

**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, MAY 3, 2011 IMMEDIATELY FOLLOWING THE CONFERENCE MEETING AT 8:09PM.**

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

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

The Acting Municipal Clerk announced there was a quorum.

**ALSO PRESENT**

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

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**

**Public Hearing, Conference & Regular Meeting – April 5, 2011**

Acting Municipal Clerk announced that the regular meeting for April 5, 2011 was being removed and will appear at another time.

Council President Abdul-Rasheed cannot vote, because he was not present.

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

**Motion: Morton**

**Second: Eason**

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

**Yeas: Corbitt, Eason, Jones-Bell, Marable, Morton, Williams**  
**Nays: None**  
**No Vote: Council President Abdul-Rasheed**  
**Abstentions: None**  
**Absences: None**

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

**5) REPORTS**

**None**

**CONSTABLE REPORTS**

**None**

**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 UPTO THE MICROPHONE, SHALL GIVE HIS OR HER NAME IN AN AUDIBLETONE 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.**

**William R. Lewis – 688 Mosswood Avenue**

Mr. Lewis stated that at the last meeting he listened to a tirade by a citizen against the city clerk and the council allowed it. He said the city attorney spoke against it but the person continued and it was allowed. He wanted to know when the council voted to accept the CBAC report; he did not recall the council voting on it and it is on the city's website. He also questioned how all the members of the CBAC names appeared on the document when one of the members was in the hospital. He did not

believe the CBAC was doing its due diligence and felt they had cost the city money over the years. He asked for documentation supporting the 'windfall' that would come from passing ordinance 12-2011. He wanted to know what other towns have done in reference to ordinance 19-2011 concerning the salary. Ordinance 23-2011; he wanted to know why this was needed. He wanted to know who was appointing the person to the ABC board in resolution 115-2011. On resolution 119-2011, he suggested appointments be made after July so they ran concurrent with elections. He felt as though resolution 120-2011 was redundant because the council had these powers already. He stated that regardless of what people thought about Jeffrey Feld, he made some valid points and he did not agree with everything he said. The council should get complete packages and Mr. Feld pointed out important information.

**Jerry Pyenson – 407 Passaic Street, Hackensack, NJ**

Mr. Pyenson said he wanted to motivate the council to pass an emergency resolution for the passage of HR 1489 which is a bill introduced into the House of Representatives. He said this bill, the Glass Steagall Act, dealt with the trillions of dollars that were being used in other countries while this country was suffering. This bill prohibited any bank supported by the United States government from speculating on Wall Street. The money would then be used to support emergency situations. He spoke about the hyperinflation in gasoline and food prices. He stated that this resolution was being considered in Patterson tonight and he had copies for all of the council members. He read the resolution into the record.

**Katalin Gordon – 211 Park Place**

Ms. Gordon stated that in September 2010 there was a bad fire at 399 Lincoln Avenue in an apartment building. She said became interested in fire inspection and she said one violation was issued to this complex in October 2007. She wanted to know was there a fire safety violation at the time of the fire. At the last council meeting she understood that a contract was issued to Mr. Lerch to implement the start of a fiscal year with the State. She wanted to know why an outside agency was needed to implement the change of the start of the fiscal year.

Council President Abdul-Rasheed apologized about her OPRA request and the information was not satisfactory; he said it was not intentional. He said that Mr. Mason could reach out to her and find out why the information was not satisfactory. He said that the council was approved for Mr. Lerch because sometimes that they had to get outside help for certain things. This contract was to change from a fiscal to a calendar year. The contract was for \$20K and he had itemized what would be done.

Mr. Mason agreed with the statements by the council president. He stated that there was a large amount work that had to be done in a short period of time to prepare to the Local Finance Board to have them approve the change from a fiscal to a calendar year budget. He said there was no possible way that the administration could put this extensive application together.

Ms. Gordon said that she had submitted several OPRA requests regarding this fire. She said either the fire started while this complex was still in violation or it was not. If it was not, then she does not have all of the information. She said she wanted to hear from Chief Manganeli whether or not this building was under violation.

Council President Abdul-Rasheed said he was not aware that she had several OPRA request on this item. He asked if there were some legalities as to why she could not get the answer to her question.

Mr. Breaker said he had no issues providing this information because it was public information.

Mr. Mason said he would reach out to Ms. Gordon to provide her the information she was requesting.

