

REGULAR COUNCIL MEETING
AUGUST 15, 2017

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

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

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

Absent: Renee C. Burgess

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
Michael Spruill, 97 Lenox Avenue
Kathleen Witcher, 14 Garwood Place
Sheri Brown, 18 Argyle Terrace
Gora Nduna, 12 Beaumont Place

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

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 – July 11, 2017
2. Minutes – Joint Meeting – May 18, 2017
3. Tax Collector – Monthly Reports – March, April, May and June, 2017

7. Reports of Committees

A. Requests for Proposals Results – Administration of Flexible Spending/Volunteer Insurance – July 26, 2017

B. Bid Results – Removal of Leaves, Brush and Vegetative Waste – July 26, 2017

C. Bid Results – Snow Plowing and Snow Removal – August 9, 2017

8. Ordinances, Bills & Claims

ALL ITEMS LISTED ON THE CONSENT AGENDA ARE CONSIDERED ROUTINE BY THE MUNICIPAL COUNCIL AND HAVE BEEN LISTED FOR ONE ROLL CALL VOTE FOR ADOPTION OF ALL ITEMS

Jones – Cox 2. Payrolls

June 17, 2017 through June 30, 2017

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$628,512.17	\$33,937.71	\$258,597.52	\$921,047.40

June 24, 2017 through July 24, 2017

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$930,462.75	\$108,260.52	\$(-40,247.57)	\$998,475.70

July 1, 2017 through July 14, 2107

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$663,815.79	\$22,173.62	\$22,439.89	\$708,429.30

July 10, 2017 through July 28, 2017

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$935,789.01	\$121,633.67	\$53,512.14	\$1,110,934.82

July 15, 2017 through July 28, 2017

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$662,571.37	\$48,571.37	\$79,338.50	\$790,240.48

August 4, 2017 through August 4, 2017

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$ -0-	\$ -0-	\$(-312.50)	\$(-312.50)

Adopted
Absent: Burgess

9. Resolutions & Motions

A. Resolutions

Jones – Hudley 1. Qualify Pool of 5 Law Firms for Professional Worker Compensation Counsel Services - \$115.00 Per Hour – August 16, 2017 to August 15, 2018
RESOLUTION QUALIFYING LAW FIRMS PURSUANT TO A FAIR AND OPEN PROCESS FOR WORKER COMPENSATION COUNSEL

WHEREAS, the Request for Qualifications for Professional Worker Compensation Counsel services was publicly advertised in the New Jersey Star Ledger on June 07, 2017 with a deadline for qualifications to be submitted on June 21, 2017; and

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

WHEREAS, five qualifications were received and publicly opened; and

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

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

John H. Watson Jr.,
63 Washington Street
East Orange, NJ 07017

Ronald Thompson
69 Valley Street
South Orange, NJ 07079

Glazer & Kamel
1207 East Grand Street, 3rd Floor
Elizabeth, NJ 07201

Biancamano & Distefano, PC
10 Parsonage Road, Suite 300
Edison, NJ 08837

Eric M. Bernstein & Associates LLC
34 Mountain Blvd, Building A,
PO Box 4922
Warren, NJ 07059

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

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

1. The Township Attorney will provided separate resolution with respect to particular matter to the Municipal Council.
2. The Township Attorney will prepare the appropriate contract for this service.
3. The above five vendors are qualified for one year from August 16, 2017 until August 15, 2018
4. The vendors will be paid an amount not to exceed \$115. per hour.

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: Burgess

Hudley – Cox 2. Authorize Purchase of Fire Truck From State Contract Vendor Kovatch Mobile Equipment Corp. – Total Amount of \$860,305.57

RESOLUTION AUTHORIZING THE PURCHASE OF A FIRE TRUCK FOR THE FIRE DEPARTMENT FROM STATE CONTRACT VENDOR KOVATCH MOBILE EQUIPMENT CORP FOR TOTAL AMOUNT OF \$860,305.57

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 a new Aerial Fire Truck for the Fire Department from State of New Jersey Contract number 83151; and

WHEREAS, the Township of Irvington intends to enter into contracts with Kovatch Mobile Equipment Corp, 1 Industrial Complex, Nesquehoning, PA 18240 through this resolution and properly executed purchase orders, starting on August 16, 2017; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON hereby authorizes a service contract with Kovatch Mobile Equipment Corp of 1 Industrial Complex, Nesquehoning, PA 18240 for an amount not to exceed \$860,305.57 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 C7-00248 in the amount of \$860,305.57 from account number C-04-56-849-016-910 has been obtained from the Chief Financial Officer.

Adopted
Absent: Burgess

Cox – Lyons 3. Authorize Purchase Over the Pay to Play Threshold of \$17,500.00 for Double Faced Freestanding Sign Based Upon Low Quotation From Foreman Sign Company – \$24,970.00

AUTHORIZING PURCHASE OVER THE PAY TO PLAY THRESHOLD OF \$17,500.00 FOR DOUBLE-FACED FREESTANDING SIGN

WHEREAS, the Township of Irvington intends to enter into contracts with vendors over the pay-to-play threshold of \$17,500.00 through this resolution and properly executed purchase orders as needed, which shall be subject to all the conditions applicable law of N.J.A.C. 5:34- et seq; and,

WHEREAS, the Irvington Police Department would like to install a double-faced freestanding sign at the front entrance of the Police Department; and

WHEREAS, the Police Department has obtained three quotes from Forman Sign Company, MetroSigns and Klein Electric Advertising Company; and

WHEREAS, Forman Sign Company, Inc. 10447 Drummond Rd., Philadelphia, PA 19543-3987 has provided the lowest quote of \$24,970.00; and

WHEREAS, in compliance with 19:44a-20.13 et., seq., Forman Sign Company, Inc will exceed the Pay-to-Play threshold of \$17,500.00 for calendar year 2017; and,

WHEREAS, Forman Sign Company, Inc has completed the Township C-271, elect reports and political disclosure forms. These forms are on file in the Division of Purchasing Office and the Municipal Clerk; and

WHEREAS, all purchases to the above vendor will not exceed the bid threshold of \$40,000.00; and

NOW, THEREFORE, BE IT RESLOVED, that the Municipal Council of the Township of Irvington hereby authorizes the Qualified Purchasing Agent to pay the above vendor in excess of pay to play threshold \$17,500.00 but under the bid threshold of \$40,000.00; and

BE IT FURTHER RESOLVED, that the required certification of availability of funds C7-00250 in the amount of \$24,970.00 from account number T-21-41-850-17E-805 has been obtained from the Chief Financial Officer; and

BE IT FURTHER RESOLVED that the duration of this authorization shall be until December 31, 2017; and

BE IT FURTHER RESOLVED a separate resolution will be submitted to the Municipal Council for all addition vendors exceeding the bid threshold of \$17,500.00.

Adopted
Absent: Burgess

Lyons – Cox 4. Authorize Calendar Year 2017 Budget be Read by Title

WHEREAS, N.J.S.A. 40A:4-8 provides that the 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 budget,

(a) shall be made available for public inspection.

(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. 40A:4-8 1 (a) and 1 (b), have been met and therefore the Calendar Year 2017 municipal budget shall be read by title only.

Adopted
Absent: Burgess

Frederic – Jones 5. Authorize Grant Agreement with Essex County Division of Community Action as Sub-Recipient of Social Services for the Homeless SSBG Program - \$30,000.00

WHEREAS, The County of Essex, acting through its Department of Citizens Services, Division of Community Action proposes to enter into a sub grant agreement with Irvington Neighborhood Improvement Corporation to provide Case Management and Security Deposit to Ex-Offenders and Veterans under the Social Services Block Grant (SSBG) Program at a contract price of \$60,000.00 for the 2016/2017 year have been extended and additional six months for the period of July 1, 2017 – December 31, 2017 which has been amended to \$30,000.00; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Mayor of the Township of Irvington be and hereby is authorized to execute a Grant Agreement with the Essex County Division of Community Action as sub-recipient of Social Services for the Homeless funds in the amount of \$30,000.00; and

BE IT FURTHER RESOLVED that the Township of Irvington does hereby accept the award of \$30,000.00 for such activities.

