

REGULAR COUNCIL MEETING
JULY 9, 2013

Council Chamber, Municipal Building
Irvington, N.J. – Tuesday Evening
July 9, 2013 - 8:00 P.M.

1. Pledge of Allegiance

2. Moment of Silence

3. Roll Call

Present: Paul Inman, Lebby C. Jones, David Lyons, Andrea C. McElroy, D. Bilal Beasley

Absent: Charnette Frederic (excused), Sandra R. Jones (excused)

President Beasley 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 – 6-25-13
2. Joint Meeting – Third Quarter Assessment
3. Joint Meeting – 2014 Capital Improvement Assessment
4. Minutes – Zoning Board Adjustment - 6-5-13
5. Minutes – Citizens Advisory Commission – 6-20-13

7. Reports of Committees

None

8. Ordinances, Bills & Claims

B. Ordinances on 2nd Reading

None

C. Bills & Claims

McElroy – L.C. Jones 2. Payrolls

June 15, 2013 through June 28, 2013

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$1,348,445.11	\$110,799.90	\$21,579.53	\$1,480,824.54

Adopted
Absent: Frederic, S. Jones

9. Resolutions & Motions

A. Resolutions

Lyons – L.C. Jones 1. Authorize Contract For Emergency Sewer Repair for Laurel Avenue at Stuyvesant Avenue Based Upon Low Quotation – John Garcia Construction – \$16,525.00

AWARD AN EMERGENCY SEWER REPAIR CONTRACT FOR A SEWER FAILURE ON LAUREL AVENUE

WHEREAS, a portion of the sanitary sewer located at the intersection of Laurel Avenue and Stuyvesant Avenue experienced a collapse on Tuesday, May 7, 2013, and:

WHEREAS, since that time, the Department of Public Works has been able to provide temporary by-pass pumping in order to maintain flow and avoid a public health emergency, and;

WHEREAS, the work needed to repair this sewer at a depth of 6 feet is beyond the current capabilities of the Department of Public Works and it is not practical for the Department of Public Works to continue to provide temporary bypass pumping, and

WHEREAS, this situation constitutes a threat to public health, safety and welfare and the Township Engineer has contacted six contractors and obtained quotes from three contractors who are competent to perform this work on an emergency basis and who are willing to effect this repair immediately, and;

WHEREAS, based on quotes received, the lowest priced quote to complete this work was that of John Garcia Construction, Inc. at their price of \$ 16,525.00.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that it ratifies the decision of the Acting Director of Neighborhood Services to authorize an emergency contract in the amount of \$ 16,525.00 to John Garcia Construction, Inc. of Clifton, NJ to repair the sanitary sewer located at the intersection of Laurel Avenue and Stuyvesant Avenue.

BE IT FURTHER RESOLVED, that a Certificate of Funds Number C3-00286 has been generated by the Department of Neighborhood Services for the above amount payable to John Garcia Construction, Inc. of Clifton, NJ and that the Chief Financial Officer is ordered and directed to pay against said Certificate of Funds Number C3-00286 without further action of the Municipal Council upon certification by the Acting Director of Neighborhood Services that the work has been satisfactorily completed in the amount of \$ 16,525.00, Account No. 2-01-21-165-165-118.

Adopted

Absent: Frederic, S. Jones

McElroy – Beasley 2. Authorize Grant Extension Agreement with Milton S. Eisenhower Foundation - \$27,075.00

WHEREAS, the Township of Irvington received notice from the Milton S. Eisenhower Foundation for the extension of the Grant Agreement; and

WHEREAS, the effective date of this Extension Agreement shall be May 1, 2013 (the “Effective Date”); and

WHEREAS, the program date term is hereby extended three months and expires on July 31, 2013; and

WHEREAS, as of the effective date, all references in the Grant Agreement to “Grant” shall mean the sum of \$27,075; and

WHEREAS, as of the effective date, all referenced in the Grant Agreement to “Work Plan” shall refer to work plan attached hereto as Exhibit GI and made a part of hereof; and

WHEREAS, as of the effective date, all references in the Grant Agreement to the “Program Guide” shall refer to the Program Guide available online at the Uniform Resource Locator (URL) attached hereto as Exhibit G2 and made a part of hereof; and

WHEREAS, as of the effective date, all referenced in Grant Agreement to the “Budget” shall refer to the budget attached hereto as Exhibit G3 and made a part hereof and except as

specifically modified herein, the Grant Agreement is ratified and confirmed and this Extension Agreement shall be deemed part of the Grant Agreement; and

WHEREAS, this extension agreement may be executed in any number of counterparts each of which, when so executed, shall be deemed an original, but all such counterparts shall constitute but one and the same instrument. This extension agreement shall be governed by and construed according to the laws of the District of Columbia without regard to its principles of conflicts of laws.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington does hereby accept the award in the amount of \$27,075 for such activities.

BE IT FURTHER RESOLVED that the Mayor of the Township of Irvington be and hereby is authorized to execute a Grant Extension Agreement with the Milton S. Eisenhower Foundation.

Adopted

Absent: Frederic, S. Jones

McElroy – Lyons 3. Authorize Use of \$3,300.00 in Community Development Block Grant Funds for Housing Rehabilitation – 314 Vermont Avenue

WHEREAS, the Township of Irvington has obligated funds for the purpose of financing its CDBG Housing Rehabilitation Assistance Program; and

WHEREAS, the Township of Irvington has committed to expend funds obligated for its Housing Rehabilitation Program in accordance with its previously adopted Policy and Procedural manual for the Housing Rehabilitation Program; and

WHEREAS, the Director has previously authorized the provision of the requested CDBG Housing Rehabilitation Assistance in accordance with the provisions of said policy; and

WHEREAS, the Director of Community Development determined that the need for emergency housing rehabilitation work existed at 314 Vermont Avenue, 2 Family, Irvington, New Jersey 07111; and

WHEREAS, the total cost for this emergency housing rehabilitation project is \$ 3,300.00; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington does ratify and approve the provision of Housing Rehabilitation Program Assistance to the applicant(s) in the amounts set forth on the Request for Case ER-2013-0001 in the amount of \$ 3,300.00, which is on file in the Office of the Township Clerk; and

WHEREAS, that the aforesaid funds are to be used for the purpose as set forth in Exhibit A, on file in the Township Clerk's Office attached for premises known as 314 Vermont Avenue, 2 Family, Irvington, New Jersey; and

