

**A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF ORANGE TOWNSHIP HELD IN THE COUNCIL CHAMBERS, CITY HALL, 29 NORTH DAY STREET, ORANGE, NEW JERSEY, ON TUESDAY, JUNE 21, 2011 IMMEDIATELY FOLLOWING THE CONFERENCE MEETING AT 8:19PM.**

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

**2) ROLL CALL**

		<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)	_____	arrived @8:30pm
Hon. Edward B. Marable, Jr.	(South Ward)	___X___	_____
Hon. Rayfield Morton	(At-Large)	___X___	_____
Hon. Donna K. Williams	(At-Large)	___X___	_____
Hon. Hassan Abdul-Rasheed	(West Ward)	___X___	_____
Council President			

The Acting Municipal Clerk announced there was a quorum.

**ALSO PRESENT**

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

**3) Acting Municipal Clerk announced 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**

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

Councilman Corbitt cannot vote, because he was not present.

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

**Motion: Williams Second: Morton**

**The roll call by the Acting Municipal Clerk was as follows:**

**Yeas: Eason, Marable, Morton, Williams, Council President Abdul-Rasheed**  
**Nays: None**

**No Vote: Corbitt  
Abstentions: None  
Absences: Jones-Bell**

**Council President Abdul-Rasheed ruled the Motion to Adjourn was carried by the vote of Five Yeas, No Nays, One No Vote, No Abstentions and One Absence.**

**5) REPORTS**

**None**

**CONSTABLE REPORTS**

**Miguel Galarza - Month of April 2011& May 2011 - No Activities  
Eddy J. Stone - Month of April 2011 & May of 2011 - No Activities**

**Council President Abdul-Rasheed directed the Acting Municipal Clerk to file the 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.**

**Jeffrey Feld – 268 Main Street**

Mr. Feld spoke on the ruling from June 7, 2011. He said the FCC has said there is a need for more investigative reporting. At the last meeting he was promised a written response from the legislative research officer concerning three questions he posed and to date he has not received anything. First, the validity of issuing construction permits to a site with delinquent water/sewer charges; second, the need for legislative approval for the agreement with the fire fighters, and third the need for this legislative body to approve appointments of chiefs to the police and fire departments after 90 days. He also submitted an OPRA request for the executed amending ordinance to the Central Redevelopment Plan of

which there was a dispute of the effective date. He said he has inquired on whether the DEP lifted the new construction moratorium because there seemed to be some conflict in information he has received. He also said the council needed to check on how much had been spent on the water project. He asked that the council respect the open public records act and not walk any resolutions or ordinances that are not listed on the agenda and if they did, please allow the public to comment on them. He said the council was being asked to approve a tax levy tonight. He wanted to know how much money has been spent to date and had anyone seen any figures on the expected appropriations. He mentioned a resolution that was walked on at the last meeting for appropriations for UEZ; next year the money would not be available and he wanted to know how that shortfall would be made up. As far as the bill list, he wanted to know if they were making sure that the payments were not exceeding the resolution amounts. He also mentioned that some of the payments were being made for services rendered in 2008 and 2009. He wanted to know the definition of the project on Central Avenue concerning the medical supplies because it was not listed in the resolution. At the last meeting the council said it would not vote on any project where it was not clear on the start date and the specifics of the project. He stated that the names on the agreement did not match the property owners' names on record in the tax assessors department. He said there seemed to be some conflicting statements in the resolution for the court director and the court administrator so he asked the council to review it carefully. He wanted to know when his questions would be answered.

Ms. Jackson, Director of Planning and Economic Development, stated that the resolution concerning the redevelopment would be removed from the agenda. She said the redevelopment agreement was drafted by the City Planner and reviewed by the City Attorney's office.

Mr. Feld suggested that everyone review an article in the law journal concerning laymen drafting agreements. He also wanted to know when the legislative research officer would answer his question.

Mr. Warren suggested that it would be proper for a written OPRA request be submitted and he would respond within the appropriate amount of time.

**William Lewis – 688 Mosswood Avenue**

Mr. Lewis wanted to know what the municipal levy was in resolution 151-2011.

Mr. Mason said this was the preliminary tax levy for the transitional fiscal year July 1, 2011 through December 31, 2011 in the amount of \$17,482,072.00, which was 50% of the tax levy in fiscal year 2011. He said this was the amount approved previously by the council that was put in the package that was sent to the local finance board as a part of the application for the city to revert back to the calendar year budget.

