

REGULAR COUNCIL MEETING
FEBRUARY 9, 2016

Council Chamber, Municipal Building
Irvington, N.J. – Tuesday Evening
February 9, 2016 - 8:00 P.M.

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

Present: Renee C. Burgess, Vernal Cox, Paul Inman, Sandra R. Jones, Charnette Frederic

Absent: October Hudley, David Lyons

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 – January 26, 2016
2. MONOC – 2015 4th Quarter Ambulance Report

7. Reports of Committees

A. Bid Results – Adult Mini Bus – January 27, 2016

8. Ordinances, Bills & Claims

A. Ordinances on 1st Reading

None

B. Ordinances on 2nd Reading

None

C. Bills & Claims

1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD FEBRUARY 9, 2016, 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	\$1,753,668.31
TOTAL	\$

Adopted

2. Payrolls

January 23, 2015 through February 5, 2016

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$194,447.17	\$6,396.72	\$4,447.50	\$205,291.39

Adopted

9. Resolutions & Motions

A. Resolutions

1. Confirmation of Mayor's Nomination for Reappointment to the Library Board of Trustees - Maslie Lamy-Lockhart

WHEREAS, N.J.S.A. 40:54-9 requires that nominations by the Mayor to the Library Board of Trustees be confirmed by the Municipal Council; and

WHEREAS, vacancies currently exist in the Irvington Library Board of Trustees due to the expiration of the terms of certain members:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the following nomination by the Mayor to the Irvington Library Board of Trustees is hereby confirmed:

NAME AND ADDRESS

TERM TO EXPIRE

Maslie Lamy-Lockhart
293 Isabella Avenue

12-31-20

Adopted

2. Establish Handicapped Parking Space in Front of 30 Martin Place

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

WHEREAS, requests have been made for a restricted parking spaces in front of 30 Martin 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 30 Martin Place; and

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

Adopted

Jones - 3. Resolution of Commendation - Dr. Adeniyi Ogunkoa

RESOLUTION OF COMMENDATION
DR. ADENIYI OGUNKOYA, M.D.

WHEREAS, the Irvington Municipal Council wishes to acknowledge and commend Dr. Adeniyi Ogunkoya, MD who has operated a Professional Medical Practice in the Township of Irvington on Sanford Avenue for many years and serve the Irvington community; and

WHEREAS, Dr. Ogunkoya has practiced in the Medical Profession for over three decades and being established as a front runner in the field of Internal (General) Medicine in the United States; and

WHEREAS, Dr. Ogunkoya possesses cognate experience and expertise in various aspects of the medical profession and has excelled in the various aspects of medical management practices including management of top-rated and world class Hospitals, Teaching

Hospital, Health Care Medical Facilities, in the field of primary health care development and management at several levels; and

WHEREAS, Dr. Ogunkoya's professional background includes: from 1988 to present, President/Chief Medical Director of his Professional Practice specializing in Internal Medicine, Pediatrics, Allergy & Immunology; from 2009 to present, Medical Director of Newark Extended Care Facility; from 2007 to 2011, President of Medical Staff for East Orange General Hospital and from 1987 to 2004 President/Chief Executive Officer of Prime Care Pharmacy in East Orange; and

WHEREAS, Dr. Ogunkoya is Board Certified in Pediatrics by American Board of Pediatrics and Board Certified in Internal Medicine by American Board of Internal Medicine. In 1981, Dr. Ogunkoya obtained his Doctorate Degree in General Medicine at the State of University of New York (Down State Medical School Brooklyn, NY), from 1981 through 1988 performed his Post-Doctoral Medical Training at the University of Medicine and Dentistry of New Jersey (UMDNJ) Newark in the Department of General Medicine, Department of Pediatrics and Department of Allergy & Immunology and performed his Fellowship from 1986 to 1988 at the University of Medicine and Dentistry of New Jersey (UMDNJ), Medical School, Department of Allergy/Immunology; and

WHEREAS, Dr. Ogunkoya holds various teaching and training experiences in various capacities in university teaching hospital and specialist hospitals with the State of New Jersey. He currently is an Instructor of Medicine and Pediatrics at the University of Medicine & Dentistry of New Jersey (UMDNJ). He served as Professional Instructor for the Medical School, Medical Students and Professional Trainer for Medical Staff & Personnel; and

