

REGULAR COUNCIL MEETING  
FEBRUARY 11, 2014

Council Chamber, Municipal Building  
Irvington, N.J. – Tuesday Evening  
February 11, 2014 - 8:00 P.M.

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

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

Absent: Sandra R. Jones, David Lyons, Andrea 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 President Beasley addressed the issues raised by the above referenced citizen.

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

A. Reports

1. Minutes – Directors’ Meeting – 1-28-14
2. Minutes – Planning Board – 12-13-13

7. Reports of Committees

A. Bid Results - 1-29-14 – Lease of Land and Two Automatic Teller Machines

8. Ordinances, Bills & Claims

B. Ordinances on 2nd Reading

None

C. Bills & Claims

Frederic – L.C. Jones 2. Payrolls

December 28, 2013 through January 10, 2014

REGULAR	OVERTIME	OTHER EARNED	TOTAL
-\$16,318.56	-\$1,569.33	-\$2,607.50	-\$20,495.39

December 28, 2013 through January 10, 2014

REGULAR	OVERTIME	OTHER EARNED	TOTAL
-\$5,274.88	-\$1,162.19	-\$494.55	-\$6,931.62

January 11, 2014 through January 24, 2014

REGULAR	OVERTIME	OTHER EARNED	TOTAL
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\$1,373,213.58

\$81,596.74

\$28,578.38

\$1,483,088.70

Adopted

Absent: S. Jones, Lyons, McElroy

9. Resolutions & Motions

A. Resolutions

Beasley – Frederic 1. Request Approval of Establishment of a New \$100.00 Petty Cash Fund for the Municipal Court

RESOLUTION REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO ESTABLISH A NEW PETTY CASH FUND FOR THE MUNICIPAL COURT

WHEREAS, N.J.S.A. 40A:5-21 authorizes the establishment of a Petty Cash 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 fund for the Municipal Court in the amount of \$100.00; and

WHEREAS, the custodian for this fund is the IMC, Director, Terrie Yuelling, 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.

Adopted

Absent: S. Jones, Lyons, McElroy

L.C. Jones - Frederic 2. Authorize Execution and Acceptance of a Grant Agreement with the County of Essex as Sub-Recipient of the Community Service Block Grant Funds in the Amount of \$35,717.00

WHEREAS, the County of Essex, acting through its Division of Community Action proposes to enter into a sub grant agreement with Irvington Neighborhood Improvement Corporation to service the low-income poverty constituents of Essex county (except the City of Newark) during the 2013 program year (October 1, 2012 – December 31, 2013).

WHEREAS, said grant agreement has been negotiated by the County Executive of Essex County and presented to the Board of Chosen Freeholders for it's approval: and

WHEREAS the Mayor of the Township of Irvington be and hereby is authorized to execute a Grant Agreement with the County of Essex as sub-recipient of the Community Service Block Grant Funds in the amount of \$35,717.00

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington does hereby accept the award of \$35,717.00 for such activities; and

BE IT FURTHER RESOLVED, that the Mayor of the Township of Irvington is hereby authorized to execute a Grant Agreement with the Essex County Division of Community Action.

Adopted

Absent: S. Jones, Lyons, McElroy

L.C. Jones – Inman 3. Authorize Execution and Acceptance of an Amended Grant Agreement with The Division of Community Action to Increase the Amount by \$35,717.00 Making The Final Amount \$235,717.00

WHEREAS, the Township of Irvington received notice from the Division of Community Action proposes to amend the 10/01/2012-12/31/2013 CSBG contract between the Division and Irvington Neighborhood Improvement Corporation.

WHEREAS, the proposed purpose of this amendment is to increase the award amount of the contract by \$35,717.00 thereby raising the total award amount to \$235,717.00.

WHEREAS, the purpose of the funds is to service the low-income poverty constituents of Essex County (except the City of Newark).

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 \$35,717.00 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 Agreement with the Essex County Division of Community Action.

