

REGULAR COUNCIL MEETING
OCTOBER 11, 2017

Council Chamber, Municipal Building
Irvington, N.J. – Wednesday Evening
October 11, 2017 - 8:00 P.M.

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

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

Absent: Paul Inman (excused)

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

5. Hearing of Council Members

Council Member Cox responded to the issues raised by the above referenced citizen.

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

A. Reports

1. Minutes – Directors' Meeting – September 26, 2017
2. Joint Meeting – 4th Quarter Assessment
3. Calendar Year 2016 Annual Audit Report

7. Reports of Committees

A. Results of Request for Proposals for Various Professional Services – September 28, 2017

8. Ordinances, Bills & Claims

A. Ordinances on 1st Reading

None

C. Bills & Claims

Jones – Lyons 1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD OCTOBER 11, 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	\$2,231,525.81
TOTAL	\$2,231,525.81

Adopted
Absent: Inman

Jones – Frederic 2. Payrolls

September 9, 2017 through September 22, 2017

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$642,475.99	\$34,719.85	\$77,440.41	\$754,636.25

September 10, 2017 through September 30, 2017

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$942,849.17	\$62,648.18	\$75,745.14	\$1,081,242.49

Adopted
Absent: Inman

9. Resolutions & Motions

A. Resolutions

Burgess - Frederic 1. Commemoration – Make a Difference Day – October 22, 2017

MAKE A DIFFERENCE DAY
2017

WHEREAS, "Make A Difference Day" was created in 1992 by USA WEEKEND, in partnership with The Points of Light Foundation, as a unique program to challenge and reward volunteers and it is the most encompassing day of service in the nation with more than one million volunteers participating annually; and

WHEREAS, USA WEEKEND magazine and its affiliate newspapers and The Points of Light Foundation and its affiliate volunteer centers have joined to promote an annual national day of doing good that celebrates and strengthens the spirit of volunteer service; and

WHEREAS, serious social problems concern our nation and threaten its future and volunteer service is an investment in the future we all must share; and

WHEREAS, connecting with others and working together through volunteer service can bridge the differences that separate people and help solve serious social problems; and

WHEREAS, Americans are asked to spend the fourth Saturday in October "making a difference" in their communities and as a result every state has been improved and millions have benefited and will continue to benefit; and

WHEREAS, we, the American people, have a tradition of philanthropy and volunteerism; and

WHEREAS, millions of self-sacrificing individuals will touch and enhance the lives of millions on the ninth annual day of doing good by giving where there is a need, rebuilding what had been torn down, teaching where there is a desire to learn and inspiring those who had lost hope; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Municipal Council hereby commemorates October 28, 2017 as "Make A Difference Day" in the Township of Irvington and applauds all the volunteers in our Township, our State and in our Nation as this is an investment in the future we all must share;

BE IT FURTHER RESOLVED that a copy of this resolution be recorded in the minutes of the Municipal Council of the Township of Irvington in honor of "Make a Difference Day" and urges fellow citizens to observe this day by connecting with friends, fellow employees and relatives and with religious, school and civic groups to engage in projects benefiting this community.

Adopted
Absent: Inman

Burgess - Frederic 2. Commemoration - National Feral Cat Day - October 16, 2017

A RESOLUTION RECOGNIZING OCTOBER 16, 2017 AS "NATIONAL FERAL CAT DAY."

WHEREAS, "National Feral Cat Day" is a day dedicated to educating communities about feral cat population control, including trap-neuter-return (TNR), the most humane and effective means of reducing feral cat populations; and

WHEREAS, TNR stops the cycle of breeding, eliminates the killing of healthy animals and greatly reduces complaints about costs associated with feral cats; and

WHEREAS, scientific evidence and experience in the United States and other countries demonstrates that non-lethal TNR accompanied by ongoing feral cat colony management is the only lasting way to reduce feral cat population; and

WHEREAS, caring individuals and groups are effectively applying TNR to feral cat colonies in this Commonwealth; and

WHEREAS, the Township of Irvington encourages non-lethal TNR accompanied by ongoing feral cat management as the most effective, humane method of reducing feral cat populations in this Township:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington hereby recognizes October 16, 2017, as "National Feral Cat Day" and calls upon the people of the Township of Irvington to participate in the spaying and neutering of feral and stray cats in their neighborhoods.

Adopted
Absent: Inman

Cox – Lyons 3. Ratify Calendar Year 2016 Annual Audit Report

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the Calendar Year 2016 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirement of N.J.S. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the Annual Audit entitled: GENERAL COMMENTS AND RECOMMENDATIONS

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the

State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 - to wit:

R.S. 52:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,0000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE, BE IT RESOLVED THAT THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON OCTOBER 11, 2017.

