

**MINUTES CITY COUNCIL
CITY OF ORANGE TOWNSHIP
NEW JERSEY**

**CITY OF ORANGE MINUTES
FEBRUARY 4, 2014
REGULAR MEETING**

A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF ORANGE TOWNSHIP HELD IN CITY HALL, COUNCIL CHAMBERS, 29 NORTH DAY STREET, ON TUESDAY, FEBRUARY 4, 2014 FOLLOWING THE CONFERENCE MEETING.

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

Roll Call:

Present: West Ward Councilman Hassan Abdul-Rasheed
At-Large Councilman Elroy A. Corbitt
North Ward Councilwoman Tency A. Eason
At-Large Councilwoman Gaunt-Butler
East Ward Councilwoman Linda Jones-Bell
South Ward Councilman Edward B. Marable Jr.
At-Large Council President Donna K. Williams

Also Present: Deputy Municipal Clerk Madeline F. Smith
Administrative Representative Marty Mayes
City Attorney Dan Smith
Director of Finance Mr. Adrian Mapp
City of Orange CFO Joy Lascari
Legislative Research Officer Kevin Harris
Senior Clerk Margarete Homere

Absent: Mayor Dwayne D. Warren, Esq

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 Record-Transcript and published in the Star Ledger on December 21, 2013, posted on the Bulletin Board in City Hall and filed in the Office of the Municipal Clerk.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Motion my Councilman Corbitt, seconded by Councilwoman Eason, approved the Minutes of the Executive Closed Session from December 23, 2013.

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Councilmembers Abdul-Rasheed and Marable could not vote because they were not at that meeting.

Roll Call:

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

Nays: None

Motion Carries.

Motion my Councilman Corbitt, seconded by Councilwoman Eason, approved the Conference and Regular Session minutes from December 23, 2013 as amended.

Councilwoman Gaunt-Butler reported a needed correction on page 7 of the Regular meeting. Ms. Wilson name should be removed and Ms. Stewart should be in its place. The correction would be made.

Roll Call:

Ayes: Councilmembers: Abdul-Rasheed, Corbitt, Eason, Gaunt-Butler, Jones-Bell, Marable and Council President Williams

Nays: None

Motion Carries.

Motion by Councilwoman Eason, seconded by Councilman Corbitt, to approve the Conference and Regular meeting held on January 7, 2014.

Roll Call:

Ayes: Councilmembers: Abdul-Rasheed, Corbitt, Eason, Gaunt-Butler, Jones-Bell, Marable and Council President Williams

Nays: None

Motion Carries.

REPORTS:

COMMITTEE REPORTS:

Councilman Abdul-Rasheed had no report from the Housing Authority.

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Councilman Corbitt had no report from the Police.

Councilman Marable and Councilwoman Gaunt-Butler had no report from the Fire Department.

Councilwoman Eason had no report from the Personnel Committee.

Council President Williams had no report from the Finance Committee.

CONSTABLE REPORTS

None.

OPRA REPORTS

None.

COMMUNICATIONS AND PETITIONS

The Deputy Clerk reported that there were no communications or petitions.

CITIZEN COMMENTS ON GENERAL ISSUES/AGENDA ITEMS

The Deputy 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 TEN (10) MINUTES.

ALSO

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. William Lewis commented on his granddaughter and made the point that it was up to adults to help young people in the world. Mr. Lewis reported that Mr. Jimmy Brennan had passed away. He was very active in government and education. Mr. Lewis suggested that before the Council acts on a resolution or ordinance that concern other people or departments they should communicate with that person or department. Have that person or department look over the resolution or ordinance first and then move forward.

Mr. Jeffery Feld commented that with the bad weather residents should look after elderly neighbors. Mr. Feld spoke about a Court decision on home abandonments and that the Police Department should follow the Courts directions in that regard. Mr. Feld spoke about a State Supreme Court opinion which involved the sanction of a Municipal Judge in Jersey City and the duty of care that is owned by an attorney who represents a municipality.

Mr. Feld spoke about the allegations toward the Governor of New Jersey.

