

REGULAR COUNCIL MEETING
OCTOBER 27, 2015

Council Chamber, Municipal Building
Irvington, N.J. – Tuesday Evening
October 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, Paul Inman, David Lyons, Charnette Frederic

Absent: 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)

Michael Spruill, 97 Lenox Avenue
Elouise McDaniel, 214 Nesbit Terrace

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 – October 14, 2015
2. Joint Meeting – Minutes – June 18, 2015
3. Joint Meeting – Report for July, 2015
4. Joint Meeting – Report for August, 2015

7. Reports of Committees

None

8. Ordinances, Bills & Claims

A. Ordinances on 1st Reading

None

B. Ordinances on 2nd Reading

None

C. Bills & Claims

Cox – Hudley 1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD OCTOBER 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	\$6,219,040.40
TOTAL	\$6,219,040.40

Adopted
Absent: Jones

2. Payrolls

No payrolls were submitted by the Administration.

9. Resolutions & Motions

A. Resolutions

Frederic – Lyons 1. Commemoration – Retirement of Library Director Joan Whittaker

RESOLUTION OF COMMEMORATION UPON RETIREMENT
JOAN E. WHITTAKER
LIBRARY DIRECTOR
IRVINGTON PUBLIC LIBRARY

WHEREAS, the Irvington Municipal Council wishes to express their congratulations and best wishes to Joan E. Whittaker upon her retirement as Library Director; and

WHEREAS, Joan E. Whittaker was born in Jamaica, West Indies and immigrated to the United States in 1988 in order to attend graduate school. After twelve months she graduated with a

Masters degree in Library and Information Science and has served in her profession since then in one capacity or another; and

WHEREAS, on April 17, 1995, Joan E. Whittaker began her tenure with the Irvington Public Library as Reference Librarian. After three months she was asked to take on the responsibility of Head of Children's Services and served in that capacity until she was promoted to Library Director on June 5, 2000; and

WHEREAS, during her appointment as Library Director, Ms. Whittaker has revitalized the services and programs of the library and has transformed the library from its traditional role to the hub of the Township. Ms. Whittaker refurbished the adult library in 2000 for the very first time since the library was built in 1968. She later tackled the Children's Room and office areas. Today, the library is a bright inviting place and attracts over 20,000 visitors per month; and

WHEREAS, Joan E. Whittaker has been proactive in providing cutting-edge technology to the people who use the library. In 2000, she designed a state of the art computer lab and completed the project within three months. Several grants were written and funds were received to purchase computers. Recently the Bill and Melinda Gates Foundation Grants completely furnished the lab with eleven computers. Two other computer centers were built in recent years to meet the demand for public access computers. A variety of free computer classes are offered almost every day of the week to anyone from anywhere; and

WHEREAS, Joan E. Whittaker's skill, knowledge, enthusiasm, resourcefulness and pro-active stance as a leader has resulted in her becoming an exceptional director in the Township of Irvington; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that is hereby commends our dear friend and consummate librarian Joan E. Whittaker for her unwavering dedication and public service for many years, as well as for her professionalism, knowledge and dedication which has been unselfishly displayed for the benefit of the citizenry of 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 Joan E. Whittaker.

Adopted
Absent: Jones

Cox – Inman 2. Authorize Purchase of Automobiles Over the Bid Threshold by State Contract from Winner Ford

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, Chas S Winner Inc, DBA Winner Ford of 250 Berlin Road, Cherry Hill, NJ 08034 will exceed the bid threshold of \$36,000.00 for calendar year 2015; and

WHEREAS, the Township of Irvington intends to enter into contracts with State Contract number A88228 over the bid threshold of \$36,000.00 through this resolution and properly executed purchase orders for the service of automobiles.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Irvington authorizes the purchase of automobiles over the bid threshold of \$36,000.00, pursuant to all the conditions of state contract number A88228; 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: Jones

Inman – Cox 3. Authorize Qualified Pool of Architects to Perform Architectural Services on an As Needed Basis Based Upon Requests for Proposals

