

REGULAR COUNCIL MEETING
FEBRUARY 15, 2017

Council Chamber, Municipal Building
Irvington, N.J. – Wednesday Evening
February 15, 2017 - 8:00 P.M.

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

Present: Renee C. Burgess, Vernal Cox, Charnette Frederic, Sandra R. Jones, David Lyons

Absent: October Hudley (excused), Paul Inman

President Lyons 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)

Elouise McDaniel, 214 Nesbit Terrace

Council President Lyons responded to the inquiries raised by the above referenced citizen.

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 24, 2017
2. Municipal Court Electronic Collections Report Through December, 2016

7. Reports of Committees

- A. Request for Proposals Results – Labor Counsel – February 2, 2017
- B. Bid Results - Playground Equipment for Grove Street Park and Playground Surfacing for Various Township Parks – February 2, 2017

8. Ordinances, Bills & Claims

A. Ordinances on 1st Reading

None

C. Bills & Claims

Jones – Cox 1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD FEBRUARY 15, 2017, 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	\$1,469,280.64
TOTAL	\$1,469,280.64

Adopted
Absent: Hudley, Inman

Jones – Burgess 2. Payrolls

December 24, 2016 through January 6, 2017

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$184,786.18	\$28,266.29	\$21,038.01	\$234,090.48

Adopted
Absent: Hudley, Inman

9. Resolutions & Motions

A. Resolutions

Cox - Frederic 1. Authorize Springfield Avenue Center Special Improvement District's 2016-2017 Budget to be Read By Title

WHEREAS, N.J.S.A. 40:56-84(f) provides that a Special Improvement District budget as advertised shall be read in full at the public hearing, or that it may be read by its title only if:

1. At least one week prior to the date of the hearing a complete copy of the approved Special Improvement District budget, as advertised,

(b) shall be posted in a public place where public notices are customarily posted in the principal public building; and

(b) copies are made available to each person requesting same during said week and during the public hearing:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that it is hereby declares that the conditions of N.J.S.A. 40:56-84(f), 1 (a) and 1 (b), have been met and therefore the Springfield Avenue Center Business Improvement District Budget shall be read by title only.

Adopted

Absent: Hudley, Inman

Frederic - Lyons 2. Authorize Payment Plan for Outstanding Municipal Lien – 10 Rodwell Avenue, Block 114, Lot 22 - \$32,506.28 Payable Within 36 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, EDDIE WHITE owner of record of Block 114, Lot 22, also known as 10 Rodwell Avenue, Municipality of Irvington, is desirous of satisfying Tax Title Lien # 12-01757 in the amount of \$32,506.28 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 \$1,175.18, as set forth on the attached schedule and that in addition to said installments being promptly paid on the first of each month, for 36 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: Hudley, Inman

Burgess – Frederic 3. Authorize Emergency Substitute Prosecutor Services for December 21, 2016 Court Session – Keith C. Harvest - \$300.00 Per Session

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

WHEREAS, resolution number TA 16-0913-26 appointed two substitute prosecutors to be used on an on-call basis in the event of conflict cases or due to shortage of available staff and;

WHEREAS, the two appointed substitute prosecutors were unavailable to coverage court session on December 21, 2016 and;

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

WHEREAS, the Township Attorney has declared an emergency in writing to hire Keith C. Harvest to cover the municipal court session on December 21, 2016;

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

1. The Township Attorney hired Keith C. Harvest as a substitute prosecutor on an emergency basis for December 21, 2016 court sessions.
2. The Township Attorney will prepare the appropriate contract for this service.
3. The vendor will be paid an amount not to exceed \$300.00 per session on requisition no. P.O. 17-00047.

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: Hudley, Inman

Cox – Frederic 4. Authorize Emergency Substitute Prosecutor Services for January 11, 2017 and January 17, 2017 Court Sessions – Keith C. Harvest - \$300.00 Per Session – Total \$600.00

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

WHEREAS, resolution number TA 16-0913-26 appointed two substitute prosecutors to be used on an on-call basis in the event of conflict cases or due to shortage of available staff and;

WHEREAS, the two appointed substitute prosecutors were unavailable to coverage court sessions on January 11, 2017 and January 17, 2017 and;

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

WHEREAS, the Township Attorney has declared an emergency in writing to hire Keith C. Harvest to cover the municipal court sessions on January 11, 2017 and January 17, 2017;

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

1. The Township Attorney hired Keith C. Harvest as a substitute prosecutor on an emergency basis for January 11, 2017 and January 17, 2017 court sessions.
2. The Township Attorney will prepare the appropriate contract for this service.
3. The vendors will be paid an amount not to exceed \$300.00 per session on requisition no. R7-04780

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: Hudley, Inman

Cox – Burgess 5. Authorize Professional Services Contract for Legal Services in the Matter of Francis Durham v. Township of Irvington, et als. – Lamb Kretzer – Not To Exceed \$2,500.00

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

WHEREAS, resolution number TA 16-1110-45 qualified fifteen firms to provide litigation/defense counsel services for the Township of Irvington from November 01, 2016 until October 31, 2017; 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 Lamb Kretzer, LLC has the most experience to defend the Township of Irvington in the matter of Francis Durham v. Township of Irvington, et als., Docket No. ESX-L-8551-16;

WHEREAS, the Township Attorney has recommended that a contract be awarded to Lamb Kretzer, LLC, 110B Meadowlands Parkway, Suite 201, Secaucus, New Jersey, 07094; 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 Lamb Kretzer, LLC, 110B Meadowlands Parkway, Suite 201, Secaucus, New Jersey, 07094 for a contract amount not to exceed \$2,500.00. 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 \$2,500.00. The billing rate for this contract is \$150.00 per hour.