Mr. Feld thanked the Clerk’s Office for putting out the Agenda since it had not been delivered to that office until Thursday afternoon. Mr. Feld commented that the Agenda

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should have been in that office at Noon on Wednesday or those items should be considered for the next meeting. Mr. Feld spoke about his concerns regarding revenue that was reported on the December 2013 Financial Report asking about an amount of 27 million that was not accounted for in the report. Mr. Feld continued to speak of his concerns and questioned the Council on their inaction on some issues.

Mr. Bruce Myers questioned the reasons for the resolutions to retain law firms for tax appeals since there is a reevaluation taking place. Stated that the GIS update should have been part of the reevaluation. Mr. Myers reported that the Budget Committee had asked for a outside source to come and evaluate the needs of the city regarding computers and printers. There is no baseline to determine how to go forward with needed technology. There is no control over the computers as there is no control over the city vehicles. Mr. Myers commented that with the exception of the Clerk's Office in every office you see piles of papers, books, things all over the place. The city needs a professional Business Administrator. Mr. Myers thanked the Council for asking for a report on the Sandy funds.

Mr. Matthew Rinaldi, city tax assessor came to the podium to explain the reason for the two resolutions for outside appraisal firms. As part of the contract with the revaluation they are covering the tax appeals that would be pending at the Essex County Board of Taxation for this year and next year; but their contract does not include representation at the State Tax Court level. There are still cases pending at the State Tax Court level and even after the revaluation there are tax appeals. Mr. Rinaldi answered questions from the Governing Body.

Mr. Mapp was asked to come to the podium and explain the reason for the update of the GIS. Mr. Mapp reported the system is in separate departments and needed to be integrated into one system for all departments.

Ms. Gloria Stewart of Orange commented that the Mayor needed to be at these meetings. Ms. Stewart asked the Council to make a law that would require a mayor to be at these meetings. Ms. Stewart commented that she is still waiting on the status of the reservoir. Ms. Stewart commented that the life span of computers is not that long and the city does need the current technology. Ms. Stewart commented that there was a time when the Clerk's Office could not do anything right and she is happy to know that now everything is going right and hoped that other departments would follow. Ms. Stewart asked about resolution 58-2014 and asked for an update on the fees for the water. Ms. Stewart asked that if you have a handicap spot on alternate side of the street parking; does that car have to move. Ms. Stewart requested information on Resolution 37-2014. Ms. Stewart commented that she is happy with resolution 41-2014 and that the city is against privatization. Ms. Stewart asked for an update regarding the Corrective Action Plan. Ms. Stewart commented on her concern regarding the snow removal in the city. Ms. Stewart asked why the Library was closed. Ms. Stewart spoke about other concerns that she had. Council Vice President Corbitt addressed Ms. Stewart's concerns and questions. Mr. Marty Mayes would be getting back to Ms. Stewart regarding moving cars that belonged to a handicap persons and the question regarding the reservoir.

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Director Dowd of the Orange Fire Department explained that Resolution 37-2014 was a regional communication grant for this City and other Cities.

Ms. Betty Thomas expressed her concerns about commercial businesses being allowed to come into residential areas. She reported that there is an applicant that wants to build a parking lot for commercial vehicles on the residential street of North Jefferson. That applicant already had commercial properties throughout Orange. Ms. Eason reported that a number of years ago they had rezoned the city of orange to prevent commercial businesses setting up in residential areas. This applicant wants to use the lot that he purchased on North Jefferson to store commercial vehicles which would be moving in and out at all hours. The city needs a way to stop commercial businesses from setting up in residential neighborhoods. The Council needs to discuss a way to curtail some of that from happening. Ms. Thomas reported that the citizens were not notified when the parking lot was approved in 2010 but was notified about the amendment for overnight commercial vehicles which was why she and other residents had gone to the Zoning Board meeting last month. The parking lot was originally approved for day time public and resident parking.

Motion by Councilman Corbitt, seconded by Councilwoman Gaunt-Butler, to close the citizen comments. The Motion was approved by a unanimous vote.

