

REGULAR COUNCIL MEETING
MAY 30, 2018

Council Chamber, Municipal Building
Irvington, N.J. – Wednesday Evening
May 30, 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 – May 15, 2018
2. Municipal Court Electronic Collections Report Through March, 2018
3. Minutes - Joint Meeting – March 15, 2018
4. Joint Meeting – Annual Operational Report - 2017
5. Irvington Public Library – 2015 Annual Audit Report
6. Municipal Clerk – Certification of May 8, 2018 Municipal Election Results

7. Reports of Committees

None

8. Ordinances, Bills & Claims

A. Ordinances on 1st Reading

None

9. Resolutions & Motions

A. Resolutions

Jones – Frederic 1. Establish Handicapped Parking Spaces in Front of 15 Osborne Place, 90 Fuller Place, and 57 Rutgers Street

WHEREAS, N.J.S.A. 39:4-197.5 provides that the Municipality may by resolution provide for restricted parking spaces in front of residences for use by any person who has been issued a special vehicle identification card pursuant to the provision of N.J.S.A. 39:4-205, when using a motor vehicle on which is displayed a certificate, for which a special vehicle identification card has been issued pursuant to N.J.S.A. 39:4-206; and

WHEREAS, requests have been made for restricted parking spaces in front of 15 Osborne Place, 90 Fuller Place, and 57 Rutgers Street:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a parking space restricted for use by any person who has been issued a special vehicle identification card pursuant to the provisions of N.J.S.A. 39:4-205, when using a motor vehicle on which is displayed a certificate, for which a special vehicle identification card has been issued pursuant to N.J.S.A. 36:4-206, be established in front of 15 Osborne Place, 90 Fuller Place, and 57 Rutgers Street; and

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

Adopted

Jones – Hudley 2. Authorize Removal of Handicapped Parking Spaces in Front of 85 Grant Place, 17 Standard Place, 288 Myrtle Avenue, 77 Smith Street, 37 Arverne Terrace, 1817 Walker Avenue and 29 Yale Avenue

WHEREAS, the Municipal Council has previously adopted resolutions which authorized handicapped parking spaces in front of 85 Grant Place, 17 Standard Place, 288 Myrtle Avenue 77 Smith Street, 37 Arverne Terrace, 1817 Walker Avenue and 29 Yale Avenue; and

WHEREAS, the Irvington Department of Public Safety Police Division has advised that said handicapped parking spaces should be removed due to the death of the handicapped individual, the inability to erect the proper signage or the relocation of the handicapped individual:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the restricted handicapped parking spaces heretofore

established in front of 85 Grant Place, 17 Standard Place, 288 Myrtle Avenue 77 Smith Street, 37 Arverne Terrace, 1817 Walker Avenue and 29 Yale Avenue be and the same is hereby rescinded.

Adopted

Cox – Burgess 3. Authorize Acceptance of Donated Clean Fill Material from Dallas Contracting Co., Inc.

A RESOLUTION ACCEPTING DONATED CERTIFIED CLEAN FILL SOIL

WHEREAS, Dallas Contracting Co. Inc has graciously offered to donate to the Township certified fill soil to be used as back-fill for residential structures after properties are demolished; and

WHEREAS, the Township Engineer has reviewed the analytical data of the native soil and confirmed that the soil is cleaned; and

WHEREAS, it is in the Township's best interest to accept the cleaned soil and to use it to back-fill residential structures after properties are demolished.

NOW, THEREFORE, BE IT RESOLVED by the Township of Irvington, County of Essex, New Jersey, to accept the cleaned soil for the purposes set forth above and thanks Dallas Contracting Co. Inc., for its generosity donation to the Township.

Adopted

Burgess – Jones 4. Authorize Professional Services Contract for Web Hosting and Other Special Services – Precise Virtual Development – July 13, 2018 until July 12, 2019 - Not To Exceed \$17,640.00

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

WHEREAS, request for proposals (RFP) for Webmaster service was publicly advertised in the New Jersey Star Ledger on April 10, 2018 with a deadline for proposals to be submitted on May 02, 2018; and

WHEREAS, one proposal was received and publicly opened; and

WHEREAS, said proposals were referred to Township Administrator; and

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

Craig Felder
Precise Virtual Development

30 Knightsbridge Road
Suite 525
Piscataway, NJ 08854

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for webmaster service be awarded to Precise Virtual Development, 30 Knightsbridge Road, Suite 525, Piscataway, NJ 08854 on the basis of their response to the request for an amount not to exceed \$17,640.00 starting July 13, 2018 until July 12, 2019; and

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

BE IT RESOLVED that the required Certification of Availability of Funds C8-00324 in the amount of \$4,000.00 from account number 8-01-20-100-100-299 has been obtained from the Chief Financial Officer for three months of service and the remaining balance will be certified upon adoption of the 2018 and 2019 calendar year budget.

