

**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 MONDAY, NOVEMBER 14, 2016, IMMEDIATELY FOLLOWING THE CONFERENCE MEETING.**

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

**Present:**

Councilman Kerry Coley, East Ward  
Councilwoman Tency A. Eason, North Ward (arrived @ 7:06)  
Councilman Harold Johnson, Jr. West Ward  
Councilwoman Jamie Summers-Johnson., South Ward  
Councilwoman Adrienne Wooten, At-Large  
Council-President Donna K. Williams, At-Large

**Also Present:**

Joyce L. Lanier, City Clerk  
Chris Hartwyk, Business Administrator (BA)  
Eric Pennington, City Attorney  
Renata Wooden, Acting Legislative Research Officer  
Margarette Homere, Senior Clerk,  
Joy Lascari, Chief Financial Officer

**Absent:** Councilman Christopher Jackson, At-Large

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 14, 2016, 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:**

- **OFFICE OF THE CITY CLERK – OCTOBER 2016 - \$57.12**
- **CONSTABLE REPORTS: - None**
- **OPRA REQUESTS: 92 OPRA received for the month of October 81 have been completed and 11 pending**

**COUNCIL REPORTS-**

- Councilwoman Summers-Johnson - The Education Committee will try to meet December 7 or 8<sup>th</sup> due to B.O.E. scheduling issues. She spoke about the tragedy on Tremont over the weekend and how she had reached out to family members. The Councilwoman spoke about what is being done to make that area safer. BA Hartwyk stated that he is checking on the availability of a Police car to post in that area. He asked that the street be re-striped and a speed monitor be used on the street, and spoke with PSE&G for more lighting of that street.
- Councilwoman Eason stated that the Police Department now has a cleaning company. Asked BA Hartwyk when the broken door replacements would be in and asked that the front windows be cleaned.
- Councilman Johnson asked if any thought had been given to cut the Police overtime. BA Hartwyk stated he would give the Council a report in December.
- Councilwoman Summers-Johnson stated that the Fire Department will have their annual Thanksgiving feast, the date to be given in the near future.
- Councilwoman Wooten had gone to a Orange Housing Authority meeting the week before and they will be having a public hearing on Walter G. Alexander.
- Council President Williams reported that the Rec Center planners had a round table meeting discussing Freeway Drive and Main Street.
- BA Hartwyk commented that the Freeway Drive plans need to be approved by Trenton before anything can happen.
- Council President Williams reported that the Finance Committee had a meeting and approved the scanning project in the Clerk's Office. She gave a report on the water system issues and outstanding projects. BA Hartwyk reported that City wells 2, 5, 7 and 8 are down and negotiations are taking place for repairs and until they are fixed the interconnections needed to be used. The Council President reported that she found out that a city attorney was in charge of the negotiations and not the City BA; which the Council felt was wrong.

Council President direct Clerk to file reports

#### **COMMUNICATIONS AND PETITIONS**

- Letter received on October 26, 2016 from Superior Court of New Jersey regarding changes in law pertaining to Criminal Justice Reform.

**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 spoke about a Polling book he had read and of the media the night of the Election. Spoke about people voting when they were not registered at the election.
- Mr. Jeffery Feld spoke about a supreme Court case regarding Spoke about how the Council should run their Council meetings. He had concerns over the PILOT programs and if they paid late fees. Questioned how many police were funded under the this budget, how many are leaving within the next 6 months. Will the COP Grant money be used this year or will it be used next year. Spoke about city transparency.
- Ms. Katalin Gordon remarked that the website information is out of date. Ms. Gordon commented that the meeting she had with the City Attorney was a meeting of him telling her that he does not give opinion on what the city code does or doesn't do. Since she could not get an answer from Mr. Pennington on the code regarding noise and garbage pickup times she read that part of the code to the Council and asked for their interpretation. Commented about freeway Drive plans and the PILOT contracts.
- Mr. Sean Conner about informing residents of plans that effort there surrounding area. He was not aware of changes made to the street he parks on and got a ticket.
- The Council President reported on the areas that will have parking chances due to congestion in those areas. The Council President had the City Attorney confirm that garbage pickup could start a 6:00 A.M.
- Ms. Lascari CFO of the City gave an answer regarding the process and years for the COPS grants.

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

**COUNCIL COMMENTS**

Councilwoman Summers-Johnson reported on the City’s Veterans Day Parade. Provided information on what to do if you want a proclamation submitted. Asked if there was a way to inform the area residents when a New liquor store opens. Councilwoman Eason and the City Attorney will research the issue and report back.

