

REGULAR COUNCIL MEETING
OCTOBER 15, 2014

Council Chamber, Municipal Building
Irvington, N.J. – Wednesday Evening
October 15, 2014 - 8:00 P.M.

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

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

Absent: Paul Inman (excused)

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 – 9-23-14
2. Joint Meeting – 4th Quarter Assessment
3. Joint Meeting – Infiltration/Inflow Surcharge 2015 Annual Assessment Report
4. Minutes - Board of Adjustment - 9-16-14
5. Construction Official – Permits Issued in September

7. Reports of Committees

- A. Bid Results - Roof Replacement - Municipal Building - 9-17-14
- B. Bid Results - Exterior Painting - Municipal Building - 9-17-14

C. Bid Results - Auto Repair Services – 10-1-14

8. Ordinances, Bills & Claims

C. Bills & Claims

Jones – Lyons 1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD OCTOBER 15, 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 | \$3,025,070.46 |
| TOTAL | \$3,025,070.46 |

Adopted

Absent: Inman

9. Resolutions & Motions

A. Resolutions

Jones – Hudley 1. Authorize Grant Application With New Jersey Department of Transportation – Roadway Resurfacing Street Improvements

Township of Irvington
MA-2015-FY15 Street Resurfacing Project-00033

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Municipal Aid Program. This project is for Roadway Resurfacing Street Improvements along Park Place (corner of Springfield Avenue to Glorieux Street) and Madison Avenue (corner of Washington Avenue to Stuyvesant Avenue).

NOW, THEREFORE, BE IT RESOLVED, that the Irvington Municipal Council of the Township of Irvington formally approves the grant application for the

above-stated project; and

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2015-FY15 Street Resurfacing Project-00033 to the New Jersey Department of Transportation on behalf of the Township of Irvington; and

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Irvington, and that their signature constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Council on this 15th day of October, 2014.

Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

(Clerk)

(Presiding Officer)

Adopted

Absent: Inman

Jones – Burgess 2. Establish Handicapped Parking Spaces in Front of 65 Coit Street, 28 Vine Avenue, 138 Lincoln Place, 37 Grant Place, 51 Philip Place, 58 Chestnut Avenue and 22 Maple Place

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

WHEREAS, requests have been made for a restricted parking space in front of 65 Coit Street, 28 Vine Avenue, 138 Lincoln Place, 37 Grant Place, 51 Philip Place, 58 Chestnut Avenue and 22 Maple Place:

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 65 Coit Street, 28 Vine Avenue, 138 Lincoln Place, 37 Grant Place, 51 Philip Place, 58 Chestnut Avenue and 22 Maple Place:

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

Adopted

Absent: Inman

Frederic - Jones 3. Resolution of Commendation – Chamber of Commerce 2014 Valor Awards

Resolution of Commendation
The Irvington Chamber of Commerce
29th Annual
Louis James Maynard Police Awards
and
Sturd Alston Fire Awards
October 30, 2014

WHEREAS, the Municipal Council of the Township of Irvington wishes to acknowledge the 2014 Valor Award Recipients for their professional achievements and honor the men and women in public safety who have given the most of themselves to protect and serve the community; and

WHEREAS, the Irvington Police Department, Police Officer Kyle Alleyne, Police Officer Miles Brown, Police Officer Ajah Dobson, Police Officer Paul Dymitryszyn, Sergeant Anthony Farmer, Police Officer Sheraldine Fazier, Police Officer Alex Haley, Police Officer Albern Jean-Simon, Police Officer Andres Lebron, Police Officer Jamar Neal and Lieutenant Stewart Townsend are to be admired for their courageousness and diligence in risking their lives in a noble way to protect the lives of others; and

WHEREAS, the Irvington Fire Department, Captain Joseph Del Sordo, Captain Antonio Gary, Firefighter Ryan Gibson, Firefighter Michael Maurer, Firefighter Curtis Mayo, Firefighter Michael O’Conner, Firefighter Javier Rodriguez and Lieutenant Michael Tasker are to be admired for their bravery and perseverance in risking their own lives in a honorable way to save the lives of others; and

WHEREAS, special recognition is extended to Anthony J. Miller and former Irvington Fire Director and Chief Gary Shumlich

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that each one of these heroic officers are being honored for the good they have done and for their heroic actions, in the name of everyone they have saved, of their families and friends, for putting their lives at risk for someone else and for placing others before themselves.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of the Irvington Municipal Council as a lasting tribute to the outstanding achievements of these men and women in public safety for their Actions, Bravery, Valor and Dedication in the highest tradition of the Irvington Fire Department and Irvington Police Department.

Adopted

Absent: Inman

Hudley – Cox 4. Authorize Change Order - Demolition of Properties - Add 36 Ellis Avenue and 21st Street - Increase Contract Price by \$45,000.00

A RESOLUTION AUTHORIZING CHANGE ORDER #1 FOR THE PROJECT KNOWN AS "DEMOLITION OF VARIOUS PROPERTIES IN THE TOWNSHIP OF IRVINGTON"

WHEREAS, a contract was awarded to IBN Corporation., by resolution number DHS 14-0812-3 in the amount of \$279,950.00 for the demolition of various properties in the Township of Irvington; and,

WHEREAS, the Housing Director has deemed that two additional properties in the township must be demolished; and,

WHEREAS, the properties located at 36 Ellis Ave and 21st Street are hazardous and unsafe properties and must be added to the demolition list; and,

WHEREAS, the Administration agreed with said recommendation; and,

WHEREAS, a quote was obtained from IBN Corporation, to demolish the two hazardous and unsafe properties located at 36 Ellis Avenue and 21st Street; and,

WHEREAS, add these two properties to the demolition list would increase the total contract by \$45,000.00; and,

THEREFORE, BE IT RESOLVED, that the Mayor be and is hereby authorized to execute Change Order #1 with IBN Corporation for the demolition of various properties in the Township of Irvington, increasing the total contract to \$324,000.00. An overall increase of \$45,000.00; and,

BE IT RESOLVED, that the required certification of availability of funds C4-00255 in

the amount of \$45,000.00 from account number C-04-56-846-012-901 has been obtained from the Chief Financial Officer.