Mr. Lewis said he has lived in Orange since 1966 and has always offered his services to the city and the board of education. He pointed out recommendations that he has made to the city that were ignored and there were consequences. He said the city needed to find ratables and move away from affordable housing. He also stated that they needed to find ways to bring in money and not expend money.

**Katalin Gordon – 211 Park Place**

Ms. Gordon said at the last meeting she asked a question and was interrupted by the council president. She said at every meeting the public is reminded to act in a proper manner but she felt as though her question was put down by the council president. She said it was also recommended to her by Director Jackson that she bring her questions to the planning board or to the proper outlets before the council meetings; she said she may consider that in the future. She wanted to know if Director Jackson was told to do that by the council because she felt as though these public hearings were for the public to ask their questions and get answers.

Ms. Jackson said first she wanted to reply to Mr. Feld by saying the templates that they used for the agreements were drafted by the law department and were modified. Next, she addressed Mr. Lewis; she said prior to this administration, the council approved affordable housing for 12 years and the tax abatements were all affordable housing. She said that in 2010, she brought in \$4million worth of new ratables. She said to Ms. Gordon that she merely suggested that there were other venues to get her questions answered other than the council meetings. She stated that she and every citizen had the right to come before the council to give input and have their concerns addressed.

Ms. Gordon said her question was not answered.

**Gloria Stewart – 62 Hampton Terrace**

Ms. Stewart said it was said that it has come to the point where a citizen was ignored. She wanted to know the status of the positions of chief financial officer and deputy clerk. She said it also bothered her that they city kept spending money while saying it did not have money and then wanting to borrow money; she wanted to know if the city was in a position to do so. She also felt that they had too many change orders. Next, she wanted an explanation of resolution 158-2011; she wanted to know what happened to the money if they did not get all of the participants anticipated. She spoke on the field day for Heywood Avenue School in the park and not having access to the restrooms for the adults or the children until later in the day. She commented on another death in the city and this was something that needed to be worked on constantly. On the redevelopment resolution 159-2011, she wanted to know what impact it would have on the tax payers.

Mr. Mason said resolution 159-2011 would be withdrawn.

Ms. Jackson said the redevelopment agreement meant that a developer wanted to invest and improve properties on certain terms.

Ms. Stewart said as it related to the hearings going in Trenton, things did not look good for the average worker as far as pensions were concerned. She expressed her displeasure with the mayor supporting the governor yet hiring people and giving raises as he saw fit and let city residents go. She hoped the council stood up for the little people.

**Having no further comments, Council President Abdul-Rasheed entertained a Motion to Close the Citizen Comments.**

**Motion: Morton**

**Second: Corbitt**

**The roll call by the Acting Municipal Clerk was as follows:**

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

**Council President Abdul-Rasheed ruled the Motion to Close Citizen Comments was carried by the vote of Six Yeas, No Nays, No Abstentions and One Absence.**

**Council President Abdul-Rasheed announced that Council Member Jones-Bell had arrived.**

#### **8) COUNCIL COMMENTS**

Council Member Morton said he would like to have a report concerning the lighting on the bridge because he did not see anything different when he rode through.

Ms. Kemp stated replied that it is a budgetary constraint. The deputy director assessed the situation and it is found that an electrician would be needed; to repair it would be close to \$20K. She said it could be budgeted in the next year's budget.

Council Member Morton felt as though this was a need because it concerned people's safety. He said they have spent \$20K on Christmas lighting and this was more important.

Ms. Kemp said that it would have to be added into next year's budget. She said the estimate was about 8 months old so she would ask for an update on it.

Council Member Morton commented on the curbing by the park on Oakwood Avenue; he said it was in real bad shape and he understood that this was the county's property. He said one of the seniors from across the street could be hurt going into the park especially those in wheelchairs. He wanted to know if this was something he should pursue or did the city have a contact or an agreement. He said it was the whole block from Central Avenue to East Highland.

Kenneth Garrett, Liaison to Essex County, said he would research the matter and get back to the council by the next meeting.

Council Member Morton spoke on the shootings in the city. He said it was the responsibility of the city and things were being done but more needed to be done and they needed to be done daily. He asked the

public to make suggestions to help solve the problem. He said that harsher rules or consequences needed to be put in place. He said he would like to sit down with the police director to share ideas from other towns.

