

REGULAR COUNCIL MEETING
JUNE 11, 2013

Council Chamber, Municipal Building
Irvington, N.J. – Tuesday Evening
June 11, 2013 - 8:00 P.M.

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

Present: Charnette Frederic, Paul Inman, Lebby C. Jones, Sandra R. Jones, David Lyons, D. Bilal Beasley

Absent: Andrea C. McElroy

President Beasley 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)

Cathy Southerland, 50 Adams Street

- 5. Hearing of Council Members

Council Member Lyons spoke.

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

A. Reports

- 1. Minutes – Directors’ Meeting – 5-29-13
- 2. Joint Meeting – Revised Annual Audit Report Year 2012

- 7. Reports of Committees

None

- 8. Ordinances, Bills & Claims

B. Ordinances on 2nd Reading

None

C. Bills & Claims

L.C. Jones – S. Jones 2. Payrolls

May 1, 2013 through May 17, 2013

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$1,367,555.22	\$148,691.14	\$28,725.32	\$1,544,971.68

May 18, 2013 through May 31, 2013

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$1,362,760.19	\$139,865.01	\$21,247.24	\$1,523,872.44

Adopted
Absent: McElroy

9. Resolutions & Motions

A. Resolutions

S. Jones – Lyons 1. Correct Prior Resolution Authorizing a Change Fund for the Tax Department

WHEREAS, Resolution DRF 13-0312-30 inadvertently requested approval of a petty cash fund for the Tax Department in the amount of \$350.00; and

WHEREAS, the intention of said resolution was to establish a change fund in the Tax Department in the amount of \$350.00

WHEREAS, N.J.S.A. 40A:5-21 authorizes the establishment of a change fund in any county of municipality by application and resolution; and

WHEREAS, it is the desire of the Township of Irvington in the County of Essex, to establish such a change fund for the Tax Department in the amount of \$350.00; and

WHEREAS, the custodian for this fund is the Tax Collector, Beverly Baytops, who is bonded by virtue of a surety bond; such custodian shall maintain records for this fund in a manner conducive to proper accounting and auditing procedures.

NOW, THEREFORE, BE IT RESOLVED, the governing body of the Township of Irvington, County of Essex, New Jersey, hereby authorizes such action and two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval; and

BE IT FURTHER RESOLVED that Resolution DRF 13-0313-30 is hereby repealed.

Adopted
Absent: McElroy

S. Jones – Lyons 2. Oppose Cuts in the Federal Food Stamp Program

WHEREAS, the United States Senate has voted and passed a measure to reduce the food stamp program administered by the Department of Agriculture by \$400,000,000.00; and

WHEREAS, additionally, those with criminal backgrounds and CDS and certain sexual misconduct convictions will be ineligible to receive food stamps; and

WHEREAS, Many of our senior citizen may have problems because of this legislation and the the residents of Essex and Hudson Counties that receive food stamps will most likely go hungry; and

WHEREAS, these unfortunate residents will be suffering severe hardship as a result of these budget cuts; and

WHEREAS, the food stamp program provides good nutritious meals to residents that can not afford to pay for them; and

WHEREAS, good nutrition can lower risk for many chronic diseases, including heart disease, stroke, some cancers, diabetes and osteoporosis; and

WHEREAS, many government and other studies show that food stamps are amongst the most wisely spend public dollars and provide essential nourishment and public health benefits to low income people and provide economic stimulus to rural and urban communities:

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington hereby opposes any cuts in the federal food stamp program currently being considered in Congress for the reasons aforesaid.

Adopted
Absent: McElroy

S. Jones - Beasley 3. Commendation - Irvington High School 2013 Consumer Bowl Champions

**COMMENDATION - IRVINGTON HIGH SCHOOL
2013 CONSUMER BOWL**

WHEREAS, Irvington High School representing northern New Jersey defeated regional champions from central and southern New Jersey to win the 2013 State Consumer Bowl Championship; and

WHEREAS, Irvington High School was one of 86 schools to enter this year's 17th Annual Consumer Bowl Competition; and

WHEREAS, State Attorney General Jeffrey S. Chiesa saluted all the students who participated telling them they will all be winners in the marketplace as better-informed consumers with knowledge of New Jersey's consumer protection laws and their rights.; and

WHEREAS, the game show format tested the students' knowledge of consumer issues including churning schemes, investment fraud, purchasing and leasing of new and used vehicles, regulated businesses such as health clubs and movers and consumers' rights when making retail purchases and general knowledge of the state's consumer protection laws and regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that we do hereby recognize and congratulate the following:

- * Josmar Adames, Team Captain
- * Danielson Joseph
- * Danny Tandazo
- * Chiamaka Udoeye
- * Kadeem Willis

and advisor/teacher Joseph Romano as we honor them for their commitment and intense study; 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 these Champion Irvington High school students performing in the 2013 Consumer Bowl as well as teacher/advisory Joseph Romano for a job well done.

Adopted
Absent: McElroy

Beasley – L.C. Jones 4. Authorize Issuance of Not To Exceed \$10,500,000.00 in Tax Anticipation Notes for Calendar Year 2013

**RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$10,500,000 TAX
ANTICIPATION NOTES OF CY 2013 OF THE TOWNSHIP OF IRVINGTON, IN THE
COUNTY OF ESSEX, NEW JERSEY.**

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF IRVINGTON, IN THE COUNTY OF ESSEX, NEW JERSEY (not less than the majority of the full membership of the governing body) AS FOLLOWS:

Section 1. In anticipation of the collection of taxes during the current fiscal year, We are hereby authorized to be issued tax anticipation notes of the Township, each to be known as "Tax Anticipation Note of CY-2013," in amounts not exceeding \$10,500,000.00. The proceeds of such notes shall be applied only to purposes provided for in the budget or for which taxes are levied for the current year.

Section 2. The following certificate has been prepared by the Director of Revenue and Finance and is filed in the office of the Township Clerk:

CERTIFICATE WITH RESPECT TO TAX ANTICIPATION NOTES

I, Faheem J. Ra'Oof, Director of Revenue and Finance of the Township of Irvington, in the County of Essex, New Jersey HEREBY CERTIFY as follows:

1. The gross borrowing power in respect to tax anticipation notes for the calendar fiscal year of 2013, being 30 percent of the tax levy for all purposes of the calendar fiscal year of 2012, plus 30 percent of the amount of miscellaneous revenues realized in cash during the calendar fiscal year of 2012, is \$29,393,336.55.

2. The amount of notes outstanding in anticipation of the collection of taxes of the calendar fiscal year of 2012, except such notes as will be renewed by or paid from the proceeds of the notes to be issued, is \$ -0-.

3. The net borrowing power, being the excess of the first over the second of the two above amounts, is \$29,393,336.55.

4. This certificate is made with respect to \$10,500,000.00 Tax Anticipation Notes of CY-2013 about to be authorized by the Township Council of the Township of Irvington.

IN WITNESS WHEREOF, I have hereunto set my hand this 11th day of June, 2013.

Faheem J. Ra'Oof, Director of Revenue and Finance

Section 3. The following matters in connection with the notes are hereby determined:

(a) All notes issued hereunder shall mature at such times as may be determined by the Director of Revenue and Finance, provided that no note shall mature later than 120 days following the end of the calendar fiscal year.

(b) All notes issued hereunder shall bear interest at such rate or rates as may be determined by the Director of Revenue and Finance.

