

REGULAR COUNCIL MEETING
JANUARY 28, 2019

Council Chamber, Municipal Building
Irvington, N.J. – Monday Evening
January 28, 2019 - 7:30 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 – January 14, 2019
2. Municipal Court Electronic Collections Report Through November, 2018
3. Joint Meeting – Minutes – November 8, 2018

7. Reports of Committees

A. Request for Proposal Results – Health Department Website Design Services, Ambulance and Dispatch Services (No Proposals Received) and Health insurance Brokerage Services – January 9, 2019

B. Request for Proposal Results – Payroll Services – January 16, 2019

9. Resolutions & Motions

A. Resolutions

Jones – Frederic 1. Commemoration - African American History Month, 2019

RESOLUTION OF COMMEMORATION
2019 AFRICAN-AMERICAN HISTORY MONTH
93rd ANNUAL OBSERVANCE

WHEREAS, February is AFRICAN AMERICAN HISTORY MONTH and marks the 92nd annual observance since inaugurated as Negro History Week in February 1926 by Dr. Carter G. Woodson, Jr., a Ph.D. from Harvard University, born to parents who were former slaves; and

WHEREAS, history is filled with the far reaching accomplishments of African Americans such as W.E.B. DuBois, Frederick Douglas, Paul Robeson, Harriet Tubman, Booker T. Washington, Hank Aaron, Ralph Bunch, Benjamin Banneker, Nelson Mandela and more recently Colin Powell, Clarence Thomas, Condoleeza Rice and President Barack H. Obama and many others whose efforts continue to contribute to the growth of this nation; and

WHEREAS, America and the world continues to benefit from the achievements of African Americans, such as Dr. Martin Luther King, Jr., Coretta Scott King, Fannie Lou Hamer, Stokeley Carmichael, Gloria Richardson and Angela Davis who strove to make America a better place for all Americans no matter what their race, color, creed or economic status; and

WHEREAS, America continues to benefit from the struggle of African Americans for equality, and progress is made manifest through the presence of persons of African American heritage in all branches of government and public life including the Congress of the United States, the New Jersey State Legislature, as Mayors of various cities, the Irvington Municipal Council, the Irvington Chamber of Commerce, and the Irvington Board of Education, as well as other numerous commissions, committees and local agencies.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that February, 2019 is hereby proclaimed as African American History Month in the Township of Irvington in recognition of the many contributions to the struggle for dignity and equality made by African American people.

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Irvington Public Library, the African American Heritage Committee and to the local branch of the N.A.A.C.P.

Adopted

Lyons – Hudley 2. Authorize Handicapped Parking Spaces in Front of 87 Ellery Avenue

WHEREAS, N.J.S.A. 39:4-197.5 provides that a 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 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. 39:4-206; and

WHEREAS, a request has been made for a restricted parking space in front of 87 Ellery Avenue:

NOW, THEREFORE BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a parking space restricted for use by any person who has been issued a special vehicle identification card pursuant to the provisions of N.J.S.A. 39:4-205, when using a motor vehicle on which is displayed a certificate, for which a special vehicle identification card has been issued pursuant to N.J.S.A. 39:4-206, be established in front of 87 Ellery Avenue; and

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

Adopted

Burgess – Lyons 3. Authorizing the Naming of Laventhal Avenue “Honorable Lebbby C. Jones Way” in Honorarium

**RESOLUTION NAMING LAVENTHAL AVENUE
“HONORABLE LEBBY C. JONES WAY” IN HONORARIUM**

WHEREAS, the late Honorable Freeholder Lebbby C. Jones was born on March 3, 1943, to the late Harris and Flossie Jones in Lake City, South Carolina; and

WHEREAS, a longtime resident of the great Township of Irvington, the late Honorable Freeholder Lebbby C. Jones served her Irvington community with commitment, diligence, distinction and honor; and

WHEREAS, the late Honorable Freeholder Lebbby C. Jones was elected to her first term as a Essex County Freeholder At-Large in November of 2014 and re-elected in November 2017; and

WHEREAS, her electoral career began in the 1980's, when she won a position in Irvington's Democratic County Committee representing the South Ward, 8th District and having secured re-election for numerous consecutive terms until June 2016; and

WHEREAS, following her appointment as the South Ward Council Member in 1994, she was elected to the position in 1996. In 1998, she was elected as an At-Large Council Member and re-elected in 2002, 2006 and again in 2010, until she retired from the Municipal Council on June 30, 2014; and

WHEREAS, Freeholder Jones also served on the Irvington Board of Education, as its President from 1993-94; as a Member and President of the Irvington Branch of the NAACP; as President of the Dr. Martin Luther King Jr. Commemorative Committee of Irvington; President of the Laventhal Avenue Block Association; and President of the Irvington NJ Chapter of the National Action Network; and

WHEREAS, she enjoyed a 33-year career as an educator working as both a teacher and guidance counselor in the Newark Public Schools, is a former member of the American and Essex County Guidance Associations, and served as a shop steward for the Newark Teachers' Union; and

WHEREAS, in recognition of her exemplary record, Freeholder Jones was bestowed with the following awards, honors and appointments: Proclamation in recognition of accomplishments from former Irvington Mayor Wayne Smith; Proclamation in recognition of civic service by former Governor James E. McGreevey; Chairperson of the Joint Meeting of Essex and Union Counties for 2002-2003; Community Service Award by former Irvington Council President Wayne Smith; Irvington Small Fry Community Service Award; Community Leadership by the Citizens for Good Government; ECESC Board of Directors; Newark Board of Education Service Award for 1992 and 1993; D. Bilal Beasley Civic Association Community Service Award; Mt. Moriah A.M.E. Church Service Award; Irvington High School Peer Leadership Program; lifetime membership with the NAACP; Award for Service from the Irvington Democratic Committee; Women's History Month Community Service Award; Political Action Committee of Orange, East Orange and Irvington Community Service Award; and Determined to Achieve Parent Network for Community Service; and

