

REGULAR COUNCIL MEETING  
FEBRUARY 25, 2019

Council Chamber, Municipal Building  
Irvington, N.J. – Monday Evening  
February 25, 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 – February 11, 2019
2. Municipal Court Electronic Collections Report Through January, 2019
3. Joint Meeting Minutes – December 20, 2018
4. Joint Meeting – Annual Report of Sewerage Contribution for the Purposes of 2019 Assessments

7. Reports of Committees

A. Bid Results – February 6, 2019 - Removal and Replacement of Coit Street Salt Dome

8. Ordinances, Bills & Claims

B. Ordinances on 2nd Reading

None

9. Resolutions & Motions

**A. Resolutions**

Jones – Cox 1. Authorize Use of Public Buildings as Polling Places for 2019 Election Cycle

BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, NEW JERSEY that the following public buildings are hereby authorized for election purposes for the Local School Board, Primary and General Elections during the year 2019:

WARD	DISTRICT	LOCATION
East	2 & 3	Shelter House, Parkway Playground
East	4	Grove Street Firehouse
West	8	Shelter House, 40th Street Playground
North	6, 7 & 8	Shelter House, Orange Park

Adopted

Burgess - Hudley 2. Resolution of Sorrow - Mustafa Kumar "Mu Mu" Dunn

Resolution of Sorrow - Mustafa Kumar "Mu Mu" Dunn

WHEREAS, the Municipal Council of the Township of Irvington wishes to express their deepest sorrow on the passing of Mustafa Kumar "Mu Mu" Dunn; and

WHEREAS, Mustafa Kumar "Mu Mu" Dunn was born on February 14, 1978 in Newark, New Jersey to Thomasina "Punchy" Dunn-McDonald and the late Marvin "Mustafa" Webb; and

WHEREAS, he was called home to rest on January 30, 2019; and

WHEREAS, Mu Mu was a rambunctious child who loved climbing trees, throwing rocks, fixing cars in Mr. Dixon's backyard and wrestling; and

WHEREAS, he could often be found running up and down 8th Street with his cousins and friends or throwing water balloons off the roof with his uncle; and

WHEREAS, Mu Mu received his early education in the Newark Public School district before graduating from Union High School in 1996; and

WHEREAS, he spent many years employed at The Hillside Community Food Bank followed by years as an Operations Counselor at Delaney Hall in Newark, New Jersey; and

WHEREAS, we will remember him for his bright smile, slick mouth, funny jokes, and asking everyone "why you up" on Facebook; and

WHEREAS, Mustafa was preceded in death by his father Marvin "Mustafa" Webb, maternal grandfather Vernon Dunn Sr., paternal grandmother Nancy Graham, uncles Reginald Green and Lamont Webb, and a very special cousin Hassan Scott; and

WHEREAS, Mustafa leaves to cherish his memory his son Al-Qumar Dunn, mother Thomasina "Punchy" McDonald, stepfather Derrell McDonald, grandmother Dolores Dunn, 1 brother Asmar Webb, 2 sisters Shaheedah Dunn and Naadirah Harris, 6 uncles Vernon Dunn Jr. (Carmen), Hashan "Gechi" Dunn, Victor Webb, William Graham, Darryl Graham, and Darryl Green, 2 aunts Sheila Barnhill and Theresa Miller, 1 niece Nicole and 1 nephew Shaquis, his favorite cousin/bestie Tanessa "Chuck" Scott and host of other relatives and friends including The Scott Family, The Dixon Family, The Hickson Family, The Tarver Family and The Muhammad Family:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that we hereby mourn the loss of Mustafa Qumar "Mu Mu" Dunn and joins with his family and many 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 Mustafa Qumar "Mu Mu" Dunn

Adopted

Lyons – Burgess 3. Resolution of Sorrow - Deacon Albert Lee Taylor

Resolution of Sorrow -  
Deacon Albert Lee Taylor

WHEREAS, Deacon Albert Lee Taylor was born on May 23, 1939 to the late Jimmie Lee Jones and Maggie Lee Legrand Albert departed this life on Sunday, February 3, 2019 at the age of 79; and

WHEREAS, Albert (Al) as he was lovingly known to his family and friends; and

WHEREAS, he was educated in the North Carolina school system and graduated from Phillip high school in 1957; and

WHEREAS, Shortly, after graduating from high school he moved to Newark New Jersey and further his education at Newark Tech majoring in tool and die; and

WHEREAS, He worked for Art Metal USA for 30 years before the company closed; and

WHEREAS, Al then became employed at Charles Besler for 15 years until he retired as a plant manager in 2001; and

