

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, FEBRUARY 19, 2013 IMMEDIATELY FOLLOWING THE CONFERENCE MEETING at 8:03P.M.

1) PLEDGE OF ALLEGIANCE TO THE FLAG

| 2) ROLL CALL | PRESENT | ABSENT |
|-----------------------------------------|----------------|-------------------|
| Hon. Hassan Abdul-Rasheed (West-Ward) | <u> X </u> | <u> </u> |
| Hon. Elroy A. Corbitt (At-Large) | <u> X </u> | <u> </u> |
| Hon. April Gaunt-Butler (At-Large) | <u> X </u> | <u> </u> |
| Hon. Linda Jones-Bell (East-Ward) | <u> X </u> | <u> </u> |
| Hon. Edward B. Marable Jr. (South Ward) | <u> X </u> | <u> </u> |
| Hon. Donna K. Williams (At-Large) | <u> X </u> | <u> </u> |
| Hon. Tency A. Eason (North Ward) | <u> X </u> | <u> </u> |
| Council President | | |

ALSO PRESENT

| | | |
|-----------------------------------------------------|-------------------|-------------------|
| Shinell Smith, Deputy Municipal Clerk | <u> X </u> | <u> </u> |
| Hon. Dwayne D. Warren, Esq., Mayor | <u> </u> | <u> X </u> |
| James Wolfe, City Attorney | <u> X </u> | <u> </u> |
| Kevin D. Harris, Temp. Legislative Research Officer | <u> X </u> | <u> </u> |
| Margarette Homere, Clerk Office | <u> X </u> | <u> </u> |

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 Record-Transcript and published in the Star Ledger on July 5, 2012, posted on the Bulletin Board in City Hall and filed in the Office of the Municipal Clerk.

4) APPROVAL OF MINUTES OF PREVIOUS MEETINGS:
None

5) REPORTS:
Clerk's Office - Month of January 2013 - \$ 1,497.65

CONSTABLE REPORTS:
Cuthbert Harris - Month of January 2013 - No activity

OPRA REQUEST REPORTS
Month of January 2013 - 21 Completed and 2 Outstanding

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 UPTO 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 Eason recognized William R. Lewis. Mr. Lewis inquired, stated his concern and opinions:

- Commented on the State of the City Address
- Where is the Bill List?
- Resolution 86-2013 needs correction.
- If council is in disagreement with the Council President then they need to be vocal.

Council President Eason recognized Jeffrey Feld. Mr. Feld inquired, stated his concerns and opinions:

- Discussed RPM short falls with legal and council.
- Dec 18th Meeting: Commented on the 27th Payment.
- Ordinance 4-2013 – Changed from 20 to 10 days.
- Public website is in question; pertinent information is missing.
- Council need to address the retention of John McGovern.
- Who's representing the City?
- Revisit finance agreement.

Council President Eason recognized Gloria Stewart. Mrs. Stewart inquired, stated her concerns and opinions:

- Announced the closing of Livingston Mall Expo.
- Not enough focus on Black History Month.
- Status of United Water Report?
- Update on Oakwood Avenue project/development.
- What is the amount of the surplus?
- Why do we need both the Legislative Research Officer and Legal Counsel?
- Take into consideration how five developers will impact schools.
- 27th pay period should be discovered before now. If in fact this happens every 10yrs.
- What is the status of the fire on Reock Street?
- Increase in crossing guards for certain schools needed.

- Status of the Business Administration?

Council President Eason entertained a motion to move the agenda.

MOTION TO CLOSE CITIZEN COMMENTS:

MOTION: CORBITT (VOICE VOTE) SECOND: JONES-BELL

8) COUNCIL COMMENTS

Council President Eason recognizes Councilwoman Jones-Bell.

Councilwoman Jones-Bell stated a flashing red signal light or traffic light is urgently needed at Park Avenue School. A student was hit by car Thursday, February 14th due to lack of respect of crossing guard and poor traffic regulation.

Council President Eason responded the street in question is a county street and the council will contact and work with the county to address that problem.

Council President Eason recognizes Councilman Marable Jr.

Councilman Marable Jr. had no comments.

Council President Eason recognizes Councilwoman Gaunt-Butler.

Councilwoman Gaunt-Butler commended Public Works and the Office of Emergency Management on a job well done for snow removal and responses to other emergency issues.

