

REGULAR COUNCIL MEETING
DECEMBER 23, 2019

Council Chamber, Municipal Building
Irvington, N.J. – Monday Evening
December 23 2019 - 7:30 P.M.

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

Present: Jamillah Z. Beasley, Vernal Cox, Charnette Frederic, October Hudley, Paul Inman, Orlander G. Vick, Renee C. Burgess, President

Absent: None

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

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

There were no requests to be heard.

5. Hearing of Council Members

There were no requests to be heard.

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

A. Reports

1. Minutes – Directors’ Meeting – December 9, 2019
2. Joint Meeting Minutes – October 17, 2019
3. Joint Meeting – Annual Financial Reports – Years Ending 2018 and 2019

7. Reports of Committees

A. Request For Proposal Results – Various Professional Services – December 4, 2019

8. Ordinances, Bills & Claims

A. Ordinances on First Reading

None

B. Ordinances on Second Reading

None

9. Resolutions & Motions

A. Resolutions

Burgess - Vick 1. Resolution of Sorrow – Calvin D. West

**RESOLUTION OF SORROW
CALVIN D. WEST**

WHEREAS, Calvin D. West was born November 13, 1932, in Newark, New Jersey unto the union of the late Lonnie West and the late Nettie Jones West, being the fifth of five siblings – brother Kenneth West and sisters, Hon. Larrie West Stalks, Theresa Wynn and Loni Bradic; and

WHEREAS, Calvin attended the Newark public schools – Charlton street and South Side High, then matriculated to Bloomfield College and Cooper Union College in New York; and

WHEREAS, Calvin was versatile in baseball, basketball, football and track and also served in the United States military and was honorably discharged; and

WHEREAS, Calvin enjoyed hobbies such as painting, race horses, gourmet cooking and classical music; and

WHEREAS, Calvin was the former Executive Director of the North Jersey Office of the Governor, serving under the administrations of James E. McGreevey, Richard Codey and Jon Corzine; and

WHEREAS, Calvin also worked for the County of Essex as Deputy Superintendent of Buildings, the City of Orange Township as the personal aide and chief of staff to Mayor Joel Shain and also as Chief Advisor to Mayor Paul Monacelli, as well as serving a member of the Orange Board of Education; and

WHEREAS, Calvin first worked for the City of Newark under the administration of Mayor Hugh Addonizio, where he was the coordinator of the Mayor's Office of Civil Defense; and

WHEREAS, in 1966, at the age of 33, Calvin became the first African American to be elected Councilman-At-Large in the history of Newark; and

WHEREAS, in 1986, Calvin served as the personal aide and chief advisor to Newark mayor Sharpe James, where he was the Mayor's liaison to the Police Department, the Housing Authority and the Municipal Council; and

WHEREAS, Calvin was also the Mayor's Legislative Aide to the Essex County delegation (Senate and Assembly) in the New Jersey Legislature, and also the New Jersey Congressional delegation in Washington, D.C.; and

WHEREAS, Calvin became Mayor Sharpe James representative to the National Organization on Disability, New Jersey Conference of Mayors, New Jersey League of Municipalities, New Jersey

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Conference of Black Mayors, New Jersey Urban Mayors Association, National League of Cities and the United States Conference of Mayors; and

WHEREAS, Calvin spent a number of years in the private sector where he was employed as a correspondent for the Newark Evening News and the Afro-American newspaper in Newark, owned or operated several businesses, including Clearway, a cleaning janitorial/maintenance company in Newark, 611 High Street Partnership, a real estate investment property and mini-shopping mall in Newark, The Turning Point, a supper club in Orange, West Bakery I & II in Newark and the racing stable of West/Turco; and

WHEREAS, Calvin has been an icon in local, county, state, and national democratic politics for the last sixty years, and since 1960, has participated in some highly-contested and successful United States Presidential elections, including helping to coordinate the local presidential campaign efforts of John F. Kennedy, Lyndon B. Johnson, James E. Carter and William J. Clinton; and

