

REGULAR COUNCIL MEETING
MARCH 10, 2015

Council Chamber, Municipal Building
Irvington, N.J. – Tuesday Evening
March 10, 2015 - 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

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 – 2-24-15
2. Springfield Avenue Center Business Improvement District – Annual Audit for Period Ending June 30, 2014
3. Township Clerk – Constable Reports Submitted in January and February, 2015

7. Reports of Committees

A. Request for Proposals Results - Reverse Energy Auction – 2-26-15

8. Ordinances, Bills & Claims

B. Ordinances on 2nd Reading

None

C. Bills & Claims

Jones – Frederic 1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD MARCH 10, 2015, 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	\$6,493,684.03
SUPPLEMENTAL	\$ 177,074.08
TOTAL	\$6,670,758.11

Adopted
Absent: Inman

Jones – Hudley 2. Payrolls

February 7, 2015 through February 20, 2015

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$1,373,964.37	\$75,280.43	\$59,659.25	\$1,508,904.05

Adopted
Absent: Inman

9. Resolutions & Motions

A. Resolutions

Frederic – Jones 1. Commendation – Chamber of Commerce 2015 Civic Award Recipient - Hsin Kuang Lin

Irvington Chamber of Commerce
2015 Annual Civic Awards Dinner
Hsin Kuang Lin - Don's Diner

2015 Civic Award Recipient

WHEREAS, the Irvington Chamber of Commerce has annually recognized and honored those members of the community that have performed admirable civic and community minded activities during the past year. This year the Irvington Chamber of Commerce is holding it's 77th Annual Civic Award Dinner on March 26, 2015 at The Westwood in Garwood in recognition of the Township of Irvington's dedicated members of the community; and

WHEREAS, the Irvington Municipal Council would like to honor the Irvington Chamber of Commerce 2015 Civic Award recipient Hsin Kuang Lin; and

WHEREAS, Hsin-Kuang Lin is the proprietor of the beloved Irvington landmark Don's Diner. Lin is one such man who seeks business opportunities and revels in turning them into great service for the community; and

WHEREAS, he was born in Taiwan, where warm hospitality, and entrepreneurship in small businesses, are highly respected. Lin started out with a factory in Taiwan making metal parts for portable furniture; and

WHEREAS, seeking a better life for his family, he immigrated to New Jersey in 1990, first working as a car service driver. He then became the owner of the Dunkin Donuts on Central Avenue in East Orange, turning it into a community gathering place, serving thousands of cups of coffee every day; and

WHEREAS, in 2005, Lin saw another opportunity to take his passion for service to another level. He took over Don's Diner. An institution in Irvington serving families, seniors, and Irvington's finest. Lin got to work, giving the restaurant a makeover, hiring more staff, and introducing new menu items. The Sunday buffet draws huge crowds with classic favorites such as smothered pork chops and oxtails, at a bargain price; and

WHEREAS, after a recent fire, Lin was able to get the diner back on track to serve even more of Irvington and the region's residents; and

WHEREAS, true to the essence of a diner, Lin wants to keep serving good, comforting food that is fresh, generous, and affordable. In other words, being hospitable, plain and simple; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Municipal Council hereby commends Hsin-Kuang Lin for his community involvement and service to the community and wishes him many more distinguished and productive years.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of the Municipal Council as a lasting tribute to his many contributions to the Township of Irvington.

Adopted
Absent: Inman

Frederic – Jones 2. Commendation – Chamber of Commerce 2015 Civic Award Recipient - Harry Perryman

Irvington Chamber of Commerce
2015 Annual Civic Awards Dinner
Harry Perryman
2015 Community Service Award Recipient

WHEREAS, the Irvington Chamber of Commerce has annually recognized and honored those members of the community that have performed admirable civic and community minded activities during the past year. This year the Irvington Chamber of Commerce is holding it's 77th Annual Civic Award Dinner on March 26, 2015 at the The Westwood in Garwood in recognition of the Township of Irvington's dedicated members of the community; and

