

REGULAR COUNCIL MEETING
SEPTEMBER 9, 2014

Council Chamber, Municipal Building
Irvington, N.J. – Tuesday Evening
September 9, 2014 - 8:00 P.M.

1. Pledge of Allegiance

2. Moment of Silence

3. Roll Call

Present: Renee C. Burgess, Vernal Cox, October Hudley, Paul Inman, Sandra R. Jones,
Charnette Frederic

Absent: David Lyons (arrived 8:08 P.M.)

President Frederic 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 – 8-12-14
2. Municipal Court – Monthly – July
3. Board of Adjustment – 2013 Annual Report
4. Minutes – Board of Adjustment – 8-5-14
5. Camptown Business Improvement District – Annual Audit Reports for Years Ending
12-31-12 and
12-31-13

7. Reports of Committees

- A. Bid Results – Speed Humps Installation – 8-7-14
- B. Bid Results – Pot Hole Repairs – 8-20-14

C. Request for Proposal Results – IT Computer Support Services - 8-20-14

8. Ordinances, Bills & Claims

C. Bills & Claims

Jones – Frederic 1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD SEPTEMBER 9, 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	\$1,572,892.88
TOTAL	\$1,572,892.88

Adopted

Jones – Cox 2. Payrolls

July 26, 2014 through August 8, 2014

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$1,375,989.99	\$168,482.32	\$186,571.84	\$1,731,044.15

July 12, 2014 through July 25, 2014

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$1,415,492.35	\$155,746.73	\$987,896.84	\$2,559,135.92

Adopted

9. Resolutions & Motions

A. Resolutions

Lyons – Jones 1. Establish Handicapped Parking Spaces in Front of 1759 Manor Drive and 32 Highland Terrace

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 space in front of 1759 Manor Drive and 32 Highland Terrace.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a parking space 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 1759 Manor Drive and 32 Highland Terrace; and

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

Adopted

Frederic – Jones 2. Replacement Appointment – Alternate Board of Adjustment Member # 1 - Cootchill Nelson Replacing Dr. Jean Wutnel Emile

WHEREAS, a vacancy exist in the Alternate #1 Membership of the Zoning Board of Adjustment due to the resignation of Dr. Jean Wutnel Emile:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the following named person is hereby appointed as an alternate member of the Zoning Board of Adjustment for terms as indicated below:

NAME	ADDRESS	TYPE OF MEMBER	TERM TO EXPIRE
Cootchill Nelson	599 Stuyvesant Avenue	ALTERNATE #1	12-10-15

Adopted

Jones – Frederic 3. Resolution of Sorrow - Willie Leon Pope

RESOLUTION OF SORROW
WILLIE LEON POPE

WHEREAS, the Irvington Municipal Council wishes to express their deepest sorrow on the passing of Willie Leon Pope on August 9, 2014; and

WHEREAS, Willie Leon Pope son of Willie Lucious and Annie Pope was born on January 19, 1943 in Washington, Georgia. He was the eldest of three children; and

WHEREAS, Leon's primary education was achieved in the catholic and public schools of Philadelphia. After graduating from Bartram High School in 1961, he matriculated for a two year period at Philadelphia Community College; and

WHEREAS; Leon was drafted in the US Army, he served as a clerk typist during one tour of duty in Vietnam, his choice was not to be in the service, however he served with honor, valor and dignity for which he was awarded several Medals of Honor; and

WHEREAS; the Vietnam War was upon the United States and Leon was drafted into the United States Army. He served as a Clerk Typist during one tour of duty in Vietnam. His choice was not to be in the service, however he served with honor, valor and dignity for which he was awarded several Medals of Honor; and

WHEREAS, in 1962, W. Leon Pope joined the Philadelphia Inquirer as one of the first black journalists at that paper. During the next four decades, Pope covered police, courts, minority affairs, local politics, the Casino Control Commission, and the street scene. Before retiring, Pope, as he was fondly called by most that knew him, served as the minority staff recruiter for The Press of Atlantic City, New Jersey and was responsible for bringing several writers into the business, including his nephew who is now an international report in Dubai. Herb Lowe who was the past president for the National Association of Black Journalist and Yvette G. Wilson. Pope honed his reportorial street skills by playing losing one-on-one basketball with Earl "The Pearl" Monroe, driving a cab, selling fish on a Philly street corner, and being known as the worst jazz saxophonist in the universe; and

WHEREAS, Willie Leon Pope married the love of his life Wilma Burgess on August 17, 1974 and their family was blessed to grow and his love for Wilma grew as they raised Wilma's nephew William and niece Keisha as their own following the death of his sister; and

WHEREAS, as a founding member of the National Association of Black Journalists (NABJ) Pope, enjoyed his comrades in journalism as they began the journey in Philadelphia of building NABJ into an international entity. His journalism skills also led him to be the campaign manager for Phil Savage during his run for congressman of the 2nd Congressional District in Philadelphia; and

WHEREAS, Leon leaves to cherish in his memories: his loving and devoted wife of 40 years, Wilma; sister, Barbara (Carl) Bennett; brother, Odinga Pope; sister-in-law, Dr. Myra Pope; nieces, Keisha Mixon and Bianca (Michael) Alexander; nephews, Bradley

(Adeyela) Bennett, Willliam Mixon, Akhnaton (Eugenia) Pope, Azikiwe Pope and Menelik Pope; godchildren Sarah White, Menelik Pope, Darryl & Paul; special friends, Andrew White, Jr. (childhood), Nelson Townes, Jack Lemon, Tom Hendricks, Jim Morgan, Dt. Joe Kuhns, Robert Dorsey, David Riley; journalists, Acel Moore, Dennis Kirkland, Dave Price, Carla Callaway, Mona Moore, Janet Noeski, Stephanie V., Randy Brandt, Lori V. & Paul; army buddy, Jay Foley; neighbors, Fred S., Darryl, Mr. Rudy, & Cliff Dancy; Deacon Beamon and a host of relatives and friends.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington hereby mourns the loss of Willie Leon Pope and offers its sincerest condolences his family and friends during this period of bereavement; 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 Willie Leon Pope.

Adopted

Jones – Lyons 4. Resolution of Sorrow – Mary Ella Weaver

RESOLUTION OF SORROW
MARY ELLA WEAVER
COMMUNITY ACTIVIST

WHEREAS, the Irvington Municipal Council wishes to express their deepest sorrow on the passing of Community Activist Mary Ella Weaver; and

WHEREAS, on Friday, August 1, 2014, God, in His infinite wisdom, took from amongst our ranks Mary Ella Weaver of East Orange, N.J. at the age of 68; and

WHEREAS, Mary was a supervisor with Essex County Welfare and a dedicated member of American Legion Post 251;

WHEREAS, Mary was also the Second Vice Chair for the Oranges Maplewood Branch of the NAACP, and

WHEREAS, she came to the People's Organization for Progress tragically as a victim, as a consequence of losing her only son, Randy Weaver, to a police shooting in July 1999; and

WHEREAS, Mary became a P.O.P. member and helped establish its East Orange chapter, serving as its chair. When the organization established its administrative posts, she became its Vice Chairperson of Internal Affairs and held both posts at the time of her passing; and

WHEREAS, Mary became an ambassador for the annual Stolen Lives Project, a project that has documented the scope of police killings all over the country. The Project would annually memorialize victims or their families in a moving ceremony; and

WHEREAS, Mary was a veteran of the U.S. Army, a retired social worker and an avid bowler; and

WHEREAS, Mary was the beloved mother of the late Randy Weaver; cherished grandmother of Paige B. Weaver, and loving niece of Gertrude Weaver. She is also survived by cousins, Eric, Yvonne, Andrea and Cleopatra, other relatives and friends.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington hereby mourns the loss of Mary Ella Weaver and offers its sincerest condolences her family and friends during this period of bereavement; 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 Mary Ella Weaver.