Mr. Rappaport, Police Director, said they have followed up with several things from the “Stop the Violence Campaign”. He said that they were solving crimes but these things should not be happening. He said more help would be needed from the community and he mentioned a handout that he had made available at this meeting. He agreed that solutions had to be made as a community. He said the young people needed to be careful who they hang with. He said during the summer they were going to enforce the curfew. He said at first he was opposed to the pants sagging resolution, but now he said something needed to be done. He mentioned the vacant homes and how vagrants and undesirables hang out in these types of places. He said there was a plan for the summer and they were handing out more summonses. He said they were bringing back laid off police officers and new officers; they were looking to hire part time employees to put the officers back in the streets. He mentioned other programs that were being put into place and he asked to community to step up.

Council Member Morton stated that they were doing things for kids that were not involved in the violence but what were they doing for those that were involved.

Mr. Rappaport agreed but he said those individuals needed to be reached by a different group. He said they have had meetings to address this issue. He added that they have reached out to the clergymen and judges in the community. He spoke on things that they were trying to do with the courts. He said the arrests for prostitution were increasing and they would help deter crime.

Council Member Williams asked if the meeting with Rev. Kennedy was public or private.

Mr. Rappaport said it was a public open forum and one section would be on stopping the violence. He said the public would be notified.

Council Member Williams spoke on the stop the violence rally that started in Orange and concluded in Newark. She also spoke on the importance of communication and letting the council and the public know what was going on. She wanted to know where they were with the PAL program.

Mr. Rappaport said the biggest problem with the program was funding also insurance and mentors were needed. He said they were in negotiations with a few people to get the program going. He was trying to find the funding and volunteers for the program.

Council Member Williams said he should reach out to the council so that they could reach into their resources.

Mr. Rappaport said they would be dealing with kids so they had to be careful of who was with the kids. He said he was working with Mr. Pressey of recreation to help with the program.

Council Member Williams asked if there was a procedure to have access to the restrooms in the city parks.

Mr. Holcomb, Director of Community Service, said there are procedures in place but he is trying to see where the problem was.

Council Member Williams asked if the \$20K quote given to fix the lights was for one location or to fix the lights under all the underpasses. She also wanted to know if Ms. Kemp could work with Ms. Jackson and beautify those areas as they were being repaired.

Ms. Kemp responded yes.

Council Member Williams said there were a group of citizens living in the area of Colgate Park were going to have a family fun day on Saturday starting at 1:00pm. She said the gospel concert has been rescheduled for Saturday, July 9, 2011 from 12:00 noon to 5:00pm. She encouraged everyone to pick up the schedule of concerts in Orange Park to have a nice time.

Council Member Eason said St. Matthew was also having a community day on Saturday, July 9<sup>th</sup> from 9:00am until 3pm. She wanted to know if the police department was going to start enforcing the curfew law in light of the young people getting shot.

Mr. Rappaport said they were. He said they were going to try to do in a sensible manner. He said once a kid was picked up, they had to remain with the officer until they were picked up or processed and that was taking an officer off the street.

Council Member Eason suggested that they re-notify the public that they would be enforcing this law.

Mr. Rappaport said that were going to put in on channel 35 and post it on the police bulleting. He said could try to have a flyer passed out to the schools before the last day of school.

Council Member Eason also commented on the importance of communication and the council needing to know what was going on in the community. She also asked that the police department start ticketing for cars parked in driveways that blocked the sidewalks because it made it dangerous for pedestrians when they had to walk in the streets. Next, she wanted to know if there was any information for the lights in the area of Star Tavern and Ropes Playground.

Ms. Kemp said that those lights were not purchased through PSE&G but through another vendor and PSE&G will not service them. She stated that they have contacted the electrician who will give an estimate on how much it will be to repair the lights.

Council Member Eason wanted to when the overgrown grass in certain areas would be cut.

Ms. Kemp said if she could provide locations in need, she would put in work orders with the deputy director.

Council Member Eason then spoke street sweeping. She said residents were asked to move their cars for street sweeping and if they did not, they received a ticket. So what was the rationale behind the street not getting swept if people were moving their cars as requested.

Ms. Kemp said they used to sweep the streets twice per week however they could only sweep them now every other week due to manpower. She said in order to inform the public, they would have to change all the signs in the city which would be about \$400K.

Council Member Eason asked if it would take \$400K to change the signs, would it be easier to bring back the guys from public works. She also wanted to know if they would ever get back to cleaning the streets twice per week.

Ms. Kemp said she could not make those decisions because she was not in charge of hiring or firing personnel.

Mr. Mason said the city was in mediation with the OMEBA union and if they negotiations were favorable, then workers could possibly come back and the next meeting was next week. He stated that the men from public works were in the OMEBA union. He said the city had needs and funds had to be appropriated where needed. He said the council would make the right decision of where funds needed to be appropriated given the needs of various departments.

