

THIS WAS 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, MARCH 20, 2018, FOLLOWING THE CONFERENCE MEETING.

The Chair led all assembled in a Salute to the American Flag.

Roll Call:

Present: Councilman Tency A. Eason, North Ward
Councilman Christopher Jackson, At-Large
Councilman Harold Johnson, Jr. West Ward
Councilwoman Jamie Summers-Johnson., South Ward (arrived @ 7:49)
Councilwoman Donna K. Williams, At-Large
Councilwoman Adrienne Wooten, At-Large
Council-president Kerry Coley, East Ward

Also Present: Joyce L. Lanier, City Clerk
Chris Hartwyk, Business Administrator (BA)
Eric Pennington, City Attorney
Marlin Townes, Legislative Research Officer
Kenneth Douglas, Fire Director,
Marty Mayes, Director of Planning/Public Work
Adrian Mapp, Director of Finance
Joy Lascari, Chief Financial Officer (arrived @ 7:41)

The City 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 13, 2017, posted on the Bulletin Board in City Hall and filed in the Office of the City Clerk.

APPROVAL OF MINUTES MEETINGS

February 6, 2018 Conference & Regular Council Meeting Minutes.

Motion to adopt the Conference and Regular meeting minutes from February 6, 2018 by Councilwoman Williams, seconded by Councilman Johnson, Jr.

Regular and Conference meeting minutes were approved.

REPORTS:

DEPARTMENT MONTHLY REVENUE COLLECTION –

- Department of Planning & Economic Development – Month of January 2018 - \$18,033.00
- Department of Planning & Economic Development – Month of February 2018 - \$89,094.00
- Department of Community Services – Month of January 2018 - \$20,962.00

- Department of Community Services – Month of February 2018 - \$17,750.00

CONSTABLE REPORTS None.

Darnell Brodi - Month of February 2018-No activity

OPRA REPORTS – None

COUNCIL REPORTS

- Councilman Johnson, Jr. sent his condolences to the Brodi family.
- Library: Councilman Jackson stated he had communicated with the Library Board President, Dr. Sharp and she stated that she and their Executive Director would be coming to a Council meeting in April to give the financial report to the Council.
- Finance: Councilwoman Williams reported on the attendees at the Finance meeting the night before. She reported on the Crain Street Development project. She asked the Business Administrator if he had an update and he stated that he would have a meeting on the PILOT after the snow storm and had received the Annual Financial Statement (AFS) that afternoon. After the AFS has been reviewed the city will be ready to move forward with a projected budget. The Business Administrator reported that at the end of every fiscal year the Chief Financial Officer has to complete the Annual Financial Statement and send it to the State. The results of operations and the prefund balance are important to have for the 2018 budget. Councilwoman Williams reported that the Board of Public Utilities has reviewed the Comcast contract and it will be presented as an ordinance at the next Council meeting. If the Council has any questions they should have them presented to the Clerk before Good Friday. She reported that Ordinance 4-2018 was postponed; Ordinance 10-2018 would also be postponed. She asked the Business Administrator about the signs that had been ordered and he stated that there is a back log on them. Other signs are waiting for the 2018 budget. Councilwoman Williams reported on the items that the Finance Committee recommended. With regard to 83-2018 she asked City Attorney Pennington to explain the need for the resolution. He remarked that the resolution was before the Council for approval of the amount the attorney would receive for the litigation he is involved with. Councilwoman Williams reminded the Council Members to send their recommendations for the CBAC members. She also reminded elected officials and board members about the FDS forms that have to be filed by April 30th.
- Personnel: Councilwoman Williams reported that the personnel committee met and made recommendation regarding the tenure of Ms. Joyce Lanier as City Clerk.
- Housing: Councilwoman Wooten reported that the Woman's program schedule for the next day was cancelled due to the storm.
- Fire: Director Douglass reported on activities at the Fire Department that took place since the last Council meeting. He reported on fires that they responded to. He reported on the ongoing smoke detector program. He reported on the program the fire department has for students to learn CPR for college credit. The city Fire department has been made a permanent training facility as it relates to fire prevention classes, fire inspector classes and certification classes.
- A.B.C. Councilwoman Eason commented that there is one investigation regarding a illegal backyard club.
- DPW: Ms. Gordon reported that at the Public Works committee they discussed the snow removal issues and she felt that with the upcoming snow storm the issue still has not been resolved.