Adopted
Absent: Burgess

Jones – Hudley 6. Authorize Grant Agreement with Essex County Division of Community Action as Sub-Recipient of Social Services for the Homeless SSH/TANF Program - \$57,500.00

WHEREAS, The County of Essex, acting through its Department of Citizens Services, Division of Community Action proposes to enter into a sub grant agreement with Irvington Neighborhood Improvement Corporation to provide Shelter, Rental Assistance, Utility Assistance and Case Management under the Social Services for the Homeless (SSH/TANF) Program at a contract price of \$115,000 for the 2016/2017 year have been extended an additional six months for the period of July 1, 2017 – December 31, 2017 which has been amended to \$57,500.00 increase from the parent contract; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Mayor of the Township of Irvington be and hereby is authorized to execute a Grant Agreement with the Essex County Division of Community Action as sub-recipient of Social Services for the Homeless funds in the amount of \$57,500.00; and

BE IT FURTHER RESOLVED that the Township of Irvington does hereby accept the award of \$57,500.00 for such activities.

Adopted
Absent: Burgess

Frederic – Jones 7. Authorize Bus Shelters at Chancellor Avenue Westbound at Coit Street and Grove Street Northbound at Olson Place

RESOLUTION REQUESTING BUS SHELTERS

WHEREAS, NJ TRANSIT has funds for the purchase of bus shelters throughout the State of New Jersey; and

WHEREAS, the governing body of a municipality in New Jersey or the Board of Chosen Freeholders of a county may apply to the New Jersey Transit Corporation for the purchase and installation of bus shelters at legally designated bus stops; and

WHEREAS, the, Irvington Township in the interest of promoting public transportation, conservation of energy, traffic safety, and for the convenience of the public, endorses the concept of providing bus shelters within its jurisdiction.

NOW, THEREFORE, be it resolved, that the application is hereby made by the Township of Irvington to the New Jersey Transit Corporation for the purchase and installation of 2 bus shelter(s) as set forth in below:

Bus Shelter Location(s): Along Chancellor Avenue, westbound, at Coit Street near side

Along Grove Street, northbound, at Olson Place, near side

BE IT FURTHER RESOLVED that the Mayor and the Municipal Clerk be authorized to execute an agreement or agreements with N.J. Transit to arrange for the purchase and installation of the shelters.

Adopted
Absent: Burgess

Hudley – Frederic 8. Authorize Non-Fair and Open Contract for Medicare Benefits to Retirees Over 65 Years of Age - Meritain/Aetna Life Insurance Company – September 16, 2017 to September 15, 2018

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN
CONTRACT FOR MEDICARE COVERAGE FOR RETIREES OVER SIXTY-FIVE
(65) YEARS OLD**

WHEREAS, the Township of Irvington has a need to provide Medicare coverage for retirees over sixty-five years old; and,

WHEREAS, the Administration has reviewed a pricing proposal submitted by Aetna Life Insurance Company and wish to award a non-fair and open contract to this firm; and,

WHEREAS, this service will exceed the bid threshold and pursuant to the provisions of N.J.S.A. 19:44A-20.4 the vendor has completed the required pay to plays forms; and,

WHEREAS, the C-271 Political Contribution Disclosure forms were on file in the Office of the Municipal Clerk and Purchasing Agent on July 24, 2017; and,

WHEREAS, the anticipated term of this contract is one year starting on September 16, 2017 through September 15, 2018; and

WHEREAS, Meritain/Aetna Life Insurance Company has completed and submitted a Business Entity Disclosure Certification which certifies that Aetna Medicare has not

made any reportable contributions to a political or candidate committee in the Township of Irvington in the previous one year, and that the contract will prohibit Aetna Medicare from making any reportable contributions through the term of the contract, and

NOW THEREFORE, BE IT RESOLVED that the Municipal Council of the Township of Irvington authorizes the award of a non-fair and open contract to Meritain/Aetna Life Insurance Company of 300 Corporate Parkway, NY 14226; and,

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

BE IT FURTHER RESOLVED, notice of this action shall be published in newspapers as required by law by the Municipal Clerk.

Adopted

Absent: Burgess

Hudley – Frederic 9. Authorize Non-Fair and Open Contract for Employee Health and Prescription Benefit Services - Meritain/Aetna Life Insurance Company – August 16, 2017 to August 15, 2018

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR HEALTH AND PRESCRIPTION BENEFITS INSURANCE SERVICES

WHEREAS, the Township of Irvington has a need to acquire health and prescription services including the alternative of a self-insured program requiring administration, claim processing and excess loss insurance placement to be rendered to the Township of Irvington as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4

WHEREAS, the C-271 Political Contribution Disclosure forms were on file in the Office of the Municipal Clerk and Purchasing Agent on July 24, 2017; and,

WHEREAS, the anticipated term of this contract is one year starting on August 16, 2017 through August 15, 2018; and

WHEREAS, MERITAIN HEALTH/AETNA has completed and submitted a Business Entity Disclosure Certification which certifies that MERITAIN /AETNA has not made any reportable contributions to a political or candidate committee in the Township of Irvington in the previous one year, and that the contract will prohibit MERITAIN HEALTH /AETNA from making any reportable contributions through the term of the contract, and

NOW THEREFORE, BE IT RESOLVED that the Municipal Council of the Township of Irvington authorizes the award of a non-fair and open contract to MERITAIN HEALTH/AETNA of 300 Corporate Parkway, Amherst, NY 14226; and,

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

BE IT FURTHER RESOLVED, that the required certification of availability of funds will be obtained from the Chief Financial Officer contingent on the adoption of the calendar year 2017 budget.

BE IT FURTHER RESOLVED, notice of this action shall be published in newspapers as required by law by the Municipal Clerk.

Adopted
Absent: Burgess

Lyons – Hudley 10. Commemoration – Council Member Jones' 75th Birthday

Resolution Commemorating
Councilwoman Sandra R. Jones
75th Birthday Milestone
July 28, 2017

WHEREAS, the Municipal Council wishes to acknowledge the honorable Councilwoman Sandra R. Jones on this momentous occasion of her 75th birthday celebration; and

WHEREAS, Sandra R. Jones, South Ward Council Member and Second Vice President, will turn 75 years young on July 28, 2017; and

WHEREAS, she has an extensive community resume that began in Jersey City while working on the mayoral campaign for Julian Robinson then as a member of the Parent Teacher Associations for both P.S. 34 and Snyder High School; and

WHEREAS, Councilwoman Jones was President of the Armstrong Avenue Block Association and subsequently served as district leader; and

WHEREAS, she eventually moved to the Township of Irvington and in 1993, she won consecutive terms on the Irvington Board of Education, chosen as vice president; and

WHEREAS, in 2008, Councilwoman Jones took the oath of office for the unexpired term of her very good friend and mentor, D. Bilal Beasley who vacated his South Ward seat on the Irvington Township Municipal Council to serve as Council Member At-Large ; and

WHEREAS, Councilwoman Jones has more than 30 years of leadership within the public schools, political affiliations, community and faith-based agency partners helped her to fortify the foundation necessary to provide Irvington residents with responsible and ethical leadership; and

WHEREAS, she has never shied away from even the most unpopular issues, instead she approaches every single obstacle as a chance to enhance, which has resulted in her sponsoring hundreds of ordinances throughout her various years of service; and

WHEREAS, she has proven that a commitment to public service embodies the bold, vibrant and “out-of-the-box” leadership that has become the signature of the South Ward; and

WHEREAS, Councilwoman Jones has committed herself to not just knowing names and addresses but more importantly, knowing and understanding their needs. A difficult task for some but second nature to Councilwoman Jones because of her vast network of resources resulting from years of employment as a Family Service Worker with the Division of Welfare to the position she holds today, as a Counselor with the Essex County Re-Entry Program; and

WHEREAS, it is with great pleasure that the Township of Irvington recognize Sandra R. Jones for her tremendous efforts in striving to serve for a better community for the residents of the Township of Irvington with that dedication and pride, and as such, she is more than worthy of receiving our recognition on this joyous occasion of the anniversary of her birth on earth:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that it hereby commends and congratulates Sandra R. Jones on the occasion of her seventy-fifth birthday and wishes her good health and continued birthday celebrations.

