

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, SEPTEMBER 3, 2013, IMMEDIATELY FOLLOWING THE CONFERENCE MEETING.

1) PLEDGE OF ALLEGIANCE TO THE FLAG

2) ROLL CALL

PRESENT

ABSENT

Hon. Hassan Abdul-Rasheed	(West Ward)	_____	_____ X _____
Hon. Elroy A. Corbitt	(At-Large)	_____ X _____	_____
Hon. Tency A. Eason	(North Ward)	_____	_____ X _____
Hon. April Gaunt-Butler	(At-Large)	_____ X _____	_____
Hon. Linda Jones-Bell	(East Ward)	_____ X _____	_____
Hon. Edward B. Marable Jr.	(South Ward)	_____	_____ X _____
Hon. Donna K. Williams	(At-Large)	_____ X _____	_____
Council President			

ALSO PRESENT

Madeline F. Smith, Deputy Municipal Clerk		_____ X _____	_____
Hon. Dwayne D. Warren, Esq., Mayor		_____	_____ X _____
Dan S. Smith, City Attorney		_____ X _____	_____
Keith Harvest, Legislative Research Officer		_____ X _____	_____
Margarette Homere, Clerk’s Office		_____ X _____	_____

3) The Deputy Municipal 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 18, 2013, posted on the Bulletin Board in City Hall and filed in the Office of the Municipal Clerk.

Council President Williams entertained a motion to Suspend the Rules to hold an Executive Closed Session for Robert Tarver, Esq. to provide a brief introduction of his background and to discuss Litigation Matters with the Council.

Motion: Jones-Bell VOICE VOTE IN FAVOR Second: Gaunt-Butler

A resolution to hold an Executive Closed Session

Motion to Adopt: Jones-Bell Second: Gaunt-Butler

Council President Williams announced the roll call as follows:

Yeas: Corbitt, Gaunt-Butler, Jones-Bell and Williams

Nays: None
Abstentions: None
Absences: Abdul-Rasheed, Eason and Marable

Council President Williams ruled the motion was carried by Four Yeas; No Nays; No Abstentions and Three Absent.

Council President Williams entertains a Motion to go into Executive Session.

Motion: Jones-Bell **Second:** Gaunt-Butler

Council President Williams announced the roll call as follows:

Yeas: Corbitt, Gaunt-Butler, Jones-Bell and Williams
Nays: None
Abstentions: None
Absences: Abdul-Rasheed, Eason and Marable

Council President Williams ruled the motion was carried by Four Yeas; No Nays; No Abstentions and Three Absent.

Council President Williams entertains a Motion to Reconvene.

Motion: Jones-Bell **Second:** Gaunt-Butler

Council President Williams announced the roll call as follows:

Yeas: Corbitt, Gaunt-Butler, Jones-Bell and Williams
Nays: None
Abstentions: None
Absences: Abdul-Rasheed, Eason and Marable

Council President Williams ruled the motion was carried by Four Yeas; No Nays; No Abstentions and Three Absent.

Council President Williams entertained a motion **Suspend the Rules to ADD Resolution 308-2013** to the Consent Agenda.

308-2013 A resolution to clarify that the prior resolution retaining Robert Tarver as Legislative Counsel was in contemplation of filing the existing litigation and that it was meant to authorize the filing of that action. It is further resolved that counsel authorizes his representation of the counsel in the existing appeal filed by the City

of Orange in the Matter of City Council of Orange v. The City of Orange, et.al.

Motion: Jones-Bell **Second:** Corbitt

Council President Williams announced the roll call as follows:

Yeas: Corbitt, Gaunt-Butler, Jones-Bell and Williams

Nays: None

Abstentions: None

Absences: Abdul-Rasheed, Eason and Marable

Council President Williams ruled the motion was carried by Four Yeas; No Nays; No Abstentions and Three Absent.

4) APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Special Meeting July 24, 2013

Motion to adopt: Corbitt **Second:** Jones-Bell

Council President Williams announced the roll call as follows:

Yeas: Corbitt, Gaunt-Butler, Jones-Bell and Williams

Nays: None

Abstentions: None

Absences: Abdul-Rasheed, Eason and Marable

Council President Williams ruled the motion was carried by Four Yeas; No Nays; No Abstentions and Three Absent.

August 7, 2013 – Conference & Regular Meeting

Motion to adopt: Corbitt **Second:** Jones-Bell

Council President Williams announced the roll call as follows:

Yeas: Corbitt, Gaunt-Butler, Jones-Bell and Williams

Nays: None

Abstentions: None

Absences: Abdul-Rasheed, Eason and Marable

Council President Williams ruled the motion was carried by Four Yeas; No Nays; No Abstentions and Three Absent.

