

REGULAR COUNCIL MEETING
DECEMBER 23, 2014

Council Chamber, Municipal Building
Irvington, N.J. – Tuesday Evening
December 23, 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, David Lyons, Charnette Frederic

Absent: None

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)

Cathy Southerland, 50 Adams Street
Merrick Harris, 6 Hennessey Place

5. Hearing of Council Members

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

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

A. Reports

1. Minutes – Directors’ Meeting – 12-9-14
2. Joint Meeting – Minutes – 10-16-14

7. Reports of Committees

A. Requests for Proposals Results – Redevelopment Counsel and Land Use Administrator/Planner – 12-3-14

8. Ordinances, Bills & Claims

C. Bills & Claims

Jones – Burgess 1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD DECEMBER 23, 2014, AS ENUMERATED ON THIS LIST FOR MATERIALS, SUPPLIES AND SERVICES FURNISHED, DELIVERED AND/OR PERFORMED HAVE BEEN CERTIFIED BY THE DEPARTMENTS AS CORRECT, EACH CLAIM AND PURCHASE ORDER HAVE BEEN VERIFIED AND REVIEWED FOR THE AVAILABILITY OF FUNDS, ACCURACY OF ACCOUNT CODING AND COMPLETENESS BY THE ADMINISTRATION, THEREFORE:

BE IT RESOLVED, BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON THAT THE FOLLOWING BE PAID BY THE CHIEF FINANCIAL OFFICER:

BILL LIST	\$2,718,670.57
TOTAL	\$2,718,670.57

Adopted

Jones – Cox 2. Payrolls

December 5, 2014 through December 5, 2014

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$ -0-	\$ -0-	\$78,000.00	\$78,000.00

Adopted

9. Resolutions & Motions

A. Resolutions

Jones – Hudley 1. Authorize Execution of FEMA Operations and Safety Grant Agreement - \$175,420.00

WHEREAS, the Township of Irvington has been notified by the Federal Emergency Management Agency (FEMA) that Irvington will receive an Operations and Safety Grant in the amount of \$175,420.00 and 90% federal share of \$157,878.00, and the Township's 10% match of \$17,542.00; and

WHEREAS, the purpose of the grant is to protect the health and safety of the public and firefighting personnel against fire and fire-related hazards.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Mayor of the Township of Irvington is hereby authorized to execute Grant Agreement # EMW-2013-FO-05522 with the Irvington Fire Department, and upon execution of said Agreement, the Township of Irvington does hereby accept the terms and conditions specified in the Agreement in connection to this grant award; and

BE IT FURTHER RESOLVED that the matching amount of \$17,542.00 is contingent upon that amount being appropriated in the CY2015 Municipal Budget.

Adopted

Frederic – Jones 2. Authorize Assignment of Joseph M. Wenzel, Esq. for Defense of Police Officer Reyes in the Matter of Tykee Hall v. Irvington Township - Not To Exceed \$15,000.00

**RESOLUTION AUTHORIZING PROFESSIONAL SERVICES FOR
LITIGATION/DEFENSE COUNSEL SERVICES**

WHEREAS, resolution number TA 14-0923-14 qualified fifteen firms to provide litigation/defense counsel services for the Township of Irvington from October 01, 2014 until October 31, 2015; and

WHEREAS, the resolution requires that all cases assigned to counsel for this purpose must be approved by the Municipal Council; and

WHEREAS, the Township Attorney has determined that Joseph M. Wenzel, Esq. has the most experience to defend Officer David Reyes in the matter of Tykee Hall v. Irvington Township, et al, Docket No. ESX-L-5774-14; and

WHEREAS, the Township Attorney has recommended that a contract be awarded Joseph M. Wenzel, Esq., 1000 Clifton Avenue, Suite 101, Clifton, NJ 07013 for representation of Officer David Reyes.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Litigation/Defense counsel services be awarded to Joseph M. Wenzel, Esq., 1000 Clifton Avenue, Suite 101, Clifton, NJ 07013 for representation of Officer David Reyes for an amount not to exceed \$115.00 per hour; and

BE IT FURTHER RESOLVED that the Township Attorney is hereby authorized and directed to prepare the necessary contracts for this case and the Mayor and Township Clerk are authorized and directed to sign the same; and

BE IT FURTHER RESOLVED, that funds for this service will paid from the Insurance fund for an amount not to exceed \$115.00 per hour.

Adopted

Jones – Frederic 3. Authorize Assignment of Murphy Orlando LLC for Defense of Township of Irvington in the Matter of Amir Moore and Denise Ader v. Cathrina McNeil - Not To Exceed \$25,000.00

**RESOLUTION AUTHORIZING PROFESSIONAL SERVICES FOR
LITIGATION/DEFENSE COUNSEL SERVICES**

WHEREAS, resolution number TA 14-0923-14 qualified fifteen firms to provide litigation/defense counsel services for the Township of Irvington from October 01, 2014 until October 31, 2015; and

WHEREAS, the resolution requires that all cases assigned to counsel for this purpose must be approved by the Municipal Council; and

WHEREAS, the Township Attorney has determined that Murphy Orlando LLC, has the most experience to defend the case of Amir Moore and Denise Ader v. Cathrina McNeil, et al , Docket No. ESX-L-6946-14; and

WHEREAS, the Township Attorney has recommended that a contract be awarded Murphy Orlando LLC, 30 Montgomery Street, 15th Floor, Jersey City, NJ 07302.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Litigation/Defense counsel services be awarded to Murphy Orlando LLC, 30 Montgomery Street, 15th Floor, Jersey City, NJ 07302 for an amount not to exceed \$115.00 per hour; and

BE IT FURTHER RESOLVED that the Township Attorney is hereby authorized and directed to prepare the necessary contracts for this case and the Mayor and Township Clerk are authorized and directed to sign the same; and

BE IT FURTHER RESOLVED, that funds for this service will paid from the Insurance fund for an amount not to exceed \$115.00 per hour.