She had parked her car at the church during the last snow storm and was blocked in by the snow mounds because public works did not plow a way out of the church parking lot. Public Works did not remove the snow curb to curb on her street because the Police did not enforce alternate side of the street parking. Ms. Gordon reported that the reports that the committee requested were not given to them so the committee cannot give recommendations on issues like the abandoned properties. She commented that if the committee is to advise the Council on issues the Council needs to provide backing for the committee. She provided the Council with a list of reports that the committee had requested and not received.

Council President directs Clerk to file reports.

COMMUNICATIONS AND PETITIONS - None

CITIZEN COMMENTS ON GENERAL ISSUES/AGENDA ITEMS

The City Clerk made the following statement.

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 Five (5) 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.

Clerk Lanier reported on the legislature that had been postponed or withdrawn.

The following residents and business owners made comments:

- Ms. Natasha Winfrey of Westfield NJ, stated that she would like to petition the City Council to have a Prestige Parade and Festival to encourage academics and extra-curricular activities for students. She requested that Main street be closed for 5 hours in June. She provided a diagram of the area and activities that would take place. She is getting signatures of vendors that would be affected. The Business Administrator will work with Ms. Winfrey on the procedures and permits that she will need.
- Mr. Jeffery Feld spoke about his letter that he sent to the Council. He commented that the city had missed two deadlines for the budget and the Council does not seem to be upset. He then discussed a court case that involved Orange from last week. He spoke about the upcoming election and the court cases that are involved. He spoke about a settlement with the Library that was on the bill list and asked if the Council ever approved the amount.
- Mr. Perry Gillespie spoke about text he received from Newark before the Nor'easter and the text that he received the day after. He asked how Orange handles notifications to the residents? He also asked will the city advise residents of road work on their block, beside putting notices on the light poles.
- Ms. Gloria Stewart commented that she would like the Mayor to be present at these meetings. She asked if the Chief Financial Officer and Director of Finance positions could be combined. She commented that there was a time when there was only a Chief Financial Officer. She asked if all Directors needed to be at the Council meetings, they use to show up. She spoke about snow removal so the residents can walk freely to the street without stepping over snow mounds. She brought to the attention of the Council the condition of the post office. She commented

that parking is limited in the city and that should be considered when you start building more apartment complexes.

- Mr. Anthony Johnson asked which religious committee asked for the ERVU and was there a Rabi involved in defining the boundaries and if so who was it. He asked that the Council extend City Clerk Lanier's appointment.

Motion by Councilwoman Wooten, seconded by Councilman Johnson, Jr, to close the citizen comments.

The Motion was unanimously approved.

Some answers to questions asked by residents.

Councilwoman Wooten stated that she will be in contact with the person that requested the ERUV for Orange and provide the Rabbi's name to Mr. Johnson. The Business Administrator will provide Ms. Stewart with the Ordinances for the Finance Director and the Chief Financial Officer. The Business Administrator and Director Mayes spoke about removal of snow on Main Street and that the streets are cleaned first and then the walk ways to the streets are cleared out usually the next day. Council President Coley stated that it is the property owner's responsibility to clear the walk way to the street with the new ordinance that is in effect. Director Mayes stated that the city does it as well. Councilwoman Williams stated that the Post Office has not been doing it and that the Code Enforcement Department should issue them a ticket. The Business Administrator reported on the ways the city informs the residents of road work. He stated that there are text, emails and reverse 911 calls. Business Administrator Hartwyk spoke about the utility work that is done on streets stating that if the street needs to be closed the public works department sends out flyers of the scheduled closure, unless there is an emergency. PSE&G also notifies residents and Public Work employees go door to door around a week before the job starts. Ms. Eason suggested that the city coordinate with schools and the city should update their call list. With regard to the Clerk's docket number the Clerk had not received it. The Business Administrator stated that the Library Board settlement on the bill list was paid through library funds and deducted from monthly remittance to the library.

