

REGULAR COUNCIL MEETING  
JANUARY 14, 2014

Council Chamber, Municipal Building  
Irvington, N.J. – Tuesday Evening  
January 14, 2014 - 8:00 P.M.

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

Present: Charnette Frederic, Paul Inman, Lebby C. Jones, Andrea C. McElroy, D. Bilal Beasley

Absent: Sandra R. Jones (excused), David Lyons (excused)

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  
Patricia Poston, 101 Union Avenue  
Michael Spruill, 97 Lenox Avenue  
Eric Dixon, 17 Ruther Street  
Eugene Otto, 35 Ellery Avenue  
Corona Gordon-Williams, 13 Standard Place

5. Hearing of Council Members

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

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

A. Reports

1. Minutes – Directors’ Meeting – 12-26-13
2. Minutes – Joint Meeting – 10-17-13
3. Joint Meeting – 1st Quarter Assessment
4. Joint Meeting – Annual Assessment Report for 2014
5. Comcast – Application for renewal of Municipal Consent
6. Minutes – Board of Adjustment – 12-3-13

7. Reports of Committees

None

8. Ordinances, Bills & Claims

B. Ordinances on 2nd Reading

None

C. Bills & Claims

McElroy – Frederic 2. Payrolls

November 30, 2013 through December 13, 2013

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$1,364,748.38	\$138,616.08	\$38,867.24	\$1,542,231.70

Adopted  
Absent: S. Jones, Lyons

9. Resolutions & Motions

A. Resolutions

McElroy – Inman 1. Authorize Grant Extension Agreement with Milton S. Eisenhower Foundation - \$16,050.00

WHEREAS, the Township of Irvington received notice from the Milton S. Eisenhower Foundation for the extension of the Grant Agreement.

WHEREAS, the effective date of this Extension Agreement shall be September 1, 2013 (the “Effective Date”)

WHEREAS, the program term is hereby extended two months and expires on February 28, 2014.

WHEREAS, as of the Effective Date, all references in the Grant Agreement to “Grant” shall mean the sum of \$16,050.00.

WHEREAS, the effective date all referenced in the Grant Agreement to “Work Plan” shall refer to work plan attached hereto as Exhibit GI and made a part of hereof.

WHEREAS, as of the Effective Date, all references in the Grant Agreement to the “Program Guide” shall refer to the Program Guide available online at the Uniform Resource Locator (URL) attached hereto as Exhibit G2 and made a part of hereof

WHEREAS, as of the Effective Date, all references in the Grant Agreement to the “Budget” shall refer to the budget attached hereto as Exhibit G3 and made a part hereof and except as specifically modified herein, the Grant Agreement is ratified and confirmed and this Extension Agreement shall be deemed part of the Grant Agreement.

WHEREAS, this extension agreement may be executed in any number of counterparts each of which, when so executed, shall be deemed an original, but all such counterparts shall constitute but one and the same instrument. This extension agreement shall be governed by and construed according to the laws of the District of Columbia without regard to its principles of conflicts of laws.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington does hereby accept the award in the amount of \$16,050.00 for such activities; and

BE IT FURTHER RESOLVED, that the Mayor of the Township of Irvington be and hereby is authorized to execute a Grant Extension Agreement with the Milton S. Eisenhower Foundation.

Adopted  
Absent: S. Jones, Lyons

Beasley – Frederic 2. Authorize Qualified Purchasing Agent to Purchase Certain Goods or Services from Approved listed of State Contract Vendors in Excess of Bid Threshold of \$36,000.00

AUTHORIZING PURCHASES UNDER THE STATE OF NEW JERSEY COOPERATIVE PURCHASING PROGRAM OVER THE BID THRESHOLD OF \$36,000.00

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 attached list of vendors will exceed the bid threshold of \$36,000.00 for calendar year 2014; and

WHEREAS, the Township of Irvington intends to enter into contracts with State contract vendors over the bid threshold of \$36,000.00 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 over the bid threshold of \$36,000.00, 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 \$36,000.00, 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, 2014

BE IT FURTHER RESOLVED a separate resolution will be submitted to the Municipal Council for all addition vendors exceeding the bid threshold of \$36,000.00.