Adopted

Absent: Inman

Burgess – Frederic 5. Authorize Extraordinary, Unspecifiable Contract for Animal Control Services – Associated Humane Societies, Inc. - One Year Period – Not To Exceed \$101,920.14

Authorizing extraordinary unspecifiable service (EUS), for animal control service

WHEREAS, the Township of Irvington, Department of Health, is in need of extraordinary unspecifiable service (EUS), for animal control service, to pick up, hold and, if necessary euthanize stray animals and provide other similar services, as forth in the attached service agreement; and

WHEREAS, the Associated Humane Societies, Inc., specialized in this service and is available to provide this service to the Township; and

WHEREAS, the aforesaid services are "Extraordinary Unspecified Services, as defined by NJSA 40A:11-2 (7) and are not required to be publicly bid as provided for in NJSA 40A:11-5(1) (a) (ii):

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

1. This action is the award of a non-fair and open contract in accordance with NJSA 19:44A-20.5; and
2. The Business Entity Disclosure Certification has been received from Associated Humane Societies, Inc. and is on file in the Municipal Clerk and Purchasing Departments; and
3. The determination of value has been received from the firm of Associated Humane Societies, to be in excess of \$17,500.00:
4. The Scope of services and mutual obligations upon both parties are set forth in the service agreement and the Mayor and the Township Clerk are hereby authorized and directed to execute said contract.
5. The Township of Irvington agrees to pay Associated Humane Societies, Inc. the total sum of \$101,920.14 per year., \$8493.34 on a monthly basis.
6. This agreement is for one year, starting on October 01, 2014 until October 01, 2015.

7. 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

Absent: Inman

Cox – Hudley 6. Authorize Extension of Contract for Leaf Removal Services - Reliable Wood Products - Same Terms and Conditions as Original Contract Through December 31, 2014

EXTENDING CONTRACT FOR LEAVES, BRUSH AND MIXED VEGETATIVE WASTE

WHEREAS, resolution number DPW 13-0924-29 awarded a one year contract to Reliable Wood Products on September 24, 2014; and

WHEREAS, the original bid specifications allowed the Township to extend this service contract if agreed by mutual parties; and

WHEREAS, the vendor has agreed in writing to extend this service contract; and

WHEREAS, in the best interest of our taxpayers, the Township wishes to extended the service contract to Reliable Wood Products until December 31, 2014; and

WHEREAS, the Public Works Director has recommended that this service contract be extended; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that contract for Leaves, Brush and Mixed Vegetative Waste be awarded to Reliable Wood Products one Caven Point Ave, Jersey City, NJ 07305 for removal and disposal in the amount of : \$12.00 per cubic yards for leaves, \$17.00 per cubic yard for brush and \$21.00 per cubic yard for mixed vegetative waste.

BE IT FURTHER RESOLVED, this service contract will expire on December 31, 2014; and

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

Adopted

Absent: Inman

Jones – Hudley 7. Authorize Change of Custodian for Fire Department Petty Cash Fund

From Gary Shumlich to John Brown

RESOLUTION REQUESTING APPROVAL OF THE DIRECTOR OF THE
DIVISION OF LOCAL GOVERNMENT SERVICES TO CHANGE THE
CUSTODIAN OF PETTY CASH FUNDS FOR THE
FIRE DEPARTMENT

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

WHEREAS, Fire Chief Gary Shumlich was the custodian of the Fire Department petty
cash in the amount of \$300.00; and

WHEREAS, in accordance with N.J.S.A. 40:5-21, the Township of Irvington is
changing custodians to John Brown, Fire Director for an amount not to exceed
\$300.00.

WHEREAS, John Brown is bonded by virtue of a surety bond.

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

Adopted

Absent: Inman

Cox – Hudley 8. Authorize Contract With Vendor Over the Pay to Play Threshold of
\$17,500.00 for Street Sweeping Services

AUTHORIZING THE TOWNSHIP TO ENTER INTO A CONTRACT WITH A
VENDOR OVER THE PAY TO PLAY THRESHOLD OF \$17,500.00

WHEREAS, the Township of Irvington intends to enter into contracts with vendors over
the pay-to-play threshold of \$17,500.00 through this resolution and properly executed
purchase orders as needed, which shall be subject to all the conditions applicable law of
N.J.A.C. 5:34- et seq; and,

WHEREAS, in compliance with 19:44a-20.13 et., seq., Reilly Sweeping Inc., of 748-b
Lincoln Blvd, Middlesex, New Jersey will exceed the Pay-to-Play threshold of
\$17,500.00 for calendar year 2014; and,

WHEREAS, vendor has completed the Township C-271, elect reports and political
disclosure forms. These forms are on file in the Division of Purchasing Office and the