(c) All notes shall be in the form prescribed by the Local Budget Law and otherwise as determined by the Director of Revenue and Finance and such officer's signature upon the notes shall be conclusive as to such determination;

(d) Notes issued hereunder may be renewed from time to time, provided, however, that no renewal note shall be issued later than the last day of the fiscal year.

(e) All notes shall be executed by the Mayor and the Director of Revenue and Finance and attested by the Township Clerk.

Section 4. The Director of Revenue and Finance is authorized and directed to determine all matters in connection with the notes not determined by this or by a subsequent resolution and such officer's signature upon the notes shall be conclusive as to such determination.

Section 5. The Director of Revenue and Finance is hereby authorized to sell the notes from time to time at public or private sale in such amounts as such officer may determine at not less than par and to deliver them from time to time to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof and payment therefore.

Section 6. Any instrument issued pursuant to this resolution shall be a general obligation of the Township, and 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.

Section 7. The Director of Revenue and Finance is authorized and is directed to report in writing to the Township Council at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this resolution is made, such report to include the amount, the description, the interest rate and the maturity of the notes sold, the price obtained and the name of the purchaser.

Section 8. The Director of Revenue and Finance, in connection with other professionals of the Township acting under his direction, is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document for the Township, as it may be so updated from time to time, to be distributed in connection with the sale of obligations of the Township. The Director of Revenue and Finance is hereby authorized to execute such disclosure document on behalf of the Township.

Section 9. (a) Solely for purposes of complying with Rule 15c2-12 of the Securities and Exchange Commission (the "Rule"), and provided that an issue of notes authorized by this resolution is not exempt from the Rule and provided that an issue of notes is not exempt from the following requirements in accordance with paragraph (d) of the Rule, for so long as an issue of notes of the Issuer remains outstanding (other than an issue of notes which has been wholly defeased), the Township shall provide in a timely manner to each nationally recognized municipal securities information repository ("National Repositories") or to the Municipal Securities Rulemaking Board, and to the appropriate State information depository, if any, ("State Depository," and together with the National Repositories, the "Repositories") notice of the following events with respect to an issue of notes, if material (herein "Material Events"):

- (1) Principal and interest payment delinquencies;
- (2) Non-payment related defaults;
- (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) Substitution of credit or liquidity providers, or their failure to perform;
- (6) Adverse tax opinions or events affecting the tax-exempt status of the security;
- (7) Modifications to rights of security holders;
- (8) Bond calls;
- (9) Defeasances;
- (10) Release, substitution, or sale of property securing repayment of the securities; and
- (11) Rating changes.

(b) The covenants and undertakings contained in this Section are made for the benefit of the holders or beneficial owners of the notes issued under this resolution.

(c) The Director of Revenue and Finance shall determine, in consultation with Bond Counsel, the application of the Rule or the exemption from the Rule for each issue of notes prior to their offering. Such officer is hereby authorized to enter into written contracts or undertaking to implement this resolution and is further authorized to amend such contracts or undertakings as needed to comply with the Rule or upon the advise of Bond Counsel.

(d) In the event that the Township fails to comply with this resolution or the written contract or undertaking, the Township shall not be liable for monetary damages, remedy of the holders or beneficial owners of the notes being hereby specifically limited to specific performance of the covenants contained in this resolution or the written contract or undertaking.

Section 10. This resolution shall take effect immediately.

CERTIFICATE

I, Harold E. Wiener, Clerk of the Township of Irvington, in the County of Essex, State of New Jersey, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the governing body of the Township duly called and held on June 11, 2013 has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Township this 11th day of June, 2013.

Harold E. Wiener, Clerk

(SEAL)

Adopted
Absent: McElroy

S. Jones – L.C. Jones 5. Authorize Contract for Actuarial Services for Full GASB 45 Valuation for One Year - Aquarius Capital - Not To Exceed \$6,000.00

AWARD CONTRACT FOR ACTUARIAL SERVICES

WHEREAS, sealed proposals were received on May 24, 2013 for Actuarial services in response to the published advertisement for proposals in the New Jersey Star Ledger on April 30, 2013; and

WHEREAS, one proposal was received and opened by the Township Clerk and Purchasing Agent; and

WHEREAS, the proposal received was reviewed according to the New Jersey Local Public Contract law, and met the terms of the proposal; and

WHEREAS, the Chief Financial Officer has recommended that the award be made to Aquarius Capital, 110 Betsy Brown road, Port Chester, NY 10573 on the basis of their responsible response to the request for proposal that meets the criteria and qualifications, in an amount not to exceed \$6,000.00 for Full GASB 45 Valuation for one year, starting on July 01, 2013 - June 30, 2014; and

NOW THEREFORE BE, IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for actuarial service be awarded to Aquarius Capital, 110 Betsy Brown road, Port Chester, NY 10573.

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

BE IT RESOLVED that the required Certification of Availability of Funds in the amount not to exceed \$6,000.00 for actuarial services will be obtained from the Chief Financial Officer contingent on the adoption of the Calendar year 2013 and 2014 budget.

Adopted
Absent: McElroy

S. Jones – Beasley 6. Authorize Fair and Open Professional Service Contracts for Licensed Site Remediation Professionals Based Upon Requests for Proposals – Various Vendors

AUTHORIZE A FAIR AND OPEN PROFESSIONAL SERVICE CONTRACTS FOR LICENSED SITE REMEDIATION PROFESSIONALS (LSRP)

WHEREAS, the Request for Proposals for Licensed Site Remediation Professional (LSRP) services was publicly advertised in the New Jersey Star Ledger on April 08, 2013 with a deadline for qualifications to be submitted on April 26, 2013; and

WHEREAS, six qualifications were received and publicly opened; and

WHEREAS, said qualifications were referred to the Purchasing Agent, Township Engineer, and the Township Attorney; and

WHEREAS, the Township Engineer and the Purchasing Agent have recommended award of contracts to the following firms, based on their project history and credentials:

French & Parrello Associates
1800 Route 34, suite 101
Wall, NJ 07719

CME Associates

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3141 Bordentown Ave
Parlin, NJ 08859-1162

Tectonic Engineering & Surveying Consultants
Park 80 East, 160 Pehle Ave, Suite 306
Saddle Brook, NJ 07663-5227

First Environment
91 Fulton Street
Boonton, NJ 07005

Boswell Engineering
330 Phillips Ave, PO Box 3152, South
Hackensack, NJ 07606 - 1722

Remington & Vernick Engineers
300 Penhorn Ave, 3rd Floor
Secaucus, NJ 07094

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that contracts for Licensed Site Remediation Professional (LSRP) services be awarded to the aforementioned vendors and the Township Engineer will solicit quotes from the above vendors for each project before retaining their services to determined prices.

BE IT FURTHER RESOLVED, that appointment is for one year starting on July 01, 2013 and ending on June 30, 2014; 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 will be obtained from the Chief Financial Officer contingent on the adoption of the Calendar year 2013 and 2014 budget.