Adopted
Absent: Hudley, Inman

Cox – Jones 6. Authorize Contract for Additional \$15,514.30 for Labor Counsel For to Additional Services Rendered - Florio, Perrucci, Steinhardt & Fader

RESOLUTION APPROVING ADDITIONAL FUNDS FOR LABOR COUNSEL SERVICES

WHEREAS, on October 27, 2015 the firm of Florio, Perrucci, Steinhardt & Fader P.C. was awarded a contract for Labor Counsel Services with an expiration date of October 31, 2016 for an amount not to exceed \$50,000.00 by resolution number TA 15-1027-38; and

WHEREAS, Florio, Perrucci, Steinhardt & Fader P.C. has provided the Township with Labor Counsel services through October 31, 2016 and has billed for these services in the amount of \$65,514.30; and

WHEREAS, Florio, Perrucci, Steinhardt & Fader P.C. has been paid a total of \$48,866.51 of their contract amount, with a balance of \$1,133.49 available for payment; and

WHEREAS, Florio, Perrucci, Steinhardt & Fader P.C has pending invoices in the amount of \$16,647.79; and

WHEREAS, the Township seeks to pay Florio, Perrucci, Steinhardt & Fader P.C through the end of the contract term for services provided within the scope of the contract;

WHEREAS the Township seeks to increase the contract amount for a total not to exceed an additional \$15,514.30;

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the services performed by the firm of Florio, Perrucci, Steinhardt & Fader P.C. in excess of the awarded contract amount totaling \$15,514.30, for an increased contract amount not to exceed \$65,514.30 is hereby ratified and confirmed; and

BE IT FURTHER RESOLVED, that the required certification of availability of funds C7-00184 in the amount of \$11,727.25 has been obtained from the Chief Financial Officer and the remaining balance of \$3,787.05 will be obtained from the Chief Financial Officer contingent on the adoption of the 2017calendar year budget.

Adopted

Absent: Hudley, Inman

Lyons – Burgess 7. Authorize Contract for Additional \$16,765.89 for Defense of Tax Appeals For to Additional Services Rendered - O'Donnell McCord, P.C.

**RESOLUTION APPROVING ADDITIONAL FUNDS FOR TAX APPEALS
COUNSEL SERVICES**

WHEREAS, on October 27, 2015 the firm of O'Donnell McCord, P.C. was awarded a contract for Tax Appeals Counsel Services with an expiration date of October 31, 2016 for an amount not to exceed \$84,000.00 by resolution number TA 15-1027-35; and

WHEREAS, O'Donnell McCord, P.C. has provided the Township with Tax Appeals Counsel services through October 31, 2016 and has billed for these services in the amount of \$100,765.89; and

WHEREAS, O'Donnell McCord, P.C. has been paid the full contract amount of \$84,00.000, with pending invoices in the amount of \$16,765.89 billed over the awarded contract; and

WHEREAS, the Township seeks to pay O'Donnell McCord, P.C. through the end of the contract term for services provided within the scope of the contract;

WHEREAS the Township seeks to increase the contract amount for a total not to exceed an additional \$16,765.89;

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the services performed by the firm of O'Donnell McCord, P.C in excess of the awarded contract amount totaling \$16,765.89, for an

increased contract amount not to exceed \$100,765.89 is hereby ratified and confirmed;
and

BE IT RESOLVED that the required Certification of Availability of Funds, certification number C7-00185 was obtained from the Chief Financial Officer and the appropriation to be charged for this expenditure is 6-01-20-155-155-256 in the amount of \$100,765.89.

Adopted

Absent: Hudley, Inman

Cox – Jones 8. Authorize Bus Stop Relocation – From Chancellor Avenue Eastbound on the Southerly Side of Cordier Street Near Side to Chancellor Avenue, Eastbound at the Southerly Side Between Woolsey Street and Cordier Street Mid-Block

RESOLUTION OF THE TOWNSHIP IRVINGTON, ESSEX COUNTY, NEW JERSEY

BE IT RESOLVED by the Mayor and Council of the Township of Irvington, County of Essex, State of New Jersey.

That pursuant to N.J.S.A. 39:4-8(e) the following described location is deleted as a bus stop:

Deleted:

1. Along Chancellor Avenue, eastbound, on the southerly side thereof at:

a. Cordier Street - Near Side

Beginning at the prolongation of the westerly curb line of Cordier Street and extending 105' westerly therefrom (Valley Fair)

That pursuant to N.J.S.A. 39:4-8(e) the following described location is designated as a bus stop:

Added:

1. Along Chancellor Avenue, eastbound, on the southerly side thereof at:

1. Along Chancellor Avenue, eastbound, on the southerly side thereof at:

a. Between Woolsey Street and Cordier Street – Mid-Block

Beginning 100' east of the prolongation of the easterly curb line of Woolsey Street and extending 135' easterly therefrom (before rail tracks at utility pole #60992 IN)

That the Mayor and Council of Irvington Township will enforce the needed traffic regulations governing the aforementioned bus stop locations and provide the necessary police security to ensure the safety of the traveling public.

