

MINUTES CITY COUNCIL
CITY OF ORANGE TOWNSHIP
NEW JERSEY

Orange City Council Meeting
REGULAR MEETING MINUTES
March 18, 2014

A regular meeting of the City Council of the City of Orange Township held in the council chambers of City Hall, 29 North Day Street, Orange, New Jersey on Tuesday, March 18, 2014, immediately following the Conference Meeting; 7:30 pm.

The Clerk announced and led the Pledge of Allegiance to the Flag

Roll Call

Present:

Councilman Elroy A. Corbitt At-Large
Councilwoman Tency A. Eason of the North Ward
Councilwoman Gaunt-Butler At-Large
Councilwoman Linda Jones-Bell East Ward
Councilman Edward B. Marable, Jr. South Ward
Council President Donna K. Williams At-Large

Also Present:

Deputy Municipal Clerk Madeline F. Smith
Marty Mayes Administrative Representative
Michael Hackett, City Attorney
Adrian Mapp, Director of Finance
Margaret Homere, Clerk's Office

Absent:

Councilmen Hassan Abdul-Rasheed
Mayor Dwayne D. Warren, Esq
Kevin Harris, Representing the Legislative Research Officer

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.

Approval of Minutes of Previous Meetings

None

Councilman Abdul-Rasheed cannot vote because he was not present for the Conference.

Motion by Councilmen Corbitt, seconded by Councilwoman Eason to approve the Conference meeting minutes from February 18, 2014.

Roll Call:

Ayes: Councilmembers: Corbitt, Eason, Gaunt-Butler, Marable, Williams

Nays: None.

Absent: Councilwoman Jones-Bell.

Motion Carries.

February 18, 2014 Regular meeting minutes

Motion by Councilman Corbitt, seconded by Councilwoman Gaunt-Butler to approve the Regular meeting minutes from February 18, 2014.

Roll Call:

Ayes: Councilmembers: Abdul-Rasheed, Corbitt, Eason, Gaunt-Butler, Marable, Williams

Nays: None.

Absent: Councilwoman Jones-Bell.

Motion Carries.

March 4, 2014 (Executive) Closed Session

Councilman Abdul-Rasheed cannot vote because he was not present.

Motion by Councilman Corbitt, seconded by Councilwoman Eason, to approve the Executive Closed Session meeting minutes from March 4, 2014.

Roll Call:

Ayes: Councilmembers: Corbitt, Eason, Gaunt-Butler, Marable, Williams

Nays: None.

Absent: Councilwoman Jones-Bell.

Motion Carries.

March 4, 2014 Conference & Regular meeting

Councilman Abdul-Rasheed cannot vote because he was not present

Motion by Councilman Corbitt, seconded by Councilwoman Gaunt-Butler, to approve the Conference and Regular meeting minutes from March 4, 2014.

Roll Call:

Ayes: Councilmembers: Corbitt, Eason, Gaunt-Butler, Marable, Williams

Nays: None.

Absent: Councilwoman Jones-Bell.

Motion Carries.

REPORTS:

OPRA REPORTS

None

DEPARTMENTS REPORTS

Department of Planning and Economic Development

Total fee collected for the Year 2013 -\$402,956.00

CONSTABLE REPORTS

None

COUNCIL REPORTS

Councilman Abdul-Rasheed – Housing report. No report.

Councilman Corbitt Police report. Councilman Corbitt reported that he had a meeting with Deputy Director Todd Warren who is working on some ideas that will combat the gang violence in the city. The Police Athletic League is working to have some positive activities for the youth of the city.

Councilman Marable Fire Department and Library. No report.

Councilwoman Eason Personnel report. No report.

Councilwoman Gaunt-Butler Finance report. Councilwoman Gaunt-Butler reported that the company Balance Point made a presentation for an automated payroll system. The Orange Board of Education proposed to do a Bond Ordinance.

Council President Williams provided instructions on who to speak to for questions regarding the automated payroll system.

COMMUNICATIONS AND PETITIONS

There were no communications or petitions.

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.

