

REGULAR COUNCIL MEETING

APRIL 8, 2014

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

1. Pledge of Allegiance

2. Moment of Silence

3. Roll Call

Present: Charnette Frederic, Paul Inman (arrived 8:05 P.M.), Lebby C. Jones, Sandra R. Jones, David Lyons, Andrea C. McElroy, D. Bilal Beasley

Absent: None

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)

There were no requests to be heard.

5. Hearing of Council Members

There were no requests to be heard.

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

A. Reports

1. Minutes – Directors' Meeting – 3-25-14
2. Joint Meeting – 2nd Quarter Assessment
3. Joint Meeting – Annual Operational and User Charge Apportionment Reports
4. Minutes – Green Advisory Committee – 3-24-14
5. Municipal Court – Monthly – February, 2014

7. Reports of Committees

None

8. Ordinances, Bills & Claims

B. Ordinances on 2nd Reading

None

C. Bills & Claims

S. Jones – Frederic 2. Payrolls

March 8, 2014 through March 21, 2014

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$1,341,508.82	\$109,305.13	\$52,387.24	\$1,503,201.19

Adopted

9. Resolutions & Motions

A. Resolutions

L.C. Jones - Frederic 1. Authorize Springfield Avenue Center Business Improvement District's 2014 Sidewalk Sale

WHEREAS, the Springfield Avenue Center Business Improvement District proposes its annual Summer 2014 Sidewalk Sale and Activities to commence and include Thursday June 5, 2014, Friday, June 6, 2014, Saturday, June 7, 2014, (Rain Date: June 14, 2014) Thursday, July 10, 2014, Friday, July 12, 2014, Saturday, July 13, 2012, (Rain Date: July 19, 2014) Thursday, August 7, 2014, Friday, August 8, 2014 and Saturday, August 9, 2014 (Rain Date: August 16, 2014) to be done in conjunction with cultural events; and

WHEREAS, Section 171-11 of the Revised Code of the Township of Irvington provides that the provisions shall not prevent the placement of booths or showcases for the display of merchandise, foods and other material along the route of any parade or at the site of any cultural event duly licensed by the Township:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that it declares that the provisions of Section 171-11 are hereby met and the Springfield Avenue Center Business Improvement District schedule of Summer 2014 Sidewalk Sale and Activity are hereby approved as set forth herein:

Thursday June 5, 2014, Friday, June 6, 2014, Saturday, June 7, 2014, (Rain Date: June 14, 2014)

Thursday, July 10, 2014, Friday, July 12, 2014, Saturday, July 13, 2012, (Rain Date: July 19, 2014)

Thursday, August 7, 2014, Friday, August 8, 2014 and Saturday, August 9, 2014 (Rain Date: August 16, 2014)

Adopted

L.C. Jones – S. Jones 2. Authorize Handicapped Parking Space in Front of 39 Montrose Terrace and 54 Adams Street

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 39 Montrose Terrace and 54 Adams Street:

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 special vehicle identification card has been issued pursuant to N.J.S.A. 39:4-206, be established in front of 39 Montrose Terrace and 54 Adams Street; and

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

Adopted

S. Jones – Beasley 3. Authorize Two Year Contract Extension With Suburban Disposal for the Collection of Recyclables – Not To Exceed \$362,880.00

RESOLUTION EXTENDING COLLECTION OF RECYCLING MATERIALS CONTRACT

WHEREAS, resolution number DPW 11-0329-5 awarded a three years contract to Suburban Disposal Inc for the collection of recycling materials; and

WHEREAS, the original specifications included language that allowed for the extension up to two years contract at the existing terms and conditions if mutually accepted to the vendor and Township; and

WHEREAS, pursuant to 40A:11-15.3, the Township may extended the collection and disposition of recyclable material for a term not to exceed five years; and

WHEREAS, in the best interest of our taxpayers, the Township wishes to extended the collection of recycling materials for two years; and

WHEREAS, the Township would like to extend the service contract with Suburban Disposal Inc, 54 Montesano Road, Fairfield, NJ 07004 for two years; and

NOW THEREFORE BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the following contract be extended for two years, starting on April 30, 2014 and ending on April 30, 2016 to Suburban Disposal Inc, 54 Montesano Road, Fairfield, NJ 07004 for an amount not to exceed \$362,880.00; and

BE IT FURTHER RESOLVED that the Township Attorney is hereby authorized and directed to prepare the necessary contract extension documents for two years and the Mayor and the Township Clerk is hereby authorized to execute said contract with the above listed company; and

BE IT FURTHER 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 2014, 2015 and 2016 Municipal budget.