BE IT FURTHER RESOLVED that any such funds not expended in the Rehabilitation of the subject property in accordance with adopted policy and procedures shall be recaptured by the Township of Irvington for use in assisting other CDBG Housing Rehabilitation Assistance Program Applicants; and

BE IT FURTHER RESOLVED that the work will be performed by Big Chuck Gen'l Contractor, 11-39th Street, Irvington, New Jersey 07111 who is a certified contractor and has all the required licenses and permits needed to perform this work and who submitted the closest responsible quote for the performance of this work; and

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:34-5.2, the required Certificate of Availability of Funds No.C3-00292 for the above has been obtained from the Chief Financial Officer of the Township of Irvington and the appropriations to be charged for this expenditure is in the amount of \$ 3,300.00, Account No. T-21-41-80-13B-801

Adopted

Absent: Frederic, S. Jones

L.C. Jones - McElroy 4. Authorize Calendar Year 2013 Municipal Budget to be Read by Title

WHEREAS, N.J.S.A. 40A:4-8 provides that the budget as advertised shall be read in full at the public hearing, or that it may be read by its title only if:

1. At least one week prior to the date of the hearing a complete copy of the approved budget,
 - (a) shall be made available for public inspection, in the case of a municipal budget, in the free public library, if any, of the municipality, and in the free county libraries or regional libraries located in the municipality or, if no county libraries or regional libraries are located in the municipality, the county or regional library of the county in which the municipality is located, and the public officer delegated the responsibility of delivering copies of the approved budget to such libraries shall forward to the governing body an attestation that each such delivery was made:
 - (b) copies are made available to each person requesting same, during said week and during the public hearing:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that it is hereby declares that the conditions of N.J.S.A. 40A:4-8 1 (a) and 1 (b), have been met and therefore the Calendar Year 2013 municipal budget shall be read by title only.

Adopted
Absent: Frederic, S. Jones

McElroy – Lyons 5. Authorize Tax Payment Agreement – 32 Park Place - Net Amount to Redeem - \$9,949.26 Payable Within 36 Months

WHEREAS, the Township of Irvington had an Accelerated Tax Sale on December 27, 2012 on lands known on the Tax Map of the Township of Irvington aforesaid as Block 337, Lot 2 owned by BETTY GIBBS, and that said Tax Sale advertised amount and subsequent municipal liens on said premises remain unpaid; and

WHEREAS, said Taxpayer BETTY GIBBS, has applied to the Municipal Council of the Township of Irvington for a leave to redeem the aforesaid property from the said Tax Sale and subsequent municipal liens by equal monthly installment payments in accordance with and pursuant to the provisions of N.J.S.A. 54:5-65 to 76, inclusive:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Irvington Tax Collector be and she is hereby authorized to enter into the following agreement mentioned for the payment of tax arrears and current taxes on the premises 32 PARK PLACE, BLOCK 337 LOT 2 on the Irvington Tax Map, TSC# 12-02950:

TSC# 12-02950	\$ 7,305.45
2012 4 TH QTR BALANCE	\$ 250.00
2013 2 ND QTR TAXES	\$ 907.36

Total Interest & Cost Due to 07/09/2013	\$ 1,031.45
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Total Amount to Redeem	\$ 9,494.26
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NET AMOUNT TO REDEEM:	\$ 9,494.26
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2. That beginning AUGUST 9, 2013 and on or before the 9TH day of each succeeding month thereafter, the Taxpayer BETTY GIBBS, shall pay to the Irvington Tax Collector the sum of \$343.24 each month to be applied by said Tax Collector on account of said municipal liens in the manner most convenient to her as provided by N.J.S.A. 54:5-74. In addition, the Taxpayer shall pay to the Tax Collector the current taxes as they become due on February 1st, May 1st, August 1st and November 1st of each year. The foregoing payments shall continue until all taxes and

interest on tax arrears and current taxes as provided herein shall have been paid in full; all tax arrears and interest thereon must be paid within 36 months.

The Tax Collector shall provide a form of receipt or statement showing the dates of payments and the application thereof as to interest, expenses, charges, etc.

3. Upon the full satisfaction of the amount required to redeem said lands from said Tax Sale Certificate, including the subsequent municipal liens as aforesaid, together with Sewer user charges and current taxes, the Collector of Taxes shall deliver to said Taxpayer said Tax Sale Certificate properly endorsed for cancellation.

4. That should said Taxpayer BETTY GIBBS, default in the payment of any one said monthly installment payments, or in the payment of any current municipal taxes which may fall due against the aforementioned property, and should said default in any case continue for thirty (30) days from the time that such payment is due and payable then said agreement between said Taxpayer and the Township shall be terminated and void and all said municipal liens and taxes shall become immediately due and payable subject to enforcement by the Tax Collector of the Township of Irvington and sale according to law or by employment of any remedy available to the Township of Irvington according to law.

Adopted

Absent: Frederic, S. Jones

Inman – L.C. Jones 6. Authorize Tax Payment Agreement - 212 - 21st Street - Net Amount to Redeem - \$8,793.59 Payable Within 24 Months

WHEREAS, the Township of Irvington had an Accelerated Tax Sale on June 28, 2011 on lands known on the Tax Map of the Township of Irvington aforesaid as Block 152, Lot 5 owned by FRANCISCO A. GUERRERO, and that said Tax Sale advertised amount and subsequent municipal liens on said premises remain unpaid; and

WHEREAS, said Taxpayer FRANCISCO A. GUERRERO, has applied to the Municipal Council of the Township of Irvington for a leave to redeem the aforesaid property from the said Tax Sale and subsequent municipal liens by equal monthly installment payments in accordance with and pursuant to the provisions of N.J.S.A. 54:5-65 to 76, inclusive:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Irvington Tax Collector be and she is hereby authorized to enter into the following agreement mentioned for the payment of tax arrears and current taxes on the premises 212 21ST STREET, BLOCK 152 LOT 5 on the Irvington Tax Map, TSC# 111176:

TSC# 111176	\$ 2,465.47
2011 4 TH QTR TAXES	\$ 27.78
2012 TAXES	\$ 3,242.58
2012 SEWER	\$ 180.00
2013 2 ND QTR TAXES	\$ 1,154.59
2013 SEWER	\$ 180.00
Total Interest & Cost Due to 07/09/2013	\$ 1,543.17
Total Amount to Redeem	\$ 8,793.59

NET AMOUNT TO REDEEM: \$ 8,793.59

2. That beginning AUGUST 9, 2013 and on or before the 9TH day of each succeeding month thereafter, the Taxpayer FRANCISCO A. GUERRERO, shall pay to the Irvington Tax Collector the sum of \$439.01 each month to be applied by said Tax Collector on account of said municipal liens in the manner most convenient to her as provided by N.J.S.A. 54:5-74. In addition, the Taxpayer shall pay to the Tax Collector the current taxes as they become due on February 1st, May 1st, August 1st and November 1st of each year. The foregoing payments shall continue until all taxes and interest on tax arrears and current taxes as provided herein shall have been paid in full; all tax arrears and interest thereon must be paid within 24 months.

