

**MINUTES CITY COUNCIL
CITY OF ORANGE TOWNSHIP
NEW JERSEY**

**CITY OF ORANGE TOWNSHIP NEW JERSEY
REGULAR MEETING MINUTES
September 2, 2014**

A regular meeting of the City Council of the City of Orange, Township held in the Council Chambers 4th Floor of City Hall, 29 North Day Street, Orange, New Jersey, on Tuesday, September 2, 2014

The Deputy Municipal Clerk, lead the Pledge of Allegiance to the Flag.

Roll Call:

Present:

East-Ward Councilman Kerry J. Coley
At-Large Councilman Elroy A. Corbitt
North Ward Councilwoman Tency A. Eason
At-Large Councilwoman April Gaunt-Butler
West Ward Councilman Harold J. Johnson, Jr.
South Ward Councilwoman Jamie Summers-Johnson
At-Large Council President Donna K. Williams Arrived at 7:02pm

Also Present:

Madeline Smith, Deputy Municipal Clerk
Dan S. Smith City Attorney
Adrian Mapp, Director of Finance
Kevin D. Harris, Legislative Research Officer
Margaret Homere, Clerk's Office
Marty Mayes, Representing Administration

Councilwoman Summers-Johnson introduced 4th Grader Miss Page Boswell from Heywood Avenue School to lead with the Pledge of Allegiance.

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 17, 2014, posted on the Bulletin Board in City Hall and filed in the Office of the Municipal Clerk.

SPECIAL NOTICE: 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 and one (1) for General Issues. Each person signing the book will check Agenda Items or General Issues. If they check only Agenda Items or General Issues, they will be allowed to speak for five (5) minutes. If they check both General Issues and Agenda Items, they will be allowed to speak for ten (10) minutes.

APPROVAL OF MINUTES TABLED FROM AUGUST 6, 2014 MEETING

May 20, 2014 – Conference & Regular Council Minutes

Council members Coley, Johnson, Jr., and Summers-Johnson cannot vote because they were not Council members at that time.

MOTION TO LIFT MINUTES TABLED FROM AUGUST 6, 2014 MEETING

Motion by Councilman Corbitt, seconded, by Councilwoman Gaunt-Butler

ROLL CALL:

Ayes|: Corbitt, Eason, Gaunt-Butler & Williams

Nays: none

Motion Passes

Council members Coley, Johnson, Jr., and Summers-Johnson cannot vote because they were not Council members at that time.

MOTION TO ADOPT

A Motion was made by Councilman Corbitt, seconded by Councilwoman Eason.

ROLL CALL:

Ayes|: Corbitt, Eason, Gaunt-Butler & Williams

Nays: none

Motion Passes

June 4, 2014 – Conference & Regular Council Minutes

Council members, Coley, Johnson and Summers-Johnson cannot vote, because they were not Council members at that time.

MOTION TO ADOPT

A Motion was made by Councilman Corbitt, seconded by Councilwoman Eason.

ROLL CALL:

Ayes|: Corbitt, Eason, Gaunt-Butler, Williams

Nays: none

Motion Passes

June 17, 2014 – Conference & Regular Council Minutes

Council members, Coley, Johnson and Summers-Johnson cannot vote, because they were not Council members at that time.

MOTION TO ADOPT

A Motion was made by Councilman Corbitt, seconded by Councilwoman Eason.

ROLL CALL:

Ayes|: Corbitt, Eason

Nays: none

Motion Passes

REPORTS:

Clerk's Office Report

Deputy Clerk Smith reported:

- July 2014 - \$153.40

CONSTABLE REPORTS

- Cutbert Harris-Month of July 2014 – No activity
- Darnell Brodie – Month of July 2014 – No activity
- Mohammed Toure-Month of June 2014 – No activity

OPRA REPORTS

Month of June 2014 – 29 OPRA received 108 completed and 7 outstanding.

Month of July 2014 – 25 OPRA received 91 completed and no outstanding.

- Councilman Corbitt asked if there were any penalties for the outstanding OPRA.
- Deputy Clerk stated that with all outstanding OPRA permission for extension were requested and granted by the requestor.

COUNCIL REPORTS

Council President Williams reported that the Finance Committee Meeting held a meeting and several topics were discussed as follows:

- The purchase of a used Fire Engine from the Township of Lebanon. They recommended purchase.
 - Councilwoman Eason requested the reason for the purchase of a used truck verse a new truck.
 - Deputy Chief Rothenberger responded stating that the purchase process of a new vehicle could take up to twelve months. He stated the purchase of a used vehicle would only take one week to ten days.

- Ordinance 18-2014, Mr. Wolfe explained the Consent Order. The Finance Committee recommended the passing of a Resolution waiving the twenty day time period reference in the Court Order.
- Resolutions 208, 209, 210, 211, 212, 213, 214 and 215 were discussed.
- Ordinance 17-2014 was withdrawn.
- Resolution 202-2014 was discussed and it was recommended that the information be posted on the City's website.
- Discussed proposed automation in the Clerk's Office they recommended moving forward on certain items.