Council President Eason recognizes Councilman Corbitt.

Councilman Corbitt commented on a memorandum from Neighborhood Association, 197 S. Center Street and wishes to know if the Director of Code Enforcement or Public Safety has addressed the issue. As well as, recognized the two Officers Anthony Holmes and Aida Vasquez for a job well done and saving the lives of residents in a fire. Council Corbitt would like to recognize the officers with a proclamation for their heroic act.

Council President Eason recognizes Councilwoman Williams.

Councilwoman Williams commented on:

- The website updates and additions. What are the criteria of employee's selection and salaries placed on the website?
- Inquired about the Central Place and United Water Project updates.
- Commended the Fire and Police Departments on a job well done.
- Requested a speed bump on Cleveland Street and well as additional Yield, Stop or Traffic Signage on Essex and Cleveland Street.
- Encourages city residents to be the eyes and ears of the city and to report squatters entering vacant home and large amounts of debris that can potentially ignite a fire. Stating one house fire can lend itself to a block.
- Encourages the council to revisit and appoint a person to the Public Works Committee to aid in taking the burden off Emergency Services.
- Encourages the council to review and adopt her walk-on resolution.
- Acknowledge the passing of Gerald Skipper and sends her condolences to the family.
- Announced Police Department will be starting their Community Meetings at Freddie Polhill Law & Justice Complex.

Council President Eason made the following comments.

- Sends her condolences to the families that lose their possessions and loved ones.
- Commend the Fire Department and Firemen Brown and unknown who attended to a fire that overcame the community on Cleveland due to gas leak from copper pipes being removed.
- Vacant houses and doors are securely boarded to ensure no entry.
- Find the source of copper purchasing and sanction the buyers and people in possession of copper.
- Request Mr. Mapp to find the stored generators and provide information on who has control over them.
- Requested a Copy of the Library Shared Services Agreement from the city attorney. Would like to know who negotiated and signed off on the agreement?
- Mr. Mayes: What is the update on the Aldon and High Street Project? Is there funding established for project?
- What is the process and response time for responding to boarding of properties?
- Can the city get Stop Flashing Signage throughout the city to address some of the safety concerns?
- Vacant property boarding and fires: Mr. Mayes, can we go after the owner of the properties?

Council President Eason entertains a motion to move the agenda.

9) ORDINANCES—SECOND READING/PUBLIC HEARING

- 38-2012** An ordinance of the City of Orange Township authorizing the amendment of Ordinance 9-2012 – a financial agreement with Station Partners Urban Renewal, L.P. originally passed on April 17, 2012 granting a modified tax exemption for phase 1 of the Tony Galento Plaza Project.
- 39-2012** An ordinance approving long term tax abatement with Orange Condominium Urban Renewal, L.P. for thirty (30) market rate, for sale condominiums Phase 1B of the Tony Galento Transit Village Project.

Deputy Clerk Smith stated for the record, after retrieving her notes Ordinances 38-2012 and 39-2012 was motioned and tabled by roll call as followed:

Motion: Corbitt Second: Gaunt-Butler

The Deputy Clerk announced the roll call as follows:
Yeas: Corbitt, Gaunt-Butler, Jones-Bell, Williams and Eason
Nays: Abdul-Rasheed and Marable Jr.

Deputy Clerk Smith stated 38-2012 and 39-2012 are tabled.

Council President Eason entertained a Motion to Lift from Table.

Motion: Abdul-Rasheed Second: No one

Council President Eason ruled the Motion was not carried.

- 2-2013** An ordinance amending Chapter 4 of the Municipal Code of the City of Orange Township entitled Administration of Government dealing with purchasing and contracting.

- a) Second reading by title
- b) Motion to close public hearing: Second: Gaunt-Butler
Corbitt (Voice Vote)
- c) Motion for final adoption: Second: Jones-Bell
Corbitt

The Deputy Clerk announced the roll call as follows:
Yeas: Corbitt, Gaunt-Butler, Jones-Bell, Williams and Eason
Nays: Abdul-Rasheed and Marable Jr.
Abstentions: None
Absences: None

Council President Eason ruled that the Motion was **carried by Five Yeas**, Two Nays, No Abstentions and No Absence.

3-2013 An ordinance amending Chapter 27 of the Municipal Code of the City of Orange Township entitled Public Contracts.