Councilman Johnson reported Ellsworth Smith Jr. a long time resident of the West Ward passed on November 8<sup>th</sup>.

Councilwoman Eason asked if badges for the Chaplains of the Police and Fire Department. BA Hartwyk will look into that. She also suggested that the Council meeting not be held the Monday before the League Convention.

Councilwoman Eason stated that Mr. Cliff Ross should be contacted for ABC regulations.

Councilman Coley reported that permit parking between Washington and Park Avenue has not been enforced lately and asked BA Hartwyk to look into that. Councilwoman Wooten thanked the Orange residents that bring solutions to the Governing Body and thanked them for being part of the City. God bless America and God bless Orange.

Council President Williams reported on the Veteran’s Day parade and thanked all those that help put together the event.

Councilwoman Eason questioned the \$212,000.00 water charge. BA Hartwyk reported that the \$212,000.00 is the monthly charge for the water interconnect. Once the city has 2 wells up and running the city will not have to depend on the interconnect. She thanked the residents for voting on Election Day.

**ORDINANCES–SECOND READING/PUBLIC HEARING**

The Clerk read Ordinance 53-2016 by Title.

**53-2016 An ordinance to amend the Code of the City of Orange Township, Chapter 200, entitled “Vehicles and Traffic”, Section 200-32 No Parking at All Times to provide adequate space in the area for emergency vehicles usage.**

The Chair declared the time open for a hearing on Ordinance Number 53-2016.

Seeing no one, the Chair declared the time closed.

**Motion to close the public hearing by Councilman Coley, seconded by Councilman Johnson, Jr.**

**Roll Call:**

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

Nays: None.

Abstain: None.

Absent: Jackson

**Motion Carries.**

**Motion to adopt Ordinance Number 53-2016 by Councilwoman Eason, seconded by Councilwoman Wooten**

**Roll Call:**

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

Nays: None.

Abstain: None.

Absent: Jackson

**Motion Carries.**

**ORDINANCES INTRODUCTION/ FIRST READING**

The Clerk read Ordinance 56-2016 by Title.

**56-2016 Bond ordinance providing for improvements to various school buildings and grounds on behalf of the Orange Board of Education Public School District by the City of Orange Township, in the County of Essex, New Jersey, appropriating \$3,700,000 bonds or notes of the City to finance the cost thereof.**

The Clerk read the ordinance with the amended amount of \$2,506,000.

**Motion that amended Ordinance 56-2016 be introduced on first reading and that the public hearing would be held December 20, 2016 by Councilman Coley, seconded by Councilman Johnson, Jr.**

**Roll Call:**

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

Nays: None.

Abstain: None.

Absent: Jackson

**Motion Carries.**

**57-2016 An ordinance to amend the Code of the City of Orange Township, Chapter 4, Section 63.2 entitled Public Works Committee.  
(Withdrawn)**

The Clerk read Ordinance 58-2016 by Title.

**58-2016 An ordinance to further amend the Code of the City of Orange Township to repeal Ordinance #39-2007 dated October 2, 2007.**

**Motion that Ordinance 58-2016 be introduced on first reading and that the public hearing would be held December 20, 2016 by Councilman Johnson, Jr., seconded by Councilman Coley.**

Councilwoman Eason questioned why it was being repealed. She asked that the Ordinance be tabled for further research.

**Motion to table Ordinance 58-2016 by Councilwoman Eason, seconded by Councilwoman Summers-Johnson.**

**Roll Call:**

Ayes: Coley, Eason Summers-Johnson, Wooten, Williams

Nays: Johnson, Jr.,

Abstain: None.

Absent: Jackson

**Motion Carries.**

**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\*347-2016-\*366-2016**

- \*347-2016 A resolution re-appointing Mohamed L. Toure, 133 Lincoln Avenue, Orange, New Jersey as Constable from the West Ward for a term of three (3) years. (Sponsored by Council Member Harold J. Johnson, Jr.)**
- \*348-2016 A resolution appointing Lynval James as a Citizen Member to the Public Works Committee of the City of Orange Township. (Sponsored by Council Member Jamie Summers-Johnson)**
- \*349-2016 A resolution for the transfer of appropriations. (Removed for separate vote)**
- \*350-2016 A resolution appointing Gerard J. Shubert, to fill the unexpired term of Christopher G. Jackson, a resident of Orange, New Jersey as a Regular Member to the Zoning Board of Adjustment of the City of Orange Township, New Jersey.**
- \*351-2016 A resolution re-appointing Joanne Ware, a resident of Orange, New Jersey as a Regular Member to the Zoning Board of Adjustment of the City of Orange Townships, New Jersey.**

