

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, JUNE 19, 2018, FOLLOWING THE CONFERENCE MEETING.

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

Roll Call:

Present:

Councilwoman 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 (arrived @ 8:30)
Councilwoman Adrienne Wooten, At-Large
Council-President Kerry Coley

Also Present:

Joyce L. Lanier, City Clerk
Chris Hartwyk, Business Administrator (BA)
Eric Pennington, City Attorney
Marlin Townes, Legislative Research Officer
Margarette Homere, Senior Clerk,
Marty Mayes, Director of Planning/Public Work
Adrian Mapp, Director of Finance
Joy Lascari, Chief Financial Officer
Captain Dunn, Police Department

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

**Motion to adopt the Conference and Regular meeting minutes from April 17, 2018 by Councilman Johnson, Jr., seconded by Councilwoman Summers-Johnson.
The Motion was approved by unanimous vote.**

REPORTS:

DEPARTMENT MONTHLY REVENUE COLLECTION 2018

Department of Community Services – Month of April 2018 – Total: \$20,400.00

CONSTABLE REPORTS

Darnell Brodie- Month of May 2018 activity- Black belt security May 7, 14, 21 and May 28-2018.

OPRA REPORTS – None

COUNCIL REPORTS

Finance: Reported on who had attended the Finance Committee meeting the night before. The Business Administrator provided information on the water infrastructures. The former Police Station will stay on the tax rolls of the city and not be given to the Board of Education. The Business Administrator commented that the contract for purchase of the building should be ready in July. Councilwoman Williams provided information on DOT grant fund which is used for street repairs. They discussed the opening of the city pools.

Planning: No report.

A.B.C.: No report.

Library: The Library Board is conducting a meeting and Councilman Jackson should be able to get an update at a later date.

DPW; Ms. Gordon reported that they had a presentation by the Agricultural Extension program of Rutgers. The representative spoke about landscaping and best practices. She spoke about a field trip that would be taken to review gardens by other cities. She also spoke about the city wide cleanup on July 21st.

Police: Captain Dunn reported on the Police activities with the youth of the city and recent arrest throughout the city. He reported on the noise violations and that anything that is unreasonable should be reported. He also reported that the Police are equipped with a drug to help over dosed citizens.

Housing: Councilwoman Wooten reported that there was a Job Fair held on June 12th and there will be a meeting of the Housing Authority next week.

Fire: No report

The Business Administrator reported that the change in the bus service has improved because of hired drivers. The number of trips for seniors have decreased to 1 a week outside the city and 4 days of trips within the city. The Business Administrator will confirm those numbers.

Councilwoman Eason stated that seniors are complaining because when they go to Shop Rite they do not have enough time to shop. She wanted to know how that time can be expanded. Also the bus needs to be clean better.

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.

The following residents and business owners made comments.

Ms. Karen Cooper read a letter to the Mayor of Orange and Newark regarding the JFK Aquodoc Center in Newark and their current issues with the swimming instructor Mr. Garrett. She was asking for a resolution to the issue.

Mr. Jeffery Feld spoke about the recent Supreme Court case regarding freedom of speech. Spoke about the Edwards III court opinion. He commented that Mr. Edwards bankruptcy attorney was also an in-house attorney for the city at that time. Spoke about the tax rate going to 5%. He commented on the two settlements that the city has made. He asked where the user friendly budget was and why weren't post 1991 PILOTs not subject to Land Tax Credits. Questioned where some Financial reports are and why are they late.

Ms. Mary Mason and Mr. Gus Mitchel from North Center St thanked Councilman Coley and others that helped clean up North Center St.

Ms. Karen Wells spoke about an e-mail that she had sent regarding developing a website. She did not approve of the city or Council website. She commented that the Council should go over Resolutions before the meetings instead of asking questions about them during the meeting and wasting everyone time. Tonight they wasted 2 hours of the resident's time on these questions and comments by them. She spoke about the lack of information regarding the County Committee candidates.

Ms. Katalin Gordon commented on Resolution 187-2018 regarding that settlement and the amount of the settlement. She opposes settlements that the city makes. She spoke about the fees of the outside attorneys.