WHEREAS, she received a Bachelor of Arts degree in Social Studies from Claflin University in Orangeburg, South Carolina; and a Master of Arts degree from the School of Counseling and Social Work from Kean University in Union, New Jersey. She continued studies at Kean University, where she earned 30 graduate credits above the Master's degree level in the field of Education. She was also certified at the university in Elementary Education; and

WHEREAS, Freeholder Jones was an active member of Franklin Saint John United Methodist Church of Newark; and

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP OF IRVINGTON, that a street sign stating “HONORABLE LEBBY C. JONES WAY” be place above the street sign at Laventhal Avenue in the Township of Irvington to recognize the late Honorable Freeholder Lebbby C. Jones for her decades of community service and commitment to the Township of Irvington, and

BE IT FURTHER RESOLVED that the Department of Public Works be authorized and directed to take all the necessary steps to see that proper street signs are erected signifying “HONORABLE LEBBY C. JONES WAY” above the street signs on Laventhal Avenue in the Township of Irvington.

Adopted

Jones – Lyons 4. Resolution of Sorrow – Bobby Bob Wright

RESOLUTION OF SORROW
BOBBY “BOB” WRIGHT

WHEREAS, the Municipal Council of the Township of Irvington wishes to express their deepest sorrow on the passing of Bobby "Bob" Wright; and

WHEREAS, Bobby "Bob" Wright was born on November 2, 1937 in Blakely, Georgia to the late Johnny Wright and the late Vera Wright. On December 15, 2018, God called Bobby to enter into eternal rest; and

WHEREAS, Bob attended Sandy Bottom Elementary School (Blakely, Georgia) and then moved to New York at 14 years old with his cousin Rayfiels Graham. Bob later attended Essex County Community College for his GED and barbering. He began working at Local 472 where he was employed for over 50 years. During that time, Bob also began his entrepreneurial career. As an entrepreneur, he owned apartment buildings, a pool hall, Wright's Barbershop, and B.E. Wright Liquor Store; and

WHEREAS, Bob was known as a true family man, a father figure to many, and a pillar in his community. He had a lifelong dedication to his family, and he always made sure his family was taken care of. He was also known for his wisdom, giving great advice, telling stories about being raised in the south, and his love of football, basketball, and boxing; and

WHEREAS, Bob was preceded in death by his wife Euzera Wright, daughter Pamela Wright, son Sheldon Deus, daughter in law Robin Wright, grandchildren Tiffany Wright and Abdul Rahman, and siblings Norman Wright, Harold Wright, Lily Wright, and Ulace Wright; and

WHEREAS, he leaves to cherish his memory: his children Tamika Wright, Yolanda Muhammad (Ibrahim), Giovanna Baker (Christopher) all of Irvington, NJ, Robert Wright (Nene) of Bainbridge, GA, and Norbert Wright of Atlantic City, NJ; step-children Andrea Wright and Sean Wright; sisters Bessie Staggers (Rutledge) and Hattie Wright; brothers Johnny Wright (Vera) and Leon Wright; sisters-in-law Tommie Mae Wright; 17 grandchildren Rashida Kedia, Tialiejah, Greg, Nasan, Lamar, Aldon, Jamaal, Miranda, Marah, Yasmin, LaKeysa, Nikki, Trey, Keanu, Jannah; 20 great-grandchildren, 1 great-great grandchild, and a host of nieces, nephews, cousins, and friends:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington hereby mourns the loss of Bobby "Bob" Wright and offers its sincerest condolences to his family and friends during this period of bereavement; and

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of this governing body as a lasting tribute to Bobby "Bob" Wright.

Adopted

Burgess - Jones 5. Commemoration – Dr. Martin Luther King, Jr. Day, 2019

DR. MARTIN LUTHER KING JR.
34th 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 6. Support Recommendations of Path To Progress Report Issued by the New Jersey Economic and Fiscal Policy Workgroup

**RESOLUTION IN SUPPORT OF PATH TO PROGRESS RECOMMENDATIONS
MADE BY NEW JERSEY ECONOMIC AND FISCAL POLICY WORKGROUP**

WHEREAS, New Jersey faces a daunting fiscal crisis; and

WHEREAS, for two decades, while county and municipal governments made the proper pension payments, New Jersey governors from both parties severely underfunded the pension system for teachers and State government workers; and

WHEREAS, while local government pension systems are funded at the national average, the State's unfunded liability for pensions and retiree health benefits now tops \$150 billion - four times the size of the State budget; and

WHEREAS, actuaries project the State will have to increase its pension contribution from \$3.2 billion in this year's budget to \$6.7 billion to reach the Actuarially Required Contribution (ARC) by FY 2023; and

WHEREAS, health care costs continue to rise, and New Jersey and its local governments cannot sustain the unparalleled platinum-level benefits that they provide to their employees; and

WHEREAS, municipalities cannot address other major cost drivers, such as career-end sick leave payouts in excess of \$100,000, without relief from State government; and

WHEREAS, the State must bring pension and health care costs under control before they crowd out all other important spending needs, such as reinvestment in NJ Transit, making higher education more affordable and properly funding state aid to school districts to hold down property taxes.

NOW, THEREFORE BE IT RESOLVED that the Township of Irvington expresses its support for the recommendations of the Path to Progress report issued by the New Jersey Economic and Fiscal Policy Workgroup; and

BE IT FURTHER RESOLVED, that a copy of this Resolution is forwarded to Assemblywoman Cleopatra G. Tucker, Assemblyman Ralph R. Caputo, Senator Ronald L. Rice, Senate President Sweeney, Assembly Speaker Coughlin, Senator Paul Sarlo, Senator Steve Oroho, Assembly Majority Leader Greenwald, Assemblywoman Eliana Pintor-Marin, Senator Tony Bucco, Senator Troy Singleton, Senator Dawn Addiego, the Governor of State of New Jersey, the New Jersey Association of Counties, and the New Jersey State League of Municipalities.

