

**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 WEDNESDAY, JUNE 8, 2011 IMMEDIATELY FOLLOWING THE CONFERENCE MEETING 8:39 PM.**

**1) PLEDGE OF ALLEGIANCE TO THE FLAG**

<b>2) ROLL CALL</b>	<b>PRESENT</b>	<b>ABSENT</b>
Hon. Elroy A. Corbitt (At-Large)	___X___	_____
Hon. Tency A. Eason (North Ward)	___X___	_____
Hon. Linda Jones-Bell (East Ward)	___X___	_____
Hon. Edward B. Marable, Jr. (South Ward)	___X___	_____
Hon. Rayfield Morton (At-Large)	___X___	_____
Hon. Donna K. Williams (At-Large)	_____	<u>Arrived@7:18PM</u>
Hon. Hassan Abdul-Rasheed (West Ward)	___X___	_____
Council President		

**ALSO PRESENT**

Claude Wallace, Acting Municipal Clerk	___X___	_____
Hon. Eldridge Hawkins, Jr., Mayor	_____	___X___
Marvin T. Braker, City Attorney	___X___	_____
Dwayne D. Warren, Legislative Research Officer	___X___	_____
John F. Mason, Business Administrator	___X___	_____
Shinell Smith, Clerk's Office	___X___	_____

**3) Acting 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 Orange Transcript on July 8, 2010, posted on the Bulletin Board in City Hall and filed in the Office of the Municipal Clerk.**

**4) APPROVAL OF MINUTES OF PREVIOUS MEETINGS**

**Conference & Regular Meeting- April 19, 2011**

**Council President Abdul-Rasheed entertained a Motion to adopt previous meeting minutes.**

**Motion to adopt: Corbitt**

**Second: Eason**

**The Acting Clerk announced the roll call as follows:**

**Yeas: Corbitt, Eason, Jones-Bell, Morton, Williams and Council President Abdul-Rasheed**

**Nays: None**

**Abstentions: None**

**Absences: Marable**

**Council President Abdul-Rasheed ruled the motion was carried by Six Yeas, No Nays, No Abstentions and One Absence.**

**Special Executive (Closed) Session Meeting-April 28, 2011 (WITHDRAWN)**

**Councilman Corbitt cannot vote, because he was not present.**

**Motion:**

**Second:**

**Conference & Regular Meeting- May 3, 2011**

**Council President Abdul-Rasheed entertained a Motion to adopt previous meeting minutes.**

**Motion to adopt: Corbitt**

**Second: Eason**

**Council President Abdul-Rasheed announced the roll call as follows:**

**Yeas: Corbitt, Eason, Jones-Bell, Morton, Williams and Council President Abdul-Rasheed**

**Nays: None**

**Abstentions: None**

**Absences: Marable**

**Council President Abdul-Rasheed ruled the motion was carried by Six Yeas, No Nays, No Abstentions and One Absence.**

**5) REPORTS:**

**City Clerk's Office-Month of May 2011-\$220.40**

**CONSTABLE REPORTS**

**Eddy Stone-Month of April 2011 –No Activity**

**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 RECORDS, AND UNLESS FURTHER TIME IS GRANTED BY THE PRESIDING OFFICER, SHALL LIMIT HIS OR HER ADDRESS TO TEN (10) MINUTES".**

**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 Abdul-Rasheed recognized Jeffrey Feld

Jeffrey Feld of 268 Main Street stated that this night marks his fourth anniversary from the time he began speaking at the podium. Mr. Feld asked what the status of the tax abatement for Orange Memorial Hospital, in which he spoke on four years ago. He stated that the property has been sold. Therefore, why hasn't it been rescinded? Mr. Feld stated that he received a letter from the State's Tax Department, which mentioned certain functions of the budget going forward, will be done by the State level.

Mr. Feld stated that Mr. Lerch's slide show should be posted on the City's website because it was very informative. He then asked when the Calendar year will become effective because adopted doesn't mean the same as introduced. It was his thought that Mr. Lerch may have meant to say this was an introduction to the Calendar Year and it will be adopted in September.

Mr. Feld asked that someone take a look at the amount being spent for professional services and make sure that back up is attached. He stated that the City spent more than two hundred thousand dollars defending the Judy Rothenberger litigation. Mr. Feld stated that there need to be time sheets attached as back up because there were also litigations dating back from 2008.

Mr. Feld encouraged Council to table ordinance 25-2011, as it relates to the Municipal Court Director. He stated, as he understood it, the purpose of this ordinance was to change a Civil Service position to that of an appointment. Mr. Feld stated, if the Council were to adopt this ordinance he would recommend that there be a salary established to go along with it. He then suggested that phone calls be made to other municipalities prior to the adoption of this ordinance to see how they are fairing out.

Mr. Feld stated that McEnerney submitted a purchase order dated March 9<sup>th</sup>; the City issued a check dated March 10<sup>th</sup> and the Audit Book was received in the City Clerk's Office dated April 26, 2011. Mr. Feld asked when the BA received the Audit dated March 15, 2011.

Mr. Feld stated that it is posted that there will be a Municipal Tax Lien Sale on June 27<sup>th</sup> for all tax liens due through June 30, 2010. He asked how many properties are subject to the lien sale and what the average amounts of these liens are.

Mr. Feld posed a question to the Legislative Research Officer as to whether or not this body has ratified an agreement with the Fire Department. Mr. Feld asked when this body will appoint a Fire Chief or will the Mayor unilaterally appoint that position, under the Orange Administrative Code.

Mr. Feld stated, with respect to the Walter G. project and our Administrative Code, can building permits be awarded to projects that have outstanding water and sewer charges on it.

