is sponsoring a resolution designating October as Domestic Violence Awareness Month. Councilman Corbitt provided the residents with some facts about domestic violence in America.

Councilwoman Williams spoke about legislation to rescind an ordinance prohibiting similar business being within 1000 feet of one another. Councilwoman Williams reported that this new ordinance was a walk-on. Councilwoman Williams congratulated the new Police Officers that were sworn in.

Council President Gaunt-Butler thanked everyone that participated in the Breast Cancer Walk. The Council President also participated in the Lewy Body Dementia Walk over the weekend. The Council President also reported that St Matthew Church is hosting a free HIV testing on Oct 25th from 10 A.M. to 3:00 P.M. Also there would be a Farmers Market in the Town Hall parking lot the following day starting at 10 A.M. and a Halloween Fall Festival from 3:00 P.M. to 6:00 P.M.. The Fire Department is hosting a free Spoke Detector Program on Saturday, taking place in the West Ward.

Acting Director Wade gave an update on the Police Activities in the City. The Police department received a grant from the State for DUI enforcement during the Christmas Holiday. Acting Director Wade gave an update on the new Police Trainees.

Councilman Johnson Jr. reported that he and Councilman Coley would be spear heading a series of Community Crime Watch meetings. The first meeting will be held in November and around every 60 days thereafter. Councilman Coley and Johnson, Jr. will only be there to add security. It will be a community meeting conducted by the community. Fliers will be sent out to the community Thursday Nov 5th. Councilman Johnson commented that this was the third week that they were waiting for a meeting on the YWCA. He stated that residents want to know what is going on with their taxes.

Councilman Johnson read from page 9 of the YWCA contract. The Councilman was concerned about the contract's due diligence clause and what the city has done to satisfy it.

Councilman Johnson, Jr. continued to state that he is looking forward to whenever the meeting takes place.

Councilman Coley requested an itemized breakdown of all the YWCA bills when they come in. Council President Gaunt-Butler asked that for the entire Council.

DPW Director Marty Mayes responded to Councilman's Johnson's statement by indicating that due diligence was carried out and is in writing.

Councilwoman Williams stated that at the Finance Committee meeting it was represented to the committee that the tax lien issue was a moot issue but that Attorney Wolfe is now saying that it is still under investigation. She wanted clarification.

Council President Gaunt-Butler stated that the City Attorney, Dan Smith, indicated that the tax lien was still under investigation. The city is not pursuing the bulk lien sale but the issue is still under investigation.

Motion to close council comments by Councilman Corbitt, seconded by Councilwoman Eason.

The Motion was approved by a unanimous vote.

ORDINANCES—SECOND READING/PUBLIC HEARING

The Clerk read Ordinance 49-2015 by Title.

49-2015 An ordinance amending Chapter 4 of the Municipal Code of the City of Orange Township entitled administration of government (Sponsored by Council Members April Gaunt-Butler, Donna K. Williams and the Orange Municipal Council)

The Chair declared the time open for a hearing on Ordinance Number 49-2015.

Seeing no, 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 Williams, to adopt Ordinance Number 49-2015.

Councilwoman Eason asked what the ordinance was supposed to do. Council President Gaunt-Butler stated that the ordinance states the organizational chart has to be passed by ordinances and not resolutions.

Roll Call:

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

Motion Carries.

Motion to suspend the rules to add Ordinance 53-2015 by Councilwoman Williams and seconded by Councilwoman Summers-Johnson.

Councilman Corbitt stated that he was not clear on the urgency behind this walk-on. Councilwoman Williams stated she had been asking for this ordinance for a while and it was received in the Clerk's office after the agenda was ready. Council President Gaunt-Butler asked about the rationale behind the ordinance. The Council decided to stall further questions until after this motion is accepted. The Clerk reported that 5 votes are needed to pass this motion.

Roll Call:

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

Motion Fails.

ORDINANCES INTRODUCTION/FIRST READING

None

Motion to suspend the rules and add Resolution 262-2015 to the agenda by Councilwoman Eason, seconded by Councilwoman Summers-Johnson.

Councilman Corbitt asked why this ordinance had to go on this agenda.

Director Mayes reported on the need for the resolution. Councilman Corbitt commented on the size of the package that came with the resolution and that each Councilmember should have time to read it. The Council should have had time to read the package before today. Director Mayes provided information on the emergency of the situation and stated that in the next few weeks anything that he forwards to the Council for consideration he will consider an emergency.

Councilman Corbitt stated that due to the size and detail that has to be reviewed, he could not consider the resolution at this time.

(This resolution needed 5 votes to be considered)

Roll Call:

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

Abstain: None.

Absent: None.

Motion Fails

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.

RESOLUTIONS NO. *258- 2015*261-2015

- *258-2015** A resolution authorizing a refund of \$200.00 to Vanessa Doobay of 120 So. Harrison Street, East Orange, NJ 07018 for a Certificate of Occupancy, Sales Inspection at 446 Lakeside Avenue, Orange, NJ.
- *259-2015** 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, design and construction inspection services for the City Hall Parking Lot Access Control System in the amount not to exceed \$16,475.
- *260-2015** A resolution designating October 2015 as “Domestic Violence Awareness Month” in the City of Orange Township.
- *261-2015** A resolution approving the bill list for council meeting vote on October 20, 2015 dated October 16, 2015 and approving checks issued by the Finance Department in accordance with Ordinance 2-95 (Grand Total: \$ 1,683,492.27). **(Removed for separate vote)**

Motion by Councilwoman Eason, seconded by Councilman Corbitt, to approve the Consent Agenda (with the corrections as noted)

Roll Call:

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

Nays: None.

Abstain: None.

Absent: None

Motion Carries.

261-2015 A resolution approving the bill list for council meeting vote on October 20, 2015 dated October 16 ,2015 and approving checks issued by the Finance Department in accordance with Ordinance 2-95 (Grand Total: \$ 1,683,492.27)

Motion to approve Resolution 261-2015 by Councilman Corbitt, seconded by Councilwoman Eason.

Roll Call:

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

Motion Carries.

NEW BUSINESS

Councilwoman Williams asked that Ordinance 53-2015 be put on the November 4th agenda. Director Mayes and Councilwoman Eason provided back ground on the original ordinance and the reasons for it. They did not want to change the law as it stands now. Legislative Research Officer Harris stated the research that he found regarding similar businesses. Council President Gaunt-Butler provided her concerns regarding the ordinance.

OTHER PENDING BUSINESS

None.

Motion to adjourn by Councilwoman Eason, seconded by Councilwoman Summers-Johnson.

By consensus the regular meeting adjourned at 8:45 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.