WHEREAS, Calvin has played an active role in numerous new jersey gubernatorial campaigns, serving as campaign Advisor and local director to the McGreevey and Corzine campaigns; and

WHEREAS, at the municipal and county levels, Calvin served as the campaign advisor and director of the Joseph N. DiVincenzo for Essex County Executive in 2002 and the campaign advisor of the Sharpe James for Newark Mayor in 1986 and his successive re-election campaigns as well as directing the successful mayoral campaigns of Orange Mayors Joel Shain and Paul Monacelli; and

WHEREAS, Calvin has participated and supported a wide range of charitable and educational causes, both as a volunteer and patron of many non-profit organizations and institutions, including the Boys & Girls Clubs of Newark, Newark Pre-School Council, Newark Symphony Hall, Babyland Family Services in Newark, West Side High (mentoring) and the Bloomfield College (alumni association); and

WHEREAS, Calvin was a volunteer physical education teacher at St. Charles Borromeo Catholic School, Director of Carlton B. Norris Youth Association, founder of the Calvin D. West Civic Association, former Vice-President of the 100 Black Men of New Jersey, life member of the NAACP, the American Cancer Society, the Pace Setters, the VIP Club and the Upper Montclair Country Club; and

WHEREAS, Calvin for the last 49 years has been honored for his community services and humanitarian work and will be sorely missed by the many people his life touched:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington hereby mourns the death of Calvin D. West and offers Calvin's family and friends their condolences of the loss of this precious man; and

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of this governing body in lasting tribute to Calvin D. West.

Adopted

Hudley – Beasley 2. Authorize Acceptance of \$1,000.00 Donation to the Irvington Neighborhood Improvement Corporation From ZME Capital LLC

A RESOLUTION ACCEPTING A DONATION OF \$1000.00 FROM ZME CAPITAL LLC

WHEREAS, ZME Capital LLC has graciously offered to donate \$1000.00 to the Township for the INIC; and

WHEREAS, the funds collected will be used to various activities for the INIC Department; and

WHEREAS, it is in the Township's best interest to accept the donation.

NOW, THEREFORE, BE IT RESOLVED by the Township of Irvington, County of Essex, New Jersey as follows:

1. The Township accepts the donation for the purposes set forth above and thanks ZME Capital LLC for its generosity and service to the Township.

Adopted

Inman – Cox 3. Authorize Issuance of Duplicate Tax Sale Certificate – 246 Madison Avenue, Block 148, Lot 41

RESOLUTION TO ISSUE DUPLICATE CERTIFICATE OF SALE

WHEREAS, the Tax Collector of this municipality has previously issued a tax sale certificate to TFS CUST for FIG CAP INV NJ13, LLC, which is dated December 20, 2017 covering premises commonly known as 246 Madison Avenue and referred to as Block 48 Lot 41 as set out on the municipal tax map then in use, which certificate bears number 17-00199 and;

WHEREAS, the purchaser of the aforesaid tax sale certificates has indicated to the Tax Collector that they have lost or otherwise misplaced the original tax sale certificate and have duly filed the appropriate Affidavit of Loss with the Tax Collector, a copy of which is attached hereto ;

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Tax Collector of the Township of Irvington be and is hereby authorized, upon receipt of the appropriately executed and notarized Loss Affidavit and the payment fee of \$100.00 per certificate, to issue an appropriate duplicate tax sale certificate to the said purchaser covering the lost certificates as previously described, all in accordance with the requirements of Chapter 99 of Public Laws of 1997.

BE IT FURTHER RESOLVED that a copy of this Resolution and Loss Affidavit be attached to the duplicate certificate to be issued to said purchaser and that said duplicate certificate shall be stamped or otherwise have imprinted upon it the word “Duplicate” as required by law.