1. Mr. Jeffrey Feld thanked everyone for their condolences for a member of his staff, Mr. Scott Jenkins, who had worked in the city for many years.
Mr. Feld spoke about transparency, truth and trust. Mr. Feld asked about Mr. Dwight Mitchell and when did he retired; questioned the Agenda and when it was put on the web. Mr. Feld made comments regarding the proposed Bond Ordinance, Annual and Supplemental Debt Statements.
Attorney Wolfe reported that Mr. Mitchell filed a claim of Accidental Disability.
With regard to the agenda the Deputy Clerk reported that over the weekend she had found errors in the agenda and they were corrected by Monday at which time the Agenda was posted to the website.
2. Mr. William Lewis comment on how the Council runs their meetings and what he thinks they should do.
3. Mr. Kerry Coley suggestion that the development by RPM be slowed down and not take away parking from the Post Office for the RPM development project.
Parts of the website have been down for some time now and should be fixed.
A representative of the RPM Group came to the podium and reported on options that are being discussed by RPM regarding the parking situation at the Post Office.
4. Mr. Bruce Meyer commented on the Bond Issue and that what was posted on the website was incorrect.
The website's employee list with phone numbers was never up and the website had never been finished as it should have been.
Mr. Meyer asked if Mr. Michelle is retired. Mr. Meyer requested a Yes or No answer.
Council President Williams reported that question could not be answered at this time and then asked for his next questions. Mr. Meyer then asked if a person can be retired and at the

same time file for disability. Attorney Wolfe replied no. Mr. Meyers asked other questions regarding Mr. Michelle. Mr. Wolfe commented that Mr. Michelle has a pending worker's comp claim and has applied for accidental disability with the State Pension Board. After further discussion Mr. Meyer left the meeting.

5. Mr. Fred Vandermeer commented that he had an OPRA request; which the Clerk's Office did a great job on, he got the information on time. The request was for Certificate of Occupancy information for the last 5 years on three properties, but when he received the answers on those properties he noticed that there were no COs for them just two permits for signs. Those properties have tenants in them but we don't know that those properties are safe and the city does need the money that the COs would bring in. Director. Mayes reported that he did not have an update at this time but will get back to Mr. Vandermeer by the end of the week. Mr. Vandermeer asked that Director Mayes get back to him by 2:00 p.m. on Friday so they could setup a meeting with all involved.
6. Ms. Ingrid Williams asked for an update on the budget .Requested close inspection on tax abatements to determine if they are necessary; she said if your going to build here you need to pay here. Ms. Williams reported that the traffic light on Valley and Tremont was out and Director Mayes made sure that people were there to fix the light and the police were there to direct traffic.
Mr. Mapp came to the podium and reported that the Budget was sent to the Clerk's Office at around 6:00 p.m. that day and should be introduced at the April 15th meeting.
7. Ms. Katalin Gordon questioned the pump station item on the bond ordinance. Ms. Gordon agreed with Councilwoman Gaunt-Butler's idea of having a maintenance plan put in place so equipment can be bought at different times and not have to be purchased all at once. Ms. Gordon was concerned about the city avoiding the 2% cap by having items in the Bond Ordinance. Ms. Gordon was concerned about the water quality in Orange. Ms. Gordon reported on other concerns she had with resolutions that were on the agenda. Ms. Gordon suggested that payroll be generated in house instead of out sourcing. Council President Williams and Mr. Mapp addressed Ms. Gordon's concerns and questions.
8. Ms. Gloria Stewart commented that she was impressed with the decorations on the walls as you come into the building. She commended that the spelling bee last night was outstanding. Ms. Stewart was against the abatement that RPM is asking for. Ms. Stewart acknowledged that the Council members are here to help the residents and that they do not have to know everything but they are all willing to learn. Ms. Stewart was concerned that Councilman Marable had no report for the library and hoped that he was not dropping the ball because he was not running for Councilman again. Ms. Stewart spoke on other concerns she had regarding the city. Council President addressed Ms. Stewart's concerns.
9. Ms. Murphy Wilson commented that the council should hold off on the Tony Galento project ordinance because it had changed so many times. The abatements must stop; it is not fair to the tax payers. Wanted a City Clerk hired since there has not been one in the city for four years, and that there is someone that is in the role now and is qualified. Ms. Wilson asked what the formal city debt is and how many more unpaid bills does the city have. The bond ordinance should be reconsidered for some items that have been tacked on to it. There should be a maintenance plan so needed purchases can be staggered. Mr. Mapp commented that if grants came into the city for items like street repairs the monies from the bond ordinance could be redirected as Council saw fit.

Motion by Councilman Corbitt, seconded by Councilwoman Gaunt-Butler, to close the citizen comments.

The Motion was approved by a unanimous vote.

Council President Williams announced that the Deputy Clerk was not feeling well and that Ms. Homere would be taking the Deputy Clerk's place.

COUNCIL COMMENTS

Councilman Marable commented that the budget was late and stated that the Council did not have all the information. Councilman Marable commented that there is no Library Committee and he is the liaison to the library. Councilman Marable commented on the library's unwillingness to provide information that is requested. Councilman Marable commented that he will be focusing on the budget for the next three months.

