

REGULAR COUNCIL MEETING
APRIL 5, 2016

Council Chamber, Municipal Building
Irvington, N.J. – Tuesday Evening
April 5, 2016 - 8:00 P.M.

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

Present: Vernal Cox, October Hudley, Paul Inman, Charnette Frederic

Absent: Renee C. Burgess, Sandra R. Jones, 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)

Patricia Poston, 101 Union Avenue Apartment 2-B

5. Hearing of Council Members

Council Member Cox and Council President Frederic spoke.

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

A. Reports

1. Minutes – Directors' Meeting – March 22, 2016
2. Construction Official – Permits Issued on February
3. Joint Meeting – 2015 Surplus, Annual Operational Report and
Sewer User Charge Apportionment Report
4. Joint Meeting – 2nd Quarter Assessment Report

7. Reports of Committees

None

8. Ordinances, Bills & Claims

A. Ordinances on 1st Reading

None

B. Ordinances on 2nd Reading

None

8. Ordinances, Bills & Claims

A. Ordinances on 1st Reading

Cox – Inman 1. Authorize Amendment to First Source Linkage Program

AMENDMENT TO AN ORDINANCE ESTABLISHING A FIRST SOURCE
EMPLOYMENT LINKAGE PROGRAM TO FACILITATE AND ENCOURAGE
PRIVATE SECTOR EMPLOYMENT OPPORTUNITIES FOR RESIDENTS OF
IRVINGTON

Adopted

Absent: Burgess, Jones, Lyons

Cox – Inman 2. Authorize Amendment to Fee Ordinance to Provide for Developer
Application Fees

AMENDMENT TO CHAPTER 98 FEES AND LICENSES

Adopted

Absent: Burgess, Jones, Lyons

Cox – Inman 3. Establish Developers Escrow Account

AN ORDINANCE TO ESTABLISH ESCROW ACCOUNTS FOR FEES TO DEFRAY
COSTS FOR REDEVELOPMENT PROJECTS AND IN REM FORECLOSURES.

Adopted

Absent: Burgess, Jones, Lyons

B. Ordinances on 2nd Reading

1. President Frederic: An ordinance establishing fees for certain types of certificates of
occupancy will be heard at this time. The Clerk will read the notice of hearing.

The Clerk read the notice of hearing.

The Clerk will read the ordinance by title.

AN ORDINANCE AMENDING CHAPTER 98 OF THE REVISED CODE
REGARDING FEES FOR CERTAIN CERTIFICATE OF OCCUPANCIES

§ 98-11 Fees Under Chapter 82, Construction Code, Uniform

The fee schedule for issuance of permits (Construction Department) shall be as follows:

A. Plan review fee. The fee for plan review shall be 25% of the amount to be charged for all permits being issued. This fee is nonrefundable. [Amended 9-27-2005 by Ord. No. MC 3301]

B. The basic construction permit fee shall be the sum of the computed on the basis of the volume or cost of construction, the number of plumbing fixtures and pieces of equipment, the number of electrical fixtures and devices, the number of sprinklers, standpipes and detectors (smoke and heat), at the unit rates provided herein, plus any special fees. The minimum permit fee for a basic construction permit covering any or all of the building, plumbing, electric and/or fire protection work shall be \$75.

C. Building volume or cost. The permit fees for new construction or alteration are as follows:

(1) Permit fees for new construction shall be based upon the volume of the structure. Volume shall be computed in accordance with N.J.A.C. 5:23-2.28. The new construction fee shall be in the amount of \$0.0395 per cubic foot of volume for buildings and structures of all use groups and types of construction as classified and defined in Articles 3 and 4 of the Building Subcode. The minimum fee for new construction shall be \$300.

(2) Permit fees for renovations, alterations and repairs shall be based upon the estimated cost of the work. The fee shall be in the amount of \$30 per \$1,000. From \$50,001 to and including \$100,000, the additional fee shall be in the amount of \$24 per \$1,000 of the estimated cost above \$50,000. Above \$100,000, the additional fee shall be in the amount of \$18 per \$1,000 of the estimated cost above \$100,000. For the purpose of determining estimated cost, the applicant shall submit to the Construction Official such cost data as may be available produced by the architect or engineer of record or by a recognized estimating firm or by the contractor. A bona fide contractor's bid, if available, shall be submitted. The Construction Official shall make the final decision regarding estimated cost. Permit fees for additions shall be computed on the same basis as for new construction for the added portion, except that the minimum fee for an addition shall be \$100.