Council President Abdul-Rasheed recognized John Mason, BA

Mr. Mason stated with respect to the Audit Book, it had been submitted to the Clerk's Office weeks after he and John Ditinyak had met with the Auditor. There needed to be some finalization before the audit book had been submitted to the Clerk's Office, and once received it was then distributed to the other departments. Mr. Mason stated that he does not recollect the date in which he received the Audit Book.

Mr. Feld stated that he's having an issue as to the gap between March 9<sup>th</sup> and April 26<sup>th</sup>. He was curious if the City Council had received the audit book prior to adopting the budget on April 5<sup>th</sup>.

Mr. Mason stated in response to Mr. Feld, with respect to the tax lien sale, there will be a list of properties on the website. The owners of these properties still have a chance to pay on them, and have the removed from the list. He then stated that the listing did not have a total. Therefore, he will have to total it.

Council President Abdul-Rasheed recognized Dwayne Warren, LRO

Mr. Warren stated in response to Mr. Feld that this body can ratify the agreement with the Fire Department or give the Mayor authorization to do so. Mr. Warren stated that he will have to research Mr. Feld's inquiry with respect to this governing body or the Mayor appointing a Fire Chief.

Council President Abdul-Rasheed asked Mr. Warren to respond to Mr. Feld in writing and copy the Council on it.

Council President Abdul-Rasheed recognized Connie Braxton

Connie Braxton of Bell Street stated that the recycling company on Bell Street has become a nuisance to the residents of Bell, Monroe and Madisk. The recycling company operates too early and after hours and it's unfair to those in the surrounding area, which is why petition has been made to cease this behavior. Ms. Braxton stated that the trailers that deliver their loads but the trucks block the residents from entering and exiting the street. Lastly, the house where the Vacannelli use to live is being used for wild parties and extreme behavior. The police and Council Members have been contact but still there has been nothing done. [Please see the attached.](#)

Council President Abdul-Rasheed recognized Aric Webster, Captain of Orange Police Dept.

Captain Webster stated that police had been called to address the complaints but there were no violations found at the time. Captain Webster stated in response to Council President that a police car had been stationed at this location during the hours in question, still there were no violations.

Council President Abdul-Rasheed asked Captain Webster to forward a statement with respect to this situation to Mr. Mason and he will in turn forward it to him. Council President asked that the Health Department take Ms. Braxton's information with respect to the health concerns of this area.

Councilman Morton stated that he's been dealing with this situation for over a year and a half and he has responded to several of Ms. Braxton's concerns, at all hours of the day and night. He stated to Council President that this is an issue he should have already been aware of, and we really need to act on it.

Council President in response stated that this is the first that it has come to his attention and he will do all that he can to see that it is addressed, even if he has to meet Councilman Morton at this location in the wee hours of the morning.

Councilwoman Eason stated that a car other than the black unmarked car should be sent to monitor this location.

Council President was in agreement with Councilwoman Eason.

Council President Abdul-Rasheed recognized Paul Revera

Paul Revera of 492 Monroe Street stated that the noise from the recycling company on Bell Street is affecting his level of comfort as their trucks go up and down the streets all hours of the night. Mr. Revera stated that he is now uncomfortable in the home that he has lived in all his life and would like to see the City take action.

Council President Abdul-Rasheed stated that Mr. Revera's complaint is the same as Ms. Braxton's. Council President asked that his daughter give Mr. Revera his contact information so that he can follow up with him.

Council President Abdul-Rasheed recognized William R. Lewis

Williams R. Lewis of 688 Mosswood Street stated will all the bad things going on in Orange as it relates to the crime, good things do happen to people with a connection to Orange, as his grandson, Kyle Monte was inducted into the National High School Scholars Society set up by the foundation for the Nobel Peace Prize.

Mr. Lewis stated with respect to ordinance 22-2011, there is an error on the second page of the backup document which says this law is effective immediately. This remark sparked an instant reaction from Council President Abdul-Rasheed, and he asked Mr. Lewis how did he get the same information that should only be privy to Council. Mr. Lewis stated that he took a look at it but does it matter. Mr. Lewis went on to say that this ordinance should be amended so it's in line with State Statute. Council President and Councilwoman Jones-Bell agreed that Mr. Lewis shouldn't be privy to the same back up given to Council, prior to them receiving the information.

Council President Abdul-Rasheed asked the Clerk's staff if they had provided Mr. Lewis with such documents and if so, that was improper. The Clerk's staff member replied, no. She then stated, those documents are however located in the Clerk's office for the constituent's perusal.

There was further discussion between Council President Abdul-Rasheed and Mr. Lewis.

Council President Abdul-Rasheed recognized Katalin Gordon

Katalin Gordon of 211 Park Place stated that the building at 399 Lincoln Avenue had a fire safety violation registered against it hadn't been corrected in three years. Ms. Gordon asked if there were any documents to negate this finding but Council President Abdul-Rasheed, Mr. Mason nor Chief Maganelli had gotten back to her. She then stated, since she had not gotten a response, it is her assumption that the building was under fire safety violation for the past three years uncorrected.

Ms. Gordon requested that Council President Abdul-Rasheed respond to her with respect to the forensic Audit dating back to fiscal year 2010. She then asked Council President if he knew how much of a monetary discrepancy the audits showing.

Council President stated that he read over the audit but would have to get back to Ms. Gordon with specifics.