Harold E. Wiener, R.M.C. #C-0327, M.M.C., Municipal Clerk

Adopted
Absent: Inman

Cox – Burgess 4. Authorize Change Order for Additional Professional Architectural Services for the Emergency Operations Center – The Musial Group, Inc. - Increase Contract Price By \$4,136.50

RESOLUTION TO APPROVE CHANGE ORDER NO. A-1 FOR THE EMERGENCY OPERATIONS CENTER AT FIRE STATION NO. 3 (WAGNER PLACE)

WHEREAS, the Township received a grant in the amount of \$ 1,000,000.00 from the Federal Emergency Management Agency (FEMA) for the creation of an Emergency Operation Center; and

WHEREAS, the project will require the rehabilitation of an existing township building, Wagner Place Fire Station (Firehouse No. 3) and the ability to prepare plans and specification for this project are beyond the capabilities of Township Staff; and a contract for this project was awarded on March 24, 2014 to Salazar & Associates, Inc., 625 Rahway Avenue, Suite 1A, Union, NJ 07083 at their bid price of \$ 865,163.00; and

WHEREAS, the Township Engineer prepared a Request for Quotes for professional services for this project and five quotes were received for this work with the quote of The Musial Group, Inc. of Mountainside, NJ was determined to be the most cost effective quote to perform these services at a total fee of \$ 54, 450.00 and a professional services contract was awarded to The Musial Group as Resolution DPW 12-0424-5; and

WHEREAS, during the course of the project a decision was made to expand the area of the project as well as address a cracking condition on the exterior of the building, both conditions being beyond the original scope of the professional services contract, amounting in a change order of \$ 4,136.50; and

WHEREAS, this design work resulted in a change order for the contractor for this project, Salazar Associates; and

WHEREAS, the Township Engineer has reviewed this request for a change and found that the change order cost is a reasonable cost and recommends the approval of this change order.

NOW, THEREFORE BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a change order, Change Order A-1 for additional professional services for the Emergency Operation Center for The Musial Group, Inc. of Mountainside, NJ in the total amount of \$ 4,136.50 is hereby approved so that the professional services contract of The Musial Group be amended by 7.5%.

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:34-5.2, the required Certificate of Availability of Funds No.C7-00273 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 in the amount of \$ 4,136.50 is Account No. 7-01-21-165-165-118.

Adopted
Absent: Inman

Frederic – Hudley 5. Authorize On-Line Auction of Obsolete Equipment With Govdeals

AUTHORIZE DISPOSAL OF OLD/UNUSED EQUIPMENT WITH GOVDEAL

WHEREAS, the Township of Irvington is the owner of certain equipment that is no longer being used; and

WHEREAS, the Township of Irvington is desirous of selling said equipment in an "as is" condition without express or implied warranties.

NOW THEREFORE BE IT RESLOVED, by the Township of Irvington, in the County of Essex, as follows:

(1) The sale of old/used equipment shall be conducted through Govdeals pursuant to State of Contract A-83453/T2581 in accordance with the terms and conditions of the

State Contract. The terms and conditions of the agreement entered into with Govdeals is available online at govdeals.com and also available in the Division of Purchasing.

(2) The sale will be conducted online and the address of the auction site is govdeals.com.

(3) The sale is being conducted pursuant to Local Finance Notice 2008-9.

(4) A complete list of the old/used equipment is attached to this resolution, herein apart of the record.

(5) The equipment on the attached list shall be sold in an "as is" condition without express or implied warranties with the successful bidder required to executed a Hold Harmless and Indemnification agreement concerning use of said surplus property.

(6) The Township of Irvington reserves the right to accept or reject any bid submitted.

(7) In the event that no bids are received, the Purchasing Agent is authorized to dispose of same for the benefit of the Township.

Adopted

Absent: Inman

Jones – Hudley 6. Authorized Shared Services Agreement With Essex County for Construction of a Salt Dome

SHARED SERVICES AGREEMENT BETWEEN THE COUNTY OF ESSEX AND THE TOWNSHIP OF IRVINGTON FOR THE CONSTRUCTION AND USE OF A SALT DOME IN IRVINGTON TOWNSHIP

WHEREAS, the Township of Irvington is in need of constructing a new Salt Dome; and

WHEREAS, the County of Essex desires the occasional use of the Salt Dome during times of emergencies such as winter storms and/or when the County salt requirements exceed the supply of salt readily available to the County; and

WHEREAS, the Township of Irvington is willing to extend such occasional emergency use to the County of Essex should the County of Essex contribute to the cost of constructing the Salt Dome; and

WHEREAS, it has been determined that the most expeditious way to proceed with the project would be as a joint venture ("Shared Services Agreement"), with Irvington Township advertising for receipt of bids then building and constructing the salt dome and the County would reimburse the Township for said construction; and

WHEREAS, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1. et seq.) authorizes and empowers the County and the Township to enter into this Agreement for the purposes of sharing services contemplated by this Agreement;

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a shared-service agreement between the Township and the County of Essex is hereby authorized for the construction and use of a Salt Dome; and

BE IT RESOLVED that the Township Attorney is hereby authorized and directed to review and approve this shared-service agreement and the Mayor and Township Clerk are authorized and directed to sign the same.