WHEREAS, Dr. Ogunkoya has successfully managed and co-managed large hospital and medical facilities with a net worth investments of over \$2 billion and exceedingly huge operational capacity with an average of over 2,000 medical experts and over 400 bed medical facilities. These include but not limited to the following renowned medical facilities: East Orange General Hospital, Hospital Center at Orange, Newark Beth Israel Medical Center, UMDNJ State of New Jersey Medical Teaching Hospital and Newark Community Health Center; and

WHEREAS, Dr. Ogunkoya's many administrative, community & public sector professional roles consists of: Chairman Pharmacy and Therapeutic Committee, Chief Coordinator at UMDNJ MED-PED CLINICS, UMDNJ Department of Pediatrics Curriculum Committee Member, Executive Committee and Treasurer Medical Staff Committee at East Orange General Hospital, Chairman of the Association of Nigerian Physicians, Section Head of Allergy & Immunology at East Orange General Hospital, President of the Medical Staff at East Orange General Hospital, Member of the Board of Trustees at East Orange General Hospital and Executive Committee Member at East Orange General Hospital; and

NOW, THEREFORE BE IT RESOLVED BY THE TOWNSHIP OF IRVINGTON that the Irvington Municipal Council hereby commends Dr. Adeniyi Ogunkoya, MD and wishes him continued success; and

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of this governing body in lasting tribute to Dr. Adeniyi Ogunkoya, MD.

Adopted

4. Reappointment of South Ward Council Member Sandra R. Jones as Planning Board Member Representing the Municipal Council

WHEREAS, N.J.S.A. 40:55D-23 requires that a member of the Municipal Council be appointed to serve as a Member of the Planning Board:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that Council Member Sandra R. Jones is hereby appointed as a Member of the Irvington Planning Board for a term of one (1) year, effective July 1, 2015.

Adopted

Jones - Frederic 5. Re-Appointments –Zoning Board of Adjustment Regular Member Anna Scott, Alternate Member #1 Cootchill Nelson and Alternate Member #2 Zorano M. Figueroa

WHEREAS, a vacancy exist in the Membership of the Zoning Board of Adjustment due to the expiration of the terms of some of its members:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the following named person is hereby re-appointed as a member of the Zoning Board of Adjustment for term as indicated below:

NAME EXPIRE	ADDRESS	TYPE OF MEMBER	TERM TO
Anna Scott	53 Orchard Place	REGULAR	12-10-19
Cootchill Nelson	599 Stuyvesant Avenue	ALTERNATE #1	12-10-17
Zorano M. Figueroa	91 University Place 2nd Floor	ALTERNATE #2	12-10-17

Adopted

6. Authorize Professional Services Contract with Eric M. Bernstein and Associates, LLC to Provide Legal Services in the Matter of Marion Griffith and Dashawn Griffith Washington v. Edward F. Gray Apartments, et al. - Not to Exceed \$15,000.00

RATIFYING PROFESSIONAL SERVICES CONTRACT FOR
LITIGATION/DEFENSE COUNSEL SERVICES

WHEREAS, resolution number TA 15-1027-36 qualified twelve firms to provide litigation/defense counsel services for the Township of Irvington from November 01, 2015 until October 31, 2016; 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 and Irvington Police Department in the case of Marion Griffith and Dashawn Griffith Washington v. Edward F. Gray Apartments, et al, Docket No: ESX-L-8370-15; and

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

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 a contract amount not to exceed \$15,000.00. The billing rate for this contract is \$150.00 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 a contract amount not to exceed \$15,000.000. The billing rate for this contract is \$150.00 per hour.

Adopted

7. Authorize Professional Services Contract with Decotiis, FitzPatrick & Cole, LLP to Defend the Township of Irvington and Irvington Police Department in the Matter of Semrick Hall, et als. Versus the Township of Irvington - Not to Exceed \$15,000.00

AUTHORIZE PROFESSIONAL SERVICES FOR LITIGATION/DEFENSE COUNSEL SERVICES

WHEREAS, resolution number TA 15-1027-36 qualified twelve firms to provide litigation/defense counsel services for the Township of Irvington from November 01, 2015 until October 31, 2016; 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 Decotiis, FitzPatrick & Cole, LLP has the most experience to defend the Township of Irvington and Irvington Police Department in the case of Semrick Hall, et als., Docket no. ESX-L-7123-15; and