Adopted
Absent: McElroy

S. Jones – Beasley 7. Authorize Contract for Budget Consultant- Cheryl Gibson-Fuller, C.P.A. - Not To Exceed \$25,000.00

AUTHORIZE A FAIR AND OPEN PROFESSIONAL SERVICE CONTRACT FOR BUDGET CONSULTANT

WHEREAS, the Request for Proposals for professional Budget Consultant Services was publicly advertised in the New Jersey Star Ledger on April 08, 2013 with a deadline for qualifications to be submitted on April 26, 2013; and

WHEREAS, one qualification was received and publicly opened; and

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

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

Cheryl G. Fuller, CPA
PO Box 418
Maplewood, NJ 07040

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Budget Consultant be awarded to Cheryl G. Fuller, CPA, PO Box 418 Maplewood, NJ 07040, on the basis of their response to the request for

proposal selection criteria and qualifications, for an annual amount of \$25,000.00. The provider will be paid \$2083.33 per month for one year starting on July 01, 2013 until June 30, 2014; 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 in the amount not to exceed \$25, 000.00 for the Budget Consultant will be obtained from the Chief Financial Officer contingent on the adoption of the Calendar year 2013 and 2014 budget.

Adopted

Absent: McElroy

Beasley – S. Jones 8. Authorize the Designation of Y.K.R.S. Construction, LLC as Redeveloper of Certain Property Located Within the Urban Enterprise Zone Rehabilitation Area 123 – 127 Coit Street

AUTHORIZE THE DESIGNATION OF Y.K.R.S. CONSTRUCTION, LLC AS REDEVELOPER OF CERTAIN PROPERTY LOCATED WITHIN THE TOWNSHIP OF IRVINGTON

WHEREAS, the Municipal Council of the Township (the “Township Council”) designated parcels located in the Township’s Urban Enterprise Zone as an area in need of rehabilitation (the “UEZ Rehabilitation Area”) by Resolution UEZ 07-0227-5, dated February 27, 2007 in accordance with the requirements of *N.J.S.A.* 40:12A-14; and

WHEREAS, pursuant to *N.J.S.A.* 40:12A-14, prior to the adoption of a resolution designating the UEZ Rehabilitation Area as an area in need of rehabilitation, the Township Council submitted a copy of the proposed resolution designating the UEZ Rehabilitation Area as an area in need of rehabilitation to the Township Planning Board (the “Planning Board”) for its review; and

WHEREAS, the Planning Board reviewed Resolution UEZ 07-0227-5 prior to its adoption and recommended that the UEZ Rehabilitation Area satisfied the statutory criteria for it to be designated as an area in need of rehabilitation in accordance with the requirements of *N.J.S.A.* 40A:12A-14; and

WHEREAS, the *Local Redevelopment and Housing Law*, *N.J.S.A.* 40A:12A-1 *et seq.* (the “Act”) authorizes municipalities to adopt a redevelopment plan for an area designated as an “area in need of rehabilitation” pursuant to which redevelopment projects are to be undertaken; and

WHEREAS, in accordance with the provisions of *N.J.S.A.* 40A:12A-7 the Township of Irvington (the “Township”) utilized the Planning Board's experience and expertise in evaluating a proposed redevelopment plan (as adopted and subsequently amended, the “Redevelopment Plan”) for the UEZ Rehabilitation Area to determine, among other things, its consistency with the Township's land use and redevelopment goals and objectives for the UEZ Rehabilitation Area; and

WHEREAS, the Planning Board reviewed the Redevelopment Plan and forwarded the Redevelopment Plan to the Township Council for adoption, which Redevelopment Plan was initially adopted by Ordinance No. 3351 dated September 11, 2007 and subsequently amended all in accordance with the requirements of *N.J.S.A.* 40A:12A-7; and

WHEREAS, to realize the redevelopment of the UEZ Rehabilitation Area and the proposed Redevelopment Plan, the Township Council has determined to exercise the powers of redevelopment and serve as the “Redevelopment Entity” responsible for carrying out the redevelopment projects in the UEZ Rehabilitation Area in accordance with the Redevelopment Plan pursuant to *N.J.S.A.* 40A: 12A-4(c); and

WHEREAS, Y.K.R.S. Construction, LLC (the “Redeveloper”) submitted a concept for the development of a warehouse and storage facility (the “Project”) to the Township for its review and consideration for a portion of the UEZ Rehabilitation Area identified as Block 222 Lot 3 and 4 on the official tax maps of the Township (the “Property”) and commonly known as 123 and 127 Coit Street, Irvington, New Jersey; and

WHEREAS, the Redeveloper submitted information outlining its financial capabilities, experience, expertise and project concept descriptions for the Project and requested designation by the Township as the redeveloper for the Property; and

WHEREAS, the Township is the owner of the Property; and

WHEREAS, the Township has determined that the Property is no longer needed for public use, and that the redevelopment thereof in accordance with applicable provisions of the Redevelopment Plan will contribute to the rehabilitation and reinvigoration of the Township and to the social and economic improvement of the Township in accordance with the legislative intent, goals and objectives of the Act; and

WHEREAS, the Township evaluated the Redeveloper's proposal according to criteria which included project concept descriptions and determined to commence negotiations with Redeveloper to enter into a redevelopment agreement; and

WHEREAS, in order to convey the Property and implement the development, financing, construction, operation and management of the Project, the governing body of the Township has determined to enter into this redevelopment and purchase and sale agreement with the Redeveloper (the "Redevelopment Agreement"), which Redevelopment Agreement specifies the rights and responsibilities of the Township and the Redeveloper with respect to the Project.

NOW THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Irvington, County of Essex, New Jersey as follows:

Section 1. The above recitals are incorporated herein by reference.

Section 2. Y.K.R.S. Construction, LLC is hereby designated as redeveloper, pursuant to *N.J.S.A. 40A:12A-1 et seq.*, of the Property, subject to the execution of the Redevelopment Agreement.

Section 3. The Mayor of the Township of Irvington is hereby authorized to execute the Redevelopment Agreement substantially in the form attached hereto as Exhibit A and on file with the Township Clerk, subject to such additions, modifications and deletions deemed necessary and appropriate in consultation with special redevelopment counsel, and is further authorized to convey the Property in accordance with the terms of Redevelopment Agreement for the Purchase Price.

Section 4. This resolution shall take effect immediately.

Adopted
Absent: McElroy

S. Jones – Frederic 9. Authorize Mortgage Subordination - 179-181 22nd Street

WHEREAS, New Horizon Solutions, LLC., Julio Hernandez- President, owner of 179-181 22nd Street, Irvington, New Jersey gave a mortgage to the Irvington Township HUD/ HOME – Investor Owner Housing Rehabilitation Assistance Loan Program in the amount of \$ 210,008.00 recorded in Book 12330 Page 5405 on 10/6/2011 at the Office of the Essex County Register's Office; and

WHEREAS, such was previously approved by the Municipal Council by Resolution No. OCDP 11-0809-24 adopted on 8/9/2011; and

WHEREAS, New Horizon Solutions, LLC., Julio Hernandez- President, seeks to have the Township of Irvington subordinate its mortgage to a new mortgage given by Jogika, LLC., as shown in the attached Subordination Agreement; and

WHEREAS, the Director of Community Development recommends the requested action as detailed in the attached letter:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township agrees to subordinate its loan to the new mortgage given by Jogika, LLC.; and

BE IT FURTHER RESOLVED that the Mayor and the Clerk are authorized to execute the attached Subordination Agreement.

Adopted
Absent: McElroy

Lyons – Beasley 10. Authorize Application for Irvington Municipal Alliance Grant for Calendar Year 2013 - \$42,643.00

WHEREAS, The Township Council of the Township of Irvington, County of Essex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and

WHEREAS, the Township Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Township Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Essex.

