

MINUTES CITY COUNCIL
CITY OF ORANGE TOWNSHIP
NEW JERSEY

THIS WAS 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, APRIL 1, 2014, FOLLOWING THE CONFERENCE MEETING.

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

Roll Call:

Present:

Councilmen Hassan Abdul-Rasheed, Councilman of the West Ward (arrived at 7:50 p.m.)
Councilman Elroy A. Corbitt, Councilman At-Large
Councilwoman Tency A. Eason, Councilwoman of the North Ward
Councilwoman Gaunt-Butler, Councilwoman At-Large
Councilwoman Linda Jones-Bell Councilwoman of the East Ward (left at 8:40)
Councilman Edward B. Marable, Jr., Councilman of the South Ward
Council President Donna K. Williams, Councilwoman At-Large

Also Present:

Deputy Municipal Clerk Madeline F. Smith
Marty Mayes, Administrative Representative
James Wolfe, representing the City Attorney
Adrian Mapp, Director of Finance
Kevin Harris, Legislative Research Officer (arrived at 7:30)
Margaret Homere, Clerk's Office
Captain Dun, representing the Police Department (left at 8:25)
Christopher Mobley, Water & Parking Municipal Liaison
Carl Smith, Tax Director

Absent:

Mayor Dwayne D. Warren, Esq

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

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.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

February 18, 2014 Conference meeting minutes

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Reports:

OPRA Reports - Month of February 2014 – 27 OPRA requests were received (94) items- were completed and 4 items outstanding.

Department Reports

Community Services – Month of February 2014 - \$15,710.00

Clerk's Office – Month of February 2014 - \$435.30

Constable Reports

- Darnell Brodie - Month of February 2014 - No activity
- Mohammed Toure - Month of February 2014 - No activity
- Cuthbert Harris - Month of February 2014 – No activity

COUNCIL REPORTS

April Gaunt Butler read the minutes from the Finance Committee meeting, held March 17, 2014. Items discussed:

- Proposed transfer of funds; essentially that ordinance is a surplus in one account and a debit in another account and it is requested that funds be transferred.
- Tony Galento/RPM Development ordinance – this is the same ordinance that was passed before with modifications in the number of condos that will be erected. The Modified Financial Agreement is pending and shall be brought forth at the April 1, 2014 meeting. will be brought forth on April 1, 2014; as well as the public hearing will be on April 1, 2013.
- Proposed Emergency Appropriations were discussed. The amounts are appropriate and the Financial committee recommends that this be placed on the agenda and voted in the affirmative.
- Clerk's Budget was discussed and submitted to Finance for 2014 budget review.
- Mr. Mayes brought forth a proposed bond ordinance. He has met with Fire, Police and Public Works. If the governing body is in agreement w/his recommendations, Mr. Mayes will present to administration for Bond Council to prepare.
- The Finance Committee anticipates the introduced budget no later than April 15, 2014.
- Discussed an amendment to the Parking Ordinance.
- The Finance Committee supports Ordinances numbers 5 and 6.
- Proposed Tax Sale – this matter has been pulled off the agenda – it requires a better explanation
- Potential Payroll Company – He is looking for questions prior to their meeting; to assure all matters are vetted.

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Councilman Marable asked if the March guidelines would be met regarding the budget introduction.

Amelia Rideau, attorney representing RPM stated that Exhibit A is the amended Financial Agreement for The Tony Galento Project. They are asking for the 2nd reading to be on April 1, 2014.

- Mr. Mapp was asked as to why is the Introduction to the Budget taking so long. He stated there was a death in the family of the CFO. He also stated that there are very difficult decisions regarding salaries and wages.
- Mr. Mapp stated there are a number of salary requests from the police and fire departments; there are also longevity and retirement questions – all of this must be reviewed. His goal is to have the budget introduced no later than April 15, 2014. Mr. Mapp expressed his concern regarding police officers that have not been paid for several years.

Councilman Corbitt stated that he wants the budget as soon as possible; hopefully being able to utilize the month of May as budget meetings.

Councilwoman Eason stated that she met with the police department and personnel are still working on the “numbers” regarding back pay.

- Mr. Mapp stated that there may be as much as an estimated \$846,000.00 plus in back pay to the police department alone.

Councilman Marable – The administration continues to pay higher salary and wages.

He stated that the library employees did receive their W2's and thanked the Library Director.