Adopted

Burgess – Cox 7. Authorize Purchase of E-Ticketing System by State Contract from Gold Type Business Machines for 2019 Calendar Year – Not To Exceed \$200,000.00

**RESOLUTION AUTHORIZING A CONTRACT WITH STATE CONTRACT
VENDOR GOLD TYPE BUSINESS MACHINES FOR E-TICKETING FOR THE
POLICE DEPARTMENT**

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 Police Department wishes to renew the e-ticketing program with Gold Type Business Machines of PO Box 305, East Rutherford, NJ 07073; and

WHEREAS, in compliance with NJSA 19:44A-20.13 ET Seq., this contract will exceed the Pay to Play threshold of \$17,500.00; and

WHEREAS, under New Jersey state contract number 81342, the total cost for this service for calendar year 2019 will not exceed \$200,000.00; and

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Irvington hereby authorizes the Qualified Purchasing Agent to enter into a contract with Gold Type Business Machines of PO Box 305, East Rutherford, NJ 07073 for calendar year 2019 for an amount not to exceed \$200,000.00 under the New Jersey State Contract number 81342; and

BE IT FURTHER RESOLVED, that the required certification of availability of funds C9-00173 for the first quarter payment of \$61,021.36 has been obtained from the Chief Financial Officer, charged to account number 8-01-25-240-240-118 and 9-01-25-240-240-118 and the remaining balance of \$138,978.64 will be certified when the 2019 budget is approved by the Municipal Council; and

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

Adopted

Burgess – Lyons 8. Authorize Contract for Proprietary Software for Records Managements - Enforsys Police Systems, Inc. – Not to Exceed \$64,000.00

RESOLUTION TO PURCHASE PROPRIETARY SOFTWARE TECHNOLOGY FOR THE PUBLIC SAFETY DEPARTMENT

WHEREAS, the Public Safety Department uses Enforsys, Polisy Enterprise Edition Suite to integrate all main functionalities of records managements to aid dispatch with reporting, monthly statistics, internal email and mobile data access; and

WHEREAS, the technology and maintenance are proprietary software for Enforsys, Polisy Enterprise Edition Suite; and

WHEREAS, the total cost of this software will exceed the bid threshold; and

WHEREAS, under New Jersey Local Public Contract (NJSA 40A:11-5dd), the Township may award a contract for proprietary software in lieu of bidding; and

WHEREAS, the Township would like to take advantage of provisions of NJSA 40:11-5 (dd) and award a service contract to Enforsys Police Systems, Inc, of 27 Bleeker Street, suite 222, Millburn, NJ 07041 for the total sum of \$64,000.00

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON hereby authorizes a service contract to Enforsys Police Systems, Inc, of 27 Bleeker Street, suite 222, Millburn, NJ 07041 under provisions of NJSA 40:11-5dd to purchase proprietary software for the total sum of \$64,000.00; 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 Certification of Funds number C9-00165 has been obtained from the Chief Financial Officers for the total sum of \$64,000.00 charged to budget account number 9-01-25-240-240-118.

Adopted

Hudley – Cox 9. Authorize Purchase of Proprietary Document Management Software for Police Department - Power DMS, INC - \$7,650.00

RESOLUTION TO PURCHASE PROPRIETARY SOFTWARE TECHNOLOGY FOR THE PUBLIC SAFETY DEPARTMENT

WHEREAS, the Public Safety Department is required to use a document management program to distribute administration policies, general orders, memos and other vital documents to all members; and

WHEREAS, the technology and maintenance are proprietary software for Power DMS Incorporated; and

WHEREAS, the total cost of this software will exceed the quote threshold; and

WHEREAS, under New Jersey Local Public Contract (NJSA 40A:11-5dd), the Township may award a contract for proprietary software in lieu of bidding; and

WHEREAS, the Township would like to take advantage of provisions of NJSA 40:11-5 (dd) and award a service contract to Power DMS, INC for the total sum of \$7,650.00

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON hereby authorizes a service contract to for Power DMS Incorporated, 101 South Garland Ave, Suite 300, Orlando, FL 32801 under provisions of NJSA 40:11-5dd to purchase proprietary software for the total sum of \$7,650.00; 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 availability of funds in the amount of \$7,650.00 has been obtained from the Chief Financial Officer, charged to budget account number 9-01-25-240-240-262.

Adopted

Hudly – Jones 10. Authorize Execution of Grant Agreement - Hotel/Motel, Rental Assistance, Utility Assistance and Case Management under the Social Services for the Homeless (SSH/STATE-SSH/TANF) Program - \$125,000.00 – January 1, 2019 Through December 31, 2019

WHEREAS, The County of Essex, acting through its Department of Citizens Services, Division of Community Action proposes to enter into a sub grant agreement with Irvington Neighborhood Improvement Corporation to provide Hotel/Motel, Rental Assistance, Utility Assistance and Case Management under the Social Services for the Homeless (SSH/STATE-SSH/TANF) Program at a contract price of \$125,000 for the period of January 1, 2019 – December 31, 2019; and

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

BE IT FURTHER RESOLVED that the Mayor of the Township of Irvington be and hereby is authorized to execute a Grant Agreement with the Essex County Division of Community Action as sub-recipient of Social Services for the Homeless funds in the amount of \$125,000.00

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington does hereby accept the award of \$125,000.00 for such activities.

Adopted

Jones – Cox 11. Rescind Resolutions EDGO 18-1204-26; EDGO 18-1204-27 and EDGO 18-1204-28 - Not Necessary for Soliciting and Accepting Quotes Under the HOME Owner Rehabilitation Program

RESCIND RESOLUTION NUMBERS EDGO 18-1204-26; EDGO 18-1204-27 AND EDGO 18-1204-28 AWARDING HOME REHABILITATION CONTRACTS.