Ms. Sean Conner questioned where the city is at regarding permit parking on Central Place. Where can she get a copy of the ordinances? Mr. Connor who was beside her commented on the positive change on Central Place with the extra Police presence

Motion to close Citizen Comments by Councilman Johnson, Jr, seconded by Councilman Jackson.

The Motion was approved by unanimous vote.

Answers to some questions by residents.

Councilwoman Williams stated that the signs for Central Place have been delayed because they were done wrong. The ordinances can be obtained at the Clerk's Office.

The Business Administrator Stated that the Council can ask the city Attorney any questions that they want during a meeting.

Director Mayes stated that the paperwork for the Highland Avenue train station has been summited and he is waiting to hear back. He hopes to have the project to start soon. The Business Administrator directed Director Mayes to provide updates on the website.

The Business Administrator reported that the city is working on the city's transparency page and hopes to have it live by Monday. He provided information on other questions by Mr. Feld

COUNCIL COMMENTS

Councilwoman Summers-Johnson commented on June 19, 1955 and how it was difficult to teach about the end of slavery in Texas. She spoke about the LGBTQ Flag raising in the city. She spoke about starting up the South Ward Community meetings again. She spoke about the Neighborhood Watch in the Valley. She reported on the Cooling Stations in the city. She reported that her cousin is in the Pittsburg football training camp and doing well.

Councilwoman Williams asked the Business Administrator if he followed up with NJT regarding not getting notifications from them. He stated he did send a letter but has not received a response from them. She reported that there have been constant communications with the Council's website company and the suggestions that the residents have made have helped them improve the site.

Councilwoman Wooten reported on the Cooling Stations in the city and spoke about the street naming for Ms. Fields. Spoke about the boarder issue with children being taken from their parents. She also stated that residents should not come up and make statements about Council Members not reading their material because it is not true.

Councilwoman Eason stated that the Council is there to help the residents and should not be belittled by the residents that come up to the mike. She also commented that with regard to the Council's website that resident should have bid on the site if she thinks she could have done better. With regard to the elections, residents should speak about their own ward and not speculate on other wards and if candidates came to see those residents. Councilwoman Eason wants a stop of residents coming up to the mike and disrespecting the Council Members. She directed Director Mayes to have guidelines given to store owners that are not following the code on how their store fronts should look. The Business Administrator stated that letters had been sent to every merchant regarding those laws and many merchants have been fined for not obeying those laws.

The Business Administrator spoke about Reock Street and the tunnels that run underneath them which causes that road to sink. The developer that is developing on that street will repave it once the development is completed.

Councilman Jackson agreed with Councilwoman Eason about how the residents addressing the Council and with regard to Ms. Wells comments regarding the website he felt she should send her ideas to the developer that is developing the website and tell them how to do their job. He would like to have another meeting on the Baldwin case along with a meeting regarding options going forward. He spoke about the questions he asked about ordinances and resolutions stating that sometimes he needs more information and sometimes he'll ask the question so residents have a better understanding on an issue. He also commented on the boarder situation and having better leadership in the county so that does not happen again.

Councilman Johnson, Jr. spoke about what a District leader is and where they can campaign.

Council President Coley spoke about his father picking cotton as a boy and that he was a descendent of a slave. Council President Coley stated that he stands on the shoulders of his farther, his father's father and his father's shoulders. He will always do what is right and say what needs to be said so Juneteenth Day is very important to him. He then questioned Director Mayes regarding Hickory St. Director Mayes stated that the owner has started to take out a loan to repair the property and should have an answer about the loan that coming Friday. The city just repaved a session of Oakwood and now it will be torn up. The Business Administrator stated that it was not torn up and the city is looking into having the road repaired and the cost going to those that caused the damage. The road is being repaired by the city for now.

Council President Coley stated that people are going to say what they're going to say. There is nothing we can do about it so let's just move on. Don't give them validity or they will just keep coming back.

City Clerk Lanier reported that the winners of the Orange County Committee were not be on the Council's website because it is a municipal function. The candidates were on the city website.

ORDINANCES–SECOND READING/PUBLIC HEARING

Ordinance 15-2018 tabled till July 11th meeting.