Adopted

Absent: Hudley, Inman

Jones – Burgess 9. Authorize Application for the 2017-2018 Municipal Alliance Grant

Governor's Council on Alcoholism and Drug Abuse
Fiscal Grant Cycle July 1, 2017-June 30, 2018

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,

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:

The Township of Irvington Council does hereby authorize submission of a strategic plan for the Irvington Municipal Alliance grant for fiscal year 2017-2018 in the amount of:

DEDR	\$41,580.00
Cash Match	\$10,500.00
In-Kind	\$31,080.00

The Township Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

Adopted

Absent: Hudley, Inman

Jones – Frederic 10. Commemoration – African American History Month, 2017

RESOLUTION OF COMMEMORATION
2017 AFRICAN-AMERICAN HISTORY MONTH
91ST ANNUAL OBSERVANCE

WHEREAS, February is AFRICAN AMERICAN HISTORY MONTH and marks the 91st 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, 2017 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

Absent: Hudley, Inman

Lyons – Jones 11. Award Bid Based On Lowest Responsible, Responsive Bid - Pest Control Services TRI-County Termite and Pest Control - Not to Exceed \$14,880.00

**RESOLUTION AWARDING A CONTRACT FOR PEST CONTROL AND
MANAGEMENT SERVICES**

WHEREAS, sealed bids were received on October 27, 2016 for Pest Control and Management services in response to published advertisement for bids in the New Jersey Star Ledger on October 1, 2016; and

WHEREAS, two bids were received and opened by the Municipal Clerk and the Purchasing Agent; and

WHEREAS, one bid was deemed non responsive as the bidder did not submit a bid bond; and

WHEREAS, bids received were reviewed according to the New Jersey Local Public Contract law and referred to the Health Director for review and recommendation; and

WHEREAS, the bid expired on December 27, 2016 but an extension request was submitted to the vendor on December 09, 2016 to extend the expiration date of the bid to February 27, 2017 and the vendor accepted in writing; and

WHEREAS, the Health Director has recommended that the award should be made to TRI-County Termite and Pest Control, 187 Delaware Ave, Carneys, NJ 08069, on the basis of their lowest responsible, responsive bid for an amount not to exceed \$14,880.00; and

BE IT FURTHER RESOLVED, the Municipal Clerk is hereby authorized the return the bid bonds to the unsuccessfully bidders; and

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

BE IT FURTHER RESOLVED, that the required certification of availability of funds C7-00182 in the amount of \$14,880.00 from account number T-21-41-850-16d-804 has been obtained from the Chief Financial Officer.

Adopted

Absent: Hudley, Inman

Frederic – Cox 12. Establish Handicapped Parking Spaces in Front of 23 Western Parkway and 159 Prospect Avenue

WHEREAS, N.J.S.A. 39:4-197.5 provides that the 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 provision 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 space in front of 23 Western Parkway, 1st Floor and 159 Prospect Avenue, Apt. 2:

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. 36:4-206, be

established in front of 23 Western Parkway, 1st Floor and 159 Prospect Avenue, Apt.2;
and

BE IT FURTHER RESOLVED that the department of Public Works is directed to place signs designating said handicapped parking spaces.

Adopted

Absent: Hudley, Inman

Jones – Cox 13. Ratify 2017 Amended Township Employee Handbook

Resolution Adopting Amended Township Employee Handbook

WHEREAS, the Township of Irvington Municipal Council seeks to adopt a Township Employee Handbook that promulgates the essential workplace procedures and policies which Township staff are expected to abide by; and

WHEREAS, by taking such action, the Township of Irvington Municipal Council will be taking action consistent with the Best Practices Checklist issued by the State of New Jersey, Department of Community Affairs; and

WHEREAS, the employee handbook includes rules governing conflict of interest and other policies meant to ensure the proper management of Township resources and staff;

NOW THEREFORE BE IT RESOLVED, that the Township of Irvington municipal Council hereby adopts the Township of Irvington Employee Handbook and such handbook and the policies/practices therein shall remain in full effect until such time as the Township of Irvington Municipal Council adopts another employee handbook.

Adopted

Absent: Hudley, Inman

Jones – Lyons 14. Authorize Emergency Sewer Repair Contract - South 20th Street and 21st Street - Diamond Mason Contractors - \$73,500.00

RESOLUTION TO AWARD AN EMERGENCY CONTRACT TO REPAIR SEWER COLLAPSED INLET LOCATED AT SOUTH 20TH STREET BETWEEN BUFFINGTON AND NYE AVE

WHEREAS, a portion of the sanitary sewer located on South 20th Street between Buffington & Nye Avenue and 21st Street between Avon and Madison Avenue collapsed and:

WHEREAS, the work needed to repair this sewer is beyond the current capabilities of the Department of Public Works and it is not practical for the Department of Public Works, and

WHEREAS, this situation constitutes a threat to public health, safety and welfare and the Director of Public has declared an emergency, and;

WHEREAS, two quotes were obtained from John Garcia Construction Co., Inc for \$127,450.00 and Diamond Mason Contractors LLC for \$73,500.00, and;

WHEREAS, Diamond Mason Contractors LLC provided the lowest quote and was called and the required repairs were done for the total sum of \$73,500.00 and;

WHEREAS, the Director of Public Works has concurred with the amount and recommends that an emergency contract be awarded to Diamond Mason Contractors LLC, 280 S. Springfield Ave., Springfield, NJ 07081, and;

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that it ratifies the decision of the Director of Public Works to authorize an emergency contract in the amount of \$73,500.00 to Diamond Mason Contractors LLC of Springfield, NJ 07081 to repair the sanitary sewer located at South 20th Street and 21st Street.