Miscellaneous Business

- 593 Lincoln Avenue
- Empty Lot at Glenwood and William Street &
- 14 Williams Street.

Personnel Committee

Council President stated they were continuing interviews for the Registered Municipal Clerk's position.

Police Department

Councilman Corbitt stated that Director Sims would be present at the September 16th meeting and would be presenting his quarterly report.

Housing Authority

Councilman Johnson, Jr., stated there were no reports.

Fire Department

Councilman Coley stated there were no reports.

Board of Education

Councilwoman Eason stated that the Board held a meeting and discussed the Water Bill. As a result of the meeting the Mayor requested that the money that was taken from the Board be returned. She stated that an inventory of all the schools that had meters and those without would be done. The information would be presented to the Council Members and they would vote whether or not the Board of Education should pay for water.

- Councilman Coley asked if it was certain that the money would be returned to the Board of Education.

Councilwoman Eason asked if Bill Cosby's visit to Orange, NJ was pro bono.

- Mr. Mapp responded stating that there weren't any request for payment at that time, but will follow up for the next meeting.

Council President asked if the money was returned to the Board of Education.

- Mr. Mapp responded stating that he was waiting for direction from the Mayor.

COMMUNICATIONS AND PETITIONS

None

CITIZEN'S COMMENTS

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.

Jeffrey Feld, Local Businessman; 268 Main Orange, NJ wwnj.com website

- Mr. Feld made comments regarding the budget.
- Mr. Feld made comments regarding the Agenda.

William R. Lewis, 688 Mosswood Avenue, Orange, NJ

- Mr. Lewis made comments on the Joyce Carnegie Scholarship Fund.
- Mr. Lewis made comments regarding the Agenda.
- Mr. Lewis had a question regarding Resolution 201-2014.
- Mr. Mapp responded to stating that he didn't have the Annual Debt Statement. He stated that City Clerk's Office would be able to provide Mr. Lewis with the Annual Debt Statement.

Bruce Mayer. 500 Berkeley Avenue, Orange, NJ

- Mr. Mayer made comments regarding Resolution 216-2014. He requested a copy of the Bill List.
- Mr. Mayer commented on the money that was taken from the Board of Education.
- Mr. Mayer made comments on the Budget.
- Council President stated that while City Hall was closed at 2:00PM on the Friday in question the Clerk's Office was open until 4:00PM and that the Agenda was submitted to Mr. Royster's Office.
- Mr. Mapp responded to an earlier request from Mr. Lewis stating he did have the documents that indicated that City's had \$11.8 million dollars in outstanding debt.

Katlalin Gordon, 211 Park Place, Orange, NJ

- Ms. Gordon stated that she made a number of inquires at the last meeting and received no response. Ms. Gordon commented on the Sunshine Law.
- Ms. Gordon commented the foreclosed properties in and asked was the reimbursement protocol for the City to redeem monies spent on banked owned properties
- Ms. Gordon commented on Resolution 209-2014.
- Ms. Gordon commented on Resolution 206-2014.
- Ms. Gordon commented on the Tax Lien Sale
- Mr. Mayes responded to her question regarding the bank owned properties as well as the vacant and abandoned properties.
- Mr. Mayes responded to her question about preventing vandalism at Colgate Pool.

- Mr. Mayes commented on her statement regarding non condemnation redevelopment area and suggested that she spoke with Don Meisel the City's Planner.

Gloria Stewart, 62 Hampton Terrace, Orange, NJ

- Ms. Stewart commented on communication system for the council meeting.
- Ms. Stewart commented on the Public Library and wanted a report.
- Ms. Stewart commented on the road condition on Day Street.
- Ms. Stewart commented on the new building being built on Oakwood Avenue.
- Ms. Stewart commented on recycling.
- Ms. Stewart commented on pest control regarding rodents in the City.
- Ms. Stewart commented on the Agenda specifically the used Fire Engine that would be purchased.
- Council President responded to her comment on the status of the B.A.
- Council President responded to her comment about Day Street stating that Public Service was doing work and that she was waiting for a response as to the overload of work they were doing in Orange and the status of street repairs.
- Mr. Mayes responded stating that the City repaired six (6) Streets and that they had one (1) more to be completed. He stated that some Streets were placed on the Bond ordinance.
- Mr. Mayes responded about Pest control issue. He stated that the City would bate the gutter for any resident who informed the Department of Public Works about rodent issue.
- Mr. Mayes responded to the question on recycling stating that it was based on the amount of money the City received.
- Councilwoman Summers-Johnson responded to Ms. Stewart's question regarding the Library. She stated that she took a tour and saw that children's area was up and running. She stated that the Library Board was going to be having a meeting and that she would give a report after that meeting.
- Ms. Stewart thanked Council Williams for assisting in getting the street light fixed on Oakwood Avenue.

