

MUNICIPAL COUNCIL AGENDA

A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF ORANGE TOWNSHIP HELD IN THE COUNCIL CHAMBERS OF CITY HALL, 29 NORTH DAY STREET, ORANGE, NEW JERSEY, ON TUESDAY, SEPTEMBER 17, 2013, IMMEDIATELY FOLLOWING THE CONFERENCE MEETING.

1) PLEDGE OF ALLEGIANCE TO THE FLAG

2) ROLL CALL

PRESENT

ABSENT

Hon. Hassan Abdul-Rasheed	(West Ward)	<u> X </u>	<u> </u>
Hon. Elroy A. Corbitt	(At-Large)	<u> X </u>	<u> </u>
Hon. Tency A. Eason	(North Ward)	<u> </u>	<u> X </u>
Hon. April Gaunt-Butler	(At-Large)	<u> X </u>	<u> </u>
Hon. Linda Jones-Bell	(East Ward)	<u> X </u>	<u> </u>
Hon. Edward B. Marable Jr.	(South Ward)	<u> X </u>	<u> </u>
Hon. Donna K. Williams	(At-Large)	<u> X </u>	<u> </u>
Council President			

ALSO PRESENT

Madeline F. Smith, Deputy Municipal Clerk	<u> X </u>	<u> </u>
Hon. Dwayne D. Warren, Esq., Mayor	<u> X </u>	<u> </u>
Dan S. Smith, City Attorney	<u> X </u>	<u> </u>
Keith Harvest, Legislative Research Officer	<u> X </u>	<u> </u>
Margarette Homere, Clerk's Office	<u> X </u>	<u> </u>

3) 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 18, 2013, posted on the Bulletin Board in City Hall and filed in the Office of the Municipal Clerk.

4) APPROVAL OF MINUTES OF PREVIOUS MEETINGS

August 7, 2013 – Public Hearing

Motion to adopt: Corbitt **VOICE VOTE ALL IN FAVOR** **Second:** Jones-Bell

Council President Williams ruled the motion was carried by Six Yeas; No Nays; No Abstentions and One Absence.

September 3, 2013 – Conference & Regular Meeting

Hon. Abdul-Rasheed and Marable cannot vote, because they were not present.

Motion to adopt: Corbitt **VOICE VOTE ALL IN FAVOR** **Second:** Jones-Bell

Council President Williams ruled the motion was carried by Four Yeas; No Nays; No Abstentions and One Absence.

5) REPORTS:

- Library: Mrs. E. Sharpe

COMMITTEE REPORTS:

- Public Works Committee: Joshua Sakolsky

CONSTABLE REPORTS:

- Darnel Brody – Month of August 2013- No activities
- Cuthbert Harris – Month of August 2013 – No activities

President directs Clerk to file reports.

6) COMMUNICATIONS AND PETITIONS:

- None

7) CITIZEN COMMENTS ON GENERAL ISSUES/AGENDA ITEMS 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 Williams recognized the following citizens for comments:

William R. Lewis of 688 Mosswood Avenue:

- Commented on the following Ordinances: 22-2013, 32-2013 and 37-2013.

Jeff Feld of 268 Main Street:

- Thanked the Clerk’s Office for working toward transparency and providing him with timely documents.
- Commented on the following Ordinances and Resolutions: 32-2013, 40-2013 and 322-2013.

William Hathaway of 232 Lincoln Avenue:

- Commented on Resolution 32-2013.

Joshua Sakolsky of 393 Olcott Street:

- Concerned with Redevelopment and Tax Abatements.
- Commented on Ordinance 32-2013, 39-2013, 40-2013 and Resolution 324-2013.

Bruce Meyer of 500 Berkeley Avenue:

- Commented on Ordinance 32-2013.

Gloria Stewart of 62 Hampton Terrace:

- Commented on the Business Administrator vacancy and the Library.
- Requested an update on the City of Orange Township Reservoir.
- Commented on the following Ordinances and Resolutions: 32-2013, 39-2013, 40-2013, and 314-2013.

Katalin Gordon of 211 Park Place:

- Commented on the following Ordinances and Resolutions: 37-2013, 312-2013, 320-2013 and 322-2013.

Murphy Wilson of 362 Heywood Avenue:

- Commented on the following Ordinances and Resolutions: 32-2013, 311-2013, 312-2013 and 319-2013.