The Tax Collector shall provide a form of receipt or statement showing the dates of payments and the application thereof as to interest, expenses, charges, etc.

3. Upon the full satisfaction of the amount required to redeem said lands from said Tax Sale Certificate, including the subsequent municipal liens as aforesaid, together with Sewer user charges and current taxes, the Collector of Taxes shall deliver to said Taxpayer said Tax Sale Certificate properly endorsed for cancellation.

4. That should said Taxpayer FRANCISCO A. GUERRERO, default in the payment of any one said monthly installment payments, or in the payment of any current municipal taxes which may fall due against the aforementioned property, and should said default in any case continue for thirty (30) days from the time that such payment is due and payable then said agreement between said Taxpayer and the Township shall be terminated and void and all said municipal liens and taxes shall become immediately due and payable subject to enforcement by the Tax Collector of the Township of Irvington and sale according to law or by employment of any remedy available to the Township of Irvington according to law.

Adopted

Absent: Frederic, S. Jones

McElroy – Inman 7. Authorize Tax Payment Agreement – 108 Harrison Place - Net Amount to Redeem - \$9,684.33 Payable Within 12 Months

WHEREAS, the Township of Irvington had a Tax Sale on June 19, 2012 on lands known on the Tax Map of the Township of Irvington aforesaid as Block 205, Lot 2 owned by DYSHAWN & DEBORAH SIMPKINS, and that said Tax Sale advertised amount and subsequent municipal liens on said premises remain unpaid; and

WHEREAS, said Taxpayer DYSHAWN & DEBORAH SIMPKINS, has applied to the Municipal Council of the Township of Irvington for a leave to redeem the aforesaid property from the said Tax Sale and subsequent municipal liens by equal monthly installment payments in accordance with and pursuant to the provisions of N.J.S.A. 54:5-65 to 76, inclusive:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Irvington Tax Collector be and she is hereby authorized to enter into the following agreement mentioned for the payment of tax arrears and current taxes on the premises 108 Harrison Place, BLOCK 205 LOT 2 on the Irvington Tax Map, TSC# 12-00109:

TSC# 12-00109	\$ 2,215.76
2012 TAXES	\$ 6,804.78
2013 1 ST & 2 ND QTR TAXES	\$ 2,746.98
2013 SEWER	\$ 180.00

Total Interest & Cost Due to 07/09/2013	\$ 1,736.81
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Total Amount to Redeem	\$13,684.33
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LESS DEPOSIT	\$(4,000.00)
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NET AMOUNT TO REDEEM:	\$ 9,684.33
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2. That beginning AUGUST 9, 2013 and on or before the 9TH day of each succeeding month thereafter, the Taxpayer DYSHAWN & DEBORAH SIMPKINS, shall pay to the Irvington Tax Collector the sum of \$887.86 each month to be applied by said Tax Collector on account of said municipal liens in the manner most convenient to her as provided by N.J.S.A. 54:5-74. In addition, the Taxpayer shall pay to the Tax Collector the current taxes as they become due on February 1st, May 1st, August 1st and November 1st of each year. The foregoing payments shall continue until all taxes and interest on tax arrears and current taxes as provided herein shall have been paid in full; all tax arrears and interest thereon must be paid within 12 months.

The Tax Collector shall provide a form of receipt or statement showing the dates of payments and the application thereof as to interest, expenses, charges, etc.

3. Upon the full satisfaction of the amount required to redeem said lands from said Tax Sale Certificate, including the subsequent municipal liens as aforesaid, together with Sewer user charges and current taxes, the Collector of Taxes shall deliver to said Taxpayer said Tax Sale Certificate properly endorsed for cancellation.

4. That should said Taxpayer DYSHAWN & DEBORAH SIMPKINS, default in the payment of any one said monthly installment payments, or in the payment of any current municipal taxes which may fall due against the aforementioned property, and should said default in any case continue for thirty (30) days from the time that such payment is due and payable then said agreement between said Taxpayer and the Township shall be terminated and void and all said municipal liens and taxes shall become immediately due and payable subject to enforcement by the Tax Collector of the Township of Irvington and sale according to law or by employment of any remedy available to the Township of Irvington according to law.

Adopted
Absent: Frederic, S. Jones

McElroy – L.C. Jones 8. Authorize Tax Payment Agreement - 568 Grove Street – Net Amount to Redeem - \$20,833.00 Payable Within 36 Months

WHEREAS, the Township of Irvington had a Tax Sale on June 19, 2012 on lands known on the Tax Map of the Township of Irvington aforesaid as Block 150, Lot 9 owned by CARLOS FIGUEROA, and that said Tax Sale advertised amount and subsequent municipal liens on said premises remain unpaid; and

WHEREAS, said Taxpayer CARLOS FIGUEROA, has applied to the Municipal Council of the Township of Irvington for a leave to redeem the aforesaid property from the said Tax Sale and subsequent municipal liens by equal monthly installment payments in accordance with and pursuant to the provisions of N.J.S.A. 54:5-65 to 76, inclusive:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Irvington Tax Collector be and she is hereby authorized to enter into the following agreement mentioned for the payment of tax arrears and current taxes on the premises 568 GROVE STREET, BLOCK 150 LOT 9 on the Irvington Tax Map, TSC# 12-00087:

TSC# 12-00087	\$ 2,756.17
2012 TAXES	\$ 9,891.09
2012 SEWER	\$ 720.00
2013 1 ST & 2 ND QTR TAXES	\$ 3,182.35
2013 SEWER	\$ 720.00
Total Interest & Cost Due to 07/09/2013	\$ 3,563.39
Total Amount to Redeem	\$20,833.00

NET AMOUNT TO REDEEM: \$20,833.00

2. That beginning AUGUST 9, 2013 and on or before the 9TH day of each succeeding month thereafter, the Taxpayer CARLOS FIGUEROA, shall pay to the Irvington Tax Collector the sum of \$753.16 each month to be applied by said Tax Collector on account of said municipal liens in the manner most convenient to her as provided by N.J.S.A. 54:5-74. In addition, the Taxpayer shall pay to the Tax Collector the current taxes as they become due on February 1st, May 1st, August 1st and November 1st of each year. The foregoing payments shall continue until all taxes and interest on tax arrears and current taxes as provided herein shall have been paid in full; all tax arrears and interest thereon must be paid within 36 months.