Adopted

Beasley – Frederic 4. Authorize Emergency Contract for Ambulance Service – Monoc – May 1, 2014 Through December 31, 2014 – No Cost To Township

RESOLUTION TO AWARD AN EMERGENCY CONTRACT FOR AMBULANCE SERVICES

WHEREAS, resolution number DP 13-1210-33 awarded a contract for ambulance and dispatch services to Life Star in response to publicly advertised bids, and;

WHEREAS, on March 28, 2014, Life Star advised the Township that they have decided to exit the New Jersey market for ambulance and dispatch service effective May 01, 2014, and;

WHEREAS, Monoc has agreed to provide the Township with two basic life support ambulances at no cost to the Township until December 31, 2014, and;

WHEREAS, this situation constitutes a threat to public health, safety, welfare, and the Administration would like to award an emergency contract to Monoc starting on May 01, 2014 and ending on December 31, 2014, and;

WHEREAS, Monoc agrees to provide this service to Township at zero cost to the Township.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that an emergency contract for eight months be awarded to Monoc of 4806 Megill Road, Wall Township, Neptune, NJ 07753 to provide ambulance and dispatch services.

BE IT FURTHER RESOLVED, that no certification of funds is required for this service.

Adopted

S. Jones – L.C. Jones 5. Authorize Contract for Emergency Sewer Repair at Springfield Avenue and Becker Terrace - Your Way Construction - \$52,500.00

RESOLUTION TO AWARD AN EMERGENCY SEWER REPAIR CONTRACT FOR A SEWER FAILURE ON SPRINGFIELD AVE AND BECKER TERRACE

WHEREAS, the sanitary sewer located on Springfield Ave and Becker Terrance collapsed on March 26, 2014, and:

WHEREAS, since that time, the Department of Public Works has been able to provide temporary by-pass pumping in order to maintain flow and avoid a public health emergency, and;

WHEREAS, the work needed to repair this sewer is beyond the current capabilities of the Department of Public Works and it is not practical for the Department of Public Works to continue to provide temporary bypass pumping, and

WHEREAS, this situation constitutes a threat to public health, safety and welfare and the Acting Roads and Sewer Superintendent contacted three contractors:- Garcia Construction, Your Way Construction and Colonelli Bros and only one vendor submitted a quote and the vendor is competent to perform this work on an emergency basis and who is willing to effect this repair immediately, and;

WHEREAS, Your Construction has provided a quote to complete the required work for an amount not to exceed \$52,500.00, and;

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 Services and Township Engineer to authorize an emergency contract in the amount of \$ 52,500.00 to Your Way Construction of 404 Coit Street, Irvington, NJ to repair the sanitary sewer located on Springfield Ave and Becker Terrace.

BE IT FURTHER RESOLVED, that the required certification of availability of funds, C4-00235 in the amount of \$52,500.00 was obtained from the Chief Financial Officer from account number 4-01-21-165-165-118.

Adopted

L.C. Jones – Frederic 6. Authorize Grant Extension Agreement with Milton S. Eisenhower Foundation Youth Safe Haven - Police Mini-Station - Program - April 1, 2014 through June 30, 2014 - \$20,050.00

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 April 1, 2014 (the “Effective Date”)

WHEREAS, the program term is hereby extended for three months and expires on June 30, 2014.

WHEREAS, as of the Effective Date, all references in the Grant Agreement to “Grant” shall mean the sum of \$20,050.00.