Councilwoman Gaunt –Butler reiterated the importance of getting the budget introduced.

Council President directs Clerk to file reports

Communications and Petitions

None

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.

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THE CHAIR WILL IMMEDIATELY RULE SUCH CONDUCT OUT OF ORDER AND TERMINATE ANY FURTHER COMMENTS.

William R. Lewis, 688 Mosswood Avenue, Orange, NJ

- Last meeting he raised the question regarding courses for the city council. Leaders take notes and they underline action-items. They focus on the items that they would respond to.
- He inquired what type of practice does the City Attorney have.

Jeffrey Feld 268 Main Street

- Posted on his website, he has filed the Feld 1 Appellate Brief and a copy of his deposition the city took last week. He recommends that individuals read his briefs.
- He thanked Councilman Marabel for his years of service.
- He quoted the Senator Daniel Patrick Monahan, Senator from New York, "Everyone is entitled to his own opinion, but the facts belong to everyone."
- He inquired as to where is the Financial Statement that was due April 15, 2014 and the un-audited Financial Statement for CY 2013; and the annual debt statement. When documents are not provided, it puts the clerk's office at risk.
- He stated that it is time to hold folks in the finance department responsible.

Walter F. Elliot, 156 South 12th St, Newark, NJ0

- Mark Donahue, an unsung hero, was born and raised in Orange. Mark Donahue became a mechanical engineer and graduated from Brown University in 1959. He was considered the thinking man's race car driver. He won the Indianapolis 500 in 1975.
- This gentleman was Mr. Elliot's mentor. Mr. Elliot has been covering the Indianapolis 500 for the past 16 years.

Patricia Arthur, 402 Tremont Place, Orange, NJ

- Ms. Arthur referred to Councilman's Marable editorial that was printed in the Orange Transit recently. She inquired as to whether his statements were facts and if the other council persons were able to confirm his comments. If the accusations are true why would they allow such behavior to exist at the expense of the taxpayers. She asked if everyone had read his article. She read the editorial.
- She asked Councilman Marable why has he not done more. He replied that he is sorry he could not have done more.
- Council President stated that there are court proceedings that cannot be discussed because they are public hearings and litigation matters.
- Dan Smith, City Attorney stated that there is a matter of litigation.
- Are we still liable for the \$1,000.00 a day; ordered by court regarding litigation issues between the council and the administration. Response from Council President is that no funds have been paid.
- Ms. Arthur asked the tax assessor; why is her value reduced; yet the taxes have gone up. She stressed and reiterated that the tax property card she received last week stated that her value was decreased, but the tax bill has increased.

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- Mr. Mapp responded by saying that the 3rd and 4th quarter tax bills will reflect the re-evaluation assessment.

Katalin Gordon, 211 Park Place, Orange, NJ

- We have seen how we do not know what we have spent. Issues are not resolved and financial matters are coming back.
- Last week at the planning board meeting in West Orange, a presentation was made and reported in the Orange chronicle.
- A very detailed map of the changes was presented. The interested point is that the map was printed in the middle of last year; perhaps March or April. When the county represented its plans here recently, they said nothing about these types of future plans.
- Councilman Marable had asked the county executive the plans regarding the reservoir area when Joey Divincenzo has recently made a presentation; She thanked Mr. Marable for his questioning in this matter.
- The current plan is for a dog run to be created. Her concern is the feces and urine would contaminate the water in the reservoir.

Gloria Stewart, 62 Hampton Terrace, Orange, NJ

- She expressed her disappointment in how things are going. An area of concern is the “water”. Where is the Business Administrator? She believes that the mayor should be here; as well as the directors.
- Regarding the Reservoir; the County executive did receive what he wanted. She is hoping that whatever has been agreed upon and the next administration will be able to see it through.
- Through discussion, Council President, Ms. Stewart became aware that the Municipal parking situation by the train station is still for the public. It is being improved public parking via the Tony Galenta project. Until that is completed, the municipal shopper will be asked to park elsewhere.
- The police vehicle should look like police vehicles.

Councilman Corbitt made a motion to close Citizen Comments. It was seconded by Councilwoman Jones-Bell.

All council persons voted in favor:

Motion carries.

Council Comments

Councilwoman Eason inquired if Mr. Mapp knows the city’s debt ratio. Mr. Mapp stated he is not aware of the city’s debt ratio, at this time. He stated it would be available when the debt statement is provided.