Municipal Clerk; and

WHEREAS, this service will not exceed the bid threshold of \$36,000.00; and,

NOW, THEREFORE, BE IT RESLOVED, that the Municipal Council of the Township of Irvington hereby authorizes the Qualified Purchasing Agent to enter into a contract with Reilly Sweeping Inc., for street sweeping service above the pay-to play threshold of \$17,500.00 but under the bid threshold of \$36,000.00; and

BE IT FURTHER RESOLVED by the Township Council that, pursuant to the N.J.A.C. 5:30-

5.5(b), the certification of available funds and resolutions shall be certified at such time as the goods or services are called for prior to placing the order for good or service in excess of \$17,500.00, and a certification of availability of funds is made by the Chief Financial Officer via an authorized purchase order; and

BE IT FURTHER RESOLVED that the duration of this authorization shall be until December 31, 2014.

Adopted

Absent: Inman

Frederic – Lyons 9. Authorize Application Before the Local Finance Board - \$2,700,000.00 Capital Equipment Bond Ordinance and Bond Ordinance Amending Bond Ordinance MC 3505

RESOLUTION OF THE TOWNSHIP OF IRVINGTON, IN THE COUNTY OF ESSEX, NEW JERSEY MAKING APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT N.J.S.A. 40A:3-1 ET SEQ.

WHEREAS, the Township of Irvington, in the County of Essex, New Jersey (the “Township”) desires to make application to the Local Finance Board pursuant to N.J.S.A. 40A:3-1 et seq. in connection with the adoption of 1) an ordinance amending Section 3(b) of Bond Ordinance numbered MC 3505 and 2) a \$3,305,884/\$3,140,589 bond ordinance providing for various capital improvements; and

WHEREAS, the Township believes that:

- (a) it is in the public interest to accomplish such purpose;
- (b) said purpose or improvements are for the health, welfare, convenience or betterment of the inhabitants of the local unit;
- (c) the amounts to be expended for said purpose or improvements are not unreasonable or exorbitant;

(d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the local unit and will not create an undue financial burden to be placed upon the local unit;

NOW THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF IRVINGTON, IN THE COUNTY OF ESSEX, NEW JERSEY as follows:

Section 1. The application to the Local Finance Board is hereby approved, and the Township's Bond Counsel, along with other representatives of the Township, are hereby authorized to prepare such application and to represent the Township in matters pertaining thereto.

Section 2. The Clerk of the Township is hereby directed to prepare and file a copy of the proposed ordinances and this resolution with the Local Finance Board as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute.

Adopted
Absent: Inman

Burgess – Lyons 10. Confirm Mayor's Nomination as Municipal Court Judge Anthony J. Frasca Replacing Patricia Weston Rivera

WHEREAS, the Mayor has submitted the nomination of Anthony J. Frasca as Municipal Judge replacing Patricia Weston Rivera for the balance of her three year pursuant to N.J.S.A.2B:12-4 for advice and consent of the Municipal Council:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Mayor's nomination of Anthony J. Frasca as Municipal Judge for a term to expire on June 30, 2017 be confirmed by the Municipal Council.

Adopted
Absent: Inman

B. Motions

None

10. Communications & Petitions

A. Communications

None

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

Jones – Hudley 1. \$3,305,884.00 Capital Improvement Bond Ordinance

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF IRVINGTON, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$3,305,884 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,140,589 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

Adopted

Absent: Inman

Cox – Frederic 2. Bond Ordinance Amending Bond Ordinance MC 3505

SEQ CHAPTER \h \r 1BOND ORDINANCE AMENDING SECTION 3(b) OF BOND ORDINANCE NUMBERED MC 3505 OF THE TOWNSHIP OF IRVINGTON, IN THE COUNTY OF ESSEX, NEW JERSEY FINALLY ADOPTED DECEMBER 10, 2013 IN ORDER TO AMEND THE DESCRIPTION OF THE PROJECT.

Adopted
Absent: Inman

B. Ordinances on 2nd Reading

1. President Frederic: A bond ordinance in the amount of \$1,900,000.00 for the Joint Meeting of Essex and Union Counties Capital Assessment will be heard at this time. The Clerk will read the notice of hearing.

The Clerk read the notice of hearing.

The Clerk will read the ordinance by title

BOND ORDINANCE PROVIDING FOR THE FUNDING OF THE TOWNSHIP OF IRVINGTON'S CAPITAL ASSESSMENT FOR CAPITAL IMPROVEMENTS UNDERTAKEN BY THE JOINT MEETING OF ESSEX AND UNION COUNTIES ON BEHALF OF ITS PARTICIPANTS INCLUDING THE TOWNSHIP, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$1,900,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,900,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF IRVINGTON, IN THE COUNTY OF ESSEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Township of Irvington, New Jersey (the "Township") as a general improvement. For the improvement or purpose described in Section 3, there is hereby appropriated the sum of \$1,900,000. No down payment is required pursuant to N.J.S.A. 40A:2-11(c) as this bond ordinance authorizes obligations solely for a purpose described in N.J.S.A. 40A:2-7(d).

