

REGULAR COUNCIL MEETING
JUNE 27, 2017

Council Chamber, Municipal Building
Irvington, N.J. – Tuesday Evening
June 27, 2017 - 8:00 P.M.

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

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

Absent: None

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)

Richard Williams, 197 Linden Avenue

5. Hearing of Council Members

Council Member Cox and Council President Lyons addressed the issues raised by the above referenced citizens.

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

A. Reports

1. Minutes – Directors' Meeting – June 13, 2017
2. Municipal Court Electronic Collections Report Through May, 2017
3. Joint Meeting – 2016 Operational Report
4. Joint Meeting – 2016 Annual User Charge Apportionment Report
5. Joint Meeting – Minutes – April 20, 2017
6. Joint Meeting – Third Quarter Assessment

7. Reports of Committees

A. Requests for Proposals and Qualification – Various Professional Services – June 21, 2017

B. Requests for Qualifications – Deferred Compensation Program – June 21, 2017

8. Ordinances, Bills & Claims

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A. Ordinances on 1st Reading

None

C. Bills & Claims

Jones – Burgess 1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD JUNE 27, 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	\$893,573.39
SUPPLEMENTAL	\$ 37,705.00
TOTAL	\$931,278.39

Adopted

Jones- Burgess 2. Payrolls

May 20, 2017 through June 2, 2017

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$658,730.44	\$27,368.20	\$225,357.13	\$911,455.77

May 27, 2017 through June 9, 2017

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$915,646.96	\$80,803.55	\$(-41,512.82)	\$954,937.69

Adopted

9. Resolutions & Motions

A. Resolutions

Burgess – Hudley 1. Ratify Superior Fire Officers Association Contract - IAFF Local 2004 - July 1, 2017 Through June 30, 2021

WHEREAS, the Township of Irvington and the Fire Officers Association (IAFF Local 2004) has engaged in labor negotiations for the purpose of establishing salaries and other conditions of employment for members of said association if the Township of Irvington; and

WHEREAS, the Township of Irvington and the IAFF Local 2004 have mutually agreed to the salaries and other conditions of employment for the period beginning July 1, 2016 and ending June 30, 2021:

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

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

Adopted

Jones – Frederic 2. Establish Handicapped Parking Space in Front of 125 Brookside 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, request have been made for a restricted parking space in front of 125 Brookside Avenue:

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 125 Brookside Avenue; and

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

Adopted

Frederic – Jones 3. Authorize Professional Services Contract With CGP&H for the Preparation of the 2018 Childhood Lead Poisoning Prevention Program Grant – Not To Exceed \$2,000.00

RESOLUTION FOR A PROFESSIONAL SERVICES CONTRACT FOR
CHILDHOOD LEAD POISONING PREVENTION PROGRAM APPLICATION

WHEREAS, the Irvington Health Department needs to apply for the 2018 Childhood Lead Poisoning Prevention grant; and

WHEREAS, on December 13, 2016, the Municipal Council qualified three grant consultant firms for grant writing purpose pursuant to resolution number DA 16-1213-49; and

WHEREAS, CGP&H of 101 Interchange Plaza, Suite 301, Cranbury, NJ 08512 has the most experience in this type of grant writing service; and

WHEREAS, the Administration would like to award a contract to CGP&H of 101 Interchange Plaza, Suite 301, Cranbury, NJ 08512 to assist with the preparation of the 2018 Childhood Lead Poisoning Prevention Program grant application for an amount not to exceed \$2000.00.

NOW, THEREFORE, BE IT RESOLVED BY MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a professional services contract in the amount of \$2000.00 be awarded to CGP&H of 101 Interchange Plaza, Suite 301, Cranbury, NJ 08512 for the preparation of the 2018 Childhood Lead Poisoning Prevention Program grant application.

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:34-5.2, the required Certificate of Availability of Funds No.C7-00244 for the above has been obtained from the Chief Financial Officer of the Township of Irvington and the appropriation to be charged for this expenditure is in the amount of \$2,000.00 is account number 7-01-20-100-100-256.