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 \$20,050.00 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

Frederic – L.C. Jones 7. Authorize Grant Agreement - Municipal Alliance - The Bridge Elementary Socialization Program 2013 - \$10,661.00

WHEREAS, the Irvington Municipal Alliance is a recipient of grant funding from the Governor's Council on Alcoholism and Drug Abuse to provide Alcoholism/Drug Services for prevention, education and intervention for preschoolers through Senior Citizens; and

WHEREAS, the Irvington Municipal Alliance wishes to award a grant in the amount of \$10,661.00, to Bridges Inc., 14 Park Avenue, Caldwell, New Jersey for the provision of through an initiative called "ESP Bridge Elementary Socialization", said program provides prevention strategies and self-esteem building activities that seek to prevent tobacco, alcohol and substance use and/or abuse which constitutes an eligible Irvington Municipal Alliance activity; and

WHEREAS, the Irvington Municipal Alliance wishes to award a grant in the amount of \$10,661.00, to Bridges Inc., 14 Park Avenue, Caldwell, New Jersey for the provision of through an initiative called "PIP- Prevention Intervention", said program provides prevention strategies and self-esteem building activities that seek to prevent tobacco, alcohol and substance use and/or abuse which constitutes an eligible Irvington Municipal Alliance activity; and

WHEREAS, the governing body of the Township of Irvington is required under state law (N.J.S.A. 40A:11-1 et seq.) to authorize the execution of formal grant agreements
WHEREAS, the Sub grantee has agreed that funds for services provided under this grant will not be used for any other purpose other than those listed in this contract:

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON

1. Pursuant to N.J.A.C. 5:34-5.2, the required Certificate of Availability of Funds No. C4-00236 in the amount of \$10,661.00 for the above has been obtained from the Chief Financial Officer of the Township of Irvington. The appropriations to be charged for this expenditure are Account No. C4-00236 in the amount of \$10,661.00.

2. Pursuant to N.J.A.C. 5:34-5.2, the required Certificate of Availability of Funds No. C4-00236 in the amount of \$10,661.00 for the above has been obtained from the Chief Financial Officer of the Township of Irvington. The appropriations to be charged for this expenditure are Account No. C4-00236 in the amount of \$10,661.00.

IT IS FURTHER RESOLVED that the Mayor is authorized to execute any required agreements to comply with said grant for the year 2013 to provide for education and assistance to those suffering from drug and alcohol abuse.

Adopted

S. Jones – Frederic 8. Authorize Change Order – Demolition of Buildings - Add 35 - 20th Street and Delete 218 Columbia Avenue – No Change in Total Contract Price

AUTHORIZE CHANGE ORDER #2 FOR THE PROJECT KNOWN AS “DEMOLITION OF VARIOUS PROPERTIES IN THE TOWNSHIP OF IRVINGTON”

WHEREAS, a contract was awarded to KM Construction Corp., by resolution number DHS 13-0910-3 in the amount of \$461,000.00 for the demolition of various properties in the Township of Irvington; and,

WHEREAS, change order resolution number DHS 13-1113-4 amended the total contract for this project to \$512,000.00; and,

WHEREAS, the Township sold the property located at 218 Columbia Ave, Irvington NJ 07111, which was on the original demolition list; and,

WHEREAS, the new owners has submitted documentation to the Township that they will rehabilitate the building and has requested that property be removed from demolition list; and,

WHEREAS, the Mayor and the Business Administrator has agreed with said recommendation and would like to replace this property with another eminent hazard property on the demolition list; and,

WHEREAS, a quote was obtained from KM Construction Corp., to demolish 35 20th Avenue, Irvington, NJ that was declared by the Housing Inspector as an eminent hazard for the amount of \$31,000.00; and,

WHEREAS, replacing this property would not increase the total contract.