WHEREAS, the Municipal Council adopted Resolution Numbers EDGO 18-1204-26; EDGO 18-1204-27 AND EDGO 18-1204-28 on December 4, 2018 approving the award of a contract under the HOME Owner Rehabilitation Program

WHEREAS, a resolution is not needed for contractors selected by soliciting and accepting quotes, the above resolutions are hereby being rescinded;

NOW THEREFORE BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, that resolution numbers EDGO 18-1204-26; EDGO 18-1204-27 AND EDGO 18-1204-28 are rescinded.

Adopted

A. Communications

1. Mayor Vauss – Re-Appointment – Planning Board – Municipal Engineer John Wiggins – January 1, 2019 Through December 31, 2019

11. Pending Business

None

12. Miscellaneous

None

NON-CONSENT AGENDA ITEMS

8. Ordinances, Bills & Claims

A. Ordinances on 1st Reading

Jones – Inman 1. Authorize Quit Claim Deed for 70 Grace Street, Block 219, Lot 16

AN ORDINANCE ACCEPTING A QUIT CLAIM DEED FOR 70 GRACE STREET, IRVINGTON, NEW JERSEY, 07111 IN THE TOWNSHIP OF IRVINGTON FROM ARPIGIO SOLUTIONS LLC

Adopted

Inman – Lyons 2. Authorize Quit Claim Deed for 2 – 4 Nelson Place, Block 140, Lot 7

AN ORDINANCE ACCEPTING A QUIT CLAIM DEED FOR 2-4 NELSON PLACE, IRVINGTON, NEW JERSEY, 07111 IN THE TOWNSHIP OF IRVINGTON FROM WALDEMAR POLACK

Adopted

Hudley – Inman 3. Authorize Quit Claim Deed for 6 Nelson Place, Block 144, Lot 8

AN ORDINANCE ACCEPTING A QUIT CLAIM DEED FOR 6 NELSON PLACE, IRVINGTON, NEW JERSEY, 07111 IN THE TOWNSHIP OF IRVINGTON FROM WALDEMAR POLACK

Adopted

Inman – Hudley 4. Authorize Quit Claim Deed for 35-39 22nd Street, Block 126, Lot 34

AN ORDINANCE ACCEPTING A QUIT CLAIM DEED FOR 35-39 22nd Street, IRVINGTON, NEW JERSEY, 07111 IN THE TOWNSHIP OF IRVINGTON FROM HELEN BUNIEWICZ c/o JOHN BUNIEWCZ

Adopted

Hudley – Jones 5. Amend and Supplement Section 7-151D of Revised Code – Compensation for Off Duty Law Enforcement Officers

AN ORDINANCE AMENDING AND SUPPLEMENT ORDINANCE NUMBER MC 3658 REGARDING RATES OF COMPENSATION FOR OFF DUTY LAW ENFORCEMENT OFFICERS.

Adopted

B. Ordinances on 2nd Reading

1. President Lyons: An ordinance amending chapter 290, section 14 of the revised code regarding fees for tobacco licenses 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 FOR TOBACCO LICENSES

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON AS FOLLOWS:

SECTION 1. Section 290-14 is hereby amended and supplemented as follows:

§290-14 Tobacco License Fees

A. License Required. No person shall sell tobacco unless a local license to operate the same has been issued by the Department of Health following the requisite approval, as defined in N.J.A.C. 8:24-1.5.

B. Annual Fee. The annual fee for a tobacco license shall be \$250.

C. Display of License. The license issued under the provision of this section shall be displayed in a conspicuous place, by the establishment's entrance or cash register in such a manner that the public may view the license.

D. Violations. A license issued under the provision of this section may be revoked or suspended, a request for a license may be denied, and the violation may be reported to the New Jersey Department of Taxation based upon just cause which shall include:

1. The violation of any statute, regulation or code of the State of New Jersey dealing with health, disease control, sanitary practices, or environmental control;
2. The sale of tobacco and/or any type of smoking device or product to a person under the legal age, as defined in N.J. Stat. 54:40:40A-4.1;
3. The illegal sale of untaxed, counterfeit or single cigarettes; or
4. The violation of any provision of any other ordinance of the Township of Irvington.

E. Penalties.

a. Fines for violations of this section are as follows:

i. First violation: a fine of \$100

ii. Second violation: a fine of \$500

iii. Third violation: a fine of \$1000 and a mandatory court appearance.

SECTION 2. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. This ordinance shall take effect upon final passage and publication according to law.

The public hearing on this ordinance is now open.

There were no requests to be heard.

Jones – Burgess

Motion to close public hearing

Adopted

Jones - Burgess

Motion to adopt this ordinance on second reading after public hearing

Adopted

2. President Lyons: An ordinance amending chapter 464, section 12 of revised code regarding sign illumination on existing commercial properties will be heard at this time. For the record this notice is identical to the first notice that was read. The Clerk will read the ordinance by title.

AN ORDINANCE TO AMEND CHAPTER 464 (REGISTRATION OF COMMERCIAL AND MULTIFAMILY PROPERTIES) OF THE CODE OF THE TOWNSHIP OF IRVINGTON

SECTION 1. Section 464-12 of the revised Code is hereby amended and supplemented as follows:

[§ 464-12 Hours of operation for all new and existing commercial properties; lighting.](#)

No commercial property to which the public is invited shall be opened to the public or conduct any such business, operations or activities in any manner before 5:00 a.m. on any day and after 12:00 midnight on the same day on Mondays through Thursdays, or after 1:00 a.m. on Fridays through Sundays and legal holidays, subject to other municipal ordinances which otherwise limit hours of operation for commercial properties.

