

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

**CITY OF ORANGE TOWNSHIP NEW JERSEY
REGULAR MEETING MINUTES
November 17, 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, November 17, 2014

Councilwoman Summers-Johnson lead with the Pledge of Allegiance.

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

Also Present:

Dan S. Smith City Attorney
Marty Mayes, Representing the Administration
Adrian Mapp, Director of Finance
Joy Lascari, Chief Financial Officer
Kevin D. Harris, Legislative Research Officer
Margaret Homere, Clerk's Office
Tia Thomas, Clerk's Office
Ken Garret, Representing the County
Sergeant, Jacobs Representing the Police Department
Chief, Michael Dowd Representing the Fire Department

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 MUNUTES

- October 7, 2014 – Conference & Regular Meeting

MOTION TO ADOPT:

Motion by Councilman Corbitt and seconded by Councilwoman Gaunt-Butler

ROLL CALL

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

Nays: none

Motion Carries

REPORTS:

Clerk's Office Report

Deputy Clerk Smith reported:

- Month of October 2014 - \$312.41

Department of Community Services

- Month of October 2014- Total: = \$12,262.25

OPRA REPORT

October -2014- 28 OPRA requests were received; 259 items completed and 13 pending

COUNCIL REPORTS

Housing Authority

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

Personnel Committee

Council President stated that there were no reports.

Fire Department

Councilman Gaunt-Butler requested that Chief Dowd give a report.

Chief Dowd reported:

- There were two (2) major fires in the City of Orange at 369 & 361 Park Avenue. He reported that it was a 4 alarm fire which required almost every Fire Department in the County to assist them. Due to the quick response from the Fire Department and the Police Department numerous people were able to be rescued. There were a few people who were injured and no fatalities. Both buildings were saved and one was currently unoccupied due to the damage. 361 Park was able to be restored and power returned to it within 48 hours and was currently occupied. The tenants at 369 Park were going to be out of their home for an extended period of time.

- o There was another there (3) alarm fire at Snyder Street which happened at 10A.M. in the morning due to the heavy wind conditions. A two- story two unit townhouse. He reported that the fire extended across three units which they lost and was able to save the other units. No injuries or fatalities were reported.

Councilman Coley asked if the old Fire House was opened would it have improved the response to the two fires that had recently.

Chief Dowd responded stating that it would not have change anything with the response to the two fires.

Councilwoman Gaunt-Butler asked about the event on Thanksgiving.

Chief Dowd responded stating that the Fire Department would be conducting its Annual Thanksgiving Day Dinner in the afternoon at the Fire House. He stated if anyone wanted to donate they could contact the Fire Department.

Council President commented on the response to the fire from the Police Department & Fire Department and the continuing service for people who were displaced.

Chief Dowd took the opportunity to thank all the departments who responded including the OEM. He stated that a shelter area was immediately set up at the Park Avenue School, New Jersey Transit sent buses of which they used to shelter people on the scene due to the weather conditions. He stated they assisted with relocation of the people who were displaced. He thanked the Community Service Department as well as other department which helped in the relocation process.

Councilwoman Eason addressed Chief Dowd and thanked the Fire Department for all they had put in with regards to the quick response to the fires. She stated that the Council should do a special recognition for Ms. Evon Ikner because she worked tirelessly through the night making sure that everyone who was displaced had somewhere to go.

Councilwoman Eason asked for confirmation that the people from 361 Park Avenue were ok. Chief Dowd confirmed with yes.

Councilwoman Eason commented on the group that came in from Cedar Grove that assisted with the people from 361 Park Avenue. She also thanked Bella Italia and Apian Way Restaurants who donated food.

Chief Dowd commented that all the restaurants in the City of Orange always helping the Fire Department with their requests in the case of an emergency. He also took the time to thank Ms. Pamela Taylor and Mr. Wade from the OEM team for all the work they had done.

Councilman Johnson asked Chief Dowd about the new equipments and if they used in the recent fires.

Chief Dowd responded stating that the new equipment would not been seen until September of next year. He stated that the used equipment that was purchase was operated.

Councilman Johnson asked if the new hose were used in the fire.

Chief Dowd responded with a yes.

Councilman Coley asked about the water pressure at the fire hydrants with the new pump station. Chief Dowd responded stating that there were a few water main breaks but that they had no problems with the water supply at the hydrants.

Police Department

Councilman Corbitt stated that there were no reports.

Library Committee

Councilwoman Summers-Johnson stated that there were no reports.

ABC

Councilwoman Eason stated that there were no reports.

Finance Department

Council President Williams reported on August 13th Budget Review as follows:

- o The Council was currently recording the council meetings and that the recording would be available on YouTube at the town's YouTube Channel.
- o A of the budget review had been put on the table outside the council meeting.
- o

Public Works Committee

Director Mayes stated that there were no reports.