Murphy Wilson, 362 Heywood Avenue, NJ

- Ms. Wilson stated that Berkeley Avenue roads in the South Ward needed cleaning.
- Ms. Wilson commented on Resolution 203-2014 regarding the Tax Lien Sale.
- Ms. Wilson commented on Resolution 206-2014 regarding the Planning Board conducting a public hearing to determine a redevelopment area.
- Ms. Wilson commented on items on the Bill List.
- Council President requested that Mr. Mayes followed up on the Street Cleaning on Berkeley Avenue.
- Council President asked Councilwoman Eason if she knew about Public Hearing as it pertains to Resolution 206-2014.
- Councilwoman Eason stated she had no information but that she would inquire.

MOTION TO CLOSE CITIZEN'S COMMENTS

Motion by Councilman Corbitt, seconded by Councilwoman Summers-Johnson to close Citizen's Comments. The motion carries unanimously to close Citizen's Comments.

COUNCIL COMMENTS

Councilman Coley suggested that the hours at City Hall to be extended for two days per month when The City Council held its meetings allowing residents who couldn't get there during normal business hours to do business.

Councilman Coley stated that he didn't agree with the \$1,000.00 fine the residents who had outstanding Water Bills had to pay.

Council President asked if Councilman Coley was referencing a Resolution or if the information was directly from the residents.

Councilman Coley stated that the information came to him directly from residents.

Council President asked Mr. Dan Smith, City Attorney if he was familiar with the \$1,000 fine and to respond.

Mr. Smith referenced the Municipal Cod as it pertained to prosecution for non-payment. He stated that the \$1,000 was the maximum fine according to the Municipal Code.

Council President suggested that Councilman Coley and Mr. Dan Smith get together to discuss the \$1,000 fine.

Councilman Corbitt stated that he would be having someone attend the next Council Meeting for a matter of discussion as to a new wave that was hitting the Country.

Council President asked Councilman Corbitt to put a hold on the matter of discussion until she consulted with an attorney.

Councilman Corbitt asked who's idea it was to have a student recite the Pledge of Allegiance.

Councilwoman Summers-Johnson responded that it was the Personnel Committee.

Councilman Corbitt commented on the process and proper protocol as to any idea that needed to be brought before the Council.

Councilman Corbitt requested that three items for a vehicle on Page 10 on the Bill List be removed until more information was provided.

Councilman Corbitt commented on the Ordinance that was already in place since 2006 where the order of the Council Meetings was changed regarding Council's response to question from the residents.

Councilman Corbitt commented on the damage being done to the street by PSE&G workers. He stated that there had been a number of calls to PSE&G regarding the smell of gas around the City of Orange and the that PSE&G were looking for those gas leaks.

Councilwoman Eason commented on the bad condition left by PSE&G of roads specifically Main Street between Jefferson and Scotland Road.

Councilwoman Eason stated that as the City moved forward with development they should look at the hiring practices of the developers. She stated that she wanted to see more workers from Orange and cultural diversity on the work sites.

Mr. Mayes stated that since the administration came into office a new Clause was placed in all of the Redevelopment Agreement that had been passed. The Clause stated that the developers needed to hire 30% of minority contractors or Orange Residents. He also stated that City was having a Job Fair on September 27, 2014.

Councilwoman Eason stated that they needed to pay more attention to the 30% of minority that would be hired to ensure culturally diversity.

Mr. Mayes responded stating that the 30% was a start, but that he agreed with Councilwoman Eason.

Councilwoman Eason commended Councilwoman Summers-Johnson for her efforts in having the student participated with the Pledge of Allegiance. She stated that the Board of Education Superintendent, Ronald Lee had a policy in place that allowed students to be involved in outside events.

Council President stated that she went to the RPM construction site and saw workers who were Orange Residents.

Mr. Mayes stated in the next few months there will be more workers on the construction site who were Orange Residents.

Councilwoman Gaunt-Butler took a moment to recognize and made kind remarks of the life of the Late Lewis Hassel who was recognized at the last Council Meeting.

Councilwoman Gaunt-Butler commented on the Budget and addressed the Council and asked if the Administration had been duly notified about overspending line items.

Council President responded stating that they did not have to be notified. She stated that Mr. Mapp should respond to the question.

Mr. Mapp responded stating that he was not aware of any over expenditures.

Councilwoman Gaunt-Butler stated that she met with all four tours of the Fire Department and that they had extended an invitation to Council and the Mayor to visit their training facility in Morristown to see their training first hand.

Councilwoman Gaunt-Butler asked Mr. Mapp if there was a date that the Council could expect to have the Auditor's Report.

Mr. Mapp responded stating that did not have a date, but he knew that the Audit had already been completed.

Councilwoman Gaunt-Butler stated it had been her expectation to know the net result of the corrective action plan.

Mr. Mapp stated that he had not seen the Audit at that time.

Councilwoman Eason asked Mr. Mapp if he was that the pension payments were behind.