BE IT FURTHER RESOLVED, that the required certification of availability of funds C7-00175 in the amount of \$73,500.00 from account number 7-01-21-165-165-118 has been obtained from the Chief Financial Officer to repair the sewer emergency.

BE IT FURTHER RESOLVED, that a copy of this resolution and entire emergency package shall be forward to the Director of Division of Local Government Services.

Adopted
Absent: Hudley, Inman

Lyons – Cox 15. Rescind Resolution Awarding Bid for Aerial Fire Apparatus Due to Ability to Purchase Same by State Contract for a Lesser Amount

**RESOLUTION TO RESCIND THE AWARD OF A CONTRACT FOR THE
PURCHASE OF AN AERIAL FIRE APPARATUS**

WHEREAS, the Municipal Council adopted Resolution Number DF 16-1213-4 on December 13, 2016 approving the award of a contract to purchase an aerial fire apparatus; and,

WHEREAS, the Fire Chief and Public Safety Director have determined that the purchase of an aerial fire apparatus would be cheaper if purchased from State Contract number 83183 and the vendor would be able to deliver the truck to the Township within a shorter period of time; and,

WHEREAS, NJSA 40A:11-13.2 allows the governing body of a contracting unit to use the State authorized contract pursuant to section 12 of P.L.1971, c.198 (C.40A:11-12) and rejects all bids.

NOW, THEREFORE BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, that resolution number DR16-1213-4 is rescinded and a new resolution will be forward to the Municipal Council for approval to purchase the Aerial Fire Apparatus from the State Contract Vendor.

Adopted

Absent: Hudley, Inman

Burgess – Cox 16. Authorize Five Year Lease Agreement for Mailing Equipment By State Contract With Pitney Bowes – Not To Exceed \$39,331.20

RESOLUTION AUTHORIZING A CONTRACT WITH A STATE CONTRACT
VENDOR PITNEY BOWES FOR MAILING EQUIPMENT

WHEREAS, the Township of Irvington, pursuant to N.J.S.A. 40A:11-12a 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; and

WHEREAS, the Municipal Court wishes to lease a mailing equipment from Pitney Bowes, Inc., of 27 Water view Drive, Mail Station MSC 27-1C, Shelton, CT 06484

WHEREAS, in compliance with NJSA 19:44A-20.13 ET Seq., this lease agreement will exceed the Pay to Play threshold of \$17,500.00; and

WHEREAS, vendor has provided the Township with a quote to lease the equipment for the total amount of \$655.52 for sixty months [\$306.50 for software package and \$349.02 for rental agreement] under New Jersey state contract number 41258; and

WHEREAS, the Township of Irvington intends to enter into lease agreement with Pitney Bowes, Inc. through this resolution and properly executed lease agreement and resolution for five years starting on February 14, 2017 until February 14, 2022;

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Irvington hereby authorizes the Qualified Purchasing Agent to enter into a lease agreement with Pitney Bowes, Inc., of 27 Water view Drive, Mail Station MSC 27-1C, Shelton, CT 06484 for five years starting on February 14, 2017 until February 14, 2022 for an amount not to exceed \$39,331.20 under the New Jersey State Contract number 41258; and

BE IT FURTHER RESOLVED, that the required certification of availability of funds C6-00255 in the amount of \$18,390.00 from account number 6-01-43-490-490-118 for the purchase of the rental agreement and \$3,694.12 from account number 7-01-43-490-118 for one year software package has been obtained from the Chief Financial Officer for the remaining payments for the software package will be obtained from the Chief Financial Officer in the 2018, 2019, 2020, 2021 and 2022 when the Municipal Budgets is adopted; and

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

Adopted

Absent: Hudley, Inman

Jones – Frederic 17. Award Bid – Installation of Play Surfaces at Township Parks – Corby Associates, Inc. – Based Upon Low, Responsible and Responsive Bid - Not to Exceed \$86,940.00

**RESOLUTION AWARDING A CONTRACT FOR THE INSTALLATION OF
NEW PLAY SURFACES AT TOWNSHIP PARKS**

WHEREAS, sealed bids were received on February 10, 2017 for the installation of new play surfaces at township parks in response to published advertisement for bids in the New Jersey Star Ledger on January 23, 2017; and

WHEREAS, two bids were received and opened by the Municipal Clerk and the Purchasing Agent; and

WHEREAS, bids received were reviewed according to the New Jersey Local Public Contract law and referred to the Recreation Director and the Township Engineer for review and recommendation; and

WHEREAS, the Recreation Director has recommended that the award should be made to Corby Associates, Inc., PO Box 496, 590 Grand Avenue, Ridgefield, NJ 07657, on the basis of their lowest responsible, responsive bid of \$86,940.00; and

BE IT FURTHER RESOLVED, the Municipal Clerk is hereby authorized the return the bid bonds to the unsuccessfully bidders; and

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

BE IT FURTHER RESOLVED, that the required certification of availability of funds C7-00189 in the amount of \$78,000.00 from account number C-04-56-849-016-915 and \$8,940.00 from account 7-01-28-370-370-299 has been obtained from the Chief Financial Officer.