Adopted

Jones – Frederic 4. Authorize Legal Settlement - E/O Menelas v. Irvington - \$460,000.00

**RESOLUTION AUTHORIZING PROFESSIONAL SERVICES FOR
LITIGATION/DEFENSE COUNSEL SERVICES**

WHEREAS, resolution number TA 14-0923-14 qualified fifteen firms to provide litigation/defense counsel services for the Township of Irvington from October 01, 2014 until October 31, 2015; and

WHEREAS, the resolution requires that all cases assigned to counsel for this purpose must be approved by the Municipal Council; and

WHEREAS, the Township Attorney has determined that Murphy Orlando LLC, has the most experience to defend the case of Amir Moore and Denise Ader v. Cathrina McNeil, et al , Docket No. ESX-L-6946-14; and

WHEREAS, the Township Attorney has recommended that a contract be awarded Murphy Orlando LLC, 30 Montgomery Street, 15th Floor, Jersey City, NJ 07302.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Litigation/Defense counsel services be awarded to Murphy Orlando LLC, 30 Montgomery Street, 15th Floor, Jersey City, NJ 07302 for an amount not to exceed \$115.00 per hour; and

BE IT FURTHER RESOLVED that the Township Attorney is hereby authorized and directed to prepare the necessary contracts for this case and the Mayor and Township Clerk are authorized and directed to sign the same; and

BE IT FURTHER RESOLVED, that funds for this service will paid from the Insurance fund for an amount not to exceed \$115.00 per hour.

Adopted

Burgess – Jones 5. Delete Handicap Parking Space Established in Front of 712 - 15th and Add Handicapped Parking Space in Front of 712 – 18th Avenue

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

WHEREAS, the Municipal Council by Resolution No. DP 14-1209-46 adopted on December 9, 2014, approved a request for a restricted parking space in front of 712 – 15th Avenue; and

WHEREAS, the correct address of the handicapped parking space should have been 712 – 18th Avenue

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 712 – 18th Avenue; and

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

BE IT FURTHER RESOLVED that all references made to 712 – 15th Avenue in Resolution DP 14-1209-46, adopted on December 9, 2014, are hereby rescinded.

Adopted

Jones – Burgess 6. Authorize Extension of Bid and Bid Award for Exterior Painting of Municipal Building – Balanikas Painting LLC, Not to Exceed \$69,300.00

AWARD OF CONTRACT FOR THE EXTERIOR PAINTING OF THE MUNICIPAL BUILDING

WHEREAS, invitation for bids for the exterior painting of the municipal building was publicly advertised in the New Jersey Star Ledger on August 22, 2014 and on the Township website on the same date with a deadline for bids to be submitted on September 17, 2014; and

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

WHEREAS, bids received were reviewed according to the New Jersey Local Public Contract law, and referred to the Township Engineer for review and recommendation; and

WHEREAS, the Township Engineer has recommended that the award be made to Balanikas Painting LLC, 211 Conifer Crest Way Eatontown, NJ 07724 on the basis of their lowest, responsible, responsive bid, in an amount not to exceed \$69,300.00

WHEREAS, the vendor has agreed to extend the bid price of service for an additional sixty (60) days.

NOW THEREFORE BE, IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for the exterior painting of the municipal building be awarded to Balanikas Painting, LLC, 211 Conifer Crest Way Eatontown, NJ 07724.

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 that the required Certificate of Availability of Funds, will be obtained from the Chief Financial Officer.

Adopted

Cox - Frederic 7. Constable Appointment – Constable Appointment – Carlos Barthelemy

BE AND IT IS HEREBY RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, NEW JERSEY that Carlos Barthelemy, 1285 Springfield Avenue 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 December 23, 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

Inman – Hudley 8. Constable Appointment – Terrell D. Scott

BE AND IT IS HEREBY RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, NEW JERSEY that Terrell D. Scott, 311 Myrtle Avenue, 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 December 23, 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

Jones – Cox 9. Constable Appointment – David E. Clark, Jr.

BE AND IT IS HEREBY RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, NEW JERSEY that Dave E. Clark, Jr., 10 Marshall Street, Apt. 1C 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 December 23, 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

Jones – Lyons 10. Award Bid - Speed Humps - Granada Construction – \$603,800.00

RESOLUTION TO AWARD A CONTRACT THE INSTALLATION OF SPEED HUMPS AT VARIOUS LOCATIONS THROUGHOUT THE TOWNSHIP

WHEREAS, in the interest of public safety the Township desires to install speed humps at various locations throughout the, and;

WHEREAS, in order to accomplish this project, greater resources then presently exist within the Township staff are require, and;

WHEREAS, this project was publicly bid on October 19, 2014 with 3 bids being received by the Purchasing Committee, and;

WHEREAS, these bids were reviewed by the Township Engineer and the prices quoted were determined to be correct as shown on the bids and that lowest responsive bid for this work was that of Granada Construction, Newark, N.J. at their total bid price of \$603,800.00, and;

WHEREAS, the Director of Public Works and the Township Engineer have recommended that the bid of Granada Construction, Newark, N.J. be accepted as the most effective proposal to complete this work.

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

That a contract for the Installation of Speed Humps be awarded to Granada Construction, Newark, N.J. at their total bid price of \$603,800.00.

BE IT RESOLVED that the required Certification of Availability of Funds in the amount not to exceed \$603,800.00 for speed hump installation will be obtained from the Chief Financial Officer contingent on the adoption of the Calendar year 2015.