B. Except with respect to security lighting, in non-residential areas, all exterior and window electrical lighting or illumination, whether temporary or permanent, for each such business or commercial establishment shall be extinguished at the closing time thereof, as established herein. In residential areas, electronically illuminated signs shall be turned off and shall not function from 9 p.m. to 6 a.m. daily.

SECTION 2. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. This ordinance shall take effect upon final passage and publication according to law.

The public hearing on this ordinance is now open.

There were no requests to be heard.

Jones – Hudley Motion to close public hearing

Adopted

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

Adopted

Abstain: Frederic, Inman

3. President Lyons: An ordinance prohibiting construction on state and federal legal holidays will be heard at this time. For the record this notice is identical to the first notice that was read. The Clerk will read the ordinance by title.

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 566 OF THE REVISED CODE OF THE TOWNSHIP OF IRVINGTON ENTITLED SUNDAY CONSTRUCTION TO PROHIBIT CONSTRUCTION ON SUNDAYS AND HOLIDAYS

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

SECTION 1. Chapter 566, Section 3 of the Revised Code is hereby amended and supplemented as follows:

566-3. Construction work on Sundays and Holidays prohibited.

It shall be unlawful for any person or persons to operate or engage in the exterior or interior construction, demolition, erection, alteration or repair of lots, buildings or structures of any kind within the Town of Irvington on the first day of the week, commonly known as Sunday, and any United States of America, Federal Holiday or State of New Jersey, State Holiday.

SECTION 2. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. This ordinance shall take effect upon final passage and publication according to law.

The public hearing on this ordinance is now open.

There were no requests to be heard.

Burgess – Cox Motion to close public hearing

Adopted
No: Inman

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

Adopted
Abstain: Frederic
No: Inman

4. President Lyons: An ordinance amending section 7-62 of the revised code regarding public defenders will be heard at this time. For the record this notice is identical to the first notice that was read. The Clerk will read the ordinance by title.

ORDINANCE TO AMEND CHAPTER 7-62 (PUBLIC DEFENDERS) OF THE CODE OF THE TOWNSHIP OF IRVINGTON ESTABLISHING RATE OF PAY FOR MUNICIPAL PUBLIC DEFENDERS

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON AS FOLLOWS:

The Municipal Council of the Township of Irvington hereby amends and supplements Chapter 7-62 (Public Defenders) of the Code of the Township of Irvington as follows:

A. The Business Administrator shall appoint in the Office of the Business Administrator one or more Municipal Public Defenders who shall, prior to their appointment, have been duly admitted to the practice of law in this state. There shall be a Chief Public Defender who shall be paid \$30,000 per year. There also may be subordinate Public Defenders who shall be per diem. The rate per session for per diem Public Defenders shall be \$225.00 for the year 2018 and \$250.00 per session for the year 2019 and beyond. All Municipal Public Defender's days and hours of assignment shall be as designated by the Business Administrator and;

B. Any person applying for representation by the Municipal Public Defender must pay a fee of \$250.00. The application fee can only be waived after a review and determination of the Municipal Court Judge that such person cannot afford to pay the same and thus may be deprived of the right to counsel.

All ordinances inconsistent with this ordinance are hereby repealed and revised to comply with the language above

This ordinance shall take effect upon final passage in accordance with law.

The public hearing on this ordinance is now open.

There were no requests to be heard.

Lyons - Hudley Motion to close public hearing

Adopted

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

Adopted

5. President Lyons: An ordinance amending chapter 472 of the revised code regarding rent control will be heard at this time. For the record this notice is identical to the first notice that was read. The Clerk will read the ordinance by title.

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 472 OF THE
REVISED CODE OF THE TOWNSHIP OF IRVINGTON ENTITLED RENT
CONTROL**

**BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF
IRVINGTON AS FOLLOWS:**

SECTION 1. Chapter 472 of the Revised Code of the Township of Irvington is hereby amended and supplemented as follows:

Chapter 472: Rent Control

[HISTORY: Adopted by the Municipal Council of the Town (now Township) of Irvington 7-14-1981 by Ord. No. MC 2635 (Ch. 151 of the 1981 Revised Code). Amendments noted where applicable.]

§ 472-1. Establishment of rents.

[Amended 10-27-1981 by Ord. No. MC 2644; 10-12-1982 by Ord. No. MC 2672; 2-22-1983 by Ord. No. 2687]

From and after the effective date of this chapter, no landlord in the Township of Irvington shall charge any rent in excess of that which he was charging as of the effective date hereof, except for such increases as are provided herein. Establishment of rents charged **on** dwelling units to which this chapter is applicable shall hereafter be determined by this chapter. At the expiration of a lease or at the termination of the lease of a periodic tenant, no landlord may request, charge or receive an increase in rent greater than that allowed by Subsection A of this section. A periodic tenant whose lease term is less than one year shall not be caused to pay any increase in any twelve-month period which exceeds that allowed by Subsection A of this section. No tenant shall be caused to pay more than one increase in any twelve-month period.