**Jonathan Beckford – 446 Minton Place**

Mr. Beckford said that there were two openings on the Orange school board and he applied for one of those openings. He was interested in being on the board because he had two children in the school system. He provided his resume to the mayor's secretary and was met with a laugh because they did not know there were openings on the board. He said he made his intent known to two council members and was told that if he needed a letter of recommendation it would be provided if he was called for an interview. He said he was not upset because he did not receive the position but it was the principle of the matter. He said it was an insult that he did not receive a call or a letter and it was a reflection on the incompetence of the leadership.

Ms. Gidigdbi, the mayor's chief of staff, said she was disappointed to hear the comments. She stated that she never received a resume from Mr. Beckford and she wanted to know who the resume was given to. She said there was a screening committee for the call to service and a council member and a resident were apart of the committee. She said she hoped that the Orange residents did not feel discouraged by the call to service process.

On ordinance 11-2011 regarding the CFO, Mr. Beckford said you get what you pay for. He said the residents got what they voted for in the last election. He said they needed to make sure they had someone competent to look after the dollars and the dollars would take care of themselves.

**Gloria Stewart – 62 Hampton Terrace**

Ms. Stewart stated that she put in OPRA requests and she too was not satisfied with the answers she received. On the subject of the appointment of board members, she said all the committee members were directly committed to the mayor. She felt as if it were a conflict of interest for one of the council members to on the committee when they were a representative of the community and who worked for the school. She said if you worked for the board of education, you should not have any say on who was appointed to the board. She said she believed what the gentleman said that they pick and choose who they want to serve on the board and not really open not to the community. On ordinance 11-2011, she felt as though the city was paying for someone to get trained for a job, they should be indebted to serve the city for a certain amount of time. She said that it is true you pay for what you get but they did not have money to pay and they needed to think about the people that were laid off and they talk about hiring people. She asked for a report on how much the neighboring cities were paying their CFO; she said they did not have to compete with those towns. She then wanted to know what amendments were being adopted for the redevelopment plan under ordinance 22-2011. She also wanted insight on 23-2011. On resolution 118-2011, she wanted to know what the settlement was about and how much was it; she said it must be public knowledge since the council was voting on it.

Mr. Breaker stated that he would have to research the matter of the council member being employed by the board of education and being on the committee that selects members to the board and it being a conflict of interest.

Ms. Gidigdbi the majority of the boards are appointed by the mayor and he is the one who makes the final decision on who gets appointed. She said there was no open process in the past. She said the mayor started a call to service initiative in 2009 and most of the people appointed have never been involved in city politics and have no alliance with anyone; they are Orange residents who want to serve the community. She said that everyone who applies is interviewed. She clarified that she supervised the screening committees and their job was to make sure that the people interviewed understood what the boards were about. She said there was no conflict because the mayor made the selection not the committee.

Mr. Breaker said that from what he understands, the council member in question does not appoint members to the board but only interviews so there was no conflict of interest. He said if you think about it in a broader sense, when a superintendent is reviewed, he comes before a public forum where he is questioned by the public, teachers, administration, etc.

Ms. Gidigdbi said the committee only makes recommendations to the mayor. She stated that this is an open process that has never taken place in the past.

Ms. Stewart stated that if this was truly an open process, she felt more people should be in the committee and she said that she was there in 2009 when this was started and there more people on the committee when it started.

**Sally Wright – 466 S. Center Street**

Ms. Wright said she was representing Citizens for Responsible Government and she wanted to thank the administration, the planning board, the zoning board of adjustment for all of the new development she was seeing around the city. She said that Central Avenue was starting to take shape and the county was paving the road. Again, she thanked the council and the administration for the good work.

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

**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 Close Citizen Comments was carried by the vote of Seven Yeas, No Nays, No Abstentions and No Absences.**

**8) COUNCIL COMMENTS**

Council Member Jones-Bell said this was not an easy job to do and she was still getting acclimated to the job. She said she was an honest person and when she was asked to be a part of this committee, she asked was it a conflict. She was assured there was no conflict because she would only be a part of the interviewing process. She said she was honored to be a part of the committee and she would continue to do what she felt was right despite any negative comment.