Planning

Councilwoman Eason stated that there were no reports.

HR

Council President stated that there were no reports.

CONSTABLE REPORTS

- Darnell Brodie – Month of October 2014 – No activity
- Mohammed Toure-Month of October 2014 – Security for L'uiny, 2133

COMMUNICATIONS AND PETITIONS

Petitions received – Taxpayers, Residents and Business Owners

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.

Council President stated that Mr. Tarver was not able to return. He stated that if any citizen had a question based on what he spoke about that he was willing to be at the next meeting and that he would bring with him transcripts and orders if there was a request.

William R. Lewis, Resident of Orange, NJ

- Mr. Lewis congratulated Police Director Sims who had been honored recently.
- Mr. Lewis complimented Councilwoman Summers-Johnson for her South Ward Meeting at Heywood Avenue School. Mr. Lewis mentioned other Council Members being at that meeting and stated that it was violation of the Sunshine Law.
- Mr. Lewis commented on Resolutions 297 & 298.

Katlatin Gordon, 211 Park Place, Orange, NJ

- Ms. Gordon commented Resolution 299-2014.
- Ms. Gordon commented on Resolution 293-2014
- Ms. Gordon commented on Grants for the City and wanting an update.
- Ms. Gordon commented on OPRA Requests.
- Ms. Gordon commented on the people for the public works meeting not being able to get into the building.

Gloria Stewart, 62 Hampton Terrace, Orange, NJ

- Ms. Stewart commented on Resolutions 297-2014, 298-2014 & 300-2014.
- Ms. Stewart thanked the Fire Department presentation the prior week at Heywood Avenue School.
- Ms. Stewart commented on the Library not having good lighting.
- Ms. Stewart commented on the parking lot across from the Oakwood Avenue School being very dark.
- Ms. Stewart commented on the City not having a Business Administrator.
- Ms. Stewart commented on various department of the Administration
- Ms. Stewart commented on the bad condition of the roads.
- Ms. Stewart commented on the broadcasting of the City Council meetings.

Council President commented that Resolutions 297-2014 & 298-2014 being appointments and 300-2014 pertains to a grant.

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

Council President stated that the respective person would answer each question that was asked prior.

- Council President gave a response regarding the question regarding the lights being out, that it had been reported to Superintendent Lee and PSE&G. She requested that Director Mayes follow up on the issue.

- Council President gave a response regarding the question regarding the Video Taping and the cost. Council President stated that she did not have the invoice.
- requested a response from Director Mayes regarding the Roads.
- Director Mayes stated that he would be having a upcoming meeting with PSE&G regarding work that they had previously done. He stated that Fuller Terrace would be the last street paved prior to the Winter Season.
- Council President stated that question regarding the Business Administrator was a matter dispute and would not be answered. She stated there was no active Business Administrator.
- Council President requested that Mr. Mapp answer as to who signs off on invoices in the absence of a B.A.
- Mr. Mapp responded stating that the Deputy Business Administrator, Willis Edwards.
- Council President asked if there was a conflict being the Mayor of another City and the Director of Finance of another.
- Mr. Mapp stated that it was as much as conflict as a Council Member working for the Board of Education or a Council President working for another City.
- Council President reiterated that Ms. Stewart would like the Mayor present at the Council Meetings.
- Council President requested that the Legislative Research Officer give a report pertaining to the Sunshine Law regarding council member gathering together.
- Council President answered the question pertaining to Resolutions 297-2014 and 298-2014 stating that they were appointments.
- Mr. Mapp answered the question pertaining to Resolutions 300-2014 pertaining to grants, stating that it was necessary because the City would not be able to recover those funds.
- Council President answered the question regarding Judge Stevens Report stating that it was annual.
- Mr. Mayes answered the question pertaining to Resolution 299-2014 as it pertained to the termination of a contract.
- Mr. Mayes answered the question pertaining to Resolution 293-2014 stating there was no deadline and that it had to do with paving.
- Mr. Mayes answered the question regarding the public works meeting. Council President stated that if Mr. Mayes was not present for the meeting that the meeting should still go on and the members should give notice to the Clerk's office.
- Council President asked Mr. Mapp if the City was still under contract with Millennium.
- Mr. Mapp responded with a yes.
- Council President asked he had a recent grant report.
- Mr. Mapp responded with a yes and that it was a list of several grants that had been ongoing.
- Mayes stated that Ms. Gordon had never given him any information in writing or verbally regarding grants.
- Council President answered Ms. Gordon's question regarding OPRA's stating that at the next meeting there would be a report and that the council had received a report from the GRC with all the pending cases.

- Council President requested that Mr. Mapp answered the question regarding the YWCA payroll.
- Mr. Mapp responded stating that he did not agree with the way payroll was processed for employees the entity and he had directed that a bill be sent to the entity to recover the funds.

