

REGULAR COUNCIL MEETING  
JANUARY 15, 2013

Council Chamber, Municipal Building  
Irvington, N.J. – Tuesday Evening  
January 15, 2013 - 8:00 P.M.

1. Pledge of Allegiance
2. Moment of Silence
3. Roll Call

Present: Charnette Frederic, Paul Inman, Sandra R. Jones, Lebby C. Jones, David Lyons, Andrea C. McElroy

Absent: D. Bilal Beasley (excused)

Acting Council President McElroy read the Statement of Proper Notice pursuant to the Sunshine Law.

4. Hearing of Citizens on Agenda Items Only (limited to three minutes per person and thirty minutes total)

There were no requests to be heard.

5. Hearing of Council Members

There were no requests to be heard.

6. Reports & Recommendations of Township Officers, Boards & Commissions

A. Reports

1. Minutes – Directors’ Meeting – 12-18-12
2. Minutes – Joint Meeting – 10-18-12
3. Joint Meeting – 1st Quarter Annual Assessment
4. Joint Meeting – Annual Assessment Report for 2013 Assessments
5. Minutes – Planning Board – 12-20-12
6. Construction Code Official - Permits Issued in December

7. Reports of Committees

None

8. Ordinances, Bills & Claims

C. Bills & Claims

S. Jones – McElroy 2. Payrolls

October 20, 2012 through November 2, 2012

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$1,345,800.12	\$143,332.77	\$17,274.53	\$1,506,407.42

December 15, 2012 through December 28, 2012

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$1,357,207.02	\$140,864.32	\$31,089.82	\$1,529,161.16

December 15, 2012 through December 28, 2012

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$ 6,400.00	\$ -	\$ -	\$ 6,400.00

December 28, 2012 through December 28, 2012

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$ (-\$3,581.16)	\$ -	\$ -	\$ (-3,581.16)

December 28, 2012 through December 28, 2012

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$ (-800.00)	\$ -	\$ -	\$ (-800.00)

Adopted  
Absent: Beasley

9. Resolutions & Motions  
A. Resolutions

L.C. Jones – McElroy 1. Resolution of Sorrow – Former Board of Adjustment and Planning Board Secretary Gladys M. Johnson

RESOLUTION OF SORROW  
GLADYS MAE JOHNSON  
FORMER ZONING BOARD OF ADJUSTMENT AND PLANNING BOARD SECRETARY

WHEREAS, on Sunday, December 16, 2012, in His infinite wisdom, took from amongst our ranks GLADYS MAE JOHNSON; and

WHEREAS, GLADYS was born on November 21, 1928 in West New York, NJ to the late James Garfield West and Annie Estelle West; and

WHEREAS, GLADYS attended West New York school system and graduated from Memorial High School; and

WHEREAS, after high school she met and married John E. Johnson and from that union three children were born, two sons Roger “Craig”, Keith and one daughter Jeanette; and

WHEREAS, GLADYS worked for the Federal Government’s “Department of Wage and Hour” Department in the city of Newark, NJ for 38 years and retired in 1986; and

WHEREAS, after her retirement GLADYS then became employed by the Township of Irvington as the Zoning Board of Adjustment and Planning Board Secretary in 1988 and retired in July 2007; and

WHEREAS, while working for the Township of Irvington GLADYS a consummate professional was willing to work part time at a part time salary and perform a full time job with grace and distinction; and

WHEREAS, GLADYS loved spending time with her family and friends; she passionately loved spending time with her two dogs Duchess (deceased) and Logan. Gladys loved life, always dressed to the nines; she was a sophisticated and classy lady; and

WHEREAS, GLADYS is predeceased by her husband John E. Johnson, son Keith Johnson , and daughter Jeanette M. Johnson, stepchild Jeryl Johnson siblings, Inez West, Marion (West) McCredie, James West Jr., Rosalind West, Dorothy West. Survived by Son Roger “Craig” Johnson (Yvonne), Sister, Vivian S. (West) Florence, Grandchildren, Ahmad Johnson, Eric H. Johnson, Talia P. Johnson, Ancin A. White Jr, Rahjan “Elijah” Johnson, Quantavia Y. Johnson, 1

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Great Grand-Child Marcos Isaiah Rivera, two stepchildren, Ivy Johnson and John Johnson and a host of Nieces, Nephews, Cousins and Friends.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington hereby mourns the death of GLADYS MAE JOHNSON and offers their sincerest condolences to her family members and friends; and

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of this governing body as a lasting tribute to GLADYS MAE JOHNSON.

Adopted  
Absent: Beasley

McElroy – S. Jones 2. Authorize Approval of the Calendar Year 2013 Cash Management Plan

BE IT RESOLVED by the Council of the Township of Irvington, County of Essex that for the CY 2013, the following shall serve as the cash management plan of the Township of Irvington:

The Chief Financial Officer is directed to use this cash management plan as the guide in depositing and investing the Township of Irvington Funds.