Council Member Marable said that he was going to speak on the matter of Mr. Beckford. He was one of the council members that Mr. Beckford spoke to and he offered to write a letter of recommendation for him. He stated that Mr. Beckford informed that he had dropped his resume and letter of intent off to the mayor's office. He said he had to assume that this was done by the conversation that he had with Mr. Beckford weeks ago. He said he would not have offered to write a letter if he did not believe that Mr. Beckford was a qualified for the position. He hoped that Mr. Beckford was considered for future positions. He said that either the resume was dropped off and got misplaced or that it was not dropped off; either way mistakes can be made. He said he did not know that all people who submitted resumes were interviewed. He hoped that in the future maybe under matters for discussion, a presentation can be made to let the residents know the exact procedure for the call to service. He then said the contract for Mr. Lerch was not for \$20K but up to \$20K and it was his hope that they did not spend all of it like they did for Mr. Lerch's services for budget consultant. He said that Saturday was going to be a busy day in the city. At the site of Walter G, there would be a meeting on how to get a job and the like. There was also an annual health fair taking place on Saturday the 14<sup>th</sup> that he and his family attended. Also on the 14<sup>th</sup>, Council Member Corbitt would be holding a summit on violence. He said his wife was going graduating with her masters in divinity on Saturday and also being ordained in the A.M.E. church in Harlem at the same time. He said he supported the summit on violence but he would not be in attendance because he would be watching his wife being ordained, but he urged the public to come out and support the summit.

Council Member Eason said on May 13<sup>th</sup> from 8:00am until 2:00pm the Big 'O' Booster club will hold a fund raiser for the annual scholarships. She said the tickets were \$15 and it was a chance for people to come out and see old friends and fellowship and have a good time. She said the proceeds went towards scholarships and the banquet hall. She asked everyone to come out and enjoy themselves. She then asked about the tax bills that went out.

Mr. Mason said the three previous tax bills that went out were estimated tax bills while the administration and the council reviewed and adopted the budget and set a tax rate. Once the budget was adopted in March and the tax rate was struck, the tax bill that went out in May adjusted the three previous bills that went out.

Council Member Eason asked Mr. Mason to inform the residents of the exact tax rate.

Mr. Mason said he did not bring his budget book however the tax rate was publicized as well as the hearings and amendments on the budget.

Council President Abdul-Rasheed asked Mr. Mason to get the information to all of the council members.

Council Member Eason commented on the auditor's report. She said they never did anything with the recommendations. She stated that when the finance office was fully staffed they did not receive any reports so she did not think that offering this salary would make any difference. She hoped that they could put some checks and balances in place to make the next audit report look better. She said that she has been seeing sneakers thrown over the wires and it suggested drug territory; she wanted what was the process for taking them down. She said that a retired fireman used to take them down and he did things on a part-time basis. She would like to see a plan in place for this procedure.

Council Member Morton wanted to know the status of Tremont Avenue School.

Ms. Jackson, director of Planning, the redevelopment plan was approved at the last meeting. She said she would have to get back to them on the next procedure. She did recall that it was allowed to be a school or be developed. She would get back to the council before the next meeting on the next steps.

Mr. Breaker clarified that this property was the old police building.

Council Member Morton said the company on Bell Street was operating at 5:30am. He said it is too early and they are disturbing the residents. He said he would follow up with this and making sure that all businesses were operating correctly and following the laws. Tomorrow, the community garden would be in front of city hall at noon. He thanked Ms. Gidigdbi for all of her help and to all those that volunteered. He said they should not always be on the defensive end because small minded people would make a big deal out of something that was not. He agreed that this was not an easy job.

Council Member Williams said the opening day for the baseball team was a success; she said it was a beautiful day. She said the league for ages 8-9 and 8-12 was not full and spots were available. She asked the status of the new hires for the fire department.

Chief Manganelli replied that they were in the process of getting the list certified.

Council Member Williams asked were they still looking to hire laid off firemen. She also wanted to know how long it would take to certify the list.

Chief Manganelli confirmed that they were still looking at the Rice Bill. He said that it may take 3-4 weeks to certify the list.

Council Member Williams wanted better notification to residents who did not have access to the web because there were people who still put their garbage out on holidays. She noted that not all holidays were exempt from garbage pick.

Ms. Kemp stated that the company that picked up the garbage were not city employees and agreed that the days that the city was closed were not the same days that garbage was not picked up.

Council Member Williams asked that maybe an announcement could be made at the council meeting that was immediately before a day that the garbage would not be picked up and she asked that the information be placed on Channel 35. She said she had asked that the lights be replaced in the council chambers and it had not been done.

Ms. Kemp said some of them had been replaced but others had gone out. She said she had already emailed the deputy director to see to this matter.

Council Member Williams said she was thankful that Central Avenue was being paved but she had questions concerning the communication on the paving and the street closings.

Ms. Kemp said that this was a county project and this was coordinated through the police department. The county's contractor would be responsible for coordinating the street closing.