Adopted
Absent: Inman

Burgess – Hudley 7. Resolution of Sorrow – Dolores Watts Williams

**RESOLUTION OF SORROW
DOLORES WATTS WILLIAMS**

WHEREAS, the Municipal Council of the Township of Irvington wishes to express their deepest sorrow on the passing of Dolores Watts Williams; and

WHEREAS, Dolores Watts Williams, affectionately known as “Tootsie” was born April 17, 1938 to the late Carrie and James Madison, who was the first family to move to Riverview Court, “Down Neck” area of the City of Newark, New Jersey; and

WHEREAS, she attended Monmouth Street Elementary School and Hawkins Street Elementary School and she was a graduate of East Side High School. During her collegiate years she attended Essex County College, Rutgers University and Bloomfield College; and

WHEREAS, in the mid-1950’s, Dolores met Mr. Irvin Williams and after a short courtship they married and of this union were born four beautiful children; Mikhail Muhammed, Cheryl, Eric and Lorrie. A phenomenal mother and wife, Dolores showered her family and friends with unconditional love and devotion and instilled into her children a love for family, a sense of community and a sense of self-worth, qualities they will carry throughout their lives, which they will pass onto Dolores’ grandchildren and great-grandchildren; and

WHEREAS, during the late 1960’s, Dolores began her professional career in the City of Newark, New Jersey as a trainee with the Model City Anti-Poverty Program. She excelled throughout her tenure holding an array of positions and receiving numerous accolades commemorating her contributions; and

WHEREAS, in the 1970’s, Dolores was instrumental in the political arena of former Mayor Kenneth A. Gibson, and the late Councilman Donald K. Tucker, who pushed her to greatness; and

WHEREAS, after thirty-two years of dedicated insurmountable service, in 1986, Dolores retired from the position of Contract Procurement Officer in the Department of Economic and Housing Development in the Division of Housing Assistance; and

WHEREAS, she was a member of Christian Pentecostal Church of Christ in Irvington and served her community with resilient dedication; and

WHEREAS, she was a tremendously talented cook, seamstress, singer, crocheter and advocate of free knowledge in order to improve the quality of life for others. She felt enormous pride in her prominent role the “Down Neck Crew”, a group responsible for coordinating most of the affairs in her home, with her close childhood friends Louis, Lillian, Alma, Blue, Pat, Carlotta, Dorothy, Lorraine, Bernice, Diane, Irma, Bunny and the late Sidney, Charlie and Kenny; and

WHEREAS, Dolores was preceded in death by her parents Carrie and James Madison, husband Irvin Williams, daughter Cheryl Williams, favorite uncle and aunt Samuel Upshaw and Lillian Upshaw and her late cousin Karen Durant; and

WHEREAS, Dolores leaves to cherish her memory one sister, Joan Ford (George), her children Mikhail Muhammed (Fahimah), Eric Williams (Lori), Lorrie A. Williams (Tony), grandchildren Taneesha (Travis Winfrey), Aminah, Deshawn, Tanisha, Eric, Jadeyn, Nadiyah, Nafisah, Iman, Jennah, Abdul, Rafiq, Nusir, Zainab and Malak, her great-grandchildren Tayla and Yasir, and a host of extended grandchildren, extended family and friends:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington hereby joins with the friends and family of Dolores Watts Williams in their time 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 Dolores Watts Williams.

Adopted
Absent: Inman

Frederic – Hudley 8. Authorize Application for 2018 Transportation Trust Fund

Resolution to Approve an Application for the 2018
Transportation Trust Fund Program

WHEREAS, The New Jersey Department of Transportation (NJDOT) , through the Transportation Trust Fund Program, offers local municipalities the ability to apply for grants for road resurfacing and reconstruction for local streets, and;

WHEREAS, the Township Engineer, acting on the direction of the Mayor, has reviewed several streets for inclusion in this program and has prepared estimates of various roads within the Township for inclusion in this program, specifically,

<u>Street</u>	<u>Estimated Cost of Construction</u>
Yale Avenue, Entire length	\$ 222,235.00
Cummings Street, Entire Length	\$ 194,350.00
Orchard Place, Entire Length	\$ 88,580.00
Nesbit Terrace, Lyons Avenue to Chancellor Avenue	\$ 229,000.00
University Place, Entire Length	\$ 178,250.00
Fuller Place, Entire Length	\$ 142,600.00
Vermont Avenue, Entire Length	\$ 445,350.00

For a total grant request of \$ 1,693,835.00

NOW, THEREFORE BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that an application for participation in the 2018 Transportation Trust Fund Program, in the amount of \$ 1,693,835.00 is authorized and that the Mayor is authorized to endorse such a grant on behalf of the Township.

Adopted
Absent: Inman

Hudley – Burgess 9. Authorize Submission of 2018 Resurfacing Program Project in the New Jersey Department of Transportation's SAGE System

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the 2018 Resurfacing Program project.

NOW, THEREFORE, BE IT RESOLVED that Council of the Township of Irvington formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as determined by the application ID from NJDOT SAGE system to the New Jersey Department of Transportation on behalf of Township of Irvington.