Adopted

Inman – Frederic 4. Authorize Correction to Tax Billing Based Upon Added Assessment on 6-8 Krotik Place, Block 325, Lot 2

**TOWNSHIP OF IRVINGTON RESOLUTION AUTHORIZING THE
TAX ASSESSOR TO CORRECT THE AMOUNT OF THE TAXES DUE AND
ASSESSED FOR THE PREMISES LOCATED AT BLOCK 325, LOT 2 ON THE TAX MAPS OF
THE TOWNSHIP OF IRVINGTON**

WHEREAS, the Township of Irvington, County of Essex, State of New Jersey is in receipt of a request from the Municipal Tax Assessor for a resolution authorizing a correction of the tax assessment for property denoted on the Township of Irvington tax maps as at Block 325, Lot 2, being commonly known as 6 Krotik Place, Irvington, New Jersey 07111; and

WHEREAS, due to a duplicate added assessment, the most recent property tax bill on the abovementioned property erroneously indicated that the amount of taxes due and assessed is \$14,581.00. Said bill was issued to the taxpayer prior to the December 1 deadline for disposing of Tax Assessor appeals but taxpayer did not bring the matter to the attention of the Tax Assessor until after the deadline barring the Assessor from taking any discretionary action; and

WHEREAS, the most recent property tax bill on the abovementioned property should correctly indicate that the actual amount of taxes due and assessed is \$7,297.76. Said correction requires a resolution from the municipal council as it was brought to the attention of the Tax Assessor after the December 1 deadline before which the Assessor may take discretionary action to correct amount taxes due and assessed; and

WHEREAS, the Township of Irvington Municipal Council, after due deliberation and information from the Township Tax Assessor, has determined that it is appropriate to correct the erroneous property tax bill on the abovementioned property.

NOW, THEREFORE, BE IT RESOLVED by the Township of Irvington Municipal Council that the tax bill reflect that the tax assessment for property denoted on the Township of Irvington tax maps as at Block 325, Lot 2, being commonly known as 6 Krotik Place, Irvington, be corrected to state the amount of \$7,297.76.

BE IT FURTHER RESOLVED that a properly executed copy of this resolution shall be forwarded to the Tax Collector, Tax Assessor and Treasurer for their records.

Adopted

Hudley – Inman 5. Authorize Professional Services Contract for Legal Services in the Matter of Reginald Jones v. Irvington - Lamb Kretzer – \$150.00 Per Hour Not To Exceed \$5,000.00

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

WHEREAS, resolution number TA 18-1010-33 qualified thirteen firms to provide litigation/defense counsel services for the Township of Irvington from November 01, 2018 until October 31, 2019; and

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

WHEREAS, the Township Attorney has determined that Lamb Kretzer, LLC has the most experience to defend the Township of Irvington in the matter of Reginald Jones v. Irvington, Docket No: L-005760-19; and

WHEREAS, the Township Attorney has recommended that a contract be awarded to Lamb Kretzer, LLC, 110B Meadowlands Parkway, Suite 201, Secaucus, New Jersey, 07094; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Litigation/Defense counsel services be awarded to Lamb Kretzer, LLC, 110B Meadowlands Parkway, Suite 201, Secaucus, New Jersey, 07094 for a contract amount not to exceed \$5,000.00. The billing rate for this contract is \$150.00 per hour; and

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

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

Adopted

Frederic – Hudley 6. Ratify Emergency Contract to Repair Roll Off Equipment – Beyer Brothers Corporation - \$1,957.60

RESOLUTION TO AWARD AN EMERGENCY CONTRACT TO REPAIR ROLL OFF EQUIPMENT

WHEREAS, on August 12, 2014, the Municipal Council approved an emergency contract to Beyer Brothers Cooperation, and;

WHEREAS, resolution number DPW 19-0812-23 authorized the payment of \$28,110.59 for said emergency, and;

WHEREAS, additional repairs were required beyond the capabilities of Motorized Equipment Department, and;

WHEREAS, the work needed to repair the 2005 Volvo Roll off equipment is beyond the current capabilities of DPW motorized equipment department, and;

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

WHEREAS, the Public Works Director has declared an emergency in writing to repair the equipment and the Mayor has approved the same and;

WHEREAS, Beyer Brothers Corporation, 109 Broad Avenue, Fairview, NJ 07022 provided a quote of \$1,957.60 to repair the 2005 roll off equipment, 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 \$1,957.60 to Beyer Brothers Corporation of 109 Broad Avenue, Fairview, NJ 07022 for the repair of the 2005 Volvo Roll Off Equipment.