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. (TABLED APRIL 17, 2018, MAY 1, 2018, MAY 15, 2018 AND JUNE 6, 2018 REGULAR MEETINGS)

The Clerk read Ordinance 24-2018 by Title.

24-2018 An ordinance to amend the code of the City of Orange Township Chapter 200, entitled "Vehicles and Traffic", Section 200-68 Permit Parking.

The Chair declared the time open for a hearing on Ordinance Number 24-2018.

Seeing no one, the Chair declared the time closed.

Motion to close the public hearing by Councilwoman Williams, seconded by Councilwoman Summers-Johnson

The Motion was approved by unanimous vote.

Motion to adopt Ordinance Number 24-2018 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.

ORDINANCES INTRODUCTION/ FIRST READING

The Clerk read Ordinance 27-2018 by Title

27-2018 An ordinance amending the Code of the City of Orange Township, Chapter 200, entitled “Vehicles and Traffic” Section 33 – Schedule II: No Parking Certain Hours (520 Thomas Blvd).

Motion that Ordinance 27-2018 be introduced on first reading and that the public hearing would be held Wednesday, July 11, 2018 by Councilman Johnson, Jr., seconded by Councilman Jackson.

On the motion: Councilwoman Wooten reported she received a text that retired Police officers from Irvington and that they could run security in the parking areas.

Roll Call:

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

Nays: None.

Abstain: None.

Absent: None.

Motion Carries.

The Clerk read the ordinance by title.

28-2018 An ordinance authorizing the purchase of 113 North Center Street, Orange, New Jersey, Block 2002, Lot 18 for the new construction of a skate park.

Motion that Ordinance 28-2018 be introduced on first reading and that the public hearing would be held Wednesday, July 11, 2018 by Councilwoman Williams, seconded by Councilwoman Eason.

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 *173-2018 THROUGH *188-2018

***173-2018 A resolution making application to the Local Finance Board pursuant to N.J.S.A. 40A:4-45.3ee.**

***174-2018 A resolution celebrating the life of Alice Forbes. (Sponsored by Council Member Donna K. Williams)**

***175-2018 A resolution celebrating the life of Monsignor William Linder. (Sponsored by Council Member Donna K. Williams)**

***176-2018 A resolution recognizing the 50th Anniversary of the Fair Housing Act. (Sponsored by Council Member Donna K. Williams)**

- *177-2018** A resolution authorizing the City of Orange Tax Collector to prepare and mail estimated tax bills in accordance with P.L. 1994, c. 72.
- *178-2018** A resolution authorizing the cancellation of Tax Sale Certificate No. 14-0161 in addition to a refund for all accrued interest, penalties, fees and premiums. (Removed by Business Administrator)
- *179-2018** A resolution authorizing the acceptance of New Jersey Department of Transportation grant funds for the City of Orange Township for 2018 various streets project.
- *180-2018** A resolution authorizing the awarding of a contract for the 2018 maintenance of pools and spray park to Pugliese Pool Service, 15 Standish Avenue, West Orange, New Jersey 07052 in an amount not to exceed \$39,254.00.
- *181-2018** A resolution authorizing future acquisitions of various equipment, products and related services pursuant to an existing agreement between the City of Orange Township and the Houston-Galveston Area Council (H-GAC).
- *182-2018** A resolution authorizing the services of Michael Armstrong & Associates to represent Police Officer Joe Lane, Detective F. Taylor, Police Office Natae Bomar, Police Officer James Rainforth and Police Officer D'Shon Williams in the matter "Staci Baldwin v. Township of Orange, et al." in an amount not to exceed \$10,000.00.
- *183-2018** A resolution authorizing the services of Lamb Kretzer, LLC to represent former Police Director John Wade, Police Director Todd Warren, Lt. Eason, Sgt. Aydil Olivera and Sgt. Denise Banks in the matter "Staci Baldwin v. City of Orange, et al." in an amount not to exceed \$10,000.00. (Removed for separate vote)
- *184-2018** A resolution authorizing the services of Jeanette Calderon-Arnold, Esq. to represent Detective Tyrone Grundy in the matter, Staci Baldwin v. Township of Orange et al., in an amount not to exceed \$10,000.00.
- *185-2018** A resolution authorizing the retention of Jeanette Calderon-Arnold, Esq. to serve as Tax Counsel for the City of Orange Township, in the amount not to exceed \$10,000.00
- *186-2018** A resolution approving the settlement in the matter of Orange Police Department Superior Officers Association v. City of Orange Township in the aggregate amount of \$31,590.70.
- *187-2018** A resolution approving the settlement in the matter of Robert Manganelli v. City of Orange Township et al. in the amount of \$325,000.00.
- *188-2018** A resolution approving the bill list for council meeting vote on June 19, 2018 dated June 15, 2018 and approving checks issued by the Finance Department in accordance with Ordinance 2-95 (Grand Total: \$ 2,558,379.09).