Council President Abdul-Rasheed recognized Bruce Meyer

Bruce Meyer of 500 Berkeley Avenue encouraged the Council to move forward with Edmonds and Association because the software is good but people have to be trained. He stated that the cost is very little at approximately 31k and we need to have it done. Mr. Meyer stated that we have to tie the computer systems together so that we can run this City more efficiently, and an IT committee should be implemented to do so.

Mr. Meyer stated that the presentation by Dieter Lerch was impressive but this to get the state to accept our transition from a fiscal to a calendar year budget. Mr. Meyer stated that we are not currently in a good place and need to proceed cautiously as it relates to spending so that we are in a better place when we receive more money going forward. Mr. Meyer stated that he and the CBAC worked along with Mr. Lerch during the budget process and there were some inaccuracies. He didn't want anyone to assume we had monies that we really did not, as there were estimates done based on the reconciliation report from February.

Council President Abdul-Rasheed recognized Gloria Stewart

Gloria Stewart of 62 Hampton Terrace announced there will be a teacher's recognition luncheon and encouraged the Council to attend.

Mrs. Stewart stated her concerns and questions as follows:

- Mrs. Stewart commended the Council on holding out on the hiring for the Director of Finance position as she felt there was no need to hire a Director of Finance and a CFO.
- Mrs. Stewart was bewildered as to why the Mayor's secretary was able to transfer to a position at the fire department which had been eliminated, while a new secretary was hired in her place. Mrs. Stewart felt that there should be no hiring at this time when individuals were just laid off.

- Mrs. Stewart wanted to know the status of the houses on Oakwood Avenue as there were several houses burned and they're still sitting there.

Council President Abdul-Rasheed recognized Director Valerie Jackson

Director Valerie Jackson stated that there was a permit just given to renovate 217 Oakwood where there was little damage. There were several home owners who received insurance payments and there is a couple who did not. They we're advised to correct the situation and then demolish the property. Director Jackson stated that there is a time frame in which two developers will have a conversation with each home owner to discuss redevelopment.

- Mrs. Stewart asked who's funding Ground Cental Redevelopment

Council President Abdul-Rasheed recognized Director Kemp

Director Kemp stated in response to Mrs. Stewart that our portion of the Central Avenue project was the Street Scape, which includes the decorative lights, trees and brick paving. She stated that the funding was a combination of UEZ and CDBG funds.

Council President Abdul-Rasheed recognized Director Jackson

Director Jackson stated that Grand Central was approved for fifteen year tax abatement. She stated that we are receiving revenue that we had not received when it was a church. Director Jackson stated that this property is entitled to tax abatements because it's located in a redevelopment area. Any other tax abatements have to first be approved by the City Council.

Council President asked Director Jackson if she could meet with Mrs. Stewart off the record to address any further inquiries she may have.

Council President asked Director Jackson if Grand Central Redevelopment could do a five minute presentation as to give everyone an overview.

Director Jackson replied, yes.

Council President Abdul-Rasheed recognized William Hathaway

William Hathaway 232 Lincoln Avenue asked if the City was financially stable enough to bring back those laid off public works employees.

Council President Abdul-Rasheed recognized John Mason, BA

Mr. Mason stated in response that the City is still in talks with OMEBA and if negotiations go well then some workers should be able to return to work after further negotiations. Mr. Mason stated that it is their hope to stay within the guidelines of Mr. Lerch's projections and not throw it off.

Mr. Hathaway asked that we send a letter to the county as to get mediation at the intersection of Scotland Road and Mechanic because there was a very bad accident at that location.

Mr. Hathaway thanked Councilman Corbitt for his 'Stop the Violence' campaign. He also thanked Councilman Morton for bringing 'Man hunter' to the Orange Middle School.

Mr. Hathaway asked that the City Council and the Administration reconsider resolution 25-2011 as it relates to the Municipal Court Director. He stated that we can not afford this position under the current economic constraints.

Council President Abdul-Rasheed recognized Murphy Wilson

Murphy Wilson 362 Heywood Avenue asked the Council to consider purchasing the software to prepare the audit. She then asked what the target date is for a corrective action plan to the audit.

Council President Abdul-Rasheed recognized Mr. Mason

Mr. Mason stated that the CFO will have to do the corrective action plan. However, we don't currently have a CFO but will be interviewing for the position.

Mrs. Wilson asked what the target date is for filling the Tax Assessor position.

Mr. Mason stated that there will be an interview held in executive closed session, in which the Council will have the opportunity to decide whether or not the candidate is fit for the position of Tax Assessor.

Council President Abdul-Rasheed recognized Gregory Sparks Roberts

Gregory Sparks Roberts 553 Scotland Road stated that he is disabled and parks his car in front of his home. He stated that he would like to know how he can obtain a handicap parking decal. Mr. Sparks stated that there should be some consideration for those who are disabled and home bond with respect to trash pickup because the start time is unreasonable. Mr. Roberts stated that there was a car parked in front of his home, at the corner of Scotland Road and Christopher Street which prevented public safety from being able to get to him in a timely fashion. He stated, if it hadn't been for concerned neighbors he may not be standing here today.

Council President Abdul-Rasheed recognized Director Arlene Kemp

Director Kemp stated that Scotland Road is a county road. However, depending on the footage from the corner Mr. Roberts may be eligible for handicap parking. Director Kemp recommended that Mr. Roberts provide her secretary with his driver's license and registration as to begin the process of obtaining a handicap parking permit.

Councilwoman Eason recommended that Mr. Roberts continue to make incident reports with hopes that the resident parking in front of his home will get enough tickets to discourage him from parking there. Councilwoman Eason ask that there be a follow up done to assure the individual is being properly ticketed as Mr. Roberts stated that proper ticketing had been done.