(3) Tank abandonment. In-ground abandonment of any tank: \$ 300.

(4) Tank removal: \$200.

(5) Permit fees for combination renovations and additions shall be computed as the sum of the fees computed separately in accordance with Subsection C (1) and (2) above.

(6) In order to provide for the training and certification and technical support programs required by the act, the enforcing agency shall collect a surcharge fee to be based upon the volume of new construction within the Township. Said fee shall be accounted for and forwarded to the Department of Community Affairs. This fee shall be the amount as set forth in N.J.A.C. 5:23-4.19(b). For the purpose of calculating this fee, volume shall be computed in accordance with N.J.A.C. 5:23-2.28.

D. Plumbing fixtures and equipment.

(1) For the purpose of computing permit fees:

(a) "Plumbing fixtures" shall include, but not be limited to, stacks, lavatories, kitchen sinks, slop sinks, sinks, urinals, water closets, bathtubs, shower stalls, laundry tubs, floor drains, washing machine connections and similar fixtures.

(b) "Plumbing appurtenances" shall include, but not be limited to, devices, a manufactured device or an on-the-job assembly of component parts, which adjunct to the basic piping system and plumbing fixtures, pressure-reducing valves, backflow prevention devices, backwater valves, vacuum breakers, grease traps, interceptors and similar devices.

(c) "Plumbing appliances" shall include, but not be limited to, hot-water heaters, tankless heaters, heat exchangers, water storage tanks, solar panels, water pressure boosters systems, sump pumps, dishwashers, ice makers, instant hot-water coils, sewerage ejectors, garbage disposal units, sterilizers and aspirators.

(2) The permit fee for the installation or replacement of a plumbing fixture shall be \$20 for each plumbing fixture. The permit fee for hot-water boilers, water-cooled air-conditioning units and steam boilers shall be \$75.

(3) The permit fee for the installation or replacement of a plumbing appurtenance and/or special device shall be \$75 per plumbing appurtenance and/or special device. Exception: The fee for backflow preventors that do not require ongoing inspection shall be \$25.

(4) The permit fee for the installation or replacement of a plumbing appliance shall be \$75.

(5) The permit fee for the installation of a house or building sewer and/or water service pipe is \$75.

(6) The permit fee for the installation of a lawn sprinkler system shall be \$10 for each sprinkler head.

(7) The permit fee for the installation or replacement of subsoil drains shall be \$75.

(8) The permit fee for gas piping is \$75.

(9) The permit fee for the installation or replacement of oil lines and/or oil tank piping shall be \$75.

(10) The permit fee for fuel connection shall be \$20.

(11) Gasoline pump installation: \$75.

(12) The minimum fee for any permit issued for the plumbing subcode shall be \$75.

E. Electrical fixtures and devices. The permit fees shall be as follows:

(1) From one to 50 receptacles or fixtures, the fee shall be in the amount of \$75. For each 25 receptacles or fixtures in addition to this, the fee shall be in the amount of \$20. For the purpose of computing this fee, receptacles or fixtures shall include lighting outlets, wall switches, fluorescent fixtures, convenience receptacles or similar fixtures and motors or devices of less than one horsepower or one kilowatt.

(2) For each motor or electric device greater than one horsepower and less than or equal to 10 horsepower and for transformers and generators greater than one kilowatt and less than or equal to 10 kilowatts, the fee shall be \$20.

(3) For each motor or electrical device greater than 10 horsepower and less than or equal to 50 horsepower, for each service panel, service entrance or subpanel less than or equal to 200 amperes and for all transformers and generators greater than 10 kilowatts and less than or equal to 45 kilowatts, the fee shall be \$75.

(4) For each motor or electrical device greater than 50 horsepower and less than or equal to 100 horsepower, for each service panel, service entrance or subpanel greater than 200 amperes and less than or equal to 1,000 amperes and for transformers and generators greater than 45 kilowatts and less than or equal to 112.5 kilowatts, the fee shall be \$125.