The following Government Unit Deposit Protection Act (GUDPA) approved bonds are authorized depositories for deposit of funds:

Investors Savings Bank	N.J. State Cash Management Funds
Wells Fargo	Bank of New York
PNC Bank	
City National Bank	

All warrants or checks for the disbursement of money shall be made by the any (2) of the following officials and facsimile signatures maybe used:

Mayor & Chief Financial Officer

The Chief Financial Officer and/or Assistant Comptroller are empowered to invest cash funds, as bank balances will allow from time to time in order to realize revenue. The above stated officers are authorized to transfer funds electronically for the purpose of investments and payroll only.

The following are authorized as suitable investments:

Interest-bearing bank accounts in banks as authorized above for deposit of Local Unit Funds.

Certifications of deposit in GUDPA approved banking institutions.

Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America. This includes instruments such as Treasury Bills, Notes and Bonds.

Government Money Market Mutual Funds that comply with N.J.S.A. 40A:5-15.1

New Jersey Assets & Rebate Management Program

New Jersey CLASS

There are no approved Security broker/dealers. In the event that a security broker/dealer should be approved during the year, the registered principal of said brokerage firm so approved shall be provided with and sign an acknowledgment that they have seen and received the cash management plan.

Each month, the Chief Financial Officer shall prepare a report for the Mayor and Council that consists of the following:

A summary of all investments made or redeemed for the month.  
A listing of any and all financial institutions holding local unit funds.  
The cash or type of securities purchased or funds deposited.

Income earned on deposits and investments.

Matched value of investments and disclosure as to how the value was determined, if applicable.

A listing of accounts or deposits that do not earn interest.

This document shall constitute the Cash Management policy of the Township.

Any official involved with the selection of depositories, investments, broker/dealers shall disclose any material business or personal relationship to the Business Administrator and the Local Finance Board or Local Ethics Board as applicable.

Any official who, in the course of his or her duties, deposits or invests in accordance with this plan shall be relieved of any liability for loss.

Adopted

Absent: Beasley

McElroy – Frederic 3. Resolution of Commemoration – Dr. Martin L. King Jr. - 28<sup>th</sup> Annual Tribute

**DR. MARTIN LUTHER KING JR.  
28<sup>th</sup> ANNUAL COMMEMORATIVE TRIBUTE**

WHEREAS, the President and Congress of the United States have designated the third Monday in January of each year as Dr. Martin Luther King, Jr. Day and to commemorate the January 15th birthday of this important leader of the Civil Rights Movement in our Country; and

WHEREAS, there is national recognition and respect for Dr. King's teachings and preachings of the principles of freedom, responsibilities of liberty, ideals of brotherhood, respect for human rights, promotion of social and economic cooperation and the need for international peace and security; and

WHEREAS, New Jersey has also adopted Dr. Martin Luther King, Jr. Day as a State Holiday and created a Commemorative Commission to honor Dr. King to enlighten the population of our State to the teachings and principals of Dr. King to relieve the burdens of illiteracy and poverty while offering the beacon of hope to the needy; and

WHEREAS, the Dr. Martin Luther King, Jr. Commemorative Committee of Irvington works diligently to preserve the name and promote the teachings of Dr. King, and this year will celebrate King its annual tribute:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington joins with all residents of this Country of ours in commemorating Dr. Martin Luther King, Jr. Day and proclaiming support for his teachings of freedom; brotherhood; love, not hate; ending poverty; working for peace, not war; and education to increase understanding; and

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Irvington Public Library for public display and to the Martin Luther King Jr. Commemorative Committee of Irvington to recognize their continuing efforts and programs in commemoration of Dr. King and in keeping the dream alive by acknowledging the twenty-fifth annual tribute to Dr. Martin Luther King, Jr.

Adopted

Absent: Beasley

Lyons – S. Jones 4. Resolution of Sorrow - Kimberly Ann Walker Blackley

WHEREAS, Kimberly Ann Walker Blackley was born December 13, 1975 to Sandra Jackson Walker and George Freeman Walker at Beth Israel Hospital; and

WHEREAS, she married her devoted husband, Alain C. Blackley on July 23, 2000 and of this union a son, Alain C. Blackley II, now seven years old, was born; and

WHEREAS, Kim accepted Christ and was baptized at Mt. Olive Baptist Church in Camp Dennison, Ohio, attended Augusta Street School and Irvington High School as well as Kean University in Union, New Jersey and Columbus State Community College, Columbus, Ohio for her undergraduate work; and