Adopted  
Absent: S. Jones, Lyons, McElroy

Inman – Frederic 4. Authorize Qualified Purchasing Agent to Approve Purchases Over the Pay to Play Threshold of \$17,500.00

AUTHORIZING PURCHASES OVER THE PAY TO PLAY THRESHOLD OF \$17,500.00 BUT UNDER THE BID THRESHOLD OF \$36,000.00

WHEREAS, the Township of Irvington intends to enter into contracts with vendors over 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 law of N.J.A.C. 5:34- et seq; and,

WHEREAS, in compliance with 19:44a-20.13 et., seq., the following vendors will exceed the Pay-to-Play threshold of \$17,500.00 for calendar year 2014

Type of Commodity	Name of Vendor	User Department
Sweeper Parts	US MUNICIPAL SUPPLY, INC.	Department of Neighborhood Services
Sweeper Parts	SWEEPER PARTS SALES, INC.	Department of Neighborhood Services
Parts	EAGLE EQUIPMENT, INC.	Department of Neighborhood Services
Snow Removal Services	YOUR WAY CONSTRUCTION, INC	Department of Neighborhood Services

WHEREAS, vendors have completed the Township C-271, elect reports and political disclosure forms. These forms are on file in the Division of Purchasing Office and the Municipal Clerk; and

WHEREAS, all purchases to the above vendors will not exceed the bid threshold of \$36,000.00; and

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Irvington hereby authorizes the Qualified Purchasing Agent to purchase certain goods or services from the above vendors in excess of pay to play threshold \$17,500.00 but under the bid threshold of \$36,000.00; 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, 2014

BE IT FURTHER RESOLVED a separate resolution will be submitted to the Municipal Council for all addition vendors exceeding the bid threshold of \$17,500.00.

Adopted

Absent: S. Jones, Lyons, McElroy

Beasley – L.C. Jones 5. Commemoration – African American History Month, 2014

COMMEMORATION - 2014  
AFRICAN AMERICAN HISTORY MONTH  
88th ANNUAL OBSERVANCE

WHEREAS, February is AFRICAN AMERICAN HISTORY MONTH and marks the 88th annual observance since inaugurated as Negro History Week in February 1926 by Dr. Carter G. Woodson, Jr., a Ph.D. from Harvard University, born to parents who were former slaves; and

WHEREAS, history is filled with the far reaching accomplishments of African Americans such as W.E.B. DuBois, Frederick Douglas, Paul Robeson, Harriet Tubman, Booker T. Washington, Hank Aaron, Ralph Bunch, Benjamin Banneker and more recently Colin Powell, Clarence Thomas, Condoleeza Rice and President Barack H. Obama and many others whose efforts continue to contribute to the growth of this nation; and

WHEREAS, America and the world continues to benefit from the achievements of African Americans, such as Dr. Martin Luther King, Jr., Nelson Mandela, Coretta Scott King, Fannie Lou Hamer, Stokeley Carmichael, Gloria Richardson and Angela Davis who strove to make America a better place for all Americans no matter what their race, color, creed or economic status; and

WHEREAS, America continues to benefit from the struggle of African Americans for equality, and progress is made manifest through the presence of persons of African American heritage in all branches of government and public life including the Congress of the United States, the New Jersey State Legislature, as Mayors of various cities, the Irvington Municipal Council, the Irvington Chamber of Commerce, and the Irvington Board of Education, as well as other numerous commissions, committees and local agencies.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that February, 2014 is hereby proclaimed as African American History Month in the Township of Irvington in recognition of the many contributions to the struggle for dignity and equality made by African American people.

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Irvington Public Library, the African American Heritage Committee and to the local branch of the N.A.A.C.P.

Adopted

Absent: S. Jones, Lyons, McElroy

Beasley – L.C. Jones 6. Commendation – Walter (Bubba) Mitchell - 100<sup>th</sup> Birthday

RESOLUTION OF COMMENDATION  
WALTER (BUBBA) MITCHELL

WHEREAS, Walter Mitchell, born on February 14, 1914, in Somerville, South Carolina. He is the eldest of twelve (12) children, born to Benjamin and Daisy Mitchell. The family moved to Adams Run, South Carolina some years later where they owned a farm.

WHEREAS, Walter didn't particularly take to the rigors of farm life, and at an early age left Adams Run to live in the city of Charleston, South Carolina with relatives. There he gained employment working as a truck driver and delivery man.

