

REGULAR COUNCIL MEETING
MAY 27, 2015

Council Chamber, Municipal Building
Irvington, N.J. – Wednesday Evening
May 27, 2015 - 8:00 P.M.

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

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

Absent: Paul Inman, Sandra R. Jones (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)

Cathy Southerland, 50 Adams Street

5. Hearing of Council Members

Council member Lyons and Council President Frederic responded to the issues raised by the above referenced citizens.

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

A. Reports

1. Minutes – Directors’ Meeting – 5-12-15
2. Minutes - Joint Meeting 3-19-15
3. Joint Meeting – Annual User Charge Apportionment Report for the Year 2014

7. Reports of Committees

None

8. Ordinances, Bills & Claims

A. Ordinances on 1st Reading

None

B. Ordinances on 2nd Reading

None

C. Bills & Claims

Burgess – Hudley 1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD MAY 27, 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	\$1,711,331.46
TOTAL	\$1,711,311.46

Adopted
Absent: Inman, Jones

Hudley – Burgess 2. Payrolls

May 2, 2015 through May 15, 2015

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$1,423,270.14	\$92,553.97	\$61,922.01	\$1,577,746.12

Adopted
Absent: Inman, Jones

9. Resolutions & Motions

A. Resolutions

Frederic - 1. Appointment - Citizens Advisory Commission - Jillian Phillips

WHEREAS, vacancies currently exist on the Citizens Advisory Commission due to the expiration of the terms of its members:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the following named person is hereby appointed as a member of the Citizens Advisory Commission for a term as indicated below:

NAME & ADDRESS	WARD & DISTRICT	APPOINTED BY	TERM TO EXPIRE
Jillian Phillips 4 Edmund Place	W-6	Council President Frederic	9-10-15

Adopted
Absent: Inman, Jones

Lyons – Frederic 2. Confirm Mayor's Nomination of Silvia Forbes as Municipal Tax Assessor

WHEREAS, the Mayor has submitted the Nomination of Silvia Forbes, C.T.A. to the position of Tax Assessor for a four year term beginning July 1, 2015 and expiring June 30, 2019; and

WHEREAS, N.J.S.A. 40:69A-43(b), 40:9-148 and 148.1, require that the exercise of advice and consent be memorialized by resolution of the Municipal Council:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the nomination by the Mayor of Sylvia Forbes to the position of Tax Assessor, for a four year term commencing July 1, 2015 and expiring June 30, 2019, be and is hereby confirmed.

Adopted
Absent: Inman, Jones

Lyons – Frederic 3. Authorize One Year Extension of Contract for Actuarial Services - Aquarius Capital - Not To Exceed \$1,500.00

RESOLUTION TO EXTEND ACTUARIAL SERVICE CONTRACT

WHEREAS, resolution number DRF 13-0611-40 authorized a actuarial service on June 11, 2013; and

WHEREAS, resolution number DRF 14-0506-13 authorized an extended service contract with the vendor until July 01, 2015 for an amount not to exceed \$1500.00 per year

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

WHEREAS, the vendor has agreed to extend the existing agreement for one year; and

WHEREAS, it would be in the Township's best interest to extend the existing agreement for one year as recommended by the Finance and Revenue Director; and

NOW, BE IT HEREBY RESOLVED by the Township of Irvington, Essex County, New Jersey that the following contract be extended for one year, starting on July 02, 2015 until July 01, 2016 for an amount not to exceed \$1,500.00 per year to Aquarius Capital, 110 Betsy Brown Road, Port Chester, NY 10573.