THEREFORE, BE IT RESOLVED, that the Mayor be and is hereby authorized to execute Change Order #2 with KM Construction., Corp for the demolition of various properties in the Township of Irvington, removing 218 Columbia from original demolition list for the total sum of \$31,000.00 and replacing it with 35 20th Ave Irvington, NJ for the total sum of \$31,000.00 a total net change of zero; and,

BE IT RESOLVED, that the required certification of availability of funds C3-00322 in the amount of \$512,000.00 from account number C-04-56-846-012-901 has been obtained from the Chief Financial Officer.

Adopted

Beasley – S. Jones 9. Commemoration – Earth Day and Anti-Graffiti Day, 2014

2014

EARTH DAY and ANTI-GRAFFITI DAY

WHEREAS, about 30 years ago, more than 20 million Americans joined together on EARTH DAY in a united exhibition of concern for the environment, and their shared action resulted in the passage of sweeping new legislation to protect our air, water and land; and

WHEREAS, since the first EARTH DAY, despite environmental improvements, the environmental well being of the planet is increasingly endangered, threatened by global climate change, ozone depletion, growing world population, tropical deforestation, ocean pollution and nuclear waste, therefore requiring action by all areas of society; and

WHEREAS, EARTH DAY, 2014 is a national and international cry for action that all citizens join in a world effort to save the planet Earth, to preserve plants, animals and natural communities that represent the diversity of life on Earth by protecting the lands and waters they need to survive; and

WHEREAS, the activities and events of EARTH DAY, 2014 will serve to teach all citizens of the importance of acting in an environmentally sound fashion by recycling, conserving energy and water, using efficient transportation, adopting more ecologically sensitive lifestyles, buying and utilizing products which are environmentally safe, and supporting the adoption of laws demonstrating concern for the environment:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that we do hereby proclaim the importance of Earth Day, April 22, 2014 and celebrate it in the Township of Irvington, and that on April 26, 2014, the Township of Irvington will commemorate EARTH DAY AND ANTI-GRAFFITI DAY.

Adopted

L.C. Jones – Frederic 10. Authorize Telecommunication and Data Service Contract with State Contract Vendor Broadview Networks Inc. – Not to Exceed \$219,444.00

RESOLUTION AUTHORIZING TELCOMMUNICATION AND DATA SERVICE CONTRACT WITH STATE CONTRACT VENDOR BROADVIEW NETWORKS INC.,

WHEREAS, the Township of Irvington, pursuant to N.J.S.A. 40A:11-12a 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; and

WHEREAS, the Township wishes to purchase telecommunication and data service from Broadview Network Inc, State of New Jersey Contract number 85017 and GSA Contract

number GS-35F-0348X; and

WHEREAS, in compliance with N.J.S.A. 19:44A-20.13 ET Seq., this service contract will exceed the Pay to Play threshold of \$17,500.00; and

WHEREAS, Broadview Network Inc., has completed the Township "Pay to Play" disclosure requirements and the same documents are on file in the Division of Purchasing and Municipal Clerk.

WHEREAS, pursuant to N.J.S.A. 52:34-6.2(b)(3) the legal notice of intent to award the GSA contract under the National Cooperative Purchasing Agreement Number GS-35F-0348X was placed on the Township of Irvington Website on March 26, 2014; and

WHEREAS, the Township of Irvington intends to enter into contracts with Broadview Communication and Data Services through this resolution and properly executed contract for two years, starting on April 08, 2014 until April 08, 2016; and

WHEREAS, the monthly recurring fees for MPLS Network service is \$7,995.50 and \$898.20 for the POTS lines plus and an additional \$5,996.00 for the installation of the required equipment for a total amount not to exceed \$219,444.00

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON hereby authorizes a service contract with Broadview Network Inc of 800 Westchester Ave, Rye Brook, NY 10573 for the total sum of \$219,444.00 for two years and;

BE IT FURTHER RESOLVED, that the Township Attorney is directed to prepare the appropriate contract for such goods and services and the Mayor and Municipal Clerk is authorized to sign the same; and

BE IT FURTHER RESOLVED that the required availability of funds will be obtained from the Chief Financial Officer of the Township of Irvington for the 2014, 2015 and 2016 calendar years and the appropriation to be charged for this expenditure is Account No. 4-01-31-440-440-298.