BE IT FURTHER RESOLVED that an engrossed copy of this resolution be presented to Sandra R. Jones as a lasting tribute to her as an individual who continues to withstand the test of time.

Adopted
Absent: Burgess

Frederic – Hudley 11. Authorize Change Order for Resurfacing of Nye Avenue – Decrease Contract Amount by \$8,107.58 – Final Contract Price \$367,834.72 Representing a Net Decrease of -2.2%

APPROVE CHANGE ORDER NO. 1 & FINAL FOR THE RESURFACING OF NYE AVENUE

WHEREAS, the Township of Irvington received a grant from the New Jersey Department of Transportation (NJDOT) under the Transportation Trust Fund grant program in the amount of \$297,000.00 for the Resurfacing of Nye Avenue; and

WHEREAS, the Township engaged the firm of Keller & Kirkpatrick to prepare plans and specifications as well as provide construction administration services for this project as Resolutions DPW 12-0814-8 and DPW 14-1223-46 for a total professional services fee of \$13,620.00; and

WHEREAS, bids for this project were publicly advertised and three bids for this project were received and publicly read on June 8, 2016; and,

WHEREAS, these bids were reviewed and it was determined that the bid of J.A. Alexander in the amount of \$375,942.50 was the lowest responsible bid for this project and a contract for this work be awarded to that firm as Resolution DPW 16-0712-9; and

WHEREAS, during the course of construction it was necessary to adjust the actual quantities of construction to meet the conditions encountered in the field, resulting in a net change in the amount of the contract of \$ -8,107.58 such that the final amount of the contract is 367,834.72 for net decrease of -2.2%.

NOW, THEREFORE, BE IT RESOLVED BY MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a change order, Change Order No. 1 & Final, in the amount of - \$8,107.58 be approved for the contract known as the Resurfacing of Nye Avenue such that the final amount of the contract shall be \$367,834.72 or a net decrease of -2.2% and that a copy of this change order resolution be forwarded to NJDOT and that the Mayor is authorized to endorse the NJDOT change order form on behalf of the Township.

Adopted
Absent: Burgess

Cox – Jones 12. Authorize Negotiated Contract for Disposal of Recyclable Waste – Integrity Recycling & Waste – Not to Exceed \$200,000.00 For Two Years

AUTHORIZING A NEGOTIATED CONTRACT FOR DISPOSAL OF RECYCABLE WASTE

WHEREAS, the Township of Irvington duly advertised for the request for bids for a contract entitled "Disposal of Recyclable Waste" which was advertised in the New Jersey Star ledger on May 10, 2017 for receipt of bids on May 25, 2017 and no bids were received, and;

WHEREAS, the Township re-advertising for bids for this service on June 14, 2017 and no bid was received on July 06, 2017, and;

WHEREAS, the Administration would like to use the exception under 40A:11-5(3), and negotiate a contract for Disposal of Recyclable Waste for two years, and;

WHEREAS, on July 17, 2017, the Qualified Purchasing Agent contacted two vendors:- JSI Carting and Integrity Recycling & Waste for a price proposal for a two years contract, and;

WHEREAS, only one price proposal was received on July 19, 2017 for this service, submitted by Integrity Recycling & Waste, and;

WHEREAS, the Administration wishes to award a contract to Integrity Recycling & Waste of 111 Route 31, suite 223, Flemington, NJ 08822 for two years starting on July 27, 2017 until July 28, 2019, and;

WHEREAS, the vendor will charge the Township based on the formula utilized by Secondary Materials Pricing. com minus \$80.00 processing fee for a total contract amount not to exceed \$200,000.00 for two years.

NOW THEREFORE BE IT RESOLVED by the Municipal Council of Township of Irvington hereby authorize a negotiated contract for disposal of recyclable waste to Integrity Recycling & Waste of 111 Route 31, suite 223, Flemington, NJ 08822 for a total contract amount not to exceed \$200,000.00 for two years, and;

BE IT FURTHER RESOLVED, that the required certification of availability of funds C7-00256 in the amount of \$20,000.00 from account number 7-01-32-465-465-118 has been obtained from the Chief Financial Officer and the remaining balance of \$180,000.00 will be certified upon the adoption of the 2017 and 2018 Municipal Budget, and;

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

BE IT FURTHER RESOLVED, notice of this action shall be published in newspapers as required by law by the Municipal Clerk.

Adopted
Absent: Burgess

Hudley – Jones 13. Resolution of Sorrow – Mother Louise Williams

**RESOLUTION OF SORROW
MOTHER LOUISE WILLIAMS**

WHEREAS, the Irvington Municipal Council wishes to express their deep sorrow on the passing of Mother Louise Williams, who leaves a legacy that will be remembered by many; and

WHEREAS, Louise Williams, 83, of Newark, NJ, passed away on Thursday, July 27, 2017. Louise was born to the union between the late Barney Pace and Olivia Pace. She was born on July 29, 1933. Louise was the third oldest child of ten children and grew up in Lakeland, Florida; and

WHEREAS, Louise attended and graduated from Union Academy High School in Bartow, Florida where she was the captain of her basketball team; and

WHEREAS, Louise worked for the State of New Jersey for over 20 years. Not only was this her job, this was her passion to care for children. She resided on South 20th Street in Newark, NJ where she was a home owner for over 48 years; and

WHEREAS, Louise Williams aka “Momma Williams” as many of the children on the “block” called her over the years, as she opened up her home to them. She was known for cooking good meals and as we all knew, Momma did not take no mess; and

WHEREAS, Mother Williams was a member of Unity Freedom Baptist Church under the leadership of Pastor Isaac Martin for many years. Over the years, she became the Mother of the church at Alpha and Omega fellowship under the late great Apostle, Maria Carr; and

WHEREAS, Louise Williams was married to her loving husband, the late Earnest Williams. Louise leaves to morn her five children; Karen Williams, Lisa Williams, Mark Williams, Lawrence Williams, Sherry Williams, and the late, Katrina Williams and Halbert Williams; two grandchildren Ashley Williams and Tajune’ Harmon; two sisters, Hazel Leonard and Irene Griffin; two brothers, Thomas Pace, DeLeon Pace and the late Richard Pace; three godchildren, Brenda Jackson, Brenda Rollins, and Dr. October Hudley; and a host of nieces and nephews; and extended family and friends:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington hereby mourns the loss of Mother Louise Williams and offers its sincerest condolences to her family and friends 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 as a lasting tribute to Mother Louise Williams.

Adopted
Absent: Burgess

Hudley – Jones 14. Authorize Service Agreement to Repair a Sole Source Ravo Street Sweeper - Northeast Sweepers - Not to Exceed \$15,000.00

RESOLUTION AUTHORIZING A SERVICE AGREEMENT TO REPAIR SOLE SOURCE RAVO STREET SWEEPER

WHEREAS, Public Works leased two Ravo Street Sweepers to clean various streets in the Township; and

WHEREAS, the maintenance and repair agreement does not include routine repairs and collusion damage; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5(1)(d)(d), parts and services can only be purchased from Northeast Sweepers, 16 Passaic Ave, Unit 9, Fairfield, NJ 07004

WHEREAS, the Administration would like to request a sole source exemption for parts and service of the two Ravo Street Sweepers; and

WHEREAS, the Administration will like to award a contract to Northeast Sweepers, 16 Passaic Ave, Unit 9, Fairfield, NJ 07004 for an amount not to exceed \$15,000.00

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Irvington in the County of Essex, and State of New Jersey, that Public Works is authorized to purchase parts and service from Northeast Sweepers, 16 Passaic Ave, Unit 9, Fairfield, NJ 07004 starting on July 12, 2017 until December 31, 2017 for an amount not to exceed \$15,000.00.