Adopted

Absent: Hudley, Inman

Jones – Burgess 18. Award Bid – Playground Equipment at Grove Street Park – Corby Associates, Inc. – Based Upon Low, Responsible and Responsive Bid - Not to Exceed \$41,423.00

**RESOLUTION AWARDING A CONTRACT FOR THE INSTALLATION OF
NEW PLAYGROUND EQUIPMENT AT GROVE STREET PARK**

WHEREAS, sealed bids were received on February 10, 2017 for the installation of new playground equipment at Grove Street park in response to published advertisement for bids in the New Jersey Star Ledger on January 23, 2017; and

WHEREAS, two bids were received and opened by the Municipal Clerk and the Purchasing Agent; and

WHEREAS, bids received were reviewed according to the New Jersey Local Public Contract law and referred to the Recreation Director and the Township Engineer for review and recommendation; and

WHEREAS, the Recreation Director has recommended that the award should be made to Corby Associates, Inc., PO Box 496, 590 Grand Avenue, Ridgefield, NJ 07657, on the basis of their lowest responsible, responsive bid of \$41,423.00 ;and

BE IT FURTHER RESOLVED, the Municipal Clerk is hereby authorized the return the bid bonds to the unsuccessfully bidders; and

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

BE IT FURTHER RESOLVED, that the required certification of availability of funds C7-00190 in the amount of \$41,423.00 from account number C-04-56-849-016-916 has been obtained from the Chief Financial Officer.

Adopted

Absent: Hudley, Inman

Cox – Jones 19. Authorize Purchase of Four Ford Explorer Vehicles by State Contract From Beyer Ford – Not to Exceed \$128,847.00

RESOLUTION AUTHORIZING THE PURCHASE OF FOUR 2017 FORD EXPLORER FOR ADMINISTRATION FROM STATE CONTRACT VENDOR BEYER BROS CORP FOR AN TOTAL AMOUNT OF \$128,847.00

WHEREAS, the Township of Irvington, pursuant to N.J.S.A. 40A:11-12a 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; and

WHEREAS, the Township wishes to purchase four 2017 Ford Explorer for Administration from State of New Jersey Contract number A83013; and

WHEREAS, the Township of Irvington intends to enter into contracts with Beyer Ford, 170 Ridgedale Ave, Morristown, NJ 07962 through this resolution and properly executed purchase orders; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON hereby authorizes a service contract with Beyer Ford LLC of 170 Ridgedale Ave, Morristown, NJ 07962 for an amount not to exceed \$128,847.00 and;

BE IT FURTHER RESOLVED, that the Township Attorney is directed to prepare the appropriate contract for such goods and services and the Mayor and Municipal Clerk is authorized to sign the same; and

BE IT FURTHER RESOLVED, that the required certification of availability of funds C7-00188 in the amount of \$128,847.00 from account number C-04-56-849-016-918 has been obtained from the Chief Financial Officer.

Adopted
Absent: Hudley, Inman

Jones – Burgess 20. Authorize Contract for Emergency Sewer Jet Repair Services – Robert Hoover Truck Centers – Not To Exceed \$28,000.29

RESOLUTION TO AWARD AN EMERGENCY CONTRACT TO REPAIR THE SEWER EQUIPMENT

WHEREAS, the Township has no working sewer jet due to mechanical breakdown, and;

WHEREAS, the Township is unable to respond to sewer repair requests, and;

WHEREAS, this situation constitutes a threat to public health, safety and welfare and the Director of Public has declared an emergency, and;

WHEREAS, the Public Works Director has declared an emergency in writing to repair the equipment and the Mayor has approved the same and;

WHEREAS, Robert Hoover Truck Centers, PO Box 719, Flanders, NJ 07836 provided a quote of \$28,000.29 to repair the sewer jet, and;

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that it ratifies the decision of the Director of Public Works to authorize an emergency contract in the amount of \$28,000.29 to Robert Hoover Truck Centers for the repair of a sewer jet.

BE IT FURTHER RESOLVED, that the required certification of availability of funds C7-00176 in the amount of \$28,000.29 from account number 7-01-21-165-165-118 has been obtained from the Chief Financial Officer to purchase the equipment.

BE IT FURTHER RESOLVED, that a copy of this resolution and entire emergency package shall be forward to the Director of Division of Local Government Services.

Adopted

Absent: Hudley, Inman

Frederic – Lyons 21. Establish Annual Sewer User Charge for 2017 - \$180.00

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 \$180.00 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 2017 at the unit rate of \$180.00.

Adopted

Absent: Hudley, Inman

Cox – Lyons 22. Authorize Contract With State Contract Vendor Global Distributors, Inc. Over the Pay to Play Threshold of \$17,500.00

RESOLUTION AUTHORIZING A CONTRACT WITH A STATE CONTRACT VENDOR GLOBAL DISTRIBUTORS INC

WHEREAS, the Township of Irvington, pursuant to N.J.S.A. 40A:11-12a 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; and

WHEREAS, the Housing Department wishes to purchase new furniture; and

WHEREAS, in compliance with NJSA 19:44A-20.13 ET Seq., this purchase will exceed the Pay to Play threshold of \$17,500.00; and

WHEREAS, vendor has provided the Township with a quote to Purchase the furniture for a total amount of \$25, 191.54 under New Jersey state contract number 81713; and

WHEREAS, the Township of Irvington intends to enter into contract with Global Industries through this resolution;

NOW, THEREFORE, BE IT RESLOVED, that the Municipal Council of the Township of Irvington hereby authorizes the Qualified Purchasing Agent to enter into a contract with Global Distributors, Inc of 17 West Stow Road, Marlton, NJ 08053 for an amount not to exceed \$25,191.54 under the New Jersey State Contract number 81713; and