WHEREAS, the Township Attorney has recommended that a contract be awarded to Decotiis, FitzPatrick & Cole, LLP, 500 Frank W. Burr Blvd., Suite 31, Teaneck, NJ, 07666; and

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 Decotiis, FitzPatrick & Cole, LLP, 500 Frank W. Burr Blvd., Suite 31, Teaneck, NJ, 07666 for a contract amount not to exceed \$15,000.00. The billing rate for this contract is \$195.00 per hour (Partners), \$165.00 per hour (Associates) and \$95.00 per hour (Paralegals); 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 a contract amount not to exceed \$15,000.00. The billing rate for this contract is \$195.00 per hour (Partners), \$165.00 per hour (Associates) and \$95.00 per hour (Paralegals).

Adopted

8. Authorize Professional Services Contract with Murphy Orlando LLC to Provide Legal Services in the Matter of Estate of Abdul Kamal v. Township of Irvington, et al. - Not To Exceed \$25,000.00

RESOLUTION AUTHORIZING PROFESSIONAL SERVICES FOR
LITIGATION/DEFENSE COUNSEL SERVICES

WHEREAS, resolution number TA 15-1027-36 qualified twelve firms to provide litigation/defense counsel services for the Township of Irvington from November 01, 2015 until October 31, 2016; and

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

WHEREAS, the Township Attorney has determined that Murphy Orlando LLC has the most experience to defend the Township of Irvington and Irvington Police Department in the case of Estate of Abdul Kamal v. Township of Irvington, et al, Case number: 2:15-CV-08008-ES-MAH; and

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

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Litigation/Defense counsel services be awarded to Murphy Orlando LLC, 30 Montgomery Street, 15th Floor, Jersey City, NJ, 07302 for a contract amount not to exceed \$25,000.00. The billing rate for this contract is \$150.00 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 a contract amount not to exceed \$25,000.000. The billing rate for this contract is \$150.00 per hour.

Adopted

9. Authorize Professional Services Contract with Clarence Barry Austin, P.C. to Provide Legal Services - Sheniqua Dunston v. Irvington Housing Authority, et al. - Not to Exceed \$35,000.00

**RATIFYING PROFESSIONAL SERVICES CONTRACT FOR
LITIGATION/DEFENSE COUNSEL SERVICES**

WHEREAS, resolution number TA 15-1027-36 qualified twelve firms to provide litigation/defense counsel services for the Township of Irvington from November 01, 2015 until October 31, 2016; 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 Clarence Barry-Austin, P.C. has the most experience to defend the Township of Irvington in the case of Sheniqua Dunston v. Irvington Housing Authority, et al, Docket No: ESX-L-7191-15; and

WHEREAS, the Township Attorney has recommended that a contract be awarded to Clarence Barry-Austin, P.C., 76 South Orange Avenue, Suite 207, South Orange, New Jersey, 07079; and

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 Clarence Barry-Austin, P.C., 76 South Orange Avenue, Suite 207, South Orange, New Jersey, 07079 for a contract amount not to exceed \$35,000.00. The billing rate for this contract is \$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 a contract amount not to exceed \$35,000.00. The billing rate for this contract is \$115.00 per hour.

Adopted

10. Authorize Professional Services Contract with Brenda Coppola Cba, Esq. to Defend Police Officer Christopher Jenkins in the Matter of Semrick Hall, et als. Versus the Township of Irvington – Not to Exceed \$10,000.00

AUTHORIZE PROFESSIONAL SERVICES FOR LITIGATION/DEFENSE COUNSEL SERVICES

WHEREAS, resolution number TA 15-1027-36 qualified twelve firms to provide litigation/defense counsel services for the Township of Irvington from November 01, 2015 until October 31, 2016; 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 Law Offices of Brenda Coppola Cuba has the most experience to defend Police Officer Christopher Jenkins in the case of Semrick Hall, et als., Docket No. ESX-L-7123-15; and

WHEREAS, the Township Attorney has recommended that a contract be awarded to the Law Offices of Brenda Coppola Cuba, 324 East Broad Street, Westfield, NJ 07090; and

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 the Law Offices of Brenda Coppola Cuba, 324 East Broad Street, Westfield, NJ, 07090 for a contract amount not to exceed \$10,000.00. The billing rate for this contract is \$150.00 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 a contract amount not to exceed \$10,000.00. The billing rate for this contract is \$150.00 per hour.