Council Member Williams said the communication was not clear on roads being closed. She asked that possibly in the future the information could be put on channel 35 so that more people notified.

Mr. Mason said that he would be happy to do that.

Ms. Kemp said that they are notified on the projects but not exactly when it will take place. She stated that they were notified over a year ago that the project would take place, but did not receive a phone call that these streets would be closed on this date; that would be coordinated through the police department.

Council Member Williams asked that Mr. Mason instruct the police director to inform public works when things like this happened so that they could put the information on channel 35.

Ms. Kemp clarified that the police were notified because they were hired as off-duty police officers for security. She said this did not go through the police director but through another department.

Council Member Williams said that the city was still involved because they were using city vehicles and the officers were in uniform.

Council President Abdul-Rasheed asked that the directors get together and to the best of their ability communicate the information and post it on channel 35.

Council Member Williams said this Saturday there would be a clean up in the valley on Scotland Road. She said anyone could contact the mayor's office concerning the clean-up. There will be a block party on Thompkin Street to showcase the artwork of D. Alford, a previous Orange employee. She compared his work to Gordon Parks and asked that everyone come out and support this talented artist. She said she would be hosting a panel discussion along with the housing authority to discuss what was going on at Walter G. She mentioned some of the people who would be present; the forum would be 10am until 12

noon. She said this was Mother's Day weekend and she hoped that people still came out. Last, she gave thanks to all teachers because this was National Teacher's Day.

Council Member Corbitt said back in April when they approved the budget, the council said they would revisit the budget before June 30<sup>th</sup>. He wanted to know if it was still the council's intention to do so.

Council President Abdul-Rasheed said the finance committee will be meeting with budget consultant this Thursday at 6pm and they will disseminate any information to the council. He added that the council was still free to submit recommendations and suggestions to the finance committee for the budget.

Council Member Corbitt said whatever could be done to further reduce the budget would be greatly appreciated. He wanted to get an understanding in the delay in putting the 5 officers back on the street since they had the grant. He felt that this was important for the safety of the citizens especially in light of a recent shooting that just took place. He then reminded the public on the upcoming crime summit. He thanked Council Member Corbitt for his comments and said he understood his reasons for not being there. He asked that everyone who was available come out on the 14<sup>th</sup> to St. Matthew AME church at 10:30am; he then mentioned some of the people who would be present. He said the intent was to come up with solutions not just chit chat on the issue.

Council Member Eason thanked Ms. Kemp for getting Cleveland Street paved.

Council Member Morton said that he was mayor cup baseball game in East Orange on Friday and Orange won 6-9 and it was a good game. He said there were not a lot of Orange residents present and he did not know if it was advertised well. He said they mayor's decided that this was something they wanted to continue to have every year. He said this was something positive and he wanted to make the public aware of it.

Council President Abdul-Rasheed thanked public works for their assistance in clean up assignments in the west ward. He also thanked Mr. Holcomb for assisting with filming the council meetings especially with him being a director. He stated that perhaps the city could fund seniors to go to the classes in East Orange, but they would have to assess any liabilities. In respect with Mr. Lewis' comments, he said the city attorney chimed in and so did he but he respected Mr. Meyer's right to free speech. He was not going to have him arrested or escorted out of the building. He thought that the CBAC did an excellent job and it was very professional and he hoped that the citizens continued to volunteer for the CBAC. He said he was in favor of going back to the calendar year and he thanked Council Member Marable for his work on the matter. He also thanked the finance committee and the council for their work in getting Mr. Lerch to start the meticulous process of starting this procedure. He added that it was a collaborative effort with the administration and the council. He stressed that this was a specialized skill that required that an outside person be hired for the job. With respect to the auditor's report, he asked the finance committee to go over the audit comments and bring back a report to the council. He said that the council should probably push some of these recommendations and make sure they are done. He felt that the job done was a good job especially with the limited staff in the finance department. Last, he commented on the excellent job by the step team where they took place 1<sup>st</sup> place at the 4<sup>th</sup> annual step off in New York under the direction of Mr. Holcomb and Mr. Pressey.

Council President Abdul-Rasheed suggested a 5 minute break. There was no formal vote.

Council President Abdul-Rasheed asked the acting municipal clerk to call the roll.