(5) For each motor or electrical device greater than 100 horsepower, for each service panel, service entrance or subpanel greater than 1,000 amperes, and for each transformer or generator greater than 112.5 kilowatts, the fee shall be \$550.

(6) For the purpose of computing these permit fees, "motors" includes all motors except those in plug-in heating, cooking or other devices consuming or generating electrical current.

(7) The minimum fee for any permit issued for the electrical subcode shall be \$75.

(8) In-ground swimming pools and spas bonding, one receptacle, one motor, the fee shall be \$125. Hydro massage tubs etc: \$50.

(9) The minimum fee for any electric permit issue shall be \$75.

F. Fire protection and other hazardous equipment. Sprinklers, standpipes, detectors (smoke and heat), pre-engineered suppression systems, gas and oil-fired appliances not connected to the plumbing system, kitchen exhaust systems, incinerators and crematoriums.

(1) The fee for 20 or fewer heads or detectors shall be \$75. For 21 to and including 100 heads or detectors, the fee shall be \$150. For 101 to and including 200 heads or detectors, the fee shall be \$250. For 201 to and including 400 heads or detectors, the fee shall be \$625. For 401 to and including 1,000 heads or detectors, the fee shall be \$975. In computing fees, each sprinkler head and each detector shall be each counted as one.

- (2) The fee for each standpipe shall be \$350.
- (3) The fee for each pre-engineered system shall be \$150.
- (4) The fee for each gas or oil-fired appliance not connected to the plumbing system shall be \$75.
- (5) The fee for each kitchen exhaust system (commercial) shall be \$100.
- (6) The fee for each incinerator shall be \$600.
- (7) The fee for each crematorium shall be \$600.
- (8) For each vapor recovery system, the fee shall be \$150.
- (9) For each fire pump, the fee shall be \$75.
- (10) The minimum fee for any fire permit issue shall be \$75.

G. Elevator registration and inspection fees.

- (1) Upon application for registration of an existing elevator, the owner shall be responsible for all fees due the third-party inspection agency; the owner shall also be responsible for the Township administration fee of \$50.
- (2) For the installation of a new elevator: as required by agreement with the third-party inspection agency, plus a Township administration fee of 15%.

H. Certificates and other permits. The fees are as follows:

- (3) For one- or two-family residence (Use Group R-4 of the Building Subcode) the fee shall be \$300.
- (4) For three-family residence and above the fee shall be \$400.
- (5) For individual garages the fee shall be \$100.
- (6) The fee for a permit to construct a sign shall be in the amount of \$2 per square foot surface area of the sign, computed on one side only for double-faced signs; the minimum fee shall be \$100.

(7)

Commercial properties

1 to 1,000 square feet	\$100
1,001 to 2,000 square feet	\$150
2,001 to 3,000 square feet	\$175
3,001 to 4,000 square feet	\$200

4,001 to 5,000 square feet \$225

The following formula will be used to determine the inspection fee for any structures over 5,000 square feet:

Sample: 23,000 square feet

Fee:	4 x 5,000 square feet	=	\$900
	1 x 3,000 square feet	=	\$175
	Total	=	\$1,075

(8) The fee for a certificate of occupancy granted pursuant to a change of use group shall be \$400. The fee for a certificate of continued occupancy shall be \$300. (Four inspectors required going out for this kind of inspection.)

(9) The fee for an application for a variation in accordance with N.J.A.C. 5:23-2.10 shall be \$250 for Class I structures and \$75 for Class 2 structures and Class 3 structures. The fee for resubmitting of an application for a variation shall be \$175 for Class I structures and \$25 for Class 2 and Class 3 structures.

(10) The fee for a plan review of a building for compliance under the alternate systems and nondepletable energy source provisions of the energy subcode shall be \$250 for one- and two-family homes, and for light commercial structures having the indoor temperature controlled from a single point, and \$500 for all other structures.

(11) The permit fee for asbestos and/or lead abatement removal from any building or structure shall be \$200. The certificate of occupancy shall be \$100.