Council President advised Mr. Roberts speak to Captain Aric Webster off the record and he also asked that any further questions be submitted to the Clerk's Office.

Captain Webster announced as per Councilwoman Eason's suggestion, if there are officers not doing their job then Mr. Robert can take his concern as far as having it fully investigated.

Council President Abdul-Rasheed recognized Director Kemp

Director Kemp responded with respect to Mr. Roberts concern with the hours of trash pick up by stating, the hours for Main Street is at 6 am and the rest of the is 7 am. She asked that Mr. Roberts contact her office if there is a pick up other than the times mentioned.

**Motion to Close Citizen Comments: Corbitt      Voice Vote      Second: Eason**

**8) COUNCIL COMMENTS**

Council President Abdul-Rasheed recognized Councilwoman Jones-Bell

Councilwoman Jones-Bell stated that she didn't have any comments at this time.

Council President Abdul-Rasheed recognized Councilman Morton

Councilman Morton stated that there is no working lights in the under paths, per a resident. He asked when they will be repaired.

Director Kemp stated that they have a quote to replace them but no money to do so. She stated that public works will replace those bulbs that can be and the others will have to wait until there's more money.

Councilman Morton stated that he was on Main Street when an individual had gotten shot. He stated that most of these shootings are done by individuals who aren't from Orange and we need to find a way to deter these criminals.

Councilman Morton stated that US Marshall Rasheed Peppers spoke on his behalf to students of Orange and he told them that there is a better way if they want it. However, if they seek the streets and unfruitful things then death and destruction awaits them. Councilman Morton stated that there were children who spoke with Mr. Peppers and sought advice.

Council President Abdul-Rasheed recognized Councilwoman Eason

Councilwoman Eason stated that there was a horrific accident on Mechanic and Scotland Road. She sent well wishes to the family of those involved.

Councilwoman Eason stated that cars have been using our streets as a raceway. She asked that everyone use caution with driving as these are the summer months and children are out playing and crossing the streets. Councilwoman Eason stated that we can't afford bumper strips at this time but we may be able to set up speed traps.

Councilwoman Eason asked Director Kemp if the pools are open at Colgate and Medcalf. She then asked what the status of Central playground.

Council President Abdul-Rasheed recognized Director Kemp

Director Kemp stated that the schools are scheduled to be opened July 1<sup>st</sup>. She stated with respect to Central playground they are now in talks with the contractors to begin repairs.

Councilwoman Eason asked Director Kemp on behalf of the owner of Star Tavern, who we should contact to have the street lights repaired at his location. She stated that it had been mentioned PSE&G was responsible for replacing some of them.

Director Kemp stated in response that those are PSE&G lights and she can have them to replace the lights at Ropes playground but she'll have to research the replacement of the lights in the area of Star Tavern.

Councilwoman Eason asked whose jurisdiction is the baseball field because there are holes and the kids on the baseball team are getting hurt.

Director Kemp stated in response that she will be happy to do the project if Council were to bond for three to five hundred thousand dollars.

Councilwoman Eason stated that she and Mr. Mason will talk this week.

Council President Abdul-Rasheed entertained a Motion to extend the meeting.

Motion: Eason

Second: Jones-Bell

The Acting Clerk announced the roll call as follows:

Yeas: Eason, Jones-Bell, Morton, Williams and Council President Abdul-Rasheed

Nays: Corbitt

Abstentions: None

Absences: Marable

Council President Abdul-Rasheed ruled the motion was carried by Five Yeas, One Nay, No Abstentions and One Absence.

Councilwoman Eason asked Director the cost of the swim badges.

Council President Abdul-Rasheed recognized Director Darrell Holcomb

Director Holcomb in response stated for new applicants the cost is ten dollars and the cost for returning participants is five dollars.

Council President Abdul-Rasheed recognized Councilman Corbitt

Councilman Corbitt stated that the lot near Cleveland Avenue and Park needs to be cleaned. He stated that the weeds are growing high and someone should clean it if the owners can not.

Councilman Corbitt then asked if we were planning to redevelop the property surrounding the old police building or were we waiting for someone else to do it.

Council President Abdul-Rasheed recognized Mr. Mason

Mr. Mason stated that there were no plans to make repairs because there are no funds to do so.

Councilman Corbitt asked if Mr. Mason could look into having that area roped off to prevent accidents.

Mr. Mason stated that he will consider it.

Councilman Corbitt stated on June 10<sup>th</sup> there will be a gala for the seniors at the Lincoln Avenue School honoring Coach Daniels and he welcomed all Council Members that may be interested in attending.

Council President Abdul-Rasheed recognized Councilwoman Williams

Councilwoman Williams asked if the broken cement parking headers in Brook Alley (Municipal parking lot) could be removed.

Council President Abdul-Rasheed recognized Director Kemp

Director Kemp stated that the Deputy Director removed the ones that were broken and the ones that could be fixed he straightened them out.

Councilwoman Williams stated that there were still some broken ones out there.

Councilwoman Williams stated with respect to the under paths, is that responsibility solely ours. She then stated with respect to New Jersey Transit and the beautification of the under paths, can the art programs paint the walls to brighten it up.

Director Jackson stated in response that she hadn't spoken to New Jersey Transit or the arts program. However, Deputy Director Calvin Bell was supposed to paint over the graffiti.

Councilwoman Williams asked Director Kemp was it her intention to only apply for one block of Fairview opposed to two blocks when she received funding.

Director Kemp in response stated that she would have to check the application but it was her intent to do both blocks as well as a number of other streets.

Councilwoman Williams asked if Fairview will be finished once more money is received for the next project.