**RESOLUTION QUALIFYING ARCHITECTURAL SERVICE IN
A FAIR AND OPEN PROFESSIONAL SERVICE**

WHEREAS, the Request for Qualifications (RFQs) for Architectural services was publicly advertised in the New Jersey Star Ledger and on our Municipal website on September 01, 2015 with a deadline for qualifications to be submitted on September 24, 2015; and

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

WHEREAS, said qualifications were referred to the Township Engineer;

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

The Musial Group Architecture
191 Mill Lane

Mountainside, NJ 07092

DMR Architects
777 Terrace Avenue, Suite 607
Hasbrouck Heights, NJ 07604

Elements Architectural Group
12 N State 17, Suite 220
Paramus, NJ 07652

James R. Guerra
55 Jefferson Ave,
Elizabeth, NJ 07201

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

BE IT FURTHER RESOLVED, that appointment is for one year starting on November 01, 2015 and ending on October 31, 2016; 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 when quotes are submitted to the Municipal Council for each individual project.

Adopted
Absent: Jones

Cox – Hudley 4. Authorize Purchase of Hardware Products Over the Bid Threshold by Through the Morris County Cooperative Purchasing Pricing System Agreement With State Contract from Continental Hardware

AUTHORIZING PURCHASES UNDER THE MORRIS COUNTY COOPERATIVE PURCHASING PROGRAM AND ESSEX COUNTY COOPERATIVE PROGRAM OVER THE BID THRESHOLD OF \$40,000.00

WHEREAS, the Township of Irvington, pursuant to N.J.S.A. 40A: 11-11(5) and N.J.A.C. 5:34-et seq. may by resolution and without advertising for bids, purchase any goods or services under a County Cooperative Pricing System of which the Township is a member; and,

WHEREAS, the Township of Irvington is a member of the Morris County Cooperative Pricing

System and has the need on a timely basis to purchase goods or services using these contracts; and

WHEREAS, Continental Hardware of 400 Delancy Street, Newark NJ 07105 will exceed the bid threshold of \$40,0000.00 for calendar year 2015; and

WHEREAS, the Township of Irvington intends to enter into contracts with this Morris County Co-op contract number ten (10), over the bid threshold of \$36,000.00 through this resolution and properly executed purchase orders as needed, which shall be subject to all the conditions applicable to current Co-op contracts.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Irvington authorizes the purchase of certain goods and services from Continental Hardware through Morris County Cooperative Pricing System over the bid threshold of \$36,000.00 pursuant to all the conditions of the Co-ops 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: Jones

Inman – Frederic 5. Authorize Contract With O'Donnell McCord, P.C for Tax Appeal Counsel Services in an Amount Not To Exceed \$84,000.00 for a One Year Period

RESOLUTION AUTHORIZING FAIR AND OPEN PROFESSIONAL SERVICE CONTRACT FOR TAX APPEALS COUNSEL

WHEREAS, the Request for Proposals for professional Tax Appeals counsel services was publicly advertised in the New Jersey Star Ledger on September 01, 2015 with a deadline for proposals to be submitted on September 24, 2015; and

WHEREAS, seven proposals were received and publicly opened; and

WHEREAS, three proposals were deemed non-responsive; and

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

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

O'Donnell McCord, P.C
15 Mount Kemble Ave.
Morristown, NJ 07960

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Tax Appeals Attorney be awarded to O'Donnell McCord, P.C. 15 Mount Kemble Ave, Morristown, NJ 07960, on the basis of their response to the request for proposal selection criteria and qualifications, for an amount not to exceed \$84,000.00. The provider will be paid \$115.00 per hour for tax appeal services for one year starting on November 01, 2015 until October 31, 2016; 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, certification number C5-00299 for the first month of service was obtained from the Chief Financial Officer and the appropriation to be charged for this expenditure is 5-01-20-150-150-256 in the amount of \$7,000.00 and the remaining balance of \$77,000.00 will be certified on the adoption of the Calendar 2016 budget.