Adopted

Jones – Hudley 5. Authorize Acceptance of Social Services for the Homeless Grant – \$110,000.00 – July 1, 2014 to June 30, 2015

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 provide commercial shelter placement, rental/utility assistance and case management under the Social Services for the Homeless Grant at a contract price of \$110,000.00 for the period of July 1, 2014 to June 30, 2015; and

WHEREAS, said grant agreement has been negotiated by the County Executive of Essex County and presented to the Board of Chosen Freeholders for Its approval; 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 County of Essex as sub0recioient of the Social Services for the Homeless Grant Funds in the amount of \$110,000.00.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNUCIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington does hereby accept the award of \$110,000.00 for such activities.

Adopted

Hudley – Cox 6. Reject Bids For the Installation of Speed Humps - Bids Exceed Cost

Estimates for the Services

REJECT BIDS FOR THE INSTALLATION OF SPEED HUMPS

WHEREAS, on July 23, 2014, the Township of Irvington accepted and opened bids for the installation of speed humps; and

WHEREAS, the Township received three bids for this service; and

WHEREAS, the lowest bid substantially exceeds the Township's appropriation for this service; and

WHEREAS, the Local Public Contract Law, 40A:11-13.2(b) provides that a municipality may reject all bids when the lowest bid exceeds the contracting unit appropriation for goods or services.

NOW THEREFORE BE IT RESOLVED by the Council of Township of Irvington, in the County of Essex, that all bids received for Installation of speed humps is hereby rejected in accordance with the Local Public Contracts Law, NJSA40A:11-13.2.(b)

Adopted

Burgess – Lyons 7. Authorize On-Line Auction of Obsolete Equipment With Govdeals

AUTHORIZE DISPOSAL OF OLD/UNUSED EQUIPMENT WITH GOVDEAL

WHEREAS, the Township of Irvington is the owner of certain equipment that is no longer being used; and

WHEREAS, the Township of Irvington is desirous of selling said equipment in an "as is" condition without express or implied warranties.

NOW THEREFORE BE IT RESLOVED, by the Township of Irvington, in the County of Essex, as follows:

(1) The sale of old/used equipment shall be conducted through Govdeals pursuant to State of Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with Govdeals is available online at govdeals.com and also available in the Division of Purchasing.

(2) The sale will be conducted online and the address of the auction site is govdeals.com.

(3) The sale is being conducted pursuant to Local Finance Notice 2008-9.

(4) A complete list of the old/used equipment is attached to this resolution.

(5) The equipment on the attached list shall be sold in an "as is" condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification agreement concerning use of said surplus property.

(6) The Township of Irvington reserves the right to accept or reject any bid submitted.

(7) In the event that no bids are received, the Purchasing Agent is authorized to dispose of same for the benefit of the Township.

Adopted

Cox – Inman 8. Authorize Contract for Substitute Prosecutors on an Emergency Basis from August 1, 2014 to August 31, 2014 - \$300.00 Per Court Session

AUTHORIZE THE TOWNSHIP ATTORNEY TO USE SUBSTITUTE PROSECUTORS ON AN EMERGENCY BASIS

WHEREAS, resolution number TA 13-0806-9 appointed four substitute prosecutors to be used on an on-call basis in the event of conflict cases or due to shortage of available staff; and

WHEREAS, the four appointed substitute prosecutors were unavailable to coverage court sessions; and

WHEREAS, the Township would have to cancel court sessions due to shortage of staff which would affect the public safety and welfare of the Township pursuant to NJSA 40A: 11-6; and

WHEREAS, the Township Attorney has declared an emergency in writing to hire substitute prosecutors to cover the municipal court sessions.

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

1. The Township Attorney will hire the substitute prosecutors on an emergency basis from August 01, 2014 – August 31, 2014
2. The Township Attorney will prepare the appropriate contract for this service.
3. The vendors will be paid an amount not to exceed \$300.00 per session.

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

Adopted

Burgess – Lyons 9. Authorize Purchases Over the Bid Threshold of \$36,000.00 for Fire Equipment – Campbell Supply

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 following vendor will exceed the bid threshold of \$36,000.00 for calendar year 2014:

Type of Commodity	Name of Vendor	State of New Jersey Contract Number	User Department
FIRE EQUIPMENT	CAMPBELL SUPPLY	84205	FIRE DEPARTMENT

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 the above approved New Jersey State contract vendor 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

Burgess – Inman 10. Extend Contract for Telephone Services for One Month At Original Contract Price - Data Network Solutions – September 1, 2014 to September 30, 2014

WHEREAS, a contract was awarded to Data Network Solutions, for Telephone service for three years starting on August 30, 2010 to August 30, 2013; and

WHEREAS, resolution number DA 13-0910-13 extended the service agreement for six months, expiring on March 01, 2014; and

WHEREAS, resolution number DA 14-0311-8 extended the service agreement for five months expiring on August 31, 2014; and

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

WHEREAS, the Purchasing Committee would like to extend the service contract with Data Network Solutions for one month; and

BE IT RESOLVED by the Township of Irvington, Essex County, New Jersey that the following contract be extended for one month, starting on September 01, 2014 and ending on September 30, 2014 to:

Data Network Solutions
106 Apple Street, Suite 103
Tinton Falls, NJ 07724

BE IT FURTHER RESOLVED that the Mayor and the Township Clerk be and the same are 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 2014 budget.

Adopted

Hudley – Jones 11. Authorize Contract for Sanitary Sewer Collections Systems Operator

for the Township – DeBlock Environment Services – Based Upon Price List Submitted With Proposal

**AUTHORIZE FAIR AND OPEN PROFESSIONAL SERVICE CONTRACT FOR
SANITARY SEWER COLLECTION SYSTEM OPERATOR**

WHEREAS, the Request for Proposals for Sanitary Sewer Collection System Operator services was publicly advertised in the New Jersey Star Ledger and our Municipal Website on July 23, 2014 with a deadline for qualifications to be submitted on August 07, 2014; and

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

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

WHEREAS, the Township Engineer has recommended award of contract to the following firm, based on their project history and credentials:

DeBlock Environmental Services, LLC
Robert J. De Block
16 Hugo Avenue
Woodland Park, NJ 07244

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that contracts for Sanitary Sewer Collection System Operator services be awarded to the aforementioned vendor.

BE IT FURTHER RESOLVED, that appointment is for one year starting on September 10, 2014 and ending on September 10, 2015; 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 2014 and 2015 budget.

Adopted

Jones – Lyons 12. Confirm Mayor’s Nomination of Donald Malloy as Director of the Department of Parks and Recreation

WHEREAS, N.J.S.A. 40:69A-36 (b) requires that the exercise of advice and consent to actions by the Mayor be by resolution of the Municipal Council; and

WHEREAS, the Mayor has submitted the nomination of Donald Malloy as Director of the Department of Parks and Recreation, to be effective immediately, and to expire on June 30, 2018 for the advice and consent of the Municipal Council:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the nomination by the Mayor of Donald Malloy as Director of the Department of Parks and Recreation to be effective immediately and to expire on June 30, 2018 be confirmed.

Adopted

Cox – Jones 13. Authorize Contract for Architectural Services - The Musial Group Architecture and LS Engineering Associates Corps. – Based Upon Price List Submitted With Proposal

**AUTHORIZE FAIR AND OPEN PROFESSIONAL SERVICE
CONTRACTS FOR ARCHITECTURAL SERVICES**

WHEREAS, the Request for Proposals for Architectural services was publicly advertised in the New Jersey Star Ledger and on our Municipal website on July 23, 2014 with a deadline for qualifications to be submitted on August 07, 2014; and

WHEREAS, two qualifications were received and publicly opened by the Purchasing Agent and Municipal Clerk; and

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

WHEREAS, the Township Engineer has recommended the award of contracts to the following firms for one year;

The Musial Group Architecture
191 Mill Lane
Mountainside, NJ 07092

LS Engineering Associates Corps
150 River Road, Suite E2
Montville, NJ 07045

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that contracts for Architectural services be awarded to the above two vendors and the Township Engineer will solicit quotes from the above vendors

for each municipal project and submit a resolution to the Municipal Council for all projects before retaining their services.