- A. The increase in rents permitted under this section shall be as follows: [Amended 4-9-1985 by Ord. No. MC 2777]
- (1) Where the landlord supplies heat to the dwelling unit, the increase in rent shall not exceed 4% of the prior year's rent.
 - (2) Where the landlord does not supply heat to the dwelling unit, the increase in rent shall not exceed 3% of the prior year's rent.
 - (3) An individual age 65 or older who is a sole tenant or living with others adults all aged 65 or older within the unit shall be limited to a 2% increase annually regardless of whether the landlord provides heat to the unit.
 - (4) Where a vacancy of a dwelling unit presently exists or occurs after the effective date of this chapter, the provisions of Subsection A(1) and (2) and (3) hereinabove shall not apply, and the rent for said vacant dwelling unit shall be decontrolled until said dwelling unit is again rented or leased at a new agreed rental rate. After one year of said new rental, the increase in rent permitted for said new tenancy shall be as set forth in Subsection A(1) and (2) and (3) above.
- B. The increase permitted under Subsection A herein shall be computed upon the base rent charged the tenant and not upon the base rent plus any hardship or capital surcharge granted under § 472-4 of this chapter and collected for any specified period of time.
- C. A landlord shall not be entitled to request, charge or receive any tax surcharge by reason of increase in municipal property taxes.
- D. Tenants of any residential properties may present a written petition signed by a majority of the tenants and consented to by the landlord of the property agreeing to a specific rent surcharge for a specific purpose or project, and providing for the landlord's permission to permit the tenant's representative to review the expenditures involved for the particular purpose or project surcharge. Each dwelling unit shall be considered a single tenant for the purposes of this subsection. If the aforementioned surcharge is approved by the Rent Leveling Officer, the surcharges shall run for maximum of two years, if so provided. If there are in existence joint agreements which have been in existence for more than two years, they shall expire within 60 days after the effective passage of this amendment. [Amended 2-24-1994 by Ord. No. MC 2991]
- E. Unbundling. [Added 4-26-1994 by Ord. No. MC 2997]
- (1) A landlord shall not be allowed to unbundle service in order to defeat the intent of this chapter.
 - a. "Unbundling" shall include, but not be limited to, subcontracting or providing for a separate charge for parking. Unbundling shall also include changing the term(s) of any previously received security deposit by increasing the amount to be deposited with the Landlord beyond the amount agreed to in the original lease or in the event of valid rent increases requiring a tenant to deposit more than the proportional increase of deposit which would make the security deposit consistent with the terms of the original lease.
 - b. Any person or persons residing as a tenant on the effective date of said unbundling shall be entitled to remain in their then-existing status as long as they shall remain as a tenant.
 - (2) Fines of \$250 per violation per day may be levied on a daily basis for anyone found to be in violation of this section. Each day the violation continues to exist can be treated as a separate violation subject to a daily fine. Fines shall be issued by the Rent Leveling Officer and/or designee.
- F. Fees for Late Payment of Rent and Bounced Checks. Prospectively, upon renewal of a lease or upon entering a new lease, the landlord shall include a provision in the lease

agreement limiting fees for payment of rent by the tenant more than seven (7) days late to a maximum of \$50 and limiting fees for bounced checks to a maximum of \$25.

§ 472-2. Notification of rental increase.

[Amended 10-27-1981 by Ord. No. MC 2644; 2-22-1983 by Ord. No. MC 2687]

Any landlord who shall increase rents as provided in § 472-1 hereof shall give notice to his tenants by any reasonable means of said increase; provided, however, that when said notice is not mailed to the tenant's residence, delivery is not considered to have been accomplished unless a signed receipt is obtained from the tenant or his representative. If a tenant is notified by mail other than certified or registered mail, the landlord or his representative shall certify in writing that he mailed the notice to the tenant. Said certification shall be retained for a period of three years.

§ 472-3. Exceptions.

The provisions of this chapter shall not apply to:

- A. Motels, hotels and similar dwellings.
- B. Dwellings of two units or less.
- C. Dwellings of three and four units, at least one of which is occupied by one or more of the owners thereof.
- D. Dwellings subject to rent control or stabilization under any state or federal law.
[¹] Editor's Note: Former § 151-3E of the 1981 Revised Code, pertaining to dwelling units available for occupancy on or after July 1, 1981, which previously followed this subsection, was repealed 4-9-1985 by Ord. No. MC 2777.
- E. With respect to the unbundling provisions set forth in § 472-1E only, dwellings developed pursuant to a general development plan approved by the Planning Board and subject to a redevelopment agreement with the Township.
[Added 5-14-2013 by Ord. No. MC 3492].

§ 472-4. Hardship or capital improvement relief.

- A. If, as the result of circumstances which he could not reasonably have foreseen or anticipated or which are beyond his/her control, a landlord is unable to earn a fair rate of return on his investment, he may appeal to the Rent Leveling Officer (hereafter "RLO") for an increase in rent in excess of that permitted under § 472-1 hereof, via an application to be developed by the RLO. In connection with any appeal filed hereunder, the landlord shall prove his expenses of operation, including but not limited to payment of the purchase money mortgage or mortgages and any subsequent mortgages, the proceeds of which were used for major capital improvements as defined in Subsection B of this section, fuel, utilities, taxes, sewer user charges, maintenance and repairs, a management fee not to exceed 5% of gross rents, and related charges. Management fees may be allowed as an expense, whether paid to the landlord or a management company. For good cause shown, the RLO may grant either an increase in the rent charged or permit the landlord to receive a surcharge to be collected for a specified period of time only in order to enable the landlord to earn said fair rate of return.
- B. Major capital improvement surcharge.
Amended 10-11-1983 by Ord. No. MC 2713]
 - (1) A major capital improvement consists of a substantial change in the housing accommodations such as would materially increase the rental value in a normal market and will provide tenants with a benefit or service which they had not previously enjoyed. Replacement of facilities, materials or

equipment so as to maintain the same level of services as previously provided or bargained for shall not constitute a major capital improvement.