Adopted
Absent: Jones

Inman – Lyons 6. Authorize Qualified Pool of Engineers to Perform Engineering Services on an As Needed Basis Based Upon Requests for Proposals

RESOLUTION QUALIFYING ENGINEERING FIRMS PURSUANT TO A FAIR AND OPEN PROCESS FOR ENGINEERING SERVICES

WHEREAS, the Request for Qualifications for professional Engineering services was publicly advertised in the New Jersey Star Ledger and our Municipal website on September 01, 2015 with a deadline for qualifications to be submitted on September 24, 2015; and

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

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

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

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

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

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

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

Neglia Engineering Associates
34 Park Ave.
Lyndhurst, NJ

Maser Consulting PA
400 Valley Road, Suite 304
Mt. Arlington, NJ 07856

Keller & Kirkpatrick INC.,
301 Gibraltar drive, 2A,
Morris Plains, NJ 077950

Suburban Consulting
100 Valley Road, Suite 202
Mount Arlington, NJ 07856

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

1. Township Engineer will solicit sealed quotes from the above vendors for each project and submit a resolution to the Municipal Council for all projects before retaining their services to determined prices.
2. The Township Attorney will prepare the appropriate contract for this service.
3. The above three vendors are qualified for one year from November 01, 2015 until October 31, 2016.

Adopted
Absent: Jones

Inman – Frederic 7. Authorize Qualified Pool of Attorneys for Litigation - Defense Counsel Services on an As Needed Basis Based Upon Requests for Proposals

**RESOLUTION QUALIFYING VENDORS IN FAIR AND OPEN MANNER FOR
LITIGATION/DEFENSE COUNSEL SERVICE**

WHEREAS, the Request for Qualifications for professional Litigation/Defense counsel services was publicly advertised in the New Jersey Star Ledger and the Municipal website on September 01, 2015 with a deadline for qualifications to be submitted on September 24, 2015; and

WHEREAS, fourteen qualifications were received and publicly opened; and

WHEREAS, two qualifications were deemed non responsive; and

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

WHEREAS, the Township Attorney has recommended that all twelve firms should be added to list of qualified vendors for Litigation/Defense counsel:

Lebowitz, Connahan, Oleske & Kassar
127 Main Street (route 124)
Chatham, NJ 07928

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

Childress & Jackson, LLC
280 South Harrison Street, Suite 303
East Orange, NJ 07018

Clarence Barry-Austin PC
76 South Orange Avenue, Suite 207
South Orange, NJ 07079

Florio Perrucci Steinhardt & Fader
218 RT. 17N, Suite 410
Rochelle Park, NJ 07662

Roth D'Aquanni, LLC
150 Morris Ave, Suite 206
Springfield, NJ 07081

Law Offices of Brenda Coppola
324 East Broad Street
Westfield, NJ 07090

David Stanziale
552 High Mountain Ave.
North Haledon, NJ 07508

Lamb Kretzer
110 B Meadowlands Parkway, Suite 201
Secaucus, New Jersey 07094

Murphy Orlando LLC
30 Montgomery Street, 15 Floor
Jersey City, NJ 07302

Decottis, FitzPatrick & Cole LLP
500 Frank W.Burr Blvd, Suite 31
Teaneck, NJ 0766

Joseph M. Wenzel
1000 Clifton Ave, Suite 101
Clifton, NJ 07013

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the above twelve vendors are qualified for the services of professional Litigation/Defense Counsel and the Township Attorney will prepare separate resolutions for all cases assigned to each of the above vendors.

BE IT FURTHER RESOLVED The Township Attorney will provided separate resolution with respect to particular matter to the Municipal Council.

BE IT FURTHER RESOLVED, that this qualification is for one year starting on November 01, 2015 and ending on October 31, 2016; and

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

Adopted
Absent: Jones

Inman – Hudley 8. Authorize Qualified Pool of Attorneys for Special Conflict Counsel Services to Various Qualified Law Firms Based Upon Requests for Proposals

RESOLUTION QUALIFYING LAW FIRMS PURSUANT TO A FAIR AND OPEN PROCESS FOR SPECIAL CONFLICT ATTORNEY

WHEREAS, the Request for Qualifications for Special Conflict attorney was publicly advertised in the New Jersey Star Ledger on September 01, 2015 with a deadline for qualifications to be submitted on September 24, 2015; and