Council Member Eason asked the date of the meeting and if they would have a read out of what would happen from that meeting.

Mr. Mason said the date escaped him but it was some time next week.

Council Member Eason stated that as the council person for the north ward she was really getting beat up and she wanted to make sure that the residents were getting what they were paying for. Next she spoke on a law on the book about merchants cleaning up in front of their stores twice per day and they were not doing it and she mentioned some of the areas that were not complying. She then requested that all the merchants be given a copy of the ordinance so they would know what was required of them. She believed one of the reasons the merchants were not cleaning up was because code enforcement was not writing any summonses.

Ms. Jackson, Planning and Economic Development director, disagreed that it was not because code enforcement was not writing any summonses. In May, she along with public works delivered letters to all merchants informing them of their responsibilities as far as property maintenance went. The letter explained how and when they were supposed to put the garbage out, how to maintain the sidewalks, etc. This came about after a code enforcement officer met with a group of merchants. The letter also

informed the merchants that the city would be more aggressive with making sure they complied with the ordinance. She added she could supply a list of all merchants that have been taken to court.

Council Member Eason also wanted to know how many were not acted upon.

Ms. Jackson said with code enforcement it was a process. She stated that first they issued a warning and gave the merchant a deadline to abate the situation, if they did not comply, then they took them to court. She said that if a merchant did not appear in court, a bench warrant to appear in court. She repeated that she would supply statistics.

Council Member Eason asked if the bench warrants were ever acted upon.

Ms. Jackson said the court did not have the ability to separate a property maintain bench warrant from any other so a code enforcement officer went to the court and identified the property maintenance warrants and a police officer carried them out. She said there was another process to bench warrants that the police director could explain.

Mr. Rappoport said that Ms. Jackson had provided a list of bench warrants to be carried out however, there were not many that could be physically delivered. He said that he received a call from the mayor about the trash on Main Street and he personally started at Rosa Parks School and told all the merchants that they had 5 minutes to clean the front of their stores and if they did not, a police officer would come and issue tickets. Within an hour, all the merchants had cleaned up; there was debris in the streets but not on the sidewalks in front of the stores. He said that there were some stores that the gates were down and he was not able to get to them. He said that the special police, public works and code enforcement followed up with the merchants.

Council Member Eason said that she would like to have someone check into the corner on Main & Day Streets because there was a lot of traffic on the weekend and there was debris.

Mr. Rappoport said that cameras were being installed in the area and he has requested more special police in order to put more officers on the street.

Council Member Eason said some of the merchants on Main Street had asked if they could get together and put the flowers out themselves.

Ms. Kemp said the mayor had a meeting last year with the merchants and they expressed the want to take of the care and the maintenance of the flowers and it was fine with her because they did not have the money or the manpower to continue the job.

Council Member Eason said that she would let the merchants know. She then said everyone needed to help out each other. If possible, when someone was cutting their yard, maybe they could help out and cut their neighbor's yard to try and help the city look better. She asked that everyone pray for the families of those were hurt and for the police officers were kept out of harms way.

Council Member Corbitt asked what the total amount was that had been spent on the water pump station to date.

Ms. Kemp said she could get the information tomorrow or she could go to her office and try to find it; the information would be up-to-date from the last invoice because the information was listed on the bottom of each invoice.

Council Member Corbitt said he could wait to get the information tomorrow but he wanted the public to know so he would inform them at the next council meeting. Next, he said it was certainly not his intent to ignore Ms. Gordon, however he thought that someone would answer her. To Ms. Stewart, he had a conversation with the prosecutor's office and they were working diligently to solve the last murder. He said he was also working with some other things with the prosecutor's office that he could not speak on because it was in the embryotic stages. He would be working on another initiative with Director Rappoport concerning violence on the streets. He mentioned that there is a whole sale cleaners at 50 N Center Street that charged \$1.88 per piece and he was satisfied with the service. The catch was that you had to get at least 10 pieces done.

Council Member Marble said the longest street in New Jersey was Bloomfield Avenue and the second was South Orange Avenue. He said that one of the reasons those streets were not speedway was because of the lights and he suggested more lights were needed on some of the longer streets in the south ward. Heywood, Tremont, Berkeley and Highland Avenues were becoming speedways because the streets were long and lacked a sufficient amount of traffic lights and stop signs. This was a concern because these were thoroughfares for children. He wanted to know if there was anything the residents could do about this issue.