Adopted

11. Authorize Professional Services Contract with Roth D'Aquanni, LLC to Provide Legal Services in the Matter of Richard Etienne v. Township of Irvington, et al. - Not to Exceed \$25,000.00

**RATIFYING PROFESSIONAL SERVICES CONTRACT FOR
LITIGATION/DEFENSE COUNSEL SERVICES**

WHEREAS, resolution number TA 15-1027-36 qualified twelve firms to provide litigation/defense counsel services for the Township of Irvington from November 01, 2015 until October 31, 2016; 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 and Irvington Police Department in the case of Richard Etienne v. Township of Irvington, et al, Docket No: ESX-L-8370-15; and

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

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 a contract amount not to exceed \$25,000.00. The billing rate for this contract is \$150.00 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 a contract amount not to exceed \$25,000.000. The billing rate for this contract is \$150.00 per hour.

Adopted

**12. Introduction of Springfield Avenue Center Business Improvement
District's 2016 Budget**

**INTRODUCTION OF THE SPRINGFIELD AVENUE CENTER SPECIAL
IMPROVEMENT DISTRICT FY 2015-2016 ANNUAL BUDGET**

WHEREAS, N.J.S.A. 40:56-84 requires that the budget for Special Improvement Districts be introduced in writing at a meeting of the Municipal Council for approval; and

WHEREAS, the Springfield Avenue Center Special Improvement District introduced its FY 2015-2016 budget with a report that explains how the budget contributes to goals and objectives for the special improvement district:

NOW, BE IT THEREFORE RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON the Municipal Council of the Township of Irvington, New Jersey does hereby approve the detailed annual budget for the Springfield Avenue Center Special Improvement District for 2015-2016 and that this approval is subject to all requirements of N.J.S.A. 40:56-84, which includes public notice and hearing.

Adopted

13. Introduction of Camptown Business Improvement District's Fiscal Year 2015-2016 Budget

**INTRODUCTION OF THE CAMPTOWN BUSINESS IMPROVEMENT DISTRICT
FY 2016 ANNUAL BUDGET**

WHEREAS, N.J.S.A. 40:56-84 requires that the budget for Special Improvement Districts be introduced in writing at a meeting of the Municipal Council for approval; and

WHEREAS, the Camptown Business Improvement District introduced its FY 2016 budget with a report that explains how the budget contributes to goals and objectives for the special improvement district:

NOW, BE IT THEREFORE RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON the Municipal Council of the Township of Irvington, New Jersey does hereby approve the detailed annual budget for the Camptown Business Improvement District for 2016 and that this approval is subject to all requirements of N.J.S.A. 40:56-84, which includes public notice and hearing.

Adopted

Jones - 14. Commemoration – African American History Month, 2016

**RESOLUTION OF COMMEMORATION
2016 AFRICAN-AMERICAN HISTORY MONTH
90TH ANNUAL OBSERVANCE**

WHEREAS, February is AFRICAN AMERICAN HISTORY MONTH and marks the 90th annual observance since inaugurated as Negro History Week in February 1926 by Dr. Carter G. Woodson, Jr., a Ph.D. from Harvard University, born to parents who were former slaves; and

WHEREAS, history is filled with the far reaching accomplishments of African Americans such as W.E.B. DuBois, Frederick Douglas, Paul Robeson, Harriet Tubman, Booker T. Washington, Hank Aaron, Ralph Bunch, Benjamin Banneker, Nelson Mandela and more recently Colin Powell, Clarence Thomas, Condoleeza Rice and President Barack H. Obama and many others whose efforts continue to contribute to the growth of this nation; and

WHEREAS, America and the world continues to benefit from the achievements of African Americans, such as Dr. Martin Luther King, Jr., Coretta Scott King, Fannie Lou Hamer, Stokeley Carmichael, Gloria Richardson and Angela Davis who strove to make America a better place for all Americans no matter what their race, color, creed or economic status; and

WHEREAS, America continues to benefit from the struggle of African Americans for equality, and progress is made manifest through the presence of persons of African American heritage in all branches of government and public life including the Congress of the United States, the New Jersey State Legislature, as Mayors of various cities, the Irvington Municipal Council, the Irvington Chamber of Commerce, and the Irvington Board of Education, as well as other numerous commissions, committees and local agencies.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that February, 2016 is hereby proclaimed as African American History Month in the Township of Irvington in recognition of the many contributions to the struggle for dignity and equality made by African American people.