NOW, THEREFORE, BE IT RESOLVED by the Township of Irvington, County of Essex, State of New Jersey hereby recognizes the following:

1. The Township Council does hereby authorize submission of an application for the Irvington Municipal Alliance grant for calendar year 2013 in the amount of \$42,643.00.
2. The Township Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance requirements.

Adopted
Absent: McElroy

S. Jones – L.C. Jones 11. Authorize Consent to Approve a pH Variance for Maplewood Beverage Packers, Inc.

RESOLUTION CONSENTING TO THE APPROVAL OF A pH VARIANCE FOR MAPLEWOOD BEVERAGE PACKERS, INC.

WHEREAS, Maplewood Beverage Packers, LLC. operates a facility located at 45 Camptown Road, Maplewood, New Jersey, for the bottling of iced tea beverages and has operated at this location since 2001; and

WHEREAS, the sewer discharge of Maplewood Beverage Packers, LLC. , flows to the Township of Irvington via a sewer connection that was provided when the redevelopment of Olympic Park was constructed; and

WHEREAS, the sewer discharge of Maplewood Beverage Packers, LLC. is adjusted for pH prior to its discharge into the Township's sewers, but Maplewood Beverage Packers, LLC. still has difficulty meeting the standards of the Joint Meeting of Union and Essex County Sewers for 1% of its monthly discharge time; and

WHEREAS, the variation of the pH standard is within the limits of 5.0 to 10.5 for 1% of the monthly discharge time; and

WHEREAS, Article V, Section 4 of the regulations of the Joint Meeting of Union and Essex County Sewers requires that prior to their approval of this variation, said variation must be approved the municipality receiving the discharge; and

WHEREAS, the Township Engineer has reviewed this request and determined that the impact of this variation is negligible on the sewer collection system of the Township and recommends that said variation be approved by the Municipal Council.

NOW, THEREFORE BE IT RESOLVED, by the Municipal Council of the Township of Irvington that the variation requested by Maplewood Beverage Packers, LLC., is hereby approved and that the Township Engineer be designated as the authorized representative of the Municipal Council in this instance only to complete and execute the required application on the behalf of the Municipal Council.

BE IT FURTHER RESOLVED that this matter and this resolution shall take effect immediately and that a certified copy of this resolution be forwarded to the Joint Meeting of Union and Essex County Sewers.

Adopted
Absent: McElroy

L.C. Jones - Beasley 12. Authorize Change Order #1 for Roof Replacement for the Municipal Court and Police Department - Additional \$5,000.00

AUTHORIZE CHANGE ORDER #1 IN CONNECTION WITH THE PROJECT KNOWN AS "ROOF REPLACEMENT FOR THE MUNICIPAL COURT AND POLICE DEPARTMENT"

WHEREAS, a contract was awarded to Billy Contracting & Restoration., Inc in the amount of \$106,625.00 in connection with the replacement of roof for the Municipal Court and Police Department; and

WHEREAS, the Building Inspector has recommended that the flashing be removed and coping be installed at the Municipal Court Building resulting in an increase of \$5,000.00.

THEREFORE, BE IT RESOLVED, that the Mayor be and is hereby authorized to execute Change Order #1 in the contract with Billy Contracting & Restoration., Inc., for the installation of coping on the entire Municipal Court roof, which revises the contract to \$111,625.00.

BE IT RESOLVED that the required Certification of Availability of Funds in the amount not to exceed \$5, 000.00 will be obtained from the Chief Financial Officer.

Adopted
Absent: McElroy

S. Jones – Lyons 13. Reject Bids for the Demolition of Various Properties Within the Township of Irvington – Need to Substantially Review the Specifications

RESOLUTION REJECTING BIDS FOR THE DEMOLITION OF VARIOUS PROPERTIES WITHIN THE TOWNSHIP OF IRVINGTON

Whereas, on May 24, 2013, the Township of Irvington opened and read bids for the Demolition of Various Properties within the Township of Irvington and;

Whereas, the Township received three bids for this project, the project location for several properties must be amended, substantially revising the specification of this project and;

Whereas, the Local Public Contract Law, 40A:11-13.2.(d) provides that a municipality may reject all bids when the contracting unit wants to substantially revise the specifications for the goods or services; now therefore

BE IT RESOLVED by the Council of Township of Irvington, in the County of Essex, that all bid received for the furnishing of demolish be and they are hereby rejected in accordance with the Local Public Contracts Law, NJSA40A:11-13.2.(d)

BE IT FURTHER RESOLVED that the Qualified Purchasing Agent is hereby authorized and directed to rebid this project and Township Clerk is authorized and directed return all bid bonds for this project.

Adopted

Absent: McElroy

L.C. Jones – Beasley 14. Authorize Issuance of 3rd Quarter Estimated Tax Bills and Establish the Estimated Preliminary Calendar Year 2013 Tax Levy

WHEREAS, the Township of Irvington's Tax Collector will be unable to issue tax bills by June 14, 2013 as required by law, due to the failure of Essex County to strike a tax rate, and

WHEREAS, the Chief Financial Officer has determined that there will be insufficient cash flow to support operations in late July 2013 unless third quarter revenue is received on time, and

WHEREAS, the Chief Financial Officer has reviewed and computed an estimated tax levy in accordance with N.J.S.A. 54: 4-66.3, and

WHEREAS, the estimated tax levy for 2013 is hereby set at \$72,841.208.00, and

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Irvington, County of Essex, State of New Jersey, hereby authorizes that the Tax Collector is directed to prepare, complete, mail or otherwise deliver as soon as practicable to each individual assessed, or the individual's mortgagee or servicing organization, estimated tax bills for the Township of Irvington for the third quarter 2013, in accordance with the procedures set forth in N.J.S.A. 54:4-66.2et seq.

Adopted
No: Lyons
Absent: McElroy

Lyons – S. Jones 15. Authorize Abatement of \$59,940.90 in Interest Charges Conditioned on Payment of \$188,615.20 in Back Taxes on or Before June 30, 2013 - 875 – 18th Avenue

WHEREAS, a municipal lien was placed on 875 18th Avenue, also known as Block 56 Lot 1, at an Accelerated Tax Sale held on June 28, 2011 for delinquent/unpaid taxes and sewer charges in the amount of \$61,343.73; and

WHEREAS, the total amount due on Block 56 Lot 1, Tax Sale Cert# 110402, with interest and cost to June 11, 2013 is \$248,556.10 which includes subsequent municipal charges up to the 2013 2nd qtr taxes and 2013 annual sewer charge; and

WHEREAS, a prior lien was placed on said property May 7, 2008, TSC# 08-066 and sold to US Bank-Cust/Sass Muni V dtr; and

WHEREAS, US Bank-Cust/Sass Muni V dtr assigned TSC# 08-066 to TLR-V, LLC and said assignee filed a Civil Action Final Judgment on October 9, 2012;and

WHEREAS, the owner of 875 18th Avenue, has written a letter requesting an abatement of the interest owed on said certificate; and

WHEREAS, the interest and cost on Tax Sale Cert#110402 to June 11, 2013 is \$59,940.90; and

WHEREAS, the Governing Body may forgive interest, penalties and costs pursuant to the provisions of N.J.S.A. 54:4-99:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Tax Collector is authorized and directed to abate the current interest charges of \$59,940.90 imposed on Block 56 Lot 1, and the taxpayer be allowed to pay the principal amount of 188,615.20 on or before June 30, 2013, which is the principal amount due of said certificate of sale #110402.

