

REGULAR COUNCIL MEETING
JANUARY 24, 2022

Virtual Zoom Meeting
Irvington, N.J. – Monday Evening
January 24, 2022 - 7:30 P.M.

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

Present: Jamillah Z. Beasley, Vernal C. Cox, Sean C. Evans, Charnette Frederic,
October Hudley, 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

Reports

1. Municipal Court - Monthly Mayor's Report For December, 2021
2. Municipal Court - Electronic Collections Report – December, 2021
3. Municipal Court – Weekly Summary Report – January 3, 2022 To January 7, 2022
4. Joint Meeting – Annual Notice
5. St. Hubert's Animal Welfare Centers – Monthly Intake, Outcome, and Case (Dispatch) Reports for December, 2021
6. St. Hubert's Animal Welfare Centers – 2021 Year-End Summary Report

7. Reports of Committees

None

8. Ordinances, Bills & Claims

A. Ordinances on First Reading

None

C. Bills & Claims

Burgess - Hudley

1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD JANUARY 24, 2022 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	\$38,016,844.07
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Adopted

Hudley - Cox

2. Payrolls

December 30, 2021

REGULAR	OVERTIME	OTHER	TOTAL
\$1,607,958.72	\$206,211.94	\$301,898.09	\$2,116,068.75

January 14, 2022

REGULAR	OVERTIME	OTHER	TOTAL
\$1,658,728.17	\$293,301.58	\$146,269.18	\$2,098,298.93

Adopted

9. Resolutions and Motions

A. Resolutions

Frederic - Cox

1. Authorize Purchase of Various Items Over the Public Bidding Threshold Under The Morris County Cooperative Purchasing Program

**AUTHORIZING PURCHASES UNDER THE MORRIS COUNTY
COOPERATIVE PURCHASING PROGRAM
OVER THE BID THRESHOLD OF \$40,000.00**

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WHEREAS, the Township of Irvington, pursuant to N.J.S.A. 40A:11-12(a) 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 Morris Cooperative Purchasing Program and,

WHEREAS, the Township of Irvington has the need on a timely basis to purchase goods or services utilizing Morris Cooperative Purchasing Program contracts; and

WHEREAS, the list of vendors below will exceed the bid threshold of \$44,000.00 for calendar year 2022:-

Name of Vendor	Contract Number	Commodity	Amount
Continental Trading & Hardware	10	Lumber, Insulations, hardware and Paint	\$200,000.00
Jen Electric	37	Traffic signal maintenance and repairs	\$185,000.00
Tilcon New York Inc	6	Road Resurfacing	\$100,000.00
Sherwin Williams	10	Paint	\$75,00.00
Office Concepts	16	Office Supplies	\$250,000.00

WHEREAS, the Township of Irvington intends to enter into contracts with Morris County Co-op contract vendors over the bid threshold of \$44,000.00 through this resolution and properly executed purchase orders, which shall be subject to all the conditions applicable to current Co-op contracts.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Irvington authorizes the purchase of certain goods and services from those approved Morris County Co-op vendors over the bid threshold of \$44,000.00, pursuant to all the conditions of the individual contracts; and

BE IT FURTHER RESOLVED by the Township Council that, pursuant to the N.J.A.C. 5:30-5.5(b), the certification of available funds and resolutions shall be certified at such time as the goods or services are called for prior to placing the order for good or service in excess of \$44,000.00, and a certification of availability of funds is made by the Chief Financial Officer via an authorized purchase order; and

BE IT FURTHER RESOLVED that the duration of this authorization shall be until December 31, 2022

BE IT FURTHER RESOLVED a separate resolution will be submitted to the Municipal Council for all addition vendors exceeding the bid threshold of \$44,000.00.