Adopted

Beasley – Frederic 11. Constable Re-Appointment – Valentin Contreras

BE AND IT IS HEREBY RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, NEW JERSEY that Valentin Contreras, 53 Montrose Terrace in the Township of Irvington be and he is hereby appointed to the Office of Constable for a term of three years from the date of April 8, 2014; and

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

Adopted

S. Jones - Frederic 12. Authorize Acceptance of Grant Agreement for Health Department

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Shaping Irvington, 2014 - \$10,000.00

Shaping Irvington NJ 2014

WHEREAS, Irvington Health Department received this third round of “Shaping Irvington-NJ” grant of \$10,000 from the New Jersey Department of Health to promote healthy life style program in the community; and

WHEREAS, This grant will be used to implement strategies to increase opportunities for physical activity and to improve access to healthy nutrition for obesity prevention at the Township level; and

WHEREAS, with the third round of funds the Shaping NJ Irvington will spearhead activities that will lead to the expansion of physical activity of local play/open streets programs; this involves the continuation of the successful outdoor program initiated in 2013 and the addition to two indoor play events at the local community center and at Irvington High School; and

WHEREAS, the promotion of healthy nutrition offerings at six bodegas partners and racks for healthy food at in the proximity of public schools. Additionally, we plan to support the creation of another community garden and gardening club at Florence Avenue Elementary School.

WHEREAS, we will be working with Meadowlink and Rutgers University’s Voorhees Transportation Center in order to develop Township wide pedestrian crash mapping and execute a walkability and bikeability assessment focusing on the establishment of safe walking routes to public schools.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington hereby accepts said grant award of \$10,000 for such activities.

Adopted

B. Motions

None

10. Communications & Petitions

A. Communications

1. League of Municipalities – Legislative Bulletin # 1

2. Joint Meeting – Resolution Opposing A-4147 – Require Public Bud Advertisements to Include Cost Estimate Ranges

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 – L.C. Jones 1. Senior Citizens Bingo Club (Special Senior Citizens' Bingo License)

Adopted

NON-CONSENT AGENDA ITEMS

8. Ordinances, Bills & Claims

A. Ordinances on 1st Reading

Beasley – S. Jones 1. Revise Various Provisions of the Taxicab Ordinance

AN ORDINANCE AMENDING AND SUPPLEMENT CHAPTER 183 OF THE REVISED CODE ENTITLED "TAXICABS".

Council Member Frederic and Council President Beasley spoke.

Beasley – S., Jones

Motion to Adjourn to April 22, 2014 Regular Council Meeting and Remand to Council's Taxicab Committee

Adopted

C. Bills & Claims

S. Jones – Frederic 1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD ENDING APRIL 8, 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	\$2,005,247.43
SUPPLEMENTAL #1	\$ 435,543.82
TOTAL	\$2,440,791.25

Adopted

No: Lyons

9. Resolutions & Motions

A. Resolutions

L.C. Jones – S. Jones 13. Authorize One Year Contract Extension for Web Hosting Services to Precise Virtual Development for an Amount Not to Exceed \$17,945.00 for Webmaster/Web Hosting Services and \$5,049.00 for Special Services, Totaling \$22,994.00

RESOLUTION EXTENDING WEB HOSTING SERVICE CONTRACT FOR ONE YEAR

WHEREAS, resolution number DA 13-0409-7 awarded a contract to Precise Virtual Development for web master/web hosting services for one year starting on April 09, 2013

until April 09, 2014; and

WHEREAS, the original specifications included language that allowed for the extension up to a one year contract at the existing terms and conditions if mutually accepted to the vendor and Township; and

WHEREAS, the Township would like to extend the service contract with Precise Virtual Development, 1075 Easton Ave, Suite 271, Somerset, New Jersey 08873 for one year; and

NOW THEREFORE BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the following contract be extended for one year, starting on April 10, 2014 and ending on April 10, 2015 to Precise Virtual Development, 1075 Easton Ave, Suite 271, Somerset, New Jersey 08873 for an amount not to exceed \$17,945.00 for webmaster/webhosting services and \$5,049 for special services, a total sum of \$22,994.00; and

BE IT FURTHER RESOLVED that the Township Attorney is hereby authorized and directed to prepare the necessary contract extension documents for one year and the Mayor and the Township Clerk is hereby authorized to execute said contract with the above listed company.