The Tax Collector shall provide a form of receipt or statement showing the dates of payments and the application thereof as to interest, expenses, charges, etc.

3. Upon the full satisfaction of the amount required to redeem said lands from said Tax Sale Certificate, including the subsequent municipal liens as aforesaid, together with Sewer user charges and current taxes, the Collector of Taxes shall deliver to said Taxpayer said Tax Sale Certificate properly endorsed for cancellation.

4. That should said Taxpayer CARLOS FIGUEROA, default in the payment of any one said monthly installment payments, or in the payment of any current municipal taxes which may fall due against the aforementioned property, and should said default in any case continue for thirty (30) days from the time that such payment is due and payable then said agreement between said Taxpayer and the Township shall be terminated and void and all said municipal liens and taxes shall become immediately due and payable subject to enforcement by the Tax Collector of the Township of Irvington and sale according to law or by employment of any remedy available to the Township of Irvington according to law.

Adopted

Absent: Frederic, S. Jones

L.C. Jones – McElroy 9. Authorize Tax Payment Agreement – 198 Maple Avenue – Net Amount to Redeem - \$ 15,158.77 Payable Within 36 Months

WHEREAS, the Township of Irvington had an Accelerated Tax Sale on July 12, 2010 on lands known on the Tax Map of the Township of Irvington aforesaid as Block 217, Lot 3 owned by HUNTER O. & CATHERINE SANDERS, and that said Tax Sale advertised amount and subsequent municipal liens on said premises remain unpaid; and

WHEREAS, said Taxpayer HUNTER O. & CATHERINE SANDERS, has applied to the Municipal Council of the Township of Irvington for a leave to redeem the aforesaid property from the said Tax Sale and subsequent municipal liens by equal monthly installment payments in accordance with and pursuant to the provisions of N.J.S.A. 54:5-65 to 76, inclusive:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Irvington Tax Collector be and she is hereby authorized to enter into the following agreement mentioned for the payment of tax arrears and current taxes on the premises 198 MAPLE AVENUE, BLOCK 217 LOT 3 on the Irvington Tax Map, TSC# 101330:

TSC# 101330	\$ 2,118.13
2011 TAXES	\$ 2,586.95
2011 SEWER	\$ 180.00
2012 TAXES	\$ 6,573.67
2013 SEWER	\$ 180.00
Total Interest & Cost Due to 07/09/2013	\$ 3,520.02
Total Amount to Redeem	\$15,158.77

NET AMOUNT TO REDEEM: \$15,158.77

2. That beginning AUGUST 9, 2013 and on or before the 9TH day of each succeeding month thereafter, the Taxpayer HUNTER O. & CATHERINE SANDERS, shall pay to the Irvington Tax Collector the sum of \$548.03 each month to be applied by said Tax Collector on account of said municipal liens in the manner most convenient to her as provided by N.J.S.A. 54:5-74. In addition, the Taxpayer shall pay to the Tax Collector the current taxes as they become due on February 1st, May 1st, August 1st and November 1st of each year. The foregoing payments shall continue until all taxes and interest on tax arrears and current taxes as provided herein shall have been paid in full; all tax arrears and interest thereon must be paid within 36 months.

The Tax Collector shall provide a form of receipt or statement showing the dates of payments and the application thereof as to interest, expenses, charges, etc.

3. Upon the full satisfaction of the amount required to redeem said lands from said Tax Sale Certificate, including the subsequent municipal liens as aforesaid, together with Sewer user charges and current taxes, the Collector of Taxes shall deliver to said Taxpayer said Tax Sale Certificate properly endorsed for cancellation.

4. That should said Taxpayer HUNTER O. & CATHERINE SANDERS, default in the payment of any one said monthly installment payments, or in the payment of any current municipal taxes which may fall due against the aforementioned property, and should said default in any case

continue for thirty (30) days from the time that such payment is due and payable then said agreement between said Taxpayer and the Township shall be terminated and void and all said municipal liens and taxes shall become immediately due and payable subject to enforcement by the Tax Collector of the Township of Irvington and sale according to law or by employment of any remedy available to the Township of Irvington according to law.

Adopted

Absent: Frederic, S. Jones

McElroy – L.C. Jones 10. Authorize Tax Payment Agreement – 41 Webster Street - Net Amount to Redeem - \$ 7,604.48 Payable Within 24 Months

WHEREAS, the Township of Irvington had an Accelerated Tax Sale on December 27, 2012 on lands known on the Tax Map of the Township of Irvington aforesaid as Block 114, Lot 22 owned by MARY MARTIN, and that said Tax Sale advertised amount and subsequent municipal liens on said premises remain unpaid; and

WHEREAS, said Taxpayer MARY MARTIN, & Eddie White, her son, has applied to the Municipal Council of the Township of Irvington for a leave to redeem the aforesaid property from the said Tax Sale and subsequent municipal liens by equal monthly installment payments in accordance with and pursuant to the provisions of N.J.S.A. 54:5-65 to 76, inclusive:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Irvington Tax Collector be and she is hereby authorized to enter into the following agreement mentioned for the payment of tax arrears and current taxes on the premises 41 WEBSTER STREET, BLOCK 114 LOT 22 on the Irvington Tax Map, TSC# 12-01757:

TSC# 12-01757	\$ 4,658.67
2013 1 ST & 2 ND QTR TAXES	\$ 1,956.63
2013 SEWER	\$ 360.00
Total Interest & Cost Due to 07/09/2013	\$ 629.18
Total Amount to Redeem	\$ 7,604.48
NET AMOUNT TO REDEEM:	\$ 7,604.48

2. That beginning AUGUST 9, 2013 and on or before the 9TH day of each succeeding month thereafter, the Taxpayer MARY MARTIN, & Eddie White, her son, shall pay to the Irvington Tax Collector the sum of \$379.65 each month to be applied by said Tax Collector on account of said municipal liens in the manner most convenient to her as provided by N.J.S.A. 54:5-74. In addition, the Taxpayer shall pay to the Tax Collector the current taxes as they become due on February 1st, May 1st, August 1st and November 1st of each year. The foregoing payments shall continue until all taxes and interest on tax arrears and current taxes as provided herein shall have been paid in full; all tax arrears and interest thereon must be paid within 24 months.