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,900,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing for which the bonds are to be issued is the funding of the Township's capital assessment in respect of the Joint Meeting of Essex and Union Counties (the "Joint Meeting"), which will be used by the Joint Meeting to finance various utility improvements, including an aeration equipment upgrade, cleaning of the digester tank and dewatering facility upgrades, all as shown on and in accordance with the plans and

specifications therefor on file in the office of the Clerk, which plans are hereby approved, and including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity date of the notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, is 20 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by

\$1,900,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$400,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

(e) This bond ordinance authorizes obligations of the Township solely for a purpose described in N.J.S.A. 40A:2-7(d). This purpose is in the public interest and is for the health, welfare, convenience or betterment of the inhabitants of the Township. The amounts to be expended for this purpose pursuant to this bond ordinance are not unreasonable or exorbitant, and the issuance of the obligations authorized by this bond ordinance will not materially impair the credit of the Township or substantially reduce its ability to pay punctually the principal of and the interest on its debts and to supply other essential public improvements and services. The Local Finance Board in the Division of Local Government Services of the Department of Community Affairs of the State of New Jersey has heretofore made a determination to this effect and has caused its consent to be endorsed upon a certified copy of this bond ordinance as passed upon first reading.

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. 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 authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township,

and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

The public hearing on this ordinance is now open.

There were no requests to be heard.

Jones - Burgess Motion to close public hearing

Adopted
Absent: Inman

Jones - Burgess Motion to adopt this ordinance on second reading after
public hearing

Adopted
Absent: Inman

2. President Frederic: An ordinance repealing the Township's pay to play ordinance and replacing it with the State's pay to play law will be heard at this 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 RESCINDING ORDINANCE NUMBER MC 3443 PERTAINING
TO POLITICAL CONTRIBUTIONS MADE TO MUNICIPAL CANDIDATES AND
MUNICIPAL AND COUNTY POLITICAL PARTIES

WHEREAS, the Township is governed by N.J.S.A. 19:44A-11.3 concerning the political contributions for Municipal Candidates;

WHEREAS, the Township seeks to follow the state
statute's requirements set forth in N.J.S.A. 19:44A-11.3;

NOW, THEREFORE be it ordained that the Township hereby rescinds MC 3443 and by ordinance it adopts N.J.S.A. 19:44A-11.3 in its entirety. (See attached N.J.S.A. 19:44A-11.3).

All ordinances inconsistent with this ordinance are hereby repealed to the extent of such

inconsistencies.

This ordinance shall take effect upon final passage in accordance with law.

NJSA 19:44A-11.3 Contributions to candidates, limitations

a. No individual, other than an individual who is a candidate, no corporation of any kind organized and incorporated under the laws of this State or any other state or any country other than the United States, no labor organization of any kind which exists or is constituted for the purpose, in whole or in part, of collective bargaining, or of dealing with employers concerning the grievances, terms or conditions of employment, or of other mutual aid or protection in connection with employment, or any group shall: (1) pay or make any contribution of money or other thing of value to a candidate who has established only a candidate committee, his campaign treasurer, deputy campaign treasurer or candidate committee which in the aggregate exceeds \$2,600 per election, or (2) pay or make any contribution of money or other thing of value to candidates who have established only a joint candidates committee, their campaign treasurer, deputy campaign treasurer, or joint candidates committee, which in the aggregate exceeds \$2,600 per election per candidate, or (3) pay or make any contribution of money or other thing of value to a candidate who has established both a candidate committee and a joint candidates committee, the campaign treasurers, deputy campaign treasurers, or candidate committee or joint candidates committee, which in the aggregate exceeds \$2,600 per election. No candidate who has established only a candidate committee, his campaign treasurer, deputy campaign treasurer or candidate committee shall knowingly accept from an individual, other than an individual who is a candidate, a corporation of any kind organized and incorporated under the laws of this State or any other state or any country other than the United States, a labor organization of any kind which exists or is constituted for the purpose, in whole or in part, of collective bargaining, or of dealing with employers concerning the grievances, terms or conditions of employment, or of other mutual aid or protection in connection with employment, or any group any contribution of money or other thing of value which in the aggregate exceeds \$2,600 per election, and no candidates who have established only a joint candidates committee, or their campaign treasurer, deputy campaign treasurer, or joint candidates committee, shall knowingly accept from any such source any contribution of money or other thing of value which in the aggregate exceeds \$2,600 per election per candidate, and no candidate who has established both a candidate committee and a joint candidates committee, the campaign treasurers, deputy campaign treasurers, or candidate committee or joint candidates committee shall knowingly accept from any such source any contribution of money or other thing of value which in the aggregate exceeds \$2,600 per election.

INCLUDEPICTURE "http://lis.njleg.state.nj.us/sd42images/tab.gif" *
MERGEFORMATINET b. (1) No political committee or continuing political committee shall: (a) pay or make any contribution of money or other thing of value to a candidate who has established only a candidate committee, his campaign treasurer, deputy campaign treasurer or candidate committee, other than a candidate for nomination for

election for the office of Governor or candidates for election for the offices of Governor and Lieutenant Governor, which in the aggregate exceeds \$8,200 per election, or (b) pay or make any contribution of money or other thing of value to candidates who have established only a joint candidates committee, their campaign treasurer or deputy campaign treasurer, or the joint candidates committee, which in the aggregate exceeds \$8,200 per election per candidate, or (c) pay or make any contribution of money or other thing of value to a candidate who has established both a candidate committee and a joint candidates committee, the campaign treasurers, deputy campaign treasurers, or candidate committee or joint candidates committee, which in the aggregate exceeds \$8,200 per election. No candidate who has established only a candidate committee, his campaign treasurer, deputy campaign treasurer or candidate committee, other than a candidate for nomination for election for the office of Governor or candidates for election for the offices of Governor and Lieutenant Governor, shall knowingly accept from any political committee or continuing political committee any contribution of money or other thing of value which in the aggregate exceeds \$8,200 per election, and no candidates who have established only a joint candidates committee, their campaign treasurer, deputy campaign treasurer, or joint candidates committee, shall knowingly accept from any such source any contribution of money or other thing of value which in the aggregate exceeds \$8,200 per election per candidate, and no candidate who has established both a candidate committee and a joint candidates committee, the campaign treasurers, deputy campaign treasurers, or candidate committee or joint candidates committee shall knowingly accept from any such source any contribution of money or other thing of value which in the aggregate exceeds \$8,200 per election.