Adopted
Absent: McElroy

Beasley – L.C. Jones 16. Correct Term of Appointment of Municipal Court Judge – Sharifa Saalam, Esq. – Term To Expire on June 18, 2016

WHEREAS, a vacancy currently exists in the position of Municipal Court Judge for the Township of Irvington; and

WHEREAS, the Mayor of the Township has reviewed the credentials and qualifications of Sharifa Salaam, Esq., and found her to be an excellent candidate to nominate for the position of Municipal Court Judge and thus is submitting her candidacy for Municipal Council approval pursuant to law; and

WHEREAS, the Municipal Council has decided to give it's advise and consent to the Mayor's nomination.

NOW THEREFORE be it resolved that the Municipal Council of the Township of Irvington hereby confirms the Mayor's nomination of Sharifa Salaam, Esq., for the position of Municipal Court Judge for a period commencing June 17, 2013, and expiring on June 18, 2016.

Adopted
Absent: McElroy

10. Communications & Petitions

A. Communications

None

B. Petitions

1. Maple Avenue Residents – Request for Permit Parking n Maple Avenue From Springfield Avenue to Clinton Avenue

11. Pending Business

1. Provide for Resident Permit Parking on Maple Avenue From Springfield Avenue to Clinton Avenue From 8:00 P.M. to 8:00 A.M.

12. Miscellaneous

A. Bingos and Raffles

None

NON-CONSENT AGENDA ITEMS

8. Ordinances, Bills & Claims

A. Ordinances on 1st Reading

S. Jones – L.C. Jones 1. Provide for Change in Stipend for Acting Municipal Prosecutors from \$200.00 Per Court Session to \$300.00 Per Court Session

AN ORDINANCE TO AMEND CHAPTER 98 (FEES AND LICENSES) OF THE CODE OF THE TOWNSHIP OF IRVINGTON ESTABLISHING RATE OF PAY FOR SUBSTITUTE MUNICIPAL PROSECUTORS

Adopted
No: Inman
Absent: McElroy

L.C. Jones – S. Jones 2. Establish a \$350.00 Fee for Registration of Vacant and Abandoned Properties

AN ORDINANCE TO AMEND CHAPTER 148 (PROPERTY MAINTENANCE) OF THE CODE OF THE TOWNSHIP OF IRVINGTON REQUIRING REGISTRATION OF ALL VACANT PROPERTIES BY OWNERS AND BENEFICIARIES AND ESTABLISHING CERTAIN SECURITY AND MAINTENANCE REQUIREMENTS.

Council Member Lyons and Council President Beasley spoke.

Adopted
Absent: McElroy

C. Bills & Claims

S. Jones – L.C. Jones 1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD ENDING JUNE 11, 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	\$ 840,421.77
SUPPLEMENTAL	\$ 304,347.93
TOTAL	\$1,144,769.70

Adopted
No: Inman, Lyons
Absent: McElroy

9. Resolutions & Motions

A. Resolutions

S. Jones – Beasley 17. Award a Contract for Computer IT for Services for the Police Department – Ebonics Computer Systems - Not To Exceed \$78,000.00

AWARD A CONTRACT FOR COMPUTER INFORMATION TECHNOLOGY (IT) SUPPORT SERVICES FOR THE POLICE DEPARTMENT

WHEREAS, sealed proposals were received on April 26, 2013 for Information Technology (IT) Support Services in response to the published advertisement for proposals in the New Jersey Star Ledger on April 08, 2013; and

WHEREAS, two proposals were received and opened by the Township Clerk and Purchasing Agent; and

WHEREAS, the proposals received were reviewed according to the New Jersey Local Public Contract law, and met the terms of the proposal; and

WHEREAS, the Police Director has recommended that the award be made to Ebonics Computer Systems, 92 Mountain View Place, Newark NJ 07106 on the basis of their responsible response to the request for proposal that meets the criteria and qualifications, in an amount not to exceed \$78,000.00 for one year, starting on July 01, 2013 - June 30, 2014; and

WHEREAS, the vendor will be paid \$116.00 per hour and the Police Director will authorized and approved work on as needed basis, not to exceed a maximum of 15 hours per week.

NOW THEREFORE BE, IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Computer Information Technology (IT) Support Service for the Police Department be awarded to Ebonics Computer Systems, 92 Mountain View Place, Newark NJ 07106.

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

BE IT RESOLVED that the required Certification of Availability of Funds in the amount not to exceed \$78, 000.00 for the Police Department Computer IT service will be obtained from the Chief Financial Officer contingent on the adoption of the Calendar year 2013 and 2014 budget.

Adopted

Absent: McElroy

L.C. Jones – Beasley 18. Authorize Contract for Tax Appeals Counsel – Eric J. Goodman, Esq. – Not To Exceed \$84,000.00

AUTHORIZE A FAIR AND OPEN PROFESSIONAL SERVICE CONTRACT FOR TAX APPEALS COUNSEL

WHEREAS, the Request for Proposals for professional Tax Appeals counsel services was publicly advertised in the New Jersey Star Ledger on April 08, 2013 with a deadline for qualifications to be submitted on April 26, 2013; and

WHEREAS, one qualification was received and publicly opened; and

WHEREAS, said qualification was referred to the Tax Assessor, Purchasing Agent and the Township Attorney; and

WHEREAS, the Township Assessor has recommended award should be made to the following firm:

Eric J. Goodman., Esq.
973 Stuyvesant Ave Irvington, NJ 07111

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Tax Appeals Attorney be awarded to Eric J. Goodman., Esq, 973 Stuyvesant Ave Irvington, NJ 07111, on the basis of their response to the request for proposal selection criteria and qualifications, for an amount not to exceed \$84,000.00. The provider will be paid \$95.00 per hour/\$7000.00 per month for tax appeal services for one year starting on July 01, 2013 until June 30, 2014; 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 in the amount not to exceed \$84, 000.00 for the Tax Appeals Attorney will be obtained from the Chief Financial Officer contingent on the adoption of the Calendar year 2013 and 2014 budget.

Authorize Contract for Tax Appeal – Eric J. Goodman, Esq. - Not To Exceed \$84,000.00

Adopted

Absent: McElroy

S. Jones – Beasley 19. Authorize Contracts with Various Vendors For Various Public Works Services Over the Pay to Play Threshold of \$17,500.00

AUTHORIZE CONTRACTS WITH VENDORS OVER THE PAY TO PLAY THRESHOLD OF \$17,500.00

WHEREAS, the Township of Irvington, pursuant to NJSA 40A:11-12a and NJAC 5:34.7.29 (C), may by resolution without advertising for bids, purchase any goods or services under the bid threshold of \$36,000.00; and

WHEREAS, some vendors are members of the New Jersey State Co-operative Purchasing Program and Morris County Co-op; and

WHEREAS, in compliance with NJSA 19:44a-20.13 et.,seq., the attached list of vendors will exceed the Pay to Play threshold of \$17,500.00 for calendar year 2013; and

WHEREAS, the non-cooperative vendors have completed the Township C-271, Political Disclosure form and the disclosure forms are on file in the Division of Purchasing Office and the Municipal Clerk and for State and Morris County Co-op vendors, Elect reports are on file; and

WHEREAS, the Township of Irvington intends to enter into contracts with attached referenced vendors through this resolution and properly executed purchase orders or contracts when applicable this shall be subject to all the conditions applicable to the current state contract;

NOW, THEREFORE, BE IT RESLOVED, that the Municipal Council of the Township of Irvington hereby authorizes the Purchasing Agent to purchase certain goods or services from the approved listed of vendors in excess of \$17,500.00; and

BE IT FURTHER RESLOVED, that the governing body of the Township of Irvington, pursuant to NJAC 5:30-5-5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order with a valid Purchase Order, and a certification of availability of funds is made by the Chief Financial Officer; and

BE IT FURTHER RESLOVED, that the duration of the contracts between the Township of Irvington and the referenced attached vendors shall be from January 01, 2013 until December 31, 2013.