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Irvington Public Library, the African American Heritage Committee and to the local branch of the N.A.A.C.P.

Adopted

15. Authorize Non-Fair and Open Contract for Telephone Audit Services
- Tryon Clear View Group, LLC - Thirty Percent of Credits, Refunds and Savings
Received From Telephone Company

**A RESOLUTION AUTHORIZING A NON-FAIR AND OPEN AGREEMENT FOR
AUDITING SERVICES FOR ALL TOWNSHIP TELEPHONE BILLS**

WHEREAS, it has been determined that the Township owns several telephone lines and an audit is required to determine what lines are needed for Township business; and,

WHEREAS, our telephone provider Verizon Service no longer provides auditing service of telephone lines/bills; and,

WHEREAS, it was recommended that Tryon Clear View Group, LLC can provide the Township with auditing all the township's telephone lines, provide a historical analysis of overage and eliminating or reduce charges of items that are unnecessary and negotiate a lower monthly annual fee for service; and,

WHEREAS, the Township will not pay this vendor for this service but the vendor will receive thirty (30%) percent of any credits, refunds and savings received from the telephone company.

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

1. This agreement will be valid for one year starting on February 08, 2016 until February 08, 2017.
2. The Township Attorney will prepare the appropriate contract for this service.
3. The Township Clerk will advertise the attached resolution in the newspapers.

RESOLVED that the Township Attorney is hereby authorized and directed to prepare the necessary agreement and the Mayor and Township Clerk are authorized and directed to sign the same.

Adopted

16. Authorize Emergency Contract for IT Support Services – Nettarius Technology Solutions – Not to Exceed \$2,730.00

RESOLUTION TO AWARD AN EMERGENCY CONTRACT FOR COMPUTER IT SUPPORT SERVICE

WHEREAS, the Business Administrator declared an emergency to provide emergency recovery IT computer services to the Township, and;

WHEREAS, the Mayor has approved said emergency, and;

WHEREAS, Nettarius Technology Solution was called and services were rendered to provide emergency recovery computer IT service and;

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that it ratifies the decision of the Administration to authorize an emergency contract to Nettarius Technology Solution of 31 Wilson Place, Suite 101, Irvington, NJ 07111, for an amount not to exceed \$2,730.00

BE IT FURTHER RESOLVED, that the amount of \$2730.00 was charged to account number 6-01-20-100-100-183 on Purchase order number 16-00368.

Adopted

17. Authorize Emergency Contract for Repair of Fire Department Garage Door - New Jersey Door Works LLC – Not to Exceed \$11,727.00

RESOLUTION TO AWARD AN EMERGENCY CONTRACT FOR GARAGE DOOR REPAIR

WHEREAS, the Fire Director has declared an emergency to provide repair to a garage door in the Fire Department; and

WHEREAS, the Mayor has approved said emergency; and

WHEREAS, New Jersey Door Works, LLC has provided a quote for the required service; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that it ratifies the decision of the Administration to authorize an emergency contract to New Jersey Door Works LLC, 686 Ramsey Ave, Hillside, NJ 07205, for an amount not to exceed \$11,727.00; and

BE IT FURTHER RESOLVED that the amount of \$11,727.00 will be charged to account number 6-01-25-265-265-299.

Adopted

18. Authorize Emergency Contract for Snow Removal Services – Adams Construction & Demo - Not to Exceed \$33,365.00

RESOLUTION TO AWARD AN EMERGENCY CONTRACT FOR SNOW REMOVAL SERVICE

WHEREAS, the Public Works Director has declared an emergency to provide snow removal service due to inclement weather on January 26 and 27 and;

WHEREAS, the Mayor has approved said emergency, and;

WHEREAS, Adams Construction & Demo was called and services were rendered and;

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that it ratifies the decision of the Administration to authorize an emergency contract to Adams Construction & Demo of 156 N. Livingston Ave, Livingston, NJ 07039, for an amount not to exceed \$33,365.00

BE IT FURTHER RESOLVED, that the amount of \$33,365.00 was charged to account number 6-01-21-165-165-299 on Purchase order number 16-00302.