Director Kemp stated, once a street is done they submit a request for another street. Although the other block hadn't been done there's no way to tell if that street will be deemed the worst come next spring.

Councilwoman Williams stated that there is a traffic light on the road of Central Avenue and Center Street.

Director Kemp stated that she will call the county to have a look at it.

Councilwoman Williams stated congratulated those candidates who won in the Primary Election the night before. She encouraged the residents to stay vigilant and to utilize their right to vote. She then quoted a remark often used by Freeholder Clerk stating "I know it appears that I represent ghost but I represent people."

Councilwoman Williams sent her condolences to those families who have recently lost loved ones.

Councilwoman Williams stated to Mr. Mason that we are all doing more with less but something needs to be done about our parks and playgrounds, even if we have to get out there and do it ourselves.

Council President Abdul-Rasheed thanked the DPW employees for re-routing wires in the Council Chambers. He stated that the job was neatly done and there is no longer a safety hazard by having them on the floor. Council President Abdul-Rasheed asked Mr. Mason if he recalled the Council's request to receive any updates of happenings in Orange so that they are apprised when constituents call them.

Mr. Mason stated that he now recalls the conversation and will have to speak to the Police Director about it to see what can be done.

Council President Abdul-Rasheed asked Director Kemp if she could put a small air conditioner in the Council's break room.

Director Kemp replied, yes.

Council President Abdul-Rasheed stated that he attended the accident at Mechanic and Scotland. He stated that public safety officials were promptly attending to the situation and had everything under control. Council President stated that there should be a light placed at that intersection to better conduct the flow of traffic.

Council President Abdul-Rasheed stated with respect to the 44 bus stop at the corner of Scotland Road and Central Avenue is a location in which laborers congregate. He stated that two females asked if the laborers could be instructed to move a great distance from the bus stop because they felt uncomfortable, which is understandable being surrounded by quite a number of men.



**Absences: Marable**

**Council President Abdul-Rasheed ruled the motion was carried by Six Yeas, No Nays, No Abstentions and One Absence.**

**22-2011 An ordinance adopting amendments to the Central Orange Redevelopment Plan.**

**The Acting Municipal Clerk read the ordinance by title that constitutes a second reading pursuant to law.**

**Council President Abdul-Rasheed then announced that there would be a public hearing on this ordinance and any persons wishing to speak on this ordinance should come forward, state his/her name and address for the record, all remarks should be directed to the Presiding Officer.**

Council President Abdul-Rasheed recognized Jeffrey Feld

Jeffrey Feld of 268 Main Street stated that he obtained an injunction barring the Administration and the Clerk for denying access to the agenda packet.

Mr. Feld stated with respect this ordinance, what is the effective date and was former Councilman Lewis correct. Mr. Feld asked if this ordinance was effective at the time of adoption or twenty days after publication.

Council President Abdul-Rasheed recognized Marvin Braker, City Attorney

Mr. Braker stated that it is effective twenty days after final passage and accordance with law.

Mr. Feld stated, in order to move up the effective date there should be a resolution in place and a need due to an emergent situation.

Mr. Braker stated, if the Council choice to waive the twenty days, there will first have to be a need and a resolution in place to do so.

Mr. Feld stated that number three on the last page states that this ordinance shall become effective immediately. He asked if there will be a separate resolution today waiving the standard provision so that it's effective immediately.

Council President Abdul-Rasheed recognized Director Jackson

Director Jackson stated that most of the ordinance says that it is effective immediately but that is following the twenty day rule.

There was further discussion. Mr. Braker stated the language was in correct, as it should read "to become effective after final passage and in accordance with law". Mr. Braker stated that this should be amended to simply say "to become effective after final passage in accordance with law.

Mr. Feld stated that this is an amendment to the Central Orange Redevelopment and as pointed out by Mrs. Stewart, the plan that's in existence refers to the Grand Central Project being a forty-five unit market rate condominium and all references had been taken out of the plan. Mr. Feld stated that his real

issue with regard to the Lincoln Avenue Redevelopment plan; he can not find the provisions governing the sale of City owned property located in the redevelopment zone. Mr. Feld stated that we do know that Transit Village (Tony Galento) has a portion of City owned properties that that the City plans to sell. However, does this plan set forth the provisions of the process we're going to use to sell properties in the redevelopment zone?

Director Jackson stated that the plan has not specified how the transaction will take place. She stated with respect to the Lincoln Avenue Redevelopment plan we are releasing an RFP. However, with respect to the Central Orange Redevelopment plan we have identified parcels for acquisition which is typically done with these plans. She then stated with respect to how the transaction occurs, that will be a separate matter for Council to vote on at the appropriate time.

Director Jackson stated, as many already known, she has had individual meetings about the Transit Village with regard to getting that property appraised because it is a City owned property.

Mr. Feld stated that he wanted to assure some things were consistent and we had a policy and procedure in place.

Council President Abdul-Rasheed recognized Katalin Gordon

Katalin Gordon of 211 Park Place stated that she is interested in whether or not the amendment is related to every area or only designated to the Transit Village.

Director Jackson stated that she did not understand the question. However, there is a reason we have boards and there is a reason questions such as these are answered at the board meetings. She stated that there is a reason this information sits in the Clerk's Office for an appointed period of time, which is for review of changes to a plan or ordinance, and for comment. Director Jackson stated that the bulk of these changes are related to the density in the area because we are Transit Village. However, the proper place to inquire about these changes is to the planning board. The planning board post changes for public notice and there will soon be some posted to our website. Director Jackson stated that there will be an opportunity to ask question after the first reading.