Adopted
No: Inman, Lyons
Absent: McElroy

Beasley – S. Jones 20. Authorize Contract for Labor Counsel - Scarinci Hollenbeck – Not to Exceed \$50,000.00

AUTHORIZE A FAIR AND OPEN PROFESSIONAL SERVICE CONTRACT FOR LABOR COUNSEL

WHEREAS, the Request for Proposals for professional Labor counsel services was publicly advertised in the New Jersey Star Ledger on April 08, 2013 with a deadline for qualifications to be submitted on April 26, 2013; and

WHEREAS, two qualifications were received and publicly opened; and

WHEREAS, said qualifications were referred to the Township Administrator, Purchasing Agent and the Township Attorney; and

WHEREAS, the Township Attorney has recommended award should be made to the following firm:

Scarinci Hollenbeck
Ramon E. Rivera
1100 Valley Brook Ave
PO Box 790, Lyndhurst, NJ 07071

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Labor Attorney be awarded to Scarinci Hollenbeck, 1100 Valley Brook Ave, PO Box 790, Lyndhurst, NJ 07071, on the basis of their response to the request for proposal selection criteria and qualifications, for an amount not to exceed \$50,000.00. The provider will be paid \$115.00 per hour for attorneys, \$75.00 per hour for paralegals for one year starting on July 01, 2013 until June 30, 2014; 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 in the amount not to exceed \$50,000.00 for the Labor Counsel will be obtained from the Chief Financial Officer contingent on the adoption of the Calendar year 2013 and 2014 budget.

Adopted
No: Inman, Lyons
Absent: McElroy

S. Jones - Beasley 21. Change Custodian of Petty Cash - Irvington Neighborhood Improvement Corporation to Dianthe Dawn Martinez

REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO CHANGE THE CUSTODIAN OF PETTY CASH FUNDS FOR IRVINGTON NEIGHBORHOOD IMPROVEMENT CORP (INIC)

WHEREAS, N.J.S.A. 40A:5-21 authorizes the establishment of a Petty Cash Fund, and

WHEREAS, Arlene G. Tyler was the custodian of the Irvington Neighborhood Improvement Corp., (INIC) in the amount of \$200.00, and

WHEREAS, in accordance with N.J.S.A. 40:5-21, the Township of Irvington is changing custodians to Dianthe Martinez, Director of INIC; and

WHEREAS, Dianthe Martinez is bonded by virtue of a surety bond.

NOW, THEREFORE, BE IT RESOLVED, the governing body of the Township of Irvington, County of Essex, New Jersey, hereby authorizes such action and two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

Adopted
No: Lyons
Absent: McElroy

Beasley – S. Jones 22. Authorize Contracts for Engineering Services Based Upon Requests for Proposals – Various Vendors

AUTHORIZE FAIR AND OPEN PROFESSIONAL SERVICE CONTRACTS FOR ENGINEERING SERVICES

WHEREAS, the Request for Proposals for professional Engineering services was publicly advertised in the New Jersey Star Ledger on April 08, 2013 with a deadline for qualifications to be submitted on April 26, 2013; and

WHEREAS, five qualifications were received and publicly opened; and

WHEREAS, said qualifications were referred to the Purchasing Agent, Township Engineer, and the Township Attorney; and

WHEREAS, the Township Engineer and Purchasing Agent have recommended award of contracts to the following firms, based on their project history and credentials:

Keller & Kirkpatrick, Inc.,
301 Gibraltar Drive, Suite 2A,
Morris Plains, NJ 07950-3409

Boswell Engineering
330 Phillips Ave, PO Box 3152
South Hackensack, NJ 07606 - 1722
Remington & Vernick Engineers
300 Penhorn Ave, 3rd Floor
Secaucus, NJ 07094

CME Associates
3141 Bordentown Ave
Parlin, NJ 08859-1162

Carrol Engineering
Matthew M. Garber
105 Raider Blvd., Suite 206
Hillsborough, N.J. 08844

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that contracts for Engineering services be awarded to the aforementioned vendors and the Township Engineer will solicit quotes from the above vendors for each project before retaining their services to determined prices.

BE IT FURTHER RESOLVED, that appointment is for one year starting on July 01, 2013 and ending on June 30, 2014; 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 will be obtained from the Chief Financial Officer contingent on the adoption of the Calendar year 2013 budget.

Council Member Inman spoke.

Adopted
No: Inman
Absent: McElroy

Beasley – S. Jones 23. Authorize Contracts for Litigation - Defense Counsel Based Upon Requests for Proposals – Various Vendors

AUTHORIZE FAIR AND OPEN PROFESSIONAL SERVICE CONTRACTS FOR LITIGATION/DEFENSE COUNSEL

WHEREAS, the Request for Proposals for professional Litigation/Defense counsel services was publicly advertised in the New Jersey Star Ledger on April 08, 2013 with a deadline for qualifications to be submitted on April 26, 2013; and

WHEREAS, eleven qualifications were received and publicly opened; and

WHEREAS, said qualifications were referred to the Township Administrator and the Township Attorney; and

WHEREAS, the Township Attorney has recommended award should be made to the following firm:

Maloof, Lebowitz, Connahan & Oleske
127 Main Street (route 124)
Chatham, NJ 07928

David C. Stanziale, LLC
552 High Mountain Road
North Haledon, NJ 07508

Eric M. Bernstein & Associates., LLC
34 Mountain Blvd., Building A
Warren NJ, 07059

Lamb, Kretzer, Reinman & Roselle
601 Pavonia Ave

Jersey City NJ 07306-2989

Roth D'Aquanni, LLC
150 Morris Ave, suite 206
Springfield, NJ 07081

Clarence Barry-Austin PC
76 South Orange suite 207 South Orange, NJ 07079

Childress & Jackson, LLC
280 South Harrison Street, suite 303
East Orange, NJ 07018

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Litigation/Defense counsel services be awarded to above nine vendors, on the basis of their response to the request for proposal selection criteria and qualifications, for an amount not to exceed \$115.00 per hour for one year starting on July 01, 2013 until June 30, 2014; 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 funds for this service is paid from the Insurance Fund and the Municipal Council will be updated of the cost of each cases.