WHEREAS, Walter then met and married Celia Glover. Out of this union they had one child. They lived in the family home of Celia's parents, Clarence and Mary Peoples of Charleston.

WHEREAS, In 1943, he was inducted into the U.S. Army. He received his army training at Fort Jackson South Carolina. He was assigned to the 667th Ordnance Ammunition Company in the Pacific Theatre. He returned to the United States in 1945 and was honorably discharged in 1946.

WHEREAS, upon returning to the Charleston, he started a wood yard business where he cut and sold firewood to the Charleston community. He also used his delivery truck to transport persons to the Beach across the Cooper River Bridge on the week-ends for a small fee.

WHEREAS, in 1947, friends, Samuel and Hercules Gray, originally from South Carolina, now residing in Newark, New Jersey, visited Walter and Celia and suggested that they could prosper better financially by moving to New Jersey. Mr. Gray promised that he could get employment for Walter. He could stay with the Grays until employment was secured, then send for his wife and child.

WHEREAS, in the later part of 1947, Walter sent for his family and thus this began their life in Newark New Jersey. He attended Auto Mechanic School under the GI Bill and received a diploma. He gained employment at the Federal Pacific Electric Company of Newark where he retired in 1974 after 37 years with the company. That same year, the family purchased a home in Irvington, New Jersey where he still resides. His wife Celia died in 1998.

WHEREAS, Walter is a loyal member of the Greater Abyssinian Baptist Church, and served on the Usher Board. He now spends his retirement time transporting elderly citizen's home with their groceries in the community.

NOW, THEREFORE BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington hereby commends and applauds Walter Mitchell on his 100<sup>th</sup> birthday.

Adopted

Absent: S. Jones, Lyons, McElroy

Inman – Frederic 7. Award Bid – Construction and Leasing Land for Two Automatic Teller Machines – Bank of America - \$65,000.00 Per Year Plus \$0.25 Per Surcharged Transaction Over 1500 Threshold for Five Years

**AWARD OF CONTRACT FOR THE CONSTRUCTION AND LEASING OF LAND FOR TWO AUTOMATED TELLER MACHINES (ATM)**

WHEREAS, sealed bids were received on January 29, 2014 for the construction and leasing of land for two automated teller machines (ATM) in response to the published advertisement for bids in the New Jersey Star Ledger and Township website on January 03, 2014; and

WHEREAS, two vendors paid and picked up bid specifications for this project; and

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

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

WHEREAS, the Chief Financial Officer has recommended that the award be made to Bank of America, 84 Main Street, Falmouth, MA 02540 on the basis of their responsible response to the invitation for bids; and

WHEREAS, Bank of America will lease the land located at Springfield Ave and Civic Square, to construct two ATMs from the Township of Irvington; and

WHEREAS, Bank of America will pay the Township rental income of \$65,000.00 per year plus \$0.25 per surcharged transaction over 1500 threshold for five years, starting on March 01, 2014 until March 01, 2019; and

NOW THEREFORE BE, IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for the construction and leasing of land for two automated teller machines (ATM) be awarded to Bank of America, 84 Main Street, Falmouth, MA 02540.

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. In addition, the Township Clerk is hereby directed to return the bid security to the unsuccessful bidders; and

BE IT FURTHER RESOLVED, as required by the bid specifications, the performance bond for this project will be submitted to the Municipal Clerk and Purchasing Agent.

Adopted  
Absent: S. Jones, Lyons, McElroy

Beasley – L.C. Jones 8. Authorize Use of Public Buildings as Polling Places for the 2014 Election Cycle

BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, NEW JERSEY that the following public buildings are hereby authorized for election purposes for the Local School Board, Primary and General Elections during the year 2014:

WARD	DISTRICT	LOCATION
East	2 & 3	Shelter House, Parkway Playground
East	4	Grove Street Firehouse
West	8	Shelter House, 40th Street Playground
North	6, 7 & 8	Shelter House, Orange Park

Adopted  
Absent: S. Jones, Lyons, McElroy

Inman – L.C. Jones 9. Authorize Assignment of Tax Sale Certificate – 863 – 18<sup>th</sup> Avenue

WHEREAS, N.J.S.A. 54:5-112 and 54:5-113, provide the Mayor and Council with the authority to sell real estate tax liens held by the municipality at a private sale for sums not less than the amount of municipal liens charged against same, and,