Adopted

Absent: S. Jones, Lyons

Beasley – Frederic 3. Authorize Qualified Purchasing Agent to Purchase Certain Goods or Services from Approved listed of Morris and Essex County Cooperative Purchasing Program Vendors in Excess of the Threshold of \$36,000.00

**AUTHORIZING PURCHASES UNDER THE MORRIS COUNTY COOPERATIVE PURCHASING PROGRAM AND ESSEX COUNTY COOPERATIVE PROGRAM OVER THE BID THRESHOLD OF \$36,000.00**

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 Essex County Co-op, and has the need on a timely basis to purchase goods or services using these contracts; and

WHEREAS the attached list of vendors will exceed the bid threshold of \$36,0000.00 for calendar year 2014; and

WHEREAS, the Township of Irvington intends to enter into contracts with Morris County Co-op and Essex County Co-op vendors on the attached list, over the bid threshold of \$36,000.00 through this resolution and properly executed purchase orders as needed, which shall be subject to all the conditions applicable to current Co-op contracts.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Irvington authorizes the purchase of certain goods and services from these approved Morris County Cooperative Pricing System and Essex County vendors over the bid threshold of \$36,000.00 pursuant to all the conditions of the individual Co-ops 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 \$36,000.00 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, 2014

BE IT FURTHER RESOLVED a separate resolution will be submitted to the Municipal Council for all addition vendors exceeding the bid threshold of \$36,000.00.

Adopted

Absent: S. Jones, Lyons

McElroy – L.C. Jones 4. Establish Handicapped Parking Spaces in Front of 296 Vermont Avenue and 65 Newton Place

WHEREAS, N.J.S.A. 39:4-197.5 provides that a Municipality may by resolution provide for restricted parking spaces in front of residences for use by any person who has been issued a special vehicle identification card pursuant to the provisions of N.J.S.A. 39:4-205, when using a motor vehicle on which is displayed a certificate, for which a special vehicle identification card has been issued pursuant to N.J.S.A. 39:4-206; and

WHEREAS, requests have been made for a restricted parking spaces in front of:

296 Vermont Avenue  
65 Newton Place

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that parking spaces restricted for use by any person who has been issued a special vehicle identification card pursuant to the provisions of N.J.S.A. 39:4-205, when using a motor vehicle on which is displayed a certificate, for which a a special vehicle identification card has been issued pursuant to N.J.S.A. 39:4-206, be established in front of 296 Vermont Avenue and 65 Newton Place; and

BE IT FURTHER RESOLVED that the Department of Neighborhood Services is directed to place a sign designating said handicapped parking spaces.

Adopted

Absent: S. Jones, Lyons

Beasley – L.C. Jones 5. Commemoration – Dr. Martin Luther king, Jr. Day, 2014

DR. MARTIN LUTHER KING JR.  
29<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: S. Jones, Lyons

Beasley – L.C. Jones 6. Authorize Emergency Contract for Snow Removal Services on January 3, 2014 - Your Way Construction - \$11,515.00

**RESOLUTION TO AWARD AN EMERGENCY CONTRACT FOR SNOW REMOVAL TO YOUR WAY CONSTRUCTION, GENERAL CONSTRUCTION AND SITE WORK**

WHEREAS, on January 03, 2014, the total accumulated snow fall created a hazardous blizzard condition, and;

WHEREAS, the Department of Public Works employees were unable to remove all the accumulated snow from streets and other public properties in a timely manner, and;

WHEREAS, additional heavy duty equipment and personnel were needed to remove the accumulated snow to avoid a public safety emergency, and;

WHEREAS, the Mayor/the Acting Neighborhood Service Director declared an emergency and authorized the hiring of a general contractor, and;

WHEREAS, Your Way Construction, General Construction and Site Work, located at 404 Coit Street, Irvington, NJ 07111 had additional heavy duty equipments and personnel to assist the Department of Public Works, and;