Beasley – S. Jones

Motion to adjourn to June 25, 2013

Adopted

Absent: McElroy

Beasley – L.C. Jones 24. Award Contract - Computer IT Services for Municipal Building - Nettarius Technology Solutions., Inc \$75, 140.00

AWARDING A CONTRACT FOR COMPUTER INFORMATION TECHNOLOGY (IT) SUPPORT SERVICES FOR THE TOWNSHIP

WHEREAS, sealed proposals were received on April 26, 2013 for Information Technology (IT) Support Services in response to the published advertisement for proposals in the New Jersey Star Ledger on April 08, 2013; and

WHEREAS, two proposals were received and opened by the Township Clerk and Purchasing Agent; and

WHEREAS, the proposals received were reviewed according to the New Jersey Local Public Contract law, and met the terms of the proposal; and

WHEREAS, the Township Administrator and IT Manager have recommended that the award be made to Nettarius Technology Solutions., Inc, Derrick Law, 35 College Drive, Suite 101A, East Orange, NJ 07017 on the basis of their responsible response to the request for proposal that meets the criteria and qualifications, in an amount not to exceed \$75,140.00 for one year, starting on July 01, 2013 - June 30, 2014; and

WHEREAS, the vendor will be paid \$85.00 per hour and the IT Manager and Township Administrator will authorized and approved work on as needed basis, not to exceed a maximum amount of 884 hours for one year, 17 hours per week.

NOW THEREFORE BE, IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Computer Information Technology (IT) Support Service for the Township be awarded to Nettarius Technology Solutions., Inc, Derrick Law, 35 College Drive, Suite 101A, East Orange, NJ 07017.

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

BE IT RESOLVED that the required Certification of Availability of Funds in the amount not to exceed \$75, 140.00 for Computer IT service will be obtained from the Chief Financial Officer contingent on the adoption of the Calendar year 2013 and 2014 budget.

Adopted
No: Inman, Lyons
Absent: McElroy

S. Jones - Beasley 25. Authorize Extension of Contract for Towing and Impounding of Motor Vehicles for One Year – MTS Towing

A RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO SIGN EXTENDED TOWING AND IMPOUNDMENT AGREEMENT WITH MTS TOWING FOR ONE YEAR

WHEREAS, the Township of Irvington agreement for Towing and Impoundment service expired on October 27, 2012; and,

WHEREAS, the Township would like to extend the service agreement for one year, pursuant to New Jersey Local Public Contract law NJSA 40A:11-5, where by towing and storage contracts can be awarded for a term not to exceed three (3) years;

WHEREAS, MTS Towing of 480 Chancellor Ave, Irvington, NJ 07111, has been providing this service and has agreed to extend the existing agreement for one year, starting on October 28, 2012 thru October 28, 2013 under the same terms and conditions of the previous agreement.

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

Adopted
No: Lyons
Absent: McElroy

Lyons – S. Jones 26. Authorize Re-Bidding of Wireless Fire Alarm for Public Safety Building

AUTHORIZING REBID OF A CONTRACT FOR THE INSTALLATION OF WIRELESS FIRE PROTECTION SYSTEM FOR THE IRVINGTON MUNICIPAL COMPLEX

WHEREAS, the Township of Irvington duly advertised for the receipt of bid for a contract entitled "Installation of Wireless Fire Protection System for the Irvington Municipal Complex" with bids advertised for receipt on June 07, 2013;

WHEREAS, the Township received no bid for this project and;

WHEREAS, the Purchasing Committee would like to re-advertise for bids for this project and;

NOW THEREFORE BE IT RESOLVED by the Council of Township of Irvington, in the County of Essex hereby authorized the Purchasing Agent to re-advertise for bids for the Installation of Wireless Fire Protection System for the Irvington Municipal Complex.

Adopted
Absent: McElroy

ALCOHOLIC BEVERAGE CONTROL BOARD

JUNE 11, 2013

1. New Business

Inman – L.C. Jones A. Renewal of Consumption Licenses for 2013-2014 With the Exception of Vic's Place

WHEREAS, the following named individuals, partnerships or corporations, being applicants for Plenary Retail Consumption Licenses for the year 2013-2014 to sell alcoholic beverages under the provisions of N.J.S.A. Title 33 having been investigated as required by said Law, and the Alcoholic Beverage Control Board being satisfied that said applicants in all things have met the requirements of the law and are suitable and proper individuals, partnerships or corporations to whom Plenary Retail Consumption Licenses for the sale of alcoholic beverages should be issued:

NOW THEREFORE BE IT RESOLVED BY THE MUNICIPAL COUNCIL ACTING AS THE ALCOHOLIC BEVERAGE CONTROL BOARD OF THE TOWNSHIP OF IRVINGTON that permanent Plenary Retail Consumption Licenses be issued to the following named individuals, partnerships and corporations for the sale of alcoholic beverages by the glass or other open receptacles to be consumed on the licensed premises and also for the sale of alcoholic beverages in original containers for consumption off the licensed premises for the year 2013-2014 at the address set opposite their respective name, viz:

0709-33-008-003	Gilbert St. Ange, Inc t/a Headquarters Lounge, Inc.	147 Florence Avenue
0709-33-009-006	San Andres & Salazar, Inc. Eva Salazar, Executrix t/a Eddy's Tavern	9-11 Myrtle Avenue
0709-33-017-006	Antojito's Restaurant, Inc. t/a Antojito's Restaurant	1240 Springfield Avenue
0709-33-018-003	Dairy King, Inc. t/a Mug's Pub	63 New Street
0709-33-021-004	Ember's Tavern, LLC t/a Ember's Tavern	874-876 Clinton Avenue
0709-33-030-003	Point Tavern, Inc. t/a Point Tavern	712 Grove Street
0709-33-034-002	Vic's Place, Inc. t/a Vic's Place	395 Stuyvesant Avenue
0709-33-041-003	K.B. Montana, Inc., t/a Casey's Tavern	1383-85 Springfield Avenue
0709-33-042-002	Cricket Productions, Inc. t/a Cricket Club	415-21 – 16th Avenue
0709-33-045-004	Franklin & Hayden, Inc. t/a Pacemaker Lounge	781-783 Lyons Avenue
0709-33-047-002	Brothers 521 Lounge and Cafe Corp. t/a Florian and Bob's Dollhouse	554 Lyons Avenue
0709-33-048-005	Kay, LLC t/a Kay	193-197 Western Parkway
0709-33-055-006	Mariela, Inc. t/a Paradizio Royal Club	1053-55 Clinton Avenue
0709-33-062-007	239 Kearny Corp. t/a Bottoms Up	1180 Springfield Avenue
0709-33-063-004	1425 Springfield Avenue Corp. t/a 43rd Street Café	1425-31 Springfield Avenue
0709-33-064-008	Damery, Inc. t/a The Foxes	33 Welland Avenue
0709-33-068-005	P.S. Clervoyant, LLC t/a Slick's Tavern	371 Nye Avenue
0709-33-073-005	72 Lyons Ave. Corp. t/a Marlo's Cocktail Lounge	702 Lyons Avenue
0709-33-075-004	Linden Branch t/a: LVJ Planning, L.L.C.	POCKET
0709-32-077-007	Irvington House of Liquor, Inc. t/a A-1 Pay Less Liquor	1041-1049 Stuyvesant Avenue
0709-33-085-002	Willmar Lounge, Inc.	865 Springfield Avenue

t/a Willmar Lounge

BE IT FURTHER RESOLVED that the said licenses be issued in the name of and under the seal of the Township of Irvington and be signed by a representative of the License Bureau, in order to fulfill the provisions of the Irvington Township Code, known as Ordinance MC 2622, which license, after being so signed, shall be released by the License Bureau to the licensee.