<b>ROLL CALL</b>		<b>PRESENT</b>	<b>ABSENT</b>
<b>Hon. Elroy A. Corbitt</b>	<b>(At-Large)</b>	<u>  X  </u>	<u>          </u>
<b>Hon. Tency A. Eason</b>	<b>(North Ward)</b>	<u>  X  </u>	<u>          </u>
<b>Hon. Linda Jones-Bell</b>	<b>(East Ward)</b>	<u>  X  </u>	<u>          </u>
<b>Hon. Edward B. Marable, Jr.</b>	<b>(South Ward)</b>	<u>          </u>	<u>  X  </u>
<b>Hon. Rayfield Morton</b>	<b>(At-Large)</b>	<u>          </u>	<u>  X  </u>
<b>Hon. Donna K. Williams</b>	<b>(At-Large)</b>	<u>          </u>	<u>  X  </u>
<b>Hon. Hassan Abdul-Rasheed</b>	<b>(West Ward)</b>	<u>  X  </u>	<u>          </u>

The other council members were present but not in the council chambers.

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

**11-2011 An ordinance to amend the salary range for the position of Director of Finance/C.F.O**

Acting Municipal Clerk announced that this ordinance had been published and posted pursuant to law; that copies of the ordinance had been made available to the public when requested.

Acting Municipal Clerk then read the ordinance by title which constitutes a second reading pursuant to law.

Council President Abdul-Rasheed announced that there would be a public hearing on this ordinance and any person wishing to speak on this ordinance should come forward, give his/her name to the stenographer and address all remarks to the Presiding Officer.

**Katalin Gordon – 211 Park Place**

Ms. Gordon said the ordinance has been discussed back and forth. She wanted to know if this would be a savings with the new person hired or would it be an additional cost. Next, she wanted to know if the education for the deputy director was in his contract. She asked what was the current salary of the finance department and what would be the new salary with the new hire.

Council President Abdul-Rasheed said he would have Mr. Mason get back to Ms. Gordon relative to the salary of the finance department.

Ms. Gordon said she did not want to know every individual salary but the total and how it was different from when they had a full time CFO.

Mr. Mason said he would have to get back to her on the difference on the salaries for FY10 and FY11.

Ms. Gordon wanted to know if the education expense was in the deputy director’s contract and what was the cost to the city.

Council President Abdul-Rasheed said they could get the figure back to her but he could tell her that the costs were coming out of the city’s overall budget.

Mr. Mason said that the deputy director does not have a contract, he was an at will employee.

Ms. Gordon wanted to know if they would discontinue paying for the courses once they had a CFO.

Council President Abdul-Rasheed said that this question did not have anything to do with this ordinance.

Ms. Gordon said if you hired a CFO, there was no need to continue to pay to groom the deputy of the job which would be an added expense.

Council President Abdul-Rasheed said Mr. Mason would email an answer to Ms. Gordon.

**Gloria Stewart – 62 Hampton Terrace**

Ms. Stewart said they were training a person for the position of CFO and she did not understand why they needed to raise the salary range. She said if they hired a CFO at the higher range, would they need the deputy director; what would happen to him. She was sure that whoever they hired were going to bargain for the higher salary with whatever qualifications they had. She did not understand how Orange did not have money but they kept spending money.

**Council President Abdul-Rasheed entertained a Motion to Close the Public Hearing.**

**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 Close the Public Hearing was carried by the vote of Seven Yeas, No Nays, No Abstentions and No Absences.**

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

**Motion: Corbitt Second: Eason**

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

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

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

**12-2011 An ordinance reverting from the State Fiscal Year to a Calendar Fiscal Year.**

**Acting Municipal Clerk announced that this ordinance had been published and posted pursuant to law; that copies of the ordinance had been made available to the public when requested.**

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

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

**Gloria Stewart – 62 Hampton Terrace**

Ms. Stewart said she has heard the pros and cons on going from a fiscal year to a calendar year. She asked for a breakdown of the benefits again.

Mr. Mason said there was a benefit to the tax payers because the budget would be on the same timeline as the tax bills. He said there as revenue benefit to the municipality because one year of state aid would be received in six months. He said in the upcoming year they could not exceed the 2% cap and the city was already operating with bare bones.