Motion to Close Citizen Comments:

Motion: Jones-Bell **VOICE VOTE ALL IN FAVOR** **Second:** Corbitt

8) MAYOR AND COUNCIL COMMENTS:

Mayor Warren:

- Responded to the various questions and concerns presented by the residences.

Councilman Marable:

- Commented on the City of Orange Township utilizing Local Talk as a vendor.

Councilwoman Jones-Bell:

- Made inquiry into the equipment and vehicles inspected and used by Public Works.
- Made inquiry into the Historic Preservation Grant for the Library.

Councilwoman Gaunt-Butler:

- Commented on the Bond Ordinance.

Councilman Abdul-Rasheed:

- Made inquiry in the Library’s Executive Director Vacancy.
- Thanked the Administrator, Police Department and all who participated in the Family Fun Day Basketball Festivity and its volunteers.

Councilman Corbitt:

- Commented on the progress of Public Works to replace lighting on Scotland Road and the various bridges that are challenged with proper lighting.
- Commented on the importance of the Bond Ordinance; citing the extreme need for equipment in the Police and Fire Departments as well as other departments mentioned.
- In agreement with resident Bruce Meyer’s that the Council and the Administration need to bring resolve to the City’s financial issues.

Council President Williams

- Requested an update on the Manpower Grant from Police Director H. Simms.
- Requested a walk-through of the Library and its repairs.
- Requested Council Members to make appointments to the Public Works Committee.

9) ORDINANCES–SECOND READING/PUBLIC HEARING

ORDINANCES CARRIED ON FROM SEPTEMBER 3, 2013 COUNCIL MEETING

39-2013 An ordinance of the City of Orange Township authorizing the execution of a financial agreement with Oakwood Towers granting a Tax Exemption.

- a) **Second Reading by Title**
- b) **Motion to close Public Hearing:**

Motion: Corbitt **VOICE VOTE ALL IN FAVOR** **Second:** Jones-Bell

c) Motion for final adoption: Corbitt **Second:** Abdul-Rasheed

Council President Williams announced the roll call as follows:

Yeas: Abdul-Rasheed, Gaunt-Butler, Jones-Bell, Marable and Williams
Nays: Corbitt
Abstentions: None
Absences: Eason

Council President Williams ruled the motion was carried by Five Yeas; One Nay; No Abstentions and One Absence.

40-2013 WITHDRAWN by Administration

An ordinance of the City of Orange Township authorizing the execution of a financial agreement with South Day Urban Renewal, LLC, granting a tax exemption for the Reock Housing Project.

ORDINANCES TABLED FROM AUGUST 7, 2013 REGULAR MEETING

22-2013 REMAINED TABLED

An ordinance setting forth an employee tuition reimbursement policy and guidelines of the City of Orange Township and amending and supplementing Chapter 23 of the Municipal Code and the appendix Titled City of Orange Township – Employee Handbook of personnel policies and procedures.

32-2013 REMAINED TABLED

A Bond Ordinance providing for various capital acquisitions and improvements, by and in the City of Orange Township, in the County of Essex, State of New Jersey (“The City”); appropriating \$9,826,000 therefore and authorizing the issuance of \$8,935,500 bonds or notes of the City to finance the costs thereof.

MOTION TO LIFT FROM TABLE: Corbitt **SECOND:** Jones-Bell

Council President Williams announced the roll call as follows:

Yeas: Abdul-Rasheed, Corbitt, Gaunt-Butler, Jones-Bell, Marable and Williams

Nays: None

Abstentions: None

Absences: Eason

Council President Williams ruled the motion was carried by Six Yeas; No Nays; No Abstentions and One Absence.

MOTION TO TABLE: Corbitt **SECOND:** Jones-Bell

Council President Williams announced the roll call as follows:

Yeas: Gaunt-Butler, Jones-Bell, Marable and Williams

Nays: Abdul-Rasheed and Corbitt

Abstentions: None

Absences: Eason

Council President Williams ruled the motion was carried by Four Yeas; Two Nays; No Abstentions and One Absence.

37-2013 REMAINED TABLED

An ordinance setting outside employment guidelines for the City of Orange Township and amending and supplementing Chapter 23 of the Municipal Code and the appendix titled City of Orange Township – Employee Handbook of Personnel Policies and Procedures.