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Township of Irvington and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Council
On this 11th day of October, 2017

Harold E. Wiener. Municipal Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

(Clerk)

(Presiding Officer)

Adopted

Absent: Inman

Cox – Burgess 10. Authorize Amendment to Memorandum of Understanding between With the International Union of Operating Engineers Local 825

RESOLUTION AMENDING MEMORANDUM OF UNDERSTANDING BETWEEN THE TOWNSHIP OF IRVINGTON AND INTERNATIONAL UNION OF OPERATING ENGINEERS LOCAL 825

WHEREAS, on February 23, 2016, the Township approved resolution number DHS 16-0223-2 for temporary/part time employees; and

WHEREAS, International Union of Operating Engineers Local 825 employ the required employees to operate powered equipment used in demolition, construction and tree removal; and

WHEREAS, effective July 01, 2017, International Union of Operating Engineers Local 825 increased its independent Outside Construction rates; and

WHEREAS, the MOU is hereby amended to include the new rate that the temporary/part time employees will be paid by the Township.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, that the attached Memorandum of Understanding is hereby amended to include the new independent construction contractor rate.

BE IT FURTHER RESOLVED, the Township Attorney will review and amend the Memorandum of Understanding; and

BE IT FURTHER RESOLVED, that the Municipal Clerk and Mayor is hereby authorized and directed to signed the amended MOU; and

BE IT FURTHER RESOLVED, this MOU will become effective upon the adoption of this resolution on February 24, 2017 until February 25, 2018.

Adopted

Absent: Inman

Burgess – Lyons 11. Authorize Appraisal Services Over the Pay to Play Threshold and Under the Public Bidding Threshold Based Upon Quotes – McNerney & Associates – Not to Exceed \$18,950.00

AUTHORIZING PURCHASE OVER THE PAY TO PLAY THRESHOLD OF \$17,500.00

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. 5:34-1 et seq; and,

WHEREAS, the Township has obtained two quotes for this service from Appraisal Depot, LLC, and McNerney & Associates, herein attached; and

WHEREAS, McNerney & Associates of 226 Harristown Road, #301, P.O. Box 67, Glen Rock, N.J. has provided the lowest quote of \$150.00 per hour; and

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

WHEREAS, McNerney & Associates has completed the Township C-271, elec reports and political disclosure forms. These forms are on file in the Division of Purchasing Office; and

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

NOW, THEREFORE, BE IT RESOLVED, 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 Chief Financial Officer will pay this vendor \$18,950.00 from account number 6-01-20-155-155-118.

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

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: Inman

A. Communications

1. New Jersey League of Municipalities – Recommendation for No Membership Dues Increase for Calendar Year 2018

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 resident permit parking on Denman Place from 6:00 P.M. to 6:00 A.M. will be heard at this time. The Clerk will read the notice of hearing.

The Clerk will read the ordinance by title.

AN ORDINANCE AMENDING PART II GENERAL LEGISLATION/CHAPTER 192, VEHICLES AND TRAFFIC/ARTICLE II, PARKING/SECTION 192-16.2 PARKING RESTRICTED FOR RESIDENTS; PARKING PERMIT REQUIRED; AND AMENDING 192-96.1

WHEREAS, the Township of Irvington has received complaints of its residents concerning the availability of resident parking between the hours of 6:00 P.M. and 6:00 A.M. seven days a week on the entire length of Denman Place; and

WHEREAS, the difficulty of the residents in this area to locate parking at or near their homes has caused undue hardship on the residents of this area

NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that parking shall be restricted and a parking permit required for residents between the hours of 6:00 P.M. and 6:00 A.M. seven days a week on the entire length of Denman Place; and

Permit parking will be allowed between the hours and days specified in Schedule VA. Section 192-96.1. This section of the Ordinance is hereby amended to include the entire length of Denman Place between the hours of 6:00 P.M. and 6:00 A.M. seven days a week.

Resident's vehicles must receive and display a valid parking permit provided by the Township of Irvington.

Vehicles parked in violation of this ordinance will be subject to towing and the vehicle owners shall be subject to a fine as set forth in Chapter 1, General Provisions, Article III.

All ordinances or parts thereof that are inconsistent herewith are hereby repealed.

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

The public hearing on this ordinance is now open.

There were no requests to be heard.

Cox – Hudley Motion to close public hearing

Adopted
Absent: Inman

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

Adopted
Absent: Inman

2. President Lyons: An ordinance establishing resident permit parking on Liberty Street from 7:00 P.M. to 7:00 A.M. will be heard at this time. For the record, this notice of hearing is identical to the first notice of hearing that was read. The Clerk will read the ordinance by title.