Adopted

Lyons – Burgess 4. Resolution of Sorrow – Florine Winston

Resolution of Sorrow
Florine Winston

WHEREAS, Florine Winston of Irvington, New Jersey departed this life on Wednesday, June 14, 2017 at the tender age of 91; and

WHEREAS, Florine resided in the Township of Irvington for over 41 years; and

WHEREAS, Florine was born on September 25, 1925 in Baltimore County to the late Lucius Henderson and Laura Ball Litmon. She was the older of one sibling, Mary Smith. As a young adult, she relocated to New York; and

WHEREAS, Florine was blessed with five children, Ella, Lucius, Erwin, Avis and Evon. She was previously married to Arvon Winston; and

WHEREAS, Florine worked at the Deluxe Toy Company for many years. She had a passion in caring for others and as a result she obtained her Licensed Practical Nursing certification. Florine worked in the Intermediate Nursery at UMDNJ-University Hospital in Newark for eighteen years until her retirement on July 1, 1993. She loved her job of caring for the newborns. She developed great friendships and travel partners with the nurses; and

WHEREAS, Florine was committed and devoted to her family. While employed at UMDNJ she took on the task of caring for her ill cousin Ruby until her passing. When her mother Momma Laura became ill, Florine took an early retirement from UMDNJ and transported her from Lancaster, Virginia to Irvington, New Jersey and lovingly cared for her mother until her passing in 1998; and

WHEREAS, Florine's home was a safe haven and she welcomed everyone in her home. Prior to her health failing, she loved babysitting her grandchildren and great-grandchildren. Florine had a strong desire to move back home to Lancaster, Virginia; and

WHEREAS, in 2005 when Florine was diagnosed with dementia, her daughter Avis wholeheartedly took on the responsibility and became her mother's primary caregiver. In later years, when Florine's dementia continued to progress and Avis needed additional assistance, her granddaughters Mia and Shawna assisted in care of their grandmother; and

WHEREAS, everyone that had the opportunity to know Florine knew she LOVED DANCING, being the life of the party and listening to her vinyl records on the record player. Florine enjoyed traveling, cooking, and creating precious memories with her family; and

WHEREAS, Florine was preceded in death by her parents Lucius Henderson and Laura Ball Litmon; her daughter, Ella Gibson; her son, Erwin Henderson; her son-in-law, Walter Ikner; her stepsister Mary Smith; and her grandson Darryl Gibson; and

WHEREAS, Florine's *legacy* is the family she leaves to cherish her memory: her two daughters: Avis Supel (Bobby Sr.) of Irvington, New Jersey; Evon Ikner of Orange, New Jersey; one son: Lucius Henderson, Baltimore, Maryland; ten grandchildren: Mia (Kevin Sr.), Shawna, Bobby Jr. (Keisha), LaTisha, Jermaine, Ste'fon, Shay'la, Valdimir, Davita, and Damarra; twenty-six great-grandchildren: Dezire, Kevin Jr., Kajuan, Jadon, Al-Jay, Tyler, Darriane, Dionna, Destiny W., Na'Kyta, Nicola, Shaquan, DaShawn, Tamikah, Shakeerah, Shakur, Destiny S., Lonell, Lanasiah, Ladimor, Maurice, Jamil, Rashon, Rakim, Rashod and Landis; seventeen great-great grandchildren, and a host of other relatives and friends:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington here by mourns the loss of Florine Winston and joins with her family and friends in remembering her life during this period of bereavement; and

WHEREAS, a copy of this resolution be spread upon the minutes of this governing body in lasting tribute to the life of Florine Winston.

Adopted

Burgess – Lyons 5. Authorize Contract for Power Supply Via On-Line Auction

RESOLUTION AUTHORIZING A CONTRACT FOR NATURAL GAS

WHEREAS, the Municipal Council awarded a contract to Transparent Energy on April 26, 2017; and

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

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

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

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

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

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

THEREFORE, BE IT RESOLVED, that the governing body of the Township of Irvington authorizes Transparent Energy to conduct online auctions for the purpose of natural gas contracts for township utility accounts.