- The City of Orange has not issued debt in a number of years. In a discussion with a bond ordinance; the city is well within what is permissible under the debt statute. 3 documents will be provided by the April 15, 2014 meeting: The Annual Debt Statement, the Annual Financial Statement and the CY 2014 Introduced Budget.

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- Councilwoman Eason discussed the cleaning of the police building. She thought an emergency cleaning company was to come in. Mr. Mayes stated he would be involved.
- What is the status of the planning board's computer? Mr. Mayes stated the computer's data base was accidentally deleted; and then it will be re-ordered.

Councilwoman Jones-Bell inquired about the water-pump stations. The Chestnut street station's problem came up tonight. The water is gushing out next to the old pump station.

- Mr. Mobley spoke of an old infrastructure and most cities like us would hire a contractor and when there is required maintenance.
- She inquired if it is legal for a candidate to use copy of the city logo? Mr. Dan asked to see the correspondence

Councilman Corbitt asked Mr. Mapp if he could provide a bond rating. The city is not currently rated; as confirmed during a discussion with Standard's and Poor's.

Councilwoman Gaunt-Butler inquired about the Corrective Action Plan. Mr. Mapp stated the Corrective Action Plan would be completed when the audit is completed. He did not provide a date.

Councilman Marable offered his condolences to the Joanne Brannon family. She was an adoptive parent and has done good things for Orange. She was a "Diva."

Council President Williams inquired as to what happened to the phone system over the week-end. Director Simms stated the 911 system did not go down. The 266-4111 numbers were diverted to State police or neighboring cities. Mr. Mapp's office is assisting in finding software to make sure this does not happen again.

- J&A's is no longer in business as of last evening. Mr. Motley has made a business decision to move.
- She offers her condolences for the Brannon family; for she grew up with the family members.
- She asked Mr. Mayes to update her on the status of the historic commission including the appointments to that commission.
- She wanted to remind residents that the Obama care – Health Care Act has a national deadline of March 31, 2014.
- Remember the Greece play will be at the Orange High School next Thursday through Saturday.
- At Livingston Mall, the school; has art on display.

Ordinances-Second Reading/Public Hearing

None

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Ordinance Introduction/First Reading

The Deputy Clerk read **Ordinance 3-2014** by Title: An ordinance to amend the Code of the City of Orange Township, Chapter 200 entitled "Vehicles and Traffic", Section 200-40, Schedule IX: Stop Intersections (3-Way Stop - Oakwood Avenue and Berwyn Street).

Motion to Adopt at First Reading

A motion was made by Councilwoman Eason, second by Councilwoman Jones-Bell to adopt **Ordinance 3-2014**.

Roll Call:

Ayes: Council members: Corbitt, Eason, Gaunt-Butler, Jones-Bell, Marable and Williams

Nays: none

Absent: Abdul-Rasheed

Motion Carries

The Public Hearing will be April 1, 2014.

The Deputy Clerk read **Ordinance 4-2014** by Title: 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 (across from 61 William Street).

Motion to Adopt at First Reading

A motion was made by Councilman Corbitt, second by Councilwoman Gaunt-Butler to adopt **Ordinance 4-2014**.

Roll Call:

Ayes: Council members: Corbitt, Eason, Gaunt-Butler, Jones-Bell, Marable and Williams

Nays: none

Absent: Abdul-Rasheed

Motion Carries

The Public Hearing will be April 1, 2014.

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The Deputy Clerk read **Ordinance 5-2014** by Title: An ordinance to amend Chapter 200 of the Code of the City of Orange Township by amending Section 200-68 establishing a permit parking area in the municipal parking plaza number nine (9), providing twenty (20) parking spaces for displaced Tony Galento parking permit holders or other commuters, as needed.

Motion to Adopt at First Reading

A motion was made by Councilman Corbitt, second by Councilwoman Eason to adopt **Ordinance 5-2014**.

Roll Call:

Ayes: Council members: Corbitt, Eason, Gaunt-Butler, Jones-Bell and Williams

Nays: none

Abstained: Marable

Absent: Abdul-Rasheed

Motion Carries

The Public Hearing will be April 1, 2014

The Deputy Clerk read **Ordinance 6-2014** by Title: An ordinance to amend Chapter 200 of the Code of the City of Orange Township by amending Section 200-68 establishing a temporary permit parking area in the municipal parking plaza number three (3), and the municipal parking plaza number four (4), providing (20) parking spaces in each lot for displaced Tony Galento parking permit holders to allow them to park in the municipal parking lots during the construction of the Tony Galento Transit Village project.