BE IT FURTHER RESOLVED, that appointment is for one year starting on October 01, 2014 and ending on October 31, 2015; 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 2014 - 2015 Calendar year budget.

Adopted

Jones – Lyons 14. Provide for Mandatory Direct Deposit of Payroll Checks for All Municipal Employees

RESOLUTION TO PROVIDE FOR THE MANDATORY DIRECT DEPOSIT OF NET PAY FOR ALL EMPLOYEES OF THE TOWNSHIP OF IRVINGTON IN A SPECIFIC BANK BASED ON INFORMATION PROVIDED BY THE EMPLOYEE

WHEREAS, N.J.S.A.52:14-15A was amended by the State Legislature and Governor to require direct deposit for all State employee's compensation on or after July 1, 2014 and to permit local governments including counties to likewise opt for mandatory direct deposit for all of their employees' compensation; and

WHEREAS, the Director of the Department of Finance for the Township of Irvington recommended that the Township adopt mandatory direct deposit for net pay to township employees as it provides an increase in productivity in the Department, and a decrease in the cost of producing paper checks as well track and replacing lost paper checks.

WHEREAS, the employees of the Township shall indicate in writing to the appropriate designated person the specific banking institution and designated checking account, saving account or share account to which the deposit shall be made on behalf of the employee; and

WHEREAS, the Township may determine special exceptions to this policy for paychecks for terminated employees, special pays and others unique circumstances; and

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township

of Irvington

1. The above recital are incorporated herein as though fully set forth at length.
2. Pursuant to N.J.S.A. 52:14-15A the Township of Irvington hereby adopts the policy of mandatory direct deposit effect immediately for all employees of the Township such net pay direct deposits shall be made to the specific banking institution provided by each individual employees.
3. This Resolution shall take effect immediately.

Adopted

Burgess – Hudley 15. Authorize Purchases Exceeding the Bid Threshold of \$36,000.00 Under the State of NJ Cooperative Purchasing Program for the Public Works Department Vehicles DBA Winner Ford – Through December 31, 2014

AUTHORIZE 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, Chase S Winner Inc., DBA Winner Ford of 250 Berlin Road, Cherry Hill, NJ 08034 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 number A83559 over the bid threshold of \$36,000.00 through this resolution and properly executed purchase orders for the purchase of vehicles for the Department of Public Works.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Irvington authorizes the purchase of new Ford vehicles for the Department of Public Works over the bid threshold of \$36,000.00, pursuant to all the conditions of state contract number A83559.

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

Jones – Cox 16. Award Bid - Pot Hole Repairs - JAK Construction - Not to Exceed \$45,000.00

AWARD OF CONTRACT FOR POT HOLES REPAIRS IN THE TOWNSHIP OF IRVINGTON

WHEREAS, sealed bids were received on August 21, 2014 for the repair of holes in the Township of Irvington in response to the published advertisement for proposals in the New Jersey Star Ledger on July 30, 2014; and

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

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

WHEREAS, the Township Engineer has recommended that the award be made to JAK Construction, T/A Diamond 35-Beverson blvd, Brick NJ 08723 on the basis of their responsible response to the request for bids that meets the criteria and qualifications, in an amount not to exceed \$45,000.00.

NOW THEREFORE BE, IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for pot holes repairs in the Township of Irvington be awarded to JAK Construction Corp., T/A Diamond, 35 Beverson, blvd, Brick, NJ 08723 for one year starting on August 28, 2014 until August 28, 2015 for an amount not to exceed \$45,000.00

BE IT FURTHER RESOLVED that the vendor will be paid \$800.00 per ton of asphalt used and receipts of asphalt must be submitted with all invoices.

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 that the required Certificate of Availability of Funds will be obtained from the Chief Financial Officer contingent on the adoption of the 2014 and 2015 municipal budget.

Adopted

Jones – Burgess 17. Authorize One Year Contract With Various Engineering Firms for Engineering Services Based Upon Fee Schedules Submitted With Proposals With Successful Vendor For Each Project to Be Based Upon Quotations

RESOLUTION AUTHORIZING FAIR AND OPEN PROFESSIONAL SERVICE
CONTRACTS FOR CONSULTING ENGINEERING SERVICES

WHEREAS, the Request for Proposals for professional Engineering services was publicly advertised in the New Jersey Star Ledger and our Municipal website on July 23, 2014 with a deadline for qualifications to be submitted on August 07, 2014; and

WHEREAS, eight qualifications were received and publicly opened by the Municipal Clerk and the Purchasing Agent; and

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

WHEREAS, the Township Engineer has recommended award of contracts to all firms for one year; and

CME Associates
3141 Bordentown Ave, Parlin, NJ 08859-1162

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

LS Engineering Associates Corps
150 River Road, Suite E2, Montville, NJ 07045

Pennoni Associates
105 Fieldcrest Ave, Suite 502 Edison, NJ 08837

Adams, Rehamann & Heggan Associates
2 Broad Street, Suite 602 Bloomfield, NJ 07003

Carroll Engineering
105 Raider Blvd, Suite 206, Hillsborough, NJ 08844

Neglia Engineering Associates
34 Park Ave, Lyndhurst, NJ

T and M Associates
11 Tindall Road, Middletown, NJ 07748

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that contracts for Consulting Engineering services be awarded to the above vendors and the Township Engineer will solicit sealed quotes from the above vendors for each project and submit a resolution to the Municipal Council for all projects before retaining their services to determined prices.

BE IT FURTHER RESOLVED, that appointment is for one year starting on October 01, 2014 and ending on October 31, 2015; 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 2014 and 2015 budget.

Adopted

Jones – Inman 18. Authorize Acceptance of Grant Award From New Jersey Department of Health for Blood Lead Screenings - \$125,000.00 – July 1, 2014 to June 30, 2015

WHEREAS, the Irvington Health Department received a Letter of Intent for the Sandy SSBG Lead Screenings grant in the amount of \$125,000.00 from the New Jersey Department of Health, Division of Family Health Services for the grant funding year July 1, 2014 through June 30, 2015; and

WHEREAS, said grant will be used to perform targeted blood lead screenings under the Superstorm Sandy: Healthy Homes and Lead Poisoning Prevention Initiative; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington hereby accepts said letter of intent for the Sandy SSBG Lead Screenings grant in the amount of \$125,000.00 from the New Jersey Department of Health, Division of Family Health Services for the grant funding year July 1, 2014 through June 30, 2015; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized and directed to execute any documents necessary to secure the above referenced grant funds.

Adopted

Cox – Hudley 19. Confirmation of Mayor’s Nominations to the Irvington Library Board of Trustees - Patricia Wilson, Gloria Chison, Mia Miller and Maslie Lamy-Lockhart

WHEREAS, N.J.S.A. 40:54-9 requires that nominations by the Mayor to the Library Board of Trustees be confirmed by the Municipal Council; and

WHEREAS, vacancies currently exist n the Irvington Library Board of Trustees due to the resignation of certain members of the expiration of the terms of certain members:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the following nominations by the Mayor to the Irvington Library Board of Trustees are hereby confirmed:

NAME AND ADDRESS	REPLACING TRUSTEE	TERM TO EXPIRE
Patricia Wilson 272 Nesbit Terrace	Alison Bryant	12-31-18
Gloria Chison 70 Park Place	October Hudley	12-31-16
Mia Miller 41 Laurel Avenue	Derrick Edmundson	12-31-17
Maslie Lamy-Lockhart 293 Isabella Avenue	David Stephen	12-31-15

Adopted

Cox – Inman 20. Authorize Contracts for the Use of Substitute Prosecutors on an Emergency Basis for a One Year Period - \$300.00 Per Court Session - Cherelle C. Tolor, Esq., Tangerla Mitchell Thomas, Esq. and Drew J. Bauman, Esq.

