

REGULAR COUNCIL MEETING
JANUARY 9, 2018

Council Chamber, Municipal Building
Irvington, N.J. – Tuesday Evening
January 9, 2018 - 8:00 P.M.

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

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

Absent: None

President Lyons read the Statement of Proper Notice pursuant to the Sunshine Law.

4. Hearing of Citizens on Agenda Items Only (limited to three minutes per person and thirty minutes total)

There were no requests to be heard.

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 – December 27, 2017
2. Joint Meeting – 2018 Estimated Annual Assessment
3. Minutes - Joint Meeting – October 19, 2017

7. Reports of Committees

None

8. Ordinances, Bills & Claims

A. Ordinances on 1st Reading

None

B. Ordinances on 2nd Reading

None

C. Bills & Claims

Jones – Burgess 1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD JANUARY 9, 2018, AS ENUMERATED ON THIS LIST FOR MATERIALS, SUPPLIES AND SERVICES FURNISHED, DELIVERED AND/OR PERFORMED HAVE BEEN CERTIFIED BY THE DEPARTMENTS AS CORRECT, EACH CLAIM AND PURCHASE ORDER HAVE BEEN VERIFIED AND REVIEWED FOR THE AVAILABILITY OF FUNDS, ACCURACY OF ACCOUNT CODING AND COMPLETENESS BY THE ADMINISTRATION, THEREFORE:

BE IT RESOLVED, BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON THAT THE FOLLOWING BE PAID BY THE CHIEF FINANCIAL OFFICER:

BILL LIST	\$1,040,198.86
TOTAL	\$1,040,198.86

Adopted

Jones – Burgess 2. Payrolls

December 2, 2017 through December 15, 2017

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$622,571.26	\$43,751.90	\$86,141.61	\$752,464.77

December 10, 2017 through December 22, 2017

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$912,861.98	\$91,211.99	(-\$899.36)	\$1,003,174.61

Adopted

9. Resolutions & Motions

A. Resolutions

Jones – Cox 1. Commemoration – Dr. Martin Luther King, Jr. Day, 2018

**DR. MARTIN LUTHER KING JR.
33rd ANNUAL COMMEMORATIVE TRIBUTE**

WHEREAS, the President and Congress of the United States have designated the third Monday in January of each year as Dr. Martin Luther King, Jr. Day and to commemorate the January 15th birthday of this important leader of the Civil Rights Movement in our Country; and

WHEREAS, there is national recognition and respect for Dr. King's teachings and preachings of the principles of freedom, responsibilities of liberty, ideals of brotherhood, respect for human rights, promotion of social and economic cooperation and the need for international peace and security; and

WHEREAS, New Jersey has also adopted Dr. Martin Luther King, Jr. Day as a State Holiday and created a Commemorative Commission to honor Dr. King to enlighten the population of our State to the teachings and principals of Dr. King to relieve the burdens of illiteracy and poverty while offering the beacon of hope to the needy; and

WHEREAS, the Dr. Martin Luther King, Jr. Commemorative Committee of Irvington works diligently to preserve the name and promote the teachings of Dr. King, and this year will celebrate King its annual tribute:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington joins with all residents of this Country of ours in commemorating Dr. Martin Luther King, Jr. Day and proclaiming support for his teachings of freedom; brotherhood; love, not hate; ending poverty; working for peace, not war; and education to increase understanding; and

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Irvington Public Library for public display and to the Martin Luther King Jr. Commemorative Committee of Irvington to recognize their continuing efforts and programs in commemoration of Dr. King and in keeping the dream alive by acknowledging the annual tribute to Dr. Martin Luther King, Jr.

Adopted

Cox – Burgess 2. Authorize Professional Legal Services Contract in the Matter of Nicole Pinkney v. Chounette Louis v. Township of Irvington, et als, - Pawar Gilgallon & Ruddy, LLC, Not To Exceed \$10,000.00.

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

WHEREAS, resolution number TA 17-1227-53 qualified fifteen firms to provide litigation/defense counsel services for the Township of Irvington from November 01, 2017 until October 31, 2018; and

WHEREAS, the resolution requires that all cases assigned to counsel for this purpose must be approved by the Municipal Council; and

WHEREAS, the Township Attorney has determined that Pawar Gilgallon & Ruddy, LLC has the most experience to defend the Township of Irvington and Jamel C. Holley in the matter of Nicole Pinkney v. Chounette Louis v. Township of Irvington, et als, Docket No: ESX-L-5461-17 and

WHEREAS, the Township Attorney has recommended that a contract be awarded to Pawar Gilgallon & Ruddy, LLC, 6 South Street, Suite 201, Morristown, NJ, 07960; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Litigation/Defense counsel services be awarded to Pawar Gilgallon & Ruddy, LLC, 6 South Street, Suite 201, Morristown, NJ, 07960 for a contract amount not to exceed \$10,000.00. The billing rate for this contract is \$150.00 per hour; and

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

BE IT FURTHER RESOLVED, that funds for this service will paid from the Insurance fund for a contract amount not to exceed \$10,000.00. The billing rate for this contract is \$150.00 per hour.