Mr. Rappoport said a resident could take down a license plate number and provide it to the police department and the person could be issued a warning notice. A ticket could not be issued if an officer did not witness the incident. He stressed that the license plate number would be needed in order to issue a warning. He agreed that there were places on streets in the south ward where vehicles could pick up speed. He said that speed warning signs were placed around the city.

Council Member Marable asked if more warning signs could be placed around the city.

Mr. Rappoport said there was one sign at the police department and the cost for more could be costly. He said the sign flashed when someone was speeding and it stayed charged through solar power. He mentioned streets where the sign had been placed before and he said they could do it again.

Council Member Marable then spoke about street paving. He asked that a list be provided to the council from Ms. Kemp of the priority list of the top 10 to 15 streets that needed to be paved. He also asked the council to provide a list of the top 2 to 3 streets that they felt needed to be paved so he could compile a list. He said that \$20million would be needed to fix all of the streets in Orange and he knew that much money would not just fall in their lap. He said he was not a fan of bonding but he was open to doing so

because the streets were in dire need of repair. He said Fairview Avenue was really in need of repair and only a portion of it had been paved do to funding and he knew that other streets were also in need.

Council Member Jones-Bell apologized for being late. She said that she has received complaints about street sweeping in her ward. She also commented on people not moving their cars so the streets could be done even if it was only every other week. She said she has also reached out to the county and others concerning handicapped access to Orange Park and she too has received complaints. She offered to work with Council Member Morton on this issue; she mentioned some accidents of people in wheelchairs coming and going to the park. She stated she was in agreement with Council Member Marable concerning the streets. She said that there were some bad streets in the east ward and N Center Street was particularly in bad shape.

Council President Abdul-Rasheed thanked members of public works for their assistance in the west ward as well as the coolness of the rooms for the council. He said he has spoken to the freeholders office concerning the lights under the overpass on Mechanic Street. He stated that correspondence had been sent to the city and then he stated that there would be a freeholder meeting this week and he would be in attendance. Next he stated that he did not ignore Ms. Gordon and he has been corresponding with her and even brought a hard copy of an email she said she did not receive. He said he always tries to be fair and would continue to do so.

Council Member Eason informed Ms. Gordon that there was a public portion during the planning board meeting and the next meeting would be Wednesday at 7:30pm. In addition, there was a public portion at the zoning board meetings where citizens could express their concerns. She explained that by coming to the planning or zoning meeting, issues could be addressed before they got to the council for approval. She said that all meetings were published in the newspaper as well as listed in the clerk’s office and on the city’s website.

**9) ORDINANCES – SECOND READING/PUBLIC HEARING**

None

**10) ORDINANCES – INTRODUCTION/FIRST READING**

**27-2011 An Ordinance of the City of Orange Township to amend Chapter 200, entitled Vehicle and Traffic, Section 200-10.2 Residential Parking Permit.**

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

**Motion: Corbitt**

**Second: Jones-Bell**

**The roll call by the Acting Municipal Clerk was as follows:**

**Yeas: Corbitt, Eason, Jones-Bell, Marable, Morton, Williams,**

**Council President Abdul-Rasheed**

**Nays: None**  
**Abstentions: None**  
**Absences: None**

**Council President Abdul-Rasheed ruled the Motion to Adopt was carried by the vote of Seven Yeas, No Nays, No Abstentions and No Absences.**

**Council President Abdul-Rasheed announced that the Public Hearing and final adoption of this ordinance would be August 3, 2011 in the Council Chambers, Orange City Hall, 29 North Day Street, Orange, New Jersey, that the City Clerk shall publish the notice of the first reading and the time and place the ordinance would be considered for final passage.**

**ORDINANCE TABLED FROM JUNE 8, 2011 COUNCIL MEETING**

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

**Council President Abdul-Rasheed entertained a Motion to lift from the table.**

**Motion to lift: Corbitt**

**Second: Abdul-Rasheed**

**The roll call by the Acting Municipal Clerk was as follows:**

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

**Council President Abdul-Rasheed ruled the Motion to Lift was not carried by the vote of Two Yeas, Five Nays, No Abstentions and No Absences.**

**11) CONSENT AGENDA**

**Council President Abdul-Rasheed entertained a Motion to Suspend the Rules and add resolutions to the Consent Agenda.**

**161-2011 A resolution approving the Financing of a Special Emergency Appropriation for the financing of contractually required severance liabilities resulting from employees retirements.**

**162-2011 A resolution for the Transfer of appropriations.**

**163-2011 A resolution appointing Ryan T. Riccio as Tax Assessor for the City of Orange Township.**

**164-2011 A resolution appointing Joy Lascari as Chief Financial Officer for the City of Orange Township.**

**165-2011 A resolution appointing John Ditinyak as Director of Finance for the City of Orange Township.**

**Motion: Jones-Bell**

**Second: Williams**

On the Motion, Council Member Williams asked if the citizens would be allowed to comment on these items since they were being added to the agenda after citizen comments. She also asked that the legislative research officer put something in place that would allow citizens to comment on items that were added to the agenda after citizen comments.