BE IT FURTHER RESOLVED, that the required certification of availability of funds C7-00192 in the amount of \$25,191.54 from account number C-04-56-849-016-918 for the purchase of the furniture has been obtained from the Chief Financial Officer; and

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

Adopted

Absent: Hudley, Inman

Lyons – Jones 23. Ratify Mayor's Nominations of Municipal Court Judges – Anthony R. Atwell, Seth G. Dombeck, Anthony J. Frasca, Keith C. Harvest and Jorge A. Batista

WHEREAS, a vacancy occurred in the Office of Municipal Court Judge upon the resignation of Municipal Court Judge Sharifa Salaam on January 6, 2017; and

WHEREAS, by Order of Superior Court Assignment Judge Floria two additional Municipal Court Judges have been assigned to the Irvington Municipal Court; and

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

1. Keith C. Harvest, Esq. is hereby appointed as Municipal Court Judge, to fill the unexpired term of former Municipal Court Judge Sharifa Salaam, to expire on June 18, 2019.
2. Effective February 28, 2017, Jorge A. Batista, Esq. is hereby appointed as Municipal Court Judge, to fill the unexpired term of Municipal Court Judge Anthony J. Frasca, to expire on June 30, 2017.
3. Effective March 21, 2017, Seth G. Dombeck, Esq. is hereby appointed as Municipal Court Judge, to fill the unexpired term of Municipal Court Judge Anthony R. Atwell, to expire on June 30, 2017.
4. Anthony R. Atwell, Esq. is hereby appointed as Presiding Municipal Court Judge for a three year term effective February 15, 2017 and expiring on February 14, 2020.
5. Anthony J. Frasca, Esq. is hereby appointed as Municipal Court Judge for a three year term effective February 15, 2017 and expiring on February 14, 2020.

NOW THEREFORE BE IT RESOLVED THAT THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON hereby confirms the Mayor's nominations as referenced above.

Adopted

Absent: Hudley, Inman

Cox – Burgess 24. Authorize Settlement of Various Tax Appeals Dated January 27, 2017

RESOLUTION OF THE MAYOR AND TOWNSHIP COUNCIL OF THE TOWNSHIP OF IRVINGTON IN THE COUNTY OF ESSEX AUTHORIZING SETTLEMENT OF TAX APPEALS N THE ATTACHED LIST DATED JANUARY 27, 2017 WHICH WERE TAKEN FROM ASSESSMENTS OF PROPERTIES LOCATED WITHIN THE TOWNSHIP OF IRVINGTON, ESSEX COUNTY, NEW JERSEY

WHEREAS, appeals of the real property tax assessments on the attached list dated January 27, 2017, have been challenged by the respective taxpayers; and

WHEREAS, each block and Lot listed therein was assessed at the amount stated therein for the noted tax year(s); and

WHEREAS, the proposed Stipulations of Settlement, copies of which are incorporated herein as if set forth at length, have been reviewed and recommended by the Township Tax Assessor and Township Tax Expert; and

WHEREAS, the settlement of these matters on the attached list are in the best interest of the Township of Irvington.

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

1 The Township's Tax Appeal Attorney, Matthew J. O'Donnell, Esq. is hereby authorized to execute Stipulations of Settlement on behalf of the Township of Irvington with respect to the tax appeals on the attached list which are currently pending in the Tax Court of New Jersey for the tax year(s) listed therein and at the assessments stated therein.

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

Absent: Hudley, Inman

Lyons – Burgess 25. Authorize Cancellation of \$5,464,406.95 in Bond Authorizations and/or Bond Proceeds Not Needed for Their Original Purposes

RESOLUTION OF THE TOWNSHIP OF IRVINGTON, IN THE COUNTY OF ESSEX, NEW JERSEY PROVIDING FOR THE CANCELLATION OF \$5,464,406.95 IN BOND AUTHORIZATIONS AND/OR BOND PROCEEDS NOT NEEDED FOR THEIR ORIGINAL PURPOSES AND TO AVAILABLE FOR FUTURE CAPITAL PROCEEDS.

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF IRVINGTON, IN THE COUNTY OF ESSEX, NEW JERSEY AS FOLLOWS:

Section 1. Pursuant to N.J.S.A 40 A:2-39, it is hereby determined that certain bond authorizations and/or bond proceeds in the aggregate amount of \$5,464,406.95 provided for in the various bond ordinances listed below are no longer needed for the purposes referenced therein. The Township of Irvington, in the County of Essex, New Jersey (the "Township") desires, therefore , to cancel the following bond authorizations and a reduction of the same to Deferred Charges to Future Taxation - Unfunded:

Ordinance Number	Improvement Description and Date of Adoption	Amount to be Cancelled
3403	Joint Sewer Capital Assessment	\$ 853,796.00
3481	Refunding Bonds	\$ 385,000.00
3489	Refunding Bonds	\$3,689,068.95
3515	Joint Sewer Capital Assessment	\$ 536,542.00

Section 2. The capital budget of the Township is hereby amended to conform with the provisions of this resolution to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and the capital program as approved by the Director of the Division of Local Government Services is on the file with the Clerk and is available there for public inspection.