Mr. Mapp stated he was aware and that as a result of the transition from ADP to the new payroll vendor. He stated that there were delays in them receiving the Quarterly Reports from ADP which delayed their Quarterly Submission to the State. He stated that the submission had been completed after getting the information from ADP, but he wasn't sure if the System was open at that time.

Councilwoman Eason asked if he was stating that they were up to date.

Mr. Mapp stated upon receiving the information from ADP they were able to complete the Quarterly Submission to the State which is also known as I.R.O.G. providing them with all the data they had pertaining to all payroll deductions.

Councilwoman Eason asked when was the submission completed.

Mr. Mapp responded stating that it was done a few weeks prior.

Councilwoman Eason requested that the pension payments be made on a monthly basis instead of quarterly.

Mr. Mapp responded stating that pensions were already being paid monthly.

Councilwoman Eason asked for verification that everything was current.

Mr. Mapp responded stating that everything was current.

Councilwoman Gaunt-Butler asked if it was possible that the Tax Assessor provided a report on the net results of the re-evaluation process on all the properties in Orange. She stated that during the process there was an estimated saving of \$723.00 to each tax payer and wanted know if they were still in line with the amount.

Mr. Mapp stated that he would arrange for the Tax Assessor to be at the next meeting to provide the current status of the re-evaluation that was completed on October of last year. He stated that the budget that was adopted had resulted in an average reduction of about five hundred dollars on the Municipal portion of the tax bill.

Council President asked the dollar amount which the house assessed providing the savings.

Mr. Mapp stated that it was assessed at \$175,000.00.

Council President stated if a resident already had a tax appeal it wouldn't apply.

Mr. Mapp stated that there were some tax payers who had an increase in their Municipal Taxes.

Council President requested that the Tax Assessor be present at the next meeting.

Mr. Mapp responded stating that he would inform him to be present.

Councilwoman Gaunt-Butler stated that she had a question that came from a resident asking if the Budget was approved by the State.

Mr. Mapp responded with a yes stating that the State did authorize the adoption of the 2014 Calendar Year Budget.

Councilwoman Gaunt-Butler commented that they were authorized, but not approved. She asked if there was any more paperwork that needed to be done.

Mr. Mapp responded stating that there was nothing left to do.

Councilwoman Gaunt-Butler asked if there would be discussions about Water/Utility.

Council President stated that there would be a discussion if an item was walked onto the Agenda.

Councilwoman Gaunt-Butler made an announcement of a re-dedication ceremony that would be taken place on September 28th at Union Baptist Church. She stated that it was for the Church Organ that had not been in service for 50 Years.

Councilman Johnson, Jr. requested that Resolution 206-2014 removed.

Councilwoman Summers-Johnson stated that if there were any issues in the South Ward the residents should contact her first either through clerk's office, cell phone or her email address. She stated that at the last meeting she mentioned that she would be using Heywood Avenue School for the South Ward meetings and was waiting for an answer from the Board to approve the dates. She stated that the first meeting would be on October 16th and that she would like the residents to give her their concerns prior to the meeting so that she could have individuals present to have their questions answered.

Councilwoman Summers-Johnson, Jr., announced that there would be an Expungement Program at the library on September 12, 2014 at 4:00P.M. .

Councilwoman Summers-Johnson stated that she was in contact with the Cleveland School principal for having a student appear at the Council meeting.

Councilwoman Summers-Johnson commented that 3,000 residents did not vote in the last Council election and that her goal was to get individuals comfortable with Government and to turn those numbers around and letting residents know that the power was in their vote.

Councilwoman Summers-Johnson gave out her cell number and email address and promise to get back to them within 24 hours.

Councilwoman Eason requested that the Clerk's office do updated all Council members' phone numbers and email addresses and to provide the update to all Council members.

Councilwoman Eason requested that Councilwoman Summers-Johnson let her know if would be inviting Cleveland Avenue School from her North Ward.

MOTION TO EXTEND THE MEETING

Motion by Councilwoman Eason and seconded by Council President Williams to extend the meeting. The motion carries unanimously.

ROLL CALL:

Ayes: Coley, Eason, Summers-Johnson, Williams

Nays: Corbitt, Gaunt-Butler, & Johnson, Jr.,

Motion Passes

Councilwoman Eason asked Mr. Mapp to step up to the podium to clarify his communication with Mr. Feld regarding the Budget.

Mr. Mapp stated he never had any communication with Mr. Feld.

Council President asked how was the City notified by the State.

Mr. Mapp stated that the State communicated with the Budget Consultant.

Council President asked Deputy Chief Rothenberger to answer the question from a resident as to the reason The Fire Department would purchase and used 1996 Fire Engine Truck and also to state the used Fire Truck's condition.

Deputy Chief Rothenberger responded stating that there was a letter attached stating the maintenance log for the used vehicle and that it was in good condition.

Council President asked the time frame to purchase a new vehicle.

Deputy Chief Rothenberger stated that it would take between nine to twelve months to purchase a new vehicle.

Council President asked if the process had already started.

Deputy Chief Rothenberger stated that the process had already begun.