ORDINANCE VETOED BY THE MAYOR

Council President Williams made an announcement that Ordinance 23-2013 can be removed because the Mayor approved said Ordinance.

23-2013 An Ordinance relating to salaries and classifications of Department Directors and Statutory officers of the City of Orange Township.

10) ORDINANCE INTRODUCTION /FIRST READING

43-2013 An Ordinance to amend Ordinance #129-69, Chapter 60, Barbershops and Beauty Parlors.

a) **Motion to adopt on First reading:** Corbitt **Second:** Jones-Bell

Council President Williams announced the roll call as follows:

Yeas: Abdul-Rasheed, Gaunt-Butler, Jones-Bell, Marable and Williams

Nays: Corbitt

Abstentions: None

Absences: Eason

Council President Williams ruled the motion was carried by Five Yeas; One Nay; No Abstentions and One Absence.

b) **Public Hearing: October 15, 2013**

11) CONSENT AGENDA

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.

Deputy Clerk Smith stated these resolutions have been Removed for a Separate Vote as follows: 310-2013, 311-2013, 312-2013, 319-2013, 322-2013, 323-2013.

RESOLUTIONS: *309-2013, *313-2013 – *318-2013, *320-2013-*321-2013, *324-2013 -*326-2013.

- *309-2013** A resolution authorizing the tax collector to cancel and refund the second, third, fourth quarters of 2012 and the first quarter of 2013 in the sum of \$6,085.32 for the property located at 274 North Center Street, Block 901 Lot 26 due to a disabled veteran status.
- *313-2013** A resolution awarding a contract to Uni-Temp, Inc., 26 World's Fair Drive, Unit D, Somerset, New Jersey 08873 for heating and air conditioning maintenance services at the Freddie Polhill Law & Justice Complex, 25-29 Park Street, Orange, New Jersey in the amount not to exceed \$46,640.00.
- *314-2013** A resolution authorizing approval to submit grant application and execute a grant agreement with the New Jersey Department of Transportation for the City of Orange Township roadway improvements for various streets 2014 project. (Need attachment)
- *315-2013** A resolution appointing Jacqueline Kimbel & Marques Bragg as members to the Citizen's Budget Advisory Committee for the upcoming Calendar Year.
- *316-2013** A resolution appointing Mohamed L. Toure, as Constable for the City of Orange Township.
- *317-2013** A chapter 159 resolution requesting approval to amend Calendar Year 2013 Budget by inserting a special item of revenue and appropriation of an equal amount in accordance with NJS 40A:4-87 for Green Acres Program, New Jersey Department of Environmental Protection.
- *318-2013** A resolution authorizing the acceptance of Community Development Block grant funds for the year 2013.
- *320-2013** A resolution authorizing the awarding of a contract for the Central Avenue Playground Baseball Field Improvements to Landtek Group, Inc., 235 County Ling Road, Amityville, New York 11701 in the amount not to exceed \$1,199,665.00.
- 321-2013** A resolution authorizing the award of a non-fair and open contract with Hatch Mott MacDonald 27 Bleeker Street, Millburn, New Jersey 07041-1008 to provide environmental services related to the removal of an abandoned underground storage tank located at the Alden & High Street park in the amount not to exceed \$13, 500.00.

- *324-2013** A resolution of support for an application to the New Jersey Housing & Mortgage Finance agency for choice program financing for the Block 2704 Market rate Residential condo component of the Tony Galento Plaza Transit Village Redevelopment.
- *325-2013** A resolution authorizing the continued participation in the Express Scripts Pharmacy Benefits Management Services for eligible active employees of the City of Orange Township.
- *326-2013** A resolution authorizing the Tax Collector to refund interest and legal fees by the outside lien holder, MD Sass Municipal Finance Partners VLLC. in the amount of \$1,629.37 for property known as 558 Beach Street, NJ.

MOTION TO ADOPT CONSENT AGENDA:

Motion: Corbitt

Second: Jones-Bell

Council President Williams announced the roll call as follows:

Yeas: Abdul-Rasheed, Corbitt, Gaunt-Butler, Jones-Bell, Marable and Williams

Nays: None

Abstentions: None

Absences: Eason

Council President Williams ruled the motion was carried by Six Yeas; No Nays; No Abstentions and One Absence.