WHEREAS, in 1969, Al met Barbara Morgan and married her on April 1, 1972; and

WHEREAS, to this union three children were born; and

WHEREAS, Al became a member of Berean Baptist Church in Newark, New Jersey in 1990; and

WHEREAS, Al was a very active member, he became a deacon in 1993; and

WHEREAS, Al was very involved in the community where he served as a Boy Scout leader, auxiliary police officer and district leader; and

WHEREAS, Al was an amazing man he was funny and had a heart of gold; and

WHEREAS, one thing Al would let you know that he was the firstborn grandchild and you had to listen to him; and

WHEREAS, Al was preceded in death by his parents, his siblings, Charles Jones, Jimmy Jones, Shirley Jones and Rose Jefferson; and

WHEREAS, Al leaves to cherish his loving memories his wife, Barbara Taylor; his children Anthony Lucas, Michele Taylor, Gregory Taylor (Janiya) and Keisha Taylor; one son-in-law Marcus Hill; two brother-in-laws Willie Lancaster and Alfred Jefferson; one sister-in-law Lisa Ellis; two siblings Andre Ellis and Arlene Lancaster of Rocky Mount, North Carolina his grandchildren were his world Sherena Whitaker, Quanisha Crosby, Keyana Dobbs, Kierra Hill, Ghane' Taylor, Haniyah Marshall, Kevin Hill, Tahir Anthony, and Anirah Taylor; three great grandchildren and a host of nieces, nephews, cousins, other family members 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 Deacon Albert Lee Taylor 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 Deacon Albert Lee Taylor.

Adopted

Cox – Hudley 4. Ratify Memorandum of Agreement - IUOE Local 68D – White Collar - July 1, 2017 to June 30, 2021

WHEREAS, the Township of Irvington and the IUOE Local 68D “White Collar” has engaged in labor negotiations for the purpose of establishing salaries and other conditions of employment for members of said association of the Township of Irvington; and

WHEREAS, the Township of Irvington and the IUOE Local 68D “White Collar” have mutually agreed to the salaries and other conditions of employment for the period beginning July 1, 2017 and ending June 30, 2021;

NOW, THEREFORE BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that they hereby ratify and approve the terms and conditions of the Memorandum of Agreement attached hereto and made a part hereof; and

BE IT FURTHER RESOLVED that the Mayor and the Township Clerk are authorized and empowered to execute the said Memorandum of Agreement.

Adopted

Jones – Hudley 5. Authorize Contract Extension for Pest Control and Management Services - TRI-County Termite and Pest Control - February 15, 2019 to March 18, 2019 – Not to Exceed \$1,000.00  
CONTRACT EXTENSION FOR PEST CONTROL AND MANAGEMENT SERVICES

WHEREAS, resolution number DH 17-0215-3 authorized a contract for pest control and management services which expires on February 15, 2018; and

WHEREAS, resolution number DH 18-0313-6 extended this service contract for one year until February 15, 2019; and

WHEREAS, the original specifications included language that allowed for the extension of this contract for [two] one year contract at the existing terms and conditions if mutually accepted to the vendor and Township; and

WHEREAS, the vendor has agreed to extend the existing agreement for one month; and

WHEREAS, it would be in the Township's best interest to extend the existing agreement for one month as recommended by the Health Director; and

NOW, BE IT HEREBY RESOLVED by the Township of Irvington, Essex County, New Jersey that the following contract be extended for one month, starting on February 15, 2019 until March 18, 2019 with TRI-County Termite and Pest Control, 187 Delaware Ave, Carneys, NJ 08069 for an amount not to exceed \$1,000.00; and

BE IT FURTHER RESOLVED, that the required certification of availability of funds C9-00193 in the amount of \$1,000.00 from account number T-21-41-850-19D-804 has been obtained from the Chief Financial Officer; and

BE IT FURTHER RESOLVED that the Township Attorney is directed to prepare the appropriate contracts and the Mayor and the Township Clerk be and the same are hereby authorized to execute said contract with the above listed company.

Adopted

Burgess – Lyons 6. Reject Request for Proposals for Payroll Service - Scope of Service Needs to be Revised

REJECTING REQUEST FOR PROPOSALS FOR PAYROLL SERVICE

WHEREAS, on January 16, 2019, the Township of Irvington accepted and opened RFPs for Payroll Services; and

WHEREAS, the Township received one proposal for this service; and

WHEREAS, Business Administrator wishes to reject all proposals on the basis that the RFPs scope of the service must be revised; and

WHEREAS, the Local Public Contract Law, 40A:11-13.2.(d) provides that a municipality may reject all proposals when the scope of service must be revised; and

NOW THEREFORE BE IT RESOVED by the Council of Township of Irvington, in the County of Essex, that all proposals received for payroll services is hereby rejected in accordance with the Local Public Contracts Law, NJSA40A:11-13.2.(d); and

BE IT FURTHER RESOLVED that the Qualified Purchasing Agent is hereby authorized and directed to re-advertise for bid in accordance with the Local Public Contract Law.