The Tax Collector shall provide a form of receipt or statement showing the dates of payments and the application thereof as to interest, expenses, charges, etc.

3. Upon the full satisfaction of the amount required to redeem said lands from said Tax Sale Certificate, including the subsequent municipal liens as aforesaid, together with Sewer user charges and current taxes, the Collector of Taxes shall deliver to said Taxpayer said Tax Sale Certificate properly endorsed for cancellation.

4. That should said Taxpayer MARY MARTIN, & Eddie White, her son, default in the payment of any one said monthly installment payments, or in the payment of any current municipal taxes which may fall due against the aforementioned property, and should said default in any case continue for thirty (30) days from the time that such payment is due and payable then said agreement between said Taxpayer and the Township shall be terminated and void and all said municipal liens and taxes shall become immediately due and payable subject to enforcement by the Tax Collector of the Township of Irvington and sale according to law or by employment of any remedy available to the Township of Irvington according to law.

Adopted

Absent: Frederic, S. Jones

LC. Jones – Unman 11 . Authorize Tax Payment Agreement – 329 Coit Street - Net Amount to Redeem - \$ 10,584.70 Payable Within 24 Months

WHEREAS, the Township of Irvington had an Accelerated Tax Sale on June 28, 2011 on lands known on the Tax Map of the Township of Irvington aforesaid as Block 195, Lot 22 owned by ROSETTA CROSBY, and that said Tax Sale advertised amount and subsequent municipal liens on said premises remain unpaid; and

WHEREAS, said Taxpayer ROSETTA CROSBY, has applied to the Municipal Council of the Township of Irvington for a leave to redeem the aforesaid property from the said Tax Sale and subsequent municipal liens by equal monthly installment payments in accordance with and pursuant to the provisions of N.J.S.A. 54:5-65 to 76, inclusive:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Irvington Tax Collector be and she is hereby authorized to enter into the following agreement mentioned for the payment of tax arrears and current taxes on the premises 329 COIT STREET, BLOCK 195 LOT 22 on the Irvington Tax Map, TSC# 111333:

TSC# 111333	\$ 271.27
2011 3 RD & 4 TH QTR TAXES	\$ 2,114.68
2012 TAXES	\$ 5,371.22
2012 SEWER	\$ 180.00
2013 2 ND QTR TAXES	\$ 923.80
2013 SEWER	\$ 180.00

Total Interest & Cost Due to 07/09/2013	\$ 1,543.73
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Total Amount to Redeem	\$10,584.70
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NET AMOUNT TO REDEEM:	\$10,584.70
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2. That beginning AUGUST 9, 2013 and on or before the 9TH day of each succeeding month thereafter, the Taxpayer ROSETTA CROSBY, shall pay to the Irvington Tax Collector the sum of \$528.43 each month to be applied by said Tax Collector on account of said municipal liens in the manner most convenient to her as provided by N.J.S.A. 54:5-74. In addition, the Taxpayer shall pay to the Tax Collector the current taxes as they become due on February 1st, May 1st, August 1st and November 1st of each year. The foregoing payments shall continue until all taxes and interest on tax arrears and current taxes as provided herein shall have been paid in full; all tax arrears and interest thereon must be paid within 24 months.

The Tax Collector shall provide a form of receipt or statement showing the dates of payments and the application thereof as to interest, expenses, charges, etc.

3. Upon the full satisfaction of the amount required to redeem said lands from said Tax Sale Certificate, including the subsequent municipal liens as aforesaid, together with Sewer user charges and current taxes, the Collector of Taxes shall deliver to said Taxpayer said Tax Sale Certificate properly endorsed for cancellation.

4. That should said Taxpayer ROSETTA CROSBY, default in the payment of any one said monthly installment payments, or in the payment of any current municipal taxes which may fall due against the aforementioned property, and should said default in any case continue for thirty (30) days from the time that such payment is due and payable then said agreement between said Taxpayer and the Township shall be terminated and void and all said municipal liens and taxes shall become immediately due and payable subject to enforcement by the Tax Collector of the Township of Irvington and sale according to law or by employment of any remedy available to the Township of Irvington according to law.

Adopted

Absent: Frederic, S. Jones

McElroy – Inman 12. Authorize Tax Payment Agreement – 69 Osborne Place - Net Amount to Redeem - \$ 12,980.62 Payable Within 24 Months

WHEREAS, the Township of Irvington had an Accelerated Tax Sale on December 27, 2012 on lands known on the Tax Map of the Township of Irvington aforesaid as Block 250, Lot 26 owned by LATISHA MCGUGAN, and that said Tax Sale advertised amount and subsequent municipal liens on said premises remain unpaid; and

WHEREAS, said Taxpayer LATISHA MCGUGAN, has applied to the Municipal Council of the Township of Irvington for a leave to redeem the aforesaid property from the said Tax Sale and subsequent municipal liens by equal monthly installment payments in accordance with and pursuant to the provisions of N.J.S.A. 54:5-65 to 76, inclusive:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Irvington Tax Collector be and she is hereby authorized to enter into the following agreement mentioned for the payment of tax arrears and current taxes on the premises 69 OSBORNE PLACE, BLOCK 250 LOT 26 on the Irvington Tax Map, TSC# 12-02572:

TSC# 12-02572	\$ 7,929.30
2013 1ST QTR TAXES	\$ 1,792.13
2013 2 ND QTR TAXES	\$ 1,792.12
2013 SEWER	\$ 169.36
Total Interest & Cost Due to 07/09/2013	\$ 1,297.71

Total Amount to Redeem	\$ 12,980.62
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NET AMOUNT TO REDEEM:	\$ 12,980.62
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2. That beginning AUGUST 9, 2013 and on or before the 9TH day of each succeeding month thereafter, the Taxpayer LATISHA MCGUGAN, shall pay to the Irvington Tax Collector the sum of \$648.05 each month to be applied by said Tax Collector on account of said municipal liens in the manner most convenient to her as provided by N.J.S.A. 54:5-74. In addition, the Taxpayer shall pay to the Tax Collector the current taxes as they become due on February 1st, May 1st, August 1st and November 1st of each year. The foregoing payments shall continue until all taxes and interest on tax arrears and current taxes as provided herein shall have been paid in full; all tax arrears and interest thereon must be paid within 24 months.

The Tax Collector shall provide a form of receipt or statement showing the dates of payments and the application thereof as to interest, expenses, charges, etc.