BE IT FURTHER 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 Municipal budget.

Council Members L.C. Jones, McElroy and Frederic spoke.

Adopted
No: Inman

S. Jones – Beasley 14. Authorize Issuance of Tax Anticipation Notes Not To Exceed \$10,500,000.00 for Calendar Year 2014 Municipal Budget

RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$10,500,000 TAX ANTICIPATION NOTES OF CY 2014 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-2014," 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 2014, being 30 percent of the tax levy for all purposes of the calendar fiscal year of 2013, plus 30 percent of the amount of miscellaneous revenues realized in cash during the calendar fiscal year of 2013, is \$28,286,837.76.

2. The amount of notes outstanding in anticipation of the collection of taxes of the calendar fiscal year of 2013, 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 \$28,286,837.76.

4. This certificate is made with respect to \$10,500,000.00 Tax Anticipation Notes of CY-2014 about to be authorized by the Township Council of the Township of Irvington.

IN WITNESS WHEREOF, I have hereunto set my hand this 8th day of April, 2014.

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 advice 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 April 8, 2014 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 8th day of June, 2014.

Harold E. Wiener, Clerk

(SEAL)

Adopted

No: Inman, Lyons

S. Jones – L.C. Jones 15. Authorize Mortgage Subordination – 665 Stuyvesant Avenue

WHEREAS, LVJ Planning, LLC., Linden Branche, Vice President, owner of 665 Stuyvesant Avenue, Irvington, New Jersey gave a mortgage to the Irvington Township HUD/ OCDP Economic Development Loan Program in the amount of \$ 100,008.00 recorded in Book 12221 Page 4921 on 10/8/2009 at the Office of the Essex County Register's Office; and

WHEREAS, such was previously approved by the Municipal Council by Resolution No. OCDP 09-0915-42 adopted on 9/15/2009; and

WHEREAS, LVJ Planning, LLC., Linden Branche, Vice President, seeks to have the Township of Irvington subordinate its mortgage to a new mortgage given by New Jersey Redevelopment Authority, 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 New Jersey Redevelopment Authority.; and

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

Adopted

No: Frederic, Inman, Lyons

Beasley – S. Jones 16. Authorize Emergency Temporary Appropriation to Extend the Calendar

Year 2014 Municipal Budget **APPROPRIATIONS WITHIN "CAPS" CY-14** **OFFICE**

OF THE MAYOR **Emerge. # 2** Mayor's Office: Salaries and Wages
 54,137.65 Other Expenses 1,000.00 Irvington Mental Health
 Center: Other Expenses 1,500.00 Planning Board: Salaries
 and Wages 5,020.70 Other Expenses Office of Emergency
 Management: Salaries and Wages 961.50 Other
 Expenses - Mayor's Committees: Salaries and Wages
 Other Expenses **Total Office of the Mayor 62,619.85** **OFFICE**

OF THE TOWNSHIP CLERK Township Clerk's Office: Salaries and Wages
 51,829.45 Other Expenses 2,500.00 Elections: Salaries
 and Wages 16,333.33 Other Expenses
 95,000.00 Council's Office: Salaries and Wages 27,692.25
 Other Expenses 6,666.00 Board of Adjustment: Salaries and
 Wages 10,790.00 Other Expenses 2,450.00
 Rent Leveling Board: Salaries and Wages Other Expenses **Total Office of
 the Township Clerk 213,261.03** **OFFICE OF THE TAX**

ASSESSOR Municipal Tax Assessor: Salaries and Wages
 22,719.40 Other Expenses 10,500.00 **Total Office of the Tax
 Assessor 33,219.40** **ATTORNEY TO TOWNSHIP**