BE IT FURTHER RESOLVED that the required certification of availability of funds C7-00255 in the amount of \$15,000.00 from account number 7-01-21-165-165-299 has been obtained from the Chief Financial Officer.

Adopted
Absent: Burgess

Frederic – Jones 15. Authorize Acceptance of Donation - Microwave Oven for the Senior Center

A RESOLUTION ACCEPTING DONATED ELECTRIC MICROWAVE OVEN FOR THE SENIOR CENTER

WHEREAS, Kim Todd, has graciously offered to donate to the Township an electric microwave oven to be used at the Senior Center; and

WHEREAS, the Health Director agrees that the donated microwave oven will allowed the Township to provide warm meals to Seniors at the Senior Center; and

WHEREAS, it is in the Township's best interest to accept the donated electric microwave oven.

NOW, THEREFORE, BE IT RESOLVED by the Township of Irvington, County of Essex, New Jersey, to accept the electric microwave oven for the purposes set forth above and thanks Kim Todd., for its generosity donation to the Township.

Adopted
Absent: Burgess

Frederic – Hudley 16. Authorize Non-Fair and Open One Year Contract for Medical Consultant to Service Clinical Gaps for \$1.00 – Dr. Ramez Samuel, MD

A RESOLUTION AUTHORIZING A NON-FAIR AND OPEN FOR MEDICAL CONSULTANT SERVICE

WHEREAS, the Township of Irvington, in the County of Essex and State of New Jersey, is in need of a Medical Consultant; and

WHEREAS, the Township would like to retain the service of a certified Medical Consultant to satisfy some of the clinical gaps that is needed to be service by the Health Department; and

WHEREAS, Dr. Ramez Samuel, M.D., of S M Medical, LLC has offered to provide said services to the Township of Irvington for the nominal amount of \$1.00 for the calendar year 2017; and

WHEREAS, pursuant to the provisions of N.J.S.A. 19:44A-20.4 the vendor has completed the required pay to plays forms; and

WHEREAS, the C-271 Political Contribution Disclosure forms were on file in the Office of the Municipal Clerk and Purchasing Agent on July 05, 2017; and

WHEREAS, the Township would like to award a Non Fair and Open contract to Dr. Ramez Samuel, M.D of 135 Bloomfield Ave, Bloomfield, NJ 07003; and

WHEREAS, the term of this contract will expire on December 31, 2017; and

WHEREAS, Dr. Ramez Samuel, M.D has completed and submitted a Business Entity Disclosure Certification which certifies that Dr. Ramez Samuel, M.D has not made any reportable contributions to a political or candidate committee in the Township of Irvington in the previous one year, and that the contract will prohibit Dr. Ramez Samuel, M.D from making any reportable contributions through the term of the contract, and

NOW THEREFORE, BE IT RESOLVED that the Municipal Council of the Township of Irvington authorizes the award of a non-fair and open contract to Dr. Ramez Samuel, M.D of 135 Bloomfield Ave, Bloomfield, NJ 07003; and,

BE IT FURTHER RESOLVED, that the required certification of availability of funds C7-00258 in the amount of \$1.00 from account number 7-01-28-370-376-118 has been obtained from the Chief Financial Officer.

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

BE IT FURTHER RESOLVED, notice of this action shall be published in newspapers as required by law by the Municipal Clerk.

Adopted
Absent: Burgess

Jones – Cox 17. Authorize Professional Services Contracts for Pool of Three Foreclosure Attorneys

RESOLUTION AUTHORIZING QUALIFYING FORECLOSURE COUNSEL

WHEREAS, the Request for Qualifications for professional Foreclosure counsel services was publicly advertised in the New Jersey Star Ledger on May 11, 2017 with a deadline for qualifications to be submitted on June 27, 2017; and

WHEREAS, three qualifications were received and publicly opened; and

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

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

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

O'Donnell McCord, P.C
Matthew J. O'Donnell
15 Mount Kemble Avenue
Morristown, NJ 07960

Mizrahi Warren
Aaron Mizrahi
523 Park Avenue, 3rd Fl.
Orange NJ 07050

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

BE IT FURTHER RESOLVED, that this qualification is for one year starting on July 01, 2017 and ending on June 30, 2018; and

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

BE IT RESOLVED that the required Certification of Availability of Funds will be obtained for the Chief Financial Officer.

Adopted
Absent: Burgess

Cox – Frederic 18. Commendation – Jamir Brown – Outstanding Accomplishments at AAU Junior Olympic Games

**RESOLUTION OF COMMENDATION
JAMIR BROWN, JERSEY HEAT TRACK CLUB RUNNER
AAU JUNIOR OLYMPIC GAMES TRACK AND FIELD GOLD MEDALIST**

WHEREAS, the Irvington Municipal Council would like to honor the AAU Junior Olympic Games hurdles winner Jamir Brown; and

WHEREAS, Jamir is a resident and student in the Township of Irvington and the son of Shareefah Brown; and

WHEREAS, Jamir Brown is a Runner for the Jersey Heat Track Club based in Irvington under the guidance of Coach Michele Jones-Loring; and

WHEREAS, Jamir Brown won the finals of the 11-year-old boys 80-meter hurdle finals at the 2017 AAU Junior Olympic Games contested at Eastern Michigan University in Ypsilanti, located in the Detroit area, on August 3, 2017; and

WHEREAS, Jamir had a personal-best performance of 13.01 in the 80m finals at the Region 1 Qualifier that was contested at Hub Stine Sports Complex in Plainfield on July 2. His performance there provided him with the number one seed in the nation going into the Junior Olympic meet; and

WHEREAS, after completing the trials on August 2, Jamir decided to scratch the 1,500m run that he was also scheduled to compete in on August 3. Had he ran the 1,500m, he would have only had about an hour between the 1,500m and the 80m hurdle finals, and that would not have been sufficient recovery time. This is the first time a Jersey Heat athlete has won gold at a national competition; and

WHEREAS, the AAU Junior Olympic Games marks the end of the outdoor competition season and Jamir is expected to take a little time off and then resume full practice with the Irvington Golden Knights football program. He will also intermittently train and compete during Jersey Heat's cross-country season. During his last competitive cross-country season, Jamir competed in just two meets, with the second meet being the AAU nationals at which he finished fifth in the nation for the 9-year-old boys division; and

WHEREAS, Jamir was honored by USA Track and Field New Jersey Association as Athlete of the Year for Long Jump in the 8 and Under Boys Division on January 17, 2015. On April 28, 2015, the Municipal Council presented Jamir with a Resolution of Commendation for this outstanding achievement; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Municipal Council hereby commends Jamir Brown for his exceptional accomplishment at the AAU Junior Olympic Games in Ypsilanti, Michigan and Jersey Heat Track Club Coach Michele Jones-Loring.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of the Municipal Council as a lasting tribute to his many accomplishments.

Adopted
Absent: Burgess

Frederic – Jones 19. Introduction of Springfield Avenue Center Special Improvement District's 2017-2018 Budget

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

WHEREAS, the Springfield Avenue Center Special Improvement District introduced its FY 2017-2018 budget with a report that explains how the budget contributes to goals and objectives for the special improvement district:

NOW, BE IT THEREFORE RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON the Municipal Council of the Township of Irvington, New Jersey does hereby approve the detailed annual budget for the Springfield Avenue Center Special Improvement District for 2017-2018 and that this approval is subject to all requirements of N.J.S.A. 40:56-84, which includes public notice and hearing.