Councilman Corbitt, stated that the reason he went to Councilwoman Summers-Johnson's event was to support her.

Councilman Corbitt asked Mr. Mayes about the time machines in the hallways of City Hall and would management along with the other staff members register when they enter and leave the building.

Mr. Mayes stated he did not have response maybe Mr. Mapp would have one.

Mr. Mapp stated the administration would be having a policy pertaining to equipment. He stated that sick time and vacation time will be tracked through the system.

Councilman Corbitt asked about a timeline for the system to be up and running.

Mr. Mapp stated they were looking to have it up and running before the end of the year.

Councilman Corbitt announced the dates for the Championship for the Local Talk Spelling B Contest.

Councilwoman Eason announced the Bethel Baptist Church Thanksgiving Dinner and St Matthews Thanksgiving Dinner.

Councilwoman Eason commented on council members attending events together not being in violation of the Sunshine Law.

Councilwoman Eason commented on the City paying the YWCA's payroll stating that she spoke to Mr. Mapp months prior. She asked why hadn't the payments stopped then.

Mr. Mapp stated that the question posed that he would be able to stop anyone from getting paid and that was not the case.

Councilwoman Eason stated the meetings were being video tapped and was there a purchase order for payment.

Council President responded stating that the purchase orders were submitted and rejected by the administration and that there would be a meeting regarding the matter.

Councilman Johnson commented language in Resolution 299-2014 and asked if the contract was approved prior based on the language.

Mr. Mayes responded stating that some Council Members prior Councilman Johnson including Councilwoman Gaunt-Butler visited the location where the valve broke. He stated that the thought that the language was very clear and that there were no more water leaks.

Councilman Johnson asked about money the City owes for insurance stated in a report.

Mr. Mapp stated that he had become aware of the report that afternoon and that after reviewing the report with the Deputy B.A. he would have a response at the next meeting.

Council President stated that she requested that the State do a presentation for the Council for an upcoming meeting.

Councilman Johnson asked if the data to create the report came from the City.

Council President responded with a yes.

Mr. Mapp responded regarding the data and the numbers stated in the report stating that the numbers did not make sense and that they were going to do their due diligence in terms of the numbers.

Councilman Johnson commented on his first or second Finance Committee meeting regarding the insurance policies. He stated that it was not mentioned that the City was under water and would not be able to fund the prescription budget.

Mr. Mapp stated that he was not aware of any factual documentation that projected the \$2.4 million dollar. He stated that it did not make sense that they paid \$1 million dollars in 2013 and that it was being projected that they would need to pay \$2.4 million dollars to cover the prescription cost and that was the reason for them doing their own investigation.

Councilwoman Gaunt-Butler congratulated Director Sims for his award, The Fire Department, The Police Department and Office of Emergency Management for all they had done. She stated that St. Matthews had its 72nd Anniversary the day prior.

Councilwoman Gaunt-Butler stated that the budget they received from their budget consultant was very disappointing. She asked where was the City in reference to the budget process for the current year.

Mr. Mapp stated that the budget process for the current year had been ongoing. He stated that he had received information from some departments and was still waiting on other departments.

Councilwoman Gaunt-Butler asked about the correction action plan.

Mr. Mapp stated that the corrective action plan was presented at the last meeting in details which listed comments from the auditor.

Councilwoman Gaunt-Butler made comments on her concerns regarding the capital improvements and purchasing things on an incremental basis and not all at once.

Mr. Mapp stated that she should collect from the Clerk's Office the trend analysis that he did pertaining to audit comments. He stated that they were improving every year bring the audit comments from fifty to twenty one. He stated that the capital plan was not an authorization to spend any money and that it was just a plan. He stated that there had been some capital ordinances presented that were reject by the governing body.

Councilwoman Gaunt-Butler asked about the staffing in the Clerk's Office.

Council President stated that it was an executive session item.

Councilwoman Gaunt-Butler commented on the meetings not be broadcasted.

Councilwoman Gaunt-Butler asked about Resolution 295-2014 if there were any forecast projection to benefit the City? Who were the other contracting units? And why were they voting on the resolution at that time?

Mr. Mayes stated that it was a coop they were trying to enter into for the purchase of large international snow trucks for the City. He stated that these types of coop already went out to bid therefore the City would not have to do so.

Councilwoman Gaunt-Butler asked if he knew who the other contracting units were.

Mr. Mayes responded stating that he was not sure, but would get the information.

Councilwoman Summers-Johnson stated that she was thankful that the meetings were being taped and that she shared them on her Facebook page.

Councilwoman Summers-Johnson gave a report on her South Ward Meeting at Heywood Avenue School. She stated that she was thankful for the directors being at the meeting to answer questions from the public.