INCLUDEPICTURE "http://lis.njleg.state.nj.us/sd42images/tab.gif" *
MERGEFORMATINET (2) INCLUDEPICTURE "http://lis.njleg.state.nj.us/sd42images/tab.gif" * MERGEFORMATINET The limitation upon the knowing acceptance by a candidate, campaign treasurer, deputy campaign treasurer, candidate committee or joint candidates committee of any contribution of money or other thing of value from a political committee or continuing political committee under the provisions of paragraph (1) of this subsection shall also be applicable to the knowing acceptance of any such contribution from the county committee of a political party by a candidate or the campaign treasurer, deputy campaign treasurer, candidate committee or joint candidates committee of a candidate for any elective public office in another county or, in the case of a candidate for nomination for election or for election to the office of member of the Legislature, in a legislative district in which, according to the federal decennial census upon the basis of which legislative districts shall have been established, less than 20% of the population resides within the county of that county committee. In addition, all contributor reporting requirements and other restrictions and regulations applicable to a contribution of money or other thing of value by a political committee or continuing political committee under the provisions of P.L.1973, c.83 (C.19:44A-1 et al.) shall likewise be applicable to the making or payment of such a contribution by such a county committee.

INCLUDEPICTURE "http://lis.njleg.state.nj.us/sd42images/tab.gif" *

MERGEFORMATINET The limitation upon the knowing acceptance by a candidate, campaign treasurer, deputy campaign treasurer, candidate committee or joint candidates committee of any contribution of money or other thing of value from a political committee or continuing political committee under the provisions of paragraph (1) of this subsection, except that the amount of any contribution of money or other thing of value shall be in an amount which in the aggregate does not exceed \$25,000, shall also be applicable to the knowing acceptance of any such contribution from the county committee of a political party by a candidate, or the campaign treasurer, deputy campaign treasurer, candidate committee or joint candidates committee of a candidate, for nomination for election or for election to the office of member of the Legislature in a legislative district in which, according to the federal decennial census upon the basis of which legislative districts shall have been established, at least 20% but less than 40% of the population resides within the county of that county committee. In addition, all contributor reporting requirements and other restrictions and regulations applicable to a contribution of money or other thing of value by a political committee or continuing political committee under the provisions of P.L.1973, c.83 (C.19:44A-1 et al.) shall likewise be applicable to the making or payment of such a contribution by such a county committee.

INCLUDEPICTURE "http://lis.njleg.state.nj.us/sd42images/tab.gif" *

MERGEFORMATINET With respect to the limitations in this paragraph, the Legislature finds and declares that:

INCLUDEPICTURE "http://lis.njleg.state.nj.us/sd42images/tab.gif" *

MERGEFORMATINET (a) INCLUDEPICTURE "http://lis.njleg.state.nj.us/sd42images/tab.gif" * MERGEFORMATINET Persons making contributions to the county committee of a political party have a right to expect that their money will be used, for the most part, to support candidates for elective office who will most directly represent the interest of that county;

INCLUDEPICTURE "http://lis.njleg.state.nj.us/sd42images/tab.gif" *

MERGEFORMATINET (b) INCLUDEPICTURE "http://lis.njleg.state.nj.us/sd42images/tab.gif" * MERGEFORMATINET The practice of allowing a county committee to use funds raised with this expectation to make unlimited contributions to candidates for the Legislature who may have a limited, or even nonexistent, connection with that county serves to undermine public confidence in the integrity of the electoral process;

INCLUDEPICTURE "http://lis.njleg.state.nj.us/sd42images/tab.gif" *

MERGEFORMATINET (c) INCLUDEPICTURE "http://lis.njleg.state.nj.us/sd42images/tab.gif" * MERGEFORMATINET Furthermore, the risk of actual or perceived corruption is raised by the potential for contributors to circumvent limits on contributions to candidates by funneling money to candidates through county committees;

INCLUDEPICTURE "http://lis.njleg.state.nj.us/sd42images/tab.gif" *

MERGEFORMATINET (d) INCLUDEPICTURE "http://lis.njleg.state.nj.us/sd42images/tab.gif" * MERGEFORMATINET The State has a compelling interest in preventing the

actuality or appearance of corruption and in protecting public confidence in democratic institutions by limiting amounts which a county committee may contribute to legislative candidates whose districts are not located in close proximity to that county; and

INCLUDEPICTURE "http://lis.njleg.state.nj.us/sd42images/tab.gif" *
MERGEFORMATINET (e) INCLUDEPICTURE "http://lis.njleg.state.nj.us/sd42images/
tab.gif" * MERGEFORMATINET It is, therefore, reasonable for the State to promote
this compelling interest by limiting the amount a county committee may give to a
legislative candidate based upon the degree to which the population of the legislative
district overlaps with the population of that county.