(12) The permit fee for tents in excess of 900 square feet or more than 30 feet in any dimension shall be \$100.

(13) The fee for a permit to erect a fence shall be \$75 for a one- through six-family residential application and \$150 for business, commercial, industrial and all other residential applications.

All ordinances or parts of ordinances inconsistent or in conflict with the provisions of the within ordinance are hereby repealed.

This ordinance shall take effect upon final passage and publication according to law.

The public hearing on this ordinance is now open.

There were no requests to be heard.

Inman – Hudley

Motion to close public hearing

Adopted

Absent: Burgess, Jones, Lyons

Inman – Hudley

Motion to adopt this ordinance on second reading after public hearing

Adopted

Absent: Burgess, Jones, Lyons

2. President Frederic: An ordinance establishing taxi cab stands on the west side of Myrtle Avenue at the intersection of Springfield Avenue will be heard at this time. For the record this notice of hearing is identical to the first notice of hearing read by the Clerk.

The Clerk will read the ordinance by title.

AN ORDINANCE AMENDING CHAPTER 192 OF THE REVISED CODE TO CREATE 4 TAXI STANDS ON THE WEST SIDE OF MYRTLE AVENUE AT THE INTERSECTION OF SPRINGFIELD AVENUE.

SECTION 1. Section 192-104 of the Revised Code regarding taxi stands is hereby supplemented by the addition of the following:

Taxi Stand Locations

Add:

Name of Street	Side	Location
Myrtle Avenue	West Side	From 160 feet from the intersection of Springfield Avenue, for a distance of approximately 90 feet (4 cabs maximum)

SECTION 2. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of the within ordinance are hereby repealed.

SECTION 3. This ordinance shall take effect upon final passage and publication according to law.

The public hearing on this ordinance is now open.

Tuwanna Rudolph, 55 Stockman Place

Frederic – Cox Motion to close public hearing

Adopted

Absent: Burgess, Jones, Lyons

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

Adopted

Absent: Burgess, Jones, Lyons

3. President Frederic: An ordinance establishing a CAP bank for the calendar year 2016 municipal budget will be heard at this time. For the record this notice of hearing is identical to the first notice of hearing read by the Clerk.

The Clerk will read the ordinance by title.

**TOWNSHIP OF IRVINGTON
CALENDAR YEAR 2016
MODEL ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Municipal Council of the Township of Irvington in the County of Essex finds it advisable and necessary to increase its CY 2016 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Municipal Council hereby determines that a 3.5 % increase in the budget for said year, amounting to **\$ 2,671,337.00** in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Municipal Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Municipal Council of the Township of Irvington, in the County of Essex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2016 budget year, the final appropriations of the Township of Irvington shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to **\$2,671,337.00**. and that the CY 2016 municipal budget for the Township of Irvington be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

The public hearing on this ordinance is now open.

Elouise McDaniel, 214 Nesbit Terrace

Frederic - Cox Motion to close public hearing

Adopted
Absent: Burgess, Jones, Lyons

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

Adopted
Absent: Burgess, Jones, Lyons

C. Bills & Claims

Inman – Cox 1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD APRIL 5, 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	\$2,368,953.93
TOTAL	\$2,368,953.93

NOTE: The following, as a walk on item from the Administration, was added to the Bill List by the unanimous agreement of the Council Members present:

De Block Environmental Services	\$12,000.00
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Adopted
Absent: Burgess, Jones, Lyons

Inman – Cox 2. Payrolls

February 27, 2016 through March 25, 2016

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$191,965.33	\$9,522.37	\$22,497.18	\$223,984.88

March 12, 2016 through March 25, 2016

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$1,298,317.02	\$65,149.84	\$142,927.54	\$1,506,394.40

Adopted
Absent: Burgess, Jones, Lyons

9. Resolutions & Motions

A. Resolutions

Frederic – 1. Waive 20 Day Waiting Period for Effective Date of Ordinance
Creating Taxi Stands on the West Side of Myrtle Avenue at Springfield Avenue