Council President Abdul-Rasheed said whatever the pleasure of the majority of the council chose would be fine with him. Next, he felt as though legislation from the legislative research office was not necessary but again he would agree with the majority of the council.

Council Member Corbitt said that the council was getting lax with allowing resolutions from the floor and tonight they were walking on five. However, he understood about the resolution concerning the tax assessor because state statute mandated that they had to have one in place before the end of the fiscal year.

Mr. Mason said that has been expressed to him by the county board.

Council Member Corbitt said he did not understand what the urgency was with the other four resolutions.

Council President Abdul-Rasheed stated that if it was the council's pleasure, they could stop the process right now or they could simply vote this up or down. Next, he commented on the interview process that the council has gone through. He was in favor of dealing with these resolutions now.

Council Member Eason said these interviews were done on the 14<sup>th</sup>; she wanted to know why the resolutions could not have been a part of the agenda.

Mr. Mason stated that the agenda was due to the clerk's office before June 14<sup>th</sup>.

Council Member Eason said that she was looking for those resolutions with the package and even though the material was due to the clerk's office before the interviews, she felt as though it could have been included because they knew this was coming.

Council President Abdul-Rasheed repeated that he was in favor of just dealing with the legislation now whether it was voting it up or down or tabling the resolutions.

Council Member Jones-Bell agreed that they should address it.

Council Member Williams said she understood that they needed to vote on this, however, the public deserved the right to speak on the matter and were being denied due to the way the meeting was set up. She said her question was how to address this issue and how to handle if this occurred again especially since a member of the public addressed this issue.

Council Member Corbitt stated he would like to add only the resolution dealing with the tax assessor and deal with the other resolutions at the next meeting.

Council Member Eason asked if the other resolutions needed to be done prior to June 30<sup>th</sup>.

Mr. Mason stated that they did.

Council President Abdul-Rasheed said he sent correspondence to all council members concerning the need for this prior to the meeting.

Council Member Corbitt stated that any resolution that was not critical should not be added and should wait until the council's next meeting.

Council Member Marable said he was prepared to vote.

Council Member Morton said he too was prepared to vote however, he still felt as though they were slighting the citizens.

Mr. Braker stated that in the past, the council has walked on resolutions without having the public comment. The city's code would have to be amended to have citizens speak on resolutions that were added after citizen comments. He added that all walk on legislation did not just come from the administration but from the council as well. He said legislation was needed in order to have the public comment.

Council Member Williams asked if they could proceed with these resolutions like they were ordinances when the public made comment.

Mr. Braker replied no because it was outside the parameters of what was codified.

Council Member Marable asked what commentary could the public give if they have not seen these resolutions and do not know the content of them. He said the public has not seen the resumes nor were they a part of the interviews and he was confident in his abilities to vote these items.

Council President Abdul-Rasheed suggested that they add these resolutions to the consent agenda then they could be pulled to vote on individually.

Council Member Marable said that he understood the rationale behind adding resolutions 163-2011 – 165-2011 but he did not understand the urgency with resolutions 161-2011 and 162-2011.

Mr. Mason said lack of adequate staffing in the finance department; he mentioned that his office had to prepare one of the resolutions.

**The roll call by the Acting Municipal Clerk was as follows:**

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

**Council President Abdul-Rasheed ruled the Motion to Suspend the Rules was carried by the vote of Seven Yeas, No Nays, No Abstentions and No Absences.**

**Council President Abdul-Rasheed asked for a motion to extend the meeting.**

**Motion: Morton Second: Jones-Bell**

**The roll call by the Acting Municipal Clerk was as follows:**

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

**Council President Abdul-Rasheed ruled the Motion to extend the meeting was carried by the vote of Six Yeas, One Nay, No Abstentions and No Absences.**

**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.**

Resolution 159-2011 was withdrawn by the Administration.

Resolutions 151-2011, 161-2011, 162-2011, 163-2011, 164-2011 and 165-2011 were removed from the consent agenda.