Motion to Adopt at First Reading

A motion was made by Councilman Corbitt, second by Councilwoman Jones-Bell to adopt **Ordinance 6-2014**.

Mr. Mobley stated that there are only 20 spaces in each lot that will be affected because of the Tony Galento Project. Once it is complete the individuals who will be parking in lots 3 and 4 will be able to go back and park in the new parking lot. Lot 9, the city is not collecting any revenue.

Roll Call:

Ayes: Council members: Corbitt, Eason, Gaunt-Butler, Jones-Bell and Williams

Nays: none

Abstained: Marable

Absent: Abdul-Rasheed

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Ordinance 6-2014

Motion Carries

The Public Hearing will be April 1, 2014.

Deputy Clerk Smith read Ordinance 7-2013 by title: Am Ordinance of the City of Orange Township authorizing the execution of an amended and restated Financial Agreement with Orange with Orange Condominium Urban Renewal, L.P., and granting an amended tax exemption for phase 1B of the Tony Galento Transit Village project.

A motion was made by Councilman Corbitt, second by Councilwoman Eason to adopt **Ordinance 7-2014**.

Councilman Marable has raised the issue of what will be the official name of this building/project. There should be a process or time frame involved to name the building/process.

A representative of RPM stated that once they get off the ground regarding construction, there will be re-focus on naming the project.

Roll Call:

Ayes: Council members: Corbitt, Eason, Gaunt-Butler, Jones-Bell and Williams

Nays: Marable

Abstained: none

Absent: Abdul-Rasheed

Motion Carries.

The Public Hearing will be April 1, 2014.

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.

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A motion was made by councilman Corbitt, and seconded by Gaunt-Butler to suspend the rules to add resolutions 73-2014, 74-2014 to the agenda.

Roll Call

Ayes: Council members: Corbitt, Eason, Gaunt-Butler, Jones-Bell and Williams

Nay: Marable

Abstained:

Absence: Abdul-Rasheed

Motion Carries.

Councilman Marable asked to remove Resolutions 71, 73 and 74 from the Consent Agenda.

A motion by Councilman Corbit, seconded by councilwoman Jones-Bell to approve the Consent Agenda (with the corrections as notes) by the township as follows: Approval of resolutions **58-2014, 59-2014, 60-2014, 61-2014, 62-2014, 63-2014, 64-2014, 65-2014, 66-2014, 67-2014, 68-2014, 69-2014, 70-2014, 72-2014.**

RESOLUTIONS *58-2014-*72-2014

- *58-2014** A resolution authorizing the award of a contract to Wilentz, Goldman & Spitzer, PA, Attorneys at Law, 90 Woodbridge Center Drive, Woodbridge, New Jersey 07095, for an amount not to exceed \$17,500.00 to represent the City of Orange Township as bond counsel.
- *59-2014** A resolution designating a representative and an alternate to the Essex County Community Development Block Grant Committee for the year 2014.
- *60-2014** Resolution of support for NJDOT recommended speed limit zones along Freeway Drives East and West.
- *61-2014** A resolution authorizing the Department of Public Works and Engineering to participate in the New Jersey Solid Waste Advisory Committee.
- *62-2014** A resolution rejecting the bids for the construction of 2013 NJDOT Roadway Improvements to Lindsley Place, Carteret Terrace and Adrienne Court.
- *63-2014** A Resolution of the City of Orange Township in the County of Essex rescinding Resolution 322-2013 which designated the Housing Authority of the City of Orange Township as redeveloper of Block 3301, Lots 62 and 66 and Block 3304, Lots 2 and 21.
- *64-2014** Resolution of support for safety, revitalization and traffic calming projects along Freeway Drives East and West in the City of East Orange and the City of Orange Township.