BE IT FURTHER RESOLVED that the required certification of availability of funds C9-00256 in the amount of \$1,957.60 from account number 9-01-21-165-165-299 has been obtained from the Chief Financial Officer to purchase the equipment.

Adopted

Frederic – Inman 7. Commendation - Yves “Fanfan” Joseph in Commemoration of Haitian Independence Day

**YVES “FANFAN” JOSEPH
RESOLUTION OF COMMENDATION IN COMMEMORATION OF HAITIAN INDEPENDENCE
DAY, 2020**

WHEREAS, Yves “Fanfan” Joseph, a native of Petion-Ville, Haiti and better known as “Fanfan” is one of the original members of Tabou Combo, starting with the band in 1968 as a conga player and in the 80’s moved to the corfront as support to Shoubou, the lead vocalist of the band; and

WHEREAS, as a teenager, Fanfan developed a fondness for poetry and a passion for music, a combination that has made him one of the most successful songwriters and composers in the French Caribbean music Industry; and

WHEREAS, some of the songs that carries Fanfan’s signature are: AUX ANTILLES, ZAP-ZAP, ET ALORS, BAISSEZ BAS, JUICY LUCY, PANAMA QUERIDA, the latter considered as the National Anthem of Panama and has allowed Haitians to earn recognition and respect in Panama; and

WHEREAS, for over 50 years, Yves Joseph and Tabou Combo have been playing and extending the music of Haiti and there is no doubt that Tabou Combo has changed the perception of Kompa, music in various parts of the world. Tabou Combo has received international acclaim in such continents as Europe and Africa, including such countries as, Cuba, Guadeloupe, Martinique and Panama; and

WHEREAS, when Fanfan is not composing, he takes charge of the administrative affairs of the band, and as a manager he has been able to carry the band through hard times and uncertainty that are so prevalent in the Haitian music industry; and

WHEREAS, Fanfan worked for the Mission of Congo to the United Nations for ten years as a translator, interpreter and confidant to the Ambassador. He also went to mechanical school and graduated with a “Doctor of Motors “citation”; AND

WHEREAS, Fanfan went on to entered City College of New York at the age of 36 and graduated CUM LAUDE with a major in International Studies and a minor in Education, took the LSAT in 1990 and was accepted by Michigan Law School wanting to become a human rights lawyer to be a voice for the voiceless; and

WHEREAS, unfortunately, he was already married with a child and could not afford to move away from home; and

WHEREAS, as an unsung hero, in 2007, using his own funds, Fanfan turned his childhood home in Haiti and started “The Fernande Joseph Primary School”, a school named after his deceased mother who raised him to always help the less fortunate; and

WHEREAS, Fanfan has received the prestigious “Sunshine Award “ for his humanitarian work in Haiti and is the only Haitian musician to receive and endorsement deal with LP music, the leading provider of percussive instruments in the world; and

WHEREAS, Fanfan was also a founding member of PROMOCAPITAL, an investment group in Haiti and current owner of “ La Baguette d'Or Bakery and Bistro" in Spring Valley , after owning Airport Music a music store located at the Airport in HAITI , specializing in Haitian CDs and DVD sales; and

WHEREAS, Fanfan currently lives in New Jersey with his wife Nadja who is an electrical engineer and co-owner of La Baguette he also has a son, Mikhail who manages the businesses with him:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL FO THE TOWNSHIP OF IRVINGTON that the Township of Irvington commends and applauds the many achievements of Yves “Fanfan” in commemoration of Haitian Independence Day; 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 Yves “Fanfan” Joseph.