Adopted

Burgess – Jones 5. Amend Resolution DA 17-0328-22 Authorizing a State Contract Lease Agreement – From Johnston Communication to Municipal Capital Finance - \$356,749.09

A RESOLUTION AMENDING RESOLUTION DA 17-0328-22 WHICH AUTHORIZED THE TOWNSHIP TO ENTER INTO A LEASE AGREEMENT WITH A STATE CONTRACT OVER THE BID THRESHOLD

WHEREAS, the Administration Department was in need new telephone system; and

WHEREAS, said telephone system exceeded the bid threshold; and

WHEREAS, the Business Administrator purchased the telephone system from Johnston Communication under State Contract number T-1316, solicitation number 21415; and

WHEREAS, Johnston Communication has advised the Township on May 10, 2018 that the lease payment for said telephone payment should be made directly to Municipal Capital Finance of 4600 Broadway, Allentown, PA 18104; and

NOW, THEREFORE, BE IT RESLOVED, that the Municipal Council of the Township of Irvington hereby authorizes the Qualified Purchasing Agent to enter into a lease agreement with Municipal Capital Finance of 4600 Broadway, Allentown, PA 18104 for the total amount of \$356,749.09; and

BE IT FURTHER RESOLVED that lease agreement will take effect of original resolution dated February 28, 2017.

Adopted

Frederic – Hudley 6. Resolution of Commendation in Commemoration of Haitian Flag Day, 2018 - Joseph Saintil

**JOSEPH SAINTIL
RESOLUTION OF COMMENDATION
IN COMMEMORATION OF HAITIAN FLAG DAY, 2018**

WHEREAS, Haiti's history dates back to thousands of years. For a country's citizens, the national flag is indisputably a symbol of general pride. They would consider any offense to their flag to be an offense to their country. Beyond being an icon though, a flag's origin can often say a lot about a nation's social makeup or history. Haitians feel no different and even reserve a special day to honor it, that day is May 18, 1803; and

WHEREAS, in commemoration of Haitian Flag Day 2018, the Irvington Municipal Council would like to honor, Joseph Saintil, who has provided a vast array of accomplishments, community contributions and success as an entrepreneur;

WHEREAS, Joseph Saintil was born on May 18th and came to the United States of America when he was 21 years old with the idea that he would better himself and eventually return back home to Haiti. However, in just a short time his life changed after the loss of both of his parents. His mother was the head of the household in his family. Being the oldest of seven children, he was forced to undertake the responsibility of taking care of them. When Mr. Saintil was able to establish himself, he managed to bring all of his siblings to the United States to live here in hopes of giving them a better life with more opportunities; and

WHEREAS, Mr. Saintil managed to start his first business in Irvington which was an Exxon Gas Station on Avon Avenue and Springfield Avenue. In 1976, he left the gas station business and started a Taxi Business in East Orange called Jacobs Taxi. In 1999, he extended the Taxi business to Newark. His original dream was to become a lawyer but for some reasons life became difficult and despite all of the difficulties, he managed to obtain an Associate Degree in Social Science at Essex County College; and

WHEREAS, in honor of his mother's legacy, Mr. Saintil constructed a modern two story facility in Haiti that was designed by an architect from the United States. The new development functions as a library and research center for the community. It was here that he found the opportunity to keep his mother's name alive and dedicate the new facility in her name and honor; and

WHEREAS, the Rose Vierge J. Paul Bibliotheque and Research Center officially opened in 2015. The Rose Vierge J. Paul Research Center has more than two dozen computers and internet access which allows the children to connect to the outside world and conduct research using the virtual library. The virtual library at the research center provides access to two libraries in Canada, two libraries in France, and a library in Switzerland and Belgium; and

WHEREAS, the library and research center is part of the Rose Vierge J. Paul Foundation. The Rose Vierge J. Paul Foundation is a larger entity that focuses on many aspects of community development and services. The Foundation has a plan to build a fertilizer plant that will service the country of Haiti. This plant will be the only fertilizer plant in Haiti. This will help to make the fertilizer more affordable for the people in Haiti; and