WHEREAS, this situation constitutes a threat to public health, safety, welfare, and the Acting Director of Neighborhood Services/Mayor of the Township of Irvington declared an Emergency and Your Way Construction, General Construction and Site Work, located at 404 Coit Street, Irvington, NJ 07111 had the necessary equipments available immediately to perform the work on an emergency basis, and;

WHEREAS, the total cost to rent the required equipments to complete the work was \$11,515.00, and;

WHEREAS, the Pay to Play documents are on file in the Municipal Clerk's Office and the Division of Purchasing.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that it ratifies the decision of the Acting Director of Neighborhood Service/Mayor of the Township of Irvington to authorize an emergency contract in the amount of \$11,515.00, with Your Way Construction, General Construction and Site Work, located at 404 Coit Street, Irvington, NJ 07111 to rent and operate heavy duty equipment for snow removal.

BE IT FURTHER RESOLVED, the Chief Financial Officer will pay, to Your Way Construction, General Construction and Site Work, the complete amount of \$11,515.00 from Account Number 3-01-21-165-165-10.

Adopted

Absent: S. Jones, Lyons

McElroy – Inman 7. Remove Handicapped Parking Spaces at 139 Myrtle Avenue and 14 Maple Avenue

WHEREAS, N.J.S.A. 39:4-197.5 provides that a Municipality may by resolution provide for restricted parking spaces in front of residences for use by any person who has been issued a special vehicle identification card pursuant to the provisions of N.J.S.A. 39:4-205, when using a motor vehicle on which is displayed a certificate, for which a special vehicle identification card has been issued pursuant to N.J.S.A. 39:4-206; and

WHEREAS, restricted handicapped parking spaces have been previously established at various locations throughout the Township of Irvington; and

WHEREAS, the Police Department has determined that the following handicapped parking spaces are no longer necessary due to the fact that the handicapped persons residing at the residences are either deceased, had moved or did not respond to the Police Department’s request to update their files concerning handicapped parking spaces:

139 Myrtle Avenue  
14 Maple Avenue

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the restricted handicapped parking spaces established in front of the above referenced residence be and the same is hereby rescinded; and

BE IT FURTHER RESOLVED that the Department of Neighborhood Services is directed to remove the restricted handicapped signs located in front of said residence.

Adopted  
Absent: S. Jones, Lyons

B. Motions

None

10. Communications & Petitions

A. Communications

1. Mayor Smith – Re-Appointment – Planning Board – John Wiggins

B. Petitions

None

11. Pending Business

A. Provide Resident Parking Permits on Orange Avenue From Madison Avenue to Clinton Avenue from 8:00 A.M. to 8:00 P.M.

12. Miscellaneous

A. Bingos and Raffles

None

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NON-CONSENT AGENDA ITEMS

8. Ordinances, Bills & Claims

A. Ordinances on 1st Reading

Frederic – Inman 1. Establish Stop Intersection at Fortieth Street and Wagner Place

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 192 ENTITLED "TRAFFIC" OF THE REVISED CODE OF THE TOWNSHIP OF IRVINGTON.

Adopted  
Absent: S. Jones, Lyons

C. Bills & Claims

McElroy – L.C. Jones 1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD ENDING JANUARY 14, 2014, 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	\$ 545,552.39
SUPPLEMENTAL #1	\$2,591,880.21
TOTAL	\$3,137,432.60

Adopted  
Absent: S. Jones, Lyons

12. Miscellaneous

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

Eugene Otto, 35 Ellery Avenue  
Cathy Southerland, 50 Adams Street  
Patricia Poston, 101 Union Avenue  
Harry Perryman, 21 Nesbit Terrace  
Michael Spruill, 97 Lenox Avenue  
Frank McBee, 46 Durand Place  
Mary Terrell, 1 Linden Avenue  
Eric Dixon, 17 Ruther Street  
Richard Williams, 197 Linden Avenue

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

13. Adjournment

There being no further business, the meeting was adjourned at 9:32 P.M.

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D. Bilal Beasley, Council President

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Harold E. Wiener, Municipal Clerk