AN ORDINANCE AMENDING PART II GENERAL LEGISLATION/CHAPTER 192, VEHICLES AND TRAFFIC/ARTICLE II, PARKING/SECTION 192-16.2 PARKING RESTRICTED FOR RESIDENTS; PARKING PERMIT REQUIRED; AND AMENDING 192-96.1

WHEREAS, the Township of Irvington has received complaints of its residents concerning the availability of resident parking between the hours of 7:00 P.M. and 7:00 A.M. seven days a week on the entire length of Liberty Street; and

WHEREAS, the difficulty of the residents in this area to locate parking at or near their homes has caused undue hardship on the residents of this area

NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that parking shall be restricted and a parking permit required for residents between the hours of 7:00 P.M. and 7:00 A.M. seven days a week on the entire length of Liberty Street Place; and

Permit parking will be allowed between the hours and days specified in Schedule VA. Section 192-96.1. This section of the Ordinance is hereby amended to include the entire length of Liberty Street between the hours of 7:00 P.M. and 7:00 A.M. seven days a week.

Resident's vehicles must receive and display a valid parking permit provided by the Township of Irvington.

Vehicles parked in violation of this ordinance will be subject to towing and the vehicle owners shall be subject to a fine as set forth in Chapter 1, General Provisions, Article III.

All ordinances or parts thereof that are inconsistent herewith are hereby repealed.

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

The public hearing on this ordinance is now open.

There were no requests to be heard.

Lyons - Burgess Motion to close public hearing

Adopted
Absent: Inman

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

Adopted
Absent: Inman

3. President Lyons: An ordinance accepting a quick claim deed for 121 Ellis Avenue from Deliverance - Jesus is Coming Association will be heard at this time. For the record, this notice of hearing is identical to the first notice of hearing that was read. The Clerk will read the ordinance by title

AN ORDINANCE ACCEPTING A QUIT CLAIM DEED FOR 121 ELLIS AVENUE
IN THE TOWNSHIP OF IRVINGTON FROM DELIVERANCE-JESUS IS COMING
ASSOCIATION

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

WHEREAS, as a result of serious disrepair and the inability of Deliverance-Jesus Is Coming Association to financially maintain the property located at 121 Ellis Avenue, they would like to transfer ownership of said property to the Township of Irvington; and

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

WHEREAS, Deliverance-Jesus Is Coming Association now has deeded this property to the Township:

NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that it accepts the Deed from Deliverance-Jesus Is Coming Association to acquire title to 121 Ellis Avenue, Irvington, New Jersey, 07111, Block 207 and Lot 24 on behalf of the Township of Irvington and directs that the said property be placed on the Township's inventory of property owned by the Township.

The public hearing on this ordinance is now open.

There were no requests to be heard.

Jones - Burgess Motion to close public hearing

Adopted
Absent: Inman

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

Adopted
Absent: Inman

4. President Lyons: An ordinance accepting a quick claim deed for 125 – 127 – 21st Street from Paula Biggs will be heard at this time. For the record, this notice of hearing is identical to the first notice of hearing that was read. The Clerk will read the ordinance by title

**AN ORDINANCE ACCEPTING A QUIT CLAIM DEED FOR 125-127 21st STREET
IN THE TOWNSHIP OF IRVINGTON FROM PAULA BIGGS**

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

WHEREAS, as a result of serious disrepair and the inability of Mrs. Biggs to financially maintain the property located at 125-127 21st Street, she would like to transfer ownership of said property to the Township of Irvington; and

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

WHEREAS, Mrs. Biggs now has deeded this property to the Township:

NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that it accepts the Deed from Paula Biggs to acquire title to 125-127 21st Street, Irvington, New Jersey 07111, Block 156 and Lot 19 on behalf of the Township of Irvington and directs that the said property be placed on the Township's inventory of property owned by the Township.

The public hearing on this ordinance is now open.

There were no requests to be heard.

Burgess – Lyons Motion to close public hearing

Adopted
Absent: Inman

Burgess - Lyons

Motion to adopt this ordinance on second reading after public hearing

Adopted

Absent: Inman

5. President Lyons: An ordinance accepting a quick claim deed for 127 - 129 Ellis Avenue from James Everett, Jr. and Vanessa Everett will be heard at this time. For the record, this notice of hearing is identical to the first notice of hearing that was read. The Clerk will read the ordinance by title

AN ORDINANCE ACCEPTING A QUIT CLAIM DEED FOR 127-129 ELLIS AVENUE IN THE TOWNSHIP OF IRVINGTON FROM JAMES EVERETT JR. AND VANESSA EVERETT

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

WHEREAS, as a result of serious disrepair and the inability of Mr. and Mrs Everett to financially maintain the property located at 127-129 Ellis Avenue, they would like to transfer ownership of said property to the Township of Irvington; and

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

WHEREAS, Mr. and Mrs. Everett now has deeded this property to the Township:

NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that it accepts the Deed from James Everett Jr. and Vanessa Everett to acquire title to 127-129 Ellis Avenue, Irvington, New Jersey 07111, Block 207 and Lot 23.02 on behalf of the Township of Irvington and directs that the said property be placed on the Township's inventory of property owned by the Township.

The public hearing on this ordinance is now open.

There were no requests to be heard.