WHEREAS, the Rose Vierge J. Paul Foundation plans to help all the schools in the community by renovating them and creating more modern learning environments including new desks, playgrounds, and toilet facilities. In addition, the Foundation would provide better educational resources including new books and new computers:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that it hereby applauds the many achievements of Joseph Saintil and celebrates Haitian Flag Day on May 26, 2018 to honor this country's citizens and their ancestors who so bravely fought for their freedom from slavery; and

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of this Governing Body in lasting tribute to Joseph Saintil.

Adopted

Burgess – Lyons 7. Authorize Settlement of Tax Appeals Dated May 30, 2018

RESOLUTION OF THE MAYOR AND TOWNSHIP COUNCIL OF THE TOWNSHIP OF IRVINGTON IN THE COUNTY OF ESSEX AUTHORIZING SETTLEMENT OF TAX APPEALS ON THE ATTACHED LIST DATED MAY 30, 2018, WHICH WERE TAKEN FROM ASSESSMENTS OF PROPERTIES LOCATED WITHIN THE TOWNSHIP OF IRVINGTON, ESSEX COUNTY, NEW JERSEY

WHEREAS, appeals of the real property tax assessments on the attached list dated May 30, 2018, have been challenged by the respective taxpayers; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED, by the Township of Irvington, New Jersey:

1. The Township's Tax Appeal Attorney, Matthew J. O'Donnell, Esq. is authorized to execute Stipulations of Settlement on behalf of the Township of Irvington with respect to the tax appeals on the attached list which are currently pending in the Tax Court of New Jersey for the tax year(s) listed therein and at the assessments stated therein.
2. All municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of this Resolution and authorizes the Special Tax Counsel to enter into the Stipulation of Settlement as provided by Taxpayer.

Adopted

Hudley – Burgess 8. Authorize Tax Payment Agreement – 27 Highland Terrace, Block 122, Lot 14 – Total Amount to Redeem \$9,467.86 – Payable In 36 Months

Municipal Payment Plan
Prior to Tax Sale

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, Ransom, Quintin owner of record of Block 122, Lot 14, also known as 27 Highland Terrace, Municipality of Irvington, is desirous of satisfying Tax Title Lien #14-00566 in the amount of \$9,467.86 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 for \$342.29, 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

10. Communications and Petitions

A. Communications

1. N.J. Local Finance Board – Approval of \$2,700,000.00 Refunding Bond Ordinance

11. Pending Business

A. Require Fencing of Vacant Lots

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 amending Section 290-14 of the revised code to prohibit the issuance of tobacco licenses for any establishment that allows smoking indoors 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 TO AMEND AND SUPPLEMENT CHAPTER 290 (FEES AND LICENSES), ARTICLE II. FEES FOR TOBACCO LICENSES, §290-14

WHEREAS the Township of Irvington is committed to providing a uniform set of regulations for the violation of Township Ordinances;

WHEREAS the Purpose of this Ordinance is to promote the general health, safety, and welfare of Irvington residents by defining and regulating certain businesses through the prohibition of smoking in public places within the Township; and

NOW THEREFORE BE IT ORDAINED THAT the Municipal Council of the Township of Irvington hereby amends and supplements Chapter 290, Article I of the Code of the Township of Irvington as follows:

SECTION 1: §290-14 Fees for tobacco licenses

A. The fee for a tobacco license shall be \$58 annually.

B. The Township shall not issue a tobacco license for any establishment that desires to allow smoking indoors, as per the New Jersey Smoke Free Air Act, N.J.A.C. 8:6.
(AMENDED AND SUPPLEMENTED)

SECTION 2: All ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance be and the same are hereby repealed to the extent of any such inconsistencies.

SECTION 3: This Ordinance shall take effect after final passage and publication as provided by law.

The public hearing on this ordinance is now open

There were no requests to be heard.