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

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

Adopted

Lyons – Jones 6. Resolution of Sorrow – Tessie Davis

**Resolution of Sorrow
Tessie Davis**

WHEREAS, Tessie Davis was born on February 20, 1929 in Newark, New Jersey to the late Sanford Ardis and Lueada Ardis (Parker). She was raised in the City of Newark and was with the first group of families to move into the newly built Baxter Terrace Projects in Newark, New Jersey. She attended Barringer High School and graduated in 1948. During her early years she was a member of the First Hopewell Baptist Church and was the lead organist; and

WHEREAS, Mrs. Davis met and married Alfred Davis, Jr., on August 26, 1951 and settled in Newark, NJ to raise a family. She worked at the Lyons Veterans Hospital for many years as a nursing assistant. After leaving that employment she took a job with the U.S. Postal Service as a clerk, and retired in 1991 with xxx years of government service; and

WHEREAS, in 1984, she decided to fulfill a lifelong goal and enrolled in Jersey City State University. She graduated, cum laude with a bachelor's degree in criminal justice in 1988. This was the same week and year that her daughter graduated from law school and the two celebrated together with a huge party. Mom so enjoyed and never forgot that wonderful occasion; and

WHEREAS, she was an avid reader and always surrounded herself with books and learning. Although she could create a library with the books in her home, she loved the public library. She could be found at least twice a month in the East Orange Public Library using her library card to borrow books for additional reading. She also loved listening to jazz music and loved to sketch and oil paint; and

WHEREAS, above all else, she loved and feared God Almighty. She started each day on her knees and then read her many bibles. She remained a student of her faith. Each of her bibles were full of notes, reminders, and inspirational statements that she maintained over the years on a daily basis. Her life was guided by the principles of her faith and she acted accordingly. She was kind, compassionate, giving and charitable; and

WHEREAS, she loved and cherished her family. In turn, her family loved, cherished and spoiled her. She was at the center of our lives and there was not a day that she did not speak to or see one of her children, grandchildren or great-grandchildren. Whether it was visits, multiple daily phone calls or weekly trips with family to Whole Foods or Shoprite; and

WHEREAS, she made her transition on Sunday, June 18, 2017 surrounded by her loving and cherished family; and

WHEREAS, Mrs. Davis was predeceased by her husband, Alfred Davis, Jr., her parents, Sanford and Lueada Ardis (Parker) her sister Edna Miller and her daughter Terry Ellen Davis. Surviving to cherish her loving memory are her children, Gerald Ardis, Shareefah

Hasan, Debra Davis, Rashidah Hasan and Dwayne Davis, her daughter-in-law Bobbie (nee- Gilbert), grandchildren Quashon and Kasib Hasan, Zakiyyah Hasan and Donyea Ardis and her great-grandchildren Leshanah Hasan, Samir Jefferson, and Myia and Kyia Nichols and a host of relatives and friends.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington here by mourns the loss of Tessie Davis and joins with her family and friends in remembering her life during this period of bereavement; and

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

Adopted

A. Communications

1. League of Municipalities – Legislative Bulletin #3

11. Pending Business

None

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 establishing fines for violations of certain sections of the taxicab ordinance 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 ESTABLISHING FINES FOR VIOLATIONS OF CHAPTER 183 OF THE REVISED CODE OF THE TOWNSHIP OF IRVINGTON ENTITLED “TAXICABS”.

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON as follows:

SECTION 1. There is hereby established the following fines for violations of Chapter 183 of the Revised Code of the Township of Irvington as follows:

183-2	Insurance Required First Office	\$150.00
183-4	Taxi License Required First Offense	\$ 75.00
183-18	Safety Requirements First Offense	\$ 75.00
183-19	Inspections First Offense	\$150.00
183-20	Maintenance of Taxicab First Offense	
	Clean and Sanitary Condition	\$ 50.00
183-21	Taxicab Identification First Offense	\$ 50.00
183-22	Taxicab Meter First Offense	\$500.00
183-23	Non Use of Taxi Meter	\$250.00
183-25	Front Seat Restriction First Offense	\$ 75.00
183-31	Refuse to Carry Passengers	\$ 50.00
183-33	Conduct of Drivers First Offense	\$150.00
183-35	Advertising First Offense	\$ 50.00
183-37	Operation of a Taxicab by & Unlicensed Driver First Offense	\$150.00
183-44	Parking & Standing of Taxicab Prohibited in Certain Locations	\$ 50.00
183-50	Removal of Taxicab From Service First Offense	\$150.00
183-54	Dispatch Service to Unlicensed Taxicab First Offense	\$350.00

SECTION 2. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this 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

Juan Nortez, 389 – 21st Street

Inman – Lyons Motion to close public hearing.

Adopted

Inman – Lyons Motion to adopt this ordinance on second reading after public hearing.