Adopted

Frederic - Beasley

2. Authorize Purchase of Various Items Over the Public Bidding Threshold Under The State of New Jersey Cooperative Purchasing Program

AUTHORIZING PURCHASES UNDER THE STATE OF NEW JERSEY COOPERATIVE PURCHASING PROGRAM

OVER THE BID THRESHOLD OF \$44,000.00

WHEREAS, the Township of Irvington, pursuant to N.J.S.A. 40A:11-12(a) 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 for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of Treasury; and,

WHEREAS, the Township of Irvington has the need on a timely basis to purchase goods or Services utilizing State contracts; and

WHEREAS, the list of vendors below will exceed the bid threshold of \$44,000.00 for calendar year 2022:

Name of Vendor	State Contract Number	Commodity	Amount
Broadview	85017	Telephone Service	\$180,000.00
AT&T	82584	Telephone Service	\$250,000.00
Samuels Inc DBA Buy Wise	85992	Auto Parts	\$100,000.00
Keer Electrical	T0167	Electrical	\$75,000.00
Pitney Bowes	41258	Postage	\$100,000.00
A.lembo car & Truck	40825	Collision repair	\$80,000.00
Verizon Land Lines	85943	Telephone Service	\$160,000.00
Morton Salt	T0213	Rock Salt	\$95,000.00
Rachel's/Michele's Oil	T0083	Gasoline/Diesel	\$325,000.00
Ricoh USA Inc	40467	Copier	\$65,000.00
Fire Fighter One	T0790	Fire Engine Parts & Equipment	\$100,000.00
Motorola Communications	A83909	Police Radio Equipment	\$85,000.00
SHI International	21-TELE-01360	Computers and Supplies	\$100,000.00
Parts Authority LLC	20-Fleet-00984	Auto parts	\$85,000.00
Limbach Company, LLC	88689	HVAC	\$100,000.00
Grainger	19-FLEET-00566	Industrial Supplies	\$100,000.00
Fairfield Maintenance	A42264	Fuel Repair	\$70,000.00
Johnston Communications	88766	Telephone Wiring	\$200,000.00

WHEREAS, the Township of Irvington intends to enter into contracts with State contract vendors over the bid threshold of \$44,000.00 through this resolution and properly executed purchase orders, which shall be subject to all the conditions applicable to current State contracts.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Irvington authorizes the purchase of certain goods and services from those approved New Jersey State contract vendors over the bid threshold of \$44,000.00, pursuant to all the conditions of the individual State contracts; and

BE IT FURTHER RESOLVED by the Township Council that, pursuant to the N.J.A.C. 5:30-

5.5(b), the certification of available funds and resolutions shall be certified at such time as the goods or services are called for prior to placing the order for good or service in excess of \$44,000.00, and a certification of availability of funds is made by the Chief Financial Officer via an authorized purchase order; and

BE IT FURTHER RESOLVED that the duration of this authorization shall be until December 31, 2022

BE IT FURTHER RESOLVED a separate resolution will be submitted to the Municipal Council for all addition vendors exceeding the bid threshold of \$44,000.00.

Adopted

Burgess - Beasley

3. Authorize Contract For Planning Board Attorney – Eric M. Bernstein & Associates, LLC- \$6,500.00 - January 1, 2022 To December 31, 2022

**RESOLUTION AUTHORIZING PROFESSIONAL SERVICE CONTRACT FOR
PLANNING BOARD ATTORNEY FOR CALENDAR YEAR 2022**

WHEREAS, the Request for Proposals for Planning Board Attorney was publicly advertised in the New Jersey Star Ledger on November 08, 2021 with a deadline for qualification to be submitted on December 01, 2021; and

WHEREAS, one qualification was received and publicly opened; and

WHEREAS, said qualification was referred to the Planning Board; and

WHEREAS, one qualification satisfied the RFP requirement and;

WHEREAS, the Planning Board Secretary has recommended award should be made to the following firm:

ERIC M. BERNSTEIN & ASSOCIATES, LLC ERIC M. BERNSTEIN
34 Mountain Blvd. Building A Warren, NJ 07059

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for the Planning Board Attorney be awarded to Eric M. Bernstein & Associates, LLC, 34 Mountain Blvd. Building A, Warren NJ 07059 on the basis of their response to the request for proposal meeting the selection criteria and qualifications, for an amount not to exceed \$6,500.00. The provider will be paid \$115.00 per hour for attorneys, \$60.00 per hour for paralegals and \$500.00 per meeting for one year starting on January 01, 2022 - December 31, 2022; and

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

BE IT RESOLVED that the required Certification of Availability of Funds C22-0004 in the amount \$2,500.00 has been obtained from the Chief Financial Officer charge to account number 2-01-21-180-

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180-256 and the remaining balance of \$4000.00 will be certified upon the adoption of the 2022 budget.