WHEREAS, She was a wonderful wife and mother, poet, avid reader, cook, crafter, one of the youngest Vice Presidents for Fifth Third Bank in Columbus, where she won numerous awards including Manager of the Year in 2005 and was known for her business Acumen and professionalism; and

WHEREAS, she was a member of From the Heart Church Ministries of Camp Dennison, Ohio (formerly Mt. Olive Church) and in recent months attended Life Community Church in Hilliard, Ohio; and

WHEREAS, Kim belonged to the National Association of Professional Women and is listed in the National Who's Who and the Black Who's Who in Columbus, Ohio, was a board member of the Eastland Business Association and was involved in numerous local and national charitable organizations.; and

WHEREAS, she leaves to mourn her passing:her loving husband, Alain C. Blackley, and adoring son (her "Boo-boo"), Alain C. Blackley II, her loving mother, Sandra Walker, and father, George Walker of Newark, New Jersey; her mother-in-law, Jean Aikens of Camp Dennison, Ohio; her brother-in-law, Tai Aikens of Atlanta, Georgia; two brothers, George F. (Skooter) Walker, Jr. and Gerald O.Walker of Newark, New Jersey; two grandmothers, Julia Jackson of Gordonsville, Virginia and Margaret Walker of Abbeville, Alabama, her adopted Godparents, Etta and Aurell Ray of Milford, Ohio; Willie L. Mickens; her Church Family of From the Heart Church Ministries of Camp Dennison, Ohio, Alfred B. Winters, Jr., Pastor; Rev. Damon Lynch, Jr. of New Jerusalem Baptist Church, Cincinnati, Ohio; and a host of relatives and friends:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington joins with the family and friends of Kimberly Ann Walker Blackley in mourning the loss of the wonderful individual; and

WHEREAS, that a copy of this resolution be spread upon the minutes of this governing body in lasting tribute to Kimberly Ann Walker Blackley.

Adopted  
Absent: Beasley

S. Jones – McElroy 5. Authorize Contract for Redevelopment Counsel – McManimon, Scotland & Baumann, LLC – Not To Exceed \$10,000.00

**RESOLUTION AUTHORIZING FAIR AND OPEN PROFESSIONAL SERVICE CONTRACT  
FOR REDEVELOPMENT COUNSEL SERVICE FOR CALENDAR YEAR 2013**

WHEREAS, the Request for Proposals for redevelopment counsel was publicly advertised in the New Jersey Star Ledger on November 30, 2012 with a deadline for qualification to be submitted on December 14, 2012; and

WHEREAS, sealed proposals were submitted on or before December 14, 2012 in response to the Township's publicly advertised Request for Qualifications; and

WHEREAS, one (1) qualification was received and publicly opened; and

WHEREAS, said qualification was referred to the Business Administrator, Chief Financial Officer and the Township Attorney; and

WHEREAS, the qualification satisfied the bid requirement and;

WHEREAS, the Township Attorney and Chief Financial Officer has recommended award should be made to the following firm:

McManimon, Scotland & Baumann, LLC  
Glen F. Scotland  
75 Livingston Ave, Second Floor, Roseland,  
NJ 07068

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Bond Counsel be awarded to McManimon, Scotland & Baumann, LLC, 75 Livingston Ave, Second floor, Roseland, NJ 07068 on the basis of their response to the request for proposal meeting the selection criteria and qualifications, for an amount not to exceed \$10,000.00, at the negotiated rate of the RFP, for one year starting on January 01, 2013 and ending on December 31, 2013; and

BE IT FURTHER RESOLVED that the Township Attorney is hereby authorized and directed to prepare the necessary contract and the Mayor and Township Clerk are authorized and directed to sign the same; and

BE IT RESOLVED that the required Certification of Availability of Funds, No. C3-000240, in the amount of \$10,000.00 from Account# 3-01-20-100-100-199 has been obtained from the Chief Financial Officer.

Adopted  
Absent: Beasley

S. Jones – Lyons 6. Authorize Contract for Auditor for Calendar Year 2013 – Samuel Klein & Company – Not To Exceed \$102,500.00

**AUTHORIZE FAIR AND OPEN PROFESSIONAL SERVICE CONTRACT FOR AUDITING SERVICES FOR CALENDAR YEAR 2013**

WHEREAS, the Request for Proposals for professional auditing service was publicly advertised in the New Jersey Star Ledger on November 30, 2012 with a deadline for qualification to be submitted on December 14, 2012; and

WHEREAS, sealed proposals were submitted on or before December 14, 2012 in response to the Township's publicly advertised Request for Qualifications; and

WHEREAS, one qualification was received and publicly opened; and

WHEREAS, said qualification was referred to the Purchasing Agent, Chief Financial Officer and the Township Attorney; and

WHEREAS, the qualification satisfied the bid requirement and;