Council Members Cox, Frederic, Hudley and Jones spoke.

Adopted

2. President Lyons: An ordinance establishing fees for the registration of abandoned properties will be heard at this time. For the record this notice of hearing is identical to the first notice that was read. The Clerk will read the ordinance by title.

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 148 (PROPERTY MAINTENANCE) OF THE CODE OF THE TOWNSHIP OF IRVINGTON – REQUIRING REGISTRATION OF ALL VACANT PROPERTIES BY OWNERS AND BENEFICIARIES AND ESTABLISHING CERTAIN SECURITY AND MAINTENANCE REQUIREMENTS

WHEREAS, the Administration and City Council desire to establish legislation that requires abandoned properties to be properly registered, secured and maintained; and

WHEREAS, such legislation serves to protect the health, safety and welfare of Irvington residents and neighborhoods where such properties exist;

NOW THEREFORE, BE IT ORDAINED that Chapter 148 (Registration Fee) of the Code of Township of Irvington is hereby amended and supplemented as follows:

Section I:

(Paragraph 1) (REMAINS THE SAME).

(Paragraph 2)(REMAINS THE SAME).

(Paragraph 3)An annual registration fee of \$500.00 Dollars shall accompany the registration form submitted. The fee will be required by July 1st of each year, and must be received no later than July 10th of the year due. Any property that has been validly registered for at least 3 years shall pay a fee of \$750.00 Dollars. If the same property remains on the list for 5 years, then fee will be increased to \$1,000.00 and after 10 years the fee will be increased to \$2,000.00. Any bank that registers a vacant property shall designate a Registered Agent listed in the State of New Jersey. In the event that a bank fails to comply with this section, a fine of \$2,500.00 per day shall be imposed.
(AMENDED AND SUPPLEMENTED)

(Paragraph 4) (REMAINS THE SAME).

(Paragraph 5) (REMAINS THE SAME).

Section II. Enforcement Authority

(REMAINS THE SAME).

Section III: Additional Authority

(REMAINS THE SAME).

Section IV: Fees and Fines

In addition to the registration fee referenced herein (\$500.00 per year) a fine of no less than Two Hundred Fifty (\$250.00) Dollars, and no more than One Thousand (\$1,000.00) Dollars shall be imposed for each violation of this ordinance for which the party is found responsible. (AMENDED AND SUPPLEMENTED)

Section V: Maintenance

(REMAINS THE SAME).

The public hearing on this ordinance is now open

There were o requests to be heard.

Inman – Burgess Motion to close public hearing.

Adopted

Inman – Burgess Motion to adopt this ordinance on second reading after public hearing.

Adopted

3. President Lyons: An ordinance amending the fee schedule for retail food establishment licenses will be heard at this time. For the record this notice of hearing is identical to the first notice that was read. The Clerk will read the ordinance by title.

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 98-15 FEES UNDER CHAPTER 111, FOOD ESTABLISHMENTS OF THE CODE OF THE TOWNSHIP OF IRVINGTON

WHEREAS, the Municipal Council of the Township of Irvington is charged with protecting the health and safety and welfare of its residents and others; and

WHEREAS, a minimum annual fee for a license to operate a retail food establishment was not defined; and

WHEREAS, the frequency associated with the assessment of late fees for license and permits were not defined.

NOW THEREFORE BE IT RESOLVED THAT the Municipal Council of the Township of Irvington hereby amends and supplements Chapter 98-15 fees under Chapter 111, food establishments of the code of the Township of Irvington as follows:

§98-15 Fees under Chapter 111. Food Establishments.

- A. The annual fee for a license to operate a retail food establishment shall be \$1.00 per square foot of the establishment not to exceed \$1,000.00 initially and 1/3 of the initial fee annually thereafter. A \$300 minimum annual fee for a license to

operate a retail food establishment is hereby established. (AMENDED AND SUPPLEMENTED)

B. (Remains the Same)

C. (Remains the Same)

D. Late fees for license and permits.

- A \$25 monthly late fee not to exceed \$300 per year is hereby established for all licenses purchased after the conclusion of the grace period.
- (Remains the Same)
- (Remains the Same)

E. (Remains the Same)

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

This ordinance shall take effect upon final passage and approval by law.

The public hearing on this ordinance is now open

There were no requests to be heard.