Adopted

Frederic – Cox

4. Authorize Contract For Zoning Board Attorney – Eric M. Bernstein & Associates, LLC- \$12,000.00 - January 1, 2022 To December 31, 2022

**RESOLUTION AUTHORIZING PROFESSIONAL SERVICE CONTRACT FOR
ZONING BOARD ATTORNEY FOR CALENDAR YEAR 2022**

WHEREAS, the Request for Proposals for Zoning Board Attorney was publicly advertised in the New Jersey Star Ledger on November 08, 2021 with a deadline for qualification to be submitted on December 01, 2021; and

WHEREAS, one qualification was received and publicly opened; and

WHEREAS, said qualification was referred to the Zoning Board; and

WHEREAS, one qualification satisfied the RFP requirement and;

WHEREAS, the Zoning Board Secretary has recommended award should be made to the following firm:

ERIC M. BERNSTEIN & ASSOCIATES, LLC
ERIC M. BERNSTEIN
34 Mountain Blvd. Building A Warren, NJ 07059

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for the Zoning Board Attorney be awarded to Eric M. Bernstein & Associates, LLC, 34 Mountain Blvd. Building A, Warren NJ 07059 on the basis of their response to the request for proposal meeting the selection criteria and qualifications, for an amount not to exceed \$12,000.00 The provider will be paid \$115.00 per hour for attorneys, \$60.00 per hour for paralegals and \$500.00 per meeting for one year starting on January 01, 2022- December 31, 2022; and

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

BE IT RESOLVED that the required Certification of Availability of Funds number C2100166 in the amount not to exceed \$3000.00 has been obtained from the Chief Financial Officer charge to account number 2-01-21-185-185-256 and the remaining balance of \$9,000.00 will be certified upon the adoption of the 2022 budget.

Adopted

Cox - Frederic

5. Authorize Cancellation of Exempt Portion of Taxes in the Amount of

\$8,014.15 and Authorize the Issuance of a Refund in the Amount of \$8,014.15 to Kameko Zayas-Bazan as a 100% Disabled Veteran at 76 Hillside Terrace, Block 17, Lot 39

RESOLUTION TO CANCEL AND REFUND PROPERTY TAXES

WHEREAS, Kameko & Christopher Zayas-Bazan purchased 76 Hillside Terrace, Block 17 Lot 39 on May 29, 2021 and Kameko Zayas-Bazan is a 100% disabled veteran and;

WHEREAS, Kameko Zayas-Bazan has filed an application for 100% tax exemption and the tax assessor Silvia Forbes approved the property tax exemption on June 11, 2021 and;

WHEREAS, the 2021 taxes on 76 Hillside Terrace were billed and paid in the amount of \$14,505.05 and;

WHEREAS, the property owner is entitled to a refund in the amount of \$8,014.15 from the date of purchase on the 2021 prorated Q2 - \$756.77, 2021 Q3 - \$3,624.44 and 2021 Q4 - \$3,632.94 taxes.

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 cancel the exempt portion of taxes in the amount of \$8,014.15 and issue a refund in the amount of **\$8,014.15** to Kameko Zayas-Bazan as a 100% Disabled Veteran at 76 Hillside Terrace on Block 17 Lot 39.

Adopted

Frederic – Cox

6. Re-Appointment Alternate Board of Adjustment Alternate #1 Member - Jean Fritz Claude Thomas

WHEREAS, a vacancy exist in the Membership of the Zoning Board of Adjustment due to the expiration of the terms of some of its members:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the following named person is hereby re-appointed as a An Alternate Member of the Zoning Board of Adjustment as described below and for term as indicated below:

NAME	ADDRESS	TYPE OF MEMBER	TERM TO EXPIRE
Jean Fritz Claude Thomas	68-70 Harper Avenue	ALTERNATE #1	12-10-23

Adopted

Burgess – Vick

7. Award Professional Services Contract For The Design And Construction Of The 2022 Transportation Trust Fund Project Based Upon Quotations – T & M Associates - \$37,580.00