Ms. Gordon stated that she didn't know that there was opportunity to ask questions after the first reading. She then stated her question was specifically if the redevelopment plan was for all areas or just the Transit Village, which is Main Street, South Essex, I-280 and Lincoln Avenue. Ms. Gordon stated that she particularly interested in the part that mentions maximum height of building from five to twelve stories.

Ms. Gordon asked how many twelve story buildings are in Orange and how many if not all buildings will be converted into twelve story buildings, which would completely change the style and landscape of the City of Orange. She then stated that her main concern is high rise buildings.

Director Jackson stated that she would be happy to send Ms. Gordon the Central Redevelopment plan and the proposed amended plan, which will show the proposed density for those areas. She stated that we are not trying to change the flavor of Orange as this plan doesn't only include the Transit Village. She stated that it expands from the East Orange

border over to Lincoln Avenue, and includes Central Avenue up to and across Freeway Drive into the Transit Village area. Director Jackson encouraged Ms. Gordon to come to her office so that she can explain the plans in detail, as higher density is also her concern, especially in the area of Orange Train Station and Freeway Drive.

Ms. Gordon stated that the amendment state to raise the maximum height 125 feet or twelve stories but it does say how many units. However, the maximum density for the mid-rise is stated as eight units, per acre but maximum density for the high rise is missing. Ms. Gordon stated that there is no need for her to go to Ms. Jackson's office today if this is voted on. She then stated that this plan could however open the door for high-rises, which do not seem to be limited.

Council President Abdul-Rasheed entertained a Motion to close Public Hearing.

Motion: Corbitt

Voice Vote

Second: Williams

The Acting Clerk announced from the floor there must be a motion to amend this present ordinance to include this ordinance must take effect upon final adoption and publication pursuant to law.

Council President Abdul-Rasheed entertained a Motion to amend and to Adopt as amended.

Motion: Corbitt

Second: Jones-Bell

The Acting Municipal Clerk announced the roll call as follows:

Yeas: Corbitt, Eason Jones-Bell, Morton, Williams and Council President Abdul-Rasheed  
Nays: None  
Abstentions: None  
Absences: Marable

Council President Abdul-Rasheed ruled the motion was carried by Six Yeas, No Nays, No Abstentions and One Absence.

Council President Abdul-Rasheed entertained a Motion to Adopt.

Motion: Corbitt

Second: Jones-Bell

The Acting Municipal Clerk announced the roll call as follows:

Yeas: Corbitt, Eason Jones-Bell, Morton, Williams and Council President Abdul-Rasheed  
Nays: None  
Abstentions: None  
Absences: Marable

Council President Abdul-Rasheed ruled the motion was carried by Six Yeas, No Nays, No Abstentions and One Absence.

**10) ORDINANCE INTRODUCTION /FIRST READING**

**Councilman Corbitt announced that he was bringing ordinance 26-2011 from the floor.**

**The Acting Municipal Clerk read the ordinance for the record.**

**26-2011 An ordinance establishing that an individual or business entity which makes political contributions in certain amounts to municipal candidates and municipal political parties shall be ineligible to receive public contracts from the City of Orange Township.**

**The Acting Municipal Clerk suspend the rules of the agenda to add to the agenda ordinance 26- 2011.**

**Motion: Corbitt**

**Second: Eason**

The Acting Municipal Clerk announced the roll call as follows:

Yeas: Corbitt, Eason Morton and Williams

Nays: Jones-Bell and Council President Abdul-Rasheed

Abstentions: None

Absences: None

Council President Abdul-Rasheed ruled the motion was carried by Four Yeas, Two Nays, No Abstentions and One Absence.

**24-2011 An ordinance to amend chapter 200, of the Code of the City of Orange Township Entitled "Vehicle and Traffic" Section 200-17 Taxi Stand (Sponsored by Council Member Tency A. Eason)**

**Council President Abdul-Rasheed stated that the public hearing and final adoption of this ordinance will be on July 5, 2011, in the Council Chambers, Orange City Hall, 29 North Day Street, Orange, New Jersey, and the City Clerk shall publish the notice of first reading, and the time and place the ordinance will be considered for final passage.**

**Council President Abdul-Rasheed entertained a Motion to Adopt on First Reading.**

**Motion: Corbitt**

**Second: Williams**

The Acting Municipal Clerk announced the roll call as follows:

Yeas: Corbitt, Eason Jones-Bell, Morton, Williams and Council President Abdul-Rasheed

Nays: None

Abstentions: None

Absences: None

Council President Abdul-Rasheed ruled the motion was carried by Six Yeas, No Nays, No Abstentions and One Absence.

**25-2011 An ordinance amending Chapter 14, (Municipal Court) and establishing the position of Municipal Court Director for the City of Orange Township.**

Councilwoman Williams motioned to table this ordinance. There is no discussion on a tabled item.

Council President Abdul-Rasheed entertained a Motion to Table.

Motion: Williams

Second: Morton

The Acting Municipal Clerk announced the roll call as follows:

Yeas: Corbitt, Eason Jones-Bell, Morton, Williams and

Nays: Council President Abdul-Rasheed

Abstentions: None

Absences: Marable

Council President Abdul-Rasheed ruled the motion was carried by Five Yeas, One Nay, No Abstentions and One Absence.

**26-2011 An ordinance establishing that an individual or business entity which makes political contributions in certain amounts to municipal candidates and municipal political parties shall be ineligible to receive public contracts from the City of Orange Township.**

**Council President Abdul-Rasheed entertained a Motion to Adopt on First Reading.**

**Motion: Corbitt**

**Second: Morton**

On the Motion, Council President Abdul-Rasheed stated with respect to the last line of the resolution which speaks to “one year to the date of contribution.” Council President asked if that statement meant that this process would move along aggressively or depressingly.