Adopted

Cox – Frederic 8. Authorize Procurement of Physical Examination Services for Police Recruits Over the Pay to Play Threshold of \$17,500.00 and Under the Bid Threshold of \$40,000.00 – Pranay J. Bhatt, MD - \$26,250.00

AUTHORIZING PURCHASES OVER THE PAY TO PLAY THRESHOLD OF \$17,500.00 BUT UNDER THE BID THRESHOLD OF \$40,000.00 FOR PHYSICAL EXAMINATIONS FOR POLICE RECRUITS

WHEREAS, the Township is in need of Physical Exams for Police recruits and the total purchase will exceed the pay to play threshold; and

WHEREAS, the Township has obtained two quotes from Care Station and Pranay J. Bhatt, MD, Union Family, Medicine herein attached; and

WHEREAS, Pranay J. Bhatt, MD, Union Family, Medicine has provided the lowest quote for this service; and

WHEREAS, in compliance with 19:44a-20.13 et., seq., Pranay J. Bhatt, MD, Union Family, Medicine will exceed the Pay-to-Play threshold of \$17,500.00 for calendar year 2019; and,

WHEREAS, Pranay J. Bhatt, MD, Union Family, Medicine has completed and submitted the Township C-271, elect reports and political disclosure forms. These forms are on file in the Division of Purchasing Office and the Municipal Clerk; and

WHEREAS, all purchases to the above vendor will not exceed the bid threshold of \$40,000.00; and NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Irvington hereby authorizes the Qualified Purchasing Agent to pay Pranay J. Bhatt, MD, Union Family, Medicine for physical examination for Police recruits in excess of pay to play threshold \$17,500.00 but under the bid threshold of \$40,000.00; and

BE IT FURTHER RESOLVED that the duration of this authorization shall be until December 31, 2019

BE IT FURTHER RESOLVED a separate resolution will be submitted to the Municipal Council for all addition vendors exceeding the bid threshold of \$17,500.00.

BE IT FURTHER RESOLVED that the required certification of availability of funds C9-00316 in the amount of \$26,250.00 from account number 9-01-25-240-240-256 has been obtained from the Chief Financial Officer to purchase the equipment.

Adopted

Inman – Burgess 9. Authorize Purchase of Two Heavy Duty Cinder Pumpers for the Fire Department by State Contract – Fire Fighter One \$919,996.92

**RESOLUTION AUTHORIZING A CONTRACT WITH A STATE CONTRACT VENDOR
FIREFIGHTER ONE TO PURCHASE TWO HEAVY DUTY CINDER PUMPERS FOR THE FIRE
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 Public Safety Director wishes to purchase two heavy duty cinder pumpers for the Fire Department; and

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

WHEREAS, vendor has provided the Township with a quote for the two heavy duty cinder pumpers for a total amount of \$919,996.92 under New Jersey state contract number A83183; and

WHEREAS, the Township of Irvington intends to enter into contract with Fire Fighter One through this resolution for an amount not to exceed \$919,996.92;

NOW, THEREFORE, BE IT RESLOVED, that the Municipal Council of the Township of Irvington hereby authorizes the Qualified Purchasing Agent to enter into a contract with Fire Fighter One of 34 Wilson Drive, Sparta, NJ 07871 for an amount not to exceed \$919,996.92 under the New Jersey State Contract number A83183; and

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BE IT FUTHER RESLOVED, that the required certification of availability of funds C9-00339 in the amount of \$919,996.92 from account number C-04-56-853-020-918 has been obtained from the Chief Financial Officer; 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

Cox – Frederic 10. Waive Application Fees for Zoning and Planning Boards – 352 21st St Block 145 Lot 10; 354 21st St Block 145 Lot 9; 357 21st St. Block 146 Lot 8;