<u>REVENUES</u>	<u>BUDGET</u>	<u>LINE ITEM NARRATIVE</u>
Cash on Hand	25,000	Bank Balance as of July 1, 2017
BID Tax: 2017-18 @ 4%	232,214	increase from 3% to 4% for additional sidewalk cleaning services
Misc.: Magazine, CCEF, Interest	4,000	Interest and Irvington Indeed! Magazine ads (2 issues)
TOTALS	261,214	
<u>EXPENSES</u>	<u>BUDGET</u>	
CAPITAL IMPROVEMENTS:		
Holiday Decorations	25,000	District-wide expanded annual display
Beautification/Spruce Up	4,000	AZ Landscaping @ clock gateway; PSE&G clock electric
Sidewalk Cleaning	85,800	District-wide expanded sidewalk cleaning by A Rescue Staffing*
Private Security Cameras	<u>5,000</u>	matching grants up to \$2500 to ISABID members
SUBTOTAL	119,800	
MARKETING:		
Irvington Indeed! Magazine residences	52,500	2 issues (Holidays 2017, Summer 2018) mailed to 25,000
Media Advertisements	2,000	Shared irvington-nj.com website cost @ \$9.98/month + print ads
Promotions	9,000	3 Sidewalk Sales; Halloween; Senior Thanksgiving Lunch;
ISABID Gift Certificates		
Santa Photos	<u>2,000</u>	Annual free photos, Christmas stockings, cartoon characters
SUBTOTAL	65,500	
OPERATIONS		
Administration	60,000	FirsTEAManagement staff & fully-equipped office
Organizational Expenses	8,000	Insurances; Office Phone; Office Supplies; Annual Audit
Staff/Board Training	<u>800</u>	seminars, workshops, membership dues
SUBTOTAL	68,800	
Reserve	<u>7,114</u>	Non-allocated expenses + Community donations & scholarships
Total Expenditures	261,214	

*Current service: A Rescue provides 4 men Saturdays & Sundays for 8 hrs each day. Starts Memorial Day weekend through Labor Day; resumes Thanksgiving weekend through January 1 weekend; a total of approximately 20 weeks.

Area cleaned is Springfield Avenue between Stuyvesant Avenue and NJ Transit bus depot.

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Expanded service: A Rescue will provide 4 men for 6 hrs.' on Friday, 5 hrs. on Saturday, & 5 hrs. on Sunday year-round (52 weeks). The area serviced will be Springfield Avenue expanded to the Maplewood and Newark lines.

Sidewalk cleaning services include removing litter from streets & sidewalks and emptying overflowing trash cans.

Adopted

Absent: Burgess

Frederic – Lyons 20. Authorize Payment Agreement for Municipal Lien on 26 Orange Avenue, Block 82, Lot 18 - Total Amount to Redeem of \$33,058.72 – Payable in 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, Believer's Fellowship owner of record of Block 82, Lot 18, also known as 26 Orange Avenue, Municipality of Irvington, is desirous of satisfying Tax Title Lien #14-00428 in the amount of \$33,058.72 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 \$1,195.15, 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: Burgess

Frederic- Lyons 21. Authorize Payment Agreement for Municipal Lien on 647 Nye Avenue, Block 80, Lot 34 - Total Amount to Redeem of \$40,122.00 - Payable in 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, Anyeji, Paul, owner of record of Block 80, Lot 34, also known as 647 Nye Avenue, Municipality of Irvington, is desirous of satisfying Tax Title Lien #13-00522 in the amount of \$40,122.00 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 \$1,450.51, 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: Burgess

Frederic – Jones 22. Authorize Payment Agreement for Municipal Lien on 9 Breakenridge Terrace, Block 124, Lot 21 - Total Amount to Redeem of \$27,984.23 - Payable in 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, Blakaj, Niman, owner of record of Block 124, Lot 21, also known as 9 Breakenridge Terrace, Municipality of Irvington, is desirous of satisfying Tax Title Lien #14-00586 in the amount of \$27,984.23 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 \$1,011.70, 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: Burgess

Frederic – Lyons 23. Authorize Payment Agreement for Municipal Lien on 59 Cummings Street, Block 78, Lot 50 - Total Amount to Redeem of \$34,703.34 - Payable in 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, Mejellma Blakaj, owner of record of Block 78, Lot 50, also known as 59 Cummings Street, Municipality of Irvington, is desirous of satisfying Tax Title Lien #14-00395 in the amount of \$34,703.34 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 \$1,254.61, 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: Burgess

Frederic – Jones 24. Authorize Payment Agreement for Municipal Lien on 22 - 20th Avenue, Block 147, Lot 38 - Total Amount to Redeem of \$11,585.19 - Payable in 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, Donald Pilgrim, owner of record of Block 147, Lot 38, also known as 22 – 20th Avenue, Municipality of Irvington, is desirous of satisfying Tax Title Lien #14-00681 in the amount of \$11,585.19 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 \$418.83, 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: Burgess

Frederic – Hudley 25. Authorize Waiving of \$400.81 Interest Charges on 752 Grove Street, Block 139, Lot 9.01 in Consideration of the Full Payment of Back Taxes in the Amount of \$10,321.02 Being Paid in Full by August 15, 2017

RESOLUTION TO ABATE ACCRUED INTEREST CHARGES

WHEREAS, Mr. York Ding became the owner of record of 752 Grove Street, Block 139 Lot 9.01 in October, 2016; and

WHEREAS, the Final 2016/Preliminary 2017 tax bills were mailed to homeowners of record on September 30, 2016 and no other tax bills were mailed until July 6, 2017 for 2017 3rd quarter estimated taxes; and

WHEREAS, the owner, Mr. York Ding did not pay the February 1st and May 1st quarterly taxes when they became due because he was waiting for a tax bill which had been previously mailed and said taxpayer did not contact the Tax Office to inquire about paying the 2017 1st and 2nd quarter taxes; and

WHEREAS, Mr. York Ding came into the Tax Office on August 8th to pay the 3rd quarter taxes and was informed the 2017 1st and 2nd quarter taxes were delinquent and the accrued interest was due in the amount of \$400.81; and

WHEREAS, Mr. York Ding is requesting that because he did not receive a tax bill in the mail, the interest charged for late payment be waived and credited to the current taxes; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Tax Collector is authorized and directed to abate the current interest charges of \$400.81 imposed on Block 139 and Lot 9.01, and to adjust and apply said amount to the taxpayer's current taxes.

Adopted
Absent: Burgess

Cox – Lyons 26. Ratify CY 2015 Corrective Action Plan

WHEREAS, in accordance with the requirements of the Single Audit Act and the regulations of the Division of Local Government Services, all municipalities are required to prepare and file a Corrective Action Plan; and

WHEREAS, this plan must be filed with the Division of Local Government Services in accordance with regulations established by the Division; and

WHEREAS, such a plan was prepared by the Chief Financial Officer and reviewed by the members of the governing body of the Township of Irvington;

NOW THEREFORE BE IT RESOLVED, that the CY 2015 Corrective Action Plan, attached hereto, be approved by the governing body of the Township of Irvington and filed with the Division of Local Government Services.

Adopted

Frederic – Lyons 27. Authorize Dedication by Rider – Workers Compensation Insurance

Township Of Irvington of County of Essex

**A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION
BY RIDER FOR Workmen's Compensation Insurance Fund
REQUIRED BY (N.J.S.A. 40A:10-13 et seq.)***

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A:10-13 et seq. provides for receipt of Workmen's Compensation Insurance funds by the municipality to provide for the operating costs to administer this act; and,

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Workmen's Compensation Insurance fund are hereby anticipated as revenue and are

hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of Irvington, County of Essex, New Jersey as follows:

The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Workmen Compensation Insurance fund and statutory authority.