Frederic – Hudley Motion to close public hearing.

Adopted

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

Adopted

4. President Lyons: An ordinance establishing a CAP Bank for calendar Year 2017 will be heard at this time. For the record this notice of hearing is identical to the first notice that was read. The Clerk will read the ordinance by title.

TOWNSHIP OF IRVINGTON
CALENDAR YEAR 2017
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 5% 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 2017 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 \$2,557,512.04 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 2017 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 \$2,557,512.04 and that the CY 2017 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

There were no requests to be heard.

Lyons Burgess Motion to close public hearing.

Adopted

Lyons – Burgess Motion to adopt this ordinance on second reading after public hearing.

Adopted
No: Inman

5. President Lyons: A \$2,065,000.00 Refunding Bond Ordinance for Tax Appeal Settlements was heard on April 11, 2017 with the final adoption scheduled for this date, place and time.

REFUNDING BOND ORDINANCE PROVIDING FOR
PAYMENT OF AMOUNTS OWING TO OTHERS FOR
TAXES LEVIED IN AND BY THE TOWNSHIP OF
IRVINGTON, IN THE COUNTY OF ESSEX, NEW
JERSEY, APPROPRIATING \$2,065,000 THEREFOR
AND AUTHORIZING THE ISSUANCE OF \$2,065,000
REFUNDING BONDS OR NOTES OF THE TOWNSHIP
FOR FINANCING THE COST THEREOF.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF
IRVINGTON, IN THE COUNTY OF ESSEX, NEW JERSEY (not less than two-thirds
of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The Township of Irvington, in the County of Essex, New Jersey (the
"Township"), is hereby authorized to pay an aggregate amount not exceeding \$1,913,068
for amounts owed by the Township to the owners of various properties for taxes levied in
the Township (plus certain costs associated therewith), as more particularly described on the
List of Settled Appeals and available for inspection in the office of the Township Clerk,
which list is hereby incorporated by reference as if set forth at length herein. Such
amount shall be paid to taxpayers in the form of a refund, or used by the Township to
reimburse tax appeal amounts applied as credits to taxpayers' future taxes payable, as
applicable.

Section 2. An aggregate amount not exceeding \$150,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-51(b) has been included in the aggregate principal amount of refunding bonds authorized herein.

Section 3. In order to finance the cost of the project described in Section 1 hereof, negotiable refunding bonds are hereby authorized to be issued in the principal amount of \$2,065,000 pursuant to the Local Bond Law and the Municipal Qualified Bond Act.

Section 4. In anticipation of the issuance of the refunding bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law. All refunding bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this refunding bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations.

All notes issued hereunder may be renewed from time to time, but all such notes including renewals shall mature and be paid no later than the seventh anniversary of the date of the original notes; provided, however, that no notes shall be renewed beyond the first or any succeeding anniversary date of the original notes unless an amount of such notes, at least equal to the first legally payable installment of the bonds in anticipation of which the notes are issued, determined in accordance with the maturity schedule for the bonds approved by the Local Finance Board, is paid and retired on or before such anniversary date; and provided, further, that the period during which the bond

anticipation notes and any renewals thereof and any permanent bonds are outstanding, shall not exceed the period set for the maturity of the bonds by the Local Finance Board.

The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this refunding bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 6. The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this refunding bond ordinance by \$2,065,000, but that the net debt of the Township determined as provided in the Local Bond Law is not increased by this refunding bond ordinance. The obligations authorized herein will be within all debt limitations prescribed by that Law.

Section 7. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this refunding bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 8. A certified copy of this refunding bond ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption, together with a complete statement in the form prescribed by the Director and signed by the chief financial officer of the Township as to the indebtedness to be financed by the issuance of the refunding bonds authorized herein.

Section 9. This refunding bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law, provided

that the consent of the Local Finance Board has been endorsed upon a certified copy of this refunding bond ordinance as finally adopted.

Lyons – Frederic

Motion to adjourn final adoption of this ordinance until the regular Council Meeting scheduled for August 15, 2017.

