

# RESOLUTION OF THE TOWNSHIP OF IRVINGTON, NJ

No. **TA17-1227-50**

Date of Adoption **DECEMBER 27, 2017**

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

*Legislative Research Officer*  
**HUDLEY**

PRESENTED BY COUNCIL MEMBER

**FREDERIC**

SECONDED BY

## AUTHORIZE THE TOWNSHIP ATTORNEY TO USE SUBSTITUTE PROSECUTORS ON AN EMERGENCY BASIS

WHEREAS, resolution number TA 17-0711-31 appointed one substitute prosecutor to be used on an on-call basis in the event of conflict cases or due to shortage of available staff and;

WHEREAS, the appointed substitute prosecutor was unavailable to coverage the 9AM court sessions on September 20, 2017, September 25, 2017, September 29, 2017 and October 16, 2017 and;

WHEREAS, the Township would have to cancel court sessions due to shortage of staff which would affect the public safety and welfare of the Township pursuant to NJSA 40A:11-6 and;

WHEREAS, the Township Attorney has declared an emergency in writing to hire John E. Cesaro to cover the 9AM municipal court sessions on September 20, 2017, September 25, 2017, September 29, 2017 and October 16, 2017.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON THE FOLLOWING:

1. The Township Attorney hired John E. Cesaro as a substitute prosecutor on an emergency basis for the September 20, 2017, September 25, 2017, September 29, 2017 and October 16, 2017 court sessions.
2. The vendor will be paid an amount not to exceed \$300.00 per session.

BE IT RESOLVED that the Township Attorney is hereby authorized and directed to enter the purchase order for payment of these services; and

BE IT FURTHER RESOLVED that the Chief Financial Officer is authorized to pay the sum of \$1,200.00 to John E. Cesaro, upon receipt of signed purchase order and without further action of the Council.

BE IT RESOLVED that the required Certification of Availability of Funds, certification number C7-00288 was obtained from the Chief Financial Officer and the appropriation to be charged for this expenditure is C-04-56-849-016-905 in the amount of \$1,200.00.

### 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 *Dr. Lyons* MUNICIPAL CLERK *Shirley E. Miller* 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 *Shirley E. Miller*

DATE

**DEC 27 2017**

ADMINISTRATOR ☐ ASSESSOR ☐ BLDG ☐ CFO ☐ COLLECTOR ☐ COURT ☐ EDG ☐ ENGINEER ☐ FIRE ☐ CF ☐ HEALTH ☐ HOUSING ☐ INIC ☐  
UDGE ☐ LEGAL ☐ LIBR ☐ LICEN ☐ MAYOR ☐ NPP ☐ ODP ☐ PARKS ☐ PAYROLL ☐ PUBLIC SAFETY ☐ DIR ☐ PUBLIC WORKS ☐ PURCHASING ☐  
EC ☐ PB/ZBA ☐ TRAFFIC ☐ ZONING ☐ OFF ☐ DLGS ☐ GNCD ☐ OTHER(S): \_\_\_\_\_

Certification Of Availability of Funds

This is to certify to the of the Township of Irvington that funds for the following resolutions are available.

Resolution Date: 12/10/17

Resolution Number: C-00288

Vendor: CESAR001 LAW OFFICE OF JOHN CESARO  
310 VAIL ROAD  
PARSIPPANY, NJ 07054

Contract: C7-00288 Substitute Prosecutor

| Account Number      | Amount   | Department Description |
|---------------------|----------|------------------------|
| 7-01-20-155-155-299 | 1,200.00 | LEGAL SERVICES         |
| Total               | 1,200.00 |                        |

Only amounts for the 2017 Budget Year have been certified. Amounts for future years are contingent upon sufficient funds being appropriated.

  
\_\_\_\_\_  
Chief Financial Officer



**TOWNSHIP OF IRVINGTON**  
LEGAL DEPARTMENT  
MUNICIPAL BUILDING - CIVIC SQUARE  
IRVINGTON, NJ 07111

Honorable Tony Vauss  
Mayor

Tel: 973-399-6636  
Fax: 973-399-6723

Ramon E. Rivera, Esq.  
Township Attorney

Evelyn Akushie-Onyeani, Esq.  
1st Assistant Township Attorney

Dwayne Warren, Esq.  
2nd Assistant Township Attorney

**MEMORANDUM**

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TO: Althea Healey, QPA, RPPO, MRA, BA  
Purchasing Agent

FROM: Ramon E. Rivera, Esq.  
Township Attorney

DATE: October 19, 2017

Please be advised that I am herewith declaring an emergency pursuant to N.J.S.A. 40A:11-6.1.

We were in need of a prosecutor to cover the 9AM sessions on September 20, 2017, September 25, 2017, September 29, 2017 and October 16, 2017 as none of our prosecutors or substitute prosecutors were available.

John E. Cesaro, Esq., covered these session.

RER\sb

C7-06288