Cox – Burgess

Motion to close public hearing

Adopted

Cox – Burgess
hearing

Motion to adopt this ordinance on second reading after public

Adopted

C. Bills & Claims

Jones – Cox 1. Bill List

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD MAY 30, 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	\$7,246,951.56
TOTAL	\$7,246,951.56

Adopted
No: Inman

Jones – Cox 2. Payrolls

May 5, 2018 through May 18, 2018

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$1,577,227.93	\$131,128.85	\$66,881.43	\$1,775,238.21

Adopted
No: Inman

9. Resolutions & Motions

A. Resolutions

Jones – Burgess 9. Authorize Contract With Florio, Perrucci, Steinhardt & Fader for Labor Counsel Services in an Amount Not To Exceed \$50,000.00 from May 1, 2018 until April 30, 2019

RESOLUTION AUTHORIZING FAIR AND OPEN PROFESSIONAL SERVICE
CONTRACT FOR LABOR COUNSEL

WHEREAS, the Request for Proposals for professional Labor counsel services was publicly advertised in the New Jersey Star Ledger on February 23, 2018 with a deadline for proposals to be submitted on March 16, 2018; 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 award should be made to the following firm:

Florio, Perrucci, Steinhardt & Fader
218 RT. 17N, Suite 410
Rochelle Park, NJ 07662

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Labor Attorney be awarded to Florio, Perrucci, Steinhardt & Fader, 218 RT. 17N, Suite 410, Rochelle Park, NJ 07662, on the basis of their response to the request for proposal selection criteria and qualifications, for an amount not to exceed \$50,000.00. The provider will be paid \$115.00 per hour for attorneys, \$75.00 per hour for paralegals for one year May 1, 2018 until April 30, 2019; 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, certification number

C8-00295 for the two month of services was obtained from the Chief Financial Officer and the appropriation to be charged for this expenditure is 8-01-20-155-155-299 in the amount of \$4,166.66 and the remaining balance of \$41,666.67 will be certified on the adoption of the Calendar 2018 budget.

Adopted
No: Inman

Jones – Burgess 10. Authorize Fair and Open Professional Services Contract for Financial Advisory Services - NW Finance Group, LLC - Not to Exceed \$60,000.00 for One Year

**RESOLUTION AUTHORIZING FAIR AND OPEN PROFESSIONAL SERVICE
CONTRACT FOR FINANCIAL CONSULTANT SERVICE**

WHEREAS, the Request for Proposals for professional Financial Consultant Services was publicly advertised in the New Jersey Star Ledger on April 10, 2018 with a deadline for proposals to be submitted on May 02, 2018; and

WHEREAS, one qualification was received and publicly opened by the Purchasing Agent and Municipal Clerk; and

WHEREAS, said qualification was referred to the Community Development and Planning Director; and

WHEREAS, the Community Development and Planning Director has recommended award should be made to the following firm:

NW Financial Group LLC
2 Hudson Place, 3rd Floor
Hoboken NJ 07030

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Financial Consultant be awarded to

NW Financial Group LLC, 2 Hudson Place, 3rd Floor, Hoboken, NJ 07030, on the basis of their response to the request for proposal selection criteria and qualifications, for a not to exceed amount of \$60,000.00. The provider will be paid \$160- \$225.00 per hour depending on the scope of work required for one year starting on June 01, 2018 until June 30, 2019; 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 C8-00299 in the amount of \$5,000.00 from account number 8-01-21-180-185-299 has been obtained from the Chief Financial Officer for the first month payment and the remaining balance will be certified upon the adoption of the 2018, 2019 budgets and Escrow Funds.

Adopted
No: Inman

Jones – Hudley 11. Qualify Pool of 7 Law Firms for Professional Worker’s Compensation Counsel Services - \$115.00 Per Hour - July 11, 2018 Through July 10, 2019

**RESOLUTION QUALIFYING LAW FIRMS PURSUANT TO A FAIR AND OPEN
PROCESS FOR WORKERS COMPENSATION COUNSEL**

WHEREAS, the Request for Qualifications for Professional Workers Compensation Counsel services was publicly advertised in the New Jersey Star Ledger on April 10, 2018 with a deadline for qualifications to be submitted on May 02, 2018; and

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

WHEREAS, seven qualifications were received and publicly opened; and

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

WHEREAS, the Township Attorney, Ramon Rivera, 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

Biancamano & Di Stefano, P.C.
Robert Arce, Esq

10 Parsonage Road, Suite 300
Edison NJ 08837

Florio Perrucci Steinhardt & Cappelli, LLC
218 RT. 17N, Suite 410
Rochelle Park, NJ 07662

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

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

Weiner Law Group LLP
629 Parsippany Road
Parsippany, NJ 074054

WHEREAS, from the list of qualified firms above, from time to time, and as needed, the Township Attorney may enter into a contract not to exceed one year, 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 resolutions with respect to particular matters to the Municipal Council.
2. The Township Attorney will prepare the appropriate contract for this service.
3. The above vendors are qualified for one year from July 11, 2018 through July 10, 2019
4. The vendors will be paid an amount not to exceed \$115.00 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
No: Inman

Cox – Jones 12. Ratify Emergency Contract for Repair of Collapsed Sewer at Chancellor Avenue and the Garden State Parkway Overpass Based Upon Low Quotation of \$127,200.00 - Your Way Construction Inc.