Council President commented on a few items.

- She stated that she was able to sit in on various conversations and that Dr. Cosby went through the community and extended himself very graciously doing several meetings and answered questions based on his wisdom.
- She commented that Actor, Danny Glover was in Orange that night doing another back to school event at the old Fire House on Forest Street. She stated that the Mayor was in attendance that event.
- She stated that the Council appreciated both gentlemen who were advocates for Education appearance in the City as the new school year approached. She stated that she hoped that the community would attend the event and receive the wisdom and move forward with the suggestion that was given.
- She stated the Library was sponsoring many community events and that they would be doing the Raising of the Jamaica Flag for the first time in the City of Orange and it was expected to be done next year 2015.
- She apologized to Councilwoman Eason and Councilman Corbitt for the Personnel Committee not informing the other Council Members of the Student attendance at the Council Meeting. She thanked them for their comments and input.

ORDINANCES-SECOND READING/PUBLIC HEARING

16-2014 An Ordinance to transfer 162 Central Place (Block 3304, Lot 21) to Lamont Bryant
(Withdrawn by Administration)

ORDINANCE INTRODUCTION /FIRST READING

17-2014 A Bond ordinance amending and supplementing bond ordinance number 8-2008 (which provides for improvements to the City of Orange Mountain Wells, the Chestnut Street Treatment Facility and High Pump Station) heretofore finally adopted by the City Council of the City of Orange Township, in the County of Essex, State of New Jersey, on May 20, 2008 to increase the appropriation therein by \$1,500,000 and to increase the authorization of bonds and notes therein by \$1,500,000. B (Withdrawn by Administration to walk another Ordinance)

18-2014 An ordinance to amend the Code of the City of Orange Township, Chapter 88-1 entitled "Fees" for Certificates of Habitability.

MOTION TO ADOPT FIRST READING

Motion by Councilman Corbitt, seconded, by Councilwoman Gaunt-Butler

ROLL CALL

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

Nays: none

Motion Carries

Public Hearing None

MOTION TO WALK ON ORDINANCE 19-2014

Motion by Councilwoman, Summers-Johnson seconded, by Councilman, Johnson, Jr.

19-2014 A Bond Ordinance Amending and Supplementing Bond Ordinance Number 8-2008 (which provides for improvements to the City of Orange Mountain Wells, The Chestnut Street Treatment Facility and High Pump Station) Heretofore finally adopted by The Council of the City of Orange Township, in the County of Essex, State of New Jersey, on May 20, 2008, to reappropriate an additional \$1,500,000 in excess bond proceeds not needed for their original purpose from Bond Ordinance Number 22-2002 to finance the costs thereof.

ON THE MOTION

Councilman Corbitt stated that he didn't see a difference between the 19-2014 Ordinance and the previous Ordinance on the specifics of the work that had to be done at the Water Pump Station.

Council President asked Mr. Mayes if would be able to comment on the work portion of the Ordinance.

Mr. Mayes stated that the Ordinance wasn't for work because the work had already been done. He stated that Mr. Mobley could speak more about the project.

Council President asked Mr. Mobley to step to the podium to give a summary on history.

Mr. Mobley stated that Ordinance was pertained to the Pump Station and that original Ordinance was for \$30 million dollars when the City took back the water operations. He stated that there were a number of repairs that needed to be made and those repairs were completed with about \$3 million dollars left in the account. He stated that the \$1.5 million dollars would pay for creation of the new Pump Station that had already started in 2010 and was already completed.

Council President asked Mr. Mapp if he wanted to add any comments on the Ordinance.

Mr. Mapp stated that the Ordinance was to simply to provide funding so that they would be able to pay the \$1.2 million dollars in outstanding obligations for work that had already been done.

Councilman Corbitt stated that he thought that the original amount to be borrowed was for \$12 million dollars and not \$1.5 million dollars.

Mr. Mapp stated that it was around \$1.2 million dollars that was owed to the vendor but there were other costs involved.

Councilman Corbitt stated that there was a substantial increase in the amount from \$1.2 million dollars to \$1.5 million dollars. He stated that he wanted to know exactly what items were projected in the Supplement Bond Ordinance and specifically how the \$300,000.00 would be used.

Mr. Mapp stated that there was a cost known as Section 20 for professional service such as legal, accounting, and the Bond Council that is outstanding which needed to be paid. He stated that they would be able to provide the specifics.

Councilman Corbitt stated that the Council needed to rescind the approval of the \$1.2 million dollars before they could entertain the new Ordinance.

Mr. Mapp stated that they didn't want the Council to act on Ordinance 17-2014 because there wasn't a need for the loan, but to instead move money that they already had for an existing purpose without incurring any additional debt.

Councilman Corbitt stated that it should be spelt out clearly in the Bond Ordinance as to how the money would be used.

Mr. Mapp stated that the money would be used for any outstanding debt and any Section 20 cost.

Councilman Corbitt stated that it needed to be spelt out.