REQUEST FOR WAIVER OF FEE FOR MAKING APPLICATION TO THE ZONING BOARD OF ADJUSTMENT/PLANNING BOARD

WHEREAS, Township of Irvington, 1 Civic Square, desires to make an application to the Township of Irvington Zoning Board of Adjustment and Planning Board or a variance; and

WHEREAS, the Township of Irvington is requesting a full waiver of said fees from both the Township of Irvington Zoning Board of Adjustment and Planning Board for the following Township properties: 352 21st St Block 145 Lot 10; 354 21st St Block 145 Lot 9; 357 21st St. Block 146 Lot 8 and 1-7 Nelson Place, Block 145, Lot 12; and

WHEREAS, the Governing Body may waive the fees established by the Governing Body;

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Zoning Board of Adjustment and the Planning Board is authorized and directed to waive the application fees for The Township of Irvington for said fees from the Zoning Board of Adjustment and the Planning Board.

Adopted

Frederic – Beasley 11. Authorize Contract for Animal Control Services – Associated Humane Society - January 1, 2020 to December 31, 2020 - \$93,426.75

RESOLUTION TO AWARD AN NON FAIR AND OPEN CONTRACT FOR ANIMAL CONTROL SERVICE

WHEREAS, the Township of Irvington, in the County of Essex and State of New Jersey, is in need of a Animal Control service; and

WHEREAS, the Township would like to retain the Associated Humane Societies Inc; and

WHERAS, the Associated Humane Societies Inc has provide the Township with a proposal to provide this service for one year for the amount of \$101,920.08; and

WHEREAS, pursuant to the provisions of N.J.S.A. 19:44A-20.4 the vendor has completed the required Pay to Play forms; and

WHEREAS, the C-271 Political Contribution Disclosure forms were on file in the Office of the Municipal Clerk and Purchasing Agent; and

WHEREAS, the Township would like to award a Non Fair and Open contract to Associated Humane Societies Inc., of 124 Evergreen Ave, Newark, NJ 07114-2133; and

WHEREAS, the term of this contract will start on January 01, 2020 until December 31, 2020; and

WHEREAS, the Associated Humane Societies Inc has completed and submitted a Business Entity Disclosure Certification which certifies that the organization has not made any reportable contributions to a political or candidate committee in the Township of Irvington in the previous one year, and that the contract will prohibit the Associated Humane Societies Inc Professional Service from making any reportable contributions through the term of the contract, and

NOW THEREFORE, BE IT RESOLVED that the Municipal Council of the Township of Irvington authorizes the award of a non-fair and open contract to Associated Humane Societies Inc., of 124 Evergreen Ave, Newark, NJ 07114-2133; and,

BE IT FURTHER RESOLVED that the required certification of availability of funds C9-00342 in the amount of \$8,493.33 from account number 9-01-27-335-335-176 has been obtained from the Chief Financial Officer and the remaining balance of \$93,426.75; 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 FURTHER RESOLVED, notice of this action shall be published in newspapers as required by law by the Municipal Clerk.

Adopted

10. Communication and Petitions

A. Communications

1. Garwood Resolution – Request N.J. Legislature Form a Commission to Review and Examine the Effects of the Open Public Records Act (OPRA) on Local Government

11. Pending Business

None

NON-CONSENT AGENDA ITEMS

C. Bills & Claims

Burgess – Beasley 1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD DECEMBER 23, 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	\$5,857,853.75
TOTAL	\$5,857,853.75

Adopted
No: Inman

Cox – Hudley 2. Payrolls

December 6, 2019

REGULAR	OVERTIME	OTHER	TOTAL
\$1,630,762.31	\$174,002.11	\$148,598.09	\$1,953,362.51

Adopted
No: Inman

9. Resolutions & Motions

A. Resolutions

Frederic – Burgess 12. Authorize Emergency Contract for Street Sweeper Services – Shauger Property Service - July and August, 2019 – \$94,902.50