WHEREAS, such services are to be acquired through a fair and open process pursuant to the provisions of NJSA 19:44A-20.4; and

WHEREAS, seven qualifications were received and publicly opened; and

WHEREAS, two qualifications were deemed non responsive; and

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

WHEREAS, the Township Attorney has recommended that the following firms are qualified:

Eric M. Bernstein & Associates, LLC
34 Mountain blvd., Building A
P.O. Box 4922
Warren NJ 07059

Roth D'Aquanni, LLC
150 Morris Ave, Suite 206
Springfield, NJ 078081

Genova, Burns, Giantomasi & Websters
494 Broad Street
Newark NJ 07102

Souder's Law
186 Ballantine Parkway
Newark, NJ 07104

Florio Perrucci Steinhardt & Fader
218 RT. 17N, Suite 410
Rochelle Park, NJ 07662

WHEREAS, from the list of qualified firms above, from time to time, and as needed, the Township Attorney may enter into a one year contract with respect to particular matters by separate resolutions pursuant to the terms of this resolution and the request for proposals;

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

1. The Township Attorney will provided separate resolution with respect to particular matter to the Municipal Council.
2. The Township Attorney will prepare the appropriate contract for this service.
3. The above five vendors are qualified for one year from November 01, 2015 until October 31, 2016.

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: Jones

Inman – Lyons 9. Authorize One Year Contract Extension for Ambulance Services – MONOC - Not to Exceed \$310,800.00 Plus Additional Fee for Prisoners Transport

RESOLUTION TO EXTEND AMBULANCE AND DISPATCH SERVICE CONTRACT

WHEREAS, resolution number DF 14-1223-11 authorized a contract for ambulance and dispatch service which expires on December 15, 2015; and

WHEREAS, the original specifications included language that allowed for the extension up to four 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 Police 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 January 01, 2016 until December 31, 2016 with Monoc, 4806 Megill Road, Neptune, NJ 07753 for an amount not to exceed \$310,800.00 plus additional fees for prisoners transport; and

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: Jones

Cox – Inman 10. Authorize Purchases Over the Pay to Play Threshold of \$17,500.00 But Under the \$40,000.00 Bid Threshold From Design Factory

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; and,

WHEREAS, Design Factory of 1210 Liberty Ave, Hillside, NJ 07205 will exceed the Pay-to-Play threshold; and

WHEREAS, Design Factory 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 \$40,000.00; 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 \$40,000.00; 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: Jones

Cox – Lyons 11. Authorize Contract for Sanitary Sewer Collection System Operator - DeBlock Environmental Services, LLC – Not to Exceed \$12,000.00 – November 1, 2015 to October 31, 2016

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

WHEREAS, the Request for Proposals for Sanitary Sewer Collection System Operator services was publicly advertised in the New Jersey Star Ledger and our Municipal Website on September 01, 2015 with a deadline for qualifications to be submitted on September 24, 2015; and

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

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

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

DeBlock Environmental Services, LLC
Robert J. De Block

16 Hugo Avenue
Woodland Park, NJ 07244

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

BE IT FURTHER RESOLVED, that appointment is for one year starting on November 01, 2015 and ending on October 31, 2016; 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, certification number C5-00301 for the first two months of services was obtained from the Chief Financial Officer and the appropriation to be charged for this expenditure is 5-01-21-165-165-256 in the amount of \$2000.00 and the remaining balance of \$10,000.00 will be certified on the adoption of the Calendar 2016 budget.

Adopted
Absent: Jones

Lyons – Cox 12. Authorize Tax Payment Plan – 24 Lenox Avenue – Total Amount to Redeem - \$6,890.18 – Payable In 24 Months

Redeem Municipal Held Lien in Installments

WHEREAS, N.J.S.A. 54:5-65 provides authority for the governing body to authorize redemption of a municipally held lien by installment payments to include principal and interest; and,

WHEREAS, Jacqueline Alexander, owner of record of Block 52, Lot 2, also known as 24 Lenox Avenue, Municipality of Irvington, is desirous of satisfying Tax Title Lien # 14-00255 in the amount of \$6,890.18 by the installment payment plan.