RESOLUTION TO AWARD AN EMERGENCY CONTRACT TO REPAIR SEWER COLLAPSE LOCATED AT CHANCELLOR AVE & GARDEN STATE PARKWAY OVERPASS

WHEREAS, the sanitary sewer located at Chancellor Ave & Garden State Parkway overpass collapsed and:

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

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

WHEREAS, two quotes were obtained from Montana Construction for \$169,000.00 and Your Way Constructions Inc., for \$127,200.00 and;

WHEREAS, Your Way Constructions Inc has provided the lowest quote and was called and the required repairs were done for the total sum of \$127,200.00 and;

WHEREAS, the Mayor has concurred with the amount and recommends that an emergency contract be awarded to Your Way Construction Inc., 404 Coit Street, Irvington, NJ 07111, and;

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that it ratifies the decision of the Director of Public Works and the Mayor to authorize an emergency contract in the amount of \$127,200.00 to Your Way Construction Inc., 404 Coit Street, Irvington, NJ 07111 and;

BE IT FURTHER RESOLVED, that the required certification of availability of funds C8-00298 in the amount of \$127,200.00 from account number 8-01-21-165-165-299 has been obtained from the Chief Financial Officer to repair the sewer emergency.

Council Member Inman and Council President Lyons spoke.

Adopted
No: Inman

Jones – Burgess 13. Qualify Pool of 3 Law Firms for Professional Tax Foreclosure Counsel Services - July 1, 2018 Through June 30, 2019

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 April 10, 2018 with a deadline for qualifications to be submitted on May 02, 2018; 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

Goldenberg, Mackler, Sayeih GMS Law
Keith A. Bonchi
660 New Road, Suite 1A
Northfield, NJ 08225

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

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, 2018 and ending on June 30, 2019; 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.

Adopted
No: Inman

Burgess – Lyons 14. Authorize Emergency Temporary Appropriation to Extend the Calendar Year 2018 Temporary Budget

<u>APPROPRIATIONS WITHIN "CAPS"</u>	
	<u>CY-18</u>
<u>OFFICE OF THE MAYOR</u>	<u>Emerg Bud # 2</u>
Mayor's Office:	
Salaries and Wages	90,508.01
Other Expenses	13,863.80

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Irvington Mental Health Center:	-
Other Expenses	1,410.00
Planning Board:	-
Salaries and Wages	7,522.34
Other Expenses	1,748.75
Office of Emergency Management:	-
Salaries and Wages	1,250.00
Other Expenses	5,000.00
Community Planning & Zoning	-
Salaries and Wages	-
Other Expenses	13,917.18
Total Office of the Mayor	135,220.08

<u>OFFICE OF THE TOWNSHIP CLERK</u>	-
Township Clerk's Office:	
Salaries and Wages	77,863.29
Other Expenses	8,984.82
Elections:	-
Salaries and Wages	7,231.67
Other Expenses	18,416.67
Council's Office:	-
Salaries and Wages	53,766.93
Other Expenses	4,700.00

	-
Board of Adjustment:	-
Salaries and Wages	8,245.75
Other Expenses	4,000.00
Rent Leveling Board:	-
Salaries and Wages	3,688.50
Other Expenses	2,333.33
Total Office of the Township Clerk	189,230.95

<u>OFFICE OF THE TAX ASSESSOR</u>	-
Municipal Tax Assessor:	
Salaries and Wages	35,250.42
Other Expenses	2,255.05
Total Office of the Tax Assessor	37,505.47

<u>ATTORNEY TO TOWNSHIP COUNCIL</u>	-
Legislative Research Officer:	
Salaries and Wages	8,070.79
Other Expenses	319.87
Total Attorney to Township Council	8,390.66