(2) Major capital improvement adjustment

- a. A landlord may seek a rent surcharge for a major capital improvement. Any landlord seeking a major capital improvement surcharge shall apply to the Rent Leveling Officer and pay the application fee of \$75.00, via the above proposed application, which the RLO shall, upon a showing of satisfactory proof, determine if said improvement is a major capital improvement and, if so, shall permit such surcharge. In no event shall any surcharge permitted under this section exceed the annual cost of the capital improvement per room multiplied by the number of rooms occupied by the tenant, or exceed 15% of the tenant's base rent, whichever is the lesser. The surcharge may be granted for the entire premises or the particular units benefited by the improvement.
 - b. Any major capital improvement surcharge granted by the RLO shall be paid in equal monthly installments over the period set by the RLO.
- C. No application filed pursuant to Subsection **A** or **B** of this section may be heard by the RLO unless the landlord shall have attached to his application proof under oath that he has given notice of same to all affected tenants by posting a copy thereof in the front lobby or entranceway to the premises and by mailing same at least two weeks prior to the first scheduled hearing of the matter by the RLO. Said notice, a copy of which shall be attached to said application, shall clearly set forth the content and basis of the application. Notice of application for relief pursuant to Subsection **B** of this section shall include the total cost of the completed capital improvement, the number of years of useful life of the improvement as claimed by the landlord for purposes of depreciation for income tax purposes, the actual cost of the improvement, the total number of square feet of the dwelling or unit affected, the total square feet occupied by the tenant, if applicable, and the capital improvement surcharge he is seeking from each tenant.
- D. No hardship or capital improvement increase or surcharge may be granted unless the landlord shall have held title to the premises in question for a period of at least one year prior to the date of his application for said relief, unless, for good cause shown, the RLO waives this requirement.

§ 472-5. Compliance.

[Amended 9-28-1982 by Ord. No. MC 2668; 6-14-1988 by Ord. No. MC 2858; 7-14-2009 by Ord. No. MC 3407; 7-1-2014 by Ord. No. MC 3511]

No application made pursuant to § 472-4A of this chapter may be heard by the Board unless attached thereto is an informational certificate or report of inspection issued by the New Jersey Department of Community Affairs or the Department of Housing Services pursuant to § 355-26 of this Code not more than 18 months prior to the date of said application. No such application may be approved by the Board unless the Board shall have first determined that there are no substantial violations of the health, safety or housing laws, codes or regulations of the Township of Irvington affecting said premises. In the event that said informational certificate or report of inspection discloses substantial violations of said laws, codes or regulations, the Board may approve such application; conditioned, however, upon the submission by the landlord

within 180 days of said conditional approval of an informational certificate or report of inspection indicating that all of said violations have been corrected. Failure to submit said supplemental certificate or report within 180 days shall render any conditional approval void as of the date granted, and any hardship rent increase or surcharge collected during said period of time shall be returned forthwith to the tenant.

§ 472-6. Rent Leveling Officer.

In order to administer the provisions of this chapter, the prior authority exercised under the auspices of the Rent Leveling Board within the Town of Irvington shall be exercised by the Rent Leveling Officer.

§ 472-7. Acts to cause tenant to vacate prohibited.

No landlord of dwelling units to which this chapter is applicable shall do, or cause to be done, any act or thing with the intent to cause a tenant to vacate said dwelling unit in order that said dwelling unit shall become vacant and no longer subject to this chapter as provided by § 151-3E hereof. 2 In any proceeding instituted by a tenant under this section, the reduction of standards of service, maintenance, health and safety conditions, furniture, furnishings or equipment in and for said dwelling unit shall create a rebuttable presumption that the act or thing done or caused to be done by the landlord was done with the intent to cause said tenant to vacate said dwelling unit.

§ 472-8. Powers of Rent Leveling Board.

The Rent Leveling Officer shall have the following powers:

- A. To promulgate such rules and regulations as he/she deems necessary to implement the purposes of this act, which rules and regulations shall be approved by the Township of Irvington Council and have the force of law until revised, repealed or amended from time to time by the resolution of the Township of Irvington Council, in the exercise of his/her discretion
- B. To supply information and assistance to landlords and tenants to enable them to comply with the provisions of this chapter.
- C. To hold hearings and adjudicate applications by landlords for additional rent or surcharges.
- D. To hold hearings and consider complaints by tenants that the premises is not in substantial compliance with the health, safety and housing laws, codes and regulations of the Town of Irvington. In the event that the Board determines that substantial violations of said laws, codes and regulations exist, it may order the return to the tenant of all or any portion of the increase provided for in § 472-1A and B hereof; provided, however, that before ordering any such return of rent, the Board shall afford the landlord 90 days within which to abate such violations.
- E. To hold hearings and consider complaints that a landlord has violated § 472-7 of this chapter. For good cause shown, the Board may order that said dwelling unit shall remain or again become, as the case may be, subject to the provisions of this chapter for such period of time as the Board considers just, the provisions of § 151-3E notwithstanding.^[1]

[1] Editor's Note: Former § 151-3E, pertaining to dwelling units available for occupancy on or after July 1, 1981, was repealed 4-9-1985 by Ord. No. MC 2777

- F. To employ an attorney to attend meetings and advise and represent the RLO, and such other consultants, including a certified or public accountant, as the RLO may deem necessary or advisable.
- G. To issue fines for any violations of Township code, to rescind a Certificate of Habitability, Certificate of Occupancy and/or take any other action permitted under applicable Code Enforcement/Housing/Building Construction State or local laws, rules and regulations. In such instances where the RLO shall pursue fines against a Landlord for violations and/or non-compliance with a ruling of the RLO, the RLO shall seek restitution damages for the Township for any cost(s) incurred outside the normal operations of the RLO and/or any additional staff of the Township of Irvington to address the violation(s) and/or non-compliance.
- H. To afford both landlords and tenants reasonable opportunity to be heard before making any determination.