Council President Abdul-Rasheed recognized Dwayne Warren, Legislative Research Officer

Mr. Warren stated that the individual cannot receive a contract until twelve months after the date of which a contribution was made. Mr. Warren stated that there is difference between pay to play and the fair an open contribution; meaning, if a contribution is made and the individual bids, if under the fair and open process the bid is then awarded. However, the individual cannot make a contribution to political parties, candidates or municipal parties during the life of that contract.

Councilwoman Williams asked for clarity if the individual made bid in January 2011 can they obtained a contract in July 2011, can they then make a contribution in August 2011.

Mr. Warren in response stated that they can do so under the fair and open process. However, they cannot bid during the life of the contract

Mr. Braker stated it doesn't apply if someone had already given a contribution and it doesn't preempt the fair and open process, which trumps because it's state law and this ordinance is the law of the City of Orange Township.

The Acting Municipal Clerk announced the roll call as follows:

Yeas: Corbitt, Eason, Morton and Williams

Nays: Council President Abdul-Rasheed

Abstentions: Jones-Bell

Absences: Marable

Council President Abdul-Rasheed ruled the motion was carried by Four Yeas, One Nay, One Abstention and One Absence.

**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.**

**The Acting Municipal Clerk announced those resolutions brought from the floor.**

**148-2011 A resolution saluting City of Orange Township resident Juan M. Rivera and his commitment to serve in the US Army**

**149-2011 A resolution to inset special items and appropriations of equal amounts in the physical year 2011 budget**

**The Acting Municipal Clerk suspend the rules of the agenda to add to the agenda resolutions 148-2011 and 149-2011.**

**Motion: Morton**

**Second: Jones-Bell**

The Acting Municipal Clerk announced the roll call as follows:

Yeas: Corbitt, Eason, Jones-Bell, Morton and Williams and Council President Abdul-Rasheed

Nays: None

Abstentions: None

Absences: Marable

Council President Abdul-Rasheed ruled the motion was carried by Six Yeas, No Nays, No Abstentions and One Absence.

The Acting Municipal Clerk asked Council for those resolutions they wished to remove for a separate vote and they are as follows: 140-2011, 148-2011 and 149-2011

**RESOLUTIONS NO. \*141-2011-\*146-2011 and \*147-2011**

- \*141-2011** A resolution authorizing the refund of taxes paid due to inadvertent payment.
- \*142-2011** A resolution authorizing the tax collector to refund subsequent water/sewer payment by the outside lien holder, Plymouth Park Tax Service, LLC for property known as 562-566 Scotland Road, Block 5901, Lot 004.
- \*143-2011** A resolution authorizing Changer Order No. 3 from J.A. Alexander, 130 John F. Kennedy Drive North, Bloomfield, New Jersey 07003 for a decrease to the project known as the Roadway Improvements to Chapman Street and Ogden Street to adjust the contract quantities to meet final as-built conditions in the amount of \$11,183.90.
- \*144-2011** A resolution authorizing Change Order No. 1 from D & L Paving, P.O. Box 507, Nutley, New Jersey 07110 for a decrease to the project known as the roadway improvements to Thomas Boulevard Phase 2 to adjust the contract quantities to meet the final as-built conditions in the amount of \$96,915.74.
- \*145-2011** A resolution authorizing participation in the Express Scripts Pharmacy Benefits Management Services for eligible active employees of the City of Orange Township.
- \*146-2011** A resolution Certifying Compliance with the Directive of the Division of Local Finance, Department of Community Affairs, regarding the Annual Audit for the Fiscal Year 2010.
- \*147-2011** A resolution Posthumously honoring Sherry Lynn Montalvo, City of Orange Township Municipal Court Administration.

**Council President Abdul-Rasheed entertained a Motion to Adopt the Consent Agenda.**

**Motion: Corbitt**

**Second: Eason**

The Acting Municipal Clerk announced the roll call as follows:

Yeas: Corbitt, Eason, Jones-Bell, Morton and Williams and Council President Abdul-Rasheed

Nays: None

Abstentions: None

Absences: Marable

Council President Abdul-Rasheed ruled the motion was carried by Six Yeas, No Nays, No Abstentions and One Absence.

**The Acting Municipal Clerk announced that those resolutions removed for a separate vote will now be considered.**

140-2011

**A resolution approving the bill list dated May 25, 2011 and approving checks issued by the Finance Department in accordance with Ordinance 2-95. (PAGES 1-26, GRAND TOTAL: \$963,168.56)**

**Council President Abdul-Rasheed entertained a Motion to Adopt the Consent Agenda.**

**Motion: Corbitt**

**Second: Eason**

On the motion, Councilman Corbitt clarity with respect an invoice for United Water in the amount of \$178,767.71, found on page 10, division 150 (Department of Finance).

Mr. Mason stated in response that it is a bill back for reimbursement for repairs to replace items from April 2011 and in addition a monthly operation fee.

Councilman Corbitt then asked what items the invoice covers.

Mr. Mason deferred this question to Director Kemp.

Council President Abdul-Rasheed asked that Director Kemp furnish this information to Councilman Corbitt since she didn't have it on hand at this time.

Councilman Corbitt asked that purchase order A56222 be pulled until the Council receives clarification with respect to the amount.