INCLUDEPICTURE "http://lis.njleg.state.nj.us/sd42images/tab.gif" *
MERGEFORMATINET c. (1) No candidate who has established only a candidate
committee, his campaign treasurer, deputy treasurer or candidate committee shall (a) pay
or make any contribution of money or other thing of value to another candidate who has
established only a candidate committee, his campaign treasurer, deputy campaign
treasurer or candidate committee, other than a candidate for nomination for election for
the office of Governor or candidates for election for the offices of Governor and
Lieutenant Governor, which in the aggregate exceeds \$8,200 per election, or (b) pay or
make any contribution of money or other thing of value to candidates who have
established only a joint candidates committee, their campaign treasurer, deputy campaign
treasurer, or joint candidates committee, which in the aggregate exceeds \$8,200 per
election per candidate in the recipient committee, or (c) pay or make any contribution of
money or other thing of value to a candidate who has established both a candidate
committee and a joint candidates committee, the campaign treasurers, deputy campaign
treasurers, or candidate committee or joint candidates committee, which in the aggregate
exceeds \$8,200 per election. No candidate who has established only a candidate
committee, his campaign treasurer, deputy campaign treasurer or candidate committee,
other than a candidate for nomination for election for the office of Governor or
candidates for election to the offices of the Governor and Lieutenant Governor, shall
knowingly accept from another candidate who has established only a candidate
committee, his campaign treasurer, deputy campaign treasurer or candidate committee,
any contribution of money or other thing of value which in the aggregate exceeds \$8,200
per election, and no candidates who have established only a joint candidates committee,
their campaign treasurer, deputy campaign treasurer, or joint candidates committee, shall
knowingly accept from any such source any contribution of money or other thing of value
which in the aggregate exceeds \$8,200 per election per candidate in the recipient
committee, and no candidate who has established both a candidate committee and a joint
candidates committee, the campaign treasurers, deputy campaign treasurers, or candidate
committee or joint candidates committee, shall knowingly accept from any such source
any contribution of money or other thing of value which in the aggregate exceeds \$8,200
per election.

INCLUDEPICTURE "http://lis.njleg.state.nj.us/sd42images/tab.gif" *
MERGEFORMATINET (2) INCLUDEPICTURE "http://lis.njleg.state.nj.us/sd42images/

tab.gif" * MERGEFORMATINET No candidates who have established only a joint candidates committee, their campaign treasurer, deputy campaign treasurer, or joint candidates committee shall (a) pay or make any contribution of money or other thing of value to another candidate who has established only a candidate committee, his campaign treasurer, deputy campaign treasurer or candidate committee, other than a candidate for nomination for election for the office of Governor or candidates for election for the offices of Governor and Lieutenant Governor, which in the aggregate exceeds, on the basis of each candidate in the contributing joint candidates committee, \$8,200 per election, or (b) pay or make any contribution of money or other thing of value to candidates who have established only a joint candidates committee, their campaign treasurer, deputy campaign treasurer or joint candidates committee, which in the aggregate exceeds, on the basis of each candidate in the contributing joint candidates committee, \$8,200 per election per candidate in the recipient joint candidates committee, or (c) pay or make any contribution of money or other thing of value to a candidate who has established both a candidate committee and a joint candidates committee, the campaign treasurers, deputy campaign treasurers or candidate committee or joint candidates committee, which in the aggregate exceeds, on the basis of each candidate in the contributing joint candidates committee, \$8,200 per election. No candidate who has established only a candidate committee, his campaign treasurer, deputy campaign treasurer, or candidate committee, other than a candidate for nomination for election for the office of Governor or candidates for election for the offices of Governor and Lieutenant Governor, shall knowingly accept from other candidates who have established only a joint candidates committee, their campaign treasurer, deputy campaign treasurer or joint candidates committee, any contribution of money or other thing of value which in the aggregate exceeds, on the basis of each candidate in the contributing committee, \$8,200 per election, and no candidates who have established only a joint candidates committee, their campaign treasurer, deputy campaign treasurer, or joint candidates committee, shall knowingly accept from any such source any contribution of money or other thing of value which in the aggregate exceeds, on the basis of each candidate in the contributing joint candidates committee, \$8,200 per election per candidate in the recipient joint candidates committee, and no candidate who has established both a candidate committee and a joint candidates committee, the campaign treasurers, deputy campaign treasurers, or candidate committee or joint candidates committee, shall knowingly accept from any such source any contribution of money or other thing of value which in the aggregate exceeds, on the basis of each candidate in the contributing joint candidates committee, \$8,200 per election.