Adopted

Burgess – Frederic 11. Authorize Contract for Ambulance and Dispatch Services Based Upon Requests For Proposals - MONOC - One Year - \$310,800.00

**AUTHORIZING SERVICE CONTRACT FOR AMBULANCE AND DISPATCH
SERVICE**

WHEREAS, request for proposals for ambulance and dispatch services were publicly advertised in the New Jersey Star Ledger on October 23, 2014 with a deadline for bids to be submitted on December 03, 2014; and,

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

WHEREAS, the bid was referred to the EMS review committee:- Fire, Police, Purchasing and Finance for review and it is recommended that the contract should be awarded to the following firm based on evaluation criteria that is most advantageous to the Township:

MONOC
4806 Megill Road
Neptune, NJ 07753

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the contract for ambulance and dispatch services be made to Monoc 4806 Megill road, Neptune, NJ 07753 for one (1) year for the total sum of \$310,800.00 plus additional fees for prisoners transport; and

BE IT FURTHER RESOLVED, that this contract is for one year, starting on January 01, 2015 until December 31, 2015.

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

BE IT FURTHER RESOLVED, that the required certification of availability of funds in the amount of \$310,800.00 for ambulance and dispatch service will be obtained from the Chief Financial Officer contingent on the adoption of the calendar year 2015 budget.

Adopted

Cox – Burgess 12. Authorize One Year Contract for Insurance Brokerage Services - General Liability, Worker's Compensation, Property Casualty & Risk Services – Conner Strong & Buckelew – Vendor To Be Paid By Carriers

RESOLUTION AUTHORIZING FAIR AND OPEN PROFESSIONAL SERVICE CONTRACT FOR INSURANCE BROKERAGE SERVICES (GENERAL LIABILITY, WORKER'S COMPENSATION, PROPERTY CASUALTY & RISK SERVICES) FOR CALENDAR YEAR 2015

WHEREAS, the Request for Proposals for Insurance Brokerage Services (General Liability, Worker's Compensation, Property Casualty & Risk Services) was publicly advertised in the New Jersey Star Ledger on November 04, 2014 with a deadline for qualification to be submitted on November 26, 2014; and

WHEREAS, three (3) qualifications were received and publicly opened; and

WHEREAS, said qualifications were referred to the Chief Financial Officer; and

WHEREAS, the qualifications satisfied the RFP requirement and;

WHEREAS, the Chief Financial Officer has recommended award should be made to the following firm:

CONNER STRONG & BUCKELEW
9 CAMPUS DRIVE,
PARSIPPANY, NJ 07054

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Insurance Brokerage Services (General Liability, Worker's Compensation, Property Casualty & Risk Services) be awarded to Conner Strong & Buckelew., 9 Campus Drive, Parsippany, NJ 07054 on the basis of their response to the request for proposal. Vendor will be paid by applicable commission to be paid by the carriers, which will be disclosed to the Township on a quarterly basis; for one year starting on January 01, 2015 and ending on December 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.

Adopted

Jones – Burgess 13. Authorize One Year Contract for Insurance Brokerage Services - Health and Dental – Lifetime Benefit Solutions - \$32.00 Per Claim and \$2.00 Broker Fee

**RESOLUTION AUTHORIZING FAIR AND OPEN PROFESSIONAL SERVICE
CONTRACT FOR INSURANCE BROKERAGE SERVICES (MEDICAL AND
PRESCRIPTION SERVICES) FOR CALENDAR YEAR 2015**

WHEREAS, the Request for Proposals for Insurance Brokerage Services (Medical and Prescription) was publicly advertised in the New Jersey Star Ledger on November 04, 2014 with a deadline for qualification to be submitted on November 26, 2014; and

WHEREAS, one (1) qualification was received and publicly opened; and

WHEREAS, said qualification was referred to the Chief Financial Officer; and

WHEREAS, the qualifications satisfied the RFP requirement and;

WHEREAS, the Chief Financial Officer has recommended award should be made to the following firm:

Lifetime Benefit Solutions
115 CONTINUUM DRIVE
LIVERPOOL, NY 13088

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Insurance Brokerage Services (Medical and Prescription Services) be awarded to Lifetime Benefit solutions, 115 Continuum Drive, Liverpool, NY 13088 on the basis of their response to the request for proposal meeting the selection criteria and qualifications for a total amount of \$32.00 PEPM (Medical/RX Claim Administration) and \$2.00 (Broker Fee) additional fees applies for other benefits; for one year starting on January 01, 2015 and ending on December 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 2015 budget.

Adopted

Cox – Jones 14. Authorize Contract for Calendar Year 2015 Audit Based Upon Requests for Proposals - Samuel Klein and Company - Not To Exceed \$102,500.00

**RESOLUTION AUTHORIZING FAIR AND OPEN PROFESSIONAL SERVICE
CONTRACT FOR AUDITING SERVICES FOR CALENDAR YEAR 2015**

WHEREAS, the Request for Proposals for professional auditing service was publicly advertised in the New Jersey Star Ledger on November 04, 2014 with a deadline for qualification to be submitted on November 26, 2014; and

WHEREAS, one qualification was received and publicly opened; and

WHEREAS, said qualification was referred to the Purchasing Agent and Chief Financial Office; and

WHEREAS, the qualification satisfied the bid requirement and;

WHEREAS, the Chief Financial officer has recommended award should be made to the following firm:

Samuel & Klein Co.
550 Board Street, 11th Floor
Newark, NJ 07102

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for auditing services be awarded to Samuel Klein & Company, 550 Broad Street, Newark, NJ 07102 on the basis of their response to the request for proposal meeting the selection criteria and qualifications, for an amount not to exceed \$102,500.00 for the calendar year 2015 audit (January 01, 2015 - December 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 in the amount not to exceed \$102,500.00 for the Auditing services will be obtained from the Chief Financial Officer contingent on the adoption of the Calendar year 2015 budget.