Council President asked Mr. Everett Johnson, Bond Council for The City of Orange to step to the podium.

Mr. Johnson asked council president to repeat the question.

Council President stated that the additional \$200,000.00 was listed as Section 20 cost in the new Bond Ordinance, she asked Mr. Johnson to explain the use of the additional \$100,000.00.

Mr. Everett Johnson stated he that wouldn't be able to answer the question as to the use of the funds. He stated that he created the Ordinance based on the numbers that were given to him and that he had no involvement with the project itself.

Council President asked Mr. Johnson to explain the \$200,000.00 list as additional Section 20 cost.

Mr. Johnson stated it was what he knew to be the estimate of soft cost that Mr. Mapp mentioned. He stated that he did not know what the soft costs were because he wasn't involved with the project, but that it was normal for a Bond Ordinance with expense to be bumped up to include other soft cost such as engineering cost.

Council President asked if the monies were to be utilized for any other expense other than what it was listed would it be returned to the Council.

Mr. Johnson stated that to be correct. He stated the City Council would need to do an amendment for use of any additional funds to be used for a new purpose.

Mr. Johnson gave additional information to clarify the 17-2014 Bond Ordinance and the new 19-2014 Bond Ordinance.

Councilman Corbitt stated that his only concern was that the authorization done by the Council for the \$1.2 million dollars be rescinded. He stated that the \$1.2 million dollars was still tied into the new Bond Ordinance.

Mr. Johnson stated that he understood that there wasn't any movement taken to approve the \$1.5 million dollars Ordinance. He stated that he thought the Ordinance was tabled.

Council President clarified by stating that authorization had been given to apply for a loan and that the process was stopped.

Mr. Mapp confirmed that Council President was correct in her statement and that the Resolution needed to be rescinded.

Council President stated that they were withdrawing the authorization.

Councilman Corbitt stated that they needed go back and rescind the loan authorization before entertaining the Ordinance.

Mr. Mapp stated that rescinding of the resolution which authorized the loan could be rescinded at anytime.

Councilman Corbitt stated that he preferred the rescinding be done first.

Council President offered to walk on the resolution to withdraw so that it would be rescinded that night.

Councilman Corbitt stated that it wouldn't be wise to walk on the Resolution.

Council President asked Councilman Corbitt if he heard attorney Johnson referring to pending litigation.

Councilman Corbitt confirmed that he did hear that.

Council President stated that she needed a motion to go into Executive Session.

Councilman Corbitt stated that he didn't need to go into Executive Session.

Mr. Mayes stated that the administration cannot borrow money from the State unless capital Ordinance was adopted.

Councilwoman Eason commented that she agreed with councilman Corbitt about the Resolution needing to be rescinded. She stated that if there was a vendor that needed to be paid that it was only fair that he got paid. She further stated the Council should approve the 19-2014 Ordinance since it was approved by the Bond Ordinance Attorney. She stated that the Council should wait until the next Council Meeting to rescind the Resolution which authorized the loan.

Councilman Corbitt stated that he was ok with Councilwoman Eason's suggestion. He stated that he forgot there would be a Second Reading.

Council President stated for clarification the there has to be an authorization to spend and that there was none.

Council President asked if there were any other question from administration or the attorneys. Seeing None

ROLL CALL

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

Nays: none

Motion Carries

MOTION TO ADOPT FIRST READING

- 19-2014** A Bond Ordinance Amending and Supplementing Bond Ordinance Number 8-2008 (which provides for improvements to the City of Orange Mountain Wells, The Chestnut Street Treatment Facility and High Pump Station) Heretofore finally adopted by The Council of the City of Orange Township, in the County of Essex, State of New Jersey, on May 20, 2008, to reappropriate an additional \$1,500,000 in excess bond proceeds not needed for their original purpose from Bond Ordinance Number 22-2002 to finance the costs thereof

Motion by Councilman Corbitt, seconded, by Councilwoman Eason

ROLL CALL

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

Nays: none

Motion Carries

PUBLIC HEARING (Scheduled for October 7, 2014)

CONSENT AGENDA

The Deputy Clerk Read: 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.

RESOLUTIONS *200- 2014-*216-2014

- *200-2014 A resolution supporting the elimination of Stigma associated with mental health issues.
- *201-2014 A resolution of the City of Orange Township, in the County of Essex, State of New Jersey authorizing the submission of an application to the Local Finance Board requesting approval of (I) a bond ordinance under the provisions of the Municipal Qualified Bond Act, N.J.S.A. §40A:3-1 and (II) the city's participation in the year 2015 New Jersey Environmental Infrastructure Trust Financing Program pursuant to the provisions of N.J.S.A. §58:11B-9(a). **(Withdrawn)**
- *202-2014 Resolution of the City of Orange Township directing the undertaking of a continuing disclosure review and authorizing participation in the municipalities continuing disclosure cooperation initiative of the Division of Enforcement of the US Securities and Exchange Commission.