Adopted

19. Authorize Emergency Contract for Purchase of Four Bobcat Skid Steers Snow Removal Purposes - Groff Tractor New Jersey LLC -Not to Exceed \$159,992.00

RESOLUTION TO AWARD AN EMERGENCY CONTRACT FOR THE PURCHASE OF FOUR BOBCATS/SKID STEERS

WHEREAS, the Public Works Director has declared an emergency to purchase the four bobcats/skid steer to remove snow from roadways due to inclement weather and;

WHEREAS, the Mayor has approved said emergency, and;

WHEREAS, Groff Tractor New Jersey LLC has provided a quote for said equipment and;

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that it ratifies the decision of the Administration to authorize an emergency contract to Groff Tractor New Jersey LLC of 551 N. Harding Highway, Vineland, NJ 08360 for an amount not to exceed \$159,992.00

BE IT FURTHER RESOLVED, that the amount of \$159,992.00 was charged to account number C-04-56-848-014-902 on Purchase order number 16-00350.

Adopted

20. Authorize Waiving of \$13,577.10 in Interest Charges In Lieu of Full Payment of Back Taxes of \$36,285.56 By April 9, 2016 – 219 - 221 Lincoln Place, - Block 229, Lot 36

ABATE ACCRUED INTEREST CHARGES

WHEREAS, a municipal lien was placed on 219-221 Lincoln Place, also known as Block 329 Lot 36, at a Tax Sale held on December 27, 2012 for delinquent/unpaid taxes in the amount of \$7,244.79; and

WHEREAS, the total amount due on Block 329 Lot 36, Tax Sale Cert# 12-02912, with interest and cost to February 9, 2016 is \$49,862.66 which includes subsequent municipal charges up to the 2016 1st quarter taxes and 2015 annual sewer charge; and

WHEREAS, the owner of 219 Lincoln Place LLC, has written a letter requesting an abatement of the interest owed on said certificate; and

WHEREAS, the interest and cost on Tax Sale Cert# 12-02912 to February 9, 2016 is \$13,577.10; and

WHEREAS, the Governing Body may forgive interest, penalties and costs pursuant to the provisions of N.J.S.A. 54:4-99:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Tax Collector is authorized and directed to abate the current interest charges of \$13,577.10 imposed on Block 329 Lot 36, and the taxpayer be allowed to pay the principal amount of \$36,285.56 on or before April 9, 2016, which is the principal amount due of said certificate of sale #12-02912.

Adopted

21. Authorize Waiving of \$138,501.89 in Interest Charges In Lieu of Full Payment of Back Taxes of \$232,734.55 By February 9, 2016 - 769-771 Springfield Avenue, 765-767 Springfield Avenue, and 425-21st Street, Block 162, Lots 12,14,27 and 28

REQUEST TO ABATE INTEREST ON MUNICIPAL LIEN

WHEREAS, a municipal lien was placed on 769-771 Springfield Avenue, 765-767 Springfield Avenue, 425 21st Street, and 429 21st Street, also known as Block 162 and Lots 12, 14, 27 and 28, at a Tax Sale held on July 12, 2010 for delinquent/unpaid taxes in the amount of \$16,901.02, \$10,832.95, \$2,068.38 and 2,213.69; and

WHEREAS, the total amount due on each municipal lien Cert#101051, Cert#101052, Cert#101056, and Cert#101057, with interest and cost to December 29, 2015 is \$371,236.44 which includes subsequent municipal charges up to the 2015 4TH qtr taxes and 2015 annual sewer charge; and

WHEREAS, the owner Abbas Aber, has written a letter requesting an abatement of the interest owed on said certificates; and

WHEREAS, the interest and cost on the above named Tax Sale Certificates to December 29, 2015 is \$138,501.89; and

WHEREAS, the Governing Body may forgive interest, penalties and costs pursuant to the provisions of N.J.S.A. 54:4-99:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Tax Collector is authorized and directed to abate the current interest charges of \$138,501.89 imposed on Block 162 Lot 12, 14, 27 and 28 and the taxpayer be allowed to pay the principal amount of \$232,734.55 on or before February 29, 2016, which is the principal amount due of above said certificates of sale.