- | | | |
|----|------------------------------------|----------------------------|
| a) | Second reading by title | |
| b) | Motion to close public hearing: | Second: |
| | <u>Corbitt</u> (Voice Vote) | <u>Gaunt-Butler</u> |
| c) | Motion for final adoption: | Second: |
| | <u>Corbitt</u> | <u>Gaunt-Butler</u> |

The Deputy Clerk announced the roll call as follows:

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

Council President Eason ruled that the Motion was **Carried by Five Yeas**, Two Nays, No Abstentions and No Absence.

10) ORDINANCE INTRODUCTION /FIRST READING

None

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.

The Deputy Clerk stated Resolution 84-2013 have been removed for a separate vote.

- *84-2013** A resolution authorizing the City of Orange Township to add 155 Heywood Avenue and 241 Heywood Avenue to its existing City of Orange Township abandoned properties list.

The Deputy Clerk announced resolutions 75-2013 and 76-2013 has been withdrawn by the Administration.

***75-2013** A resolution for the transfer of appropriation reserves.

***76-2013** A resolution authorizing the agreement for 8 copiers for various departments within the City to Toshiba Business Solutions, Inc., 1 Woodbridge Center, Suite 340, Woodbridge, New Jersey 07095 for sixty three (63) months, commencing January 1, 2013 for an annual amount not to exceed \$22,000.00.

RESOLUTIONS: *77-2013 – *83-2013, *85-2013 – *91-2013, **ADD: 92-2013; 93-2012; 94-2013

***77-2013** A resolution authorizing the refund of taxes due to county board judgment in the amount of \$2,937.51 to Alfred, Kelvin T. 203 Sterling Avenue, Block 6703, Lot 002.

***78-2013** A resolution authorizing the refund of taxes due to county board judgment in the amount of \$2,028.19 to Crenshaw, Karla, 317 Heywood Avenue, Block 6501, Lot 037.

***79-2013** A resolution authorizing the refund of taxes due to state board judgments in the amount of \$13,658.08.

***80-2013** A resolution authorizing the refund of 1st quarter of 2010 and 4th quarter of 2012 taxes due to an overpayment in the amount of \$9,651.86.

***81-2013** A resolution authorizing the tax collector to cancel taxes on 130 South Essex Avenue, Block 3501, Lot 027 due to existing quarterly bills as per agreement concerning the implementation of the “pilot” effective July 5, 2011 under Resolution No. 180-2011.

***82-2013** A resolution authorizing the tax collector to cancel taxes on 126 South Essex Avenue, Block 3501, Lot 028 due to existing quarterly bills as per agreement concerning the implementation of the “pilot” effective July 5, 2011 under Resolution No. 180-2011.

***83-2013** A resolution authorizing the City of Orange Township to receive bids for the sale of various tax sale certificates, including subsequent municipal liens held by the City of Orange Township.

- *85-2013** A resolution amending Resolution No. 269-2012 authorizing the submission of certain project applications received from the Orange Community Development Block Grant Application for the 2013 year.
- *86-2013** A resolution designating a representative and an alternate to the Essex County Community Development Block Grant Committee for the year 2013.
- *87-2013** A resolution authorizing the public auction of surplus, unserviceable vehicles and equipment from the motor fleet of the City of Orange Township Police and Public Works Departments.
- *88-2013** A resolution authorizing Change Order No. 1 to modify the contract for the project known as the South Center Street Roadway Improvements for additional concrete in the amount not to exceed \$2,645.00.
- *89-2013** A resolution authorizing Change Order No. 1 to modify the contract for the project known as the Berkeley Avenue Roadway Improvements for additional concrete sidewalk construction in the amount not to exceed \$2,146.23.
- *90-2013** A resolution authorizing Hendricks Appraisal Company, LLC to represent the City of Orange Township in regard to appraisal on real property in tax appeal matters in an amount not to exceed \$15,000.00.
- *91-2013** A resolution authorizing the second one-year extension of a contract with Emerald Cleaners, 422 Pleasant Valley Way, West Orange, New Jersey 07052 for dry cleaning uniforms for Police Department Personnel in an amount not to exceed \$32,429.00 annually.
- *92-2013** A resolution approving the Bill List for a council meeting vote on February 19, 2013 dated February 14, 2013 and approving the checks issued by the Finance Department in accordance with Ordinance 2-95 for a Grand Total of \$1,680,550.04.