WHEREAS, an ordinance entitled "AN ORDINANCE AMENDING CHAPTER 192 OF THE REVISED CODE TO CREATE 4 TAXI STANDS ON THE WEST SIDE OF MYRTLE AVENUE AT THE INTERSECTION OF SPRINGFIELD AVENUE" was duly passed on first reading by the Municipal Council on March 22, 2016 and duly adopted by the Municipal Council on second reading after public hearing on April 5, 2016; and

WHEREAS, pursuant to N.J.S.A. 40:69A-181 (a) and Section 5-30 (d) of the Revised Code of the Township of Irvington, an ordinance shall take effect twenty (20) days after final passage by the Municipal Council and approval by the Mayor; and

WHEREAS, pursuant to N.J.S.A. 40:69A-181 (b) and Section 5-30 (d) of the Revised Code of the Township of Irvington, two-thirds (2/3) of the full membership of the Municipal Council may declare an emergency, by written resolution, to reduce this twenty (20) day period:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON (not less than 2/3 of the full membership thereof affirmatively concurring) that pursuant to the provisions of N.J.S.A. 40:69A-181 (b) and Section 5-30 (d) of the Revised Code of the Township of Irvington, it does hereby declare that an emergency exists that an ordinance entitled "AN ORDINANCE AMENDING CHAPTER 192 OF THE REVISED CODE TO CREATE 4 TAXI STANDS ON THE WEST SIDE OF MYRTLE AVENUE AT THE INTERSECTION OF SPRINGFIELD AVENUE" shall become effective immediately upon its approval by the Mayor.

NOTE: Without objection, this resolution was removed from the agenda at the request of the sponsor.

Inman – Cox 2. Authorize Application for the 2016-2017 Municipal Alliance Grant

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, Irvington Municipal Council of the Township of Irvington of, County of Essex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Irvington Municipal Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Irvington Municipal Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Essex;

NOW, THEREFORE, BE IT RESOLVED by the Township of Irvington, County of Essex, State of New Jersey hereby recognizes the following:

1. The Township/Borough/City Council does hereby authorize submission of a strategic plan for the (name) Municipal Alliance grant for fiscal year 2016-2017 in the amount of:

DEDR	\$ 42,000.00
Cash Match	\$ 10,500.00
In-Kind	\$ 31,500.00
2. The Township/Borough/City Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

APPROVED: _____
(Name), Mayor

CERTIFICATION

I, Harold E. Wiener, Municipal Clerk of the Township of Irvington of Township of Irvington, County of Essex, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Irvington Municipal Council on this 5th day of April, 2016.

Harold E. Wiener, *Municipal Clerk*

Adopted

Absent: Burgess, Jones, Lyons

Inman - Cox 3. Authorize Return of \$500.00 Bail to Louimane Ceneus Approved by Honorable Chief Judge Atwell

WHEREAS, on January 6, 2014 bail in the amount of \$ 500.00 was posted by Louimane Ceneus for a Dortyl Ceneus on Complaint Number 0709- W-2013-2513 (exhibit a) attached; and

WHEREAS, on February 19, 2014 a letter was mailed to Louimane Ceneus along with bail account check number 6816 in the amount of \$ 500.00 at the address provided (exhibit b) attached; and

WHEREAS, the letter was not returned by the post office; and

WHEREAS, on August 26, 2014 the \$ 500.00 bail was forwarded to the Township Treasurer as “unclaimed” (exhibit c-2 pages) attached; and

WHEREAS, Louimane Ceneus came to the Municipal Court on February 18, 2016 requesting that his bail in the amount of \$500.00 be returned to him; and

WHEREAS Mr. Ceneus was advised to appear in Court on March 7, 2016 to make his request on record; and

WHEREAS, on March 7, 2016 Louiman Ceneus appeared before the Honorable Anthony R. Atwell and requested that his bail be returned to him; and

WHEREAS, on March 7, 2016 the Honorable Anthony R. Atwell approved his request to have the \$ 500.00 bail refunded to him (exhibit d) attached.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Department of Revenue and Finance of the Township of Irvington is authorized to return the bail in the amount of \$ 500.00 by preparing a check in this amount payable to Louimane Ceneus and forwarding this check to his current address of 54 Bross Place Apt.2 Irvington, NJ 07111.

