

**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, NOVEMBER 20, 2018 FOLLOWING THE CONFERENCE MEETING.**

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

**Present:**

Councilman Tency A. Eason, North Ward  
Councilman Christopher Jackson, At-Large  
Councilman Harold Johnson, Jr. West Ward  
Councilwoman Jamie Summers-Johnson., South Ward  
Councilwoman Donna K. Williams, At-Large  
Councilwoman Adrienne Wooten, At-Large  
Council-President Kerry Coley, East Ward

**Also Present:**

Joyce L. Lanier, City Clerk  
Madeline Smith, City Deputy Clerk  
Chris M. Hartwyk, Business Administrator  
Gracia R. Montilus, Acting City Attorney  
Kenneth Douglas, Fire Director  
Adrian Mapp, Finance Director  
Marlin G. Townes, Legislative Research Officer  
Lisette Sanchez, Records Support Technician  
Paula Ferreira

**Absent:** None.

The Deputy 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 12, 2018, posted on the Bulletin Board in City Hall and filed in the Office of the City Clerk.

**APPROVAL OF MINUTES MEETINGS** None.

**REPORTS:**

**DEPARTMENT MONTHLY REVENUE COLLECTION 2018**  
**CONSTABLE REPORTS - None.**

**OPRA REPORTS - None.**

**COUNCIL REPORTS**

**Finance:** Councilwoman Williams request that the Business Administrator speak about Resolution 331-2018.

Business Administrator Hartwyk reported that the tax collector discovered that the prior tax collector had accepted a \$20,000 check from the prior owner but it was

not the total amount due. A third party held a lien. Money has been sitting in the account and must be refunded to the property owner with instructions as to what amount is due.

Resolutions 332-2018 and 333-2018 former tax assessor had listed incorrectly. These are superintendent units and the refunds need to be processed.

Resolution 334-2018 Councilwoman Williams advised that the \$25 fee is a charge for delinquent properties.

Resolution 335-2018 Councilwoman advised that the change order had additional monies due.

Resolution 336-2018 Councilwoman Williams advised that the change order was for lines not there for football to allow for a multi-use field.

Resolution 337-2018 is for engineers cost.

Resolution 338-2018 The Business Administrator stated no additional monies need to be made; they are amending the contract to change money for one section zoning and applying it to master plan. There will be a RFP for a 2019 contract.

Councilwoman Williams reported on the Cable Committee Meeting – contract has been approved by the Board of Public Utilities. Business Administrator will have meetings. AT&T will be presenting. FIOS offers the ability to have public access channels. Councilwoman Wooten advised Cable Committee Meeting is more detailed than standard meetings and there are appointments that should be made.

Planning: Councilwoman Eason reported that there is a meeting scheduled next week. Master Plan will be considered on 11/28/18.

ABC: No report.

Library: No report.

Public Works: No report.

Police: Director Warren provided Business Administrator with an update. A Police representative reported that in the past 10 days 3 people have been apprehended with drugs. 11/21/18 Church of the Epiphany will be giving out turkey the Mayor and Senator Booker will be attending.

Fire: Director Kenneth Douglas – provided report. 11/3/18 smoke detectors were installed in the North Ward. West and South Wards are also in need of smoke detectors. They are looking for businesses and organizations to donate. Annual Thanksgiving Feast is at 419 Central Avenue time: 11 a.m. to 2:00 p.m.; he is looking for volunteers. The Business Administrator reported on the inventory of hydrant and should be fixed by the end of the year.

Housing: Councilwoman Wooten reported that a meeting is taking place right now. Council woman Williams advised there are two retirements Peggy Milton and Mike Fryer, the Council is being asked to consider a resolution for Peggy Milton. Mr. Fryer's resolution will be forthcoming next meeting.

## **COMMUNICATIONS AND PETITIONS**

### **The Deputy Clerk reported:**

NJ Transit Public Hearing Notice scheduled for Wednesday, December 19, 2018 at 2:00 p.m. and 6:00 p.m. at the NJ Transit Headquarters, Conference Room 10A, Two Penn Plaza East, Newark, N.J. regarding programs developed pursuant to the Senior Citizen & Disabled Residents Transportation Assistance Programs (SCDRTAP) Act.

## **CITIZEN COMMENTS ON GENERAL ISSUES/AGENDA ITEMS**

The Deputy 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.

The following residents and business owners made comments.