Councilwoman Gaunt-Butler asked Mr. Mapp if there were anymore undisclosed debt items that the city might have. Mr. Mapp was not aware of any items. Councilwoman Gaunt-Butler asked about any update to the Corrective Action Plan. Mr. Mapp reported that there was nothing that he could share with her about the Corrective Action Plan other than it was the plan that was presented. There will be a plan based on the 2013 audit. Councilwoman Gaunt-Butler reiterated her request from past meetings of what she felt the Corrective Action Plan should contain. Mr. Mapp commented that the city follows the procedures that govern the Corrective Action Plan and that the Council does not have to agree with the plan but are obligated to accept the plan by resolution. Councilwoman Gaunt-butler suggested a plan of action going forward with the administration with regard to the Bond Ordinance.

Motion by Councilman Corbitt, seconded by Councilman Marable, to extend the meeting past 10:30 P.M.

Roll Call:

Ayes: Councilmembers: Corbitt, Eason, Gaunt-Butler, Marable and Council President Williams

Nays: Abdul-Rasheed

Abstain: None.

Absent: Councilwoman Jones-Bell

Motion Carries.

Councilman Abdul-Rasheed – No Comment.

Councilman Corbitt: Councilman Corbitt attended the History Bee at the Lincoln Avenue School. Councilman Corbitt asked if the new field was compatible for the Softball team. Mr. Mayes reported that it was. Councilman Corbitt asked to see the Master Plan. Mr. Mayes commented that in May or June he will be going to each ward to talk about the Master Plan. Councilman Corbitt reported that on March 31st he received a memo from Mr. Bruce Meyer requesting that a Councilmember request a specific amount that the city has spent so far in litigation and other awards. Council President reported that it will be a matter of discussion coming up in April. Councilman Corbitt commented that it was reported to him that it took the emergency response team 20 minutes to respond to an emergency. Director Dowd of the city Fire Department commented that there is a delay when anyone request

assistance with a cell phone rather than their land line phone. Director Dowd explained the process. So if there is a delay in response it is usually caused by the time it takes for Orange emergency responses to receive the information.

Councilman Corbitt thanked Mr. Mayes for fixing the ceiling in the Council Chambers.

Councilwoman Eason asked Mr. Mayes to look into a number of issues that Mr. Mayes needed to follow up on. Councilwoman Eason attended a performance of Greece by the High School. Councilwoman Eason commented on the remarks that have been made by the residents when they are at the podium stating that the Councilmembers do more in the community than just show up at the meetings twice a month and asked why the residents are not asking the Mayor the questions for the things he is directly responsible for like the website. Councilwoman Eason gave other examples of what the Mayor should be held accountable for and not the Council. Councilwoman Eason also commented on how the Council cannot talk about the retired Clerk because of the legal matters that are still taking place.

Council President Williams reminded everyone that the city Code is on line. Committee meetings are attended by the Administration and the Attorney's Office. Spoke about a scholarship that was created to help college students in their third year which will help them their book cost. Coach Fraszter celebrated her 50th birthday and was thanked for her service to the community.

ORDINANCES—SECOND READING/PUBLIC HEARING

The Council President read Ordinance 3-2014 by Title.

3-2014 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 (3-Way Stop - Oakwood Avenue and Berwyn Street).

The Chair declared the time open for a hearing on Ordinance Number 3-2014.

Seeing no one, the Chair declared the time closed.

Motion by Councilman Corbitt, seconded by Councilwoman Eason, to adopt Ordinance Number 3-2014.

Roll Call:

Ayes: Councilmembers: Abdul-Rasheed, Corbitt, Eason, Gaunt-Butler, Marable and Council President Williams

Nays: None.

Abstain: None.

Absent: Councilwoman Jones-Bell

Motion Carries.

4-2014 **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 (across from 61 William Street).**

The Chair declared the time open for a hearing on Ordinance Number 4-2014.

Seeing no one, the Chair declared the time closed.

Motion by Councilman Corbitt, seconded by Councilwoman Gaunt-Butler to approve Ordinance 4-2014

Roll Call:

Ayes: Councilmembers: Abdul-Rasheed, Corbitt, Eason, Gaunt-Butler, Marable and Council President Williams

Nays: None.

Abstain: None.

Absent: Councilwoman Jones-Bell

Motion Carries.

5-2014 **An ordinance to amend Chapter 200 of the Code of the City of Orange Township by amending Section 200-68 establishing a permit parking area in the municipal parking plaza number nine (9), providing twenty (20) parking spaces for displaced Tony Galento parking permit holders or other commuters, as needed.**

The Chair declared the time open for a hearing on Ordinance Number 5-2014.

Ms. Gordon came to the podium and asked about the number of permitted spaces there will be after the construction is finished. Mr. Mobley reported that after the construction the 20 parking spaces at plaza number 9, will be by permit.