<u>OFFICE OF THE TOWNSHIP ATTORNEY</u>	-
Township Attorney:	
Salaries and Wages	139,361.04
Other Expenses	145,603.97
Total Office of the Township Attorney	284,965.01

<u>DEPARTMENT OF ADMINISTRATION</u>	-
Office of the Business Administrator:	
Salaries and Wages	140,530.98
Other Expenses	50,769.42
Other Expenses - Postage	8,416.67
Total Department of Administration	199,717.06

<u>DEPARTMENT OF POLICE</u>	-
Police:	
Salaries and Wages	5,481,314.02
Other Expenses	95,000.00
<u>APPROPRIATIONS WITHIN "CAPS"(continue)</u>	-
School Guards:	-
Salaries and Wages	101,038.20
Other Expenses	1,165.83
Chaplains and Surgeons:	-
Salaries and Wages	411.64
Parking Division:	-
Other Expenses	599.33
Total Department of Police	5,679,529.02

<u>DEPARTMENT OF FIRE</u>	-
Fire:	
Salaries and Wages	2,135,619.17
Other Expenses	64,656.47
Uniform Fire Safety	-
Salaries and Wages	-
Other Expenses	-
Total Department of Fire	2,200,275.64

<u>DEPARTMENT OF REVENUE AND FINANCE</u>	-
Division of Finance:	
Salaries and Wages	146,411.79
Other Expenses:	-

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Administration of Finance	48,362.78
Auditing	-
Insurance:	-
General Liability	283,116.67
Workers Comp	147,983.33
Employers Group Health	1,710,477.75
Division of Revenue-Tax Collection:	-
Salaries and Wages	119,953.15
Other Expenses	10,042.92
Division of Licenses:	-
Salaries and Wages	6,266.43
Other Expenses	315.25
Division of Central Purchasing:	-
Salaries and Wages	55,685.70
Other Expenses	1,917.53
Total Department of Revenue and Finance	2,530,533.30

<u>DEPARTMENT OF PUBLIC WORKS</u>	-
Division of Engineering:	
Salaries and Wages	70,464.04
Other Expenses	203,414.09

	-
Land Rental, Refuse Dumping:	-
Other Expenses	285,500.00
Division of Streets and Sewers:	-
Salaries and Wages	245,964.70
Other Expenses	27,719.50
Snow Removal:	-
Salaries and Wages	9,983.33
Other Expenses	-
Division of Motorized Equipment:	-
Salaries and Wages	25,925.63
Other Expenses	26,006.17
Division of Public Property:	-
Salaries and Wages:	-
Public Buildings	219,110.67
Shade Tree	39,572.76
Other Expenses:	-
Public Buildings	38,987.66
Shade Tree	10,164.17
Total Department of Public Works	1,202,812.72

<u>DEPARTMENT OF HEALTH AND WELFARE</u>	-
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Division of Health:	
Salaries and Wages:	
Health Administration	140,777.28
Environmental Health	101,520.23
Nursing	-
Other Expenses:	-
Health Administration	2,138.07
Environmental Health	36,624.38
Nursing	-
Senior Citizen Center:	-
Salaries and Wages	17,416.60
Other Expenses	1,965.50
Total Department of Health and Welfare	300,442.06
<u>DEPARTMENT OF PARKS AND RECREATION</u>	-
Division of Park Maintenance:	
Salaries and Wages	131,762.87
Other Expenses	5,826.88
Division of Recreation:	
Salaries and Wages	80,438.14
Other Expenses	8,982.65
Public Events and Celebration:	-
Other Expenses	3,497.50
Irvington Municipal Pool:	-
Salaries and Wages	17,150.00
Other Expenses	16,895.00
Total Department of Parks and Recreation	264,553.04
<u>DEPARTMENT OF HOUSING</u>	-
Housing Services:	
Salaries and Wages	184,709.83
Other Expenses	10,598.76
Total Department of Housing Services	195,308.59
<u>MUNICIPAL COURT</u>	-
Municipal Court	
Salaries and Wages	308,646.18
Other Expenses	27,998.33
Total Municipal Court	336,644.51
<u>PUBLIC DEFENDER</u>	-

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Public Defender	
Salaries and Wages	7,654.56
Other Expenses	9,053.33
Total Public Defender	7,654.56

<u>UNIFORM CONSTRUCTION CODE</u>	-
Construction Code Official:	
Salaries and Wages	113,626.48
Other Expenses	18,204.57
Total Construction Services	131,831.05