Adopted

Absent: Burgess, Jones, Lyons

Inman – Cox 4. Authorize Acceptance of \$35,450.66 Community Services Block Grant for the 2016 Program Year for the Irvington Neighborhood Improvement Corporation

COMMUNITY SERVICES BLOCK GRANT (CSBG) AWARD FOR 2016 PROGRAM YEAR

WHEREAS, the County of Essex, acting through its Department of Citizens Services, Division of Community Action proposes to enter into a sub grant agreement with Irvington Neighborhood Improvement Corporation to provide Emergency Services to Essex County residents for the contract price of \$35,450.66 during the 2016 program year of January 1, 2016– December 31, 2016; and

WHEREAS, said grant agreement has been negotiated by the County Executive of Essex County and presented to the Board of Chosen Freeholders for its approval: and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Mayor of the Township of Irvington be and hereby is authorized to execute a Grant Agreement with the Essex County Division of Community Action as sub-recipient of Community Service Block Grant funds in the amount of \$35,450.66

BE IT FURTHER RESOLVED that the Township of Irvington does hereby accept the award of \$35,450.66 for such activities.

Adopted

Absent: Burgess, Jones, Lyons

Frederic – Inman 5. Resolution of Sorrow – Jean Lamothe

**RESOLUTION OF SORROW
JEAN LAMOTHE**

WHEREAS, Jean Lamothe was a vibrant, compassionate and dedicated public servant who was well known for his integrity and loyalty; and

WHEREAS, Jean Lamothe, beloved son of the late Marie Altide Polynice and Jean Frederic Lamothe, was born on June 5, 1956 in Croix des Bouquets, Haiti; and

WHEREAS, He was the unique child on his mother's side later married the lovely Martine Eliassaint on January 29, 1997; and

WHEREAS, from out of their union were born two children, Fednerly Tia Lamothe and Elijah Joab Lamothe; and

WHEREAS, before marriage, Jean Lamothe has also fathered two other children, Joshua Lamothe and Fenly Lamothe; and

WHEREAS, In Haiti, Jean Lamothe graduated from the Saint Louis- Roi de France High School and later earned an Associate Degree in Criminal Justice from the University of Phoenix; and

WHEREAS, he was a graduate of the Essex County Police Academy, and the recipient of numerous certificate studies in the areas of transportation, security, private investigation and housing code inspection from Upsala, Essex County and Bloomfield colleges; and

WHEREAS, Jean Lamothe played leadership roles in various social organizations, political and civic parties: The Haitian League (THL), The Haitian-American League Council (HALEC), the Haitian Political Conference (HPC), and Irvington Municipal Party Committee, to name a few, and was also the proud president of the Jean Lamothe's Civic Association; and

WHEREAS, in his professional life as a Housing Inspector for the Township of Irvington, he often had to mediate between dysfunctional tenants and irresponsible landlords, and in that capacity, he devoted his private times to speak on behalf of the Irvington Township in churches and other community groups where he provided counseling on housing codes and standards; and

WHEREAS, As a Truancy Officer for the Irvington School District, he saw first-hand the despair in the eyes of some of our youth as he counseled and encouraged so many of our kids to return to night school and complete their high school studies; and

WHEREAS, as a Correctional Officer with the Essex County Jail, he saw in distress the end result of social degradation but he never accepted it as a “fait-accompli”, and in the private sector, he worked as Project Manager for Taureau Construction, Inc. of Orange, New Jersey and also served as Terminal Manager for the Bergen – Passaic Bus Company in Passaic, New Jersey; and

WHEREAS, as President of Melrose Civic Group, he organized community activities, such as “street-cleaning projects” and “neighborhood –watches”, and under the banner of “Jean Lamothe’s Civic Association”, he secured employment for young adults at Great Adventure; and

WHEREAS, Jean Lamothe was a true patriot, very zealous and hopeful about his community, his city and his state; and

WHEREAS, such sentiments motivated him to run for New Jersey State Senator and for Mayor of the Township of Irvington; and

WHEREAS, Inspector Lamothe is survived by his beloved wife Martine Eliassaint Lamothe, his four children Elijah Joab, Fednerly Tia, Fenly and Joshua who loved him very much; his aunts Isemene Tapage and Geogette Polynice; and a host of cousins, relatives and friends:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township joins with the friends and family of Jean Lamothe in mourning the loss of this great man; and

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of this governing body in lasting tribute to Jean Lamothe.