BE IT FURTHER RESOLVED that the Township Attorney is directed to prepare the appropriate contracts and the Mayor and the Township Clerk be and the same are hereby authorized to execute said contract with the above listed company; 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

Absent: Inman, Jones

Hudley – Cox 4. Authorize Non-Fair and Open Contract for Health and Prescription Insurance Services - Maritain Health /Aetna US Health Care - Estimated Annual Cost of \$8,672,880.00

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR HEALTH AND PRESCRIPTION BENEFITS INSURANCE SERVICES AND RESCINDING RESOLUTION NUMBER DA 15-0414-12
AWARDING HEALTH BENEFIT AND PRESCRIPTION BENEFIT INSURANCE SERVICES TO AETNA US HEALTHCARE

WHEREAS, the Township of Irvington has a need to acquire health and prescription services including the alternative of a self-insured program requiring administration, claim processing and excess loss insurance placement to be rendered to the Township of Irvington as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4

WHEREAS, the Purchasing Agent has determined and certified in writing that based on the information provided to the Township by the Insurance Broker on file that the value of the acquisition will exceed \$17,500; and,

WHEREAS, the C-271 Political Contribution Disclosure forms were on file in the Office of the Municipal Clerk and Purchasing Agent on May 06, 2015; and,

WHEREAS, the anticipated term of this contract is one year starting on July 01, 2015 through June 30, 2016; and

WHEREAS, MERITAIN HEALTH/AETNA US HEALTH CARE, 9 Entin Road, Suite 203, Parsippany, NJ 07054 has submitted a proposal indicating they will provide the health insurance service to the Township at an estimated annual cost of \$8,672,880.00; and

WHEREAS, MERITAIN HEALTH/AETNA US HEALTH CARE has completed and submitted a Business Entity Disclosure Certification which certifies that AETNA US HEALTH CARE has not made any reportable contributions to a political or candidate committee in the Township of Irvington in the previous one year, and that the contract will prohibit MERITAIN HEALTH /AETNA US HEALTH CARE from making any reportable contributions through the term of the contract, and

WHEREAS, on April 14, 2015, the Municipal Council Awarded a contract for Health Benefit and Prescription Benefit Insurance Services to Aetna US Healthcare under Resolution No. DA 15-0414-12; and

WHEREAS, the Township of Irvington has determined that the Resolution No. DA 15-0414-12 should be rescinded;

NOW THEREFORE, BE IT RESOLVED that the Municipal Council of the Township of Irvington authorizes the award of a non-fair and open contract to MERITAIN HEALTH/AETNA US HEALTH CARE of Entin Road, Suite 203, Parsippany, NJ 07054; 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 FURTHER RESOLVED, that the required certification of availability of funds will be obtained from the Chief Financial Officer contingent on the adoption of the calendar year 2015 budget.

BE IT FURTHER RESOLVED, notice of this action shall be published in newspapers as required by law by the Municipal Clerk; and

BE IT FURTHER RESOLVED by the Council of Township of Irvington, in the County of Essex, that Resolution No. DA-15-0414-12 approved on April 14, 2015 is hereby rescinded.

Adopted

Absent: Inman, Jones

Burgess – Lyons 5. Authorize Contract - Concession for Digital Advertising in the Municipal Building - Next Digital - \$40.00 Per Month Per Location

**AWARDING A CONCESSION CONTRACT FOR DIGITAL ADVERTISING IN THE
MUNICIPAL BUILDING**

WHEREAS, Township of Irvington wishes to provide digital advertising in the Municipal lobby, Police headquarter lobby and the Court building lobby;

WHEREAS, the Township of Irvington has space available in the Municipal lobby, Police headquarter lobby and the Municipal Court building lobby for a business to rent and operate digital advertising; and

WHEREAS, the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-3 et seq. establishes pursuant to P.L. 1985 Chapter 469 bidding threshold for awarding contracts to local government entities which is not exceeded by the award of this 2015 Contract; and

WHEREAS, Next UP Digital LLC of 17-10 River Road, Suite 2D, Fair Lawn NJ 07410 wishes to rent available space for digital advertising; and

WHEREAS, Next Digital will remit \$40.00 per month to the Township for each location that digital signs are installed.