Deputy Clerk Smith stated those resolutions that were **Removed for a Separate Vote** will now be considered.

- *310-2013** A resolution authorizing the award of a contract to Millennium Strategies, LLC as grant consultant for the City of Orange Township for an amount not to exceed \$50,000.00.

Motion: Marable

Second: Jones-Bell

Council President Williams announced the roll call as follows:

Yeas: Abdul-Rasheed, Corbitt, Gaunt-Butler, Jones-Bell, Marable and Williams

Nays: None

Abstentions: None

Absences: Eason

Council President Williams ruled the motion was carried by Six Yeas; No Nays; No Abstentions and One Absence.

***311-2013 A resolution authorizing the refund of taxes due to state board judgments in the amount of \$56,731.63.**

Motion: Corbitt

Second: Jones-Bell

Council President Williams announced the roll call as follows:

Yeas: Abdul-Rasheed, Corbitt, Gaunt-Butler, Jones-Bell, Marable and Williams

Nays: None

Abstentions: None

Absences: Eason

Council President Williams ruled the motion was carried by Six Yeas; No Nays; No Abstentions and One Absence.

***312-2013 Resolution authorizing the sale of tax sale certificates held by the City of Orange Township to 4 Amigos, LLC.**

Motion: Corbitt

Second: Abdul-Rasheed

Council President Williams announced the roll call as follows:

Yeas: Abdul-Rasheed, Corbitt and Jones-Bell

Nays: Gaunt-Butler, Marable and Williams

Abstentions: None

Absences: Eason

Council President Williams ruled the motion was NOT carried by Three Yeas; Three Nays; No Abstentions and One Absence.

***319-2013 A resolution approving the bill list for council meeting vote on September 17, 2013 dated September 12, 2013 and approving checks issued by the Finance Department in accordance with Ordinance 2-95 (Grand Total: \$1,671,952.40).**

Motion: Corbitt

Second: Jones-Bell

Council President Williams announced the roll call as follows:

Yeas: Abdul-Rasheed, Corbitt, Gaunt-Butler and Williams

Nays: Marable and Jones-Bell

Abstentions: None

Absences: Eason

Council President Williams ruled the motion was carried by Four Yeas; Two Nays; No Abstentions and One Absence.

***322-2013 A resolution of the City of Orange Township, in the County of Essex authorizing the sale of parcels to the Housing Authority of the city of Orange Township and designating the Housing Authority as redeveloper of Block 3301, Lots 62 and 66 and Block 3304, Lots 2 and 21.**

Motion: Corbitt

Second: Abdul-Rasheed

Council President Williams announced the roll call as follows:

Yeas: Abdul-Rasheed, Corbitt, Gaunt-Butler, Jones-Bell and Williams

Nays: Marable

Abstentions: None

Absences: Eason

Council President Williams ruled the motion was carried by Five Yeas; One Nay; No Abstentions and One Absence.

***323-2013 A resolution approving a redevelopment agreement and designating the Living Fountain Urban renewal entity, LLC as redeveloper for Block 3401, Lot 8 within the Central Orange Redevelopment Area.**

Motion: Corbitt

Second: Jones-Bell

Council President Williams announced the roll call as follows:

Yeas: Abdul-Rasheed, Corbitt, Gaunt-Butler, Jones-Bell and Williams

Nays: Marable

Abstentions: None

Absences: Eason

Council President Williams ruled the motion was carried by Five Yeas; One Nay; No Abstentions and One Absence.

12) OTHER PENDING BUSINESS

13) MOTION TO ADJOURN

Motion: Jones-Bell

VOICE VOTE ALL IN FAVOR

Second: Gaunt-Butler

Adjournment Time: 11:22pm

MINUTES APPROVAL

Passed on September 17, 2013

Conference Meeting on September 3rd, 2013.

Motion to Adopt: Corbitt Second: Jones-Bell

Council President Williams announced the roll call as follows:

Councilmen Abdul-Rasheed and Marable cannot vote.

Yeas: Corbitt, Gaunt-Butler, Jones-Bell and Williams

Nays: None

Abstentions: None

Absences: Eason

**Council President Williams ruled the motion was carried by Four Yeas; No Nays;
No Abstentions and One Absent.**