Adopted
Absent: Hudley, Inman

Lyons – Frederic 26. Authorize Cancellation of Tax Overpayments or Delinquent Amounts of \$10.00 or Less

Township Of Irvington Resolution -Cancellation of Tax Overpayments or Delinquent Amounts of \$10.00 and Less

WHEREAS, N.J.S.A. 40A:5-17 allows for the cancellation of property tax overpayments or delinquent amounts in the amounts of \$10.00 and less; and,

WHEREAS, the governing body may authorize the Tax Collector to process, without further action on their part, any cancellation of property tax overpayments or delinquencies of less than \$10.00:

NOW, THEREFORE BE IT RESOLVED BY THE MUNICIPAL COUNCIL FO THE TOWNSHIP OF IRVINGTON that the Tax Collector is authorized to process, without further action on their part, any cancellation of property tax overpayments or delinquencies of less than \$10.00; and

BE IT FURTHER RESOLVED that a certified copy of the Resolution be forwarded to the Tax Collector, the Chief Financial Officer and the Municipal Auditor.

Adopted
Absent: Hudley, Inman

Burgess – Lyons 27. Authorize Payment of Taxes Due To Outsider Lien Holders

Resolution of the Township of Irvington Payment of Taxes due To Outsider Lien Holders

WHEREAS, Office of the Tax Collector are continuously collecting payment on behalf of outside Lien Holders from various property owners; and

WHEREAS, such payments have been confirmed and approved by the Lien Holders are correct and due; and

WHEREAS, the Tax Collector and the Chief Finance Officer will be authorized to make such payment to the Lien Holders as confirmed and approved, prior to the bill list if necessary, and reported on the next approved bill-list by the Governing Body:

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Township of Irvington, County of Essex, State of New Jersey hereby authorize the Tax Collector and the Finance Director to make said Lien holder's tax payments amounts as deemed necessary; and

BE IT FURTHER RESOLVED, that a certified copy of the Resolution be forwarded to the Tax Collector, the Chief Financial Officer and the Municipal Auditor.

Adopted
Absent: Hudley, Inman

Cox – Burgess 28. Commendation – Council President David Lyons – Induction Into the New Jersey League of Municipalities Local Elected Officials Hall of Fame [WALK ON BY SPONSOR]

**NEW JERSEY LEAGUE OF MUNICIPALITIES
2017 ELECTED OFFICIALS HALL OF FAME INDUCTEE
DAVID LYONS
COUNCIL PRESIDENT
NORTH WARD COUNCIL MEMBER**

WHEREAS, the Irvington Municipal Council wishes to acknowledge and commend our own Council President David Lyons who was inducted in New Jersey League Of Municipalities Elected Officials Hall of Fame on Wednesday, February 8, 2017 in recognition of his over twenty years of elected service in the Township of Irvington; and

WHEREAS, David Lyons was born in Thomaston, Georgia, a small community of about 10,000 in West central Georgia. He attended elementary school at Drake Elementary

school where he was an honor student. David attended Albany State College in Albany, Georgia; and

WHEREAS, in 1984 David moved to Irvington where he soon became a voice for the tenants of the building he lived in. Seeking to better the conditions of the tenants of the building, David met Lil Maurice, who was the founder of the Irvington Tenants Association. Seeing the passion that David showed in speaking up for others, Ms. Maurice and others chose David as the president of the Irvington Tenants Association. Not satisfied with the lack of progress made in his dealings with landlords, David soon began attending council meetings in hopes of getting the town to force landlords to be held accountable for their lack sensitivity toward tenants; and

WHEREAS, David Lyons became a regular at council meetings and soon began to speak on all issues that he felt the Council Members should have been more proactive in on a daily basis. In 1994, David was arrested at a council meeting and charged with being disorderly, simply because he turned to the audience to make a point. At a subsequent trial held in Maplewood, New Jersey, David was found “NOT GUILTY” of the charges. Two (2) years later in 1996, David was elected to the Irvington Municipal Council after running at the urging of people who liked the passion that he showed at council meetings. Since that time, David has been reelected 5 times by his constituents; and

WHEREAS, David Lyons served admirably as the Chairman of Irvington’s Alcoholic Beverage Control Board for four years, from 1996 to 2000; and

WHEREAS, on July 1, 2016, David was elected President of the Township Council by his colleagues. He presently is Chairman of the Legal Committee, Finance Committee and Public Safety Committee and he also serves as a member of the ABC Board, as well as a member of the Taxi/Livery, Rent Leveling, Licensing/Permit Constable Committee and Cable TV & Technology Committees; and

WHEREAS, in addition to serving on Irvington’s Township Council, David is also employed with the Veteran’s Administration. Himself a veteran, David gives the Veterans that he serves the same passion he gives his township. Displaying the same passion that he always brings to positions he serves; and

WHEREAS, David has served his community for over twenty (20) years and he continues to give his all. He is happiest knowing that he now has a Mayor and council that works together as they move to make Irvington the place that he thought it always could be. A Mayor and Council working to keep Irvington Strong; and

NOW, THEREFORE BE IT RESOLVED BY THE TOWNSHIP OF IRVINGTON that the Irvington Municipal Council hereby congratulates Council President David Lyons on his induction in New Jersey League of Municipalities Elected Officials Hall of Fame 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 Council President David Lyons.