Ms. Gloria Stewart asked questions regarding the parking spaces in lot 9 now and after the reconstruction and how long will the construction take. Mr. Mobley addressed those questions.

Seeing no one else, the Chair declared the time closed.

Motion by Councilwoman Eason, seconded by Councilman Corbitt to approve Ordinance 5-2014

Roll Call:

Ayes: Councilmembers: Abdul-Rasheed, Corbitt, Eason, Gaunt-Butler, Marable and Council President Williams

Nays: None.

Abstain: None.

Absent: Councilwoman Jones-Bell

Motion Carries.

6-2014 An ordinance to amend Chapter 200 of the Code of the City of Orange Township by amending Section 200-68 establishing a temporary permit parking area in the municipal parking plaza number three (3), and the municipal parking plaza number four (4), providing (20) parking spaces in each lot for displaced Tony Galento parking permit holders, to allow them to park in the Municipal Parking lots during the construction of the Tony Galento Transit Village Project.

The Chair declared the time open for a hearing on Ordinance Number 6-2014.

Seeing no one, the Chair declared the time closed.

Motion by Councilman Corbitt, seconded by Councilwoman Gaunt-Butler to approve Ordinance 6-2014

Roll Call:

Ayes: Councilmembers: Abdul-Rasheed, Corbitt, Eason, Gaunt-Butler, Marable and Council President Williams

Nays: None.

Abstain: None.

Absent: Councilwoman Jones-Bell

Motion Carries.

7-2014 An ordinance of the City of Orange Township authorizing the execution of an amended and restated financial agreement with Orange Condominium Urban Renewal, L.P., and granting an amended tax exemption for phase IB of the Tony Galento Transit Village Project.

The Chair declared the time open for a hearing on Ordinance Number 7-2014.

Mr. Jeffrey Feld suggested that the Council wait on this ordinance until the next meeting providing his reasons.

Ms. Gordon does not support this ordinance and provided her reasons why.

Ms. Steward does not agree with this ordinance and does not want a tax exemption given to the Galento Project. A representative with McManimon, Scotland and Bowman reported that the change is because of the reduction of units from 30 units to 24 units.

Seeing no one else, the Chair declared the time closed.

Motion by Councilman Corbitt, seconded by Councilwoman Eason to approve Ordinance 7-2014

Roll Call:

Ayes: Councilmembers: Corbitt, Eason, Gaunt-Butler, and Council President Williams

Nays: Abdul-Rasheed, Marable

Abstain: None.

Absent: Councilwoman Jones-Bell

Motion Carries.

ORDINANCE INTRODUCTION /FIRST READING

8-2014 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 \$4,948,000 therefore and authorizing the issuance of \$4,700,600 bonds or notes of the City to finance part of the costs thereof.

Director Mayes reported that the administration would like to withdraw Ordinance 8-2014. The Ordinance was withdrawn for consideration.

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

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

RESOLUTIONS *75-2014-*78-2014

***75-2014 A resolution authorizing the tax collector to refund the premium paid by the outside lien holder, Isaac Moradi in the amount of \$1,200.00 for property known as 182 Central Place, Block 3304, Lot 13.**

- *76-2014** A resolution authorizing the cancellation of Tax Sale Certificate No. 11-190 and refund to lien holder in the amount of \$105.91 plus interest.
- *77-2014** A resolution authorizing the refund of taxes due to state board judgments in the amount of \$7,095.84.
- *78-2014** A resolution to allow filing of the 2013 year recycling tonnage grant.

The Consent Agenda was approved by unanimous vote.

Resolutions 79-2014 (was removed from the consent agenda by Councilman Abdul-Rasheed.)

A resolution approving the bill list for council meeting vote on April 1, 2014 dated March 28, 2014 and approving checks issued by the Finance Department in accordance with Ordinance 2-95 (Grand Total: \$ 2,345,791.88).

Council President Williams reported that items to be removed are the following:

Page 3 - \$3,500.00, page 5 - \$16,000.00 from the above grand total would be 2,326,291.88

Motion by Councilman Corbitt, seconded by Councilwoman Eason to amend and adopt resolution 79-2014 with a Grand Total of 2,326,291.88.

Councilman Abdul-Rasheed directed Mr. Mapp to page 13 of the bill list regarding a Library item. Mr. Mapp reported that the shown amount was part of the City's funding to the Library.

Roll Call:

Ayes: Councilmembers: Corbitt, Eason, Gaunt-Butler, and Council President Williams

Nays: Abdul-Rasheed, Marable

Abstain: None.

Absent: Councilwoman Jones-Bell


Motion Carries.

OTHER PENDING BUSINESS - None

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

The motion to adjourn was approved by unanimous vote.


Madeline Smith
 Deputy Clerk


Donna K. Williams
 Council President