NOW, THEREFORE, BE IT RESOLVED by the Irvington Municipal Council, as follows:

1. The Mayor and Clerk are hereby authorized to enter into a one year contract with Next UP Digital LLC of 17-10 River Road, Suite 2D, Fair Lawn NJ 07410 starting on June 10, 2015 until June 11, 2016.
2. The Agreement authorized by this resolution is on file in the Office of the Municipal Clerk and may be inspected during regular office hours.
3. This contract for digital advertising is being awarded without competitive bidding since the concession fee to be paid by Next UP Digital LLC of 17-10 River Road, Suite 2D, Fair Lawn NJ 07410 is under the quote threshold, establishes pursuant to P.L. 1985, Chapter 469 of the Laws of the State of New Jersey.
4. A notice of this action shall be published in newspapers as required by law within ten (10) days of its passage.

Adopted

Absent: Inman, Jones

Lyons – Burgess 6. Establish Handicapped Parking Spaces in Front of 31 Bamford Place and 27 Cummings Street

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

WHEREAS, requests have been made for restricted parking spaces in front of 31 Bamford Place and 27 Cummings Street:

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 31 Bamford Place and 27 Cummings Street; 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, Jones

Hudley – Burgess 7. Resolution of Sorrow - Turner Moore

RESOLUTION OF SORROW
TURNER MOORE

WHEREAS, the Irvington Municipal Council wishes to express their deepest sorrow on the passing of Turner Moore on May 8, 2015;

WHEREAS, Turner Moore was born on January 20, 1952, to the late James and Susan Moore of South Carolina. Turner also had a stepdad, the late Ernest White Jr; and

WHEREAS, Turner attended Dayton Street School and South Side High School (now called Malcolm X Shabazz); and

WHEREAS, Turner was the beloved husband of Lisa Moore. He enjoyed many happy years with his wife Lisa and son Steven Butler Moore. Turner was extremely close to Lisa's parents and sister-in-law; and

WHEREAS, Turner served in the United States Army and fought in the Vietnam War. He was honorably discharged. Turner was a Member and Officer of the Veterans of Foreign Wars (VFW); and

WHEREAS, Turner always enjoyed outside activities especially golfing, walking, jogging and cycling. He was a great dancer and loved music. He participated in school activities and social events with his children and loved ones. Turner was also a great story-teller and had no inhibitions about public speaking forums or conducting meetings; and

WHEREAS, Turner mentored and counselled other soldiers and made changes to his lifestyle that increased his productivity and enhanced his daily life. He helped others to transition back into society after the war and sought help for those experiencing post-traumatic stress disorder; and

WHEREAS, Turner leaves to cherish in his memory his wife Lisa; son, Steven Butler Moore; daughters, Holly Bey, Tynesha Bey and Rakeema Bey; siblings William “Bill”

Moore (wife Barbara), Constance Moore Peterson and Reginald Moore; grandchildren, great grandchildren and a host of other relatives and numerous friends who love him dearly; and

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

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of this governing body as a lasting tribute to Turner Moore.

Adopted

Absent: Inman, Jones

Cox – Hudley 8. Ratify IUOE Local 68 D Blue Collar Labor Contract - July 1, 2013 through June 30, 2017

WHEREAS, the Township of Irvington and the IUOE Local 68D “Blue Collar” has engaged in labor negotiations for the purpose of establishing salaries and other conditions of employment for members of said association of the Township of Irvington; and

WHEREAS, the Township of Irvington and the IUOE Local 68D “Blue Collar” have mutually agreed to the salaries and other conditions of employment for the period beginning July 1, 2013 and ending June 30, 2017;

NOW, THEREFORE BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that they hereby ratify and approve the terms and conditions of the Memorandum of Agreement attached hereto and made a part hereof; and

BE IT FURTHER RESOLVED that the Mayor and the Township Clerk are authorized and empowered to execute the said Memorandum of Agreement.