Adopted

Absent: Hudley, Inman

10. Communications and Petitions

A. Communications

1. Superior Court Assignment Judge Floria – Order to Provide for Two Additional Municipal Court Judges

11. Pending Business

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

B. Allow Hair Salons to be Open on Sundays from 8:00 A.M. to 8:00 P.M. [REMANDED TO COUNCIL’S LEGAL COMMITTEE]

C. Establish Parking for Senior Bus Only At 1073 to 1081 Springfield Avenue [REQUIRES COUNTY APPROVAL]

12. Miscellaneous

A. Bingos and Raffles

None

NON-CONSENT AGENDA ITEMS

8. Ordinances, Bills & Claims

B. Ordinances on 2nd Reading

1. President Lyons: An ordinance accepting a Quit Claim Deed for 439 – 21st Street 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 ACCEPTING A QUIT CLAIM DEED FOR 439 21st STREET, BLOCK 162 AND LOT 33 IN THE TOWNSHIP OF IRVINGTON FROM ISAAC MORADI,

WHEREAS, N.J.S.A. 40A:12-5(a)(1) provides that municipality may, by ordinance, acquire real property with a capital improvement by gift; and

WHEREAS, as a result of serious disrepair and the inability of Mr. Moradi to financially maintain the property located at 439 21st Street, he would like to transfer ownership of said property to the Township of Irvington; and

WHEREAS, the Township of Irvington has dedicated itself to either rehabilitate or to facilitate the rehabilitation of said property under its Redevelopment Authority powers; and

WHEREAS, Mr. Moradi now has deeded this property to the Township:

NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that it accepts the Deed from Isaac Moradi to acquire title to 439 21ST Street on behalf of the Township of Irvington and directs that the said property be placed on the Township's inventory of property owned by the Township.

The public hearing on this ordinance is now open.

There were no requests to be heard.

Frederic - Jones Motion to close public hearing

Adopted
Absent: Hudley, Inman

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

Adopted
Absent: Hudley, Inman

2. President Lyons: An ordinance amending section 148-26 of Revised Code prohibiting the accumulation of Garbage, Refuse and 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

The public hearing on this ordinance is now open.

There were no requests to be heard.

Jones - Lyons Motion to close public hearing

Adopted
Absent: Hudley, Inman

Jones - Lyons Motion to adopt this ordinance on second reading after public hearing.

3. President Lyons: An ordinance providing for the authority and procedures for the demolishing of unsafe buildings 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

The public hearing on this ordinance is now open.

There were no requests to be heard.

Jones - Lyons Motion to close public hearing

Adopted

Absent: Hudley, Inman

Jones - Lyons Motion to adopt this ordinance on second reading after public hearing.

9. Resolutions & Motions

A. Resolutions

29. President Lyons: The Springfield Avenue Center Special Improvement District for 2016-2017 was introduced on January 9, 2017, published in the Irvington Herald on January 19, 2017 and public hearing set for this date, time and place. The Clerk will read the notice of hearing.

The Clerk read the notice of hearing.

The Clerk will read the budget by title

2016-17 IRVINGTON SPRINGFIELD AVENUE BID BUDGET

REVENUES	Budget	Line Item Narrative
Cash on Hand	103,000	Bank Balance as of July 1, 2016
BID Tax: 2016-17 increase	174,161	annual 3% commercial property tax surcharge-no rate
Misc: Magazine, CCEF, Interest	4,000	Interest and Irvington Indeed! Magazine ads (2 issues)
TOTALS	281,161	
EXPENSES	Budget	
CAPITAL IMPROVEMENTS:		
Holiday Decorations	25,000	Annual Holiday Decoration display in ISABID
Beautification/Spruce Up	2,000	Mulching and sprucing up area 2x a year
Sidewalk Cleaning Center	51,480	A-Rescue sidewalk cleaning crew (26 weekends) in Irvington
Private Security Cameras	7,500	matching grants up to \$2500 to ISABID members
SUBTOTAL	85,980	
MARKETING:		
Irvington Indeed! Magazine	52,500	2 issues (Spring & Summer 2016) mailed to 25,000 residences
Media Advertisements ads	2,000	Shared irvington-nj.com website cost @ \$9.98/month + print
Promotions Certificates	9,000	3 Sidewalk Sales; Halloween; Senior Thanksgiving Lunch; ISABID Gift
Santa Photos	2,000	Annual free photos, Christmas stockings, cartoon characters
SUBTOTAL	65,500	
OPERATIONS		
Administration	60,000	FirsTEAManagement staff & fully-equipped office

Organizational Expenses	8,000	<i>Insurances; Office Phone; Office Supplies; Annual Audit</i>
Staff/Board Training	<u>1,000</u>	<i>seminars, workshops, membership dues</i>
SUBTOTAL	69,000	
Reserve	<u>60,681</u>	<i>Non-allocated expenses + Community donations &</i>
<i>scholarships</i>		
Total Expenditures	281,161	

The public hearing on the Springfield Avenue Center Special Improvement District's Budget for 2016-2017 is now open.

There were no requests to be heard.

Frederic – Hudley Motion to close public hearing

Adopted
Absent: Hudley, Inman

Frederic – Hudley Motion to adopt Springfield Avenue Center Special Improvement District's Budget for 2016 -2017

Adopted
Absent: Hudley, Inman

12. Miscellaneous

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

Rodney White, 41 Durand Place
Elouise McDaniel, 214 Nesbit Terrace
Jesse Windham, 61 Park Place

At this point Business Administrator Malik gave a brief overview of the redevelopment project at the former Irvington General Hospital site.

Council Members Cox, Jones and Council President Lyons then responded to the inquiries raised by the above referenced citizens.

13. Adjournment

There being no further business, the meeting was adjourned at 8:48 P.M.

David Lyons, Council President

Harold E. Wiener, Municipal Clerk