- Mr. Juan Sanchez commented about the tax raises he received and that this year his taxes went up \$2,000.00 for a 3-unit house. What is the town doing to prevent these tax increases? The taxes are higher but the residents don't receive the benefits that other towns do.
- Mr. Jeffery Feld spoke about his head-up memo to the Council. Spoke about Thanksgiving and its meaning. He commented about the OPRA request; waiting for response on FBI Subpoena. He requested refund amounts be added to Resolution titles. He requested Operating reports be posted on the city website.
- Ms. Gloria Stewart spoke about the Finance Director and that the CFO is retiring and she wanted to know if Mr. Mapp would be taking her place. The Mayor does not come to this meeting. She commented that she did not see anything wrong in giving recognition to a person that had passed. We need to stop the nit-picking. She said the Council should make the City better. She requested a report on the communications meeting. She asked that responses to questions be made after the questions so people don't miss them if they have to leave. She spoke about retired Council Member Gaunt and how she would invite the residents to come back next time to bring your concerns to the Council and she did not knock you for what you had to say.

**Motion to close Citizen Comments by Councilwoman Wooten, seconded by Councilwoman Williams.**

**The Motion was approved by unanimous vote.**

### **COUNCIL COMMENTS**

Council President Coley stated that with regard to Mr. Mapp and the CFO position he it was a advised personnel matters cannot be discussed. He also reminded the residents that there is no law that requires the Council to answer questions, but this is what the Governing Body has been doing. He then asked the Business Administrator to speak on Mr. Feld's issues. date of separation tentatively scheduled for December 15<sup>th</sup> and it's a mutual separation.

The Business Administrator reported the following:

- FBI subpoena will be forthcoming from Law Dept.
- Amended Master Plan will be posted on the website after additional changes are made.
- Best Practices inventory will be posted on the website tomorrow.
- There is a LAG on operating and revenue it is about 30 days.
- Local Finance Board meeting is scheduled for December 12, 2018 there are two applications. RAB Bond and 2018 Road Paving Bond.
- No outside redevelopment council used for Master Plan, it was handled in house.
- Had addressed PILOT programs not being included in the monthly revenue reports and is working with the Tax Assessor's office and Finance Office to correct errors.
- The retention resolution will be addressed.

- He commented on the Financial Transparency page.
- Mr. Sanchez was given the Business Administrator's business card and asked to come meet him and the Tax Assessor. Business Administrator advised audience that they can call Tax Assessor's office or the Business Administrator's office to discuss any tax bill.
- In the Municipal Year-end Law review regarding: public comments. It said that 5 minutes is to much. Councilwoman Williams advised that Orange is the only city who offers 5 minutes it should only be 3 minutes. City Attorney advised that there is a proposed amendment to cap it at 3 minutes. Council President Coley stated that the Citizen's Comments section is for comments not questions.

**Council Comments:**

- Councilwoman Summers-Johnson of the South Ward reported that the next meeting is 11/29 at 6:30 p.m. at Lady of the Valley Church. That will be the last meeting of the year. Expressed her satisfaction that Council is agreeing to disagree on matters. Thanked Public Works for helping residents get out of the snow. She spoke about the teenager that will be spending Thanksgiving at her house this year.
- Councilwoman Williams commented on how Comcast is benefiting the residents of Orange – several benefits new equipment, increased the stations from one to two, grant for upgrade of equipment and additional stations. She read Resolution 328-2018 into the record. Advised it was a resolution of sympathy to the family. She spoke about the Snow event and that Mr. Wingfield advised he was out at 6 a.m. spreading salt. She Has requested a meeting with County Liaison to discuss what can be done in the future. She wished everyone a Happy Thanksgiving. The Tree Lighting is 11/28/18 at the Library.
- Councilwoman Wooten – wished everyone a Happy Thanksgiving. She enjoyed the League of Municipalities. She wished the City could adopt the Code Blue Program – when the City goes under 25 Degrees. She also expressed her satisfaction of the unity of the Council.
- Councilwoman Eason – wished everyone a Happy Thanksgiving. St. Matthews will be hosting a Thanksgiving dinner at 12 noon. Service starts at 11 a.m. Suggested the Fire Department reach out to the Veterans of Orange. Attended the league and has some cards and information to drop off to the Business Administrator. Stated that after all these years of experience on the Council she has a right to ask questions.
- Councilman Jackson – knows he is not always right but is glad the Council is united. Wished everyone a Happy Thanksgiving. Gave thanks to everyone who comes forward and points things out that are different. He will be supporting Resolution 328-2018 proving his reasons.
- Councilman Johnson, Jr extended a Happy Thanksgiving to all of Orange heights.
- Council President Coley – wished a belated happy Veterans Day to all the veterans. Wished everyone a Happy Thanksgiving. Requested more mail boxes at the senior buildings 125 Wilson Pl. and 132 Williams Street. Complained that the East Ward mail was not delivered on 11/19 and 11/20. Councilwoman Williams advised that there has been some issues with the mail. Councilwoman Eason wrote Washington and the Regional Office regarding the Orange Post Office. Letter was sent back to Orange Post Office regional manager but there has been no response.