Adopted

Absent: Inman, Jones

Burgess – Frederic 9. Authorize Lease Agreement for Printing Machine By State Contract - Complete Document Solutions, LLC - Not to Exceed \$52,009.20 Over Five Year Period

AUTHORIZING THE TOWNSHIP TO ENTER INTO A LEASE AGREEMENT WITH
A STATE CONTRACT OVER THE BID THRESHOLD

WHEREAS, the Administration Department is in need of multipurpose C70EX printing machine; and

WHEREAS, said lease agreement, in the aggregate for five years will exceed the bid threshold; and

WHEREAS, the Township has obtained two quotes for this service from two State contract vendors; and

WHEREAS, Complete Document Solutions LLC has provided the lowest quote of \$866.82 per monthly for the lease agreement pursuant to State Contract number 68053, totaling \$52,009.20 for five years; and

WHEREAS, in accordance N.J.S.A. 40A:11-12(a) and N.J.A.C. 5:34-7.29(c) the Township of Irvington, 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

NOW, THEREFORE, BE IT RESLOVED, that the Municipal Council of the Township of Irvington hereby authorizes the Qualified Purchasing Agent to enter into a lease agreement with Complete Document Solutions LLC of 19 Gloria Lane, Fairfield, NJ 07004 above 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 \$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 lease agreement will take effect immediately and will remain valid for sixty months.

Adopted

Absent: Inman, Jones

Cox – Hudley 10. Authorize Township Attorney to Use Substitute Prosecutor for One Court Session at \$300.00 - Gina DeVito

**RESOLUTION AUTHORIZING THE TOWNSHIP ATTORNEY TO USE
SUBSTITUTE PROSECUTORS ON AN EMERGENCY BASIS**

WHEREAS, resolution number TA 14-0909-10 appointed three substitute prosecutors to be used on an on-call basis in the event of conflict cases or due to shortage of available staff and;

WHEREAS, the three appointed substitute prosecutors were unavailable to coverage a court session on May 14, 2015 and;

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

WHEREAS, the Township Attorney has declared an emergency in writing to hire Gina DeVito to cover the municipal court session on May 14, 2015.

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

1. The Township Attorney will hire Gina DeVito as a substitute prosecutor on an emergency basis for May 14, 2015 court session.
2. The Township Attorney will prepare the appropriate contract for this service.
3. The vendors will be paid an amount not to exceed \$300.00 per session on purchase order number 15-02571.

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 – Burgess 11. Authorize Township Attorney to Use Substitute Prosecutor for One Court Session at \$300.00 - Peter Fico

**RESOLUTION AUTHORIZING THE TOWNSHIP ATTORNEY TO USE
SUBSTITUTE PROSECUTORS ON AN EMERGENCY BASIS**

WHEREAS, resolution number TA 14-0909-10 appointed three substitute prosecutors to be used on an on-call basis in the event of conflict cases or due to shortage of available staff and;

WHEREAS, the three appointed substitute prosecutors were unavailable to coverage a court session on May 13, 2015 and;

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

WHEREAS, the Township Attorney has declared an emergency in writing to hire Peter Fico to cover the municipal court session on May 13, 2015.

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

1. The Township Attorney will hire Peter Fico as a substitute prosecutor on an emergency basis for May 13, 2015 court session.
2. The Township Attorney will prepare the appropriate contract for this service.
3. The vendors will be paid an amount not to exceed \$300.00 per session on purchase order number 15-02167.

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

Burgess – Hudley 12. Authorize Extension of Contract for Private Debt Collection Services - First Credit Services - One Year - 17.5 Percent of Amount of Debt Collected

RESOLUTION TO EXTEND PRIVATE DEBT COLLECTION SERVICE
CONTRACT

WHEREAS, resolution number MCT 14-0812-1 authorized a private debt collection service contract which expires on July 08, 2015; and

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

WHEREAS, the vendor has agreed to extend the existing agreement for one year; and

WHEREAS, it would be in the Township's best interest to extend the existing agreement for one year as recommended by the Municipal Court; and

NOW, BE IT HEREBY RESOLVED by the Township of Irvington, Essex County, New Jersey that the following contract be extended for one year, starting on July 09, 2015 until July 10, 2016 with First Credit Services, 371 Hoes Lane, Piscataway, NJ 08854

BE IT FURTHER RESOLVED that all payments by the debtors will be collected by the Municipal Court of the Township of Irvington and the vendor (First Credit Services) will receive an amount not to exceed seventeen point five percent (17.5%) of the total amount collected by the fifteenth of the following month of collections. Payment will be forwarded by the Municipal Court Director pursuant to rules governing the Courts.