AUTHORIZE THE TOWNSHIP ATTORNEY TO USE SUBSTITUTE PROSECUTORS ON AN ON-CALL BASIS THROUGH FAIR AND OPEN PROFESSIONAL SERVICE CONTRACT

WHEREAS, the Township of Irvington has a need for substitute prosecutors to be available on an on-call basis in the event of conflict cases or due to a shortage of available staff; and

WHEREAS, the Request for Qualifications (RFQ's) for substitute prosecutors services was publicly advertised in the New Jersey Star Ledger on June 23, 2014 with a deadline for qualifications to be submitted on August 07, 2014; and

WHEREAS, four qualifications were received and publicly opened; and

WHEREAS, one response was determined to be non-responsive; and

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

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

Law Office of Cherelle C. Tolor, LLC
Cherelle C. Tolor
28 Sherman Place
Irvington NJ 07111

Tangerla Mitchell Thomas
PO Box 653
Ringoos, NJ 08551

Law Office of Drew J. Bauman
Drew J. Bauman
658 Ridgewood Road
Maplewood, NJ 07040

WHEREAS, the Township Attorney will contact the above firm when service is needed.

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

1. The Township Attorney will contact the above firms on an on-call basis/as needed for substitute prosecuting services.
2. The Township Attorney will prepare the appropriate contract for this service.
3. The above three vendors are hereby appointed for one year from September 9, 2014 through September 9, 2015.
4. The vendors will be paid an amount not to exceed \$300.00 per session.

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

authorized and directed to sign the same.

Adopted

Jones – Inman 21. Authorize Acceptance of Grant Funds - Childhood Lead Poisoning Prevention Program Oriented Services for Child Health – \$165,000.00 – July 1, 2014 to June 30, 2015

WHEREAS, the New Jersey State Department of Health has made available to the Township of Irvington Childhood Lead Poisoning Prevention Program (CLPPP) Oriented Services for Child Health known as CLPPP Lead Grant from July 1, 2014 through June 30, 2015; and

WHEREAS, said assistance is designated for the support of specified public health activities within the Township of Irvington and will be used in the area of a Childhood Lead Poisoning Prevention program for high risk children residing in Irvington:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Mayor be and is hereby authorized to accept the Childhood Lead Poisoning Prevention Oriented Services Grant (CLPPP) for Child Health of \$165,000.00 from July 1, 2014 through June 30, 2015.

Adopted

Jones – Inman 22. Waive Interest Charges of \$10,059.16 in Consideration of Full Payment of Back Taxes Due in the Amount of \$29,081.28 by September 30, 2014 - 21 Grace Street

WHEREAS, a municipal lien was placed on 21 GRACE STREET, also known as BLOCK 213 and LOT 26, at an Accelerated Tax Sale held on JUNE 28, 2011 for delinquent/unpaid taxes and sewer charges in the amount of \$6,071.83; and

WHEREAS, the total amount due on BLOCK 213 and LOT 26, Tax Sale Cert# 111503, with interest and cost to SEPTEMBER 9, 2014 is \$39,140.44 which includes subsequent municipal charges up to the 2014 3RD qtr. taxes and 2014 annual sewer charge; and

WHEREAS, the owner, PADMORE INVESTMENT, LLC, has written a letter requesting an abatement of the interest owed on said certificate; and

WHEREAS, the interest and cost on Tax Sale Cert# 111503 to SEPTEMBER 9, 2014 is \$10,059.16; 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 \$10,059.16 imposed on BLOCK 213 and LOT 26, and the taxpayer be allowed to pay the principal amount of \$29,081.28 (certified check only) on or before SEPTEMBER 30, 2014, and this resolution is hereby null and void if payment is not received by said date.

Adopted

Jones – Inman 23. Authorize Tax Payment Agreement - 92 Ellis Avenue - Total Amount to Redeem of \$22,135.62 - Payable Within 36 Months

RESOLUTION TO REDEEM MUNICIPAL LIEN
IN INSTALLMENT PAYMENTS

WHEREAS, the Township of Irvington had an Accelerated Tax Sale on June 28, 2011 on lands known on the Tax Map of the Township of Irvington aforesaid as Block 166, Lot 13 owned by Victoria Ransom, and that said Tax Sale advertised amount and subsequent municipal liens on said premises remain unpaid; and

WHEREAS, said Taxpayer Victoria Ransom, has applied to the Municipal Council of the Township of Irvington for a leave to redeem the aforesaid property from the said Tax Sale and subsequent municipal liens by equal monthly installment payments in accordance with and pursuant to the provisions of N.J.S.A. 54:5-65 to 76, inclusive:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Irvington Tax Collector be and she is hereby authorized to enter into the following agreement mentioned for the payment of tax arrears and current taxes on the premises 92 Ellis Avenue, Block 166 Lot 13 on the Irvington Tax Map, TSC# 111278:

TSC# 111278	\$ 3,235.03
Subsequent Charges	\$13,858.00
Total Interest Due to 09/09/2014	\$ 5,042.59
 Total Amount to Redeem	 \$22,135.62

That beginning October 1, 2014 and on or before the 1st day of each succeeding month thereafter, the Taxpayer Victoria Ransom shall pay to the Irvington Tax Collector the sum of \$799.97 each month to be applied by said Tax Collector on account of said municipal liens in the manner most convenient to her as provided by N.J.S.A. 54:5-74. In addition, the Taxpayer shall pay to the Tax Collector the current taxes as they become due on February 1st, May 1st, August 1st and November 1st of each year. The foregoing

payments shall continue until all taxes and interest on tax arrears and current taxes as provided herein shall have been paid in full; all tax arrears and interest thereon must be paid within 36 months.

The Tax Collector shall provide a form of receipt or statement showing the dates of payments and the application thereof as to interest, expenses, charges, etc.

3. Upon the full satisfaction of the amount required to redeem said lands from said Tax Sale Certificate, including the subsequent municipal liens as aforesaid, together with Sewer user charges and current taxes, the Collector of Taxes shall deliver to said Taxpayer said Tax Sale Certificate properly endorsed for cancellation.

4. That should said Taxpayer Victoria Ransom default in the payment of any one said monthly installment payments, or in the payment of any current municipal taxes which may fall due against the aforementioned property, and should said default in any case continue for thirty (30) days from the time that such payment is due and payable then said agreement between said Taxpayer and the Township shall be terminated and void and all said municipal liens and taxes shall become immediately due and payable subject to enforcement by the Tax Collector of the Township of Irvington and sale according to law or by employment of any remedy available to the Township of Irvington according to law.

Adopted

Cox – Inman 24. Waive Interest Charges of \$12,667.23 in Consideration of Full Payment of Back Taxes Due in the Amount of \$32,306.35 by September 30, 2014 – 534 Grove Street

RESOLUTION TO WAIVE INTEREST ON DELINQUENT MUNICIPAL CHARGES

WHEREAS, a municipal lien was placed on 534 GROVE STREET, also known as BLOCK 156 and LOT 3, at an Accelerated Tax Sale held on JUNE 28, 2011 for delinquent/unpaid taxes and sewer charges in the amount of \$2,387.48; and

WHEREAS, the total amount due on BLOCK 156 and LOT 3, Tax Sale Cert# 111210, with interest and cost to SEPTEMBER 9, 2014 is \$44,973.58 which includes subsequent municipal charges up to the 2014 3RD qtr taxes and 2014 annual sewer charge; and

WHEREAS, the owner, TERRELL STOTHOFF, has written a letter requesting an abatement of the interest owed on said certificate; and

WHEREAS, the interest and cost on Tax Sale Cert# 111210 to SEPTEMBER 9, 2014 is \$12,667.23; 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 \$12,667.23 imposed on BLOCK 156 and LOT 3, and the taxpayer be allowed to pay the principal amount of \$32,306.35 (certified check only) on or before SEPTEMBER 30, 2014, and this resolution is hereby null and void if payment is not received by said date.