3. Upon the full satisfaction of the amount required to redeem said lands from said Tax Sale Certificate, including the subsequent municipal liens as aforesaid, together with Sewer user charges and current taxes, the Collector of Taxes shall deliver to said Taxpayer said Tax Sale Certificate properly endorsed for cancellation.

4. That should said Taxpayer LATISHA MCGUGAN, default in the payment of any one said monthly installment payments, or in the payment of any current municipal taxes which may fall due against the aforementioned property, and should said default in any case continue for thirty (30) days from the time that such payment is due and payable then said agreement between said Taxpayer and the Township shall be terminated and void and all said municipal liens and taxes shall become immediately due and payable subject to enforcement by the Tax Collector of the Township of Irvington and sale according to law or by employment of any remedy available to the Township of Irvington according to law.

Adopted

Absent: Frederic, S. Jones

McElroy – Inman 13. Authorize Tax Payment Agreement – 214 Columbia Avenue - Net Amount to Redeem - \$ 50,148.67 Payable Within 36 Months

WHEREAS, the Township of Irvington had an Accelerated Tax Sale on June 28, 2011 on lands known on the Tax Map of the Township of Irvington aforesaid as Block 59, Lot 21 owned by ONLY ONE CONSTRUCTION, INC, and that said Tax Sale advertised amount and subsequent municipal liens on said premises remain unpaid; and

WHEREAS, said Taxpayer ONLY ONE CONSTRUCTION, INC, has applied to the Municipal Council of the Township of Irvington for a leave to redeem the aforesaid property from the said Tax Sale and subsequent municipal liens by equal monthly installment payments in accordance with and pursuant to the provisions of N.J.S.A. 54:5-65 to 76, inclusive:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Irvington Tax Collector be and she is hereby authorized to enter into the following agreement mentioned for the payment of tax arrears and current taxes on the premises 214 COLUMBIA AVENUE, BLOCK 59 LOT 21 on the Irvington Tax Map, TSC# 110422:

TSC# 110422	\$13,359.99
2011 3 RD & 4TH QTR TAXES	\$ 5,858.01
2012 TAXES	\$11,937.29
2013 1 ST & 2 ND QTR TAXES	\$ 5,968.65
2013 SEWER	\$ 720.00

Total Interest & Cost Due to 07/09/2013	\$12,304.73
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Total Amount to Redeem	\$50,148.67
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NET AMOUNT TO REDEEM:	\$50,148.67
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2. That beginning AUGUST 9, 2013 and on or before the 9TH day of each succeeding month thereafter, the Taxpayer ONLY ONE CONSTRUCTION, INC, shall pay to the Irvington Tax Collector the sum of \$1,812.99 each month to be applied by said Tax Collector on account of said municipal liens in the manner most convenient to her as provided by N.J.S.A. 54:5-74. In addition, the Taxpayer shall pay to the Tax Collector the current taxes as they become due on February 1st, May 1st, August 1st and November 1st of each year. The foregoing payments shall continue until all taxes and interest on tax arrears and current taxes as provided herein shall have been paid in full; all tax arrears and interest thereon must be paid within 36 months.

The Tax Collector shall provide a form of receipt or statement showing the dates of payments and the application thereof as to interest, expenses, charges, etc.

3. Upon the full satisfaction of the amount required to redeem said lands from said Tax Sale Certificate, including the subsequent municipal liens as aforesaid, together with Sewer user charges and current taxes, the Collector of Taxes shall deliver to said Taxpayer said Tax Sale Certificate properly endorsed for cancellation.

4. That should said Taxpayer ONLY ONE CONSTRUCTION, INC, default in the payment of any one said monthly installment payments, or in the payment of any current municipal taxes which may fall due against the aforementioned property, and should said default in any case continue for thirty (30) days from the time that such payment is due and payable then said agreement between said Taxpayer and the Township shall be terminated and void and all said municipal liens and taxes shall become immediately due and payable subject to enforcement by the Tax Collector of the Township of Irvington and sale according to law or by employment of any remedy available to the Township of Irvington according to law.

Adopted
Absent: Frederic, S. Jones

Inman – Lyons 14 Authorize Abatement of \$59,940.90 in Interest Charges Conditioned on Payment of \$188,615.20 in Back Taxes on or Before July 31, 2013 - 875 – 18th Avenue

WHEREAS, a municipal lien was placed on 875 18th Avenue, also known as Block 56 Lot 1, at an Accelerated Tax Sale held on June 28, 2011 for delinquent/unpaid taxes and sewer charges in the amount of \$61,343.73; and

WHEREAS, the total amount due on Block 56 Lot 1, Tax Sale Cert# 110402, with interest and cost to June 11, 2013 is \$248,556.10 which includes subsequent municipal charges up to the 2013 2nd qtr taxes and 2013 annual sewer charge; and

WHEREAS, a prior lien was placed on said property May 7, 2008, TSC# 08-066 and sold to US Bank-Cust/Sass Muni V dtr; and

WHEREAS, US Bank-Cust/Sass Muni V dtr assigned TSC# 08-066 to TLR-V, LLC and said assignee filed a Civil Action Final Judgment on October 9, 2012;and

WHEREAS, the owner of 875 18th Avenue, has written a letter requesting an abatement of the interest owed on said certificate; and

WHEREAS, the interest and cost on Tax Sale Cert#110402 to June 11, 2013 is \$59,940.90; and

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

WHEREAS, the Governing Body of the Township of Irvington approved the above stated resolution DRF 13-0611-42;

WHEREAS, TLR-V, LLC has requested an extension on payment of the principal amount due:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Tax Collector is authorized and directed to abate the current interest charges of \$59,940.90 imposed on Block 56 Lot 1, and the taxpayer be allowed to pay the principal amount of 188,615.20 on or before July 31, 2013, which is the principal amount due of said certificate of sale #110402.