Adopted

Jones – Lyons 15. Amend Professional Services Contract With Neglia Engineering for Engineering Services Related to the Resurfacing of Glorieux Street, Hardgrove Terrace, Orchard Place, Feiner Place and Ellery Avenue – Correct Price to \$33,800.00

RESOLUTION TO AMEND A RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT FOR THE RESURFACING OF VARIOUS STREETS, (TTF FY 2014)

WHEREAS, the Township has received a Transportation Trust Fund grant from the New Jersey Department of Transportation in the amount of \$357,820.00 for the Resurfacing of

Various Streets, (TTF FY 2014). Specifically, the streets involved Glorieux Street, Hardgrove Terrace, Orchard Place, Feiner Place and Ellery Avenue, and;

WHEREAS, based on quotes received on September 30, 2014 for professional services received for this project from the engineering firms that received annual contracts with the Township, the quote of Neglia Engineering, Inc. was determined to be the most cost effective quote to perform the required professional services of design and construction supervision at a total fee not to exceed \$17,700.00, specifically \$8,200.00 for design services and \$9,500.00 for construction supervision, and;

WHEREAS, while the fee proposal of Neglia Engineering was found to be the most cost effective proposal for this work, a typographical error was discovered in that the correct fee for the above work in the amount of \$33,800.00, and;

WHEREAS, this action was approved by the Municipal Council at their meeting of October 27, 2014 and it is now necessary to amend and correct this resolution to reflect the correct amount of the fee proposal of Neglia Engineering to \$33,800.00.

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

That the contract for professional services awarded to the firm of Neglia Engineering, Inc. on October 27, 2014 be amended to reflect a total fee not to exceed \$33,800.00 to perform the necessary professional services to design and supervise the construction of The Resurfacing of Various Streets, (TTF FY 2014).

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:34-5.2, the required Certificate of Availability of Funds for the above project will be obtained from the Chief Financial Officer of the Township of Irvington.

Adopted

Jones – Lyons 16. Authorize Change Order Number 1 - Professional Engineering Services for Resurfacing of a Section of Nye Avenue - Keller & Kirkpatrick - Additional \$1,720.00

**RESOLUTION TO AWARD A CHANGE ORDER, NO. 1 , TO A PROFESSIONAL
SERVICES CONTRACT
FOR THE RESURFACING OF NYE AVENUE, SECTION 2**

WHEREAS, the Township has received a Transportation Trust Fund grant in the amount of \$ 297,900.00 for the Resurfacing of Nye Avenue, Section 2 (Lincoln Place to the Newark Municipal Border); and

WHEREAS, the Township solicited proposals for professional services for the preparation of construction documents and construction supervision for this project, and;

WHEREAS, based upon the proposals received for this work, a professional services contract was awarded by the Municipal Council to the firm of Keller & Kirkpatrick, Inc., 301 Gibraltar Drive, Suite 3A, Morris Plains, NJ for this project in an amount not to exceed \$ 11,900.00 (\$ 6,800 for design services and \$5,100.00 for construction supervision) as resolution DPW 12-0814-8, and;

WHEREAS, in the course of the design of this project, additional design services were required which were not part of the original scope of services, and;

WHEREAS, Keller & Kirkpatrick, Inc. has supplied a fee proposal to provide these additional services in an amount not to exceed \$1,720.00, and;

WHEREAS, the Township Engineer has reviewed this proposal and found same to reasonable for the additional work required.

NOW THEREFORE BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON AS FOLLOWS:

That the contract for professional services awarded to Keller & Kirkpatrick, Inc. for the Resurfacing of Nye Avenue, Section 2, be amended to include an amount not to exceed \$1,720.00, bringing the total of this professional services contract to an amount not to exceed \$13,620.00.

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:34-5.2, the required Certificate of Availability of Funds for the above project will be obtained from the Chief Financial Officer of the Township of Irvington and the appropriation to be charged for this additional expenditure, \$1,720.00 is contained in the aforesaid Certificate of Availability of Funds.

Adopted

Jones – Hudley 17. Authorize Professional Services One Year Contract for Planning Board Attorney Based Upon Requests for Proposals - Eric M. Bernstein & Associates - \$500.00 Per Meeting Not To Exceed \$6,500.00

RESOLUTION AUTHORIZING PROFESSIONAL SERVICE CONTRACT FOR PLANNING BOARD ATTORNEY FOR CALENDAR YEAR 2015

WHEREAS, the Request for Proposals for Planning Board Attorney was publicly advertised in the New Jersey Star Ledger on November 04, 2014 with a deadline for qualification to be submitted on November 26, 2014; and

WHEREAS, two qualifications were received and publicly opened; and

WHEREAS, said qualifications were referred to the Purchasing Agent, Planning Board, Township Administrator and the Township Attorney; and

WHEREAS, the qualification satisfied the RFP requirement and;

WHEREAS, the Township Attorney and Planning Board has recommended award should be made to the following firm:

ERIC M. BERNSTEIN & ASSOCIATES, LLC
ERIC M. BERNSTEIN
34 Mountain Blvd., Building A
Warren, NJ 07059

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for the Planning Board Attorney be awarded to Eric M. Bernstein & Associates, LLC, 34 Mountain Blvd. Building A, Warren NJ 07059 on the basis of their response to the request for proposal meeting the selection criteria and qualifications, for an amount not to exceed \$6,500.00. The provider will be paid \$115.00 per hour for attorneys, \$60.00 per hour for paralegals and \$500.00 per meeting for one year starting on January 01, 2015 - December 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 in the amount not to exceed \$6,500.00 for the Planning Board legal services will be obtained from the Chief Financial Officer contingent on the adoption of the Calendar year 2015 budget.