Councilman Coley commented on the budget process. He asked how long will the Finance Department wait for the other Directors submission of their budget to move to the next step.

Mr. Mapp he stated that the decision for a cut off time regarding submission of other departments' budget would be made by the Administration. He also stated the Administration was working on the budget.

Councilman Coley asked about 204 Central Place demolition deadline.

Mr. Mayes responded stating the demolition was to start the next day.

Council President congratulated Director Sims on his award for service.

Council President asked that Mr. Mapp in his research of the prescription benefit overspending an what year they stopped using Xpress Script. She stated that something happened regarding them and request that Mr. Mapp find out the year.

Mr. Mapp stated that he was not familiar but would find out.

Council President commented on St Matthews Anniversary Service.

Council President stated that the corrective action plan had been presented before the governing body on October 21, 2014. She stated that although it was not voted affirmative but that it was the Administration's responsibility to follow through.

ORDINANCES-SECOND READING/PUBLIC HEARING

21-2014 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 (94 Park Street – East Side)

On The Motion

Ms. Stewart stated they were four on the agenda and at what point will they stop and what was the criteria for the handicapped spot.

Mr. Mayes stated there were a few criteria that he did not have with him, but that the reason was because of a back log from a period of three months they City had been reviewing its policy on handicapped parking spaces. It stated that there were 35 handicapped spaces in the entire City. Every 3 years they were reviewed.

Motion to close public hearing:

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

Motion to adopt final reading:

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 Carries

22-2014 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 (351 Berryman Place – West Side)

Motion to close public hearing:

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

Motion to adopt final 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

23-2014 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 (28-30 Prince Street - West Side)

Motion to close public hearing:

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

Motion to adopt final 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

ORDINANCE INTRODUCTION/FIRST READING

24-2014 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 (576 Forest Street, Apt. #1 – South Side)

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: December 16, 2014

Motion To Suspend The Rules To Walk On Resolution 301-2014 To The Consent Agenda

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

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 *293- 301-2014

- *293-2014 A resolution authorizing the award of a non-fair and open contract with Pennoni Associates, Inc., 105 Fieldcrest Avenue, Suite 52, Edison, New Jersey 08837 to provide professional engineering, surveying, design and construction administration services for the roadway improvements to Burnside Street (Washington Street side) and Burnside Place (to West Orange border) in the amount not to exceed \$27,750.00.
- *294-2014 A resolution approving the highest bid received for city owned properties publicly auctioned on July 31, 2013.
- *295-2014 A resolution authorizing the City of Orange Township to enter into a Cooperative Pricing System Agreement with Middlesex Regional Education Service Commission Pricing System for the purchase of goods and services. **Postponed 12-2-14**

- *296-2014 A resolution approving the bill list for council meeting vote on November 17, 2014 dated November 14, 2014 and approving checks issued by the Finance Department in accordance with Ordinance 2-95 (Grand Total: \$5,786,216.90) **(Removed)**
- *297-2014 A resolution appointing Tracey A. Latta, Orange New Jersey, to fill the unexpired term of Evelyn J. Hudson as a Commissioner member to the Housing Authority of the City of Orange Township, New Jersey for a term of tow (2) years.
- *298-2014 A resolution appointing Dennis Motley, from Orange, New Jersey, as a member to Board of Directors of the Orange Housing Development Corporation for a term of (4) years.
- *299-2014 A resolution terminating a contract awarded to PS&S, LLC, 67B Mountain Boulevard Extension, P.O. Box 4039, Warren, New Jersey 07058 for professional engineering services for design and construction management of an emergency disconnect of a transmission water main at the Chestnut Street Water Treatment Plant in an amount not to exceed \$10,000.00.
- *300-2014 A resolution to cancel old grant receivable (\$2,151,902.59) and appropriation balances \$2,151,902.59).
- *301-2014 A resolution amending resolution number 106-2014 for the formation of a special investigatory committee.

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: 293-2014, 294-2014, 297-2014, 298-2014, 299-2014, 300-2014 & 301-2014**

*The Consent Agenda was unanimously approved as modified.

Council President read *296-2014 titled: A resolution approving the bill list for council meeting vote on November 17, 2014 dated November 14, 2014 and approving checks issued by the Finance Department in accordance with Ordinance 2-95 (Grand Total: \$5,786,216.90)

MOTION by: Councilwoman Corbitt, seconded by Councilwoman Summers-Johnson

ROLL CALL

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

Nays: Gaunt-Butler

Motion Passes

MOTION TO ADJOURN

Motion by: Councilwoman Summers-Johnson Seconded by Councilwoman Gaunt-Butler


ROLL CALL

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


Nays: Eason, Gaunt-Butler

Motion Passes

ADJOURNMENT TIME: 10:30P.M.



Madeline F. Smith, RMC
Deputy Municipal Clerk



Donna K. Williams
Council President