The Clerk of the Township Of Irvington, County of Essex is hereby directed to forward two certified copies of this Resolution to the Director of the Director of the Division of Local Government Services.

Adopted this 15th day of August, 2017
and certified as a true copy of an original.

Municipal Clerk

Adopted
Absent: Burgess

Lyons – Hudley 28. Authorize Dedication by Rider – Group Insurance

Township Of Irvington of County of Essex

**A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION
BY RIDER FOR Self Insurance / General Liability Insurance Trust
REQUIRED BY (N.J.S.A. 40A:10-1 et seq.)***

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A:10-1 et seq. provides for receipt of Self Insurance funds by the municipality to provide for the operating costs to administer this act; and,

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Self Insurance/General Liability Insurance trust fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of Irvington, County of Essex, New Jersey as follows:

The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Self Insurance/General Liability Insurance trust fund and statutory authority.

The Clerk of the Township Of Irvington, County of Essex is hereby directed to forward two certified copies of this Resolution to the Director of the Director of the Division of Local Government Services.

Adopted this 15th day of August, 2017
and certified as a true copy of an original.

Municipal Clerk

Adopted
Absent: Burgess

Cox – Hudley 29. Authorize Dedication by Rider – Insurance

Township Of Irvington of County of Essex

**A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION
BY RIDER FOR Self Insurance / Group Health Insurance Trust
REQUIRED BY (N.J.S.A. 40A:10-1 et seq.)***

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A:10-1 et seq. provides for receipt of Self Insurance funds by the municipality to provide for the operating costs to administer this act; and,

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Self Insurance/Group Health Insurance trust fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of Irvington, County of Essex, New Jersey as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Self Insurance/Group Health Insurance trust fund and statutory authority.
2. The Clerk of the Township Of Irvington, County of Essex is hereby directed to forward two certified copies of this Resolution to the Director of the Director of the Division of Local Government Services.

Adopted this 15th day of August, 2017
and certified as a true copy of an original.

Municipal Clerk

Adopted
Absent: Burgess

A. Communications

None

11. Pending Business

None

12. Miscellaneous

A. Bingos and Raffles

None

NON-CONSENT AGENDA ITEMS

8. Ordinances, Bills & Claims

A. Ordinances on 1st Reading

Cox – Frederic 1. Amend Ordinance Providing for Commercial Curb Loading Zones

AN ORDINANCE AMENDING MC 3604 AN ORDINANCE PROVIDING FOR
PROCEDURES TO ESTABLISH A COMMERCIAL LOADING ZONE

Adopted
Absent: Burgess

Cox – Jones 2. Establish Internet User Fees

AN ORDINANCE ESTABLISHING INTERNET USER FEES.

Lyons – Cox

Motion to Table

Adopted
Absent: Burgess

Lyons – Jones 3. Amend Development Fee Schedule

AN ORDINANCE ESTABLISHING DEVELOPMENT FEES

Adopted
Absent: Burgess

B. Ordinances on 2nd Reading

1. 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. 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 4. 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 until September 26, 2017

Adopted

Absent: Burgess

2. President Lyons: An ordinance prohibiting parking of vehicles on residential lawns will be heard at this time. The Clerk will read the notice of hearing.

The Clerk read the notice of hearing.

The Clerk will read the ordinance by title

AN ORDINANCE AMENDING AND SUPPLEMENTING SECTIONS 134-27 (HOUSING) AND 192-12 (VEHICLES AND TRAFFIC) OF THE REVISED CODE OF THE TOWNSHIP OF IRVINGTON

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

SECTION 1. Section 134-27 of the Revised Code of the Township of Irvington is hereby amended and supplemented to provide as follows:

[134-27 Parking on residential Lawns/Property.](#)

No person shall park or cause to be parked any type of motor vehicle in/on residential lawns, rear yards, front yards, side yards, across sidewalks, across driveways, across garages, across carports etc.

Nor shall they jump the curb (driving over a curb without an apron) to park in areas that are not delineated as parking spaces on residential properties.

SECTION 2. Section 192 of the Revised Code of the Township of Irvington is hereby amended and supplemented to provide as follows:

[192-12 Parking prohibited at all times. \(Add section “D”\)](#)

A. No person shall park a vehicle at any time upon any of the streets or parts thereof described in Schedule I (§ [192-92](#)), attached to and made a part of this chapter.

B. No person shall park or cause to be parked any eighteen-wheeler vehicle and/or eighteen-wheeler cab in the Township of Irvington.

C. Bus vehicles.

D. (addition)

No person shall park or cause to be parked any type of motor vehicle in/on residential lawns, rear yards, front yards, side yards, across sidewalks, across driveways, across garages, across carports etc.

Nor shall they jump the curb (driving over a curb without an apron) to park in areas that are not delineated as parking spaces on residential properties.

SECTION 3. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. This ordinance shall take effect upon final passage and publication according to law.

The public hearing on this ordinance is now open.

There were no requests to be heard.

Jones – Hudley

Motion to close public hearing

Adopted

Absent: Burgess

Jones – Hudley

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

Adopted

Absent: Burgess

3. President Lyons: An ordinance to repeal resident permit parking on Argyle Terrace will be heard at this time. For the record this notice of hearing is identical to the first notice of hearing. The Clerk will read the ordinance by title.

AN ORDINANCE TO REPEAL ORDINANCES MC 3555 AND MC 3556 WHICH PROVIDED RESIDENTIAL PERMIT PARKING ON ARGYLE TERRACE

WHEREAS, Ordinances MC 3555 and MC 3556 collectively provided for residential permit parking on the entire length of Argyle Terrace from 8:00 P.M. to 8:00 A.M.; and

WHEREAS, residents of Argyle Terrace have petitioned the Municipal Council to repeal the resident permit parking on Argyle Terrace in its entirety:

NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL FO THE TOWNSHIP OF IRVINGTON that:

SECTION 1. Ordinances MC 3555 and MC 3556, providing for resident permit parking on the entire length of Argyle Terrace from 8:00 P.M. to 10:00 A.M., are hereby repealed in their entirety.

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.

Sheri Brown, 18 Argyle Terrace
Beverly Beckwith, 39 Argyle Terrace

Cox – Lyons Motion to close public hearing

Adopted
Absent: Burgess

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

Council Members Frederic, Inman and Council President Lyons spoke.

Adopted
Abstain: Inman
Absent: Burgess

C. Bills & Claims

Jones – Cox 1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD AUGUST 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	\$10,170,221.58
SUPPLEMENTAL	65,822.69

TOTAL \$10,236,044.27

Adopted
Abstain: Inman
Absent: Burgess

9. Resolutions & Motions

A. Resolutions

President Lyons: The Calendar Year 2017 Municipal Budget was introduced on June 27, 2017, published in summary form in the Irvington Herald on July 20, 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 2017 Calendar Year Municipal Budget by title

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

The public hearing on the Calendar Year 2017 Municipal Budget is now open.

Elouise McDaniel, 214 Nesbit Terrace
Kathleen Witcher, 14 Garwood Place

Lyons – Cox Motion to close public hearing

Adopted
Absent: Burgess

Lyons – Cox 32. Authorize Amendment to Calendar Year 2017 Municipal Budget

**Township of Irvington
County of Essex
Resolution to Amend Budget**

WHEREAS, the local Municipal Budget for the CY 2017 was approved on 27th day of June, 2017, and

WHEREAS, the public hearing on a said Budget has been held as advertised, on August 15, 2017 and

WHEREAS, it is desires to amend said approved Budget.