COUNCIL COMMENTS

Councilman Abdul- Rasheed – Asked Mr. Mayes how many DPW employees worked on the Library repairs prior to its opening and where did the funding come from; from DPW or the Library budget. Mr. Mayes will look into that. Requested that Council be polled to see if they would be available for Budget hearings in March. Referring to a past meeting with Mr. Mapp, Councilman Abdul-Rasheed asked Mr. Mapp if he had asked the City Directors if they would have a 10% cut back on their overall budget and their availability for budget hearings. Mr. Mapp reported that the Department Heads were contacted regarding their budget submissions and timely submission of their budgets. As of yet the discussion of their availabilities had not taken place. A budget hearing calendar has not been established. Councilman Abdul-Rasheed asked Mr. Mapp about the \$750,000 that the Library had received for the Library and shouldn't he, the Director of Finance, have asked for documentation to verify that they had received that money. Mr. Mapp responded by saying as Director of Finance he does not get involved with the finances of the Library.

Other questions were directed at Mr. Mapp regarding his position.

Councilman Abdul-Rasheed asked Mr. Mayes about having a city blast to inform residents of emergencies in their area. Mr. Mayes reported that could only be done through the City School system. Councilman Abdul-Rasheed asked Director Simms about an amount on a prior Bill List which involved payments for a reverse 911 system in the city. Director Simms reported that he did not pay for that reverse 911 system for the city and did not sign the PO for it and has no knowledge of it. Mr. Mapp was asked about the PO and he responded that he will have to pull the PO and investigate it.

He will make the PO available to the Clerk's Office.

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Council President Williams announced that Gregory Brian who had worked in the Finance Department several years ago had passed. Council President Williams spoke about having the agenda into the Clerk's Office in a timely manner and understood that because of the weather and the back to back Council meetings the agenda was late. Council President Williams also reminded Directors that it has been asked that they not wait until the last minute to have resolutions brought to the Clerk's Office. Request from Councilmembers should also be presented to the Clerk's Office as soon as possible. The Council wants the City to have up to date computers but the reason for the delay of Council's approval is because they had not received the list of computers that are being used in the city. It saves money to buy in bulk. The meeting for volunteers will be held February 19th at 6:00 P.M. in Town Hall. All Councilmembers agreed that they would be available for that meeting.

Councilman Corbitt – Commented that with regard to tardiness of the packet there is a Law in place which states that if the agenda is not delivered in a timely manner than that business would wait until the next meeting. With regard to the budget in his 6 years on the Council the budget had never been introduced on time, there were always approved extensions. As far as the Mayor coming to these meeting we cannot twist his arm and make him come. He knows residents have asked him to come but it is his decision to come or not to come.

Councilwoman Jones-Bell – Thanked Mr. Marty Mayes for responding to her constituents that had called DPW for plowing their streets.

Councilwoman Eason – Asked when their budget would be presented and was told it should ready for the first meeting in March for a review. Councilwoman Eason asked Mr. Mayes about checking on a property at 201 Hickory St Mr. Mayes reported that a work order had been generated. Councilwoman Eason asked Mr. Mayes to have lights and bulbs replaced at Star Tavern which were not working. Councilwoman asked about what the city does with scrap metal; it is supposed to be sold and the money returned to the city. Mr. Mayes will have a report on where the money was for scrap medal that has been sold for the next City meeting.

Councilwoman Gaunt-Butler reported to Mr. Mayes that some manhole covers on High St have sinking holes around them. She wanted to make sure that there would be a working plan for residents on Lincoln Avenue for parking their cars.

Councilman Marable – Reported that he had received a call from the Clerk's Office apologizing for the lateness of the meeting packets and offered to deliver the packet to his home. The agenda had been delivered to the Clerk's Office late Thursday afternoon by the secretary of the Business Administrator. If Mr. Mapp's 90 days of being the Acting Business Administrator was finished around January 11th then who put the agenda together. Councilman Marable continued to give examples of Administration not communicating with the Council regarding city matters. Councilman Marable commented that he would prefer to have a Business Administrator at these meetings instead of the Mayor because the Business Administrator is the person who is about the business of the city.

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Motion by Councilman Corbitt, seconded by Councilwoman Gaunt-Butler, to close Council Comments.

The motion was approved by a unanimous vote.