Adopted

9. Resolutions & Motions

A. Resolutions

Burgess – Hudley 7. Ratify Emergency Contract for IT Support Services - Nettarius Technology Solution - \$24,625.00

RESOLUTION TO AWARD AN EMERGENCY CONTRACT FOR COMPUTER IT SUPPORT SERVICE

WHEREAS, on May 17, 2017, the Township computers and servers experienced a cyber attack, and;

WHEREAS, all operational files and computer mainframe to the Township's network was inoperable, and;

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

WHEREAS, Nettarius Technology Solution, located at PO Box 111579, Irvington, NJ 07111 was called and services were rendered to provide emergency recovery computer IT service and;

WHEREAS, this situation constitutes a threat to public health, safety, welfare, and the Business Administrator declared an Emergency to fix the computer system immediately. Nettarius Technology Solution, located at PO Box 111579, Irvington, NJ 07111 had the necessary knowledge and skill to fix the Township's network and was available immediately to perform the work on an emergency basis, and;

WHEREAS, the Mayor concurred with the Business Administrator and approved said emergency, and;

WHEREAS, the total cost to provide emergency recovery service to the Township was \$24,625.00 and;

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that it ratifies the decision of the Administration to authorize an emergency contract to Nettarius Technology Solution of PO Box 111579, Irvington, NJ 07111, for an amount not to exceed \$24, 625.00.

BE IT FURTHER RESOLVED, that the required certification of availability of funds C7-00238 in the amount of \$24,625.00 from account number 7-01-20-100-100-299 has been obtained from the Chief Financial Officer.

Adopted
No: Inman

Jones – Hudley 8. Ratify Emergency Contract for Snow Removal – Your Way Construction, General Construction and Site Work – \$26,492.00

RESOLUTION TO AWARD AN EMERGENCY CONTRACT FOR SNOW REMOVAL TO YOUR WAY CONSTRUCTION, GENERAL CONSTRUCTION AND SITE WORK

WHEREAS, on March 13, 2017, the total accumulated snow fall created a hazardous blizzard condition, and;

WHEREAS, the Department of Public Works employees were unable to remove all the accumulated snow from streets and other public properties in a timely manner, and;

WHEREAS, additional heavy duty equipment and personnel were needed to remove the accumulated snow to avoid a public safety emergency, and;

WHEREAS, the Director of Public Works declared an emergency and authorized the hiring of a general contractor, and;

WHEREAS, Your Way Construction, General Construction and Site Work, located at 404 Coit Street, Irvington, NJ 07111 had additional heavy duty equipments and personnel to assist the Department of Public Works, and;

WHEREAS, this situation constitutes a threat to public health, safety, welfare, and Director of Public Works declared an Emergency and Your Way Construction, General Construction and Site Work, located at 404 Coit Street, Irvington, NJ 07111 had the necessary equipments available immediately to perform the work on an emergency basis, and;

WHEREAS, the Mayor concurred with the Director of Public Works and approved said emergency, and;

WHEREAS, the total cost to rent the required equipments to complete the work was \$26,492.00 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 and the Mayor to authorize an emergency contract in the amount of \$26,492.00 with Your Way Construction, General Construction and Site Work, located at 404 Coit Street, Irvington, NJ 07111 to rent and operate heavy duty equipment for snow removal.

BE IT FURTHER RESOLVED, that the required certification of availability of funds C7-00204 in the amount of \$26,492.50 from account number 7-01-26-290-291-118 has been obtained from the Chief Financial Officer to repair the sewer emergency.

Adopted
No: Inman

Hudley – Burgess 9. Authorize Professional Services Contract for Web Hosting and Other Special Services – Precise Virtual Development – July 13, 2017 to July 12, 2018 - Not To Exceed \$17,640.00

**RESOLUTION AUTHORIZING FAIR AND OPEN PROFESSIONAL SERVICE
CONTRACT FOR WEB HOSTING AND OTHER SPECIAL SERVICES**

WHEREAS, request for proposals (RFP) for Webmaster service was publicly advertised in the New Jersey Star Ledger on May 11, 2017 with a deadline for proposals to be submitted on May 31, 2017; and

WHEREAS, one proposal was received and publicly opened; and

WHEREAS, said proposals were referred to Township Administrator; and

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

Craig Felder
Precise Virtual Development
30 Knightsbridge Road
Suite 525
Piscataway, NJ 08854

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for webmaster service be awarded to Precise Virtual Development, 30 Knightsbridge Road, Suite 525, Piscataway, NJ 08854 on the basis of their response to the request for an amount not to exceed \$ 17,640.00 starting July 13, 2017 until July 12, 2018; and

BE IT FURTHER RESOLVED that the Township Attorney is hereby authorized and directed to prepare the necessary contract for one year from the date that this resolution is adopted and the Mayor and Township Clerk are authorized and directed to sign the same; and

BE IT RESOLVED that the required Certification of Availability of Funds C7-00245 in the amount of \$4,000.00 from account number 7-01-20-100-100-256 has been obtained from the Chief Financial Officer for three months of service and the remaining balance will be certified upon adoption of the 2017 and 2018 calendar year budget.