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Township of Irlington, County of Essex, that the following amendments to the approved Budget of CY 2017 be made:

	<u>From</u>	<u>To</u>
<u>General Revenues</u>		
1. Surplus Anticipated	-	-
2. Surplus Anticipated with Prior Written Consent of Director of Local Government Services	-	-
3. Miscellaneous Revenue-Section A: Local Revenue		
Fees & Permits	835,500.00	925,000.00
Interest & Cost On Taxes	1,580,000.00	1,616,500.00
Parking Meters	174,000.00	171,000.00
Total Section A: Local Revenue	11,030,525.38	11,153,525.38
3. Miscellaneous Revenue-Section B: State Aid Without Offsetting Appropriations		
State School Building Aid Allowance	1,546,529.00	-
Total Section B: Local Revenue	13,187,698.00	11,641,169.00
3. Miscellaneous Revenue-Sections C: Dedicated Uniform Construction Code Fees		
Offset with Appropriations		
Uniform Construction Code Fees	605,000.00	591,000.00
Total Section C: Local Revenue	605,000.00	591,000.00
3. Miscellaneous Revenues - Section F: Special Items of General Revenue Anticipated with Prior written Consent of Director of Local Government Services- Public and Private		
Revenues Offset with Appropriations: State & Federal Grants		
<u>Unappropriated Grants</u>		
Clean Communities	-	86,161.14
County of Essex - SSH Block Grant	115,000.00	172,500.00
County of Essex - Service Block Grant	60,000.00	90,000.00
Total Section F: Special Items of General Revenue Anticipated, Public and Private		
Revenue Offset with Appropriations:	2,670,466.51	2,844,127.65
3. Miscellaneous Revenue - Section G: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Other Special items:		
Payment In Lieu of Taxes	234,990.03	233,500.00
State School Building Aid Allowance	-	1,546,529.00
Total Section G: Special Items of General revenue anticipated with prior written consent of the Director of Local	4,454,713.66	5,999,752.63

Government Services		
4. Receipts from Delinquent Taxes	3,400,000.00	3,399,471.87
Summary of Revenues		
1. Total Surplus Anticipated	-	-
2. Surplus Anticipated with Prior Witten Consent of Director of Local Government Services	-	-
3. Miscellaneous Revenues:		
Total Section A: Local Revenue:	11,030,525.38	11,153,525.38
Total Section B: State Aid without Offsetting Appropriations:	13,187,698.00	11,641,169.00
Total Section C: Dedicated Uniform Construction Code Fees offset with Appropriations	605,000.00	591,000.00
Total Section D: Special Items of General Revenue, Inter local Muni. Services	-	-
Total Section E: Special Items of General Revenue, Additional Revenues	-	-
Total Section F: Special Items of General Revenue, Public and Private Revenue	2,670,466.51	2,844,127.65
Total Section G: Special items of General Revenue, Other Special Items	4,454,713.66	5,999,752.63
Total Miscellaneous Revenue	31,948,403.55	32,229,574.66
4. Receipts from Delinquent Taxes	3,400,000.00	3,399,471.87
5. Subtotal General Revenues (Items 1,2,3 and 4)	35,348,403.55	35,629,046.53
6. Amount to be Raised by Taxes for support of Municipal Budget:		
a) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes	71,354,826.62	71,411,703.87
b) Addition to Local District School Tax	2,544,279.25	2,544,279.25
c) Minimum Library Tax	683,175.66	683,175.66
7. TOTAL GENERAL REVENUES	\$ 109,930,685.08	\$ 110,268,205.31
8. GENERAL APPROPRIATIONS		
(A) Operations Within "CAPS"		-
Total Operations (Item 8 (A) Within "CAPS"	64,421,703.01	64,421,703.01
(E) Deferred Charges and Statutory Expenditures - Municipal Within "CAPS"		
STATUTORY EXPENDITURES		
Over -expenditure of Appropriations - 2016	2,651,145.08	2,802,960.73
Total Deferred Charges and Statutory Expenditures - Within "CAPS"	16,023,774.34	16,175,589.99
(H-1) Total General Appropriations for Municipal Purposes Within "CAPS"	80,445,477.35	80,597,293.00
8. GENERAL APPROPRIATIONS		
(A) Operations - Excluded from "CAPS"	-	-
Total Other Operations - Excluded from "CAPS"	6,208,083.00	6,208,083.00

(A) Operations - Excluded from "CAPS"		
Public and Private Programs Offset by Revenues		
Unappropriated Grants		
Clean Communities	-	86,161.14
County of Essex - SSH Block Grant	115,000.00	172,500.00
County of Essex - Service Block Grant	60,000.00	90,000.00
Total Public and Private Program Offset By Revenue	2,670,466.51	2,844,127.65
Total Operations Excluded from "CAPS"	8,878,549.51	9,052,210.65
8. General Appropriations		
(C) Total Capital Improvements - Excluded from "CAPS"		
Capital Improvement fund	-	-
Total Capital Improvements - Excluded from "CAPS"	-	-
(D) Municipal Debt Service - Excluded from "CAPS"		
Interest on Notes	395,976.00	396,325.76
Total Municipal Debt Service - Excluded from "CAPS"	10,895,581.07	10,895,930.83
(E) Deferred Charges - Municipal - Excluded from "CAPS"		
Emergency Authorizes 5 year- Terminal Payout	414,647.72	423,503.72
Total Deferred Charges - Municipal- Excluded from "CAPS"	414,647.72	423,503.72
(H-2) Total General Appropriations for Municipal Purposes Excluded from "CAPS"	20,188,778.30	20,371,645.20
(I) Type 1 District School Debt Services		
Total Local School Purposes	4,090,806.25	4,090,806.25
(O) Total General Appropriations - Excluded from "CAPS"	24,279,584.55	24,462,451.45
(L) Subtotal General Appropriations {items (H-1) and (O)}	104,725,061.90	105,059,744.45
(M) Reserve for Uncollected Taxes	5,205,623.18	5,205,623.18
9. Total General Appropriation	\$ 109,930,685.08	\$ 110,265,367.63
Summary of Appropriations:		
(H-1) Total General Appropriations for		
Municipal Purposes within "CAPS"	80,445,477.35	80,597,293.00
(a) Operations - Excluded from "CAPS"	-	-
Other Operations	6,208,083.00	6,208,083.00
Public & Private Progs Offset by Revenues	2,670,466.51	2,844,127.65
(C) Capital Improvement	-	-
(D) Municipal Debt Service	10,895,581.07	10,895,930.83
(E) Total Deferred & Statutory Charges - Excluded from "CAPS"	414,647.72	423,503.72

(F) Judgments	-	-
(G) Cash Deficit - With Prior Consent of LFB	-	-
(K) Local District School Purpose	4,090,806.25	4,090,806.25
(N) Transferred to Board of Education	-	-
(M) Reserve for Uncollected Taxes	5,205,623.18	5,208,460.86
9. Total General Appropriation	\$ 109,930,685.08	\$ 110,268,205.31

BE IT FURTHER RESOLVED, that three certified copies of this resolution be filed in the Office of the Director of the Division of Local Government Services for his certification of the 2017 Local Municipal Budget so amended.

It is hereby certified that this is a true copy of resolution amending the budget, adopted by the Governing Body on 15th day of August, 2017.

Harold Wiener, Municipal Clerk

It is hereby certified that all changes are in proof and the budget remains in balance.

Faheem J. Ra' Oof, CPA, Director of Revenue & Finance

Adopted
No: Inman
Absent: Burgess

Lyons – Cox Motion to adopt Calendar Year 2017 Municipal Budget as Amended

Council President Lyons spoke.