The Deputy Clerk moved the agenda.

ORDINANCES TABLED FROM AUGUST 7, 2013 REGULAR MEETING

32-2013 A Bond ordinances 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:

Seeing none the Chair moved the agenda forward.

58-2013 An ordinance amending Chapter 88, "Fees", Article I, "FEES derived from code provisions", Section 88-1, "schedule of fees" setting rates and fees for the use of the water system.

MOTION TO LIFT FROM TABLE:

Seeing none the Chair moved the agenda forward.

ORDINANCE INTRODUCTION /FIRST READING

2-2014 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. (46 Hampton Terrace)

Motion by Councilman Abdul-Rasheed, seconded by Councilwoman Gaunt-Butler that Ordinance 2-2014 be introduced on first reading and that the public hearing would be held March 4, 2014.

Roll Call:

Ayes: Councilmembers Abdul-Rasheed, Corbitt, Eason, Gaunt-Butler, Jones-Bell, Marable, Council President Williams

Nays: None.

Motion Carries.

CONSENT AGENDA

Motion by Abdul-Rasheed, seconded by Councilwoman Jones-Bell to suspend the rules and add resolutions 42, 43 and 44 to the agenda.

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Council President Williams answered questions by Councilman Corbitt as to why resolutions 42, 43 and 44 were being added to the agenda.

Roll Call:

Ayes: Councilmembers Abdul-Rasheed, Eason, Jones-Bell, Marable, Council President Williams

Nays: Councilman Corbitt, Councilwoman Gaunt-Butler

Motion Carries.

The Deputy 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 MEMBERSO REQUESTS, IN WHICH EVENT, THE ITEM WILL BE REMOVED FROM THE GENERAL ORDER OF BUSINESS AND CONSIDERED IN ITS NORMAL SEQUENCE OF THE AGENDA.

RESOLUTIONS: *33-2014 -* 41-2014

- *33-2014** A resolution authorizing the refund of taxes due State Board Judgments in the amount of \$5,496.57.
- *34-2014** A resolution authorizing the law firm of Feinstein, Raiss, Kelin & Booker, LLC to represent the City of Orange Township in regard to tax appeal matters in an amount not to exceed \$25,000.00. **(Removed for separate vote)**
- *35-2014** A resolution authorizing Hendricks Appraisal Company, LLC to represent the City of Orange Township in regard to appraisal on real property in tax appeal matters in an amount not to exceed \$15,000.00.**(Removed for separate vote)**
- *36-2014** A resolution authorizing the law firms of Feinstein, Raiss, Kelin & Booker and DeCotiis, Fitzpatrick & Cole, LLP to represent the City of Orange Township in regard to tax appeal matters.**(Removed for separate vote)**
- *37-2014** A resolution authorizing the submission of an application to the Federal Emergency Management Agency for the regional communications grant assistant to Firefighters Program
- *38-2014** A resolution appointing Council member April Gaunt-Butler filing the unexpired term of Council member Edward B. Marable, Jr., to the personnel Committee. **(Removed for separate vote)**
(Sponsored by Hon. Donna K. Williams)
- *39-2014** A resolution authorizing a professional services contract to SHI International Corporation and Spatial Data Logic, 290 Davison Avenue, Somerset, New

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Jersey 08873 to update the City of Orange Township for software integration of Office Process for more effective use of its geographical implementation system (GIS) in an amount not to exceed \$23,025.00(**Removed for separate vote**)

***40-2014** A resolution approving the bill list for council meeting vote on February 4, 2014 dated January 31, 2014 and approving checks issued by the Finance Department in accordance with Ordinance 2-95 (Grand Total: \$3,013,184.11)
(Removed for separate vote)

***41-2014** A resolution opposes privatization of Toll Collection Services on the New Jersey Turnpike and Garden State Parkway (**Sponsored by: the City of Orange Township Municipal Council.**)

**Motion by Councilman Abdul-Rasheed, seconded by Councilwoman Eason, to approve the Consent Agenda (with the corrections as noted) by the Township Council as follows:
Approval of resolutions 33-2014, 36-2014, 37-2014,41-2014, 42-2014, 43-2014 and 44-2014.**

The Consent Agenda was approved by unanimous vote.