RESOLUTION TO AWARD A PROFESSIONAL SERVICES CONTRACT FOR THE DESIGN AND CONSTRUCTION OF THE 2022 TRANSPORTATION TRUST FUND PROJECT

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WHEREAS, the Township of Irvington applied for and received a grant in the amount of \$966, 446.00 from the New Jersey Department of Transportation (NJDOT) as part of the 2022 Transportation Trust Fund Program; and

WHEREAS, the preparation of the plans and specifications for this project are beyond the capability of present staff so that a request for quotes for engineering services from the engineering consultants that are approved under our annual contract was distributed to the six firms that are a part of that contract with the result that four quotes were received; and

WHEREAS, the four quotes received and reviewed and the proposal of T & M Associates of Middletown, NJ, in the amount of \$37,580.00 was found to be the most cost effective manner in which to accomplish this work and the Township Engineer recommends that the quote of T & M Associates of Middletown, NJ, in the amount of \$ 37,580.00 be accepted and recommends that a contract for professional services be awarded for this project.

NOW, THEREFORE, BE IT RESOLVED BY MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for professional services be awarded to T & M Associates of Middletown, NJ, in the amount of \$ 37,580.00 for the design and construction contract administration for the construction of the 2022 Transportation Trust Fund Resurfacing Project; and

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:34-5.2, the required Certificate of Availability of Funds No. C22-0006 for the above work 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 \$ 37, 580.00 is Account No. G-02-xx-865-22A-299.

Adopted

Cox – Vick

8. Appointment – Registrar of Vital Statistics – Cheryl Denson

WHEREAS, a vacancy exists in the position of Registrar of Vital Statistics due to the retirement of Beatriz Caban; and

WHEREAS, N.J.S.A. 26:8-11c states, in pertinent part, that in those districts which by governmental organization structure have no separate board of health, the appointment shall be made by the governing body:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL that Cheryl Denson is hereby appointed as the Registrar of Vital Statistics for the Township of Irvington; and

BE IT FURTHER RESOLVED that the Health Department shall forward a copy of this resolution to the New Jersey Department of Health.

Adopted

Burgess - Beasley

9. Authorized Execute of a Grant Agreement with the Essex County Division of Community Action as Sub-Recipient of Community Services Block Grant Funds in the Amount of \$107,500.00 and Authorize Acceptance of Said Grant Funds

WHEREAS, The County of Essex, acting through its Department of Citizens Services, Division of Community Action through the Community Services Block Grant (CSBG) proposes to enter into a sub grant agreement with Irvington Neighborhood Improvement Corporation to service the low-income poverty constituents of Essex County for the contract price of \$107,500.00 during the 2022 program year of January 1, 2022– December 31, 2022; and

WHEREAS, said grant agreement has been negotiated and approved by the County Executive of Essex County and to the Board of Chosen Freeholders; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington be and hereby authorized to execute a Grant Agreement with the Essex County Division of Community Action as sub-recipient of Community Services Block Grant funds in the amount of \$107,500.00.

BE IT FURTHER RESOLVED that the Township of Irvington does hereby accept the award of \$107,500.00 for such activities.

Adopted

10. Communication and Petitions

A. Communications

1. Board of Adjustment Secretary - Notice of Expiration of Term Of Office - Jean F. Thomas
2. Township Clerk – Notice of Expiration of Term Of Office – Irvington Housing Authority Commissioner – Annette Beasley

11. Pending Business

None

NON-CONSENT AGENDA ITEMS

9. Resolutions and Motions (Continued)

A. Resolutions

Vick - Frederic

10. Re-Appointment – Irvington Housing Authority Commissioner – Annette Beasley

WHEREAS, a vacancy currently exists in the membership of the Irvington Housing Authority due to the expiration of the term of office of one of its members:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the following named person is hereby re-appointed as a Commissioner of the Irvington Housing Authority for a term to expire as indicated below:

NAME & ADDRESS	TERM TO EXPIRE
Annette Beasley 608 Chancellor Avenue	11-22-26

Adopted

Burgess – Beasley	9. Authorized Execute of a Grant Agreement with the Essex County Division of Community Action as Sub-Recipient of Community Services Block Grant Funds in the Amount of \$107,500.00 and Authorize Acceptance of Said Grant Funds
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WHEREAS, The County of Essex, acting through its Department of Citizens Services, Division of Community Action through the Community Services Block Grant (CSBG) proposes to enter into a sub grant agreement with Irvington Neighborhood Improvement Corporation to service the low-income poverty constituents of Essex County for the contract price of \$107,500.00 during the 2022 program year of January 1, 2022– December 31, 2022; and

WHEREAS, said grant agreement has been negotiated and approved by the County Executive of Essex County and to the Board of Chosen Freeholders; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington be and hereby authorized to execute a Grant Agreement with the Essex County Division of Community Action as sub-recipient of Community Services Block Grant funds in the amount of \$107,500.00.

BE IT FURTHER RESOLVED that the Township of Irvington does hereby accept the award of \$107,500.00 for such activities.

Adopted

NON-CONSENT AGENDA ITEMS

9. Resolutions and Motions (Continued)

A. Resolutions

Vick – Frederic	10. Re-Appointment – Irvington Housing Authority Commissioner – Annette Beasley
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WHEREAS, a vacancy currently exists in the membership of the Irvington Housing Authority due to the expiration of the term of office of one of its members:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the following named person is hereby re-appointed as a Commissioner of the Irvington Housing Authority for a term to expire as indicated below:

NAME & ADDRESS

TERM TO EXPIRE

Annette Beasley
608 Chancellor Avenue

11-22-26

Adopted

Abstain: Beasley, Burgess

8. Ordinances, Bills & Claims (Continued)

B. Ordinances on Second Reading

1. President Burgess: An ordinance amending and supplementing Section 620-17 of Revised Code entitled Parking Restricted For Residents; Parking Permit Required; Fee 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 AMENDING AND SUPPLEMENTIN SECTION 620-17 ENTITLED
“PARKING RESTRICTED FOR RESIDENTS; PARKING PERMIT REQUIRED; FEE.**

SECTION 1. Section 620-17 of the Revised Code of the Township of Irvington is hereby amended and supplemented a follows:

Section 620-17 Parking restricted for residents; parking permit required; fee.

- A. No person shall park a vehicle between the hours and days specified in Schedule VA (§ 620-99) upon any of the streets or parts of streets described in said Schedule VA, attached to and made a part of this chapter, unless said person is a resident of the street.
- B. Residents' vehicles must receive and display a parking permit provided by the Township of Irvington.
- C. Vehicles parked in violation of this section shall be subject to towing, and the vehicle owners shall be subject to the fines set forth in § **620-4B**.
- D. Fees and limitation on permits.
 - (1) There is a fee of \$35 per year with a limit of two parking permits, and any request beyond two is \$50 per permit with a limit of two. For any permit purchased with less than 180 calendar days remaining in the year, the individual shall pay half of the regular cost for each individual permit.

- (2) There shall be no more than four permits per household.
- E. Any owner of a corner property at an intersection of a resident-only parking street shall be entitled to receive one parking permit from the Township. The owner must apply for and submit all necessary paperwork and applicable fees in order to receive such parking permit. The right to obtain a parking permit does not extend to the tenant/leasee of a corner property. It rests solely with the deeded owner(s) of the property
- F. To receive a parking permit each applicant must produce at least 4 out of 5 of the following:
1. Driver's License at the claimed address (mandatory)
 2. Lease/Deed for the claimed address
 3. Certificate of Habitability from the Department of Housing and Building at the claimed address
 4. Utility Bill in the person's name at the claimed address; and/or
 5. Vehicle Registered/Insured at the claimed address

SECTION 2. All ordinances or parts thereof that are inconsistent herewith are hereby repealed.

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

Adopted

The public hearing on this Ordinance is now open

There were no requests to be heard

Hudley - Vick

Motion to close public hearing

Adopted

Hudley – Vick

Motion to adopt this ordinance on second reading after public hearing.

Adopted

12. Miscellaneous

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

There were no requests to be heard

13. Adjournment

There being no further business, the meeting was adjourned at 7:40 P.M.

Renee C. Burgess, Council President

Harold E Wiener, Municipal Clerk