BE IT FURTHER RESOLVED that the Township Attorney is directed to prepare the appropriate contracts and the Mayor and the Township Clerk be and the same are hereby authorized to execute said contract with the above listed company.

Adopted
Absent: Inman, Jones

Cox – Burgess 13. Authorize Premiere Energy Auctions to Conduct an Online Reverse Energy Auction on Behalf of the Township

Resolution Authorizing The Township Approved Agent to Conduct an
Online Reverse Energy Auction

WHEREAS, the Municipal Council awarded a contract to Premiere Energy Auction on April 14, 2015; and

WHEREAS, the Township is interested in lowering the Township's gas and electricity bills; and

WHEREAS, it is recommended by our energy audit report and consultant to conduct a reverse auction process to obtain lower prices for gas and electricity; and

WHEREAS the NJ Department of Community Affairs, Division of Local Government Services, permits municipalities – as per P.L.2001, c.30 – to utilize Division-approved online purchasing agents to secure energy supply contracts through an online bidding/reverse auction process; and

WHEREAS the services of said approved agents are exempt from public bidding, as per P.L.2001, c.30; and

WHEREAS the governing body of the Township of Irvington desires to utilize Premiere Energy Auctions – a BPU certified and DCA approved provider of online energy procurement – to secure gas and electricity supply contracts for municipal facilities; and

WHEREAS the NJDCA and NJBPU advise that contracts for power supply should be awarded shortly after an online auction is conducted in order to ensure the lowest possible rates;

THEREFORE, BE IT RESOLVED, that the governing body of the Township of Irvington authorizes Premiere Energy Auctions to conduct online auctions for the purpose of securing gas and electricity supply contracts for township utility accounts.

BE IT FURTHER RESOLVED, that the governing body of the Township of Irvington authorizes the Qualified Purchasing Agent to award power supply contracts for township gas and electricity accounts on the day that the auctions close, provided that the average rates procured are lower than those provided by the local utility company. The Qualified Purchasing Agent will provide the Municipal Council with the approved rates at the next Municipal Council meeting after the auction.

BE IT FURTHER RESOLVED that the Township Attorney is directed to prepare the appropriate contracts and the Mayor and the Township Clerk be and the same are hereby authorized to execute said contract with the above listed company.

Adopted

Absent: Inman, Jones

Lyons – Burgess 14. Authorize Professional Services Contract for Outside Counsel Services in the Matter of Cromwell Versus New Jersey Motor Vehicles Commission - Eric M. Bernstein - \$115.00 Per Hour for a Total Amount 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 April 23, 2015 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 Eric M. Bernstein & Associates, LLC

has the most experience to defend the Township of Irvington in the case of Cromwell v. N.J. Motor Vehicle Commissions, et als., Case No. 15-11513; and

WHEREAS, the Township Attorney has recommended that a contract be awarded Eric M. Bernstein & Associates, LLC, 34 Mountain Blvd., Bldg. A, Warren, NJ 07059.

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 Eric M. Bernstein & Associates, LLC, 34 Mountain Blvd., Bldg. A, Warren, NJ 07059 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

Absent: Inman, Jones

Jones – Cox 15. Authorize Professional Services Contract for Outside Counsel Services in the Matter of McGill Versus Township of Irvington – Roth D'Aquanni - \$115.00 Per Hour for a Total Amount 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 Roth D'Aquanni, LLC has the most experience to defend the Township of Irvington in the case of McGill v. Township of Irvington, Docket No. ESX-L-002149-15; and

WHEREAS, the Township Attorney has recommended that a contract be awarded Roth D'Aquanni, LLC, 150 Morris Avenue, Suite 206, Springfield, New Jersey 07081.