Adopted

Lyons – Cox 7. Authorize Contract For Upgrades to Proprietary Software for Finance and Tax Software - Edmunds and Associates Inc. – Not To Exceed \$75,138.00

**RESOLUTION AUTHORIZING THE PURCHASE OF PROPRIETARY SOFTWARE**

WHEREAS, the Department of Finance and Revenue needs to upgrade the Finance and Tax Software program; and

WHEREAS, the upgrade required is needed for calendar year 2018 and 2019; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5(1)(d)(d), the software and hardware being purchase is a sole source product and only can be purchased from Edmunds and Associates, Inc., 301 A Tilton Road, Northfield, NJ 08225; and

WHEREAS, the total cost for the software upgrade is \$75,138.00; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Irvington in the County of Essex, and State of New Jersey, that Qualified Purchasing Agent is authorized to purchase sole source software from Edmunds an Associates Inc., of 301 A Tilton Road, Northfield, NJ 08225 for an amount not to exceed \$75,138.00 and.

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

BE IT FURTHER RESOLVED that the required certification of availability of funds, C9-00196 in the amount of \$31,653.00 was obtained from the Chief Financial Officer from account number 8-01-20-130-130-299 and the remaining balance of \$43,485.00 will be certified upon the adoption of the 2019 budget.

Adopted

Burgess – Hudley 8. Authorize Professional Services Contracts for Architectural Services for the Renovations to Orange Park Municipal Pool - The Musial Group – \$47,390.00

**RESOLUTION TO AWARD A PROFESSIONAL SERVICES CONTRACT FOR THE RENOVATION OF ORANGE PARK POOL**

WHEREAS, the Orange Park complex was constructed in the early 1990's by the Township of Irvington, in order to offer greater recreational facilities to its residents and, as part of that improvement, a new municipal pool and field house was constructed to meet these needs; and

WHEREAS, the Orange Park Pool has served the Township and its residents over the years but has come to the point where renovation and updating is needed; and

WHEREAS, the renovations and updating of this facility was included as part of the Township's Capital Budget; and,

WHEREAS, the scope of this work is beyond the present capabilities of current Township staff; and

WHEREAS, the Township Engineer sought proposals from the four architectural firms that are a part of the Township's annual professional services contract; and

WHEREAS, one response was received from The Musial Group of Mountainside, New Jersey to provide these services; and

WHEREAS the Township Engineer has determined that proposal of The Musial Group in the total amount of \$47,390.00, broken down as \$40,140.00 for design and \$7,250.00 for construction supervision, was satisfactory to accomplish this project ; and

NOW, THEREFORE, BE IT RESOLVED BY MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a professional services contract for the Renovation of Orange Park Pool be awarded to The Musial Group of Mountainside, NJ at their quoted fee of \$47,390.00.

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:34-5.2, the required Certificate of Availability of Funds No. C9-0195 for the above has been obtained from the Chief Financial Officer of the Township of Irvington and the appropriation to be charged for this expenditure is in the amount of \$ 47,390.00 is Account No. C-04-56-852-019-912.

Adopted

Lyons – Cox 9. Authorize Abatement of \$41,265.37 In Interest and Penalties of Municipal Lien in Lieu of Full Payment of \$55,460.78 in Back Taxes Being Paid by February 28, 2019 – 47 – 49 Nesbit Terrace, Block 334, Lot 19

**REQUEST TO ABATE INTEREST & PENALTIES ON MUNICIPAL LIEN**

WHEREAS, a municipal lien was placed on 47-49 Nesbit Terrace COOO1, also known as Block 334 Lot 19 Qual COOO1, at a Tax Sale held on June 28, 2011 for delinquent/unpaid taxes in the amount of \$6,108.86; and

WHEREAS, the total amount due on Block 334 Lot 19 Qual COOO1, Tax Sale Cert# 112177, with interest and penalties to February 25, 2019 is \$96,726.15 which includes subsequent municipal charges up to the 2019 1st quarter taxes; and

WHEREAS, the owner of Center for Urban Studies, Inc., has requested an abatement of the interest and penalties owed on said certificate; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Tax Collector's office is authorized and directed to abate the current interest charges and penalties imposed on Block 334 Lot 19 Qual COOO1 and the taxpayer be allowed to pay the principal amount of \$55,460.78 on or before February 28, 2019.