- \*352-2016** A resolution appointing Kenneth Black, a resident of Orange, New Jersey as a First Alternate Member to the Zoning Board of Adjustment of the City of Orange Townships, New Jersey for a term of two (2) Years.
- \*353-2016** A resolution appointing Ashanti Barnes, a resident of Orange, New Jersey as a Second Alternate Member to the Zoning Board of Adjustment of the City of Orange Townships, New Jersey for a term of two (2) Years.
- \*354-2016** A resolution authorizing the award of a Professional Service contract to Szaferman Lakind, P.C, to provide legal counseling to the Orange Historic Preservation Commission of the City of Orange Township in matters as they relate to the Historic Preservation Commission. **(Removed for separate vote)**
- \*355-2016** A resolution honoring Reverend Dr. Verenander Lloyd Hughes for his years of service to the City of Orange Township.
- \*356-2016** A resolution to accept funds received from the State Fiscal Year 2016 State Body Armor Replacement Fund Program in the amount of \$8,359.46
- \*357-2016** A Chapter 159 Resolution to insert a special item of revenue and an appropriation of an equal amount in the calendar year 2016 budget for the State Fiscal Year 2016 State Body Armor Replacement Fund Program.
- \*358-2016** A Chapter 159 Resolution to insert a special item of revenue and an appropriation of an equal amount in the calendar year 2016 budget for the United States Department of Justice 2016 COPS Hired Program (CHP) Grant.
- \*359-2016** A resolution authoring the cancellation of four premiums from the dated tax sale of April 13, 2010.
- \*360-2016** Resolution authorizing declaration of right-of-way to the public.**(Withdrawn)**
- \*361-2016** A resolution authorizing affirming a contract with Millennium Strategies, LLC, 60 Roseland Avenue, Caldwell, NJ 07006, as grant consultant for the City of Orange Township for the period commencing January 1, 2016 to December 31, 2016 for an amount not to exceed \$50,000.00. **(Removed for separate vote)**
- \*362-2016** A resolution authorizing the awarding of a for yard waste disposal to Reliable Wood Products, 398 Lincoln Blvd., Bldg. 1, Middlesex, New Jersey 08846 for two (2) years commencing January 1, 2017 through December 31, 2019 in an amount not to exceed \$76,062.50 per year.
- \*363-2016** A resolution awarding a contract to Burlew Mechanical, LLC, 484 South Pine Ave., South Amboy, New Jersey 08879 for plumbing services to all city owned buildings for two (2) years commencing January 1, 2017 through December 31, 2019 in an amount not to exceed \$52,650.00 per year.

- \*364-2016** A resolution authorizing the purchase of mineral rock salt for the Department of Public Works through the Essex County Co-op Pricing Council for the winter season 2016-2017 from Morton Salt, 123 North Wacker Drive, Chicago, Illinois 60606 in an amount not to exceed \$50,000.00.
- \*365-2016** A resolution affirming a contract for professional services for special appellate counsel to represent the Mayor of the City of Orange Township with regard to appellate litigation pursuant to non-fair and open process. **(Removed for separate vote)**
- \*366-2016** A resolution approving the bill list for Council meeting vote on November 14, 2016 dated November 10, 2016 and approving checks issued by the Finance Department in accordance with Ordinance 2-95 (Grand Total: \$6,985,581.89). **(Removed for separate vote)**

**Motion to approve the Consent Agenda by Councilwoman Eason, seconded by Councilwoman Summers-Johnson.**

**Roll Call:**

**Ayes: Coley, Eason Summers-Johnson, Wooten, Williams**

**Nays: Johnson, Jr.,**

**Abstain: None.**

**Absent: Jackson**

**Motion Carries.**

The Clerk read Resolution 349-2016 by Title.

**349-2016** A resolution for the transfer of appropriations

**Motion to adopt Resolution 349-2016 by Councilwoman Eason, seconded by Councilwoman Summers-Johnson.**

Councilman Coley asked for information regarding the transfers which BA Hartwyk supplied. Councilman Coley recommended that the unfunded line items be withdrawn from the resolution. Councilman Johnson suggested that the Administration create the jobs that are needed so they are on the books. Council President Williams stated that the Council could make an amendment to the Resolution removing those items that they did not approve of. BA Hartwyk stated that the Council could not amend the gross amount of the budget. Councilwoman Wooten stated she had questions that would have to ask in Executive Session.