**Council President Abdul-Rasheed entertained a Motion to Close the Public Hearing.**

**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 Close the Public Hearing was carried by the vote of Seven Yeas, No Nays, No Abstentions and No Absences.**

**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-Bells, Marable, Morton, Williams, Council President Abdul-Rasheed**

**Nays: None**

**Abstentions: None**

**Absences: None**

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

**14-2011 An ordinance of the City of Orange, New Jersey, Township, creating a Public works Committee, providing for the selection of public works committee members, and setting forth their duties and responsibilities.**

**Acting Municipal Clerk announced that this ordinance had been published and posted pursuant to law; that copies of the ordinance had been made available to the public when requested.**

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

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

**Gloria Stewart – 62 Hampton Terrace**

Ms. Stewart wanted to know how the committee members would be selected and for what period of time and what the benefit of the committee would be. She wanted to know what the difference would be for this committee versus what the director did.

Council Member Williams said she brought forth this ordinance and it was a citizen committee. She said think of it like the CBAC and each council member would have an appointment as well as the mayor's office and these people would serve for a two year period. She said this would be a recommending committee and she named some of the items that the committee would be making recommendations on and those items were listed in the ordinance. She hoped that this committee would come together and look at everything as far as beautification was concerned as far as streets and snow plans. She said perhaps the committee could come up with a recommendation as where cars could go when the streets were being plowed or paved. She stated that the director did not have to implement the recommendations but she hoped that this committee would help with the beautification of Orange as well as help public works run more smoothly.

**Council President Abdul-Rasheed entertained a Motion to Close the Public Hearing.**

**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 Close the Public Hearing was carried by the vote of Seven Yeas, No Nays, No Abstentions and No Absences.**

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

**Motion: Corbitt**

**Second: Williams**

On the motion, Council President Abdul-Rasheed asked Ms. Kemp if she had any comments on this ordinance.

Ms. Kemp said she was not in favor of this ordinance because she did not think that the suggestions would be anything that they could follow through on. She said this issue came up because of a snow issue; if you have 9 men that are doing snow removal there was no way to make them 80 men.

Council President Abdul-Rasheed asked if with the passing of this ordinance, she would have 22 people in the public works department.

Ms. Kemp said she would have to look at the payroll register to confirm how many people were in the department. She said the daily payroll averaged between 9-11 guys because there were people out on disability, sick leave, vacation, etc.

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

**Yeas: Corbitt, Marable, Morton, Williams**

**Nays: Jones-Bell, Council President Abdul-Rasheed**

**Abstentions: Eason**

**Absences: None**

**Council President Abdul-Rasheed ruled the Motion to Adopt was passed by the vote of Four Yeas, Two Nays, One Abstention and No Absences.**

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

**19-2011** An ordinance establishing that an individual or business entity which makes Political contributions to Municipal Candidates and municipal political Parties shall be ineligible to receive public contracts from the City of Orange Township.  
**WITHDRAWN BY COUNCIL MEMBER CORBITT**

**20-2011** An ordinance to amend the Code of the City of Orange Township, Chapter 200, entitled "Vehicles and Traffic", Section 200-52-1 Handicapped Parking Spaces (154 Taylor Street)

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

**Motion: Corbitt**

**Second: Williams**

On the motion, Council Member Eason said the driver's license was for East Orange.

Council Member Marable pointed out that the address was corrected on the back and if you looked to the left it showed the corrected address.

**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 passed 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 June 7, 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.**

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

**Motion: Morton**

**Second: Marable**

**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 announced that the Public Hearing and final adoption of this ordinance would be June 7, 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.**

**23-2011 An ordinance of the City of Orange Township to amend the Chapter 4, Article II, Section 4-17.1 of the Code of the City of Orange Township entitled Confidential Aide to Municipal Council (Sponsored by Council President Hassan Abdul-Rasheed)**

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

**Motion: Corbitt**

**Second: Eason**

On the motion, Council Member Corbitt asked if this was a confidential aide or was this for the budget consultant.

Council President Abdul-Rasheed said it was for the budget consultant as it was listed as so in the original ordinance.

Council Member Corbitt said that if the original ordinance was listed that way, maybe they should change it to read correctly.

Council President Abdul-Rasheed said they would have to change the entire Chapter 4, Article II, Section 4-17.1 and budget consultant was put in brackets. He assured the council that this was not for a confidential aide.

Mr. Braker agreed that this was what was in the code; they were just confirming what was in the code.

Council Member Corbitt asked if there were any plans to change what was in the code.

Council President Abdul-Rasheed said he was willing to work with any council member on this matter. He agreed that the ordinance was confusing and he again assured that this was not for a confidential aide. He stated that this was to make sure the budget consultant was in place so the council could expedite the budget process.

Council Member Jones-Bell asked if it was somewhere in the code that said this term could be substituted for budget consultant.