RESOLUTION TO AWARD AN EMERGENCY CONTRACT FOR STREET SWEEPER SERVICE

WHEREAS, on May 13, 2019, the Municipal Council approved an emergency contract to Shauger Property Service, and;

WHEREAS, resolution number DPW 19-0513-16 authorized the payment of \$34,800.00 for said emergency, and;

WHEREAS, additional service were required due to the Township owned equipment being down for repair, and;

WHEREAS, the vendor provided additional service for July and August for an amount of \$94,902.50, and;

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

WHEREAS, the Public Works Director has declared an emergency in writing for the additional service and the Mayor has approved the same and;

WHEREAS, Shauger Property Service of 429 Dodd Street, East Orange, NJ 07017 has submitted an invoice for \$94,902.50 for the additional service, 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 \$94,902.50 to Shauger Property Service of 429 Dodd Street, East Orange, NJ 07017 for the additional service, and;

BE IT FURTHER RESOLVED that the required certification of availability of funds C9-00310 in the amount of \$94,902.50 from account number 9-01-21-165-165-299 has been obtained from the Chief Financial Officer to purchase the equipment.

Adopted
No: Inman

Cox – Hudley 13. Authorize Transfers of Funds in Calendar Year 2019 Municipal Budget

**TOWNSHIP OF IRVINGTON
APPROPRIATIONS TRANSFER RESOLUTION
CY - 2019**

#1

<u>Within "CAP"</u>	<u>Accounts</u>	<u>From</u>	<u>To</u>
Mayor Office S&W			39,684.05
Planning Bd S & W		-	1,227.44
Clerks Office S&W		-	18,998.77
Elections S & W			6,756.22
Board of Adjustment S&W		-	1,337.52
Rent Leveling S & W		-	5,769.24
Township Attorney S & W		-	10,273.59
Purchasing S & W			

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		6,126.29
Finance Depart S&W	-	41,458.16
Tax Collector S&W	-	40,430.45
Street & Sewer S&W	-	80,566.07
Snow S&W		2,183.35
Div of Motorized Eq S&W		27,164.10
Div Pubic Building S & W		92,654.03
Shade Tree S & W		10,823.99
Park Maintenance S & W		15,957.64
Municipal Court S & W	-	20,732.35
Municipal Court O & E	-	20,000.00
Street Lighting		165,500.00
Planning BD O & E	1,227.44	
Municipal Clerk O&E	4,123.36	
Elections O&E	6,756.23	
Board of Adjustment O & E	1,337.52	
Purchasing O & E	6,126.29	
Township Attorney O & E	10,273.59	
School Guard S & W	12,922.24	
School Guard O & E	5,000.00	
Finance Depart O & E	25,000.00	
Divi. Of Licenses O & E	2,032.78	
Snow Removal O & E	2,183.35	
Recreation S & W	10,560.46	
Building Construction O & E		

	4,600.00	
Public Defender S & W	24,000.00	-
Public Defender O & E	25,000.00	-
Township Attorney O & E	40,000.00	
Surety Insurance G&L	200,000.00	
Housing O & E	15,000.00	
Electricity	166,500.00	
Business Admin O&E	10,000.00	
Mayor Office O & E	10,000.00	
Fire O & E	15,000.00	
Police O & E	10,000.00	
SUB-TOTAL INSIDE CAPS	607,643.26	607,643.26
SUB-TOTAL OUTSIDE CAPS	-	-
GRAND TOTAL	<u>607,643.26</u>	<u>607,643.26</u>

Adopted
No: Inman

Cox – Burgess 14. Authorize Emergency Appropriation in Calendar Year 2019 Municipal Budget

**Township Of Irvington
Emergency Appropriations Resolutions**

WHEREAS, an emergency has arisen with respect to unforeseen cost in the following line items: Police Overtime Salaries and Sewer Collapse, and no adequate provision was made in the 2019 budget for the aforesaid purpose, and NJS 40A:4-46 provides for the creation on an emergency appropriations for the purposes mentioned above, and