WHEREAS, the Township Attorney and Chief Financial officer has recommended award should be made to the following firm:

Samuel & Klein Co.,  
Joseph J. Faccone, PA, RMA, PSA, CMFO  
550 Board Street, 11th Floor, Newark, NJ  
07102

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for auditing services be awarded to Samuel Klein & Company, 550 Broad Street, Newark, NJ 07102 on the basis of their response to the request for proposal meeting the selection criteria and qualifications, for an amount not to exceed \$102,500.00 for the calendar year 2013 audit (January 01, 2013 – December 31, 2013);and

BE IT FURTHER RESOLVED that the Township Attorney is hereby authorized and directed to prepare the necessary contract and the Mayor and Township Clerk are authorized and directed to sign the same; and

BE IT RESOLVED that the required Certification of Availability of Funds, No. C3-00239, in the amount of \$26,775.00 from account number 1-01-20-135-298 and has been obtained from the Chief Financial Officer and the remaining \$75,725.00 will be certified when the 2013 budget is adopted by the Municipal Council.

Adopted  
Absent: Beasley

Lyons – Inman 7. Authorize Contract for Self-Insured Administrator - Medical and Prescription - EBS RMSCO - Not To Exceed \$300,000.00

**RESOLUTION AUTHORIZING FAIR AND OPEN PROFESSIONAL SERVICE CONTRACT  
FOR SELF-INSURED ADMINISTRATOR (MEDICAL AND PRESCRIPTION) FOR  
CALENDAR YEAR 2013**

WHEREAS, the Request for Proposals for Self-Insured Administrator (Medical and Prescription) was publicly advertised in the New Jersey Star Ledger on November 30, 2012 with a deadline for qualification to be submitted on December 14, 2012; and

WHEREAS, sealed proposals were submitted on or before December 14, 2012 in response to the Township's publicly advertised Request for Qualifications; and

WHEREAS, one (1) qualification was received and publicly opened; and

WHEREAS, said qualification was referred to the Business Administrator, Chief Financial Officer and the Township Attorney; and

WHEREAS, the qualification satisfied the bid requirement and;

WHEREAS, the Township Attorney, Business Administrator and Chief Financial Officer has recommended award should be made to the following firm:

EBS RMSCO  
NANNETTE GROSSO  
115 CONTINUUM DRIVE  
LIVERPOOL, NY 13088

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Professional Services of a Self-Insured Administrator (Medical and Prescription) be awarded to EBS RMSCO, INC., 115 Continuum Drive, Liver Pool, NY 13088, for an amount of \$32.00 PEPM (Medical/RX Claim Administration) plus \$2.00 PEPM (Broker Fee), not to exceed \$300,000.00; for one year starting on January 01, 2013 and ending on December 31, 2013; and

BE IT FURTHER RESOLVED that the Township Attorney is hereby authorized and directed to prepare the necessary contract and the Mayor and Township Clerk are authorized and directed to sign the same; and

BE IT RESOLVED that the required Certification of Availability of Funds, No. C3-00241, in the amount of \$75,000.00 from Account# 3-01-23-210-220-298 has been obtained from the Chief Financial Officer and the remaining balance will be certified when the 2013 budget is adopted by the Municipal Council.

Adopted  
Absent: Beasley

Inman - Lyons 8. Authorize Contract for Insurance Brokerage Services - General Liability, Worker's Compensation, Property Casualty and Risk Services - Conner Strong & Buckelew - Not To Exceed \$32,000.00 for Loss Control Plus Commission To Be Paid by Carriers

**RESOLUTION AUTHORIZING FAIR AND OPEN PROFESSIONAL SERVICE CONTRACT FOR INSURANCE BROKERAGE SERVICES (GENERAL LIABILITY, WORKER'S COMPENSATION, PROPERTY CASUALTY & RISK SERVICES) FOR CALENDAR YEAR 2013**

WHEREAS, the Request for Proposals for Insurance Brokerage Services (General Liability, Worker's Compensation, Property Casualty & Risk Services) was publicly advertised in the New Jersey Star Ledger on November 30, 2012 with a deadline for qualification to be submitted on December 14, 2012; and

WHEREAS, sealed proposals were submitted on or before December 14, 2012 in response to the Township's publicly advertised Request for Qualifications; and

WHEREAS, four (4) qualifications were received and publicly opened; and

WHEREAS, said qualifications were referred to the Business Administrator, Chief Financial Officer and the Township Attorney; and

WHEREAS, the qualifications satisfied the bid requirement and;

WHEREAS, the Township Attorney, Business Administrator and Chief Financial Officer has recommended award should be made to the following firm:

CONNER STRONG & BUCKELEW  
SEAN CRITCHLEY  
9 CAMPUS DRIVE, PARSIPPANY, NJ 07054

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Insurance Brokerage Services (General Liability, Worker's Compensation, Property Casualty & Risk Services) be awarded to Conner Strong & Buckelew., 9 Campus Drive, Parsippany, NJ 07054 on the basis of their response to the request for proposal meeting the selection criteria and qualifications for a total amount not to exceed \$32,000.00 for loss control services plus applicable commission to be paid by the carriers, which will be disclosed to the Township on a quarterly basis; for one year starting on January 01, 2013 and ending on December 31, 2013; and

BE IT FURTHER RESOLVED that the Township Attorney is hereby authorized and directed to prepare the necessary contract and the Mayor and Township Clerk are authorized and directed to sign the same; and

BE IT RESOLVED that the required Certification of Availability of Funds, No. C3-00242, in the amount of \$8,000.00 from Account# 3-01-23-210-210-298 has been obtained from the Chief Financial Officer and the remaining balance will be certified when the 2013 budget is adopted by the Municipal Council.

Adopted  
Absent: Beasley

Lyons – Inman 9. Authorize Contract for Insurance Brokerage Services – Health and Dental - Bollinger Insurance Solutions – Selected Insurance Company To Pay \$2.00 Per Claim Brokerage Fee

**RESOLUTION AUTHORIZING FAIR AND OPEN PROFESSIONAL SERVICE CONTRACT FOR INSURANCE BROKERAGE SERVICES (HEALTH & DENTAL) FOR CALENDAR YEAR 2013**

WHEREAS, the Request for Proposals for Insurance Brokerage Services (Health & Dental) were publicly advertised in the New Jersey Star Ledger on November 30, 2012 with a deadline for qualification to be submitted on December 14, 2012; and



WHEREAS, sealed proposals were submitted on or before December 14, 2012 in response to the Township's publicly advertised Request for Qualifications; and

WHEREAS, two (2) qualifications were received and publicly opened; and

WHEREAS, said qualifications were referred to the Business Administrator, Chief Financial Officer and the Township Attorney; and

WHEREAS, the qualifications satisfied the bid requirement and;

WHEREAS, the Township Attorney, Business Administrator and Chief Financial Officer has recommended award should be made to the following firm:

BOLLINGER INSURANCE SOLUTIONS  
GREGORY T. THOMPSON  
101 JFK PARKWAY, SHORT HILLS, NJ 07078

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Insurance Brokerage Services (Health & Dental) be awarded to Bollinger Insurance Company, 101 JFK Parkway, Short Hills, NJ 07078 on the basis of their response to the request for proposal meeting the selection criteria. The Township is not responsible for the payment to the said vendor; instead, EBS-RMSCO, inc., the selected insurance company will be responsible for paying the said vendor \$2.00 PEPM (Broker Fee) Additional fees applies for other benefits., quarterly reimbursement reports will be submitted to the Irvington Township Insurance Committee; for one year starting on January 01, 2013 and ending on December 31, 2013; and

BE IT FURTHER RESOLVED that the Township Attorney is hereby authorized and directed to prepare the necessary contract and the Mayor and Township Clerk are authorized and directed to sign the same.

Adopted  
Absent: Beasley

10. Communications & Petitions

A. Communications

None

11. Pending Business

A. Amend Section 5-11 of Revised Code – Change Hour of Caucus Meeting to 6:00 P.M., Directors' Meeting to 6:00 P.M. and Regular Council Meeting to 7:00 P.M. [REFERRED TO COUNCIL'S AD HOC COMMITTEE]

12. Miscellaneous

A. Bingos and Raffles

None

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NON-CONSENT AGENDA ITEMS

8. Ordinances, Bills & Claims

A. Ordinances on 1<sup>st</sup> Reading

McElroy – S. Jones 1. Authorize Taxable Refunding Bond Ordinance - \$5,100,000.00

REFUNDING BOND ORDINANCE OF THE TOWNSHIP OF IRVINGTON, IN THE COUNTY OF ESSEX, NEW JERSEY, PROVIDING FOR THE REFUNDING OF ALL OR A PORTION OF CERTAIN TAXABLE REFUNDING BONDS, SERIES 2003

(QUALIFIED PURSUANT TO THE MUNICIPAL QUALIFIED BOND ACT) OF THE TOWNSHIP, APPROPRIATING \$5,100,000 THEREFOR AND AUTHORIZING THE ISSUANCE BY THE TOWNSHIP OF TAXABLE REFUNDING BONDS, SERIES 2013 (QUALIFIED PURSUANT TO THE PROVISIONS OF THE MUNICIPAL QUALIFIED BOND ACT) IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$5,100,000 FOR FINANCING THE COST THEREOF.