Adopted

Cox – Burgess 18. Authorize Professional Services One Year Contract for Zoning Board Attorney Based Upon Requests for Proposals - Eric M. Bernstein & Associates - \$500.00 Per Meeting Not To Exceed \$12,000.00

RESOLUTION AUTHORIZING PROFESSIONAL SERVICE CONTRACT FOR ZONING BOARD ATTORNEY FOR CALENDAR YEAR 2015

WHEREAS, the Request for Proposals for Zoning Board Attorney was publicly advertised in the New Jersey Star Ledger on November 04, 2014 with a deadline for qualification to be submitted on November 26, 2014; and

WHEREAS, two qualifications were received and publicly opened; and

WHEREAS, said qualification was referred to the Zoning Board and the Township Attorney; and

WHEREAS, the qualification satisfied the RFP requirement and;

WHEREAS, the Township Attorney and Zoning Board has recommended award should be made to the following firm:

ERIC M. BERNSTEIN & ASSOCIATES, LLC
ERIC M. BERNSTEIN
34 Mountain Blvd., Building A
Warren, NJ 07059

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for the Zoning Board Attorney be awarded to Eric M. Bernstein & Associates, LLC, 34 Mountain Blvd. Building A, Warren NJ 07059 on the basis of their response to the request for proposal meeting the selection criteria and qualifications, for an amount not to exceed \$12,000.00 The provider will be paid \$115.00 per hour for attorneys, \$60.00 per hour for paralegals and \$500.00 per meeting for one year starting on January 01, 2015 - December 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 in the amount not to exceed \$12,000.00 for the Zoning Board legal services will be obtained from the Chief Financial Officer contingent on the adoption of the Calendar year 2015 budget.

Adopted

Lyons – Frederic 19. Authorize Mortgage Subordination – 93 West Allen Street

WHEREAS, Virginia Johnson, owner of 93 West Allen Street, Irvington, New Jersey gave a mortgage to the Irvington Township HUD/CDBG Housing Rehabilitation Assistance Program in the amount of \$25,857.00 recorded in Book 12137, Page 9494 on 5/23/2008 and approved additional work in the amount of \$12,008.00 recorded in Book 12137 Page 9454 on 5/23/2008 and amount of \$10,058.00 recorded in Book 12192, Page 9305 on 5/8/2009 in the Office of the Essex County Register's Office; and

WHEREAS, such was previously approved by the Municipal Council by Resolution No. OCDP 08-0506-18 adopted on 5/6/2008; and

WHEREAS, Virginia Johnson seeks to have the Township of Irvington subordinate its mortgages to a new mortgage given by WELLS FARGO Bank, NA, as shown in the attached Subordination Agreement; and

WHEREAS, the Director of Community Development recommends the requested action as detailed in the attached letter:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township agrees to subordinate its loan to the new mortgage given by WELLS FARGO Bank, NA; and

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

Adopted

Jones – Lyons 20. Resolution of Sorrow - Vaughn E. Rhines

WHEREAS, Vaughn E. Rhines born February 14th, 1929 in Greenville, North Carolina to the late Glossie Dupree and Cliff Miller; and

WHEREAS, she attended elementary school in Norfolk, Virginia, graduated from Booker T Washington High School and relocated to New Jersey and began her career with the Veterans Administration where she worked for 25 years; and

WHEREAS, she married Simon Rhines. Vaughn had 5 children: Forest, Clifton, Monty, Yvonne and James; daughter-in-law, Vernelle Rhines and son-in-law, Carl Davis; 10 Grandchildren, 16 Great grandchildren and a host of loving nieces and nephews.

WHEREAS, Vaughn was a loving person who enjoyed talking politics and current events. Her hobbies were sewing and crocheting hats and scarves and she also loved to stay active by reading and going exercise classes and day trips with the seniors. She will be long remembered by family and friends.

Adopted

Jones – Burgess 21. Authorize One Year Professional Services Contract for Redevelopment Counsel Based on Requests for Proposals – McManimon, Scotland & Baumann - Not To Exceed \$5,000.00

RESOLUTION AUTHORIZING FAIR AND OPEN PROFESSIONAL SERVICE CONTRACT FOR REDEVELOPMENT COUNSEL FOR CALENDAR YEAR 2015

WHEREAS, the Request for Proposals for professional redevelopment service was publicly advertised in the New Jersey Star Ledger on November 11, 2014 with a deadline for qualification to be submitted on December 03, 2014; and

WHEREAS, two qualifications were received and publicly opened; and

WHEREAS, said qualifications were referred to the Redevelopment Director, Chief Financial Officer and the Township Attorney; and

WHEREAS, the qualification satisfied the bid requirement and;

WHEREAS, the Township Attorney and Redevelopment Director has recommended award should be made to the following firm:

McManimon, Scotland & Baumann, LLC
75 Livingston Ave, Second Floor
Roseland, NJ 07068

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for redevelopment services be awarded to McManimon, Scotland & Baumann, LLC, 75 Livingston Ave, 2nd Floor, Roseland, NJ 07068

on the basis of their response to the request for proposal meeting the selection criteria and qualifications, for an amount not to exceed \$5,000.00 for the calendar year 2015 (January 01, 2015 - December 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 in the amount not to exceed \$5,000.00 for the redevelopment services will be obtained from the Chief Financial Officer contingent on the adoption of the Calendar year 2015 budget.

Adopted

Frederic – Cox 22. Commendation - Luis Antilus in Commemoration of Haitian Independence Day

WHEREAS, Luis Antilus was born and raised in Port-au-Prince, Haiti and emigrated to the United States of America in December, 1988 with his step-mother; father and five siblings; and

WHEREAS, Luis Antilus is married to Marie A. Nacelus-Antilus and has two children; and

WHEREAS, Luis Antilus is a long time resident of the Township of Irvington, and in August, 2014, he was appointed as a School Board Member to fill an unexpired term; and

WHEREAS, in 1992, he graduated from Frank H. Morrell (Irvington High School) and two years later enrolled at Bloomfield College and graduated with a dual Bachelor of Arts degree in Sociology and Criminal Justice in 1999; and