Adopted

Absent: Frederic, S. Jones

Inman – Beasley 15. Authorize the Designation of Maharaj Inc., as Redeveloper of Certain Property Located Within the Urban Enterprise Zone Rehabilitation Area 648 18th Avenue

RESOLUTION OF THE TOWNSHIP OF IRVINGTON, IN THE COUNTY OF ESSEX AUTHORIZING THE DESIGNATION OF MAHARAJ, INC. AS REDEVELOPER OF CERTAIN PROPERTY LOCATED WITHIN THE TOWNSHIP OF IRVINGTON

WHEREAS, the Municipal Council of the Township (the “Township Council”) designated parcels located in the Township’s Urban Enterprise Zone as an area in need of rehabilitation (the “UEZ Rehabilitation Area”) by Resolution UEZ 07-0227-5, dated February 27, 2007 in accordance with the requirements of *N.J.S.A.* 40:12A-14; and

WHEREAS, pursuant to *N.J.S.A.* 40:12A-14, prior to the adoption of a resolution designating the UEZ Rehabilitation Area as an area in need of rehabilitation, the Township Council submitted a copy of the proposed resolution designating the UEZ Rehabilitation Area as an area in need of rehabilitation to the Township Planning Board (the “Planning Board”) for its review; and

WHEREAS, the Planning Board reviewed Resolution UEZ 07-0227-5 prior to its adoption and recommended that the UEZ Rehabilitation Area satisfied the statutory criteria for it to be designated as an area in need of rehabilitation in accordance with the requirements of *N.J.S.A.* 40A:12A-14; and

WHEREAS, the *Local Redevelopment and Housing Law*, *N.J.S.A.* 40A:12A-1 *et seq.* (the “Act”) authorizes municipalities to adopt a redevelopment plan for an area designated as an “area in need of rehabilitation” pursuant to which redevelopment projects are to be undertaken; and

WHEREAS, in accordance with the provisions of *N.J.S.A.* 40A:12A-7 the Township of Irvington (the “Township”) utilized the Planning Board's experience and expertise in evaluating a proposed redevelopment plan (as adopted and subsequently amended, the “Redevelopment Plan”) for the UEZ Rehabilitation Area to determine, among other things, its consistency with the Township's land use and redevelopment goals and objectives for the UEZ Rehabilitation Area; and

WHEREAS, the Planning Board reviewed the Redevelopment Plan and forwarded the Redevelopment Plan to the Township Council for adoption, which Redevelopment Plan was

initially adopted by Ordinance No. 3351 dated September 11, 2007 and subsequently amended all in accordance with the requirements of *N.J.S.A.* 40A:12A-7; and

WHEREAS, to realize the redevelopment of the UEZ Rehabilitation Area and the proposed Redevelopment Plan, the Township Council has determined to exercise the powers of redevelopment and serve as the “Redevelopment Entity” responsible for carrying out the redevelopment projects in the UEZ Rehabilitation Area in accordance with the Redevelopment Plan pursuant to *N.J.S.A.* 40A: 12A-4(c); and

WHEREAS, MAHARAJ, INC. (the “Redeveloper”) submitted a concept for the development of a warehouse and storage facility (the “Project”) to the Township for its review and consideration for a portion of the UEZ Rehabilitation Area identified as *Block 142, Parcel 1 on the map entitled “Parcel Map, Realignment of 18th Avenue, Block 142, Irvington Township, Essex County, New Jersey”* (the “Property”) and commonly known as 648 18th Avenue, Irvington, New Jersey; and

WHEREAS, the Redeveloper submitted information outlining its financial capabilities, experience, expertise and project concept descriptions for the Project and requested designation by the Township as the redeveloper for the Property; and

WHEREAS, the Township is the owner of the Property; and

WHEREAS, the Township has determined that the Property is no longer needed for public use, and that the redevelopment thereof in accordance with applicable provisions of the Redevelopment Plan will contribute to the rehabilitation and reinvigoration of the Township and to the social and economic improvement of the Township in accordance with the legislative intent, goals and objectives of the Act; and

WHEREAS, the Township evaluated the Redeveloper’s proposal according to criteria which included project concept descriptions and determined to commence negotiations with Redeveloper to enter into a redevelopment agreement; and

WHEREAS, in order to convey the Property and implement the development, financing, construction, operation and management of the Project, the governing body of the Township has determined to enter into this redevelopment and purchase and sale agreement with the Redeveloper (the “Redevelopment Agreement”), which Redevelopment Agreement specifies the rights and responsibilities of the Township and the Redeveloper with respect to the Project,

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

Section 1. The above recitals are incorporated herein by reference.

Section 2. Maharaj, Inc. is hereby designated as redeveloper, pursuant to *N.J.S.A.* 40A:12A-1 *et seq.*, of the Property, subject to the execution of the Redevelopment Agreement.

Section 3. The Mayor of the Township of Irvington is hereby authorized to execute the Redevelopment Agreement substantially in the form attached hereto as Exhibit A and on file with the Township Clerk, subject to such additions, modifications and deletions deemed necessary and appropriate in consultation with special redevelopment counsel, and is further authorized to convey the Property in accordance with the terms of Redevelopment Agreement for the Purchase Price.

Section 4. This resolution shall take effect immediately.

Adopted
Absent: Frederic, S. Jones

McElroy – Lyons 16. Authorize the Issuance of a Duplicated Tax Sale Certificate - 74 Ball Street

AUTHORIZE THE ISSUANCE OF A DUPLICATE TAX SALE CERTIFICATE PURSUANT TO CHAPTER 99 OF THE PUBLIC LAWS OF 1997

WHEREAS, the Tax Collector of this municipality has previously issued a tax sale certificate to PLYMOUTH PARK TAX SERVICES LLC, which is dated June 29, 2009, covering premises commonly known and referred to as Block 274, Lot 8 as set out on the municipal tax map then in use which certificate bears number 091667 and;

WHEREAS, the purchaser of the aforesaid tax sale certificate 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, COUNTY OF ESSEX, STATE OF NEW JERSEY, 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 of a fee of \$100.00 per certificate to issue an appropriate duplicate tax sale certificate to the said purchaser covering the certificate lost 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 the 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

Absent: Frederic, S. Jones

Lyons – Beasley 17. Urge Measures to Assist in the Foreclosure Crisis

**RESOLUTION FOR PUBLIC RATIFICATION AT THE JULY 10, 2013 IRVINGTON
MUNICIPAL HEARING ON FORECLOSURE**

WHEREAS, the NJ State Constitution reads, "All political power is inherent in the people. Government is instituted for the protection, security, and benefit of the people, and they have the right at all times to alter or reform the same, whenever the public good may require it"

WHEREAS, the New Jersey Constitution says (Article I #1), "All persons are by nature free and independent, and have certain natural and unalienable rights, among which are those of enjoying and defending life and liberty, of acquiring, possessing, and protecting property, and of pursuing and obtaining safety and happiness";

WHEREAS, the City Council of Irvington is instituted for the protection, security, and benefit of the people of Irvington NJ;

WHEREAS, the housing crisis of 2008 has had devastating consequences on the life, liberty, and pursuit of happiness on the people of Irvington;

WHEREAS, Essex County is among the worst hit by the national foreclosure crisis,

WHEREAS, the housing crisis was caused in part by deliberate discrimination against people of color in the mortgage market;