Adopted  
Absent: Beasley

McElroy – Lyons 2. Authorize \$20.00 Per Month Per Parking Space Permit Parking for Plaza Parking Lot # 7 - Union Avenue

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 192-114 ENTITLED “SCHEDULE XX111 OFF STREET PARKING PERMITS” BY THE ADDITION OF A NEW LOCATION PLAZA 7, 357 UNION AVENUE BLOCK 289 LOT 9 PURSUANT TO THE PROVISIONS OF CHAPTER 192-64A AND THE SETTING OF A RATE FOR THE ISSUANCE OF A PERMIT

Adopted  
Absent: Beasley

S. Jones – Lyons 3. Authorize Permission for Public Right of Way Construction, Installation, Operation, and/or Maintenance of Telecommunications System for 50 Years - Cross River Fiber, LLC

AN ORDINANCE TO GRANT A PUBLIC RIGHT-OF-WAY TO CROSS RIVER FIBER, LLC.

Adopted  
Absent: Beasley

B. Ordinances on 2nd Reading

1. Acting President McElroy: A bond ordinance providing for the demolition of unsafe buildings and structures in the amount of \$923,240.00 will be heard at this time. The Clerk will read the notice of hearing.

The Clerk read the notice of hearing.

The Clerk will read the ordinance by title.

BOND ORDINANCE PROVIDING FOR THE DEMOLITION OF UNSAFE BUILDINGS AND STRUCTURES IN AND BY THE TOWNSHIP OF IRVINGTON, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$923,240 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$923,240 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF IRVINGTON, IN THE COUNTY OF ESSEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Township of Irvington, in the County of Essex, New Jersey (the "Township") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$923,240, including a \$923,240 Department of Community Affairs Demolition Bond Loan 2012 (the “Demolition Loan”). No down payment is required pursuant to N.J.S.A. 40A:2-11(c) as this bond ordinance authorizes obligations solely for a purpose described in N.J.S.A. 40A:2-7(d).

Section 2.

Section 2. In order to finance the cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$923,240 pursuant to the Local Bond Law and the provisions of the Municipal Qualified Bond Act, P.L. 1976, c. 38, as amended. In

anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the demolition of unsafe buildings and structures as listed in the loan documents accompanying and the Demolition Bond Loan, which loan documents are on file with the Office of the Clerk, including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, is 20 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$923,240, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$185,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

(e) This bond ordinance authorizes obligations of the Township solely for a purpose described in N.J.S.A. 40A:2-7(d). This purpose is in the public interest and is for the health, welfare, convenience or betterment of the inhabitants of the Township. The amounts to be expended for this purpose pursuant to this bond ordinance are not unreasonable or exorbitant, and the issuance of the obligations authorized by this bond ordinance will not materially impair the credit of the Township or substantially reduce its ability to pay punctually the principal of and the interest on its debts and to supply other essential public improvements and services. The Local Finance Board in the Division of Local Government Services of the Department of Community Affairs of the State of New Jersey has heretofore made a determination to this effect and has caused its consent to be endorsed upon a certified copy of this bond ordinance as passed upon first reading.

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the “Rule”) for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

The public hearing on this ordinance is now open.

Robert Shaw, 57 Coit Street  
Eric Dixon, 17 Ruth Street  
Harry Perryman, 21 Nesbit Terrace

McElroy - S. Jones                      Motion to close public hearing

Adopted  
Absent: Beasley

McElroy – S. Jones                      Motion to adopt this ordinance on second reading after second reading  
Council Member Lyons spoke.

Adopted  
Absent: Beasley

2. Acting President McElroy: A bond ordinance providing for the Revaluation of Real Property in the Township of Irvington will be heard at this time. The Clerk will read the notice of hearing.

The Clerk stated for the record that this notice was identical to the first notice that was read.

The Clerk will read the ordinance by title.

BOND ORDINANCE PROVIDING FOR THE REVALUATION OF REAL PROPERTY IN AND BY THE TOWNSHIP OF IRVINGTON, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$800,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$760,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF IRVINGTON, IN THE COUNTY OF ESSEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Township of Irvington, in the County of Essex, New Jersey (the "Township") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$800,000, including the sum of \$40,000 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$760,000 pursuant to the Local Bond Law and the provisions of the Municipal Qualified Bond Act, P.L. 1976, c. 38, as amended. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the revaluation of real property as ordered by the Essex County Board of Taxation on June 7, 2012, including all related costs and expenditures incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, is 5 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$760,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$80,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the “Rule”) for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations

authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

The public hearing on this ordinance is now open.

There were no requests to be heard.

McElroy – Lyons                      Motion to close public hearing

Adopted  
Absent: Beasley

McElroy – Lyons                      Motion to adopt this ordinance on second reading after second reading

Adopted  
Absent: Beasley

3. Acting President McElroy: A bond ordinance providing for improvements to various parks will be heard at this time. The Clerk will read the notice of hearing.