<u>UNCLASSIFIED</u>	-
Utilities:	
Electricity, Gas	122,416.67
Telephone and Telegraph	78,533.33
Telephone Lease System	10,583.33
Fire Hydrants	60,116.67
Water	13,716.67
Gasoline	46,416.67
Street Lighting	39,083.33
Tax Appeals	-
Emergency Dispatch Services (Transportation)	29,610.00
Tax Appeals'	-
Total Unclassified	400,476.67

Total Operations Within "CAPS"	<u>14,105,090.38</u>
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<u>Deferred Charges & Statutory Expenditures</u>	-
Social Security System (OASI)	228,166.67
State Unemployment Insurance Fund	54,833.33
Fund Administrative Cost	-
Public Employees Retirement System	-
Police & Firemen's Retirement System	-
PERS - DCRP	-
Judgments	-
Overexpenditure 2015	-
Overexpenditure 2014 Reserve	-
Overexpenditure 2016	-
Emergency Authorizaton	-
Total Deferred Charges & Statutory Exp	283,000.00

Total Appropriations Within "CAPS"	<u>14,388,090.38</u>
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<u>APPROPRIATIONS EXCLUDED FROM "CAPS"</u>	<u>-</u>
<u>OTHER OPERATIONS</u>	<u>-</u>
Joint Sewer Maintenance	801,124.34
Maintenance of Free Public Library	176,250.00
911 Dispatch Services	29,640.00
	-
Total Other Operations	1,007,014.34
<u>APPROPRIATIONS EXCLUDED from "CAPS"(continue)</u>	<u>-</u>
<u>FEDERAL AND STATE GRANTS</u>	<u>-</u>
Health IPCHIP - Grant	-
Total Grants	-
Total Operations Excluded from "CAPS"	<u>1,007,014.34</u>
<u>MUNICIPAL DEBT SERVICE</u>	<u>-</u>
Down Payment on Capital Improvements	-
Capital Improvement Fund	200,000.00
Payment of Bond Principal	
Interest on Bonds	
Payment of Note Principal	
Interest on Notes	
Green Trust Loan Program:	
Payment of Principal and Interest	-
Payment of Principal and Interest-2003	-
Payment of Principal & Interest 727 GTP	-
Demolition Loan Repayment	
NJ Environmental Infrastructure Trust Loan Principal & Interest	
Deferred Charges - Emergency Auth 5 Yr	
Emergency Storm	-
Total Municipal Debt Service	200,000.00
Total Appropriations Excluded from "CAPS"	
for Municipal Purposes	1,207,014.34
<u>TYPE ONE SCHOOL DEBT</u>	<u>-</u>
Payment of Bond Principal	-
Interest on Bonds	-

Total Type One School Debt	-
Total Appropriations Excluded from "CAPS"	1,207,014.34
Reserve for Uncollected Taxes	-
Total General Appropriations	<u>15,595,104.72</u>

Adopted
No: Inman

ALCOHOLIC BEVERAGE CONTROL BOARD

MAY 30, 2018

1. Chairman Cox called the Meeting to Order

Roll Call

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

Absent: None

2. New Business

Cox – Burgess A. Authorize Renewal of ABC Consumption Licenses for the 2018-2019 Licensing Year

WHEREAS, the following named individuals, partnerships or corporations, being applicants for Plenary Retail Consumption Licenses for the year 2018-2019 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 2018-2019 at the address set opposite their respective name, viz:

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0709-33-021-005	Ember's Tavern, LLC t/a Ember's Tavern	874-876 Clinton Avenue
0709-33-034-002	Vic's Place, Inc. t/a Vic's Place	395 Stuyvesant Avenue
0709-33-042-004	Cricket Productions, Inc. t/a Cricket Club	415-21 – 16th Avenue
0709-33-047-002	Brothers 521 Lounge and Cafe Corp. t/a Candy Girls Gentlemen's Club	554 Lyons Avenue
0709-33-048-006	Kay, LLC t/a Kay	193-197 Western Parkway
0709-33-055-006	Mariela, Inc. t/a Paradizio Royal Club	1053-55 Clinton Avenue
0709-33-064-008	Damery, Inc. t/a The Foxes	31 Welland Avenue
0709-33-073-005	72 Lyons Ave. Corp. t/a Marlo's Cocktail Lounge	702 Lyons Avenue
0709-33-075-005	Linden Branch t/a: LVJ Planning, L.L.C.	665 Stuyvesant Avenue
0709-32-077-007	Irvington House of Liquor, Inc. t/a A-1 Pay Less Liquor	1041-1049 Stuyvesant Avenue