INCLUDEPICTURE "http://lis.njleg.state.nj.us/sd42images/tab.gif" * MERGEFORMATINET (3) INCLUDEPICTURE "http://lis.njleg.state.nj.us/sd42images/tab.gif" * MERGEFORMATINET No candidate who has established both a candidate committee and a joint candidates committee, the campaign treasurers, deputy campaign treasurers, or candidate committee or joint candidates committee shall (a) pay or make any contribution of money or other thing of value to another candidate who has established only a candidate committee, his campaign treasurer, deputy campaign treasurer or candidate committee, other than a candidate for nomination for election for

the office of Governor or candidates for election for the offices of Governor and Lieutenant Governor, which in the aggregate exceeds \$8,200 per election, or (b) pay or make any contribution of money or other thing of value to candidates who have established only a joint candidates committee, their campaign treasurer, deputy campaign treasurer or joint candidates committee, which in the aggregate exceeds \$8,200 per election per candidate in the recipient joint candidates committee, or (c) pay or make any contribution of money or other thing of value to a candidate who has established both a candidate committee and a joint candidates committee, the campaign treasurers, deputy campaign treasurers, or candidate committee or joint candidates committee, which in the aggregate exceeds \$8,200 per election. No candidate who has established only a candidate committee, his campaign treasurer, deputy campaign treasurer, or candidate committee, other than a candidate for nomination for election for the office of Governor or candidates for election for the offices of Governor and Lieutenant Governor, shall knowingly accept from a candidate who has established both a candidate committee and a joint candidates committee, the campaign treasurers, deputy campaign treasurers, or candidate committee or joint candidates committee, any contribution of money or other thing of value which in the aggregate exceeds \$8,200 per election, and no candidates who have established only a joint candidates committee, their campaign treasurer, deputy campaign treasurer, or joint candidates committee, shall knowingly accept from any such source any contribution of money or other thing of value which in the aggregate exceeds \$8,200 per election per candidate in the recipient joint candidates committee, and no candidate who has established both a candidate committee and a joint candidates committee, the campaign treasurers, deputy campaign treasurers, or candidate committee or joint candidates committee shall knowingly accept from any such source any contribution of money or other thing of value which in the aggregate exceeds \$8,200 per election.

INCLUDEPICTURE "http://lis.njleg.state.nj.us/sd42images/tab.gif" *
MERGEFORMATINET (4) INCLUDEPICTURE "http://lis.njleg.state.nj.us/sd42images/
tab.gif" * MERGEFORMATINET Expenditures by a candidate for nomination for
election or for election to the office of member of the Legislature or to an office of a
political subdivision of the State, or by the campaign treasurer, deputy treasurer,
candidate committee or joint candidates committee of such a candidate, which are made
in furtherance of the nomination or election, respectively, of another candidate for the
same office in the same legislative district or the same political subdivision shall not be
construed to be subject to any limitation under this subsection; for the purposes of this
sentence, the offices of member of the State Senate and member of the General Assembly
shall be deemed to be the same office.

INCLUDEPICTURE "http://lis.njleg.state.nj.us/sd42images/tab.gif" *
MERGEFORMATINET d. INCLUDEPICTURE "http://lis.njleg.state.nj.us/sd42images/
tab.gif" * MERGEFORMATINET Nothing contained in this section shall be construed
to impose any limitation on contributions by a candidate, or by a corporation, 100% of
the stock in which is owned by a candidate or the candidate's spouse, child, parent or
sibling residing in the same household, to that candidate's campaign.

INCLUDEPICTURE "http://lis.njleg.state.nj.us/sd42images/tab.gif" *
MERGEFORMATINET e. INCLUDEPICTURE "http://lis.njleg.state.nj.us/sd42images/
tab.gif" * MERGEFORMATINET For the purpose of determining the amount of a
contribution to be attributed as given to or by each candidate in a joint candidates
committee, the amount of the contribution to or by such a committee shall be divided
equally among all the candidates in the committee.

Council President Frederic and Council Members Lyons and Jones spoke.

Frederic – Jones Motion to Table

Adopted
Absent: Inman

9. Resolutions & Motions

A. Resolutions

Burgess – Jones 11. Ratify Best Practices Checklist for Calendar Year 2014

WHEREAS, Local Finance Notice 2012-18 requires that the governing body of each
municipality receiving ETR or CMPTRA state aid discuss the CY 2014 Best Practice
Inventory as prepared by the Chief Financial Officer at a public meeting; and

WHEREAS, the Chief Financial Officer has submitted the CY 2014 Best Practices
Inventory to the Municipal Council for the review and discussion; and

WHEREAS, the Municipal Council has reviewed and discussed the CY 2014 Best
Practice Inventory at their October 15, 2014 public meeting:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE
TOWNSHIP OF IRVINGTON that the Municipal Clerk is hereby authorized and directed
to execute the CY 2014 Best Practice Public Meeting Certification Plan and forward
same to the Director of the Division of Local Government Services along with a certified
copy of this resolution as evidence that the governing body has complied with the
provisions of Paragraph 3 of Local Finance Notice 2012-18.

Council Member Jones, Council President Frederic and Council Member Burgess spoke.

Adopted
Absent: Inman

Jones – Cox 12. Authorize Increase in Contract Price for Pot Hole Repairs – Additional
Materials - \$35,000.00

A RESOLUTION INCREASING THE NOT TO EXCEED AMOUNT FOR THE POT
HOLE REPAIR CONTRACT

WHEREAS, resolution number DPW 14-0909-28 was approved by the Municipal
Council on September 09, 2014 to repair various pot holes in the Township; and

WHEREAS, the total contract amount for this project was \$45,000.00 for one year
starting on August 28, 2014 until August 28, 2015; and

WHEREAS, the Director of Public Works has advised that based upon the tonnage
amount calculated additional monies must be added to this contract; and

WHEREAS, it was determined that additional \$35,000.00 is needed to complete pot hole
repairs around the Township; and

THEREFORE, BE IT RESOLVED, that the contract for Pot Hole repair service is hereby
amended to an amount not to exceed \$80,000.00 to JAK Construction Corp., T/A Diamond
of 35 Beaverson blvd, Brick, NJ 08723; and,

BE IT RESOLVED, that the Mayor be and is hereby authorized to execute amended
contract for this service with JAK Construction Corp., T/A Diamond of 35 Beaverson
blvd, Brick, NJ 08723, increasing the total contract amount to \$80,000.00.