Adopted

NOTE: Council Member Burgess informed the Municipal Clerk that she had initially moved the above resolution and Council Member Jones had seconded same.

Cox – Jones 10. Authorize Abatement of \$62,120.72 In Interest and Penalties on Past Due Taxes in Lieu of Full Payment of \$81,340.87 in Back Taxes Being Paid on February 15, 2019 – 3 May Street, Block 218, Lot 17

**REQUEST TO ABATE INTEREST & PENALTIES ON TAXES**

WHEREAS, a resolution was approved by the municipal council on March 13, 2018 by resolution number DRF 18-0313-13 for 3 May Street, also known as Block 218, Lot 17; and

WHEREAS, resolution number DRF 18-0313-13 granted interest and penalty abatement of \$48,568.50 and approved a principal count of \$71,266.35 to be paid on or before March 23, 2018; and

WHEREAS, the owner of Jersey Guys Property Management LLC did not pay the principal amount due per referenced resolution and has requested a revised abatement of interest and penalties owed on said property; and



WHEREAS, the current interest to be abated is \$62,120.72 and the principal amount due is \$81,340.87 and the principal amount was paid on February 15, 2019 with check #0299; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Tax Collector's office is authorized and directed to abate the current interest charges and penalties imposed on Block 218, Lot 17 and the taxpayer be allowed to pay the principal amount of \$81,340.87.

Adopted

A. Communications

1. Mayor Vauss – Appointment – Acting Director of Health – Sonia K. Whyte

11. Pending Business

None

12. Miscellaneous

None

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NON-CONSENT AGENDA ITEMS

8. Ordinances, Bills & Claims

A. Ordinances on 1st Reading

Lyons – Cox 1. Amend and Supplement Sections 380-27 and-11 D of Revised Code Regarding Parking on Abandoned Lots

AN ORDINANCE AMENDING AND SUPPLEMENTING SECTION 380-27 REGARDING PARKING ON RESIDENTIAL LAWNS/PROPERTY AND SECTION 620-11 D REGARDING PARKING ON ABANDONED LOTS.

Adopted

Abstain: Frederic

8. Ordinances, Bills & Claims

C. Bills & Claims

Jones – Burgess 1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD FEBRUARY 25, 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	\$3,014,464.89
TOTAL	\$3,014,464.89

Adopted  
No: Inman

9. Resolutions & Motions

A. Resolutions

Jones – Burgess 11. Award Bid – Removal and Replacement of Coit Street Salt Dome – IBN Construction Corporation \$ 385,000.00

RESOLUTION TO AWARD A CONSTRUCTION CONTRACT FOR THE REMOVAL AND REPLACEMENT OF THE COIT STREET SALT DOME

WHEREAS, the Department of Public Works of the Township of Irvington has owned and operated a salt storage facility within the Department of Public Works Coit Street Garage, located at 406 Coit Street; and

WHEREAS, this salt storage is an integral part of the Township's ability to conduct snow removal and salting operations within the Township; and

WHEREAS, the existing salt storage facility, while having performed adequately for many years, has outlived its useful life and is beyond the point of repair so that demolition of the existing facility is necessary and construction of a new facility is required; and,

WHEREAS, after publicly advertising and publicly receiving bids, bids were received from three contractors for this project; and

WHEREAS, based upon a review of the bid documents, it was determined that the lowest responsible bid for this project was the bid of IBN Construction Corporation of Newark, New Jersey at the bid price of \$ 385,000.00.

NOW, THEREFORE, BE IT RESOLVED BY MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract in the amount of \$ 385, 0000.00 be awarded to IBN Construction Corporation of Newark, New Jersey for the Removal and Replacement of the Coit Street Salt Dome project.

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:34-5.2, the required Certificate of Availability of Funds No. C9-00192 for the above has been obtained from the Chief Financial Officer of the Township of Irvington and the appropriation to be charged for this expenditure is in the amount of \$385,000.000 is Account No. C-04-56-852-019-905.

Adopted  
No: Inman

12. Miscellaneous

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

Robert Shaw, 57 Coit Street  
Elouise McDaniel, 214 Nesbit Terrace  
Cheryl Johnson, 20 Kuna Terrace  
Maria Bennett, 147 – 19<sup>th</sup> Avenue

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

13. Adjournment

There being no further business, the meeting was adjourned at 7:58 P.M.

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David Lyons, Council President

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Harold E. Wiener, Municipal Clerk