Council President Eason entertained a Motion to suspend the rules of the agenda to add Resolution 92-2013 to the Consent Agenda.

Motion: Corbitt **Second:** Gaunt-Butler

The Deputy Clerk announced the roll call as follows:

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

Nays: Abdul-Rasheed, Marable Jr., and Williams.

Abstentions: None

Absences: None

Council President Eason ruled that the Motion was **Carried by Four Yeas**, Three Nays, No Abstentions and No Absence.

***93-2013** **A resolution authorizing change order to modify the contract known as the South Center Street Roadway Improvements for additional concrete and Police Traffic Directors in the amount not to exceed \$2,083.20.**

Council President Eason entertained a Motion to suspend the rules of the agenda to add Resolution 93-2013 to the Consent Agenda.

Motion: Corbitt **Second:** Gaunt-Butler

The Deputy Clerk announced the roll call as follows:

Yeas: Abdul-Rasheed, Corbitt, Gaunt-Butler, Jones-Bell, Marable Jr.,
 Williams and Eason

Nays: None

Abstentions: None

Absences: None

Council President Eason ruled that the Motion was **Carried by Seven Yeas**, No Nays, No Abstentions and No Absence.

***94-2013** **A resolution authorizing the acceptance of a grant award for funding of the 2013 Orange Municipal Alliance Program in the amount of \$85,000.00 from January 1, 2013 to December 31, 2013.**

Council President Eason entertained a Motion to suspend the rules of the agenda to add Resolution 94-2013 to the Consent Agenda.

Motion: Corbitt **Second:** Gaunt-Butler

The Deputy Clerk announced the roll call as follows:

Yeas: Abdul-Rasheed, Corbitt, Gaunt-Butler, Jones-Bell, Marable Jr.,
 Williams and Eason

Nays: None

Abstentions: None

Absences: None

Council President Eason ruled that the Motion was **Carried by Seven Yeas**, No Nays, No Abstentions and No Absence.

MOTION TO ADOPT CONSENT AGENDA:

SECOND:

Corbitt

(VOICE VOTE)

Jones-Bell

Council President Eason entertained a Motion to Adopt Consent Agenda.

Motion: Corbitt

Second: Gaunt-Butler

The Deputy Clerk announced the roll call as follows:

Yeas: Corbitt, Gaunt-Butler, Jones-Bell, Marable Jr., Williams and Eason

Nays: None

Abstentions: Abdul-Rasheed

Absences: None

Council President Eason ruled that the Motion was **Carried by Six Yeas**, No Nays, One Abstention and No Absence.

The Deputy Clerk stated those resolutions that were removed for a separate vote will now be considered.

***84-2013 A resolution authorizing the City of Orange Township to add 155 Heywood Avenue and 241 Heywood Avenue to its existing City of Orange Township abandoned properties list.**

Council President Eason entertained a Motion to Table.

Motion: Marable Jr.

Second: Williams

The Deputy Clerk announced the roll call as follows:

Yeas: Abdul-Rasheed, Corbitt, Gaunt-Butler, Jones-Bell, Marable Jr., Williams and Eason

Nays: None

Abstentions: None

Absences: None

Council President Eason ruled that the Motion was **Carried by Seven Yeas**, No Nays, No Abstentions and No Absence.

12) OTHER PENDING BUSINESS

Councilman Corbitt made inquiry into the Acting Business Administrator, Willis Edwards III Rice Notice; Executive (Closed) Session.

13) MOTION TO ADJOURN

Motion: **Corbitt**

Voice Vote

Second: **Jones-Bell**

Adjournment Time: 10:21 P.M.

**Dwight Mitchell, RMC
Municipal Clerk**

**Tency A. Eason
Council President**

MINUTES APPROVAL

Passed on April 16, 2013

February 19, 2013 - Regular Meeting

Motion to Adopt: Corbitt

Second: Jones-Bell

The roll call by the Municipal Clerk was as follows:

Yeas: Abdul-Rasheed, Corbitt, Jones-Bell, Gaunt-Butler, Marable Jr., Williams and Eason

Nays: None

Abstentions: None

Absences: None

Council President Eason ruled the motion was carried by Seven Yeas, No Nays, No Abstentions, and No Absence.