Resolution Number 34-2014 read by title.
34-2014 A resolution authorizing the law firm of Feinstein, Raiss, Kelin & Booker, LLC to represent the City of Orange Township in regard to tax appeal matters in an amount not to exceed \$25,000.00.

Motion by Councilman Abdul-Rasheed, seconded by Councilwoman Eason, to approve Resolution 34-2014.

Roll Call:

Ayes: Councilmembers Corbitt, Eason, Councilwoman Gaunt-Butler
Jones-Bell, Council President Williams

Nays: Councilman Abdul-Rasheed, Councilman Marable

Motion Carries.

Resolution Number 35-2014 read by title.
35-2014 A resolution authorizing Hendricks Appraisal Company, LLC to represent the City of Orange Township in regard to appraisal on real property in tax appeal matters in an amount not to exceed \$15,000.00

Motion by Councilman Abdul-Rasheed, seconded by Councilwoman Jones-Bell, to approve Resolution 35-2014.

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Roll Call:

Ayes: Councilmembers Corbitt, Eason, Gaunt-Butler
Jones-Bell, Council President Williams

Nays: Councilman Abdul-Rasheed, Councilman Marable

Motion Carries.

Resolution Number 36-2014 read by title.
36-2014 A resolution authorizing the law firms of Feinstein, Raiss, Kelin & Booker and DeCotiis, Fitzpatrick & Cole, LLP to represent the City of Orange Township in regard to tax appeal matters.

Motion by Councilman Abdul-Rasheed, seconded by Councilwoman Jones-Bell, to approve Resolution 36-2014.

Councilman Marable stated that since 34-2014 was passed this resolution has to pass.

Roll Call:

Ayes: Councilmembers Corbitt, Eason, Gaunt-Butler
Jones-Bell, Council President Williams

Nays: Councilman Abdul-Rasheed, Councilman Marable

Motion Carries.

Resolution Number 38-2014 read by title.
38-2014 A resolution appointing Council member April Gaunt-Butler filing the unexpired term of Council member Edward B. Marable, Jr., to the personnel Committee.

Motion by Councilwoman Jones-Bell,, seconded by Councilman Corbitt, to approve Resolution 38-2014.

Roll Call:

Ayes: Councilmembers Corbitt, Eason, Gaunt-Butler
Jones-Bell, Council President Williams

Nays: None.

Abstain: Councilman Abdul-Rasheed, Councilman Marable

Motion Carries.

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39-2014 **Resolution Number 39-2014 read by title.**
A resolution authorizing a professional services contract to SHI International Corporation and Spatial Data Logic, 290 Davison Avenue, Somerset, New Jersey 08873 to update the City of Orange Township for software integration of Office Process for more effective use of its geographical implementation system (GIS) in an amount not to exceed \$23,025.00

Motion by Councilman Corbitt, seconded by Councilman Abdul-Rasheed, to approve Resolution 39-2014.

Roll Call:

**Ayes: Councilmembers Corbitt, Eason,
Jones-Bell, Council President Williams**

Nays: Councilman Abdul-Rasheed, Councilwoman Gaunt-Butler , Councilman Marable

Motion Carries.

40-2014 **Resolution Number 40-2014 read by title.**
A resolution approving the bill list for council meeting vote on February 4, 2014 dated January 31, 2014 and approving checks issued by the Finance Department in accordance with Ordinance 2-95 (Grand Total: \$3,013,184.11)

Motion by Councilman Corbitt, seconded by Councilwoman Eason, to approve Resolution 40-2014.

Councilman Marable commented that the Council is approving services that have already been delivered such as the basketball shirts.

Roll Call:

**Ayes: Councilmembers Corbitt, Eason, Gaunt-Butler
Jones-Bell, Council President Williams**

Nays: Councilman Abdul-Rasheed, Councilman Marable

Motion Carries.

OTHER PENDING BUSINESS – None.

By consensus the regular meeting adjourned at 10:23 P.M. February 4, 2014.


Madeline Smith
Deputy Clerk


Donna K. Williams
Council President