WHEREAS, Luis Antilus received his Masters degree in Public Administration with an emphasis in Performance Measurement Concentration from Rutgers University, Newark campus in the summer of 2010 and in June 2013, Luis was awarded with a Certified Public Manager (CPM) Certificate from the State of New Jersey Civil Service Commission and Rutgers University School of Public Affairs and Administration (SPAA); and

WHEREAS, Luis Antilus is the Chairman of Haitian Political Conferences (HPC); he is a member of American Society for Public Administration Review (ASPA); member of National Certified Public Manager (CPM) Consortium; member of United States Chess Federation (USCF); member of New Jersey Department of Banking and Insurance (NJ Real Estate License) and a former member of the Security Exchange and Commission (SEC). Luis Is also a member of the Communications Workers of Americas (CWA) local 1037 and a member of L'Eglise Baptist De La Nouvelle Jerusalem (New Jerusalem Baptist Church) located in Irvington, NJ.; and

WHEREAS, Mr. Antilus has an extensive professional background working on Wall Street as well as Main Street and in the fall of 2000, started his professional career as an Advisor for the Federal Trio Programs at Essex County College in Newark, NJ where Luis was responsible to identify and provide services for students from disadvantage backgrounds such as low-income individuals; first generation college students to progress through the academic channel from middle school to post baccalaureate programs; and

WHEREAS, Luis Antilus In the summer of 2001, Luis started working as a Financial Consultant for Quick and Reilly Brokerage Firm in New York, New York, A renowned investment brokerage firm later acquired by Fleet Bank through a merger; and

WHEREAS, in the summer of 2004, Luis decided to leave the private sector and joined the public sector as an Investigator for the State of New Jersey Division of Child Protection and Permanency (DCP&P) formerly known as Division of Youth and Family Services (DYFS) where he received numerous promotions and is now a Supervisor for the Western North Local Office; and

WHEREAS, Luis Antilus is also a prominent Fellow for the State of New Jersey Child Protective Services; and

WHEREAS, Luis enjoys being a public servant and assists others that are affected with social crisis:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL FO THE TOWNSHIP OF IRVINGTON that the Township of Irvington commends and applauds the many achievements of Haitian American Luis Antilus in commemoration of Haitian Independence Day; 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 Luis Antilus.

Adopted

Frederic – Cox 23. Commemoration - Haitian Independence Day, 2015

RESOLUTION COMMEMORATING HAITIAN INDEPENDENCE DAY, 2015

WHEREAS, January 1, 2015 marks the anniversary of the independence of Haiti; and

WHEREAS, on January 1, 1804 the nation of Haiti was born when the native Haitians, such as [Jean-Jacques Dessalines](#), Général en chef, [Henri Christophe](#), Général de division, [Alexandre Pétion](#), Général de division and many others chased the mighty army of Napoleon out of the country in a bloody battle and signed the Independence Act; and

WHEREAS, as a result Haiti ended up being the first black independent country in the whole hemisphere and an inspiration for many other countries; and

WHEREAS, it is well known that Haiti fought for many countries before as well as after its independence; and

WHEREAS, in particular, a special battle that is unfortunately not well known was entitled the "Siege of Savannah" and as a result a monument was erected in Savannah in remembrance of these courageous Haitian soldiers, which included Henri Christophe, who later became president and built the famous Citadelle in the Cap Haitian; and

NOW, THEREFORE, BE IT RESOLVED THAT THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON hereby commemorates January 1, 2014 as Haitian Independence Day in the Township of Irvington; 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 this celebration.

Adopted

B. Motions

None

10. Communications & Petitions

A. Communications

1. Mayor Vauss – Appointment – Alternate Member of Planning Board – Claud Davis

2. Mayor Vauss – Appointment – Chief Municipal Prosecutor – Erika J. Innocencio, Esq.

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 – Burgess 1. Amend Chapter 192 – Employee Parking

AMEND TOWNSHIP ORDINANCE FOR EMPLOYEE PARKING

Adopted

B. Ordinances on 2nd Reading

1. President Frederic: An ordinance establishing an energy and natural gas aggregation program 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 OF THE TOWNSHIP OF IRVINGTON
ESTABLISHING AN ENERGY AND NATURAL GAS AGGREGATION
PROGRAM**

WHEREAS, the Government Energy Aggregation Act, N.J.S.A. 48:3-93.1 et seq. governs the establishment of a government energy aggregation program, which is a

government-operated purchasing cooperative through which multiple energy consumers purchase energy together under the auspices of a government aggregator; and

WHEREAS, the New Jersey Board of Public Utilities (“BPU”) has promulgated rules (N.J.A.C. 14:4-6) for the implementation of government energy aggregation programs; and

WHEREAS, the establishment of a government aggregator and an energy aggregation program to purchase electric generation service and natural gas pursuant to N.J.S.A. 48:3-93.1 et seq. and N.J.A.C. 14:4-6.1 et seq. will increase competition for the provision of electric power and natural gas to residential and non-residential users, thereby increasing the likelihood of lower electric rates and natural gas rates for these users without causing any interruption in service; and

WHEREAS, through the aggregation process the government aggregator has the capacity to include energy purchased from renewable sources; and

WHEREAS, through the aggregation process residential and non-residential ratepayers may likely receive a direct reduction in their electric bills and gas bills; and

WHEREAS, the realization of energy costs savings and the potential to include renewable resources are in the interests of the health, safety and welfare of the residents of the Township of Irvington (the “Township”); and

WHEREAS, the Township hereby finds that it is in the best interests of residential and non-residential electric and gas ratepayers for the Township to create the opportunity for them to enter into an aggregation agreement in order to seek substantial savings on electric and gas rates; and

NOW, THEREFORE BE IT ORDAINED, by the Township Council of the Township of Irvington in the County of Essex and the State of New Jersey, duly assembled in public session, as follows:

- 1- The Township publicly declares its intent to become an aggregator of electric power and natural gas on behalf of its residential and non-residential users of electricity and natural gas pursuant to the Government Energy Act of 2003, N.J.S.A. 48:3-91.3 to -98, and implementing regulations.
- 2- The Township intends to utilize the services of an energy agent in implementing the energy aggregation program. Upon the Township’s hiring of an energy agent which is duly certified by the Board of Public Utilities, such energy agent shall on behalf of the Township conduct a reverse energy auction to seek bids from licensed and appropriate third party suppliers. If such winning bid is selected and an agreement executed, individual residential consumers would retain the option not to participate and to choose any alternatives they desire, while non-residential ratepayers would also have the right to participate.