BE IT RESOLVED, that the required certification of availability of funds was obtained
from the Chief Financial Officer by purchase order number 14-04459 from account
number 4-01-21-165-165-118.

Adopted
Absent: Inman

ALCOHOLIC BEVERAGE CONTROL BOARD

OCTOBER 15, 2014

1. Chair Person Cox calls the Meeting to Order
2. New Business

Lyons – Jones A. Authorize Person to Person Transfer of ABC Distribution License
From Claudy Liquors Corporation to DJP Spirits for Premises Located at 1058-1060
Stuyvesant Avenue [PRINCIPAL NOTIFIED TO APPEAR]

WHEREAS, application has been made by DJP Spirits, LLC, a Corporation, trading as DJP Spirits for the transfer of Plenary Retail Distribution License # 0709-44-056-005, heretofore issued to Claudy's Liquor Corporation, a Corporation, trading as Claudy's Liquor Corporation, for the premises located at 1058-1060 Stuyvesant Avenue, Irvington, New Jersey to DJP Spirits, LLC, a Corporation, trading as DJP, trading as DJP Spirits for the premises located at 1058-1060 Stuyvesant Avenue, Irvington, New Jersey ; and

WHEREAS, the applicant has complied with all applicable state statutes and regulations and Chapter 59 Section 21 of the Revised Code:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL ACTING AS THE ALCOHOLIC BEVERAGE CONTROL BOARD OF THE TOWNSHIP OF IRVINGTON, NEW JERSEY that the application be and the same is hereby granted that Plenary Retail Distribution License #0709-44-056-005 heretofore issued to Claudy's Liquor Corporation, a Corporation, trading as Claudy's Liquor Corporation, for the premises located at 1058-1060 Stuyvesant Avenue, Irvington, New Jersey be transferred over and to DJP Spirits, LLC, a Corporation, trading as DJP, trading as DJP Spirits for the premises located at 1058-1060 Stuyvesant Avenue, Irvington, New Jersey; and

BE IT FURTHER RESOLVED that the Chief License Clerk is hereby authorized to endorse the aforesaid license over and to DJP Spirits, LLC, a Corporation, trading as DJP, trading as DJP Spirits for the premises located at 1058-1060 Stuyvesant Avenue, Irvington, New Jersey in accordance with N.J.A.C. 13:2-7.21.

FEE PAID \$100.80 NEW LICENSE NUMBER 0709-44-056-006

EFFECTIVE DATE OF TRANSFER: 10-15-14

The applicant was interviewed by the ABC Board.

Adopted

Absent: Inman

Lyons – Burgess B. Rescind Portions of Resolutions No. ABC 14-0610-1 and ABC 14-0610-2 Pertaining to the Renewal of Inactive "Pocket" License Issued to Ricron, Inc. Due to the Fact That a Required State Special Ruling for Inactive Licenses Had Not Been Issued at the Time of Renewal

WHEREAS, on June 10, 2014, the Municipal Council, acting as the Alcoholic Beverage Control Board of the Township of Irvington, adopted Resolutions No. ABC 14-0610-1, and ABC 14-0610-2 which authorized a renewal of an inactive "pocket" license 0709-44-032-002 issued to Ricron, Inc., c/o Ronald A. Wermuth, 3 Huntington Lane, Roseland, N.J; and

WHEREAS, the State Division of Alcoholic Beverage Control has advised that said license had not been properly renewed by Ricron, Inc., c/o Ronald A. Wermuth, 3 Huntington Lane, Roseland, N.J. due to the fact that a required State Special Ruling for inactive licenses had not been issued by the State Division of Alcoholic Beverage Control at the time of renewal; and

WHEREAS, as such, the State Division of Alcoholic Beverage Control has indicated that said renewal of inactive "pocket" license # 0709-44-032-002, previously issued to Ricron, Inc., c/o Ronald A. Wermuth, 3 Huntington Lane, Roseland, N.J., as authorized by Resolutions No. ABC 14-0610-1 and ABC 14-0610-2 must be rescinded;

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, ACTING AS THE ALCOHOLIC BEVERAGE CONTROL BOARD, that those portions of resolutions No. ABC 14-0610-1 and ABC 14-0610-2 are hereby rescinded pertaining to the renewal of an inactive "pocket" license No. 0709-44-032-003 issued to Ricron, Inc., c/o Ronald A. Wermuth, 3 Huntington Lane, Roseland, N.J.; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the State Division of Alcoholic Beverage Control.

Adopted
Absent: Inman

3. Adjournment

12. Miscellaneous

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

Rodney White, 41 Durand Place, Mailing Address: 624 Nye Avenue
Frank McBee, 46 Durand Place
Mary Scacik, 78 Underwood Street, Newark
David Hungerford, 12 Brookdale Gardens, Bloomfield

Council Members Lyons, Jones, Cox, Burgess, Hudley and Council President Frederic addressed the issues raised by the above referenced citizens.

13. Adjournment

There being no further business, the meeting was adjourned at 8:55 P.M.

Charnette Frederic, Council President

Harold E. Wiener, Municipal Clerk