Adopted

Cox – Hudley 25. Authorize Contract With Dr. Peter Wenger, MD to Serve as Medical Director for Nominal Sum of \$3.00 per Years for Fiscal Years 2014 to 2016:

WHEREAS, the Department of Health of the Township of Irvington is in need of a Medical Director to satisfy of the clinical gaps the need to be served; and

WHEREAS, the Dr. Peter Wenger, M.D. of the New Jersey Medical School, Rutgers, The State University of New Jersey has offered to provides said services to the Township of Irvington for the nominal amount of \$3.00 for three fiscal years of 2014 to 2016; and

WHEREAS, the Health Officer has recommended that the Township of Irvington enter into such an agreement with Dr. Peter Wenger, M.D. of the New Jersey Medical School, Rutgers, The State University of New Jersey to serve as said Medical Director for nominal sum of \$3.00 for three fiscal years of 2014 to 2016:

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that it hereby authorizes the Township of Irvington to enter in to agreement with Dr. Peter Wenger M.D. of the New Jersey Medical School, Rutgers, The State University of New Jersey to serve as Medical Director three fiscal years of 2014 to 2016; and

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized and directed to execute the said agreement between the Township of Irvington and Dr. Peter Wenger M.D. of the New Jersey Medical School, Rutgers, The State University of New Jersey.

Adopted

Lyons – Frederic 26. Reject Requests for Proposals for Computer Support Services – Proposals Significantly Exceed Amount Estimated and Appropriated for this Service

REJECT RFPs FOR COMPUTER SUPPORT SERVICES

WHEREAS, on August 20, 2014, the Township of Irvington accepted and opened RFPs for computer support service; and

WHEREAS, the Township received 4 RFPs for this service; and

WHEREAS, the Administration wishes to reject all bids on the basis that same significantly exceeds the amount estimated and appropriated for this service; and

WHEREAS, the Local Public Contract Law, 40A:11-13.2.(a) and (b) provides that a municipality may reject all RFPs when the amount estimated or appropriated for the goods or services is exceeded;

NOW THEREFORE BE IT RESOVED by the Council of Township of Irvington, in the County of Essex, that all RFPs received for Computer Support Service is hereby rejected in accordance with the Local Public Contracts Law, NJSA40A:11-13.2.(a) and (b)

BE IT FUTEHR RESOLVED that the Qualified Purchasing Agent is hereby authorized and directed to rebid this service.

Adopted

Burgess – Hudley 27. Authorize 90 Day Contract for Information Technology Support Services for Municipal Building - Nettarius Technology Solutions – October 1, 2014 to December 31, 2014 - \$85.00 Per Hour Not to Exceed \$9,850.00 - Maximum Amount of Hours of 15 Hours Per Week

EXTEND COMPUTER IT SUPPORT SERVICE FOR NINETY DAYS

WHEREAS, resolution number DA 13-0611-11 awarded a one year contract to Nettarius Technology Solutions Inc. for the computer IT support service for the Municipal Building; and

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

WHEREAS, resolution number DA 14-0624-23 extended this service contract for sixty (60) days; and

WHEREAS, pursuant to 40A:11-15.3, the Township may extended IT support contract for a term not to exceed one year; and

WHEREAS, in the best interest of our taxpayers, the Township wishes to extended the computer IT support services for and additional ninety (90) days; and

WHEREAS, the Township would like to extend the service contract with Nettarius Technology Solutions, 35 College Drive, suite 101A, East Orange, NJ 07017 for ninety (90) days; and

NOW THEREFORE BE IT RESOLVED BY THE MUNICIPAL COUNCIL FO THE TOWNSHIP OF IRVINGTON that the following contract be extended for ninety (90) days, starting October 1, 2014 and ending December 31, 2014 to Nettarius Technology Solutions, 35 College Drive, suite 101A, East Orange, NJ 07017 for a an amount not to exceed \$9,825.00, the vendor will be paid \$85.00 per hour and IT Manager and Township Administrator will authorize and approve work on as needed basis, not to exceed a maximum amount of hours of fifteen (15) hours per week; and

BE IT FURTHER RESOLVED, that the Township Attorney is hereby authorized and directed to prepare the necessary contract extension documents for ninety (90) days 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 Fund will be obtained from the Chief Financial Officer contingent on the adoption of the calendar year 2014, Municipal budget.

Adopted

Hudley – Cox 28. Authorize 90 Day Contract for Information Technology Support Services for Police Department - Ebonics Computer Systems – October 1, 2014 to December 31, 2014 - \$120.00 Per Hour Not to Exceed \$7,500.00 - Maximum Amount of Hours of 15 Hours Per Week

EXTEND COMPUTER IT SUPPORT SERVICE FOR NINETY DAYS FOR THE POLICE DEPARTMENT

WHEREAS, resolution number DA 13-0611-7 awarded a one (1) year contact to Ebonics Computer Systems for the computer IT support service for the Police Department; and

WHEREAS, the original specification included language that allowed for the extension up to one (1) year contract at the existing terms and condition if mutually accepted to the vendor and Township and

WHEREAS, resolution number DP 14-0624-20 extended this service contract for sixty (60) days; and

WHEREAS, pursuant to 40A:11-15.3, the Township may extended IT support contract for a term not to exceed one (1) year; and

WHEREAS, in the best interest of our taxpayers, the Township wishes to extended the

computer IT support services for and additional ninety (90) days; and

WHEREAS, the Township would like to extend the service contract with Ebonics Computer Systems, 92 Mountain View Place, Newark, NJ 07106 for ninety (90) days; and

NOW THEREFORE BE IT RESOLVED BY THE MUNICIPAL COUNCIL FO THE TOWNSHIP OF IRVINGTON that the following contract be extended for (90) days, starting October 1, 2014 and ending December 31, 2014 to Ebonics Computer Systems, 92 Mountain View Place, Newark, NJ 07106 for a an amount not to exceed \$7,500.00, the vendor will be paid \$120.00 per hour and Police Department or designee will authorize and approve work on as needed basis, not to exceed a maximum amount of hours of ten (10) hours per week; and

BE IT FURTHER RESOLVED, that the Township Attorney is hereby authorized and directed to prepare the necessary contract extension documents for ninety (90) days 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 Fund will be obtained from the Chief Financial Officer contingent on the adoption of the calendar year 2014, Municipal budget.

Adopted

Cox – Frederic 29. Constable Appointment – Keith White

BE AND IT IS HEREBY RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, NEW JERSEY that Keith White, 41 Nesbit Terrace in the Township of Irvington be and he is hereby appointed to the Office of Constable for a term of three years from the date of September 9, 2014; and

BE IT FURTHER RESOLVED that the above named person shall be notified of her appointment for the term aforesaid by the Township Clerk and directed to present herself 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

B. Motions

None

10. Communications & Petitions

A. Communications

1. Bloomfield Resolution – Support A-900 – Loosen Restrictions on Stream Cleaning
2. Mayor Vauss – Appointment - Planning Board – Omar Bilal, 224 Park Place
3. Mayor Vauss – Appointment – Planning Board – Toya Burgess, 124 Montgomery Avenue
4. Mayor Vauss – Appointment – Planning Board - Syesha Benbow, 10 Howard Street
5. Mayor Vauss – Appointment - Planning Board Joseph Quesley, 95 – 38th Street
6. Mayor Vauss – Appointment – Senior Citizens Commission – Sallie Oliver, 712 – 15th Avenue
7. Mayor Vauss – Appointment – Senior Citizens Commission – Jerry Russomanno, 517 Nye Avenue
8. Mayor Vauss – Appointment – Senior Citizens Commission – Jackie D. Walters, 378 Vermont Avenue
9. Mayor Vauss – Appointment – Senior Citizens Commission – Qasim Salaam, 46 Rich Street
10. Mayor Vauss – Appointment – Senior Citizens Commission – Mary Terrell, 1 Linden Avenue

B. Petitions

None

11. Pending Business

None

12. Miscellaneous

A. Bingos and Raffles

None

NON-CONSENT AGENDA ITEMS

8. Ordinances, Bills & Claims

A. Ordinances on 1st Reading

Cox – Jones 1. Authorizing Special Emergency Appropriation For Preparing a Revision and Codification of the Ordinances of the Township of Irvington

ORDINANCE TO SPREAD THE COST OF CODIFICATION OVER A 5 YEAR PERIOD THROUGH AN EMERGENCY APPROPRIATION

Adopted

Absent: Lyons

B. Ordinances on 2nd Reading

1. President Frederic: An initiated ordinance to require private employers in the Township of Irvington to provide a minimum number of days of paid sick leave was submitted on first reading on August 25, 2014, published in the Star Ledger on August 29, 2014 and public hearing set for this date, place and time. The Clerk will read the notice of hearing.