Adopted

Absent: Burgess, Jones, Lyons

Inman – Cox 6. Authorize Contract Over the Bid Threshold of \$40,000.00 for Disposal of Certain Types of Solid Waste With Waste Management Under the Essex County Cooperative Purchasing Program

AUTHORIZING PURCHASES UNDER THE ESSEX COUNTY CO-OP OF NEW JERSEY COOPERATIVE PURCHASING PROGRAM OVER THE BID THRESHOLD OF \$40,000.00

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 Essex County Cooperative Purchasing Program on behalf of their members; and,

WHEREAS, Essex County Co-op has awarded solid waste transfer fee contract for type 13, 13c, 23 and 27A contracts to Waste Management; and,

WHEREAS, Waste Management-Julia Street Transfer Station located at 864 Julia Street will exceed the bid threshold of \$40,000.00 for calendar year 2016; and

WHEREAS, the Township of Irvington intends to enter into this contract with Waste Management over the bid threshold of \$40,000.00 through this resolution and properly executed purchase orders for disposal of type 13, 13C, 23 and 27 A solid waste.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Irvington authorizes the purchasing agent to pay this vendor over the bid threshold of \$40,000.00, pursuant to all the conditions of Essex County Co-op contract; and

BE IT FURTHER RESOLVED that the duration of this authorization shall be until December 31, 2016

BE IT FURTHER RESOLVED a separate resolution will be submitted to the Municipal Council for all addition vendors exceeding the bid threshold of \$40,000.00.

Adopted

Absent: Burgess, Jones, Lyons

Inman – Cox 7. Authorize \$9,000.00 Subsidy for the for the Irvington Counseling Center

RESOLUTION APPROVING ANNUAL PAYMENT TO IRVINGTON COUNSELING CENTER

WHEREAS, Irvington Counseling Center, a New Jersey Non-Profit Corporation with its office located at 21-29 Wagner Place, Irvington, NJ 07111 provides a variety of mental health services to the Township of Irvington residents; and

WHEREAS, the Township provides a subsidy payment to the organization in its annual budget to promote the health, safety, morals and general welfare of the community; and

WHEREAS, nine thousand dollars (\$9,000.00) will be included in the 2016 Municipal budget for this purpose; and

NOW THEREFORE BE, IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, that the Township of Irvington will remit quarterly payments in the amounts of \$2,250.00 to Irvington Counseling Center, a New Jersey Non-Profit Corporation located at 21-29 Wagner Place, Irvington, NJ 07111 for counseling services for calendar year 2016.

BE IT FURTHER RESOLVED, the appropriation to be charged for this expenditure is Account Number 6-01-27-330-111-299.

Adopted
Absent: Burgess, Jones, Lyons

Inman – Cox 8. Authorize Contract With MetLife Insurance Company to Provide Voluntary Life Insurance Benefits to Employees

AUTHORIZING THE TOWNSHIP TO ENTER INTO AN AGREEMENT WITH METLIFE TO PROVIDE EMPLOYEES WITH VOLUNTARY LIFE INSURANCE BENEFITS

WHEREAS, the Administration is in need of providing voluntary life insurance benefits to employees; and

WHEREAS, eligible employees will sign appropriate contracts directly with MetLife Insurance Company; and

WHEREAS, the Township will deduct from employees' salary monthly premium and remit the same to MetLife Insurance on a monthly basis; and

WHEREAS, the vendor has completed the appropriate C-271, Pay to Play documents and copies are on file with the Office of Clerk and Purchasing.