WHEREAS, the Irvington Municipal Council would like to honor the Irvington Chamber of Commerce 2015 Community Service Award recipient Harry Perryman; and

WHEREAS, for over 25 years, Harry Perryman has been championing causes which are important to the residents of various communities resulting in community enrichment. Within the Township of Irvington, his accomplishments in leading efforts to expand the scope of community service and program expansion began in 1988 with the Bridge Imani Center which provides crisis intervention to Irvington High School students; and

WHEREAS, in 2008 with a group of individuals from local and surrounding areas, Harry formulated the Rotary Club of Irvington, serving as its first President upon the Club being chartered on February 25, 2009 by Rotary International; and

WHEREAS, in January 2010, H&R Block presented Harry with the Essex County District Community Leadership Award for Excellence in Community Development; and

WHEREAS, 2012-2013 at the Irvington Public Library, Harry co-facilitated a workforce development apprentice training program in the construction field in partnership with the Construction Industry Apprentice Program of New Jersey to prepare and assist local individuals in acquiring gainful employment within the construction trades. Due to the success and demand of such a training program, Harry has partnered with the Craft Laborers of Delaware and New Jersey to offer a similar program which began in October 2014; and

WHEREAS, in June 2014, the Caribbean Economic Forum within the City of East Orange was coordinated by Harry and four other Caribbean Diaspora members; and

WHEREAS, in the City of Newark during 1996-1998, Harry Perryman co-founded the Interfaith Youth Alternative to Incarceration Program located at the Newark Anglican Church to lead high school youth in discovering and participating in activities which steered them away from a life of crime. In 2007 while employed as an Afterschool Program Coordinator at Hawkins Street School, Harry and his colleagues won an award in Robotics at the competitions held at NJIT; and

WHEREAS, while serving as a Minority and Women-Owned Business Enterprises (MWBE) Consultant in 2012, the Caribbean American Chamber of Commerce and Industries, Inc. within New York City presented Harry and 23 others with the prestigious Business Visionary Award. The NYC Council also honored the group with the Small Business Services Award. Harry was selected to be a member of former NYC Mayor Michael Bloomberg's taskforce for the re-establishment of small businesses which suffered during Hurricane Sandy; and

WHEREAS, currently, Harry serves as the Chair of the Interact Club of the Township of Irvington. This is one of the youth components of Rotary which is comprised of high school aged students within the community. Harry tutors high school and college students of all ages in calculus and for the Graduate Record Examinations (GRE). He is a member of the newly formed Irvington Township Health Initiative Coalition, which is focused on improving the overall health of the community. Harry is a member of the NAACP-Irvington Unit; and

WHEREAS, Harry studied mathematics and physics at Seton Hall University. Prior to working within the non-profit sector, he worked for corporations such as WR Grace and Prudential. In June 2007, he received the Board Leadership Institute Award and a certificate in Board Leadership and Management of Nonprofit Organizations from Seton Hall University. Additionally, Harry has relentlessly advocated for education through his involvement with Rutgers University Abbott Institute; receiving the Abbott Leadership Advocacy in Teaching Award in May 2008; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Municipal Council hereby commends Harry Perryman for his community involvement and service to the community and wishes him many more distinguished and productive years.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of the Municipal Council as a lasting tribute to his many contributions to the Township of Irvington.

Adopted
Absent: Inman

Frederic – Hudley 3. Commendation – Chamber of Commerce 2015 Civic Award Recipient - Joseph Romano

Irvington Chamber of Commerce
2015 Annual Civic Awards Dinner
Joseph Romano
Special Presentation

WHEREAS, the Irvington Chamber of Commerce has annually recognized and honored those members of the community that have performed admirable civic and community minded activities during the past year. This year the Irvington Chamber of Commerce is holding it's 77th Annual Civic Award Dinner on March 26, 2015 at the The Westwood in Garwood in recognition of the Township of Irvington's dedicated members of the community; and

WHEREAS, the Irvington Municipal Council would like to honor the Irvington Chamber of Commerce Special Presentation recipient Joseph Romano; and

WHEREAS, Joseph Romano is a business teacher at Irvington High School. Mr. Romano resides in Toms River with his family; and

