

RESOLUTION OF THE TOWNSHIP OF IRVINGTON, NJ

No. **MC17-1227-58**

Date of Adoption **DECEMBER 27, 2017**

APPROVED AS TO FORM AND LEGALITY ON THE BASIS OF FACTS SET FORTH BY

[Signature]
Legislative Research Officer

PRESENTED BY COUNCIL MEMBER **LYONS**

SECONDED BY **JONES**

RESOLUTION REFERRING THE INVESTIGATIVE REPORT AND SUPPORTING DOCUMENTS CONCERNING COUNCILMAN PAUL INMAN TO THE APPROPRIATE STATE AND COUNTY AUTHORITIES AND DEMANDING COUNCILMAN PAUL INMAN RECUSE HIMSELF FROM ALL DISCUSSIONS REGARDING THE SMITH V. TOWNSHIP OF IRVINGTON MATTER

WHEREAS, during the litigation entitled Smith v. Township of Irvington, et. al., it was discovered that Councilman Paul Inman may have been involved in discussions with plaintiff Smith, which were based on the discovery presented in that litigation; and

WHEREAS, the Township was advised by its legal counsel to conduct an independent inquiry into any acts and/or omissions by Councilman Inman, which may have violated Township policies, ethics laws, and criminal laws; and

WHEREAS, the law firm of DeCotiis, Fitzpatrick, Cole & Giblin was hired by the Township of Irvington to conduct the above referenced investigation into any involvement by Councilman Inman in the Tamara Smith v. Township of Irvington matter; and

WHEREAS, as a result of the investigation conducted into this matter, it was revealed that Councilman Inman's conduct may have evidenced collusion with Plaintiff Smith in violation of the interests of the Township, and may have violated ethical law, legal obligations and criminal laws; and

WHEREAS, Councilman Inman had an ethical obligation under the New Jersey Ethics Act to disclose his involvement with Tamara Smith in this matter; however, Councilman Inman did not disclose his involvement when asked by the Township Attorney to recuse himself from any executive session and other discussions relating to this litigation, he denied any involvement in the litigation and continued to participate in executive session and other discussions related to that matter; and

WHEREAS; it was revealed through this investigation that Councilman Inman may have violated certain criminal laws, as well as ethics laws.

NOW THEREFORE IT BE RESOLVED, that the Municipal Council is demanding that Councilman Inman recuse himself from any future executive session or any other discussions concerning this matter and disclose to the council the nature and extent of all discussions conducted with the Plaintiff Smith involving this litigation;

BE IT FURTHER RESOLVED that the Municipal Council is referring this matter to the appropriate State and local authorities, which is the New Jersey Attorney General's Office, the State Ethics Commission, and the Essex County Prosecutor's Office to review the report issued by the DeCotiis law firm and all exhibits, including all transcripts of recorded conversations.

RECORD OF COUNCIL VOTE

X = Indicates Vote N.V. = No Vote A.B. = Absent

COUNCIL MEMBER	YES	NO	N.V.	A.B.	COUNCIL MEMBER	YES	NO	N.V.	A.B.
BURGESS, 1ST VICE PRESIDENT	X				INMAN			X	
COX	X				JONES, 2ND VICEPRESIDENT	X			
FREDERIC	X				LYONS, PRESIDENT	X			
DR. HUDLEY	X								

RESIDENT OF COUNCIL *[Signature]* MUNICIPAL CLERK *[Signature]* DATE **DECEMBER 27, 2017**

hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Municipal Council. In witness whereof I have hereunto set my hand and the Corporate Seal of the Township of Irvington.

MUNICIPAL CLERK *[Signature]*

DATE **DEC 27 2017**



ADMINISTRATOR ☐ ASSESSOR ☐ BLDG ☐ CFO ☐ COLLECTOR ☐ COURT ☐ EDGO ☐ ENGINEER ☐ FIRE ☐ CF ☐ HEALTH ☐ HOUSING ☐ INIC ☐ JUDGE ☐ LEGAL ☐ LIBR ☐ LICEN ☐ MAYOR ☐ NPP ☐ OCPD ☐ PARKS ☐ PAYROLL ☐ PUBLIC SAFETY ☐ DIR ☐ PUBLIC WORKS ☐ PURCHASING ☐ EC~PB/ZBA ☐ TRAFFIC ☐ ZONING~OFF ☐ DLGS ☐ GNCD ☐ OTHER(S): _____