Council President Abdul-Rasheed asked Ms. Pollard who was sitting in for Mr. Warren, to ask him to look at Chapter 4, Article II where it addressed the positions of confidential aide to clarify the positions.

Council Member Eason asked if they were going to pull it and put it on the next meeting.

Council President Abdul-Rasheed said this ordinance was written perfectly as far as legalities were concerned. However, he was asking the legislative research officer look into clarifying the terms.

Council Member Eason asked why they used the term confidential aide instead of budget consultant.

Mr. Braker said the code referenced this position as confidential aide but they knew that it meant budget consultant and the council president was just trying to keep in line with what was in the code. Down the road, they would codify budget consultant into the code. He said the council has not been out of compliance because they hired a budget consultant by resolution. He said the entire ordinance should be changed to reflect the confidential aide as the budget consultant.

Council President Abdul-Rasheed said the legislative research officer wrote this ordinance correctly.

Council Member Williams asked if there were other sections that referred to the budget consultant as a confidential aide. She felt as though if they were amending the ordinance, the whole thing should be amended and she asked for clarity on what was being amended.

Mr. Braker said they were amending the ordinance to say that the confidential aide referred to as the budget consultant, part-time. He recalled that before the budget consultant was contractual, then part-time now they are amending the ordinance to reflect that the position will be part-time and a part of the council's staff.

Council President Abdul-Rasheed said they would serve in the same capacity that the current budget consultant served and they would still be hired via a RFQ.

Council Member Williams stated that the current budget consultant was contractual and hired through a RFQ.

Mr. Braker said they were attempting to make the budget consultant part-time.

Council Member Williams asked if they would come back later to discuss the salary and the term.

Mr. Braker suggested that they take another look at it and come to a consensus on how it wanted to proceed.

Council Member Williams was concerned that this would be for a term of one year and they were in the process of changing to a calendar year.

Council President Abdul-Rasheed said only the author could withdraw this. He said that they would need a budget consultant for the period of July 1<sup>st</sup> through December 31<sup>st</sup>.

Council Member Williams said they just passed an ordinance to hire Mr. Lerch as to help with the transition from a fiscal year to a calendar year so he would be in place to be the budget consultant.

Council President Abdul-Rasheed stated that it was a process and they have not gotten to the calendar year as yet.

Council Member Williams said that the council president said that they have hired a budget consultant for the year starting July 1<sup>st</sup>. She did not feel this ordinance was timely with the time schedule they were working on.

Council Member Eason said she agreed with Council Member Williams' comments. She also agreed with Mr. Braker that this needed to be removed until the council understood fully what was happening. She said she could not support this because she did not fully understand it and she also did not see the urgency that this could not wait until the next meeting. In addition, Mr. Warren was not present to defend the ordinance.

Mr. Braker said the purpose of the ordinance was to amend the timeline for the appointment of confidential aide commonly referred to as budget consultant. It would be almost like the regular appointment of the budget consultant and making the person like an employee. He said this was a good ordinance and it needed four votes and it seemed there were some issues with the ordinance.

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

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

**Council President Abdul-Rasheed ruled the Motion to Adopt failed by the vote of Three Yeas, Three Nays, One Abstention and No Absences.**

**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.**

Resolutions 119-2011 and 120-2011 were removed from the consent agenda.

Resolution 115-2011 was withdrawn by Administration.

**RESOLUTIONS - \*110-2011 - \*114-2011, \*116-2011 - \*118-2011**

- \*110-2011** A resolution approving the bill list dated April 20, 2011 and approving checks issued by the Finance Department in accordance with Ordinance 2-95. (PAGES 1-13, GRAND TOTAL: \$443,082.78)
- \*111-2011** A resolution authorizing the refund of taxes due to State Board Judgments.
- \*112-2011** 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 \$60,000.00.
- \*113-2011** A resolution authorizing the City of Orange Township to add 37 North Center Street to its existing City of Orange Township abandoned properties list.
- \*114-2011** A resolution authorizing the City of Orange Township to remove 571 Liberty Street from its existing City of Orange Township abandoned properties list.
- \*116-2011** A resolution authorizing the Tax Collector to refund the subsequent taxes paid by the outside lien holder, Lillian Zhang, for property known as 455 New England Terrace, Block 4010, Lot 016 (137/18).
- \*117-2011** A resolution ratifying and employing Mc Manimon & Scotland, LLC, 1037 Raymond Blvd., Suite 400, Newark, New Jersey 07102-5408.
- \*118-2011** A resolution authorizing settlement in the matter of Judith Rothenberger V. the City of Orange Township.