**Motion to postpone the ruling on Resolution 349-2016 by Councilwoman Wooten, seconded by Councilwoman Summers-Johnson.**

**Roll Call:**

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

**Nays: None.**



Abstain:

Absent: Jackson

**Motion Carries.**

**354-2016** A resolution authorizing the award of a Professional Service contract to Szaferman Lakind, P.C, to provide legal counseling to the Orange Historic Preservation Commission of the City of Orange Township in matters as they relate to the Historic Preservation Commission.

**Motion to adopt Resolution 354-2016 by Councilman Johnson, seconded by Councilwoman Summers-Johnson.**

**Councilman Johnson asked about the RFQ which the City Clerk answered.**

**Roll Call:**

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

Nays: Eason

Abstain:

Absent: Jackson

**Motion Carries.**

**361-2016** A resolution authorizing affirming a contract with Millennium Strategies, LLC, 60 Roseland Avenue, Caldwell, NJ 07006, as grant consultant for the City of Orange Township for the period commencing January 1, 2016 to December 31, 2016 for an amount not to exceed \$50,000.00.

**Motion to adopt Resolution 361-2016 by Councilman Johnson, seconded by Councilman Coley.**

**BA Hartwyk reported that Millennium had been working for the City since January 2016. The contract had never come to the Council.**

**Councilman Johnson reported that the Council had only approved \$38,000.00. for that budget item last year. BA Hartwyk commented that the City will need an additional \$12,000.00.**

**Roll Call:**

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

Nays:

Abstain:

Absent: Jackson

**Motion Carries.**

**365-2016** A resolution affirming a contract for professional services for special appellate counsel to represent the Mayor of the City of Orange Township with regard to appellate litigation pursuant to non-fair and open process.

**The Council President asked for a motion. There was no motion on the resolution.  
The Council moved on to the next resolution.**

**366-2016** A resolution approving the bill list for Council meeting vote on November 14, 2016 dated November 10, 2016 and approving checks issued by the Finance Department in accordance with Ordinance 2-95 (Grand Total: \$6,985,581.89 ).

**Motion to adopt Resolution 366-2016 by Councilwoman Summers-Johnson seconded by Councilman Johnson**

**Roll Call:**

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

Nays:

Abstain:

Absent: Jackson

**Motion Carries.**

**Motion to go into Executive Session by Councilwoman Summers-Johnson, seconded by Councilman Johnson to discuss personnel matters regarding Resolution 349-2016.**

**Roll Call:**

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

Nays:

Abstain:

Absent: Jackson

**Motion Carries.**

**Motion to enter into Executive Session by Council Johnson, seconded by Councilwoman Summers-Johnson.**

**The motion was unanimously approved.**

**Motion to end Executive Session and return to regular session by Councilwoman Summers-Johnson, seconded by Councilman Johnson.**

**Roll Call:**

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

Nays:

Abstain:

Absent: Jackson

**Motion Carries.**

**Council came back from Executive Session and there was a motion to extend the meeting.**

**Motion to extend the meeting by Councilwoman Summers-Johnson, seconded by Councilman Johnson.**

**Roll Call:**

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

Nays:

Abstain:

Absent: Jackson

**Motion Carries.**

**Clerk Lanier commented that the Executive Session consisted of personnel matters and litigation matters.**

**Motion to approve Resolution 349-2016 by Councilwoman Eason, seconded by Councilwoman Wooten.**

**Roll Call:**

Ayes: Eason, Summers-Johnson, Wooten,

Nays: Coley, Johnson, Jr. Williams

Abstain:

Absent: Jackson

**Motion Fails.**

**Motion for a reconsideration of Resolution 349-2016 by Councilman Johnson, seconded Council President Williams.**

The Council President asked for the recommended amendments.

Councilman Johnson stated that \$63,100.00 should be removed from the resolution.

BA Hartwyk stated that he would have to remove \$63,100.00 from the employment line, then he explained the way the amounts would be removed and added to the budget.

**Motion to approve amended Resolution 349-2016 by Councilwoman Eason, seconded by Councilwoman Summers-Johnson.**

**Roll Call:**

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

Nays:

Abstain:

Absent: Jackson

**Motion Carries.**

**NEW BUSINESS None.**

**OTHER PENDING BUSINESS None**

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

By consensus the regular meeting adjourned at 11.03 P.M.

**Approved:**

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**Joyce L. Lanier**  
City Clerk

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**Donna K. Williams**  
Council President