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- *65-2014** A resolution authorizing the refund of taxes due to state board judgments in the amount of \$26,551.56.
- *66-2014** A resolution authorizing the Tax Collector to refund subsequent water/sewer charges paid by the outside lien holder, US Bank Custodian for Crestar Capital for property known as 146 North Essex Avenue, Block 1503, Lot 034.
- *67-2014** 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.
- *68-2014** A resolution authorizing the City of Orange Township to add 385 Henry Street to its existing City of Orange Township abandoned properties list.
- *69-2014** A resolution authorizing the City of Orange Township to submit an application for a supplemental loan from the New Jersey Environmental Infrastructure Trust Financing Program for Change Order #12R2 associated with the construction of the water treatment facility in the amount of \$1,204,987.88.
- *70-2014** A resolution authorizing the submission of an application to the Governor's Council on Alcohol and Drug Abuse for funding under the 2014 Municipal Alliance Grant for prevention and awareness education programs in the City of Orange Township.
- *71-2014** A resolution approving the bill list for council meeting vote on March 18, 2014 dated March 13, 2014 and approving checks issued by the Finance Department in accordance with Ordinance 2-95 (Grand Total: \$5,602,717.47) **(Removed for separate vote)**.
- *72-2014** A resolution awarding a contract to Reliance Graphics, Inc., 80 Pompton Avenue, Verona, New Jersey 07044; to provide Local Municipal Election Printing for local Election to be held on May 13, 2014, in an amount not to exceed \$12,900.00.
- *73-2014** A resolution for the Transfer of Funds. **(Removed for separate vote)**
- *74-2014** A resolution for emergency temporary appropriations to the calendar year 2014 Budget for the month of April. **(Removed for separate vote)**.

A motion was made by Corbitt, seconded by Jones-Bell to approve the Consent Agenda. The consent agenda was approved by all.

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Deputy Clerk Smith read **71-2014**, titled: A resolution approving the bill list for council meeting vote on March 18, 2014 dated March 13, 2014 and approving checks issued by the Finance Department in accordance with Ordinance 2-95 (Grand Total: \$5,602,717.47).

A motion was made by Corbitt, seconded by Councilwoman Eason to approve resolution **71-2014**

Roll Call

Ayes: Council members: Corbitt, Eason, Gaunt-Butler, Jones-Bell and Williams

Nay: Marable

Abstained:

Absence: Abdul-Rasheed

Motion Carries

Councilman Corbitt made a motion to extend the meeting, seconded by Councilwoman Jones Bell.

Roll Call

Ayes: Council members: Corbitt, Eason, , Jones-Bell, Marable, Gaunt-Butler and Williams

Nay: None

Abstained: None

Absence: Abdul-Rasheed

Motion Carries

Deputy Clerk Smith read **73-2014**, titled: A resolution for the Transfer of Funds.

A motion was made by Corbitt, seconded by Councilwoman Eason to approve resolution **73-2014**.

Roll Call

Ayes: Council members: Corbitt, Eason, Gaunt-Butler, Jones-Bell, Marable and Williams

Nay:

Abstained:

Absence: Abdul-Rasheed

Motion Carries

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Deputy Clerk Smith read **74-2014**, titled: A resolution for emergency temporary appropriations to the calendar year 2014 Budget for the month of April.

A motion was made by Corbitt, seconded by Councilwoman Jones-Bell to approve **74-2014**.

Councilman Marable stated the council has asked for financial information, salary information, Sandy funding and the distribution of it. 1 of 2 things is possible. Information is not going to be received or something Shady is going on. The council is asking for basic information and we are having a hard time obtaining the information. He will not be voting yea on this resolution.

Council President Williams asked for salary information and Mr. Mapp stated he did get the approval to provide the Salary of employees separating the full time employees from the seasonal employees. To confirm the Sandy report and the salary information from the bill list.

Councilwoman Eason asked for a copy of the payroll register. She is asking for a YTD. Councilman Marable asked for a two-week salary register.

Roll Call

Ayes: Council members: Corbitt, Eason, Gaunt-Butler, Jones-Bell and Williams

Nay: Marable

Abstained:

Absence: Abdul-Rasheed

Motion Carries

There was no other pending business.

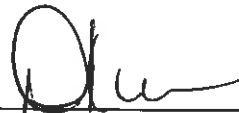
A motion to adjourn the meeting was made by Corbitt and seconded by Councilwoman Jones-Bell. The meeting adjourned at 10:40 pm.

PUBLIC NOTICE

The next City Council Conference & Regular Meeting will be held on Tuesday, April 1, 2014 in the Council Chambers, City Hall, 29 North Day Street, Orange, New Jersey at 7:00 P.M.



Madeline F. Smith
Deputy Municipal Clerk



Donna K. Williams
Council President