**RESOLUTIONS NO. \*150-2011, \*152-2011 - \*158-2011\*160-2011**

- \*150-2011** A resolution approving the bill list dated June 8, 2011 and approving checks issued by the Finance Department in accordance with Ordinance 2-95. (PAGES 1-18, GRAND TOTAL: \$3,430,348.57)
- \*152-2011** A resolution confirming the placement of commercial excess liability, commercial auto inland marine and medical professional liability insurance by City Broker, Conner Strong Insurance Services, Inc. for the period March 5, 2011 to March 5, 2012 in an amount not to exceed \$257,980.00.
- \*153-2011** A resolution authorizing the awarding of a two year contract to provide food for prisoners incarcerated at the Orange Police Department to Harris Diner Inc., 21 North Park Street, East Orange, New Jersey 07017 in an amount not to exceed \$25,200.00 per year.
- \*154-2011** A resolution amending Resolution No. 335-2010 dated December 21, 2010 to reflect a change in custodian of petty cash in the Office of the Mayor.
- \*155-2011** A resolution authorizing an application for a loan from the New Jersey Department of Community Affairs for demolition and removal of twelve structures in the City of Orange Township.
- \*156-2011** A resolution authorizing an addendum to Resolution #7-2008 to GSE, LLC, Branch Estates, 3121 US Highway 22 East, Suite 301, Branchburg, New Jersey 08876 for the Mountain Well Improvements & Chestnut Street Treatment Facility & Pump Station Replacement in an amount not to exceed \$150,000.00.
- \*157-2011** A resolution authorizing the acceptance of a grant in the amount of \$20,000.00 from the State of New Jersey, Department of Community Affairs, Office of Recreation for the 2011 Recreational Opportunities for Individuals with Disabilities (ROID) Grant.
- \*158-2011** A resolution authorizing the acceptance of grant funding totaling \$294,944.75 from the State of New Jersey for the summer food program participation for 2011.
- \*160-2011** A resolution authorizing the submission of an application to the State of New Jersey, Department of Community Affairs, Office of Recreation for funding under the 2012 Recreational Programs for Individuals with Disabilities Grant (ROID) and authorizing the Mayor to sign any applications and contracts that are required.

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

**Motion: Williams**

**Second: Jones-Bell**

**The roll call by the Acting Municipal Clerk was as follows:**

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

**Council President Abdul-Rasheed ruled the Motion to Adopt was carried by the vote of Seven Yeas, No Nays, No Abstentions and No Absences.**

**151-2011 A resolution approving the preliminary municipal tax levy for the transition year 2011.**

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

**Motion: Eason Second: Williams**

**The roll call by the Acting Municipal Clerk was as follows:**

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

**Council President Abdul-Rasheed ruled the Motion to Adopt was carried by the vote of Seven Yeas, No Nays, No Abstentions and No Absences.**

**161-2011 A resolution approving the Financing of a Special Emergency Appropriation for the financing of contractually required severance liabilities resulting from employees retirements.**

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

**Motion: Corbitt Second: Eason**

On the Motion, Council Member Eason asked for an explanation for the public on what was being done with this resolution.

Mr. Mason said that there have been many retirements due to the change in pension laws. There were retirement severance packages for accumulated time that were due in a lump sum in accordance with the contracts. The total of that time was \$2,027,163.95 and this resolution would allow the city to spread this out over the next five budgets. He said this was the easiest way to handle this matter with the least affect to the tax rate.

Council President Abdul-Rasheed said he received the same information from Mr. Lerch and he added that this is also calculated into the six-month budget transition.

Council Member Marable said it was his understanding that this would begin in the CY2012 budget not TY2012 budget.

Mr. Mason stated that he too spoke with Mr. Lerch and it would be included in the CY2012 budget.

**The roll call by the Acting Municipal Clerk was as follows:**

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

**Nays: Marable, Morton**

**Abstentions: None**

**Absences: None**

**Council President Abdul-Rasheed ruled the Motion to Adopt was carried by the vote of Five Yeas, Two Nays, No Abstentions and No Absences.**

**162-2011 A resolution for the Transfer of appropriations.**

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

**Motion: Jones-Bell**

**Second: Corbitt**

On the motion, Council Member Williams asked if the grant that came from the State covered the entire amount of the snow removal.

Mr. Mason said he did not recall receiving a grant. He said if she was speaking on the FEMA grant that was to offset expenditures going forward.

Council Member Williams said they were removing \$47K from street lighting and that amount could be used to take care of the lighting that Council Member Morton spoke on earlier in this fiscal year. Next, she wanted to know if this was the correct amount for cultural affairs.

Mr. Mason responded yes.