The Clerk read the notice of hearing.

The Clerk will read the ordinance by title

AN ORDINANCE TO ADD A NEW CHAPTER TO THE ORDINANCES OF IRVINGTON TO PROMOTE THE OVERALL HEALTH AND SAFETY OF THE RESIDENTS AND WORKERS OF THE TOWNSHIP OF IRVINGTON BY REDUCING THE SPREAD OF COMMUNICABLE DISEASE AND CONTAGION BY REQUIRING A POLICY OF PAID SICK LEAVE FOR WORKERS IN IRVINGTON

WHEREAS:

(1) Most workers in Irvington will at some time during each year need limited time off from work to take care of his or her own health needs or the health needs of members of their families.

(2) Nationally, nearly forty percent of private sector workers are without any paid sick

time. In addition, many workers who do have paid sick time are disciplined for using it or cannot use that time to care for sick children.

(3) Low-income workers are significantly less likely to have paid sick time than other members of the workforce. Nationally, only one in five of the lowest-income workers (21 percent) has access to paid sick time.

(4) Providing workers time off to attend to their own health care and the health care of family members will ensure a healthier and more productive workforce in Irvington.

(5) Paid sick time will have a positive effect on the individual and public health of Irvington by allowing sick workers to earn a limited number of hours per year to care for themselves or a close family member when illness strikes or medical needs arise. Paid sick time will reduce recovery time, promote the use of regular medical providers rather than hospital emergency departments, and reduce the likelihood of people spreading illness to other members of the workforce and to the public.

(6) Paid sick time will reduce health care expenditures by promoting access to primary and preventive care. Nationally, providing all workers with paid sick time would result in \$1.1 billion in annual savings in hospital emergency department costs, including more than \$500 million in savings to publicly funded health insurance programs such as Medicare, Medicaid and SCHIP.

Access to paid sick time can also help decrease the likelihood that a worker will put off needed care, and can increase the rates of preventive care among workers and their children.

(7) Paid sick time will allow parents to provide personal care for their sick children. Parental care makes children's recovery faster and can prevent future health problems. Parents who don't have paid sick time are more than twice as likely as parents with paid sick days to send a sick child to school or daycare, and five times as likely to report taking their child or a family member to a hospital emergency room because they were unable to take time off work during their regular work hours.

(8) Paid sick time will reduce contagion. Workers in jobs with high levels of public contact, such as restaurant workers and child care workers, are very unlikely to have paid sick time. As a result, these workers may have no choice but to go to work when they are ill, thereby increasing the risk of passing illnesses on to co-workers and customers while jeopardizing their own health. Overall, people without paid sick days are 1.5 times more likely than people with paid sick days to go to work with a contagious illness like the flu.

(9) A recent peer-reviewed epidemiological study found that nearly one in five food service workers have come to work vomiting or with diarrhea in the past year, creating dangerous health conditions. The largest national survey of U.S. restaurant workers found that two-thirds of restaurant wait staff and cooks have come to work sick.

(10) In the event of a disease outbreak that presents a threat to public health-for example, the H1N1 outbreak of 2009-government officials request that sick workers stay home and keep sick children home from school or child care to prevent the spread of illness, and to safeguard workplace productivity. However, because many workers lack paid sick time, they may be unable to comply.

(11) During the height of the H1N1 pandemic, workers with lower rates of access to paid sick days were more likely than those with higher rates of access to paid sick days to go to work sick and, as a result, the pandemic lasted longer in their workplaces as the virus spread from co-worker to co worker. A new study estimates that lack of paid sick time was responsible for five million cases of influenza-like illness during the pandemic.

(12) Providing paid sick time is good for businesses. Paid sick time results in reduced worker turnover, which leads to reduced costs incurred from advertising, interviewing and training new hires. Firing and replacing workers can cost anywhere from 25 to 200 percent of an employee's annual compensation.

(13) Paid sick time will reduce the risk of "presenteeism"-workers coming to work with illnesses and health conditions that reduce their productivity-a problem that costs the national economy \$160 billion annually.

(16) Paid sick time will reduce the competitive disadvantage that many employers face when they choose to provide sick time to their workers.

NOW THEREFORE BE IT ORDAINED THAT:

Purpose: (1) To ensure that all workers in the Township of Irvington can address their own health needs and the health needs of their Family Members by requiring Employers to provide a minimum level of paid sick time, including time for care for Family Members; (2) To diminish public and private health care costs and promote preventative health services in the Township of Irvington by enabling workers to seek early and routine medical care for themselves and their Family Members; (3) To protect the public's health in Irvington by reducing the risk of and spread of contagion; (4) To promote the economic security and stability of workers and their families, as well as businesses serving the Township of Irvington and its residents; (5) To protect residents and all workers in the Township of Irvington from losing their jobs or facing workplace discipline as a result of illness and the use of sick time to care for themselves or their Family Members; (6) To safeguard the public welfare, health, safety and prosperity of the people of the Township of Irvington; (7) To accomplish the purposes described in paragraphs (1)-(6) in a manner that is fair and reasonable to both Employees and Employers, and rationally related to the objectives sought which is to promote the overall health and safety of the residents and workers in the Township of Irvington by reducing the risk of and spread of communicable disease and contagion.

Section I. The Revised Code of the Township of Irvington is hereby amended as to include the following Ordinance, entitled Sick Leave for Private Employees.

1. Definitions. For purposes of this Ordinance: (1) "Agency" means the Department of Neighborhood Services. (2) "Calendar year" means a regular and consecutive 12 month period, as determined by an employer. (3) "Construction union" means a labor organization that represents, for purposes of collective bargaining, employees involved in the performance of construction, reconstruction, demolition, alteration, custom fabrication, or repair work and who are enrolled or have graduated from a "registered apprenticeship program." (4) "Employee" is as defined in N.J.S.A. 34:11-56a1(h) who works in the Township of Irvington for at least 80 hours in a year except that "Employee" for purposes of this Ordinance does not include any person employed by any governmental entity or instrumentality including any New Jersey school district or Board of Education. (5) "Employer" is as defined in N.J.S.A. 34:11-56a1(g) except that Employer does not include (a) the United States government; (b) the State or its political subdivisions or any office, department, agency, authority, institution, association, society or any instrumentality of the State including the legislature or judiciary; or (c) the Township of Irvington. (6) "Family Member" means (A) A biological, adopted or foster child, stepchild or legal ward, a child of a domestic partner, a child of a civil union partner, or a child to whom the employee stands in loco parentis; (B) A biological, foster, stepparent or adoptive parent or legal guardian of an employee or of an employee's spouse, domestic partner or civil union partner or a person who stood in loco parentis when the employee was a minor child; (C) A person to whom the employee is legally married under the laws of New Jersey or any other State or with whom the employee has entered into a civil union under N.J.S.A. Title 37; (D) A grandparent or spouse, civil union partner or domestic partner of a grandparent; (E) A grandchild; (F) A domestic partner of an employee as defined in N.J.S.A. 26:8A-3 et. seq. or (G) A sibling. (7) "Health Care Professional" means any person licensed under Federal or New Jersey law to provide medical or emergency services, including but not limited to doctors, nurses and emergency room personnel. (8) "Paid Sick Time" means time that is compensated at the same hourly rate and with the same benefits, including health care benefits, as the Employee normally earns during hours worked and is provided by an Employer to an Employee for the purposes described in Section 3 of this Ordinance, but in no case shall the hourly wage be less than that provided under N.J.S.A. 34:11-56a. (9) "Registered apprenticeship program" means an apprenticeship program that is registered with and approved by the United States Department of Labor and which meets not less than two of the following requirements: (A) has active, employed, registered apprentices; (B) has graduated apprentices to journey worker status during a majority of the years that the program has been in operation; or (C) has graduated apprentices to journey worker status during three of the immediately preceding five years, provides each trainee with combined classroom and on-the-job training under the direct and close supervision of a highly skilled worker in an occupation recognized as an apprenticeable trade and meets the program performance standards of enrollment and graduation under 29 C.P.R. Part 29, section 29.63.1. (10) "Retaliation" means the denial of any right guaranteed under this Ordinance and any threat, discipline, discharge, suspension, demotion, reduction of

hours, or any other adverse action against an Employee for the exercise of any right guaranteed herein, including for filing a complaint or informing any person about any employer's alleged violation of this Act; cooperating with the Agency in its investigations of alleged violations of this Act; participating in any administrative or judicial action regarding an alleged violation of this Act; and informing any person of his or her potential rights under this Act.