Adopted

Absent: McElroy

S. Jones – L.C. Jones B. Renewal of Distribution Licenses for 2013-2014

WHEREAS, the following named individuals, partnerships or corporations, being applicants for Plenary Retail Distribution Licenses for the year 2013-2014, to sell alcoholic beverages under the provisions of N.J.S.A. Title 33 having been investigated as required by said Law, and the Alcoholic Beverage Control Board being satisfied that said applicants in all things have met the requirements of the law and are suitable and proper individuals, partnerships or corporations to whom Plenary Retail Distribution Licenses for the sale of alcoholic beverages should be issued:

NOW THEREFORE BE IT RESOLVED BY THE MUNICIPAL COUNCIL ACTING AS THE ALCOHOLIC BEVERAGE CONTROL BOARD OF THE TOWNSHIP OF IRVINGTON that permanent Plenary Retail Distribution Licenses be issued to the following named individuals, partnerships and corporations for the sale of alcoholic beverages in original containers for consumption off the licensed premises for the year 2013-2014 at the address set opposite their respective name, viz:

0709-44-001-008	Vighnavinashanaya Corporation t/a Roseway Liquors & Deli	701 Lyons Avenue
0709-44-003-012	Shree Mata, Inc. t/a Rajashri Wine & Liquors	749-751 Lyons Avenue
0709-44-004-004	Irvington Liquors, LLC t/a Irvington Liquors	1394-98 Springfield Avenue
0709-44-012-004	Rutvi, Inc. t/a Maple Liquors	876 Springfield Avenue
0709-44-014-002	Puni Liquors, LLC t/a Home Liquors	1269-77 Springfield Avenue
0709-44-016-005	Miquel Adams An Individual t/a All Brothers Liquors #2	859 - 18th Avenue
0709-44-031-008	Prit, Inc. t/a Sam's Gourmet Liquors & Grocery	990-992 Clinton Avenue
0709-44-032-002	Ricron, Inc. c/o Ronald A. Wermuth 3 Huntington Lane Roseland, N.J. 07068	Pocket License
0709-44-046-007	728 Springfield Ave., Inc. t/a Lewit Liquor Store	728 Springfield Avenue
0709-44-053-006	Mahashakti, Inc. t/a Mueller's Star Liquors	1050 Clinton Avenue
0709-44-056-005	Claudy's Liquor Corporation t/a Claudy's Liquor Corporation	1158-1160 Stuyvesant Avenue
0709-44-066-007	Gajanana, Inc. t/a Madison Superette	378 Stuyvesant Avenue
0709-44-067-005	762-764 Chancellor Ave., Corp. t/a Jaison Liquor, Deli & Grocery	762-764 Chancellor Avenue
0709-44-069-005	Pankil Corporation t/a International Liquors	1070 Springfield Avenue
0709-44-084-010	Gold Key Liquor & Grocery Deli, Inc. t/a Gold Key Liquor, Grocery & Deli	1117 Grove Street
0709-44-086-006	Satgurudev, Inc. t/a Chancellor Liquor	580 Chancellor Avenue
0709-44-087-005	V & C Liquors, Inc.	873 Stuyvesant Avenue

0709-44-097-006 t/a Polo Liquors
Maharaj, Inc., 649 - 18th Avenue
t/a Krauszer's

BE IT FURTHER RESOLVED that the said licenses be issued in the name of and under the seal of the Township of Irvington and be signed by a representative of the License Bureau, in order to fulfill the provisions of the Irvington Township Code, known as Ordinance MC 2622, which license, after being so signed, shall be released by the License Bureau to the licensee.

Adopted
Absent: McElroy

L.C. Jones – Frederic C. Renewal of Club Licenses for 2013-2014

WHEREAS, the following named organizations, being applicants for Club Licenses for the year 2013-2014, to sell alcoholic beverages under the provisions of N.J.S.A. Title 33, having been investigated as required by said Law, and the Alcoholic Beverage Control Board being satisfied that said applicants in all things have met the requirements of the law and are suitable and proper organizations to whom Club Licenses for the sale of alcoholic beverages should be issued:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL ACTING AS THE ALCOHOLIC BEVERAGE CONTROL BOARD OF THE TOWNSHIP OF IRVINGTON that permanent Club Licenses for the sale of alcoholic beverages be issued to each of the following named clubs for the sale of alcoholic beverages be issued to each of the following named clubs for the sale of alcoholic beverages by the glass or other open receptacles to be consumed on the licensed premises, for the year 2013-2014 at the address set opposite their respective names, viz:

LICENSE NUMBER	NAME	ADDRESS
0709-31-093-001	UKRAINIAN COMMUNITY T/A UKRAINIAN COMMUNITY CENTER	140-146 PROSPECT AVENUE CENTER, INC.
0709-31-101-001	THE MOST WORSHIPFUL GARDEN STATE GRAND LODGE ANCIENT FREE T/A CLUB 875	875 SANFORD AVENUE

BE IT FURTHER RESOLVED that the said licenses be issued in the name of and under the seal of the Township of Irvington and be signed by a representative of the License Bureau, in order to fulfill the provisions of Chapter 59 of the Irvington Township Code, known as Ordinance MC 2622, which licenses, after being so signed, shall be released by the License Bureau to the licensee.

Adopted
Absent: McElroy

S. Jones – L.C. Jones D. Renewal of Vic's Place Consumption License for 2013-2014 [Amended From Item 2-A]

WHEREAS, the following named individuals, partnerships or corporations, being applicants for Plenary Retail Consumption Licenses for the year 2013-2014 to sell alcoholic beverages under the provisions of N.J.S.A. Title 33 having been investigated as required by said Law, and the Alcoholic Beverage Control Board being satisfied that said applicants in all things have met the requirements of the law and are suitable and proper individuals, partnerships or corporations to whom Plenary Retail Consumption Licenses for the sale of alcoholic beverages should be issued:

NOW THEREFORE BE IT RESOLVED BY THE MUNICIPAL COUNCIL ACTING AS THE ALCOHOLIC BEVERAGE CONTROL BOARD OF THE TOWNSHIP OF IRVINGTON that permanent Plenary Retail Consumption Licenses be issued to the following named individuals, partnerships and corporations for the sale of alcoholic beverages by the glass or other open receptacles to be consumed on the

licensed premises and also for the sale of alcoholic beverages in original containers for consumption off the licensed premises for the year 2013-2014 at the address set opposite their respective name, viz:

0709-33-034-002 Vic's Place, Inc.
t/a Vic's Place

395 Stuyvesant Avenue

BE IT FURTHER RESOLVED that the said licenses be issued in the name of and under the seal of the Township of Irvington and be signed by a representative of the License Bureau, in order to fulfill the provisions of the Irvington Township Code, known as Ordinance MC 2622, which license, after being so signed, shall be released by the License Bureau to the licensee.

Adopted
No: Lyons
Absent: McElroy

2. Adjournment

12. Miscellaneous

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

Cathy Southerland, 50 Adams Street
Richard Williams, 197 Linden Avenue
A Citizen, No Name or Address Given
Eric Dixon, 16 Ruth Street

Council Members Lyons, Frederic, Inman, L.C. Jones and Council President Beasley addressed the issues raised by the above referenced citizens.

13. Adjournment

There being no further business the meeting adjourned at 9:22 P.M.

D. Bilal Beasley, Council President

Harold E. Wiener, Municipal Clerk