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.

(Resolution that were taken off for separate vote)

The Clerk read Resolution 183-2018 by title.

183-2018 A resolution authorizing the services of Lamb Kretzer, LLC to represent former Police Director John Wade, Police Director Todd Warren, Lt. Eason, Sgt. Aydil Olivera and Sgt. Denise Banks in the matter “Staci Baldwin v. City of Orange, et al.” in an amount not to exceed \$10,000.00.

Motion to approve Resolution 183-2018 by Councilwoman Williams, seconded by Councilman Johnson, Jr.

Roll Call:

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

Motion Carries.

The Clerk read Resolution 188-2018 by Title.

188-2018 A resolution approving the bill list for council meeting vote on June 19, 2018 dated June 15, 2018 and approving checks issued by the Finance Department in accordance with Ordinance 2-95 (Grand Total: \$ 2,501,481.59).
The City Clerk read the amendments to the resolution.

Motion to adopt as amended Resolution 188-2018 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 City Clerk reported that an Executive Session would be held.

She read Resolution 189-2018 A resolution to hold an executive closed session. The purpose of the Executive Closed Session is to discuss litigation and settlement matters, an update of any pending litigation.

Motion to hold an Executive Closed Session by Councilman Johnson, Jr., seconded by Councilwoman Summers-Johnson.

Roll Call:

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

Abstain: None.

Absent: None.

Motion Carries.

Motion to go into Executive Session by Councilwoman Williams, seconded by Councilman Johnson, Jr.

Roll Call: (Councilwoman Wooten had step out of the room)

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

Nays: None.

Abstain: None.

Absent: None.

Motion Carries.

The Council went into Executive Session at 10:10 p.m.

Motion to reconvene the Regular meeting by Councilwoman Williams, seconded by Councilman Johnson, Jr.

Roll Call:

Ayes: Eason, Jackson, Johnson, Jr., Williams, Coley

Nays: None.

Abstain: None.

Absent: Summers-Johnson, Wooten.

Motion Carries.

Motion to extend the meeting past 10:30 P.M. by Councilwoman Williams, seconded by Councilman Johnson, Jr.

Roll Call:

Ayes: Eason, Jackson, Johnson, Jr., Williams, Coley

Nays: None.

Abstain: None.

Absent: Summers-Johnson, Wooten

Motion Carries.

The City Clerk reported that the City Council authorized the City Attorney to settle in the matter of Lewis W. Childress vs. the City of Orange in the amount of \$15,000. This action will be memorialized at the July 11th 2018 Council meeting.

NEW BUSINESS AND WALK-ON ORDINANCES / RESOLUTIONS

City Attorney Pennington had a question relating to the Willis Edwards matter. He suggested that the Council not engage an Attorney to have this matter (certification to the Supreme Court) pursued to the Supreme Court. He will contact Mr. Edward’s attorney to let him know that the Council will not approve it.

Council President Coley agreed with the City Attorney.

The City Clerk restated the City Attorney’s statement which the Council President agreed to.

The City Clerk took a poll of the Council to determine if they agreed with the statement by the City Attorney and all 5 Council Members agreed.

The City Clerk reported that the inauguration would take place July 1, 2018 at 12 noon at Orange Preparatory School.

OTHER PENDING BUSINESS – None.

Motion to adjourn by Councilwoman Williams, seconded by Councilman Johnson, Jr.

By consensus the regular meeting adjourned at 10:39 P.M.

Approved:

Joyce L. Lanier
City Clerk

Kerry Coley
Council President