2. Employees Covered by Collective Bargaining Agreements. (1) All or any portion of the applicable requirements of this Ordinance shall not apply to Employees covered by a collective bargaining agreement, to the extent that such requirements are expressly waived in the collective bargaining agreement in clear and unambiguous terms. (2) With respect to Employees covered by a collective bargaining agreement in effect at the time of the effective date of this Ordinance, no provision of this Ordinance shall apply until the expiration of the collective bargaining agreement; however, if the terms of an expired collective bargaining agreement provide paid sick leave that is more generous than provided by this Ordinance, those terms of the expired collective bargaining agreement apply to the extent required by law.

3. Accrual of Paid Sick Time. (1) All Employees accrue a minimum of one hour of paid sick time for every 30 hours actually worked, subject to the limits set forth below in paragraphs 2 and 3.

(2) Employers who employ ten or more Employees for compensation are not required to provide more than 40 hours of paid sick time in a calendar year; (3) Employers who employ fewer than ten Employees for compensation are not required to provide more than 24 hours of paid sick time in a calendar year, except for Employees who are child care workers, home health care workers and food service workers. For child care workers, home health care workers and food service workers, employers are required to provide up to 40 hours of paid sick time, so long as the hours are accrued in a calendar year as set forth in paragraph 1 above. (4) In determining the number of Employees performing work for an Employer, all Employees performing work for compensation on a full-time, part-time, or temporary basis shall be counted, provided that where the number of Employees who work for an Employer for compensation fluctuates, business size may be determined for the current calendar year based upon the average number of Employees who worked for compensation during the preceding calendar year, (5) Employees who are exempt from overtime requirements under 29 U.S.C. § 213(a)(1) of the Federal Fair Labor Standards Act are assumed to work 40 hours in each work week for purposes of paid sick time accrual unless their normal work week is less than 40 hours, in which case paid sick time accrues based upon that normal work week. (6) Employees begin to accrue Paid Sick Time on the first day of employment. Employees are entitled to use accrued Paid Sick Time beginning on the 90th calendar day of their employment and thereafter Employees are entitled to use Paid Sick Time as it is accrued. (7) Accrued but unused Paid Sick Time shall be carried over to the following calendar year, provided that no Employer shall be required to carry over more than forty (40) hours of unused Paid Sick Time from one calendar year to the next or allow the use of more than forty (40) hours of Paid Sick Time in a calendar year. An Employer shall not be required to carry over

unused Paid Sick Time if the Employee is paid for any unused Paid Sick Time at the end of the calendar year in which such time is accrued. (8) Any Employer with a paid leave policy, such as a paid time off policy, that provides an amount of paid leave sufficient to meet the total annual accrual requirements of this section that may be used for the same purposes and under the same conditions as paid sick time under this Ordinance is not required to provide additional paid sick time. (9) Nothing in this section shall be construed as requiring financial or other reimbursement to an Employee from an Employer upon the Employee's termination, resignation, retirement, or other separation from employment for accrued paid sick time that has not been used. (10) If an Employee is transferred to a separate division, entity, or location, but remains employed by the same Employer in the Township of Irvington, the Employee is entitled to all paid sick time accrued at the prior division, entity, or location and is entitled to use all paid sick time as provided in this section. If the Employer terminates or lays-off an Employee and the Employee is rehired within 6 months of the termination or lay-off, previously unused accrued paid sick time shall be reinstated and prior employment shall be counted towards meeting the 90 day requirement set forth in paragraph 7 above. (11) When a different employer succeeds or takes the place of an existing employer, all employees of the original employer who remain employed by the successor employer are entitled to all paid sick time accrued when employed by the original employer and are entitled to use all paid sick leave previously accrued. (12) At its sole discretion, an Employer may loan paid sick time to an employee in advance of accrual by such Employee. A decision by an Employer to deny a loan request by an Employee shall not subject the Employer to any liability under this Ordinance.

4. Use of Paid Sick Time. (1) Paid Sick Time shall be provided to an Employee by an Employer for: (A) An Employee's mental or physical illness, injury, or health condition; an Employee's need for medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; an Employee's need for preventive medical care; (B) Care of a Family Member with a mental or physical illness, injury, or health condition; care of a Family Member who needs medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; care of a Family Member who needs preventive medical care; (C) Closure of the Employee's place of business by order of a public official due to a public health emergency or an Employee's need to care for a child whose school or place of care has been closed by order of a public official due to a public health emergency, or care for Family Member when it has been determined by the health authorities having jurisdiction or by a health care provider that the Family Member's presence in the community would jeopardize the health of others because of the Family Member's exposure to a communicable disease, whether or not the Family Member has actually contracted the communicable disease. (2) Nothing in this Act prohibits an Employer from requesting that an Employee confirm in writing following use of Paid Sick Time that the Paid Sick Time was used for an authorized purpose under this Act. (3) Where the need to use Paid Sick Time is foreseeable, an Employer may require reasonable advance notice of the intention to use Paid Sick Time. In no event shall an Employee be required to give notice more than seven days prior to the date such sick time is to begin. Where such need is not foreseeable, an Employer may require an Employee to

provide notice of the need for the use of sick time before the beginning of the Employee's work shift or work day or, in cases such as emergencies where advance notice is not possible, notice shall be provided by the Employee as soon as practicable. (4) An Employer may not require, as a condition of an Employee's taking Paid Sick Time, that the Employee search for or find a replacement worker to cover the hours during which the Employee is absent. (5) The Employer shall determine whether Paid Sick Time may be used in increments of less than one day. (6) After an Employee has used Paid Sick Time for 3 consecutive days or 3 consecutive instances (in cases where the Employer determined that Paid Sick Time could be used in increments of less than one day), an Employer may require an Employee to provide reasonable documentation that the time has been used for a purpose covered by subsection (1). In this instance, the Employer may require documentation signed by a health care professional indicating that the Paid Sick Time was necessary; however, an Employer may not require that the documentation explain the nature of the illness.

5. Exercise of Rights Protected; Retaliation Prohibited. (1) No person shall interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right protected under this Ordinance. (2) No person shall retaliate against an Employee because the Employee has properly exercised rights protected under this Ordinance.

6. Notice and Posting and Fines and Penalties for Violations of Notice, Posting and Other Requirements. (1) All Employers shall give written notice to each Employee at the commencement of the Employee's employment (or as soon as practicable if the Employee is already employed on the effective date of this law) regarding Employee's rights under this Ordinance. Such notice shall describe the right to paid sick time, the accrual rate and the amount of Paid Sick Time, and the terms of its use under this Ordinance; the right to be free from retaliation for properly requesting use of Paid Sick Time; and the right to file a complaint or bring an action in municipal court if paid sick time is denied by the employer or the employee is retaliated against for requesting or taking paid sick time. Such notice shall be in English and the primary language spoken by that Employee, so long as the primary language of that Employee is also the primary language of at least 10% of the Employer's workforce. (2) Employers shall also display a poster in a conspicuous and accessible place in each business establishment where Employees are employed containing the information required in subsection (1). The poster shall be in English and in any language that is the first language of at least 10% of the Employer's workforce. (3) The Agency can create and make available to Employers notices and posters in English and Spanish and any other languages deemed appropriate by the Agency that contain the information required under subsection 1(1) for Employers' use in complying with this section.