WHEREAS, he received his B.S. degree in Business Administration from Montclair State University and his M.S. degree in Education from Walden University; and

WHEREAS, after an 18-year career as a salesperson, Mr. Romano enrolled in the New Pathways to Education program offered by New Jersey City University and Ocean County College; and

WHEREAS, in 2004, Mr. Romano was hired as a teacher in the Applied Technology Department of Irvington High School. Over the last 10 years, Mr. Romano has taught Introduction to Computers, Business Law, E-Commerce and Marketing/Sales; and

WHEREAS, Mr. Romano was the IHS Yearbook Pick Teacher of the Year in 2007 and in 2014, he was the Irvington School District Teacher of the Year; and

WHEREAS, he is the advisor of the Irvington High School Consumer Bowl Team and the Future Business Leaders of America Club; and

WHEREAS, in 2010, 2012, 2013 and 2014, the Irvington High School Consumer Bowl Team won the State Championship titles and finished second in 2009 and 2011. The team is the only one to win the State Championship three years in a row and four times in the history of the competition; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Municipal Council hereby commends Joseph Romano for his community involvement and service to the community and wishes him many more distinguished and productive years.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of the Municipal Council as a lasting tribute to his many contributions to the Township of Irvington.

Adopted
Absent: Inman

Jones – Frederic 4. Authorize Purchases of Fire Equipment From FireFighters Equipment Co., Inc. and Automobiles From Beyer Ford by State Contract Over the Pay to Play Threshold of \$17,500.00

AUTHORIZING PURCHASES UNDER THE STATE OF NEW JERSEY COOPERATIVE PURCHASING PROGRAM OVER THE BID THRESHOLD OF \$36,000.00

WHEREAS, the Township of Irvington, pursuant to N.J.S.A. 40A:11-12(a) and N.J.A.C. 5:34-7.29(c) may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of Treasury; and,

WHEREAS, the Township of Irvington has the need on a timely basis to purchase goods or services utilizing State contracts; and

WHEREAS, the list of vendors will exceed the bid threshold of \$36,000.00 for calendar year 2015; and

Type of Commodity	Name of Vendor	State Contract	User Department
Fire Equipment	Fire Fighters Equipments Co., Inc.	A80961	Fire Department
Automobiles	Beyer Ford	A88231, A83013, A81346	Department of Public Works

WHEREAS, the Township of Irvington intends to enter into contracts with the above State contract vendors over the bid threshold of \$36,000.00 through this resolution and properly executed purchase orders, which shall be subject to all the conditions applicable to current State contracts.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Irvington authorizes the purchase of certain goods and services from the above approved New Jersey State contract vendors over the bid threshold of \$36,000.00, pursuant to all the conditions of the individual State contracts; and

BE IT FURTHER RESOLVED by the Township Council that, pursuant to the N.J.A.C. 5:30-5.5(b), the certification of available funds and resolutions shall be certified at such time as the goods or services are called for prior to placing the order for good or service in excess of \$36,000.00, and a certification of availability of funds is made by the Chief Financial Officer via an authorized purchase order; and

BE IT FURTHER RESOLVED that the duration of this authorization shall be until December 31, 2015

BE IT FURTHER RESOLVED a separate resolution will be submitted to the Municipal Council for all addition vendors exceeding the bid threshold of \$36,000.00.

Adopted

Absent: Inman

Jones – Cox 5. Authorize Purchases of Sweeper Parts from U.S. Municipal Supply, Inc. by State Contract Over the Pay to Play Threshold of \$17,500.00

AUTHORIZING PURCHASES 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., the following vendors will exceed the Pay-to-Play threshold of \$17,500.00 for calendar year 2015

Type of Commodity	Name of Vendor	User Department
Sweeper Parts	US MUNICIPAL SUPPLY INC.	Department of Neighborhood Services

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

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

BE IT FURTHER RESOLVED by the Township Council that, pursuant to the N.J.A.C. 5:30-5.5(b), the certification of available funds and resolutions shall be certified at such time as the goods or services are called for prior to placing the order for good or service in excess of \$17,500.00, and a certification of availability of funds is made by the Chief Financial Officer via an authorized purchase order; and

BE IT FURTHER RESOLVED that the duration of this authorization shall be until December 31, 2015

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

Adopted
Absent: Inman

Frederic – Burgess 6. Commendation - Reverend Rodger John Harris, Jr.