- 3- The Mayor and Township Clerk are hereby authorized and directed to execute any documents necessary to carry out the purpose of the Ordinance.
- 4- All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- 5- If any portion of this ordinance shall be deemed invalid by any court of competent jurisdiction, the remainder shall survive in full force and effect.
- 6- This ordinance shall be effective immediately upon adoption and publication in accordance with law.

The public hearing on this ordinance is now open.

Michael Spruill, 97 Lenox Avenue
Cathy Southerland, 50 Adams Street

Frederic – Cox Motion to close public hearing

Adopted

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

Council President Frederic and Council Member Lyons spoke.

Adopted

2. President Frederic – A bond ordinance amending a bond ordinance providing for various capital improvements 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 VARIOUS CAPITAL
IMPROVEMENTS IN AND BY THE TOWNSHIP OF
IRVINGTON, IN THE COUNTY OF ESSEX, NEW JERSEY,
APPROPRIATING \$2,935,579 THEREFOR AND
AUTHORIZING THE ISSUANCE OF \$2,788,800 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 several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of Irvington, in the County of Essex, New Jersey (the "Township") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$2,935,579, and further including the aggregate sum of \$146,779 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$2,788,800 pursuant to the Local Bond Law and the provisions of the Municipal Qualified Bond Act, P.L. 1976, c.38, as amended. 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. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
1) The acquisition of information technology equipment, including computers and handheld tablet computers, including all related costs and expenditures incidental thereto.	\$24,100	\$22,895	5 years
2) The acquisition of furnishings for the Town Hall, Senior Building and other Township Departments, including all related costs and expenditures incidental thereto.	\$109,524	\$104,048	5 years
3) Paving of various streets, all on a list on file in the Office of the Clerk, and the installation of speed humps, including all work and materials necessary therefor and incidental thereto.	\$1,058,013	\$1,005,112	10 years
4) The acquisition and installation of parking meters, a telephone equipment system, wireless systems and alarms, portable cameras, time clocks, wireless firm			

alarms and televisions, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.

\$383,284 \$364,120 10 years

5) Interior and exterior painting at various Township facilities, including all work and materials necessary therefor and incidental thereto.

\$99,100 \$94,145 15 years

6) Various roof repairs at the Senior Building and Municipal Building, elevator repairs, and repairs to the Nye Avenue parking garage, including all work and materials necessary therefor and incidental thereto.

\$596,896 \$567,051 15 years

7) The acquisition of Channel 34 equipment, including all related costs and expenditures incidental thereto.

\$29,389 \$27,920 15 years

8) The installation of interior carpeting at various Township facilities, including all work and materials necessary therefor and incidental thereto.

\$29,389 \$27,920 15 years

9) Acquisition of various equipment for the Department of Public Works, including a claw and front loader, a bucket clamp and a clam digger vehicle, including all related costs and expenditures incidental thereto.

\$286,000 \$271,700 15 years

10) Acquisition of dump truck and plow, sports utility vehicle and a cargo van for the Department of Public Works, including all related

costs and expenditure incidental thereto.	<u>\$319,884</u>	<u>\$303,889</u>	5 years
Total:	<u>\$2,935,579</u>	<u>\$2,788,800</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

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 bond anticipation note shall mature later than one year from its date. The bond anticipation 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 bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation 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 bond anticipation 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 bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the

maturity schedule of the bond anticipation 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 bond 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 improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 10.94 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 \$2,788,800, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$620,000 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 purposes or improvements.

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 or improvements described in Section 3 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 purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond 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 ARule@) 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.

Cathy Southerland, 50 Adams Street

Jones – Hudley Motion to close public hearing

Adopted

Jones – Hudley Motion to adopt this ordinance on second reading after public hearing

Council Member Lyons and Council President Frederic spoke.

Adopted

9. Resolutions & Motions

A. Resolutions

Jones – Cox 24. Authorize Transfers of Funds in Calendar Year 2014 Municipal Budget

Township of Irvington
Appropriations Transfer Resolution # 2
CY – 2014

Accounts	From	To
Within “CAP”		
Mayor Office S&W		\$ 18,000.00
Council’s Office S&W		\$ 70,000.00
Municipal Court O&E		\$ 20,000.00
Police O&E		\$ 39,000.00
Surety Bonds Other		\$ 80,000.00
Workers Comp	\$ 80,000.00	
School Guards	\$ 5,000.00	
Health Insurance	\$ 77,000.00	
Refuse Dumping	\$ 65,000.00	
Sub-total Inside CAPS	\$227,000.00	\$227,000.00
Outside CAPS:		
Joint Sewer Maintenance	\$ 20,000.00	
911 Emergency Dispatch		\$20,000.00
Sub-total Outside CAPS	\$20,000.00	\$20,000.00
Grand Total	\$247,000.00	\$247,000.00

Adopted

Frederic – Jones 25. Resolution of Sorrow - Former Council President D. Bilal Beasley [WALK ON BY SPONSOR]

WHEREAS, D. BILAL BEASLEY served as Irvington’s South Ward Council Member from July 1, 1988 to June 30, 1994; as Council Member At-Large from July 1, 1994 to June 30, 1998; again as South Ward Council Member from November 9, 1998 to June 30, 2002; as Council President from July 1, 1996 to June 30, 1998; as Council 2nd Vice President from July 1, 2002 to June 30, 2012; again as Council Member At-Large from