5) REPORTS:

Committee

- Public Safety Committee – Councilman Corbitt
- Department of Community Services – Month of July 2013 - \$17,057.00
- Clerk’s Office – Month of July 2013 - \$87.55

Constable

- Darnell Brodie – Month of July 2013 – No Activities
- Eddie Stone – Month of July 2013 – No Activities
- Cuthbert Harris – Month of July 2013 – Worked as Security Officer for Testesita Brillantes

OPRA Requests

- The Month of July 2013 – OPRA Requests – 78 Items Completed of OPRA Request

President directs Clerk to file reports

6) COMMUNICATIONS AND PETITIONS

None

7) CITIZEN COMMENTS ON GENERAL ISSUES/AGENDA ITEMS 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 TEN (10) 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.

Council President Williams recognized the following citizens for comments:

William R. Lewis of 688 Mosswood Avenue:

- Commented on the following Ordinances and Resolutions: 33-2013, 34-2013, 35-2013, 37-2013, 39-2013, 40-2013, 41-2013, 42-2013 and 307-2013.

Jeff Feld of 268 Main Street:

- Absence of Business Administrator
- OPRA Non-Compliance

- Budget Discrepancy
- Commented on the following Ordinances and Resolutions: 32-2013 & 305-2013

Jon Klausner of LifeStar Response of New Jersey

- Commented on Resolution 307-2013

Patricia Arthur of 402 Tremont Place

- \$1000 a day City Fine
- Is the City paying for the Mayor's and Mr. W. Edwards attorney fees?
- Made inquiry into the Tax Increase.

Anthony Price of 203 Snyder Street

- Snyder Street Paving
- Drug Activity on Snyder Street and Lack of Effort from Police Department and Administration.
- Requested Snyder Street becomes a One-Way.
- False documentation on behalf of the Revaluation Company of Properties.

Kim Randle of 491 Valley Street

- Robbed at gun point in the parking lot of her residence.
- J.A.G. funding distribution for increase in criminal activity.
- Increase lighting and police presence at Highland Park Station.

Katalin Gordon of 211 Park Place

- City Revaluation
- Budget Discrepancy
- \$1000 a Day City Fine
- Commented on the following Ordinances and Resolutions: 41-2013 & 306-2013

Gloria Stewart of 62 Hampton Terrace

- \$1000 a Day City Fine
- Mayor's Absence at Council Meetings
- Status of Business Administrator
- Status of the City of Orange Library
- Commented on Resolution 306-2013

Harold Johnson of 235 Fuller Terrace

- National Night-Out Success and Participation of Council Members.
- DOT Paving List inquiries.
- Budget Discrepancy
- Made inquiry into Resolution 298-2013 and Ordinance 32-2013

Murphy Wilson, 362 Heywood Avenue

- \$1000 a Day City Fine
- Commented on the following Ordinances and Resolutions: 32-2013, 42-2013, 305-2013.

Russella Holloway

- Concerned with squatters and crime on Nassau Street and Glebe Street as a property owner of four properties in the City of Orange.
- Commented on Resolutions 303-2013
- Thanked Marty Mayes, Curtiss Webb, Councilman Corbitt and the Director Hakim Simms on working diligently with her.
- Steal Door (Guards) vs. Board on abandon properties.

Motion to Close Citizen Comments:

Motion: Corbitt **VOICE VOTE IN FAVOR** **Second:** Jones-Bell

8) COUNCIL COMMENTS

Councilman Corbitt:

- No comments

Councilwoman Jones-Bell:

- Expressed sincere concern and sentiment for Ms. Kim Randle incident.
- 400 Oakwood Avenue Security Gate Report.
- Orange Bengals Football Transportation Fundraising

Councilwoman Gaunt-Butler:

- No comments

Council President Williams:

- Commended the City of Orange Township Board of Education Superintendent Mr. Lee on his progress as the Superintendent of Schools and requested Mr. Lee on Matters of Discussion.

Dan Smith, City Attorney:

- Commented and expressed disagreement with the presentation and lack of backup (contract) of the Walk-On Resolution 308-2013 to contract/hire Robert Tarver.

9) ORDINANCES–SECOND READING/PUBLIC HEARING

33-2013

WITHDRAWN....

An ordinance setting forth employee cell phone usage policies for the City of Orange Township’s employees 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.