Adopted
No: Inman
Absent: Burgess

ALCOHOLIC BEVERAGE CONTROL BOARD

AUGUST 15, 2017

1. Chairman Cox calls the Meeting to Order

Roll Call

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

Absent: None

2. New Business

Lyons – Hudley A. Authorize Renewal of Plenary Retail Consumption License for the 2017-2018 Licensing Year – Brothers 521 Lounge and Cafe Corp., t/a Candy Girls Gentlemen's Club, 554 Lyons Avenue

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:

0709-33-047-002 Brothers 521 Lounge and Cafe Corp. 554 Lyons Avenue
t/a Candy Girls Gentlemen's Club

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; and

Adopted
No: Inman
Absent: Burgess

Lyons – Frederic B Authorize Renewal of Plenary Retail Distribution License for 2017-2018 – All Brothers Incorporated II, t/a All Brothers Liquors #2, 859 - 18th Avenue

WHEREAS, the following named individuals, partnerships or corporations, being applicants for Plenary Retail Consumption 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:

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 a representative of the License Bureau to the licensee.

Adopted
Absent: Burgess

D. Disciplinary Proceedings Against:

Point Tavern Inc.
712 Grove Street

Charges: 1.Failure to Produce Tax Stamp
2. Failure to Conspicuously Display License
3. Failure to Provide Application

Plea: Not Received

NOTICE TO LICENSEE OF CHARGES AND HEARING
Township of Irvington Township

TO: Point Tavern Inc.
712 Grove Street
Irvington, New Jersey 07111

License Name: Point Tavern Inc.
License Number 0709-33-030-003
Trade Name: Point Tavern

TAKE NOTICE, that the following charges are preferred against you:

1. On December 20, 2015 you failed to produce the Tax Stamp in violation of N.J.S.A. 33:1-31(e). The penalty for this violation is one (1) day suspension; and
2. On the same day, you failed to have your license conspicuously displayed in violation of N.J.A.C. 13:2-23.13(a)1. The penalty for this violation is one (1) day suspension; and
3. In addition, on the same day, you failed to provide a copy of the most recent full application in violation of N.J.A.C. 13:2-23.13(a)2. The penalty for this violation is one (1) day suspension.

TAKE FURTHER NOTICE, that a hearing will be held pursuant to N.J.S.A. 33:1-31 at the Irvington Municipal Building, Civic Square, Irvington, New Jersey 07111 on August 15, 2017 at 8:00 P.M., or as soon thereafter as the matter may be reached, at which time and place you will be afforded full opportunity to be heard on the foregoing charge(s) and to show cause why Point Tavern Inc License Number 0709-33-030-003 issued to you by the Township of Irvington should not be suspended or revoked.

You must enter a plea of guilty or non vult or not guilty not later than August 9, 2017 at 9:30 A.M., or at any time before that date. The plea may be submitted by letter, provided that it reaches us not later than that date.

Township of Irvington

By: Harold Wiener
ABC Secretary

Evelyn Onyeani, Esq., Assistant Township Attorney, represented the Township of Irvington and indicated that she was requesting that the matter be adjourned until proof of service could be produced by the Public Safety Department.

The meeting was recessed at 9:00 P.M. and was resumed at 9:03 P.M.

Commissioner Lyons moved that this matter be adjourned until proof of service could be produced by the Public Safety Department, seconded by Chairman Cox and adopted by the following vote:

YES: Frederic, Hudley, Inman, Jones, Lyons, Chairman Cox

NO: None

ABSENT: Burgess

E. Disciplinary Proceedings Against:

Mariela Inc/Paradizio
1053 Clinton Avenue

Charges: 1. Caused or Allowed Narcotics Activity to Take Place on Licensed Premises
2. Allowed Narcotic Paraphernalia on Licensed Premises
3. Failure to Conspicuously Display License
4. Failure to Produce Complete Employee List

Plea: Guilty – Charges 1, 3 and 4

Charge 2 – Recommendation by Prosecuting Attorney to Withdraw in

Lieu

of Guilty Pleas to Charges 1, 3 and 4

ABC Board Commissioner Lyons stated for the record that he was recusing himself from this matter and left the meeting at this point.

NOTICE TO LICENSEE OF CHARGES AND HEARING
Township of Irvington Township

TO: Mariela Inc/Paradizio
1053 Clinton Avenue
Irvington, New Jersey 07111

License Name: Mariela Inc.
License Number 0709-33-055-006
Trade Name: Paradizio

TAKE NOTICE, that the following charges are preferred against you:

1. On September 25, 2015 you caused or allowed narcotics activity to take place on the licensed premises in violation of N.J.A.C. 13-23-5(b). The penalty for this violation is ninety (90) days suspension; and
2. On September 25, 2015 you caused or allowed narcotics activity to take place on the licensed premises allowed narcotic paraphernalia on the licensed premises failed to have your license conspicuously displayed failed to produce a complete employee list in violation of N.J.A.C. 13-2-23.5(b). The penalty for this violation is ninety (90) days suspension; and
3. On December 19, 2015 you failed to have your license conspicuously displayed in violation of N.J.A.C. 13:2-23.13(a)1. The penalty for this violation is one (1) day suspension; and
4. On December 19, 2015 you failed to produce a complete employee list in violation of N.J.A.C. 13:2-23-13 (a) 3. The penalty for this charge is one (1) day license suspension; and

TAKE FURTHER NOTICE, that a hearing will be held pursuant to N.J.S.A. 33:1-31 at the Irvington Municipal Building, Civic Square, Irvington, New Jersey 07111 on July 11, 2017 at 8:00 P.M., or as soon thereafter as the matter may be reached, at which time and place you will be afforded full opportunity to be heard on the foregoing charge(s) and to show cause why Mariela Inc./Paradizio License Number 0709-33-055-006 issued to you by the Township of Irvington should not be suspended or revoked.

You must enter a plea of guilty or non vult or not guilty not later than July 5, 2017, 9:30 A.M., or at any time before that date. The plea may be submitted by letter, provided that it reaches us not later than that date.

Township of Irvington

By: Harold Wiener
ABC Secretary

The license holder appeared pro se and entered a plea of not guilty to charge 2 and guilty to charges 1, 3 and 4.

Evelyn Onyeani, Esq., Assistant Township Attorney, represented the Township of Irvington and recommended that charge 2 be dismissed in lieu of the guilty pleas to charges 1, 3 and 4.

At 9:08 P.M., Chairman Cox made a motion to adopt the below resolution, seconded by Commissioner Jones, and the ABC Board went into Executive Session in the Township Clerk's Office with Mr. Wiener and Attorneys Hasan and Onyeani.

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances;

WHEREAS, this public body is of the opinion that such circumstances presently exist:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL ACTING AS THE ALCOHOLIC BEVERAGE CONTROL BOARD OF THE TOWNSHIP OF IRVINGTON, COUNTY OF ESSEX, STATE OF NEW JERSEY as follows:

1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matter.
2. The general nature of the subject matter to be discussed is as follows quasi-judicial deliberations.
3. It is anticipated at this time that the above stated subject matter will be made public upon the adoption of a resolution and order of the local Alcoholic Beverage Control Board.
4. This resolution shall take effect immediately.

Adopted

Absent: Burgess, Lyons

At 9:23 P.M. the ABC Board meeting resumed and following a brief discussion Chairman Cox made a motion that this matter be adjourned without a specific date in order the Attorney Onyeani to meet with the attorney for the corporate licensee, seconded by Commissioner Frederic and adopted by the following vote:

YES: Frederic, Hudley, Inman, Jones, Chairman Cox

NO: None

ABSENT: Burgess, Lyons

3. Adjournment.

REGULAR COUNCIL MEETING NON-CONSENT AGENDA (CONTINUED)

NOTE: Council President Lyons returned to the regular meeting of the Municipal Council upon the adjournment of the ABC Board meeting.

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

Rodney White, 41 Durand Place

Cathy Steele – 33 – 43rd Street
Whitney E. Wilcher, 219 Park Place

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

13. Adjournment

There being no further business, the meeting was adjourned at 9:28 P.M.

David Lyons, Council President

Harold E. Wiener, Municipal Clerk