Cox – Jones

Motion to close public hearing

Absent: Inman

Adopted

Cox - Jones

Motion to adopt this ordinance on second reading after public hearing

Adopted

Absent: Inman

6. President Lyons: An ordinance accepting a quick claim deed for 161 – 19th Avenue from Newark-North Jersey Committee of Black Churchmen will be heard at this time. For the record, this notice of hearing is identical to the first notice of hearing that was read. The Clerk will read the ordinance by title

AN ORDINANCE ACCEPTING A QUIT CLAIM DEED FOR 161 19TH AVENUE IN THE TOWNSHIP OF IRVINGTON FROM NEWARK-NORTH JERSEY COMMITTEE OF BLACK CHURCHMEN

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

WHEREAS, as a result of serious disrepair and the inability of Newark-North Jersey Committee of Black Churchmen to financially maintain the property located at 161 19th Avenue, they would like to transfer ownership of said property to the Township of Irvington; and

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

WHEREAS, Newark-North Jersey Committee of Black Churchmen now has deeded this property to the Township:

NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that it accepts the Deed from Newark-North Jersey Committee of Black Churchmen to acquire title to 161 19th Avenue, Irvington, New Jersey 07111, Block 139 and Lot 17 on behalf of the Township of Irvington and directs that the said property be placed on the Township's inventory of property owned by the Township.

The public hearing on this ordinance is now open.

There were no requests to be heard.

Burgess - Hudley Motion to close public hearing

Adopted
Absent: Inman

Burgess - Hudley Motion to adopt this ordinance on second reading after public hearing

Adopted
Absent: Inman

7. President Lyons: An ordinance accepting a deed in lieu of foreclosure for 67 – 73 Hopkins Place from Sylvester and Rita Jackson will be heard at this time. For the record, this notice of hearing is

AN ORDINANCE OF THE TOWNSHIP OF IRVINGTON, COUNTY OF ESSEX,
STATE OF NEW JERSEY AMENDING THE TOWNSHIP CODE AT CHAPTER 65
"ANIMALS", PART 2 "WILDLIFE" TO INCLUDE A NEW SECTION, ENTITLED
"FERAL CAT TRAP, NEUTER, RETURN PROGRAM".

NOW THEREFORE BE IT ORDAINED by the Municipal Council of the Township of Irvington ("Township) as follows:

§ 65-25 Feral Cat Trap, Neuter, Return Program

A. Purpose.

To permit the implementation of a Trap-Neuter-Return (TNR) program the Township to reduce the population of feral cats, thereby, benefitting public health, improving the quality of life for residents, and ensuring the humane treatment of feral cats.

B. Definitions.

For the purpose of this section, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this article clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular, words used in the singular number include the plural number, and words in the male gender include the female gender. The word "shall" is always mandatory and not merely directory.

ABANDON

To forsake a cat entirely or neglect to provide appropriate care and support for a cat.

ANIMAL CONTROL OFFICER

Any person employed or appointed by the Township who is authorized to investigate violations of laws and regulations concerning animals, and to issue citations in accordance with New Jersey law and the Township Code.

CARETAKER

Any person who provides food, water or shelter to or otherwise cares for a cat, and who has been appropriately trained as a Caregiver.

DAYLIGHT HOURS

Hours during the day after dusk until dawn.

EAR TIPPING

Straight-line cutting of the tip of the left ear of a cat by a licensed veterinarian while the cat is anesthetized.

FERAL CAT

A cat that is completely or substantially unsocialized to humans and is not an owned or licensed cat.

FERAL CAT COLONY

A group of feral or stray cats that congregate together outside as a unit and share a common food source.

NUISANCE

Conduct by feral or stray cats that disturb the peace or causes any condition that threatens or endangers the health, safety, or well-being of persons or other animals, including but not limited to: (a) habitually or continually howling, crying or screaming, (b) molesting or interfering with persons in the public right-of-way, (c) the habitual and significant destruction, desecration or soiling of property against the wishes of the owner of the property or (d) attacking or injuring persons, or domestic animals.

DOMESTICATED CAT

A cat that is a companion to a person, is regularly fed and sheltered in that same person's habitation and carries visible indicia or ownership, including a collar or tag.

SUITABLE SHELTER

A structure that provides feral and stray cats with protection from the sun, cold, rain and other weather-related elements to protect the health of the cats.

STRAY CAT

A cat that is socialized to humans and is not an owned cat.

TNR

The method of managing feral and stray cats known as Trap, Neuter and Return.

TNR PROGRAM

A municipal program pursuant to which feral and stray cats are trapped, neutered or spayed, vaccinated against rabies, ear-tipped, and returned to the location where they were captured or congregated by a Caretaker in accordance with this Ordinance.

TOWNSHIP

Township of Irvington in the County of Essex, New Jersey or any agent acting on behalf of the Township of Irvington.

C. Abandonment Prohibited.

The owner of a cat shall not under any circumstances abandon a domesticated cat. Affirmatively placing a cat at the location of a feral cat colony on property belonging to another individual or entity shall be considered abandonment.