Adopted

22. Authorize Waiving of \$11,369.03 in Interest Charges In Lieu of Full Payment of Back Taxes of \$55,870.70 By February 15, 2016 - 47 - 53 South 20th Street and 41-45 South 20th Street – Block 172, Lots 14 and 15

REQUEST TO ABATE INTEREST ON MUNICIPAL LIEN

WHEREAS, the owner of 47-53 S 20th Street and 41-45 S. 20th Street, also known as Block 172 Lot 15 and 14, has requested an abatement of interest for delinquent/unpaid taxes in the amount of \$67,239.75; and

WHEREAS, the owner, Pastor Oni, of Deeper Life Bible Church, has applied for tax exemption on said property wishes to pay delinquent municipal charges; and

WHEREAS, the interest and cost on the above named properties to December 29, 2015 is \$11,369.03; and

WHEREAS, the Governing Body may forgive interest, penalties and costs pursuant to the provisions of N.J.S.A. 54:4-99:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Tax Collector is authorized and directed to abate the current interest charges of \$11,369.03 imposed on Block 172 Lot 15 and 14 and the taxpayer be allowed to pay the principal amount of \$55,870.70 on or before February 15, 2016, which is the principal amount due.

Adopted

23. Authorize Waiving of \$6,991.81 in Interest Charges In Lieu of Full Payment of Back Taxes of \$26,735.48 By February 29, 2016 - 100-104 Melville Place - Block 258, Lot 9

REQUEST TO ABATE INTEREST ON MUNICIPAL LIEN

WHEREAS, a municipal lien was placed on 100-104 MELVILLE PLACE, also known as Block 258 Lot 19, at a Tax Sale held on December 27, 2013 for delinquent/unpaid taxes in the amount of \$9,241.38; and

WHEREAS, the total amount due on Block 258 Lot 19, Tax Sale Cert# 13-01309, with interest and cost to December 29, 2015 is \$33,727.29 which includes subsequent municipal charges up to the 2015 4TH qtr taxes and 2015 annual sewer charge; and

WHEREAS, the owner ALEJANDRO MADERA, has written a letter requesting an abatement of the interest owed on said certificate; and

WHEREAS, the interest and cost on Tax Sale Cert# 13-01309 to December 29, 2015 is \$6,991.81; and

WHEREAS, the Governing Body may forgive interest, penalties and costs pursuant to the provisions of N.J.S.A. 54:4-99:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Tax Collector is authorized and directed to abate the current interest charges of \$6,991.81 imposed on Block 258 Lot 19 and the taxpayer be allowed to pay the principal amount of \$26,735.48 on or before February 29, 2016, which is the principal amount due of said certificate of sale #13-01309.

Adopted

24. Establish 2016 Sewer User Charge at \$200.00 Per Unit

Resolution for Annual Sewer User Charge

WHEREAS, the Joint Meeting of Essex and Union County Sewer Commission has forwarded a schedule of assessments to the Chief Financial Officer covering domestic and industrial unit sewer user charges; and

WHEREAS, the Chief Financial Officer has analyzed the said schedule and costs of collection attached thereto; and

WHEREAS, the Chief Financial Officer has recommended that the domestic unit user charge be \$200.00 for 2016; and

WHEREAS, the annual sewer charge is due March 1st of each year;

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Tax Collector, Supervisor of Sewer User Charges be and is hereby authorized to charge and bill for 2016 at the unit rate of \$200.00.

Adopted

25. Authorize Tax Payment Plan for 128 Montgomery Avenue – Block 168, Lot 4 - Total Amount to Redeem \$4,351.46 - Payable Within 12 Months

WHEREAS, the Township of Irvington has had an Accelerated Tax Sale on December 21, 2015 on lands known on the Tax Map of the Township of Irvington aforesaid as Block 168, Lot 4 owned by SPEAKMAN, CLARA MAE, and that said Tax Sale advertised amount and subsequent municipal liens on said premises remain unpaid; and

WHEREAS, said Taxpayer SPEAKMAN, CLARA MAE, has applied to the Municipal Council of the Township of Irvington for a leave to redeem the aforesaid property from the said Accelerated Tax Sale and subsequent municipal liens by equal monthly installment payments in accordance with and pursuant to the provisions of N.J.S.A. 54:5-19:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Irvington Tax Collector be and she is hereby authorized to enter into the following agreement mentioned for the payment of tax arrears and current taxes on the premises 128 MONTGOMERY AVENUE, BLOCK 168 LOT 4 on the Irvington Tax Map:

1. 2015 2Q Taxes	\$ 960.41
2015 3Q Taxes	\$ 1,626.82
2015 4Q Taxes	\$ 1,547.88
Total Interest Due to 12/21/2015	\$ 216.35

NET AMOUNT TO REDEEM: \$ 4,351.46

2. That beginning March 1, 2016 and on or before the 1st day of each succeeding month thereafter, the Taxpayer SPEAKMAN, CLARA MAE shall pay to the Irvington Tax Collector the sum of \$217.24 each month to be applied by said Tax Collector on account of said municipal liens in the manner most convenient to her as provided by N.J.S.A. 54:5-74. In addition, the Taxpayer shall pay to the Tax Collector the current taxes as they become due on February 1st, May 1st, August 1st and November 1st of each year. The foregoing payments shall continue until all taxes and interest on tax arrears and current taxes as provided herein shall have been paid in full; all tax arrears and interest thereon must be paid within 24 months.
 - a. The Tax Collector shall provide a form of receipt or statement showing the dates of payments and the application thereof as to interest, expenses, charges, etc.
3. Upon the full satisfaction of the amount required to redeem said lands from said Tax Sale Certificate, including the subsequent municipal liens as aforesaid, together with Sewer user charges and current taxes, the Collector of Taxes shall deliver to said Taxpayer said Tax Sale Certificate properly endorsed for cancellation.
4. That should said Taxpayer SPEAKMAN, CLARA MAE default in the payment of any one said monthly installment payments, or in the payment of any current municipal taxes which may fall due against the aforementioned property, and should said default in any case continue for thirty (30) days from the time that such payment is due and payable then said agreement between said Taxpayer and the Township shall be terminated and void and all said municipal liens and taxes shall become immediately due and payable subject to enforcement by the Tax Collector of the Township of Irvington and sale according to law or by employment of any remedy available to the Township of Irvington according to law.

Adopted

26. Authorize Settlement of 2013 Tax Appeal - 49 Naden Avenue

RESOLUTION OF THE MAYOR AND TOWNSHIP COUNCIL OF THE TOWNSHIP OF IRVINGTON IN THE COUNTY OF ESSEX AUTHORIZING SETTLEMENT OF THE 2013 TAX APPEAL ENTITLED PETER J. HOWARD V. TOWNSHIP OF IRVINGTON, DOCKET NO.: 018514-2013 OF THE TAX ASSESSMENT OF BLOCK 243, LOT 11 KNOWN AS 49 NADEN AVENUE IN THE TOWNSHIP OF IRVINGTON, ESSEX COUNTY, NEW JERSEY

WHEREAS, an appeal of the real property tax assessment for tax year 2013 involving Block 243 Lot 11 has been filed by the Taxpayer Peter J. Howard; and

WHEREAS, the proposed Stipulation of Settlement, a copy of which is incorporated herein as if set forth at length, has been reviewed and recommended by the Township Tax Assessor and Township Tax Expert; and

WHEREAS, the settlement of said matter as more fully set forth below is in the best interest of the Township of Irvington.

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

1. Settlement of the 2013 tax appeal is hereby authorized as follows:

49 Naden Avenue
Block 243, Lot 11
Year: 2013

	Original Assessment	County Board Judgment	Settlement Amount
Land:	\$134,000	N/A	\$128,700.00
Imprvts:	\$99,500	N/A	\$99,300
Total:	\$233,500	N/A	\$228,000
Total:	\$1,150,000	N/A	\$750,000

2. All municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of this Resolution and authorizes the Special Tax Counsel to enter into the Stipulation of Settlement as provided by Taxpayer.

Adopted

10. Communications and Petitions

A. Communications

1. Board of Adjustment Secretary – Vacancies on the Board
2. Mayor Vauss – Executive Order # 2016-1 – Emergency Snow Removal Regulations
3. Essex County Ordinance – Name Parks Building at Irvington D. Bilal Beasley Community Center

B. Petitions

None

11. Pending Business

A. Establish One Way Westbound on Glorieux Street Between Nesbit Terrace and Stuyvesant Avenue [PENDING COUNTY AND DOT APPROVALS]

12. Miscellaneous

A. Bingos and Raffles

None

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

There were no requests to be heard.

13. Adjournment

There being no further business, the meeting was adjourned at 8:30 P.M.

Charnette Frederic, Council President

Harold E. Wiener, Municipal Clerk-