7. Fines. Any Employer who violates the provisions of this Ordinance is subject to a fine as provided in Section 1-15 A- C of the Revised Code of the Town of Irvington. In addition to the fines set forth above, any Employer who violates this Ordinance is subject to payment of restitution in the amount of any Paid Sick Time unlawfully withheld.

8. Employer Records. Employers shall allow the Agency reasonable access to records and to monitor compliance with the requirements of this Act. An Employer's failure to maintain or retain adequate records documenting hours worked by an Employee and Paid Sick Time taken by an Employee creates a rebuttable presumption that the Employer has violated this Ordinance, absent clear and convincing evidence otherwise.

9. Enforcement and Regulations.

(1) The Agency shall coordinate implementation and enforcement of this Ordinance and promulgate appropriate guidelines or regulations for such purposes.

(2) The Agency shall have broad powers to ensure compliance with this Ordinance.

(3) In the event an allegation of noncompliance cannot be resolved by the Agency with the Employer, a complaint may be filed, by the Agency and/or the Employee as the complainant, in the Irvington Municipal Court for any alleged violation of this Ordinance.

(4) The Municipal Court shall have the power to adjudicate all allegations of violations of this Ordinance and impose fines or penalties provided for in this Ordinance, or any further relief deem appropriate by the court including but not limited to restitution, reinstatement, injunctive or declaratory relief.

(5) Submitting a complaint to the Agency is neither a prerequisite nor a bar to bringing a private action.

(6) The Agency shall have the power to do outreach to inform the residents of the Township of their rights under this Act and to publicize online and in other media the names of Employers who violate this Act.

10. Confidentiality and Nondisclosure. (1) An Employer may not require disclosure of the specific details relating to an Employee's or an Employee's Family Member's medical condition as a condition of providing Paid Sick Time under this Ordinance. If an Employer possesses health information about an Employee or Employee's Family Member, such information shall be treated as confidential and shall not be disclosed by the Employer except to the affected Employee or with the permission of the affected Employee. (2) The Agency shall maintain confidential the identity of any complaining person unless disclosure of the identity is necessary for resolution of the investigation. The Agency shall, to the extent practicable, notify a complaining person that the Agency will be disclosing his or her identify prior to such disclosure.

11. No Effect on More Generous Policies. (1) Nothing in this Ordinance shall be construed to discourage or prohibit an Employer from the adoption or retention of a paid sick time policy more generous than the one required herein. (2) Nothing in this Ordinance shall be construed as diminishing the obligation of an Employer to comply with any contract, collective bargaining agreement, employment benefit plan, or other agreement providing more generous paid sick time to an Employee than required herein. (3) Nothing in this Ordinance shall be construed as diminishing the rights of public Employees regarding paid sick time or use of paid sick time as provided in the laws of the State of New Jersey pertaining to public Employees. (4) Nothing in this Ordinance shall be construed as diminishing the rights secured by S2177, the "New Jersey Security

and Financial Empowerment Act" for domestic violence victims in the Township of Irvington. (5) Nothing in this Ordinance shall be construed or interpreted in a way that would conflict with any State or Federal law pertaining to paid sick time or employee benefits.

12. Other Legal Requirements. This Ordinance provides minimum requirements pertaining to Paid Sick Time and shall not be construed to preempt, limit, or otherwise affect the applicability of any other law, regulation, requirement, policy, or standard that provides for greater accrual or use by Employees of sick time, whether paid or unpaid, or that extends other protections to Employees.

13. Severability. If any provision of this Ordinance or application thereof to any person or circumstance is judged invalid, the invalidity shall not affect other provisions or applications of the Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

14. Effective Date. This Ordinance will take effect 120 days following enactment except that in the case of Employees covered by a collective bargaining agreement in effect on the effective date prescribed herein, this Ordinance shall apply on the date of the termination of such agreement unless the collective bargaining agreement expressly waives the protections set forth in this Ordinance.

STATEMENT

This ordinance will require Employers in the Township of Irvington to provide a minimum number of days of paid sick leave.

The public hearing on this ordinance is now open.

There were no requests to be heard.

Burgess – Frederic Motion to close public hearing

Adopted

Absent: Lyons

Burgess – Frederic Motion to adopt this ordinance on second reading after public hearing

Adopted

Absent: Lyons

9. Resolutions & Motions

A. Resolutions

Cox – Jones 30. Constable Appointment – Paul Inman

BE AND IT IS HEREBY RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, NEW JERSEY that Paul Inman, 45 Western Parkway 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 September 9, 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

Absent: Lyons

31. President Frederic: The Calendar Year 2014 Municipal Budget Amendment was introduced on August 12, 2014, published in the Irvington Herald on August 28, 2014, and public hearing set for this date, time and place. The Clerk will read the notice of hearing.

The Clerk read the notice of hearing.

The Clerk will read the 2014 Municipal Budget Amendment by title.

BE IT RESOLVED that the following statements of revenues and appropriations shall constitute the calendar year 2014 Municipal Budget of the Township of Irvington

Total General Revenues: \$99,802,832.80

Total General Appropriations \$99,802,832.80

The public hearing on the 2014 Municipal Budget Amendment is now open.

There were no requests to be heard.

At this point Council Member Lyons arrived at the meeting at 8:08 P.M. and directed the Municipal Clerk to record his vote as yes for all consent agenda items only.

Frederic - Jones

Motion to close public hearing

Adopted

Frederic – Jones
Amendment #1

Motion to adopt Calendar Year 2014 Municipal Budget

Adopted
Abstain: Lyons

Frederic – Jones
Amended

Motion to adopt Calendar Year 2014 Municipal Budget as

Adopted
Abstain: Lyons

Frederic – Burgess 32. Endorse Adoption of Green Building Practices for Civic, Commercial and Residential Buildings Within the Township of Irvington [WALK ON BY SPONSOR]

RESOLUTION ENDORSING THE ADOPTION OF GREEN BUILDING PRACTICES FOR CIVIC, COMMERCIAL AND RESIDENTIAL BUILDINGS WITHIN THE TOWNSHIP OF IRVINGTON

WHEREAS, buildings account for 39% of CO2 emissions – more than either the transportation or industrial sectors. In addition, buildings account for nearly 12% of potable water use, 65% of waste output, and 71% of electricity consumption in the U.S. (U.S. Green Building Council).

WHEREAS, green building – also referred to as sustainable or high-performance building -- is a collection of better design, construction, and operating practices that have the potential to reduce or eliminate the negative impacts of development on the environment and on human health. There are many examples of green building programs and guidelines that have been propagated at national, state, and municipal levels. They commonly address energy efficiency and carbon emissions reduction, water conservation, waste reduction, healthy and sustainably produced materials, indoor air quality, occupant productivity and health, and other components of green building and sustainable development.

WHEREAS, the purpose of this resolution is to enhance the public welfare and assure that commercial, residential and civic development is consistent with the Irvington municipality desire to create a more sustainable community by incorporating green building measures into the design, construction, operation and maintenance of buildings.

WHEREAS, the Township desires to set a leadership example in the area of green building through the implementation of energy efficiency audits and upgrades to the municipal building stock, continued procurement practices...etc. (e.g. improve water

conservation, reduce light pollution, increase construction waste recycling).

NOW, THEREFORE, BE IT RESOLVED that the Irvington hereby implements a Green Building Policy that will consider opportunities to incorporate green building measures into the design, construction, operation and maintenance of municipal buildings and facilities.

BE IT FURTHER RESOLVED,

CERTIFICATION

I, _____, Clerk of the (Name of Municipality), in the County of Essex, do hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the Township Council at a regular meeting held on the 9th day of September 2014.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the seal of Irvington Township this 9th day of September 2014.

Council Member Jones and Council President Frederic spoke.

Adopted

12. Miscellaneous

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

Merrick Harris, 6 Hennessey Place

Council member Lyons addressed the issues raised by the above referenced citizen.

13. Adjournment

There being no further business, the meeting was adjourned at 8:16 P.M.

Charnette Frederic, Council President

Harold E. Wiener, Municipal Clerk