NOW, THEREFORE, BE IT RESOLVED, BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, COUNTY OF ESSEX, STATE OF NEW JERSEY, hereby authorize an installment payment plan \$343.99, as set forth on the attached schedule and that in addition to said installments being promptly paid on the first of each month, for 24 months, all current year's taxes, subsequent taxes, assessments or other municipal liens imposed shall be promptly paid when due.

BE IT FURTHER RESOLVED, that the final payment shall be sufficient to include all amounts due the municipality and secured by the tax sale lien, except for current year's taxes, and shall include interest properly chargeable on the respective unpaid balances.

BE IT FURTHER RESOLVED, that if installment payments are regularly and promptly made in accordance with the attached schedule, then the municipality will suspend any action to cut off or foreclose the right of redemption, and will agree not to assign, transfer or otherwise alienate the tax title lien it holds.

BE IT FURTHER RESOLVED, if any unpaid installment remains unpaid after 30 days of due date, then the municipality may proceed to enforce or foreclose the tax sale lien, or sell, assign, transfer or alienate it and shall proceed only for the unpaid balance after proper credit of such installment payments as were made.

BE IT FURTHER RESOLVED, that a certified copy of this resolution, along with an attached installment schedule will be forwarded to the Tax Collector and the property owner.

Adopted
Absent: Jones

Inman – Lyons 13. Authorize Lease Agreement Under State Contract With Ferrara Fire Apparatus Inc. for a Fire Pumper - \$426,840.00

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

WHEREAS, the Fire Department is need of one Ferrara Custom Heavy duty Cinder Pumper; and

WHEREAS, said purchase will exceed the bid threshold; and

WHEREAS, State contract vendor Ferrara Fire Apparatus Inc., 27855 James Chapel road, Holden, LA 70744 has provided a quote of \$426,840.00 to purchase the Pumper pursuant to State Contract number 83183; and

WHEREAS, the Bancorp Bank, Mears Motor leasing has agreed to finance the Municipal lease agreement for an annual arrears payment of \$71, 115.52 for eighty-four (84) months; and

WHEREAS, the Chief Financial Officer has agreed with said purchase and Municipal lease agreement; 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 RESOLVED, that the Municipal Council of the Township of Irvington hereby authorizes the Qualified Purchasing Agent to purchase a Heavy Duty Cinder Pumper over the bid threshold of \$40,000.00 from State Contract vendor:- Ferrara Fire Apparatus Inc., and authorized the Chief Financial Officer to enter into a lease agreement with

the Bancrop Bank, Mears Motor Leasing of 3905 El Rey Road, Orlando, FL 32808 for said purchase; 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 goods or services in excess of \$40,000.00, and a certification of availability of funds is made by the Chief Financial Officer via an authorized purchase order; and

BE IT FURTHER RESOLVED, the Mayor and Municipal Clerk is hereby authorized to signed all lease agreement for said purchase; and

BE IT FURTHER RESOLVED that lease agreement will take effect immediately.

Adopted
Absent: Jones

B. Motions

None

10. Communications & Petitions

A. Communications

None

B. Petitions

None

11. Pending Business

None

12. Miscellaneous

A. Bingos and Raffles

None

NON-CONSENT AGENDA ITEMS

9. Resolutions & Motions

A. Resolutions

Frederic – Inman 14. Designate Nye Avenue, Between Park Place and Nesbit Terrace, Reverend Doctor Joseph Etienne Way – In Honorarium

WHEREAS, Reverend Dr. Joseph Etienne was born in Desdunes, Haiti; and

WHEREAS, at the age of fifteen, he accepted Jesus-Christ as his personal Lord and Savior. Since then, he felt that the Lord had called him to serve and to have an intimate relationship with Him; and

WHEREAS, in 1963, Pastor Etienne attended the Evangelical School of the Bible in Bolosse, Port-au-Prince where he obtained a diploma in Theology. While studying, he met his wife, Yvonne Julie Etienne. They have been married for fifty-one years and have four children and nine grand-children. After his graduation, he and his wife returned to his home church in Desdunes and stayed for five years. During those years, he served as the Superintendent of Sunday school while his wife taught elementary school; and