**RESOLUTION OF COMMENDATION
REVEREND RODGER JOHN HARRIS, JR.**

WHEREAS, Rev. Harris has pastored Mount Hermon Baptist Church, Irvington, NJ since 2007, beginning his journey in ministry that has taken traditional and non-traditional paths; and

WHEREAS, since his call to ministry in 1996, he has served in ministry at Peaceful Zion Baptist Church and Calvary Baptist Church, E.O. as a Deacon, Sunday school teacher and Minister of Visitation; and

WHEREAS, he was the Youth minister at the Plymouth Church of the Pilgrims in Brooklyn, New York. Eventually he became the Assistant to the Pastor, Rev. Linda Hart-Green at Emmanuel Baptist Church, Ridgewood NJ - a unique multicultural congregation; and

WHEREAS, Rev. Harris led Emmanuel in local and global missions and was on the missionary task force to Rwanda Africa in 2001 where he preached and served together with Rev. Roy Medley, General Secretary of American Baptist Churches of USA; and

WHEREAS, Rev. Harris has been a chaplain for Port Authority New York/New Jersey police force since 1999 where he provides guidance pastoral care to the uniformed officers and is the first African American to serve this post; and

WHEREAS, in the aftermath of the 9/11 tragedy, Rev. Harris traveled across the country conducting workshops on counseling in disaster scenarios; and

WHEREAS, Rev. Harris received his Bachelor of Science Degree in Social Work from Kean University; Master's degree in Theological Studies from New York Theological Seminary in Manhattan NY, serves as a Social Worker at the Essex County Youth Detention Center in Newark and is active in the Newark Minister's Conference; National Baptist Churches, USA, and serves as the Vice President of the Quarterly Union of the Christian Fellowship Missionary Baptist Association; and

WHEREAS, Rev. Harris shares his life and ministry with his wife, Ellen Michelle in a marriage framed in friendship; faith and love since they both grew up in the same neighborhood and in ministry together beginning in East Orange and Peaceful Zion with Michelle being a gifted attorney and the Chief Legal Officer for the Newark Housing Authority; and

WHEREAS, Rev. Harris and Sis. Harris happily call Newark their home and are pleased that they live close to the church and the people they are called to serve:

NOW, THEREFORE BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington hereby commends and honors Reverend Rodger John Harris, Jr. for his many years of clerical service and community service and for all of the gift he has bestowed upon his parishioners and clients as a result of his infinite knowledge, wisdom and commitment to all he comes in contact with.

Adopted
Absent: Inman

Cox – Hudley 7. Ratify Emergency Contract Based With Frontline Industries for Repair of Sewer Ejectors at the Public Safety Building - \$1,595.00

RESOLUTION TO AWARD AN EMERGENCY CONTRACT TO FRONTLINE INDUSTRIES

WHEREAS, the sewer ejectors in the Public Safety Building over spilled causing the basement floor to flood causing a health emergency; and

WHEREAS, Frontline Industries is over the quote threshold of \$5,400.00; and

WHEREAS, a second quote is required to use this vendor under Local Public Contracts Law; and

WHEREAS, the Public Works Director has declared an emergency in writing to use this vendor, suspending the quote requirements; and

WHEREAS, the Township will use this vendor on an emergency basis to repair the the sewer ejectors for an amount not to exceed \$1,595.00; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that it ratifies the decision of the Director of Public Works to authorize an emergency contract to Frontline Industries, 990 Chancellor Ave Irvington, NJ 07111 for an amount not to exceed \$1,595.00; and

BE IT FURTHER RESOLVED, the appropriation to be charged for this expenditure is Account Number 5-01-21-165-165-118.