WHEREAS, the Tax Collector has notified the owner of record as appearing on the most recent Tax Duplicate at least five days prior to the affirmation of this resolution and a public notice of the pending sale was posted in three (3) public places within the Township of Irvington, and advertised once in the Irvington Herald.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Mayor and Council hereby assign municipal held liens recorded as:

Block/Lot	Owner Property Address	Cert No.	Sale Date	Amount of Sale	Amount As of February 11, 2014
56 – 2	Clarshire Assoc c/o GS Mgmt 863 18 <sup>th</sup> Avenue	110403	06/28/2011	\$30,442.33	\$180,906.07

together with subsequent liens thereon, at private sale to:

AryMing Asset Holding L.L.C.  
597 Springfield Avenue  
Newark, NJ 07103

NOTE: At the request of the administration this item was not considered for a vote by the Municipal Council.

L.C. Jones – Inman 10. Establish 2014 Sewer User Charge Rate - \$185.00 Per Unit

WHEREAS, the Joint Meeting of Essex and Union County Sewer Commission has forwarded a schedule of assessments to the Chief Financial Officer covering domestic and industrial unit sewer user charges; and

WHEREAS, the Chief Financial Officer has analyzed the said schedule and costs of collection attached thereto; and

WHEREAS, the Chief Financial Officer has recommended that the domestic unit user charge be \$180.00 for 2014; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Tax Collector, Supervisor of Sewer User Charges be and is hereby authorized to charge and bill for 2014 at the unit rate of \$180.00.

Adopted  
Absent: S. Jones, Lyons, McElroy

B. Motions

None

10. Communications & Petitions

A. Communications

None

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

Beasley – S. Jones 1. Good Shepard Church (Formerly St. Paul the Apostle Church)

Adopted  
Absent: S. Jones, Lyons, McElroy

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#### NON-CONSENT AGENDA ITEMS

A. Ordinances on 1st Reading

Beasley – L.C. Jones 1. Eliminate Longevity Payments Managerial and Non-Union Personnel Hired After December 31, 2013

AN ORDINANCE ELIMINATING LONGEVITY PAYMENTS FOR MANAGERIAL AND NON-UNION PERSONNEL HIRED AFTER DECEMBER 31, 2013 AND FREEZING LONGEVITY PAYMENTS FOR EXISTING MANAGERIAL AND NON-UNION PERSONNEL, EFFECTIVE DECEMBER 31, 2013.

Adopted  
Absent: S. Jones, Lyons, McElroy

Frederic – Beasley 2. Establish Irvington Green Team Advisory Committee

AN ORDINANCE TO ESTABLISH THE IRVINGTON GREEN TEAM ADVISORY COMMITTEE

Adopted  
Absent: S. Jones, Lyons, McElroy

C. Bills & Claims

Frederic – Inman 1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD ENDING FEBRUARY 11, 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	\$ 557,071.46
SUPPLEMENTAL #1	\$1,154,091.22
TOTAL	\$1,711,162.68

Adopted  
Absent: S. Jones, Lyons, McElroy

9. Resolutions & Motions

A. Resolutions

L.C. Jones – Frederic 11. Authorize Application for Irvington Municipal Alliance Grant for Calendar Year 2014 - \$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 person 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 Council of Irvington, County of Essex, State of New Jersey hereby recognizes the following:

1. The Irvington Township Council does hereby authorize submission of an application for Alliance DEDR funding for the fiscal year beginning July 1, 2014 in the amount of \$42,643.



2. The Township Council acknowledges the terms and condition for administering the grant, including administration compliance and audit requirements.

Defeated  
Yes: Frederic. L.C. Jones, Beasley  
No: Inman  
Absent: S. Jones, Lyons, McElroy

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  
Elouise McDaniel, 214 Nesbit Terrace  
Eric Dixon 17 Ruth Street  
Frank McBee, 46 Durand Place  
Richard Williams, 197 Linden Avenue

Council Members L.C. Jones, Inman, Frederic 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 9:02 P.M.

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D. Bilal Beasley, Council President	Harold E. Wiener, Municipal Clerk
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