WHEREAS, in 1969, they were called to start a church in Arcahaie, Haiti. Subsequently, Reverend Pastor Etienne was ordained Pastor that same year. In 1971, Reverend Etienne migrated to the United States of America with the same desire to continue helping and serving people as he has been serving God in Haiti. He attended the United Christian Church where he served as Superintendent of Sunday school. Thereafter, he and his wife started a home prayer service; and

WHEREAS, in 1979, Pastor Etienne with his wife and four children along with three other families co-founded what is now Eglise Baptiste De La Nouvelle Jerusalem (New Jerusalem Baptist Church); and

WHEREAS, in 1995, Pastor Etienne obtained a Bachelor degree of Theology from the Lighthouse Christian College in Arkansas, two years later he obtained a Masters degree of Theology and in 1998, he obtained a Ph. D. in religious education at the same college; and

WHEREAS, as the founding Pastor of New Jerusalem Baptist Church located in Irvington, New Jersey for the past seventeen years, Reverend Joseph Etienne has served as the Senior Pastor for these 35 plus years, and as a Counselor for the Township of Irvington community at large; and

WHEREAS, Reverend Doctor Joseph Etienne's fervent desire is to continue to be a servant of the Lord Jesus-Christ until he is called to his eternal home.

WHEREAS, the Municipal Council is desirous of honoring Reverend Doctor Joseph Etienne's for his many years of community and religious services to the Township of Irvington by designating Nye Avenue, between Park Place and Nesbit Terrace “Reverend Doctor Joseph Etienne Way – In Honorarium”:

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP OF IRVINGTON that a street sign stating “Reverend Doctor Joseph Etienne Way – In Honorarium” be placed above the street sign at Nye Avenue, between Park Place and Nesbit Terrace in the Township of Irvington to recognize Reverend Doctor Joseph Etienne for his many years of community service to the Township of Irvington; and

BE IT FURTHER RESOLVED that the Department of Neighborhood Services be authorized and directed to take all the necessary steps to see that proper street signs are erected signifying “Reverend Doctor Joseph Etienne Way – In Honorarium” above the street sign at Nye Avenue, between Park Place and Nesbit Terrace in the Township of Irvington

Adopted

Absent: Jones

Lyons – Inman 15. Authorize Contract With Florio, Perrucci, Steinhardt & Fader for Labor Counsel Services in an Amount Not To Exceed \$50,000.00 for a One Year Period

RESOLUTION AUTHORIZING FAIR AND OPEN PROFESSIONAL SERVICE CONTRACT FOR LABOR COUNSEL

WHEREAS, the Request for Proposals for professional Labor counsel services was publicly advertised in the New Jersey Star Ledger and on our Municipal website on September 01, 2015 with a deadline for proposals to be submitted on September 24, 2015; and

WHEREAS, five qualifications were received and publicly opened; and

WHEREAS, one qualification was deemed non responsive; and

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

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

Florio, Perrucci, Steinhardt & Fader
218 RT. 17N, Suite 410
Rochelle Park, NJ 07662

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Labor Attorney be awarded to Florio, Perrucci, Steinhardt & Fader, 218 RT. 17N, Suite 410, Rochelle Park, NJ 07662, on the basis of their response to the request for proposal selection criteria and qualifications, for an amount not to exceed \$50,000.00. The provider will be paid \$115.00 per hour for attorneys, \$75.00 per hour for paralegals for one year November 01, 2015 until October 31, 2016; 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, certification number C5-00300 for the first two months of services was obtained from the Chief Financial Officer and the appropriation to be charged for this expenditure is 5-01-20-155-155-299 in the amount of \$8333.34 and the remaining balance of \$41,666.66 will be certified on the adoption of the Calendar 2016 budget.

Adopted
Absent: Jones

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

Michael Spruill, 97 Lenox Avenue
Elouise McDaniel, 214 Nesbit Terrace

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

13. Adjournment

There being no further business, the meeting was adjourned at 8:35 P.M.

Charnette Frederic, Council President

Harold E. Wiener, Municipal Clerk