July 1, 2002 to June 30, 2014; and again as Council President ~ July 1, 2012 to June 30, 2014; totaling over 25 years as an elected official in the Township of Irvington; and

WHEREAS, D. BILAL BEASLEY, was a resident of Irvington for more than 36 years and was married to Baseemah for 50 years; and

WHEREAS, D. BILAL BEASLEY, attended Newark schools and retired from the Newark Housing and Redevelopment Authority after decades of services; and

WHEREAS, D. BILAL BEASLEY, also served as Chairman of the Irvington Democratic Party since 1994 and served on numerous council committees such as the parking garage, township newsletter chair, rent leveling chair, sanitation chair, licensing, housing services, Board of Education chair, federal housing chair, budget and finance chair, minority vendors, housing counselor, traffic code, Emtak task force, bus stops, legal chair, school projects and graffiti chair; and

WHEREAS, D. BILAL BEASLEY also served with his wife Baseemah as South Three District Leaders for nearly three decades; and

WHEREAS, D. BILAL BEASLEY also has been active in the N.A.A.C.P. Executive Committee, South Ward Block Coalition, Muslim organizations and served on various political organizations; and

WHEREAS, D. BILAL BEASLEY was elected District 2 Freeholder on the Essex County Board of Chosen Freeholders term in November 2002, and then re-elected in 2005, 2008 and 2011; and

WHEREAS, D. BILAL BEASLEY was elected to New Jersey's Elected Officials Hall of Fame in recognition of his decades of public service; and

WHEREAS, D. BILAL BEASLEY served as a mentor, champion of the cause, distinguished gentleman and cerebral political genius whose suave and mild manner served as a learning tool for several generations of persons entering into that field over the years; and

WHEREAS, D. BILAL BEASLEY was respected for his experience, expertise, command, selflessness, and above all his dedication to family; and

WHEREAS, on December 22, 2014 D. BILAL BEASLEY left the ranks of his family, friends and fellow colleagues and joined the ranks of the departed to move on to a better place;

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Municipal Council hereby mourns the loss of D. BILAL BEASLEY and joins with his family and many friends and colleagues 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 a beloved, dedicated and renowned public servant, one that truly will not ever be forgotten in the annals of the Township of Irvington.

Adopted

ALCOHOLIC BEVERAGE CONTROL BOARD

DECEMBER 23, 2014

1. Chair Person Cox calls the Meeting to Order

2. Roll Call

Present: Commissioners Burgess, Frederic, Hudley, Inman, Jones, Lyons, Cox, Chair

Absent: None

2. New Business

Cox – Jones A. Authorize Renewal of ABC Consumption License for 2014-2015 Licensing Year With Special Ruling - Cricket Productions, Inc., trading as Cricket Club for Premises Located at 415-21 – 16th Avenue

WHEREAS, the following named license holder did not timely file their renewal application for the renewal term of July 1, 2014 - June 30, 2015 as of the last day for filing and the issuing authority can no longer accept their applications since the license has lapsed; and

WHEREAS, the license holder may file a petition with the New Jersey State Director of the Division of A.B.C. to request the issuance of a new license in place of its old license as per N.J.S.A. 33:1-12.18:

WHEREAS, The State Director of the Division of A.B.C. has granted said petition; and

WHEREAS, the following named corporation has received a tax clearance certificate from the New Jersey Division of Taxation on October 29, 2014; and

WHEREAS, the following named corporation, being an applicant for a Plenary Retail Consumption License for the year 2014-2015, with Special State Division of Alcoholic Beverage Control Ruling 12.18, required to sell alcoholic beverages under the provisions of N.J.S.A. Title 33, having been investigated as required by said Law, and the Alcoholic

Beverage Control Board being satisfied that said applicant in all things has met the requirements of the law and is a suitable and proper individual, partnership or corporation to whom a Plenary Retail Consumption Licenses for the sale of alcoholic beverages should be issued; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL ACTING AS THE ALCOHOLIC BEVERAGE CONTROL BOARD OF THE TOWNSHIP OF IRVINGTON that the local A.B.C. Board hereby consents to filing of an application of a “new” license for the following named individuals, partnerships and corporations for the issuance of a “new” license in place of its old license as per N.J.S.A. 33:1-12.18.

BE IT FURTHER RESOLVED that a permanent Plenary Retail Consumption Licenses be issued to the following named individual, partnership or corporation for the sale of alcoholic beverages by the glass or other open receptacles to be consumed on the licensed premises and also for the sale of alcoholic beverages in original containers for consumption off the licensed premises for the year 2014-2015 with Special State Division of Alcoholic Beverage Control Ruling 12.18 required at the address set opposite their respective name, viz:

0709-33-042-002 Cricket Productions, Inc.
t/a Cricket Club

415-21 – 16th Avenue

BE IT FURTHER RESOLVED that the said license be issued in the name of and under the seal of the Township of Irvington and be signed by a representative of the License Bureau, in order to fulfill the provisions of the Irvington Township Code, known as Ordinance MC 2622, which license, after being so signed, shall be released by a representative of the License Bureau to the licensee.

Commissioner Lyons spoke.

Adopted

3. Adjournment

12. Miscellaneous

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

Elouise McDaniel, 214 Nesbit Terrace
Rodney White, 41 Durand Place
Merrick Harris, 6 Hennessey Place
Norma Carty, 231 Nesbit Terrace
Frank McBee, 46 Durand Place

Cathy Southerland, 50 Adams Street
Richard Williams, 197 Linden Avenue
Michael Spruill, 97 Lenox Avenue

All of the Council Members responded to the issues raised by the above referenced citizens.

13. Adjournment

There being no further business, the meeting was adjourned at 9:15 P.M.

Charnette Frederic, Council President

Harold E. Wiener, Municipal Clerk