Adopted
No: Inman

Lyons – Cox 10. Authorize Cancellation of Tax Overpayments [WALK ON BY ADMINISTRATION]

RESOLUTION AUTHORIZING THE CANCELLATION OF TAX OVERPAYMENTS

WHEREAS, the listed Tax Overpayments have been listed in the overpayments ledger and have been reviewed by the Tax Collector and deemed irrelevant for the years of 2002 to 2013 as listed below:

YEAR	AMOUNT TO BE CANCELED
a. 2002	\$2,582.70
b. 2005	\$779.26
c. 2006	\$5,716.33
d. 2007	\$26,140.02
e. 2008	\$103,023.64
f. 2009	\$161,853.55
g. 2010	\$192,615.19
h. 2011	\$192,187.86
i. 2012	\$247,231.10
j. 2013	\$367,065.64
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Total	\$1,299,195.29

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, IN THE COUNTY OF ESSEX, NEW JERSEY that the recommendation of the Tax Collector is hereby adopted and the Municipal Council of the Township of Irvington hereby authorizes the cancellation of the listed tax overpayments.

Adopted

Lyons – Cox 11. Authorize Cancellation of Various Grants Receivable and Appropriated and Unappropriated [WALK ON BY ADMINISTRATION]

RESOLUTION AUTHORIZING THE CANCELLATION OF VARIOUS GRANTS RECEIVABLE AND APPROPRIATED AND UNAPPROPRIATED

WHEREAS, upon the recommendation of the Auditor, the Municipal Township Council of the Township of Irvington has authorized the cancellation of grants receivable and appropriated on federal and state grants per list on file and attached hereto as RESERVE

FOR GRANTS - APPROPRIATED, RESERVE FOR GRANTS –
UNAPPROPRIATED, and GRANTS RECEIVABLE, as of December 31, 2016; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE
TOWNSHIP OF IRVINGTON, IN THE COUNTY OF ESSEX, NEW JERSEY that the
recommendation of the Auditor is hereby adopted and the CFO is hereby authorized to
cancel the grants consistent with the recommendation of the Auditor.

Council Members Inman, Frederic and Council President Lyons spoke.

Adopted
Abstain: Inman

Lyons – Cox 11. Introduction of Calendar Year 2017 Municipal Budget {WALK ON BY
ADMINISTRATION]

BE IT RESOLVED that the following statements of revenues and appropriations shall constitute the
Calendar Year 2017 municipal budget:

Total General Revenues: \$109,930,685.08

Total General Appropriations: \$109,930,685.08

BE IT FURTHER RESOLVED that the public hearing on the Calendar Year 2017 Municipal Budget
be scheduled for 8:00 P.M. on Tuesday, August 15, 2017 in the Council Chambers, Municipal
Building, Irvington, N.J.

Council Members Inman, Lyons, Cox, Frederic and Council President Lyons spoke.

Adopted
No: Inman

12. Miscellaneous

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

Elouise McDaniel, 214 Nesbit Terrace
Eugene Otto, 35 Ellery Avenue
Tammie Bly-Garrett, 50 Argyle Terrace
Gora Nduna, 12 Beaumont Place
Lauren Agnew, Essex County Public Information Officer

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

13. Adjournment

ALCOHOLIC BEVERAGE CONTROL BOARD

JUNE 27, 2017

1. Chairman Cox calls the Meeting to Order

Roll Call

Present: Commissioners Burgess, Frederic, Hudley, Inman, Jones, Lyons, Cox, Chair

Absent: None

2. New Business

Frederic – Lyons A. Renewal of ABC Plenary Retail Consumption Licenses for 2017- 2018 Licensing Year