34-2013

An ordinance amending Chapter 210 of the Municipal Code of the City of Orange Township entitled development regulations by establishing a Historic Preservation commission.

a) Second Reading by Title

b) Motion to close Public Hearing: Corbitt **Second:** Gaunt-Butler

c) Motion for final adoption: Corbitt **Second:** Jones-Bell

Council President Williams announced the roll call as follows:

Yeas: Corbitt, Gaunt-Butler, Jones-Bell and Williams

Nays: None

Abstentions: None

Absences: Abdul-Rasheed, Eason and Marable

Council President Williams ruled the motion was carried by Four Yeas; No Nays; No Abstentions and Three Absent.

35-2013

An ordinance amending Chapter 210 of the Municipal Code of the City of Orange Township entitled development regulations by establishing controls by which the Historic Preservation Commission shall function and operate.

a) Second Reading by Title

b) Motion to close Public Hearing: Corbitt **Second:** Jones-Bell

c) Motion for final adoption: Corbitt **Second:** Jones-Bell

Council President Williams announced the roll call as follows:

Yeas: Corbitt, Gaunt-Butler, Jones-Bell and Williams

Nays: None

Abstentions: None

Absences: Abdul-Rasheed, Eason and Marable

Council President Williams ruled the motion was carried by Four Yeas; No Nays; No Abstentions and Three Absent.

36-2013 An ordinance amending Chapter 54, Article VI of the Municipal Code of the City of Orange Township entitled filming.

- a) **Second Reading by Title**
- b) **Motion to close Public Hearing:** Corbitt **Second:** Jones-Bell
- c) **Motion for final adoption:** Corbitt **Second:** Jones-Bell

Council President Williams announced the roll call as follows:

Yeas: Corbitt, Gaunt-Butler, Jones-Bell and Williams
Nays: None
Abstentions: None
Absences: Abdul-Rasheed, Eason and Marable

Council President Williams ruled the motion was carried by Four Yeas; No Nays; No Abstentions and Three Absent.

37-2013 TABLED....

An ordinance setting outside employment 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.

MOTION TO TABLE: Williams **Second:** Jones-Bell

Council President Williams announced the roll call as follows:

Yeas: Corbitt, Gaunt-Butler, Jones-Bell and Williams
Nays: None
Abstentions: None
Absences: Abdul-Rasheed, Eason and Marable

Council President Williams ruled the motion was carried by Four Yeas; No Nays; No Abstentions and Three Absent.

38-2013 An ordinance amending Chapter 4, Section 16 of the Municipal Code of the City of Orange Township rescinding ordinance no. 41-2012 dealing with Legislative Counsel.

- a) **Second Reading by Title**
- b) **Motion to close Public Hearing:** Corbitt **Second:** Jones-Bell
- c) **Motion for final adoption:** Corbitt **Second:** Jones-Bell

Council President Williams announced the roll call as follows:

Yeas: Corbitt, Gaunt-Butler, Jones-Bell and Williams

Nays: None

Abstentions: None

Absences: Abdul-Rasheed, Eason and Marable

Council President Williams ruled the motion was carried by Four Yeas; No Nays; No Abstentions and Three Absent.

39-2013

TABLED....

An ordinance of the City of Orange Township authorizing the execution of a financial agreement with Oakwood Towers granting a Tax Exemption.

40-2013

TABLED....

An ordinance of the City of Orange Township authorizing the execution of a financial agreement with South Day Urban Renewal, LLC, granting a tax exemption for the Reock Housing Project.

ORDINANCES TABLED FROM AUGUST 7, 2013 REGULAR MEETING

22-2013

REMAIN TABLED...

An ordinance setting forth an employee tuition reimbursement policy and guidelines of 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.

MOTION TO LIFT FROM TABLE: Williams **SECOND:** None

32-2013

REMAIN TABLED....

A Bond Ordinance providing for various capital acquisitions and improvements, by and in the City of Orange Township, in the County of Essex, State of New Jersey (The “City”); appropriating \$9,826,000 therefor and authorizing the issuance of \$8,935,500 bonds or notes of the City to finance the costs thereof.

MOTION TO LIFT FROM TABLE: Corbitt **SECOND:** Jones-Bell

Council President Williams announced the roll call as follows:

Yeas: Corbitt, Gaunt-Butler, Jones-Bell and Williams

Nays: None

Abstentions: None

Absences: Abdul-Rasheed, Eason and Marable

Council President Williams ruled the motion was carried by Four Yeas; No Nays; No Abstentions and Three Absent.

ORDINANCE VETOED BY THE MAYOR

23-2013 WITHDRAWN...

An ordinance relating to salaries and classifications of Department Directors and Statutory officers of the City of Orange Township.