I. Landlord Property/Unit Registration

- (1) Between January 1 and March 3 of each calendar year, all owners and/or landlords of dwellings shall file with the Township of Irvington Department of Housing and Building Construction a new landlord registration statement for each dwelling unit owned. An owner and/or landlord who purchases a dwelling on or after April 1 of any year shall also file a landlord registration statement within seven (7) days of purchase. Owner(s) and/or landlords(s) entitled to an increase in the base rent as a result of improving vacant housing spaces shall immediately file an amended landlord registration statement.
- (2) Every owner and/or landlord shall, within 90 days following the effective date of this subsection or the creation of the first tenancy in any dwelling containing five (5) or more housing spaces, whether or not subject to the restriction of *rent* increases in this chapter, file a landlord registration statement with the Department of Housing and Building Construction containing the following information.
 - a. The name and address of the record owner or owners of the dwelling and the record owner or owners of the rental business if not the same person.
 - b. If the record owner is a corporation, the name and address of the registered agent and corporate officers of the corporation.
 - c. If the address of any record owner or owners is not located in the County of Essex, the name and address of a person who resides in the County of Essex or has an office in the County of Essex and is authorized to accept notices from tenants and to issue receipts for notices from tenants to accept services of process on behalf of the record owner or owners.
 - d. The name and address of the managing agent of the dwelling, if any.
 - e. The name and address, including the dwelling unit, apartment or room number of the superintendent, janitor, custodian or any other individual employed by the record owner or managing agent to provide regular maintenance service if any.

- f. The name, address and telephone number of any individual representative of the record owner or managing agent who may be called at any time in case of an emergency affecting the dwelling or any housing space with in the dwelling, including such emergencies as the failure of any essential service or system, and who has the authority to make emergency decisions concerning the building and any repair to the building or expenditure in connection with the building.
- g. A list of the base monthly rents of each housing space, by apartment or room number, within the dwelling as of the date of registration.

J. **Non-Registration Penalty**

The RLO shall have the authority to issue penalties consistent with those authorized in §151-8G for non-compliance with the registration provision outlined above.

§ 472-9. Appeals.

Decisions of the RLO may be appealed to the Rent Control Board, which shall consist of the seven member Township of Irvington Municipal Council. Any appeal(s) thereafter shall be filed with the courts in accordance with the rules pertaining to administrative appeals.

§ 472-10. Fees.

[Amended 8-11-1987 by Ord. No. MC 2834]

Upon the filing of an application for relief to the Rent Leveling Board, the applicant shall pay the following fees:

- A. For hardship or capital improvement relief, the fee shall be \$5 per dwelling unit, but not less than \$25 nor more than \$200.
- B. For all other applications or complaints, the fee shall be \$10.
- C. The fee for a copy of this chapter shall be \$2.50.
- D. The fee for a copy of the hardship application forms shall be \$2.

§ 472-11. Violations and penalties.

[Amended 9-8-1987 by Ord. No. MC 28355]

A willful violation of any provision of this chapter, including but not limited to the willful filing with the RLO of any material misstatement of fact, shall be punishable as provided in Chapter 1, Article III. A violation affecting more than one dwelling unit shall be considered a separate violation as to each such dwelling unit. If a landlord has been in violation of the chapter, then the tenants shall have a remedy to receive a refund for an over charge retroactive to two years from the date of the complaint.

§ 472-12. Construal.

This chapter, being necessary for the welfare of the inhabitants of the Town of Irvington, shall be liberally construed to effectuate the purposes thereof.

§ 472-13. Complaints.

Any complaint by a tenant respecting a violation of this chapter shall be in writing and filed with the Rent Leveling Board within one year from the date of the violation; provided, however, that complaints filed pursuant to § 472-7 shall be filed within 60 days of the date of the last act or thing alleged to violate said section. Failure to file within the aforesaid periods shall bar the acceptance of the complaint by the Board.

§ 472-14. Repealer.

Ordinance No. MC 2597 is hereby repealed.^[1]

[1] Editor's Note: Ordinance No. MC 2597 comprised former Ch. 151, Rent Control, of the 1981 Revised Ordinances of the Township of Irvington.

SECTION 2. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of the within ordinance are hereby repealed.

SECTION 3. This ordinance shall take effect upon final passage and publication according to law.

The Chair recognizes Council Member Jones

Jones – Cox

Motion to table

Adopted

C. Bills Claims

Jones – Lyons 1. Bill Lists [NOT TO INCLUDE SUPPLEMENTAL BILL LIST]

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD JANUARY 28, 2019, 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	\$6,024,892.07
TOTAL	\$6,024,892.07

Adopted
No: Inman

Frederic – Jones 2. Payrolls [REFLECTS CORRECTION TO PREVIOUS PAYROLLS ONLY]

December 8, 2018 through December 14, 2018

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$15,014.30	\$7,920.10	\$3,219.01	\$26,153.41

December 15, 2018 through December 31, 2018

REGULAR	OVERTIME	OTHER EARNED	TOTAL
---------	----------	--------------	-------

\$13,762.53	\$8,896.56	\$ 8,847.70	\$31,506.79
-------------	------------	-------------	-------------

December 29, 2018 through January 11, 2019

REGULAR	OVERTIME	OTHER EARNED	TOTAL
(-\$12,167.93)	\$ -0-	\$1,330.65	(-\$10,837.28)

Adopted
No: Inman

9. Resolutions & Motions

A. Resolutions

Cox – Frederic 12. Establish Annual Sewer User Charge for 2019 - \$180.00 Per Unit

Resolution for Annual Sewer User Charge

WHEREAS, the Joint Meeting of Essex and Union County Sewer Commission has forwarded a schedule of assessments to the Chief Financial Officer covering domestic and industrial unit sewer user charges; and

WHEREAS, the Chief Financial Officer has analyzed the said schedule and costs of collection attached thereto; and

WHEREAS, the Chief Financial Officer has recommended that the domestic unit user charge be \$180.00 for 2019; and

WHEREAS, the annual sewer charge is due March 1st of each year;

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Tax Collector, Supervisor of Sewer User Charges be and is hereby authorized to charge and bill for 2019 at the unit rate of **\$180.00**.

Adopted
No: Inman

12. Miscellaneous

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

Elouise McDaniel, 214 Nesbit Terrace

Council Member Frederic and Council President Lyons responded to the issues raised by the above referenced citizen.

13. Adjournment

There being no further business, the meeting was adjourned at 7:52 P.M.

David Lyons, Council President

Harold E. Wiener, Municipal Clerk