Adopted
Absent: Inman

Hudley – Frederic 8. Establish Handicapped Parking Spaces in Front of 26 Rich Street, 137 Orange Avenue and 19 Sagar 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 restricted parking spaces in front of 26 Rich Street, 137 Orange Avenue and 19 Sagar 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 of 26 Rich Street, 137 Orange Avenue and 19 Sagar Place; and

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

Adopted
Absent: Inman

Hudley – Frderic 9. Authorize Change Order for Grant Consulting Services - Bruno and Associates - Increase Contract Amount by \$6,375.00 to Complete Work on Outstanding Grant Applications

A RESOLUTION AUTHORIZING CHANGE ORDER #1 FOR GRANT CONSULTING SERVICES

WHEREAS, a contract was awarded to Bruno & Associates, by resolution number DA 14-0715-27 in the amount of \$37,500.00 for grant consulting services; and

WHEREAS, the vendor will need to complete work on outstanding grant applications, which will result in exceeding the contract amend of \$37,500.00; and

WHEREAS, total cost for the recommended changes is \$6,375.00 and the Business Administrator agrees with the recommended changes; and

WHEREAS, the recommended changes are under twenty percent (20%) of the original contract.

THEREFORE, BE IT RESOLVED, that the Mayor and Municipal Clerk be and are hereby authorized to execute Change Order #1 with Bruno & Associated, 1373 Broad Street, Clifton, NJ for additional grant consulting services provided to the Township, increasing the total contract to \$43,875.00, an overall increase of \$6,375.00; and

BE IT RESOLVED, that the required certification of availability of funds in the amount of \$6,375.00 is attached, C4-00259.

Adopted
Absent: Inman

B. Motions

None

10. Communications & Petitions

A. Communications

1. Roselle Park Resolution – Support Assembly Bill 1109 – Seek Stricter Rules and Regulations for Organizations Housing and Caring for Individuals With Developmental Disabilities
2. Caldwell Resolution – Support for Towns Impacted by the Pilgrim Pipeline
3. Mayor Vauss – Executive Order #2015-1 – Snow Removal and Parking Restrictions

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. Increase Fee for Public Defender Services from \$150.00 Per Court Session to \$200.00 Per Court Session

AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED CODE OF THE TOWNSHIP OF IRVINGTON, CHAPTER 5 ENTITLED ADMINISTRATION

Adopted
Absent: Inman

Jones – Frederic 2. Amend Section 5-26B of Revised Code - Rules of the Council

AN ORDINANCE AMENDING AND SUPPLEMENT CHAPTER 5, ARTICLE II OF THE REVISED CODE OF THE TOWNSHIP OF IRVINGTON ENTITLED “RULES OF THE COUNCIL”.

Defeated
YES: Burgess, Cox, Hudley
NO: Jones, Lyons, Frederic
ABSENT: Inman

Cox – Frederic 3. Amend and Supplement Billboard and Sign Ordinance Regarding Political Signs

AN ORDINANCE TO AMEND AND SUPPLEMENT AND AMEND CHAPTER 1. ARTICLE III [PENALTIES] CHAPTER 75 (SIGNS AND BILLBOARDS) AND CHAPTER 98 [FEES] OF THE CODE OF THE TOWNSHIP OF IRVINGTON TO PROVIDE FOR A FEE FOR POLITICAL SIGNS AND TO PROVIDE FOR VIOLATIONS AND PENALTIES THEREOF.

Adopted
Absent: Inman

Cox – Frederic 4. Amend Article II of Chapter 98 to Provide for Discounted Dog and Cat License Fees for Persons Over 60 Years of Age

Adopted
Absent: Inman

12. Miscellaneous

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

Juan De La Cruz, Hair Salon Owner, 855 Springfield Avenue
K. Thomas, 382 Chapman Street

Elouise McDaniel, 214 Nesbit Terrace
Howard Esser, 31 Bamford Place
Kim Williams, 42 Oakland Street

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

13. Adjournment

There being no further business, the meeting was adjourned at 8:42 P.M.

Charnette Frederic, Council President

Harold E. Wiener, Municipal Clerk