**ORDINANCES–SECOND READING/PUBLIC HEARING None**

**ORDINANCES INTRODUCTION/ FIRST READING None**

**CONSENT AGENDA**

The 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.

**RESOLUTIONS NUMBERS \*328-2018 THROUGH\*339-2018**

- \*328-2018** A resolution celebrating the life of Burton Walter Sebold.  
(Sponsored by Councilwoman Donna K. Williams)
- \*329-2018** A resolution celebrating the life of Kathryn M. Juliano.  
(Sponsored by Councilwoman Donna K. Williams)
- \*330-2018** A resolution authorizing the tax collector to refund US Bank for BV001 Trust for subsequent water/sewer balances paid on properties after liens were redeemed on Block 1602, Lot 31, 217-219 Snyder St; Block 6007, Lot 24, 593 Christopher St; and Block 901, Lot 1, 261 Park Ave.
- \*331-2018** A resolution authorizing the refund of an overpayment on Block 5201, Lot 7, Benny's Market & Deli, Inc., 386 Fairview Avenue, Orange, N.J.
- \*332-2018** A resolution authorizing the cancellation of Tax Sale Certificate No. 15-00241 on Block 7004, Lot 6 Qualifier C0102, 787 Vose Avenue in addition to a refund for all accrued interest, penalties and fees to US Bank for CUST PC6, LLC.
- \*333-2018** A resolution authorizing the cancellation of Tax Sale Certificate No. 15-00238 on Block 4401, Lot 2, Qualifier C3047, 500 South Center St. in addition to a refund for all accrued interest, penalties and fees to Richard Leonardis.
- \*334-2018** A resolution authorizing the City of Orange Township to charge a \$25.00 fee per mailing to delinquent properties that are causing the need for a tax sale.
- \*335-2018** A resolution authorizing Change Order No. 1-Final to modify the contract with A&J Contractors Group, Inc., 105 Federal Road, Monroe Township, New Jersey 08831 for the project known as the Roadway Improvements to Berwick Street (between Lincoln Avenue to Berkeley Avenue) in an amount not to exceed \$735.52.
- \*336-2018** A resolution authorizing Change Order No. 1 to modify the contract for the project known as the High & Alden Streets Synthetic Turf Improvements in an amount not to exceed \$3,800.00.

- \*337-2018** A resolution authorizing an addendum to Resolution#295-2017 to Pennoni Associates, Inc., 24 Commerce Street, Suite 300, Newark, New Jersey 07102 for providing additional construction administration inspections for the roadway improvements to Berwick Street (between Lincoln Avenue to Berkeley Avenue) in the amount not to exceed \$2,636.00.
- \*338-2018** A resolution amending Resolution 20-2018 authorizing the award of a contract with Nishuane Group, LLC, 105 Grove Street, Ste 1, Montclair, New Jersey 07042 to provide professional planning services for a period of one (1) year in an amount not to exceed \$165,000.00.
- \*339-2018** A resolution approving the bill list for council meeting vote on November 20, 2018 dated November 16, 2018 and approving checks issued by the Finance Department in accordance with Ordinance 2-95 (Grand Total: \$3,110,381,28).
- 340-2018(wO)** A resolution authorizing a separation agreement and general release of claims between the City of Orange Township and the Chief of Financial Officer
- 341-208(wO)** A resolution of appreciation to Peggy Ann Melton Wade Section 8 Program Manager for her over 27 years of service to the City of Orange Township (Sponsored by Honorable Adrienne Wooten)
- 342-2018(wO)** A resolution of the Governing Body of the City of Orange Township certifying compliance with the United States Equal Employment Opportunity Commission's "Enforcement guidance on the arrest and conviction records in employment decisions under Title VII of the Civil Rights Act of 1964"

**Motion to adopt the Consent Agenda by Councilwoman Williams, seconded by Councilwoman Wooten.**

**Roll Call:**

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

**Motion Carries.**

**NEW BUSINESS AND WALK-ON ORDINANCES / RESOLUTIONS**

**The Clerk read the resolutions by title.**

- 340-2018(wO)** A resolution authorizing a separation agreement and general release of claims between the City of Orange Township and the Chief of Financial Officer