Engaging in Trap-Neuter-Return of feral cats in a manner consistent with the terms of this section shall not be considered abandonment.

D. Feral Cat Colonies.

A TNR Program shall be permitted and Caretakers shall be entitled to maintain feral cat colonies in accordance with the terms and conditions of this Ordinance.

E. Caretaker Requirements.

It shall be the responsibility of a Caretaker to:

- (1) Make reasonable efforts to trap all cats in a registered colony and have all trapped cats neutered or spayed, vaccinated against rabies and ear-tipped by a licensed veterinarian, as deemed medically necessary;
- (2) Keep and maintain vaccination, neuter/spay, and medical records for all trapped cats and provide the Township with copies of vaccination and neuter/spay records for all trapped cats upon request;
- (3) Provide adequate food and water on a regular basis to colony cats and make reasonable efforts to ensure suitable shelter for colony cats;
- (4) Obtain proper medical attention for any colony cat that appears to require it;
- (5) Make reasonable efforts to remove and place stray cats and kittens born to colony cats after they have been weaned in homes, foster homes, or with animal shelters, rescue organizations or veterinary offices for the purpose of subsequent permanent placement;
- (6) Make reasonable efforts to work with the Irvington Health Department via the Animal Control Officer(s) to resolve any complaints over the conduct of the Caretaker or of colony cats managed by the Caretaker;

F. Feeding of feral cats.

(1) Caretakers are required to feed the cats in their colonies as part of properly managing the colonies. As part of this requirement, Caretakers must:

- a. Feed only during daylight hours;
- b. Feed only the amount of food required by the cats in the colony;
- c. Leave food out for a maximum of one hour per feeding, no more than twice per day, which shall mean removing all food dishes after each one hour feeding.
- d. A bowl or similar small container with fresh water may be left out at all times; and
- e. Feeding must take place in the location least likely to cause a nuisance to tenants, neighbors, customers, and the general public.

(2) It shall be unlawful to feed feral cats who are not spayed/neutered, ear-tipped and vaccinated in accordance with this Section, unless the Caregiver is in the process of trying to trap the cats for spay/neuter, ear-tipping and vaccination. Animal Control Officer(s) shall be empowered to give a warning notice to any individual feeding one or more feral cats not spayed/neutered, ear-tipped and vaccinated in accordance with this Section. The warning notice shall require the individual to contact the Animal Control Officer(s) within fifteen (15) days to obtain assistance in getting the cat(s) spayed/neutered, ear-tipped and vaccinated in order to be brought into compliance with this ordinance. Failure to make such contact within fifteen (15) days and cooperate with

the Animal Control Officer(s) in meeting the requirements of this Section will subject the violator to a maximum fine of \$100 per cat, per offense.

G. Nuisance Abatement.

If an Animal Control Officer determines that an ear-tipped feral colony cat is causing a nuisance as defined by this Section, or state law. The Caretaker must begin nuisance abatement procedures within 48 hours after being notified of a nuisance by the Township and must take all reasonable steps to resolve the nuisance in as short a time period as possible, not to exceed thirty (30) days.

H. Disposition of Colony Cats. An Animal Control Officer that has trapped or received an ear-tipped cat from within the Municipality shall take reasonable steps to notify the Caretaker of the description and gender of the cat and of the address or location where the cat was captured. The Caretaker shall have up to three (3) business days to arrange for the cat to be retrieved from the temporary animal holding facility identified by the Animal Control Officer.

I. Ordinance Enforcement.

The Township and/or Animal Control Officer retain the right to:

(1) Seize or remove any cat from a colony that is demonstrating signs of rabies and is not up to date with rabies vaccinations;

(2) Investigate any nuisance complaint allegedly caused by a feral or stray cat or feral cat colony;

(3) Seize or remove a cat from a colony creating a nuisance as defined by this section or state law, after the Caretaker has been given thirty (30) days to abate the nuisance or remove the cat and have failed to do so;

(4) Seize and remove a registered feral cat colony if the Caretaker regularly fails to comply with the requirements of this section and does not correct the situation within thirty (30) days of being given written notice by the Township delineating the Caretaker's failures with specificity; and

(5) The requirements of this Section notwithstanding, the Animal Control Officer(s) may investigate any nuisance complaint. If an Animal Control Officer determines that an ear-tipped feral colony cat is causing a nuisance as defined by this section and the Caretaker fails to resolve the nuisance or remove the cat within thirty (30) days, the Animal Control Officer may remove the subject cat. If an Animal Control Officer reasonably determines that a cat is injured or poses a significant threat to public health, the Officer may reduce the time that the Caretaker has to resolve the complaint, as necessary to protect the cat and public health, before taking further action. In the case of an emergency, the Animal Control Officer or a law enforcement officer may remove the cat, but within 24 hours the Township must provide the Caretaker with notice of the cat's whereabouts and allow the Caretaker an opportunity to retrieve the cat for treatment, return, or relocation.