COUNCIL COMMENTS

Councilwoman Summers-Johnson apologized for being late. Her son was release from the hospital from his last surgery and is doing well. She reported that she attended the Newark's LGBT meeting with Councilwoman Wooten. She also stated that she attended the LGBT meeting in Orange. She had attended the Forest Street School meeting for the Valley neighborhood watch. Residents that received tickets on Haywood need to go to the Court House to have those tickets dismissed. The Public Schools are closed tomorrow. She will have an event at the Library for autism and the single parent event will be held on Thursday, due to the weather.

Councilwoman Williams sent her condolences to the Hill family. She reported on events for an Easter Egg hunt, the Step Show at Orange Prep and the senior forum which Congressman Payne will attend. Councilwoman Williams also gave her responses to Mr. Feld and a news article about her not being an attorney and other comments that she read from Mr. Feld.

Councilwoman Wooten thanked the residents and departments that participated in Black History programs in Orange and she reported on the activities that took place. She also reminded the residents that the Council is sitting there for ALL the people of Orange. She congratulated the grandson of Ms. Steward for winning the spelling bee and Council President Coley's granddaughter who came in 2nd place.

Councilwoman Eason thanked the Department of Public Works for their efforts during the recent storms.

She also thanked Mr. Corbitt from Code Enforcement for his work. She reported an issue on Burnside Street to the Business Administrator. She reported that parking hours will be changed between White

Street and Main Street. She asked the Business Administrator about legislation to have a certification of funds for salaries so the Council can have a better handle on expenditures. Director Mapp stated that there are no statutory requirements for salaries and wages. He also stated that the city rarely exceeds its salary and wage budget. Councilwoman Eason asked for more reader friendly budget information from the city and she would like to see this report quarterly. The Business Administrator will provide the report.

Councilman Jackson congratulated the winners of the spelling bee. He would also like to see a quarterly report on budget balances. He asked to have a response to Mr. Feld's letters and also reporting on all litigation where liability to the city is possible. He spoke about a news article that he read on the four Oranges and how they should be incorporated into Orange Twp. and perhaps it should be investigated. He spoke about shared services and the money that had been saved by communities that had shared services. He spoke about the city legislation that had been passed and that most legislation is passed unanimously because it is in the best interest of Orange's residents. He also wanted the Mayor to come to the Council's meetings.

Councilman Johnson, Jr. responded to a comment from Mr. Feld about the Council setting on the sidelines with regard to the late budget stating that the Council had asked for a status of when the budget would be ready during every meeting and asked for explanations of the delays. The Business Administrator stated that missing the required dates for the budget will not jeopardize State funding. Council President Coley reported that his church voted in a new Pastor. He spoke about the STEM School and that Ms. Stewart's grandson and his granddaughter will be going to that school. He asked the Business Administrator if there was any way that underground work on roads that are going to be paved have that work done before paving.

Councilwoman Williams reported on upcoming events and public hearings that would be taking place. She reported that parking meters on Main Street still say 9:00 p.m. and that is not what the ordinance states. She asked that Council members visit East Orange General Hospital as she and Councilwoman Wooten had. Councilwoman Wooten commented that she was in the emergency room of East Orange General and she thanked the emergency room staff and doctors for all their help.

ORDINANCES—SECOND READING/PUBLIC HEARING

The Clerk announced that Ordinance 4-2018 would be postponed to April 3, 2018.

4-2018 An ordinance to amend the Code of the City of Orange Township Chapter 200, entitled "Vehicles and Traffic," Section 200-42, Schedule XI, Loading Zone (215 Watchung Avenue) POSTPONED FROM 02/20/18 and 03/06/18 MEETINGS

10-2018 An ordinance to amend the Code of the City of Orange Township, Chapter 200, entitled "Vehicles and Traffic", Section 200-10.2 Residential Parking Permit (Oakwood Place) (Sponsored by Councilman Kerry J. Coley)

The Chair declared the time open for a hearing on Ordinance Number 10-2018.

Seeing no one, the Chair declared the time closed.

Motion to close the public hearing by Councilwoman Williams, seconded by Councilman Jaction.

The Motion was approved by unanimous vote.

Motion to adopt Ordinance Number 10-2018 by Councilwoman Williams, seconded by Councilman Jackson.