WHEREAS, the total amount of the emergency appropriations created, including the appropriation to be created by this resolution is \$1,629,159.87 and three (3) percent of the total operating appropriations in the budget for 2018 is \$2,612,725.48.; and

WHEREAS, the foregoing appropriation together with prior appropriations does not exceed three (3) percent of the total operating appropriations in the budget for 2019,

NOW, THEREFORE, BE IT RESOLVED, (by not less than 2/3 of all governing body members affirmatively concurring) that in accordance with NJS 40A:4-48:

1. An emergency appropriation is here by made for the following:

a. Police S & W / Overtime	\$1,276,300.61
b. Sewer Collapse	352,859.26

TOTAL	\$1,629,159.87
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2. The said emergency appropriation shall be provided for in full in the 2020 budget, and is requested to be excluded from CAPS, pursuant to NJS 40A:4-53.3c(1).

3. That two (2) certified copies of this resolution be filed with the Director of the Division of Local Government Services.

Adopted
No: Inman

Hudley – Frederic 15. Authorize Special Emergency Notes to Fund Severance Liabilities - \$1,336,212.46

RESOLUTION AUTHORIZING SPECIAL EMERGENCY NOTES IN THE AMOUNT OF \$1,336,212.47 FOR THE PAYMENT OF CONTRACTUALLY REQUIRED SEVERANCE LIABILITIES FOR YEAR 2019, IN AND BY THE TOWNSHIP OF IRVINGTON, IN THE COUNTY OF ESSEX, NEW JERSEY

WHEREAS, it has been found necessary to make an Emergency Appropriation to meet severance liabilities for 2019 and,

WHEREAS, NJS40A:4-53 (I) provides that it shall be lawful to make such appropriation, which appropriation and/or the “special emergency notes” issued to finance the same shall be provided for in succeeding annual budgets by the inclusion of an appropriation of at least one-fifth or one-third of the amount authorized pursuant to this act.

NOW, THEREFORE BE IT RESOLVED, (by not less than two-thirds of all governing body members affirmatively concurring) that in accordance with the provisions of NJS 40A:4-55:

1. An emergency appropriation is hereby made for Severance Liabilities in the total amount of \$1,336,212.47

2. That the emergency appropriation shall be provided for in the budgets of the next succeeding years by the inclusion of not less than \$267,242.49 per year for five years.

3. That an “emergency note”, not in excess of the amount authorized pursuant to law, be provided.

4. That such note shall be executed by the Chief Financial Officer.

5. That said note shall be dated January 15, 2020, may be renewed from time to time provided that such note and any renewals shall mature and be paid in the amount of not less than one-fifth or one-third of the total amount appropriated by this resolution in each year after the authorization.

6. That the statement required by the Local Finance Board has been filed with the Clerk and a copy will be transmitted to the Director of the Division of Local Government Services

7. That two (2) certified copies of this resolution will be filed with the Director of the Division of Local Government Services; however, no approval is required from the Division.

Adopted
No: Inman

12. Miscellaneous

B. General Hearing of Citizens and Council Members limited to three minutes per person (MUST SIGN UP IN ADVANCE OF MEETING)

Michelle Downie, 955 Sanford Avenue
Ann Mane Christie, 264 Keer Avenue, Newark, N.J.
Harry Paden, 31 Civic Square West # 14
Daphne Jeffrey, 52 Lenox Avenue
Dr. Devender N. Chhabra, 873 Stuyvesant Avenue

Council President Burgess indicated that each of the citizens that came up to speak would be given a response to the issues they raised by the appropriate members of the Administration.

13. Adjournment

There being no further business, the meeting was adjourned at 7:54 P.M.

Renee C. Burgess, Council President

Harold E. Wiener, Municipal Clerk