- *203-2014 Resolution authorizing the City of Orange to receive bids for the sale of various tax sale certificates, including subsequent municipal liens, held by the City of Orange and accept the most responsible bid. **(Removed From Consent Agenda for Separate vote)**
- *204-2014 A resolution authorizing the refund of taxes due to state board judgments in the amount of \$15,191.52.
- *205-2014 A resolution of support for speed limit reduction along Freeway Drives East and West in the City of Orange Township.
- *206-2014 A resolution authorizing the City of Orange Township Planning Board to conduct a public hearing for the purpose of determining whether select properties contiguous to Lincoln Avenue, Highland Avenue, Clarendon Place, Carteret Place and Lighthipe Place meet the criteria for a non-condemnation redevelopment area as defined by the local redevelopment and Housing Law including Chapter 159. **(Removed From Consent Agenda for Separate vote)**
- *207-2014 A resolution authorizing the awarding of a contract between the City of Orange Township and Yannuzzi Group, Inc., 152 Rte. 206 Hillsborough, New Jersey 08844 for the demolition of 204 Central Place in the amount not to exceed \$19,500.00.
- *208-2014 A resolution authorizing an addendum to Resolution #168-2013 to Carroll Engineering, 105 Raider Boulevard, Suite 206, Hillsborough, New Jersey 08844 NJDOT 2012 roadway improvements to Conover Terrace and Monroe Street in an amount not to exceed \$7,500.00.
- *209-2014 A resolution authorizing the award of a non-fair and open contract with Always Bright Clean Spotless, Corp., DBA/ABC's Pool Service, 355 Riverlawn Drive, Wayne, New Jersey 07470 to repair the pool, supply and install one (1) Meyco Safety Pool Cover for Colgate Park Pool in the amount not to exceed \$10,850.00.
- *210-2014 A resolution authorizing Change Order No. 2-Final to modify the contract for the project known as the Central Avenue Playground Baseball Field Improvements in the amount not to exceed \$25,453.28.
- *211-2014 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, surveying, design and construction inspection services for the 2014 Open Space Trust-Central Avenue Playground's Baseball Field Light Improvements, Phase II in the amount not to exceed \$20,855.00
- *212-2014 A resolution authorizing the awarding of an agreement to Foley Incorporated, 855 Centennial venue, Piscataway, New Jersey 08855 for preventive maintenance services for the generator located at the Freddie Polhill Law and Justice Complex, 25-29 Park

Street, Orange, New Jersey 07050 commencing August 1, 2014 through July 31, 2015 in the amount not to exceed \$3,499.84. **(Removed From Consent Agenda for Separate vote)**

- *213-2014 A resolution authorizing the award of a non-fair and open contract with Maser Consulting PA, 400 Valley Road, Suite 304, Mount Arlington, New Jersey 07856 to provide professional engineering, design and construction administration services for the 2014 CDBG Central Park – Spray & Play in the amount not to exceed \$34,750.00.
- *214-2014 A resolution authorizing the awarding of a contract for the 2013 CDBG Colgate Park Redevelopment /Environmental Capping Project to SCE Environmental Group, 1380 Mt Cobb Road, Jefferson Township, Pennsylvania 18436 in the amount not to exceed \$256,183.51.
- *215-2014 A resolution authorizing the purchase of (1) 1996 Spartan Fire Engine from Lebanon Fire Company, 88 Main Street, Lebanon, New Jersey 08833 to be used by the City of Orange Fire Department an amount not to exceed \$35,000.00
- *216-2014 A resolution approving the bill list for council meeting vote on September 2, 2014 dated August 29, 2014 and approving checks issued by the Finance Department in accordance with Ordinance 2-95 (Grand Total: \$ 9,527,590.94). **(Removed From Consent Agenda for Separate vote)**

MOTION TO ADOPT CONSENT AGENDA:

Motion by Councilman Corbitt, seconded by Councilwoman Gaunt-Butler, to approve the Consent Agenda (with exceptions as noted) by the Township as follows:

Approval of Resolutions:

200-2014, 202-2014, 204-2014, 205-2014, 207-2014, 208-2014, 209-2014, 210-2014, 211-2014, 213-2014, 214-2014 & 215-2014

*The Consent Agenda was unanimously approved as modified.

Council President read *203-2014 titled: A Resolution authorizing the City of Orange to receive bids for the sale of various tax sale certificates, including subsequent municipal liens, held by the City of Orange and accept the most responsible bid.

Motion by Councilwoman Corbitt, seconded by Councilman Johnson to approve Resolution *203-2014

ROLL CALL:

Ayes: Corbitt,

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

Motions Doesn't Carry

Council President read *206-2014 titled: A resolution authorizing the City of Orange Township Planning Board to conduct a public hearing for the purpose of determining whether select properties contiguous to Lincoln Avenue, Highland Avenue, Clarendon Place, Carteret Place and Lighthipe Place meet the criteria for a non-condemnation redevelopment area as defined by the local redevelopment and Housing Law including Chapter.