Roll Call:

Ayes: Eason, Jackson, Johnson, Jr., Summers-Johnson, Williams, Wooten, Coley

Nays: None.
Abstain: None.
Absent: None.

Motion Carries.

11- 018(WO) An ordinance adopting the Mount Vernon Avenue Redevelopment Plan.

The Chair declared the time open for a hearing on Ordinance Number 11-2018.

Mr. Feld commented that there was no presentation or an attorney signature on the ordinance that he reviewed and he wanted to know if the redevelopment plan differs from other redevelopment plans. He commented on what he felt the differences were.

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

Motion to close the public hearing by Councilwoman Williams, seconded by Councilman Johnson, Jr.

The Motion was approved by unanimous vote.

Motion to adopt Ordinance Number 11-2018 by Councilwoman Williams, seconded by Councilman Johnson, Jr.

On the motion: Councilman Jackson questions about a condemnation plan and the BA stated that the ordinance was not a condemnation plan and then provided information on the differences in the redevelopment from others. Councilwoman Williams asked Councilwoman Eason if any residents came to the planning board meeting to protest against these properties. Councilwoman Eason stated that the residents around the area had no objections to the redevelopment.

Roll Call:

Ayes: Eason, Jackson, Johnson, Jr., Summers-Johnson, Williams, Wooten, Coley
Nays: None.
Abstain: None.
Absent: None.

Motion Carries.

ORDINANCES INTRODUCTION/ FIRST READING

15-2018 An ordinance rescinding ordinance #73-2017 adopted on November 8, 2017 to amend the Code of the City of Orange Township, Chapter 200, entitled “Vehicles and Traffic”, Section 200-33 No Parking Certain Hours on Heywood Avenue

Motion that Ordinance 15-2018 be introduced on first reading and that the public hearing would be held April 17, 2018 by Councilwoman Williams, seconded by Councilman Jackson.

Roll Call:

Ayes: Eason, Jackson, Johnson, Jr., Summers-Johnson, Williams, Wooten, Coley
Nays: None.
Abstain: None.
Absent: None.

Motion Carries.

The City Clerk read the following statement.

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 request, in which event, the item will be removed from the general order of business and considered in its normal sequence of the agenda.

RESOLUTION NUMBERS *77-2018 through*92-2018

***77-2018 A resolution recognizing April as Autism Awareness Month. (Sponsored by Council Member Jamie Summers-Johnson).**

78-2018 A resolution authorizing the utilization of the boundaries of the City of Orange Township for the establishment of an ERUV (Sponsored by Council Members Adrienne Wooten and Jamie Summers-Johnson) **withdrawn by the administration*

***79-2018 A resolution reappointing Joyce L. Lanier, R.M.C., as Municipal Clerk for the City of Orange Township, New Jersey pursuant to N.J.S.A. 40A:9-133 and City Code § 4-15. (Sponsored by the City of Orange Council)**

***80-2018 A resolution authorizing the issuance of a raffle license to St. John's Catholic Church.**

***81-2018 A resolution to apply for grant funds from the New Jersey Department of Agriculture for the 2018 Summer Food Service program (SFSP).**

***82-2018 A resolution to submit an application for the National Recreation and Park Association (NRPA) Out-of-School Time Grant.**

***83-2018 A resolution authorizing the services of David C. Stanziale, Esq., to represent City of Orange Township in the matter, "Joseph Juliano v. City of Orange Township, et al.", in an amount not to exceed \$10,000.00.**

***84-2018 A resolution authorizing the Tax Collector to waive interest and penalties accrued in the amount of \$1,032.95, for Block 4201, Lot 5, also known as 300 Central Avenue, Orange, New Jersey 07050.**

***85-2018 A resolution for the transfer of appropriation reserves in the aggregate amount of \$41,820.00. (Removed for a separate vote)**

***86-2018 A resolution reappointing Kenneth Black as a member of the Zoning Board of Adjustment. (Appointed by Council Member Adrienne Wooten)**

***87-2018 A resolution to submit an application for the National Recreation and Park Association (NRPA) Grant Program for Splash Pads in Ropes Playground located at 217 Bradford Street, Orange, New Jersey 07050.**