**341-208(wo) A resolution of appreciation to Peggy Ann Melton Wade Section 8 Program Manager for her over 27 years of service to the City of Orange Township (Sponsored by Honorable Adrienne Wooten)**

**342-2018(wo) A resolution of the Governing Body of the City of Orange Township certifying compliance with the United States Equal Employment Opportunity Commission's "Enforcement guidance on the arrest and conviction records in employment decisions under Title VII of the Civil Rights Act of 1964"**

**Motion to walk these 3 resolutions on by Councilwoman Wooten, seconded by Councilwoman Williams.**

**Roll Call:**

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

Nays: None.

Abstain: None.

Absent: None.

**Motion Carries.**

**The Clerk asked if there were any citizen who wish to discuss any of the 3 resolutions.**

Mr. Jeffery Feld spoke about Resolution 342-2018 stating that there is proposed legislation that would prohibit these type of legislations from being walked on.

Ms. Gloria Stewart agreed with 341-2018. She found 340-2018 to be disturbing, providing her reasons why.

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

**Motion to close citizen's comments by Councilwoman Williams, seconded by Councilwoman Wooten.**

**The Motion was approved by unanimous vote.**

The Business Administrator stated that only the date is missing from the resolution and that is because it is a mutual separation.

**The Clerk read the resolution by title.**

**340-2018(wo) A resolution authorizing a separation agreement and general release of claims between the City of Orange Township and the Chief of Financial Officer**

**Motion to adopt Resolution 340-2018(WO) by Councilwoman Williams, seconded by Councilman Johnson, Jr.**

**On the Motion:** Councilwoman Williams spoke about language that was supposed to be changed regarding the transition. The Business Administrator stated it was not in there because it was a matter of law.

Councilwoman Wooten asked how would pulling this resolution affect Ms. Lascari. The Business Administrator could not discuss that in open session.

Councilwoman Eason asked if the City Attorney saw a problem. The City Attorney said he did not see a problem with the resolution in its current format.

Councilman Jackson commented that everyone agreed to the resolution up to this point. He also commented on section 3 of the terms.

Councilman Johnson, Jr. stated that he supports the resolution as written.

Councilwoman Williams stated that there was discussion at the Finance Committee meeting of things that were supposed to be done and were not. She provided reasons for the need of the expansion of the language in the resolution. The wording in the resolution could set a precedence for future agreements.

**Roll Call:**

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

Nays: Williams

Abstain: None.

Absent: None.

**Motion Carries.**

The Clerk read the resolution by Title.

**341-2018(wo) A resolution of appreciation to Peggy Ann Melton Wade Section 8 Program Manager for her over 27 years of service to the City of Orange Township (Sponsored by Honorable Adrienne Wooten)**

**Motion to adopt Resolution 341-2018(WO) by Councilwoman Williams, seconded by Councilwoman Wooten.**

**Roll Call:**

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

Nays: None.

Abstain: None.

Absent: None.

**Motion Carries.**

The Clerk read the resolution by Title.

**342-2018(wo) A resolution of the Governing Body of the City of Orange Township certifying compliance with the United States Equal Employment Opportunity Commission’s “Enforcement guidance on the arrest and conviction records in employment decisions under Title VII of the Civil Rights Act of 1964”**

**Motion to adopt Resolution 342-2018(WO) by Councilwoman Williams, seconded by Councilman Jackson.**

**On the motion:**

The Business Administrator reminded the Council of the Band the Box Legislation. The Business Administrator provided information on why this resolution was needed.

Councilwoman Williams had the Business Administrator confirm that the city application does not ask the question “Do you have a prior record” on applications that are not for the Police, Fire and Child care and would like to see the forms.

**Roll Call:**

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

Nays: None.

Abstain: None.

Absent: None.

**Motion Carries.**

**OTHER PENDING BUSINESS**

The Clerk reported that the planning Board hearing on the Master Plan will be Wednesday, November 28<sup>th</sup> in the Council Chambers.

Councilwoman Williams forgot to mention condolences to Aunt Cary on the loss of her husband Sam. Also she mentioned Mr. Clayton Wilbert’s untimely death she offered condolences to the family.



**Motion to adjourn by Councilwoman Summers-Johnson, seconded by Councilwoman Eason.**

By consensus the regular meeting adjourned at 9:06 P.M.

**Approved:**

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**Joyce L. Lanier**  
**City Clerk**

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**Kerry Coley**  
**Council President**