J. Trapping cats prohibited except as part of TNR Program.

It shall be unlawful for any individual to trap a cat other than for the purpose of complying with the requirements of the section. Individuals may not trap cats for the purpose of euthanizing the cats or surrendering the cats for impoundment. The Township reserves the right to collect a deposit on all traps loaned to Caretakers as part of this program, in accordance with rental procedures established by the Department of Health.

This section shall not apply to:

- (1) Local, State or Federal Officials and their agents trapping cats in the course of their employment contract; or
- (2) Any individual trying to recover his or her own lost cat through trapping on his or her own property or with permission of the property owner.

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 publication according to law.

The public hearing on this ordinance is now open.

Charlotte Galla, 567 Stuyvesant Avenue

Burgess – Frederic

Motion to close public hearing

Adopted

Absent: Inman

Burgess – Frederic

Motion to adopt this ordinance on second reading after public hearing

Council Member Frederic and Council President Lyons spoke.

Adopted

Absent: Inman

9. 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:

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.

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.

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.

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 table

Adopted

Absent: Inman

9. Resolutions and Motions

A. Resolutions

Hudley – Jones 12. Authorize Purchase of Fire Equipment Over the Public Bid Threshold of \$40,000.00 Through the New Jersey Cooperative Purchasing Program - ESI Equipment Inc – Total Amount Not To Exceed \$79,002.00

RESOLUTION AUTHORIZING THE PURCHASE OF FIRE EQUIPMENT THROUGH THE NEW JERSEY COOPERATIVE PURCHASING PROGRAM FOR TOTAL AMOUNT OF \$79,002.00

WHEREAS, the Township of Irvington, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program; and

WHEREAS, the Township wishes to purchase a new equipment for the Fire Department from State of New Jersey Contract number 80967; and

WHEREAS, the Township of Irvington intends to enter into contracts with ESI Equipment Inc.,
119 Keystone drive, Montgomeryville, PA 18936 through this resolution and properly executed purchase orders; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON hereby authorizes a service contract with ESI Equipment Inc., 119 Keystone drive, Montgomeryville, PA 18936 for an amount not to exceed \$79,002.00 and;

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

BE IT FURTHER RESOLVED, that the required certification of availability of funds C7-00270 in the amount of \$39,501.00 from account number T-21-41-850-17E-801 has been obtained from the Chief Financial Officer.

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

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

Adopted
Absent: Inman

ALCOHOLIC BEVERAGE CONTROL BOARD

OCTOBER 11, 2017

1. Chairman Cox called the meeting to order.

Roll Call

Present: Commissioners, Burgess, Frederic, Dr. Hudley, Jones, Lyons, Cox, Chair

Absent: Commissioner Inman (excused)

2. New Business

Cox – Lyons A. Authorize Transfer of Plenary Retail Distribution License From Shree Mata, Inc., trading as RaRajashri Wine to to Smruti Corporation, trading as Rajashri Wine & Liquor For Premises Located at 749-751 Lyons Avenue

WHEREAS, application has been made by Smruti Corporation, a corporation, trading as Rajashri Wine & Liquor, for the transfer of Plenary Retail Distribution License #0709-44-003-012, issued to Shree Mata, Inc., a corporation, trading as Rajashri Wine & Liquor, for the premises located at 749-751 Lyons Avenue, Irvington, New Jersey to Smruti Corporation, a corporation, trading as Rajashri Wine & Liquor, for the premises located at 749-751 Lyons Avenue, Irvington, New Jersey; and Shree Mata, Inc.,

WHEREAS, the applicant has complied with all applicable state statutes and regulations and Chapter 59, Section 21 of the Revised Code:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL ACTING AS THE ALCOHOLIC BEVERAGE CONTROL BOARD OF THE TOWNSHIP OF IRVINGTON that the application be and the same is hereby granted; that Plenary Retail Distribution License #0709-44-003-012 heretofore issued to Shree Mata, Inc., a corporation, trading as Rajashri Wine & Liquor for the premises located at 749-751 Lyons Avenue, Irvington, New Jersey be transferred over and to Smruti Corporation, a corporation, trading as Rajashri Wine & Liquor, for the premises located at 749-751 Lyons Avenue, Irvington, New Jersey; and

BE IT FURTHER RESOLVED that the License Bureau is hereby authorized to endorse the aforesaid license over and to Smruti Corporation, a corporation, trading as Rajashri Wine & Liquor, for the premises located at 749-751 Lyons Avenue, Irvington, New Jersey in accordance with N.J.A.C. 13:2-7.21.

FEE PAID: \$110.90

NEW LICENSE NUMBER: 0709-44-003-013

Effective Date of the Transfer: October 11, 2017

The applicant was interviewed by the ABC Board.

Adopted
Absent: Inman

3. Adjournment

12. Miscellaneous

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

Elouise McDaniel, 214 Nesbit Terrace
Charlotte Galla, 567 Stuyvesant Avenue
Lauren Agnew, Essex County Public Information Officer
Whitney Wilcher, 219 Park Place

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

13. Adjournment

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

David Lyons, Council President

Harold E. Wiener, Municipal Clerk