10) ORDINANCE INTRODUCTION /FIRST READING

41-2013 An ordinance amending Chapter 4 of the Municipal Code of the City of Orange Township entitled administration of government dealing with the presentation of items To the City Clerk for inclusion on the agenda at City Council Meetings.

a) Motion to adopt in first reading: Corbitt Second: Jones-Bell

Council President Williams announced the roll call as follows:

Yeas: Corbitt, Gaunt-Butler, Jones-Bell and Williams

Nays: None

Abstentions: None

Absences: Abdul-Rasheed, Eason and Marable

Council President Williams ruled the motion was carried by Four Yeas; No Nays; No Abstentions and Three Absent.

b) Public Hearing October 1, 2013

42-2013 Capital ordinance appropriating \$325,000 from the capital fund to pay for the demolition and disposal of unsafe buildings, in and by the City of Orange Township, in the County of Essex, State of New Jersey.

a) Second Reading by Title

b) Motion to close Public Hearing: Corbitt Second: Jones-Bell

c) Motion for final adoption: Corbitt Second: Jones-Bell

Council President Williams announced the roll call as follows:

Yeas: Corbitt, Gaunt-Butler, Jones-Bell and Williams

Nays: None

Abstentions: None

Absences: Abdul-Rasheed, Eason and Marable

**Council President Williams ruled the motion was carried by Four Yeas;
No Nays; No Abstentions and Three Absent.**

11) CONSENT AGENDA

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 REQUESTS, IN WHICH EVENT, THE ITEM WILL BE REMOVED FROM THE GENERAL ORDER OF BUSINESS AND CONSIDERED IN ITS NORMAL SEQUENCE OF THE AGENDA.

Deputy Clerk Smith stated the following resolution have been Removed for a Separate Vote: 305-2013

RESOLUTIONS: *302-2013 - *304-2013, *306-2013 & *307-2013

- *302-2013** A resolution to accept a donation of 30 Traffic Safety Vests from AAA of Florham Park of New Jersey for use by the Orange Police Department crossing Guards.
- *303-2013** A resolution authorizing the City of Orange Township to add various vacant properties to its existing City of Orange Township abandoned properties list.
- *304-2013** A resolution honoring Prince Hall Day in the City of Orange Township.
- *306-2013** A resolution authorizing payment for emergency medical service in the City of Orange Township provided by Monmouth-Ocean Hospital Service Corporation from January 1, 2013- to September 16, 2013 in an amount not to exceed one hundred fifty nine thousand dollars (\$159,000.00).
- *307-2013** A resolution authorizing the execution of a contract for emergency medical service in the City of Orange Township with Lifestar response Corporation from September 17, 2013 to December 31, 2014 in an amount not to exceed zero dollars (\$0.00) with the option to extend the contract for two (2) one (1) year extensions for years 2015 and 2016 also in an amount not to exceed zero dollars (\$0.00).

MOTION TO ADOPT CONSENT AGENDA: Corbitt **Second:** Jones-Bell

Council President Williams announced the roll call as follows:

Yeas: Corbitt, Gaunt-Butler, Jones-Bell and Williams

Nays: None

Abstentions: None

Absences: Abdul-Rasheed, Eason and Marable

**Council President Williams ruled the motion was carried by Four Yeas;
No Nays; No Abstentions and Three Absent.**

Deputy Clerk Smith stated those resolutions that were **Removed for a Separate Vote** will not be considered.

***305-2013 A resolution approving the Bill List for Council Meeting Vote on September 3, 2013 dated August 26, 2013 and approving checks issued by the Finance Department in accordance with Ordinance 2-95 (Grand Total: \$4,188,229.40)**

Motion: Corbitt

Second: Jones-Bell

Council President Williams announced the roll call as follows:

Yeas: Corbitt, Gaunt-Butler, Jones-Bell and Williams

Nays: None

Abstentions: None

Absences: Abdul-Rasheed, Eason and Marable

**Council President Williams ruled the motion was carried by Four Yeas;
No Nays; No Abstentions and Three Absent.**

12) OTHER PENDING BUSINESS

13) MOTION TO ADJOURN

Motion: Corbitt

VOICE VOTE IN FAVOR

Second: Jones-Bell

Adjournment Time: 11:00PM

Madeline F. Smith, RMC
Deputy Municipal Clerk

Donna K. Williams
Council President

MINUTES APPROVAL

Passed on September 17, 2013

Conference Meeting on September 3rd, 2013.

Motion to Adopt: Corbitt

Second: Jones-Bell

Council President Williams announced the roll call as follows:

Yeas: Corbitt, Gaunt-Butler, Jones-Bell and Williams

Nays: None

Abstentions: None

Absences: Abdul-Rasheed, Eason and Marable

Council President Williams ruled the motion was carried by Four Yeas; No Nays; No Abstentions and Three Absent.