MOTION TO TABLE by Councilwoman Eason, seconded by Councilman Corbitt to Table Resolution *206-2014

ROLL CALL:

Ayes: Coley, Corbitt, Eason, Gaunt-Butler, Johnson, Jr., Summers-Johnson & Williams
Nays: none
Motion Passes

Councilman Corbitt requested to rescinded his vote for Resolution 203-2014

MOTION TO RE-OPEN RESOLUTION 203-2014

Motion by Councilwoman Summers-Johnson, seconded by Councilwoman Eason

ROLL CALL:

Ayes: Coley, Corbitt, Eason, Gaunt-Butler, Johnson, Jr., Summers-Johnson & Williams
Nays: none
Motion Passes

A MOTION FOR A NEW VOTE FOR RESOLUTION 203-2014

Motion by Councilwoman Eason seconded by Councilwoman Summers-Johnson

ROLL CALL

Ayes: none
Nays: Coley, Corbitt, Eason, Gaunt-Butler, Johnson, Jr., Summers-Johnson & Williams
Motion Does Not Carry

Council President read *212-2014. A resolution authorizing the awarding of an agreement to Foley Incorporated, 855 Centennial venue, Piscataway, New Jersey 08855 for preventive maintenance services for the generator located at the Freddie Polhill Law and Justice Complex, 25-29 Park Street, Orange, New Jersey 07050 commencing August 1, 2014 through July 31, 2015 in the amount not to exceed \$3,499.84.

Motion by Councilman Corbitt seconded by Councilwoman Gaunt-Butler

ON THE MOTION

Councilman Corbitt asked Mr. Mayes if he knew the size of the generator.
Mr. Mayes stated that he didn't know the size of hand, but that it was the main generator. He stated that he would find out the size.

Councilwoman Eason asked if the generator was one of the new ones bought after Hurricane Sandy. Mr. Mayes stated that it wasn't and that what they bought was compressors and not generators. Councilman Johnson stated that he wanted to reiterate that he was abstaining himself. He stated that they were one of his clients.

ROLL CALL

Ayes: Coley, Corbitt, Eason, Gaunt-Butler, Summers-Johnson & William

Nays: none

Abstain: Johnson, Jr.

Motion Passes

Council President read * 216-2014 A resolution approving the bill list for council meeting vote on September 2, 2014 dated August 29, 2014 and approving checks issued by the Finance Department in accordance with Ordinance 2-95 (Grand Total: \$ 9,527,590.94).

Motion by Councilman Corbitt, seconded by Councilwoman Gaunt-Butler

ROLL CALL

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

Nays: None

Motion Passes

RESOLUTIONS TABLED FROM AUGUST 6-2014 MEETING

*185-2014 A resolution appointing Darrin Fisher to the City of Orange Township Historic Preservative Commission for a term of one (4) years commencing on August 6, 2014 through July 31, 2018. (Sponsored by Hon. Kerry J. Coley).

MOTION TO LIFT FORM TABLE

Motion by Councilman Corbitt, seconded by Councilman Johnson, Jr.

ROLL CALL

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

Nays: None

Motion Passes

MOTION TO ADOPT:

Motion by Councilman Corbitt, seconded by Councilwoman Gaunt-Butler

ON THE MOTION

Councilwoman Eason commented that the reason the Resolution was tabled prior was because they were waiting for an answer from the Clerk's Office stating whether it was two organizations or one.

Council President responded stating that there was only one organization.

Councilwoman Eason stated that she needed more clarification on the name of the Organization.

Council President stated that it was same organization Ms. Karen Wells was placed on and the same the same one Councilwoman Eason placed Mr. Cordell on.

Councilwoman Eason stated that Mr. Cordell's Resolution was never done.

Council President asked Attorney, Kevin Harris to step up to the podium. She asked him if he Mr. Harris stated that he did remember creating the Ordinance.

Council President asked if he had created one Ordinance for the Creating of the Commission and another for how the appointments were going to be made.

Mr. Harris confirmed that to be true.

Council President asked Councilwoman Eason if the appointments that were made were not made under the Historic Preservation Commission.

Councilwoman Summers-Johnson stated that at the August 6th meeting the Resolution had a different name.

MOTION TO TABLE

Motion by Councilwoman Eason, seconded by Councilwoman Gaunt-Butler

ROLL CALL

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

Nays: Williams

Motion Passes

- *195-2014 A resolution appointing Hashim Garrett, from Orange, New Jersey as a member of the Housing Authority of the City of Orange Township, New Jersey for a term of (5) Years.

MOTION TO LIFT FORM TABLE:

Motion by Councilman Corbitt, seconded by Councilwoman Summers-Johnson

ROLL CALL

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

Nays: None

Motion Passes

MOTION TO ADJOURN

Motion by Councilwoman Summers-Johnson seconded Councilwoman Eason

ADJOURNMENT TIME: 1 1:30P.M.



Madeline F. Smith, RMC
Deputy Municipal Clerk



Donna K. Williams
Council President