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 Roth D'Aquanni, LLC, 150 Morris Avenue, Suite 206, Springfield, New Jersey 07081 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

Absent: Inman, Jones

Burgess – Lyons 16. Authorize Professional Services Contract for Outside Counsel Services in the Matter of Jackie Alexander Versus Detective Miguel Holguin - Roth D'Aquanni - \$115.00 Per Hour for a Total Amount 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 Roth D'Aquanni, LLC has the most experience to defend the Township of Irvington in the case of Jackie Alexander v. Detective Miguel Holguin, et al, Case Number 2:15-CV-01965-JLL-JAD; and

WHEREAS, the Township Attorney has recommended that a contract be awarded Roth D'Aquanni, LLC, 150 Morris Avenue, Suite 206, Springfield, New Jersey 07081.

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 Roth D'Aquanni, LLC, 150 Morris Avenue, Suite 206, Springfield, New Jersey 07081 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 be paid from the Insurance fund for an amount not to exceed \$115.00 per hour.

Adopted

Absent: Inman, Jones

Frederic – Cox 17. Recognize June as Caribbean American Heritage Month.doc

RESOLUTION

Recognizing June 2015 as Caribbean American Heritage Month

WHEREAS, in June 2005, the House of Representatives unanimously adopted H. Con. Res. 71, sponsored by Congresswoman Barbara Lee, recognizing the significance of Caribbean people and their descendants in the history and culture of the United States. On February 14, 2006, the resolution similarly passed the Senate, culminating a two-year, bipartisan and bicameral effort.

WHEREAS, the White House has issued an annual proclamation recognizing June as Caribbean-American Heritage Month. This year marks the ninth anniversary of June as National Caribbean American Heritage Month.

WHEREAS, the Township of Irvington is home to and employer of many Caribbean Americans;

WHEREAS, the Township of Irvington joins the President of the United States in recognizing that:

“Caribbean Americans are part of a great national tradition, descendants of hopeful, striving people who journeyed to our lands in search of a better life. They were drawn by a belief in the power of opportunity, a belief that through hard work and sacrifice, they could provide their children with chances they had never known. Thanks to these opportunities and their talent and perseverance, Caribbean Americans have contributed to every aspect of our society -- from science and medicine to business and the arts. During National Caribbean-American Heritage Month, we honor their history, culture, and essential role in the American narrative.”

“As America celebrates our Caribbean heritage, let us hold fast to the spirit that makes our country a beacon to the world. This month, let us remember that we are always at our best when we focus not on what we can tear down, but on what we can build up. And together, let us strengthen the bonds that hold together the most diverse Nation on earth.”

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington joins with Mayor Tony

Vauss the Nation, States, Counties and Cities throughout this great country in proclaiming June 2015 as Caribbean-American Heritage Month. I encourage all Americans to celebrate the history and culture of Caribbean Americans with appropriate ceremonies and activities.

Adopted

Absent: Inman, Jones

B. Motions

None

10. Communications & Petitions

A. Communications

None

B. Petitions

None

11. Pending Business

None

12. Miscellaneous

A. Bingos and Raffles

None

12. Miscellaneous

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

Elouise McDaniel, 214 Nesbit Terrace

Cathy Southerland, 50 Adams Street

Kim Williams, 42 Oakland Street

Harry Perryman, 21 Nesbit Terrace

Merlina Richards, 503 Nye Avenue

All of the Council Members present addressed the issues raised by the above referenced citizens.

13. Adjournment

There being no further business, the meeting was adjourned at 8:45 P.M.

Charnette Frederic, Council President

Harold E. Wiener, Municipal Clerk