The Clerk stated for the record that this notice was identical to the first notice that was read.

The Clerk will read the ordinance by title.

BOND ORDINANCE PROVIDING FOR PLAYGROUND IMPROVEMENTS IN AND BY THE TOWNSHIP OF IRVINGTON, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$300,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$300,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF IRVINGTON, IN THE COUNTY OF ESSEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Township of Irvington, in the County of Essex, New Jersey (the "Township") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$300,000, including a \$300,000 Green Acres Loan. No down payment is required pursuant to N.J.S.A. 40A:2-11(c) as this bond ordinance authorizes obligations solely for a purpose described in N.J.S.A. 40A:2-7(d).

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$300,000 pursuant to the Local Bond Law and the provisions of the Municipal Qualified Bond Act, P.L. 1976, c. 38, as amended. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

(a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is playground improvements, including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one

year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$300,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$60,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

(e) This bond ordinance authorizes obligations of the Township solely for a purpose described in N.J.S.A. 40A:2-7(d). This purpose is in the public interest and is for the health, welfare, convenience or betterment of the inhabitants of the Township. The amounts to be expended for this purpose pursuant to this bond ordinance are not unreasonable or exorbitant, and the issuance of the obligations authorized by this bond ordinance will not materially impair the credit of the Township or substantially reduce its ability to pay punctually the principal of and the interest on its debts and to supply other essential public improvements and services. The Local Finance Board in the Division of Local Government Services of the Department of Community Affairs of the State of New Jersey has heretofore made a determination to this effect and has caused its consent to be endorsed upon a certified copy of this bond ordinance as passed upon first reading.

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the



obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the “Rule”) for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

The public hearing on this ordinance is now open.

There were no requests to be heard.

McElroy – S. Jones                      Motion to close public hearing

Adopted  
Absent: Beasley

McElroy – S. Jones                      Motion to adopt this ordinance on second reading after second reading

Adopted  
Absent: Beasley

C. Bills & Claims

S. Jones – McElroy 1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD ENDING JANUARY 15, 2013, AS ENUMERATED ON THIS LIST FOR MATERIALS, SUPPLIES AND SERVICES FURNISHED, DELIVERED AND/OR PERFORMED HAVE BEEN CERTIFIED BY THE DEPARTMENTS AS CORRECT, EACH CLAIM AND PURCHASE ORDER HAVE BEEN VERIFIED AND REVIEWED FOR THE AVAILABILITY OF FUNDS, ACCURACY OF ACCOUNT CODING AND COMPLETENESS BY THE ADMINISTRATION, THEREFORE:

BE IT RESOLVED, BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON THAT THE FOLLOWING BE PAID BY THE CHIEF FINANCIAL OFFICER:

BILL LIST	\$1,815,912.43
SUPPLEMENTAL	\$ 28,974.41
SUPPLEMENTAL #2	309,644.35
TOTAL	\$2,154,531.19

Adopted  
No: Lyons  
Absent: Beasley

9. Resolutions & Motions

A. Resolutions

Inman – S. Jones 10. Authorize Purchases Under the Essex County Cooperative Purchasing Program

AUTHORIZING PURCHASES UNDER ESSEX COUNTY  
COOPERATIVE PURCHASING PROGRAM  
UNDER THE PAY TO PLAY THRESHOLD OF \$17,500.00

WHEREAS, the Township of Irvington, pursuant to N.J.S.A. 40A: 11-11(5) and N.J.A.C. 5:34- et seq. may by resolution and without advertising for bids, purchase any goods or services under a County Cooperative Pricing System of which the Township is a member; and,

WHEREAS, the Township of Irvington is a member of the Essex County Cooperative Pricing System and has the need on a timely basis to purchase goods or services using those contracts; and

WHEREAS, the Township of Irvington intends to enter into contracts with Essex County Co-op vendors, under the pay-to play threshold of \$17,500.00 through this resolution and properly executed purchase orders as needed, which shall be subject to all the conditions applicable to current County contracts.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Irvington authorizes the purchase of certain goods and services from those approved Essex County Cooperative Pricing System vendors under the pay-to play threshold of \$17,500.00, pursuant to all the conditions of the individual County contracts; and

BE IT FURTHER RESOLVED by the Township Council that, pursuant to the N.J.A.C. 5:30-5.5(b), the certification of available funds and resolutions shall be certified at such time as the goods or services are called for prior to placing the order for good or service in excess of \$17,500.00, and a certification of availability of funds is made by the Chief Financial Officer via an authorized purchase order; and

BE IT FURTHER RESOLVED that the duration of this authorization shall be until December 31, 2013.