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

**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 Adopt was carried by the vote of Seven Yeas, No Nays, No Abstentions and No Absences.**

- 119-2011** A resolution providing for the Appointment Timeline for Members of the Citizen's Budget Advisory Committee (Sponsored by Council President Hassan Abdul-Rasheed)

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

**Motion: Corbitt**

**Second: Morton**

On the motion, Council Member Eason said this was on the agenda before and she was under the understanding that the timeline was being changed because of the election and new council members would have input on CBAC members and it was being moved to July.

Council President Abdul-Rasheed said that Mr. Warren was not present but he had a 3-way conversation with Mr. Braker and Mr. Warren who said the process was not done correctly relative to another council member removing another council member's resolution and/or ordinance. He said it boggles his mind that if a council person was elected in May that they did not know two people to recommend for the CBAC which will not be up and running by July 1<sup>st</sup> or January 1<sup>st</sup> if the fiscal year changed.

Council Member Eason said if a council member was elected in May, they were not confirmed until July and this resolution made appointments in April so a new council member would not have any input. She was only asking that they move the date to July to give new council members an opportunity to have some say.

Mr. Braker said he had some recollection of the conversation and Mr. Warren was supposed to submit a memo but he was not present.

Council Member Eason said that she only wanted to be fair and make sure that everyone had some input instead of always voting these things down. She felt as though this was needed.

Council President Abdul-Rasheed said that he was just trying to make sure that the CBAC was ready to move forward in a timely manner.

Council Member Williams clarified that they wanted to make the appointment in July so the CBAC could meet in August. She stated that when the public elected a new council member, they were also electing that person's philosophy. She said that as this stands, this did not give the new council person the opportunity to do so.

Council Member Marable said all of this options discussed tonight were moot if they changed to a calendar year from a fiscal year.

Council Member Williams disagreed with that statement unless they planned on keeping the same CBAC committee that they currently had.

Council Member Marable said but the conversation was concerning newly elected council member who would not be affected until next year in May 2012.

Council President Abdul-Rasheed stated that while those comments may be true, the fiscal year was still starting on July 1<sup>st</sup> of this year.

Mr. Mason said that was true until the Local Finance Board approved their application to change.

Council Member Marable said they would have an interim budget from July 1<sup>st</sup> through December 31<sup>st</sup>.

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

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

**Council President Abdul-Rasheed ruled the Motion to Adopt failed by the vote of One Yea, Five Nays, One Abstention and No Absences.**

**120-2011 A resolution appointing an Investigative Committee to investigate Matters related to the City of Orange Township Municipal Budget (Sponsored by Council President Hassan Abdul-Rasheed)**

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

**Motion: Corbitt Second: Morton**

On the Motion, Council Member Marable asked was there a need for this committee when the council already had these powers.

Mr. Braker stated that the council did have these powers under the Faulkner Act and this resolution was not needed to do so. He said that this committee could be created if the council did not have this power.

Council Member Marable asked if Mr. Warren harbored the opinion that this committee was needed.

Council President Abdul-Rasheed said the council did have the collective investigative power, it was his experience that the administrative used delay tactics when giving information. He said this would give the council immediate power to subpoena records and not wait for the administration.

Council Member Eason said when they were in court trying to stop the layoffs, the judge admonished the council for not using their investigative powers to subpoena what they needed. She said they had the right and power to subpoena records. She felt this was redundant because the right was given in the Faulkner Act.

Council Member Marable disagreed to the extent that whenever a minority of the council wanted to take action he thought that a majority of the council was needed to take that kind of action.

Council Member Williams asked that since it was a resolution and did not make mention of a specific budget year, would this be timely.

Mr. Braker said he did not think it would be relative. He made mention of a time when they thought they had the majority and they did not, it created an issue.

Council President Abdul-Rasheed asked if there was a committee of three council members who decided to take action, they could if this was passed.

Mr. Braker said that was not correct.

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

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

**Council President Abdul-Rasheed ruled the Motion to Adopt failed by the vote of One Yea, Five Nays, One Abstention and No Absences.**

**13) MOTION TO ADJOURN**

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

**Motion: Jones-Bell 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 11:26pm.**

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**Dwight Mitchell**  
**Municipal Clerk**

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**Hassan Abdul-Rasheed**  
**Council President**

**MINUTES APPROVAL**

**Passed on June 8, 2011**

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

**Motion to Adopt: Corbitt**

**Second: Eason**

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

**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.**