***88-2018 A resolution re-appointing Shara Morrow, a resident of Orange, New Jersey as Commissioner to the Municipal Alcohol Beverage Control Board for a three-year term commencing October 1, 2017 and expiring October 1, 2020, for the City of Orange Township.**

***89-2018** A resolution appointing Deborah Upchurch as a member of the Citizen’s Budget and Advisory Committee for calendar year 2018 municipal budget process. (Appointed by Council President Kerry J. Coley) **Postponed to the April 3, 2018 meeting**

***90-2018** A resolution of the City of Orange Township authorizing the payment of all confirming orders made through March 31, 2018, not covered as part of Resolution 367-2017 with respect to requisitions and purchase orders in the amount of \$71,242.66 and \$232,410.39, respectively, that are result of operating under a temporary budget and in a continuing effort to put all department directors and staff making future confirming orders on notice that employees may be personally liable for such orders and will be subject to discipline. **(Withdrawn by the administration)**

***91-2018** A resolution approving the bill list for council meeting vote on March 20, 2018 dated March 16, 2018 and approving checks issued by the Finance Department in accordance with Ordinance 2-95 (Grand Total: \$2,206,756.11) **(Removed for a separate vote)**

***92-2018 A resolution in support of federal funding for the Gateway Program. (Sponsored by Council Member Donna K. Williams)**

Motion to adopt the Consent Agenda by Councilwoman Williams, seconded by Councilman Johnson, Jr.

Roll Call:

- Ayes: Eason, Jackson, Johnson, Jr., Summers-Johnson, Williams, Wooten, Coley,
- Nays: None.
- Abstain: None.
- Absent: None.

Motion Carries.

(Resolution for separate vote)

The Clerk read Resolution 85-2018 by Title.

85-2018 A resolution for the transfer of appropriation reserves in the aggregate amount of \$41,820.00.

Motion to adopt Resolution 85-2018 by Councilwoman Williams, seconded by Councilman Johnson, Jr.

Roll Call:

- Ayes: Eason, Jackson, Johnson, Jr., Summers-Johnson, Williams, Wooten, Coley,
- Nays: None.
- Abstain: None.
- Absent: None.

Motion Carries.

The Clerk read Resolution 91-2018 by Title.

91-2018 A resolution approving the bill list for council meeting vote on March 20, 2018 dated March 16, 2018 and approving checks issued by the Finance Department in accordance with Ordinance 2-95 (Grand Total: \$2,206,756.11)

Motion to adopt Resolution 91-2018 by Councilwoman Williams, seconded by Councilman Jackson.

Roll Call:

Ayes: Eason, Jackson, Summers-Johnson, Williams, Wooten, Coley

Nays: None.

Abstain: Johnson, Jr.

Absent: None.

Motion Carries.

NEW BUSINESS AND WALK-ON ORDINANCES / RESOLUTIONS

The BA stated that Town Hall will be closed the next day and alternate side of the street parking is suspended tomorrow night robo calls will be sent out.

OTHER PENDING BUSINESS None.

Motion to adjourn by Councilwoman Wooten, seconded by Councilman Johnson, Jr

Motion to rescind the motion to adjourn by Councilwoman Wooten.

The Motion was approved by unanimous vote.

Mr. David Rossi came to the podium made comments in response to Mr. Felds and Ms. Stewarts remarks during the citizen’s comments. He spoke about the lack of parking and made suggestions on how to correct that. He spoke about the lack of response by DPW regarding snow removal in his area. He commented that he had made phone calls and sent e-mails to DPW, the BA and Code enforcement regarding the Bella restaurant and how they extended their restaurant over the property line so that when you are at the Stop sign you cannot see down Central Avenue coming from the block that Mr. Rossi lives on. If the Council cannot do anything then he stated he would have to take the next step. Mr. Rossi spoke about a court ordered buffer zone that the owner of Bella put up and then took it down.

Councilwoman Eason stated that this has been going on for a number of years. The BA stated that he did receive Mr. Rossi’s e-mail and had started an investigation. City Attorney Pennington will speak with the attorneys that were involved.

Motion to adjourn by Councilwoman Williams, seconded by Councilman Johnson, Jr.
By consensus the regular meeting adjourned at 9:20 P.M.

Approved:

Joyce L. Lanier
City Clerk

Kerry Coley
Council President