WHEREAS, the following named individuals, partnerships or corporations, being applicants for Plenary Retail Consumption Licenses for the year 2017-2018 to sell alcoholic beverages under the provisions of N.J.S.A. Title 33 having been investigated as required by said Law, and the Alcoholic Beverage Control Board being satisfied that said applicants in all things have met the requirements of the law and are suitable and proper individuals, partnerships or corporations to whom Plenary Retail Consumption Licenses for the sale of alcoholic beverages should be issued:

NOW THEREFORE BE IT RESOLVED BY THE MUNICIPAL COUNCIL ACTING AS THE ALCOHOLIC BEVERAGE CONTROL BOARD OF THE TOWNSHIP OF IRVINGTON that permanent Plenary Retail Consumption Licenses be issued to the following named individuals, partnerships and corporations for the sale of alcoholic beverages by the glass or other open receptacles to be consumed on the licensed premises and also for the sale of alcoholic beverages in original containers for consumption off the licensed premises for the year 2017-2018 at the address set opposite their respective name, viz:

0709-33-009-006	San Andres & Salazar, Inc. t/a Eddy's Tavern	9-11 Myrtle Avenue
0709-33-017-006	Antojito's Restaurant, Inc. t/a Antojito's Restaurant	1240 Springfield Avenue
0709-33-018-003	Dairy King, Inc. t/a Mug's Pub	63 New Street
0709-33-021-005	Ember's Tavern, LLC t/a Ember's Tavern	874-876 Clinton Avenue
0709-33-042-004	Cricket Productions, Inc. t/a Cricket Club	415-21 – 16th Avenue
0709-33-030-003	Point Tavern, Inc. t/a Point Tavern	712 Grove Street
0709-32-077-007	Irvington House of Liquor, Inc. t/a A-1 Pay Less Liquor	1041-1049 Stuyvesant Avenue

BE IT FURTHER RESOLVED that the said licenses be issued in the name of and under the seal of the Township of Irvington and be signed by a representative of the License Bureau, in order to fulfill the provisions of the Irvington Township Code, known as Ordinance MC 2622, which license, after being so signed, shall be released by the License Bureau to the licensee.

Adopted

Frederic – Lyons B. Renewal of ABC Plenary Retail Distribution Licenses for 2017- 2018 Licensing Year

WHEREAS, the following named individuals, partnerships or corporations, being applicants for Plenary Retail Distribution Licenses for the year 2017-2018, to sell alcoholic beverages under the provisions of N.J.S.A. Title 33 having been investigated as required by said Law, and the Alcoholic Beverage Control Board being satisfied that said applicants in all things have met the requirements of the law and are suitable and proper individuals, partnerships or corporations to whom Plenary Retail Distribution Licenses for the sale of alcoholic beverages should be issued:

NOW THEREFORE BE IT RESOLVED BY THE MUNICIPAL COUNCIL ACTING AS THE ALCOHOLIC BEVERAGE CONTROL BOARD OF THE TOWNSHIP OF IRVINGTON that permanent Plenary Retail Distribution Licenses be issued to the following named individuals, partnerships and corporations for the sale of alcoholic beverages in original containers for consumption off the licensed premises for the year 2017-2018 at the address set opposite their respective name, viz:

0709-44-003-012	Shree Mata, Inc. t/a Rajashri Wine & Liquors	749-751 Lyons Avenue
0709-44-004-004	Irvington Liquors, LLC t/a Irvington Liquors	1394-98 Springfield Avenue
0709-44-014-003	Puni Liquors, LLC t/a Home Liquors	1269-77 Springfield Avenue
0709-44-066-008	Gajanana, Inc. t/a Madison Superette	378 Stuyvesant Avenue
0709-44-067-006	762-764 Chancellor Ave., Corp. t/a Jaison Liquor, Deli & Grocery	762-764 Chancellor Avenue
0709-44-086-006	Satgurudev, Inc. t/a Chancellor Liquor	580 Chancellor Avenue

BE IT FURTHER RESOLVED that the said licenses be issued in the name of and under the seal of the Township of Irvington and be signed by a representative of the License Bureau, in order to fulfill the provisions of the Irvington Township Code, known as Ordinance MC 2622, which license, after being so signed, shall be released by the License Bureau to the licensee.

Adopted

3. Adjournment

There being no further business, the meeting was adjourned at 9:36 P.M.

David Lyons, Council President

Harold E. Wiener, Municipal Clerk