Council President Abdul-Rasheed asked if they did not pass this resolution tonight, they would go into the next fiscal year with a \$400K deficit.

Mr. Mason said he was correct.

Council Member Williams asked what the rule was on transferring funds because she thought it had to be done by a certain time.

Mr. Mason said the books and accounts had to be reconciled by June 30<sup>th</sup> in order to avoid any over expenditures. He repeated that the finance department was understaffed and usually this was done ahead of time however, the accounts were already over expended and needed to be reconciled.

Council Member Eason wanted to know why they were transferring money into alcohol beverage control. She also asked if the amount for cultural affairs was correct.

Mr. Mason explained that court reporters were used for the hearings and there was a lack of funds for that purpose. He said the amount was correct for cultural affairs – they were short \$20.00.

Council Member Eason asked if rent leveling only had one employee.

Mr. Mason stated they ‘had’ one employee. He said that was an estimate of the time the employee served which was affected by the union suing the city due to the layoffs.

**The roll call by the Acting Municipal Clerk was as follows:**

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

**Nays: Marable, Morton**

**Abstentions: None**

**Absences: None**

**Council President Abdul-Rasheed ruled the Motion to Adopt was carried by the vote of Five Yeas, Two Nays, No Abstentions and No Absences.**

**163-2011 A resolution appointing Ryan T. Riccio as Tax Assessor for the City of Orange Township.**

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

**Motion: Corbitt**

**Second: Morton**

**The roll call by the Acting Municipal Clerk was as follows:**

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

**Nays: None**

**Abstentions: None**

**Absences: None**

**Council President Abdul-Rasheed ruled the Motion to Adopt was carried by the vote of Seven Yeas, No Nays, No Abstentions and No Absences.**

**164-2011 A resolution appointing Joy Lascari as Chief Financial Officer for the City of Orange Township.**

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

**Motion: Corbitt**

**Second: Jones-Bell**

**The roll call by the Acting Municipal Clerk was as follows:**

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

**Nays: None**

**Abstentions: None**

**Absences: None**

**Council President Abdul-Rasheed ruled the Motion to Adopt was carried by the vote of Seven Yeas, No Nays, No Abstentions and No Absences.**

**165-2011 A resolution appointing John Ditinyak as Director of Finance for the City of Orange Township.**

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

**Motion: Corbitt**

**Second: Morton**

On the Motion, Council Member Williams asked that Mr. Riccio and Ms. Lascari stand and make themselves known to the public. She then asked about the salary and having a gradual salary.

Mr. Mason said he spoke with Mr. Ditinyak and Mayor Hawkins who agreed that a \$3K increase instead of \$5K for the position and this was reflected in the resolution.

Council Member Williams asked if the salary would increase once he finished the courses.

Mr. Mason stated it would remain at \$3K and that Mr. Ditinyak was deserving of it.

Council Member Marable said now that the finance department will be fully staffed, he expected to get the monthly reports that were due the council.

Council President Abdul-Rasheed asked when the council could begin to receive the reports that were due them.

Mr. Mason stated that the CFO, the finance director and the upgrade to the financial software were components of the things needed to provide the information to the council. The administration would be coming back to ask for funding to upgrade the finance software in the transition year.

Council President Abdul-Rasheed asked if the system in place now did not allow the finance department to provide the needed information to the council.

Mr. Mason said the software would ease the production of the information.

**The roll call by the Acting Municipal Clerk was as follows:**

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

**Council President Abdul-Rasheed ruled the Motion to Adopt was carried by the vote of Seven Yeas, No Nays, No Abstentions and No Absences.**

**12) OTHER PENDING BUSINESS**

**None**

**13) MOTION TO ADJOURN**

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

**Motion: Morton Second: Corbitt**

**The roll call by the Acting Municipal Clerk was as follows:**

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

**Council President Abdul-Rasheed ruled the Motion to Adjourn was carried by the vote of Seven Yeas, No Nays, No Abstentions and No Absences.**

**The meeting was Adjourned at 10:50pm.**

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**Dwight Mitchell  
Municipal Clerk**

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**Tency A. Eason  
Council President**

**MINUTES APPROVAL**

**Passed on September 6, 2011**

**Regular Meeting June 21, 2011**

**Council President Eason entertained a Motion to Adopt.**

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

**Motion to Adopt: Corbitt**

**Second: Morton**

**The roll call by Acting Deputy Clerk was as follows:**

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

**Nays: None**

**Abstentions: None**

**Absences: Williams**

**Council President Eason ruled the Motion was carried by Five Yeas, No Nays, No Abstentions and One Absence.**