**The Acting Municipal Clerk entertained a Motion to amend the bill list to exclude purchase order A56222 in the amount of \$178,767.71 for United Water; creating a new bill list total for the month of May for \$784,485.85.**

**Motion: Corbitt**

**Second: Morton**

Councilman Corbitt had not finished his inquiries on the motion, as to this bill list and asked another question on the motion as follows before the roll call.

**On the Motion**, Councilman Corbitt asked with respect to purchase order A56020, amount \$57,715.93, on page 14, (Administration Patrol Division), and is this one lump sum payment for the five Crown Victorian vehicles that were leased; if so what was each payment.

Mr. Mason stated that each payment was the same in the amount of \$57,715.93.

Councilman Corbitt asked if this was a buyout.

Mr. Mason stated that this is the last payment for a three year lease agreement.

The Acting Municipal Clerk announced the roll call as follows:

Yeas: Corbitt, Eason, Jones-Bell, Morton and Williams and Council President Abdul-Rasheed

Nays: None

Abstentions: None

Absences: Marable

Council President Abdul-Rasheed ruled the motion was carried by Six Yeas, No Nays, No Abstentions and One Absence.

**148-2011 A resolution saluting City of Orange Township resident Juan M. Rivera and his commitment to serve in the US Army.**

**Council President Abdul-Rasheed entertained a Motion to Adopt.**

**Motion: Morton**

**Second: Williams**

**On the Motion,** Councilwoman Williams stated that Mr. Rivera is an Orange High School student and who was involved with the junior police, along with Lt. Soto. She stated that Mr. Rivera informed her that he was going to do his last year of high school and college in the US Army. Councilwoman Williams stated that Mr. Rivera is very active in the community and he's going to enlist in the Army on June 21<sup>st</sup> and leaving for the Army on July 5<sup>th</sup>. Councilwoman Williams asked that her Council Colleagues support her on honoring Mr. Rivera. Councilwoman Williams apprised the Council that there would be some amendments to this resolution because there was a paragraph that mixed up his school mates with those mentors from the Orange Police Department.

Council President Abul-Rasheed asked that those corrections be forwarded to the Clerk's Office in order to have it ready for presentation on June 21<sup>st</sup>.

The Acting Municipal Clerk announced the roll call as follows:

Yeas: Corbitt, Eason, Jones-Bell, Morton and Williams and Council President Abdul-Rasheed

Nays: None

Abstentions: None

Absences: Marable

Council President Abdul- Rasheed ruled the motion was carried by Six Yeas, No Nays, No Abstentions and One Absence.

**149-2011 A resolution to inset special items and appropriations of equal amounts in the physical year 2011 budget.**

**Council President Abdul- Rasheed entertained a Motion to Adopt.**

**Motion: Corbitt**

**Second: Williams**

**On the Motion,** Councilwoman Eason asked if these grants were being inserted into the budget based on the audit. She stated that we don't normally get the grants that we apply for so it generally have to come out of our operations budget. Councilwoman Eason stated that we should have someone either full or part-time that reviews, and reconciles the grants, and make sure we are getting the money they're awarding the City, as we have missed a couple million dollars based on the audit. Councilwoman Eason asked what the status is and had Mr. Mason come up with a job description.

Mr. Mason stated in response that naturally we receive grants and the Municipal Alliance grant is the first one listed on this resolution at eighty-five thousand dollars and we received that money. However, there are other resolutions listed for road improvements that went out for bid and were contracted for less than what the grant was for. Therefore, we will be reimbursed for that what was expended, which was less than the face value of the grant. Mr. Mason stated that there needs to be some looking into the amount of the grant and the amount being awarded but that's not necessarily to say we owe all that money.

Councilwoman Eason stated in response that she doesn't look at it in that manner. Councilwoman Eason reiterated her question with respect to hiring someone to look at grants that have not been awarded and possibly going after that money.

Mr. Mason stated that it is a matter of properly staffing the finance department with a Chief Financial Officer, which will be discussed on the fourteenth.

The Acting Municipal Clerk announced the roll call as follows:

Yeas: Corbitt, Eason, Jones-Bell, Morton and Williams and Council President Abdul-Rasheed  
 Nays: None  
 Abstentions: None  
 Absences: Marable

Council President Abdul-Rasheed ruled the motion was carried by Six Yeas, No Nays, No Abstentions and One Absence.

**12) OTHER PENDING BUSINESS**

**13) MOTION TO ADJOURN**

**Council President Abdul- Rasheed entertained a Motion to adjourn.**

**Motion: Corbitt**

**Second: Eason**

The Acting Municipal Clerk announced the roll call as follows:

Yeas: Corbitt, Eason, Jones-Bell, Morton and Williams and Council President Abdul-Rasheed  
Nays: None  
Abstentions: None  
Absences: Marable

Council President Abdul-Rasheed ruled the motion was carried by Six Yeas, No Nays, No Abstentions and One Absence.

**Adjournment Time: 11:47 PM**

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**Dwight Mitchell, RMC  
Municipal Clerk**

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**Tency A. Eason  
Council President**

**MINUTES APPROVAL**

**Passed on August 3, 2011**

**Conference & Regular Meeting on June 8, 2011**

**Council President Eason entertained a Motion to adopt the conference and regular meeting minutes of June 8, 2011.**

**Motion to Adopt: Corbitt**

**Second: Morton**

**The roll call by Municipal Clerk was as followed:**

**Yeas: Corbitt, Jones-Bell, Williams & Eason**

**Nays: None**

**Abstentions: None**

**Absences: Abdul- Rasheed, Marable & Morton**

**Council President Eason ruled the Motion was carried by Four Yeas, No Nays, No Abstentions and Three Absences.**