Adopted

A. Communications

1. Mayor Vauss – Appointment – Acting Housing Services Director – Tharien F. Arnold

11. Pending Business

None

12. Miscellaneous

A. Bingos and Raffles

None

NON-CONSENT AGENDA ITEMS

9. Resolutions & Motions

A. Resolutions

Cox – Burgess 3. Authorize Professional Legal Services Contract in the Matter of JSL-Auto Sales, LLC. v. The Planning Board of the Township of Irvington - Lebowitz, Oleske, Connahan & Kassar, LLC - Not To Exceed \$5,000.00

RESOLUTION RATIFYING PROFESSIONAL SERVICES CONTRACT FOR LITIGATION/DEFENSE COUNSEL SERVICES

WHEREAS, resolution number TA 17-1024-45 qualified fourteen firms to provide litigation/defense counsel services for the Township of Irvington from November 01, 2017 until October 31, 2018; and

WHEREAS, the resolution requires that all cases assigned to counsel for this purpose must be approved by the Municipal Council; and

WHEREAS, the Township Attorney has determined that Lebowitz, Oleske, Connahan & Kassar, LLC. has the most experience to defend the Township of Irvington in the matter of JSL-AUTO SALES, LLC. v. The Planning Board of the Township of Irvington, Docket No: ESX-L-008093-17; and

WHEREAS, the Township Attorney has recommended that a contract be awarded to Lebowitz, Oleske, Connahan & Kassar, LLC, 34 Mountain Blvd., Bldg. A, Warren, NJ, 07059; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Litigation/Defense counsel services be awarded to Lebowitz, Oleske, Connahan & Kassar, LLC, 34 Mountain Blvd., Bldg. A, Warren, NJ, 07059 for a contract amount not to exceed \$5,000.00. The billing rate for this contract is \$150.00 per hour; and

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

BE IT FURTHER RESOLVED, that funds for this service will be paid from the Insurance fund for a contract amount not to exceed \$5,000.00. The billing rate for this contract is \$150.00 per hour.

Adopted

Abstain: Inman, Jones

Cox – Frederic 4. Authorize Professional Legal Services Contract in the Matter of SKT Management Limited Liability v. Township of Irvington, et als, - Eric M. Bernstein & Associates, LLC – Not To Exceed \$7,500.00

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

WHEREAS, resolution number TA 17-1024-45 qualified fourteen firms to provide litigation/defense counsel services for the Township of Irvington from November 01, 2017 until October 31, 2018; and

WHEREAS, the resolution requires that all cases assigned to counsel for this purpose must be approved by the Municipal Council; and

WHEREAS, the Township Attorney has determined that Eric M. Bernstein & Associates, LLC

has the most experience to defend the Township of Irvington in the matter of SKT Management Limited Liability v. Township of Irvington, et als, Docket No: ESX-L-8690-17 and

WHEREAS, the Township Attorney has recommended that a contract be awarded to Eric M. Bernstein & Associates, LLC, 34 Mountain Blvd., Bldg. A, Warren, NJ, 07059; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Litigation/Defense counsel services be awarded to Eric M. Bernstein & Associates, LLC, 34 Mountain Blvd., Bldg. A, Warren, NJ, 07059 for a contract amount not to exceed \$7,500.00. The billing rate for this contract is \$150.00 per hour; and

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

BE IT FURTHER RESOLVED, that funds for this service will paid from the Insurance fund for a contract amount not to exceed \$7,500.00. The billing rate for this contract is \$150.00 per hour.

Adopted
No: Inman, Lyons
Abstain: Jones

At this point a formal presentation of a resolution of sorrow for Derrick Rumlin was presented to his family members, after which all of the Council members spoke.

12. Miscellaneous

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

Rodney White, 41 Durand Place
Lauren Shears, Essex County Public Information Officer

All of the Council Members responded to issues raised by the above referenced speakers.

13. Adjournment

There being no further business, the meeting was adjourned at 8:24 P.M.

David Lyons, Council President

Harold E. Wiener, Municipal Clerk