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

Adopted
Abstain: Inman

Cox – Lyons B. Authorize Renewal of ABC Distribution Licenses for the 2018-2019 Licensing Year

WHEREAS, the following named individuals, partnerships or corporations, being applicants for Plenary Retail Distribution Licenses for the year 2018-2019, to sell alcoholic beverages under the provisions of N.J.S.A. Title 33 having been investigated as required by said Law, and the Alcoholic Beverage Control Board being satisfied that said applicants in all things have met the requirements of the law and are suitable and proper individuals, partnerships or corporations to whom Plenary Retail Distribution Licenses for the sale of alcoholic beverages should be issued:

NOW THEREFORE BE IT RESOLVED BY THE MUNICIPAL COUNCIL ACTING AS THE ALCOHOLIC BEVERAGE CONTROL BOARD OF THE TOWNSHIP OF IRVINGTON that permanent Plenary Retail Distribution Licenses be issued to the following named individuals, partnerships and corporations for the sale of alcoholic beverages in original containers for consumption off the licensed premises for the year 2018-2019 at the address set opposite their respective name, viz:

0709-44-001-008	Vighnavinashanaya Corporation	701 Lyons Avenue
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0709-44-003-013	t/a Roseway Liquors & Deli Smruti Corporation	751 Lyons Avenue
0709-44-004-004	t/a Rajashri Wine & Liquor Irvington Liquors, LLC	1394-98 Springfield Avenue
0709-44-014-003	t/a Irvington Liquors Puni Liquors LLC	1269-77 Springfield Avenue
0709-44-031-009	t/a Home Liquors Prit, Inc.	990-992 Clinton Avenue
0709-44-032-003	t/a Sam's Gourmet Liquors & Grocery Arnav Liquor, Inc.	876 Springfield Avenue
0709-44-053-008	t/a Irvington Discount Liquor Mahashakti, Inc.	1050 Clinton Avenue
0709-44-056-007	t/a Mueller's Star Liquors DJP Spirits, Inc.	INACTIVE POCKET LICENSE
0709-44-066-007	t/a DJP Spirits Gajanana, Inc.	378 Stuyvesant Avenue
0709-44-069-005	t/a Madison Superette Pankil Corporation	1070 Springfield Avenue
0709-44-084-011	t/a International Liquors Gold Key Liquor & Grocery Deli, Inc.	1117 Grove Street
0709-44-086-006	t/a Gold Key Liquor, Grocery & Deli Satgurudev, Inc.	580 Chancellor Avenue
0709-44-097-006	t/a Chancellor Liquor Maharaj, Inc.,	649 - 18th Avenue
	t/a Krauszer's	

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

Adopted
Abstain: Inman

Cox – Burgess C. Authorize Renewal of ABC Club Licenses for the 2018-2019 Licensing Year

WHEREAS, the following named organizations, being applicants for Club 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 organizations to whom Club 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 Club Licenses for the sale of alcoholic beverages be issued

to each of the following named clubs for the sale of alcoholic beverages be issued to each of the following named clubs for the sale of alcoholic beverages by the glass or other open receptacles to be consumed on the licensed premises, for the year 2017-2018 at the address set opposite their respective names, viz:

LICENSE NUMBER	NAME	ADDRESS
0709-31-101-001	THE MOST WORSHIPFUL GARDEN STATE GRAND LODGE ANCIENT FREE T/A CLUB 875	875 SANFORD AVENUE

BE IT FURTHER RESOLVED that the said licenses be issued in the name of and under the seal of the Township of Irvington and be signed by a representative of the License Bureau, in order to fulfill the provisions of Chapter 59 of the Irvington Township Code, known as Ordinance MC 2622, which licenses, after being so signed, shall be released by the License Bureau to the licensee.

Adopted
Abstain: Inman

3. Adjournment

12. Miscellaneous

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

Mark Russomanno, 517 Nye Avenue

Council Member Jones and Council President Lyons responded to the inquiries made by the above referenced citizen.

13. Adjournment

There being no further business, the meeting was adjourned at 8:20 P.M.

David Lyons, Council President

Harold E. Wiener, Municipal Clerk