Council Member Lyons spoke.

Adopted  
No: Lyons  
Absent: Beasley

Inman – S. Jones 11. Authorize Purchases Under the Morris County Cooperative Purchasing Program

AUTHORIZING PURCHASES UNDER MORRIS COUNTY  
COOPERATIVE PURCHASING PROGRAM  
UNDER THE PAY TO PLAY THRESHOLD OF \$17,500.00

WHEREAS, the Township of Irvington, pursuant to N.J.S.A. 40A: 11-11(5) and N.J.A.C. 5:34- et seq. may by resolution and without advertising for bids, purchase any goods or services under a County Cooperative Pricing System of which the Township is a member; and,

WHEREAS, the Township of Irvington is a member of the Morris County Cooperative Pricing System and has the need on a timely basis to purchase goods or services using those contracts; and

WHEREAS, the Township of Irvington intends to enter into contracts with Morris County Co-op vendor, under the pay-to play threshold of \$17,500.00 through this resolution and properly executed purchase orders as needed, which shall be subject to all the conditions applicable to current County contracts.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Irvington authorizes the purchase of certain goods and services from those approved Morris County Cooperative Pricing System vendors under the pay-to play threshold of \$17,500.00, pursuant to all the conditions of the individual County contracts; and

BE IT FURTHER RESOLVED by the Township Council that, pursuant to the N.J.A.C. 5:30-5.5(b), the certification of available funds and resolutions shall be certified at such time as the goods or services are called for prior to placing the order for good or service in excess of \$17,500.00, and a certification of availability of funds is made by the Chief Financial Officer via an authorized purchase order; and

BE IT FURTHER RESOLVED that the duration of this authorization shall be until December 31, 2013.

Adopted  
Absent: Beasley

Inman – Frederic 12. Authorize Purchases Under the State of New Jersey Cooperative Purchasing Program

AUTHORIZING PURCHASES UNDER THE STATE OF NEW JERSEY COOPERATIVE  
PURCHASING PROGRAM  
UNDER THE PAY TO PLAY THRESHOLD OF \$17,500.00

WHEREAS, the Township of Irvington, pursuant to N.J.S.A. 40A:11-12(a) and N.J.A.C. 5:34-7.29(c) may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of Treasury; and,

WHEREAS, the Township of Irvington has the need on a timely basis to purchase goods or services utilizing State contracts; and

WHEREAS, the Township of Irvington intends to enter into contracts with State contract vendors under the pay to play threshold of \$17,500.00 through this resolution and properly executed purchase orders, which shall be subject to all the conditions applicable to current State contracts.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Irvington authorizes the purchase of certain goods and services from those approved New Jersey State contract vendors under the pay to play threshold of \$17,500.00, pursuant to all the conditions of the individual State contracts; and

BE IT FURTHER RESOLVED by the Township Council that, pursuant to the N.J.A.C. 5:30-5.5(b), the certification of available funds and resolutions shall be certified at such time as the goods or services are called for prior to placing the order for good or service in excess of \$17,500.00, and a certification of availability of funds is made by the Chief Financial Officer via an authorized purchase order; and

BE IT FURTHER RESOLVED that the duration of this authorization shall be until December 31, 2013.

Adopted  
Absent: Beasley

Frederic – L.C. Jones 13. Constable Appointment – Darryl G. Solomon

BE AND IT IS HEREBY RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, NEW JERSEY that Darryl G. Solomon, 261 Nesbit Terrace, in the Township of Irvington be and he is hereby appointed to the Office of Constable for a term of three years from the date of January 15, 2013; and

BE IT FURTHER RESOLVED that the above named person shall be notified of his appointment for the term aforesaid by the Township Clerk and directed to present himself to him and take and subscribe to the oath as provided by law, and to file with the Township Clerk at the same time a surety bond in the sum of \$1,000.00 to remain in force for the full term above set forth, the surety on said bond being a surety company duly authorized to do business in the State of New Jersey,

said bond to be conditioned as provided by law, and that said bond be approved as to form by the Township Attorney.

Adopted  
No: S. Jones  
Absent: Beasley

12. Miscellaneous

B. General Hearing of Citizens and Council Members (limited to five minutes per person)

Robert Shaw, 57 Coit Street  
Harry Perryman, 21 Nesbit Terrace  
Elouise McDaniel, 214 Nesbit Terrace  
Eugene Otto, 35 Ellery Avenue  
Eric Dixon, 17 Ruth Street

All of the Council Members present addressed the concerns raised by the above referenced citizens.

13. Adjournment

There being no further business the meeting adjourned at 8:51 P.M.

<hr/> Andrea C. McElroy, Acting Council President	<hr/> Harold E. Wiener, Municipal Clerk
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