COUNCIL Legislative Research Officer: Salaries and Wages
 8,842.65 Other Expenses **Total Attorney to Township Council
 8,842.65** **OFFICE OF THE TOWNSHIP ATTORNEY** Township Attorney:
 Salaries and Wages 69,819.05 Other Expenses
 22,500.00 **Total Office of the Township Attorney 92,319.05**

DEPARTMENT OF ADMINISTRATION Office of the Business Administrator:
 Salaries and Wages 92,317.35 Other Expenses
 16,500.00 Other Expenses - Postage **Total Department of Administration
 108,817.35** **DEPARTMENT OF POLICE** Police: Salaries and Wages

2,997,688.60 Overtime 166,666.66 Other Expenses:
 Cars Other Expenses 85,000.00 **APPROPRIATIONS**

WITHIN "CAPS" (continue) School Guards: Salaries and Wages
 150,601.90 Other Expenses Chaplains and Surgeons: Salaries and Wages
 1,000.00 Parking Division: Other Expenses **Total Department of Police
 3,400,957.16** **DEPARTMENT OF FIRE** Fire: Salaries and Wages

2,125,693.00 Other Expenses 25,000.00 Uniform Fire Safety
 Salaries and Wages Other Expenses **Total Department of Fire
 2,150,693.00** **DEPARTMENT OF REVENUE AND FINANCE** Division of

Finance: Salaries and Wages 77,575.35 Other Expenses:
 Administration of Finance 35,000.00 Auditing Insurance:
 General Liability 160,000.00 Workers Comp
 160,000.00 Employers Group Health 1,500,000.00 Division of
 Revenue-Tax Collection: Salaries and Wages 47,989.65
 Other Expenses 8,750.00 Division of Licenses: Salaries and
 Wages 7,964.60 Other Expenses Division of Central
 Purchasing: Salaries and Wages 14,423.10 Other Expenses

2,000.00 **Total Department of Revenue and Finance** **2,013,702.70**

DEPARTMENT OF PUBLIC WORKS Division of Engineering: Salaries and
Wages 44,707.25 Other Expenses 240,500.00
Land Rental, Refuse Dumping: Other Expenses 508,333.34
Division of Streets and Sewers: Salaries and Wages 106,690.55
Other Expenses 15,500.00 Snow Removal: Salaries and
Wages - Other Expenses -
Division of Motorized Equipment: Salaries and Wages
59,059.55 Other Expenses 30,000.00 Division of Public
Property: Salaries and Wages: Public Buildings 55,529.10
Shade Tree 25,675.25 Other Expenses: Public
Buildings 15,750.00 Shade Tree 3,500.00

Total Department of Public Works **1,105,245.04** **DEPARTMENT**
OF HEALTH AND WELFARE Division of Health: Salaries and Wages:
Health Administration 31,339.45 Environmental Health
41,998.20 Nursing 17,515.66 Other Expenses:
Health Administration 2,000.00 Environmental Health
19,500.00 Nursing 2,000.00 Irvington Neighborhood
Improvement Corp. Salaries and Wages Other Expenses **Total Department**
of Health and Welfare **114,353.31** **DEPARTMENT OF PARKS**

AND RECREATION Division of Park Maintenance: Salaries and Wages
60,246.05 Other Expenses 1,250.00 Division of Recreation:
Salaries and Wages 81,949.55 Other Expenses
1,500.00 Public Events and Celebration: Other Expenses Senior Citizen
Center: Salaries and Wages 11,102.25 Other
Expenses Irvington Municipal Pool: Salaries and Wages Other Expenses
7,500.00 **Total Department of Parks and Recreation** **163,547.85**

DEPARTMENT OF HOUSING Housing Services: Salaries and Wages
43,914.85 Other Expenses 2,500.00 **Total Department of**
Housing Services **46,414.85** **MUNICIPAL COURT** Municipal
Court Salaries and Wages 179,066.80 Other Expenses
13,000.00 **Total Municipal Court** **192,066.80** **PUBLIC**