NOW, THEREFORE, BE IT RESLOVED, that the Municipal Council of the Township of Irvington hereby authorizes MetLife Insurance to provide voluntary life Insurance benefits to employees; and

BE IT FURTHER RESOLVED, that the Finance Department is authorize to deduct monthly premiums from employee's salary and remit the same to MetLife; and

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

Adopted
Absent: Burgess, Jones, Lyons

Inman – Cox 9. Ratify Mayor's Appointment of Council First Vice President Renee C. Burgess as a Voting Member of the Springfield Avenue Center Special Improvement District Board of Directors/Business Development Corporation

RESOLUTION APPOINTING ONE VOTING MUNICIPAL AGENCY HEAD OR
DESIGNEE BY THE MAYOR TO THE SPRINGFIELD AVENUE CENTER
BUSINESS IMPROVEMENT DISTRICT

WHEREAS, Municipal Ordinance MC 3084 created the Springfield Ave Center Business Improvement District; and

WHEREAS, said Ordinance provides that the Mayor may appoint one voting member; and

WHEREAS, Mayor wishes to appoint, Renee C. Burgess to the Springfield Ave Center Business Improvement District Board of Directors.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that Renee C. Burgess is hereby appointed to the Springfield Ave Center Business Improvement District Board of Director as a voting member.

Adopted

Absent: Burgess, Jones, Lyons

Inman – Cox 10. Authorize Sale of Abandoned and Unclaimed Motor Vehicles at a Public Auction

AUTHORIZE THE PUBLIC AUCTION OF UNCLAIMED AND ABANDONED
MOTOR VEHICLES

WHEREAS, the Irvington Police Department has taken possession of motor vehicles found abandoned and unclaimed; and

WHEREAS, pursuant to N.J.S.A. 39:10A-1 provides for the public sale in a public place of such vehicles provided certain notice requirements are met; and

WHEREAS, the Police Department has complied with the provisions of N.J.S.A. 39:10A-1 as such relates to the disposition of such vehicles as identified on the attached list; and

WHEREAS, a request has been made by the department to sell he listed vehicles in accordance with the State statute cited herein.

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

(1) The Purchasing Agent is hereby authorized to sell unclaimed motor vehicles as described in the attached list in a manner consistent with the requirements of N.J.S.A. 39:10A-1 and pursuant to the satisfaction of any properly documented credited storage and towing lien.

(2) The Purchasing Agent is hereby authorized to execute Motor Vehicle Title Certificates pursuant to the attached list on behalf of the Township of said vehicles.

(3) Any and all vehicles purchased at said auction shall be removed from the Tower's lot within thirty (30) days of sale.

Adopted

Absent: Burgess, Jones, Lyons

Hudley – Inman 13. Authorize Contract for Emergency Snow Removal Services – Your Way Construction, LLC - \$65,520.00 [WALK ON BY ADMINISTRATION]

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 during the months of January & February, 2016; and

WHEREAS, the Mayor has approved said emergency; and

WHEREAS, Your Way Construction, LLC 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 Your way Construction, LLC , of 404 Coit Street, Irvington, N.J. 07111, for an amount not to exceed \$65,520.00; and

BE IT FURTHER RESOLVED, that the amount of \$65,520.00 was charged to account number 6-01-21-165-165-299.

Adopted

Absent: Burgess, Jones, Lyons

10. Communications and Petitions

A. Communications

1. Mayor Vauss – Appointment – Municipal Alliance Committee - Joseph Ouseley
2. Mayor Vauss – Appointment – Voting Member of the Springfield Avenue Center Special Improvement District Board of Directors/District Management Corporation – Council First Vice President Renee C. Burgess

3. League of Municipalities – Legislative Bulletin # 1

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

Inman – Cox A. Bingos and Raffles

1. Senior Citizens Bingo Club (Special Senior Citizens' Bingo License)

Adopted

Absent: Burgess, Jones, Lyons

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

Patricia Poston, 101 Union Avenue, Apartment 2-B

Robert Carpenter, 149 Paine Avenue

Maurice Jordon, 86 West Rich Street

Tuwanna Rudolph, 55 Stockman Place

Delores Calloway, 125 Union Avenue, Unit 1-C

Elouise McDaniel, 214 Nesbit Terrace

Richard Williams, 197 Linden Avenue

Wade McIver, 264 – 40th Street

Bishop Calvin Bethea, 38 Rutgers Street

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

13. Adjournment

There being no further business, the meeting was adjourned at 9:12 P.M.

Charnette Frederic, Council President

Harold E. Wiener, Municipal Clerk