DEFENDER Public Defender Salaries and Wages 5,447.30
Other Expenses 5,000.00 **Total Public Defender**
10,447.30 **UNIFORM CONSTRUCTION CODE** Construction Code Official:

Salaries and Wages 21,500.00 Other Expenses
1,000.00 **Total Construction Services** **22,500.00**

UNCLASSIFIED Utilities: Electricity, Gas 117,500.00
Telephone and Telegraph 147,000.00 Telephone Lease System
15,000.00 Fire Hydrants 20,450.00 Water
13,541.00 Gasoline 36,302.08 Street Lighting
117,500.00 Prior Year Salary Adjustments Emergency Dispatch Services
(Transportation) 75,000.00 Tax Appeals' **Total Unclassified**
542,293.08 **Total Operations Within "CAPS"** **10,281,300.42**

Deferred Charges & Statutory Expenditures Social Security System (OASI)

200,000.00 State Unemployment Insurance Fund	72,728.58
Fund Administrative Cost Public Employees Retirement System	
1,107,199.78 Police & Firemen's Retirement System	6,520,890.63
Judgments Deferred Charges Grants Over	- Deficit in
Operations Health Benefits	- Deferred Charges -
Unemployment	- Deferred Charges - WC & GL Cash
Deficit Preceding Year	- Total Deferred Charges &
Statutory Exp	7,900,818.99 Total Appropriations Within "CAPS"
<u>18,182,119.41</u>	<u>APPROPRIATIONS EXCLUDED FROM "CAPS" OTHER</u>
<u>OPERATIONS</u>	Joint Sewer Maintenance Maintenance of Free Public Library
195,000.00 911 Dispatch Services	Total Other Operations
195,000.00	<u>APPROPRIATIONS EXCLUDED from</u>
<u>"CAPS"(continue) FEDERAL AND STATE GRANTS</u>	Health IPCHIP - Grant
388,839.00 Total Grants	- Total Operations Excluded
from "CAPS"	<u>195,000.00 MUNICIPAL DEBT SERVICE</u>
Payment on Capital Improvements	- Capital
Improvement Fund	- Payment of Bond Principal Interest
on Bonds Payment of Note Principal Interest on Notes Green Trust Loan	
Program: Payment of Principal and Interest	Payment of Principal and
Interest-2003 Payment of Principal & Interest 727 GTP Demolition Loan	
Repayment NJ Environmental Infrastructure Trust Loan Principal &	
Interest Deferred Charges - Emergency Auth 5 Yr Emergency Storm	
- Total Municipal Debt Service	- Total
Appropriations Excluded from "CAPS"	for Municipal Purposes
195,000.00	<u>TYPE ONE SCHOOL DEBT</u>
- Interest on Bonds	Payment of Bond Principal
- Total Appropriations Excluded from "CAPS"	- Total Type One School Debt
	195,000.00
Reserve for Uncollected Taxes	- Total General
Appropriations	<u>18,377,119.41</u>

Adopted

12. Miscellaneous

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

NOTE: Council President Beasley left at this point at 8:13 P.M.

Richard Williams, 197 Linden Avenue
 Cynthia Johnson, 470 Meade Street, Orange, N.J.
 Frank Bryant, 309 Myrtle Avenue
 Robert Carpenter, 149 Paine Avenue
 Elouise McDaniel., 214 Nesbit Terrace
 Tykee Hall, 81 Union Avenue, Apt 2A
 Jerry and Grace Nelson, 34 Ellis Avenue
 Eric Dixon, 17 Ruth Street

NOTE: Council Member S. Jones left at this point at 8:41 P.M.

Patricia Poston, 101 Union Avenue
Al Tariq Shabazz, 165 Maple Avenue
Rodney White, 624 Nye Avenue
Robert Shaw, 57 Coit Street
Patrick Wright, 63 Osborne Terrace
Cynthia Johnson, 470 Meade Street, Orange, N.J.

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

13. Adjournment

There being no further business, the meeting was adjourned at 9:38 P.M.

D. Bilal Beasley, Council President

Harold E. Wiener, Municipal Clerk