WHEREAS, mortgage discrimination against African-Americans in particular has been a constituent part of the US financial system and has gone under such names as 'Block Busting' 'Redlining' 'Subprime Lending', and such acts were willfully and deliberately coordinated by these financial institutions;

WHEREAS, the federal and state governments of the United States of America were complicit in mortgage discrimination against people of color for at least 50 years;

WHEREAS, the financial crash of 2008 was a direct result of the mortgage bubble;

WHEREAS, the traffic in discriminatory subprime loans was willfully and deliberately expanded by the leading financial institutions without regard for the suffering of the neediest,

WHEREAS, standard econometric tools can be used to measure the overvaluation by landing institutions from 1998-2007;

WHEREAS, the financial crash has had devastating effects on the ability of the Township of Irvington to provide for the common good of its citizens, leading to mass layoffs, and tax hikes;

WHEREAS, the financial strain of eviction will have overwhelming effect on the citizens of Irvington;

WHEREAS, there has been no investigation on the state or federal levels that assigns blame to the perpetrators of the financial shenanigans, nor has relief been offered to its victims; and

WHEREAS, Irvington's foreclosure crisis remains unresolved, with 454 homes currently in pre-foreclosure status, another 75 homes are bank-owned, and 53 are listed for sheriffs sale;

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

- * There must be federal and state criminal investigations of lender wrongdoing in the housing bubble.
- * County prosecutors must investigate wrongful lender claims of standing for possible criminal violations.
- * There must be comprehensive and uncompensated write-downs of overvalued mortgage bubble principles to reflect the true market values of homes.
- * Eminent domain must be used as a tool for mortgage principal reduction.
- * Bring mass pressure for an Essex County moratorium on foreclosure evictions until mortgage principles are reduced to true market value.
- * The County needs to put procedures in place to determine whether or not plaintiffs hold a valid interest before foreclosures can proceed in court.
- * The State of New Jersey must make more timely allocation of funds for homeowner assistance.
- * Enforce Irvington's vacant property ordinance to bring much-needed revenue to local coffers and offset the negative budget impacts of the foreclosure crisis.
- * Bring a class action suit on behalf of homeowners against the banks.
- * Congress must speedily approve an appointee to head the FHF A, which holds Fannie Mae in receivership, who will proceed to write mortgage principals down according to Pres. Obama's directive.

Adopted
Absent: Frederic, S. Jones

10. Communications & Petitions

A. Communications

None

B. Petitions

None

11. Pending Business

A. Provide Resident Parking Permits on Maple Avenue From Springfield Avenue to Clinton Avenue from 8:00 P.M. to 8:00 A.M.

12. Miscellaneous

A. Bingos and Raffles

None

NON-CONSENT AGENDA ITEMS

8. Ordinances, Bills & Claims

Ordinances on 1st Reading

L.C. Jones – Beasley 1. Prohibit Parking on Both Sides of Laventhal Avenue on Street Cleaning Days From the End of the Cul-De-Sac Northerly a Distance of 25 Feet

AN ORDINANCE TO AMEND AND SUPPLEMENT SECTION 192-13, ENTITLED “PARKING PROHIBITED DURING CERTAIN HOURS” OF THE REVISED CODE OF THE TOWNSHIP OF IRVINGTON.

Adopted

Absent: Frederic, S. Jones

Lyons – Inman 2. Establish Fire Registration Fees for Non-Life Hazard Uses and Sme Detector Carbon Monoxide Inspection Fees

AN ORDINANCE ESTABLISHING A FIRE REGISTRATION FEE FOR NON-LIFE HAZARD USES AND ESTABLISHING A SMOKE DETECTOR/CARBON MONOXIDE INSPECTION FEE.

Adopted

Absent: Frederic, S. Jones

L.C. Jones – Lyons 3. Amend Chapter 111 of Revised Code – Prohibit Handling of Food Without Food Handler’s License

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 111 (FOOD ESTABLISHMENTS) OF THE CODE OF THE TOWNSHIP OF IRVINGTON

Adopted

Absent: Frederic, S. Jones

L.C. Jones – Lyons 4. Amend Chapter 168 of Revised Code - Prohibit Smoking in Public Parks

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 168 & 136 (SMOKING) OF THE CODE OF THE TOWNSHIP OF IRVINGTON

Adopted

Absent: Frederic, S. Jones

C. Bills & Claims

McElroy – L.C. Jones 1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD ENDING JULY 9, 2013, 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

\$1,753,697.02

SUPPLEMENTAL # 1
TOTAL

\$ 27,889.04
\$1,781,496.06

Adopted
No: Lyons
Absent: Frederic, S. Jones

9. Resolutions & Motions

A. Resolutions

L.C. Jones – McElroy 18. Authorize Contracts for Litigation - Defense Counsel Based Upon Requests for Proposals – Various Vendors

AUTHORIZE FAIR AND OPEN PROFESSIONAL SERVICE CONTRACTS FOR LITIGATION/DEFENSE COUNSEL

WHEREAS, the Request for Proposals for professional Litigation/Defense counsel services was publicly advertised in the New Jersey Star Ledger on April 08, 2013 with a deadline for qualifications to be submitted on April 26, 2013; and

WHEREAS, eleven qualifications were received and publicly opened; and

WHEREAS, said qualifications were referred to the Township Administrator and the Township Attorney; and

WHEREAS, the Township Attorney has recommended award should be made to the following firm:

Maloof, Lebowitz, Connahan & Oleske
127 Main Street (route 124)
Chatham, NJ 07928

David C. Stanziale, LLC
552 High Mountain Road
North Haledon, NJ 07508

Eric M. Bernstein & Associates., LLC
34 Mountain Blvd., Building A
Warren NJ, 07059

Lamb, Kretzer, Reinman & Roselle
601 Pavonia Ave
Jersey City NJ 07306-2989

Roth D'Aquanni, LLC
150 Morris Ave, suite 206
Springfield, NJ 07081

Clarence Barry-Austin PC
76 South Orange suite 207 South Orange, NJ 07079

Childress & Jackson, LLC
280 South Harrison Street, suite 303
East Orange, NJ 07018

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 above seven vendors, on the basis of their response to the request for proposal selection criteria and qualifications, for an amount not to exceed \$115.00 per hour for one year starting on July 01, 2013 until June 30, 2014; 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 funds for this service is paid from the Insurance Fund and the Municipal Council will be updated of the cost of each cases.

L.C. Jones – Lyons

Motion to Table

Adopted

Absent: Frederic, S. Jones

Beasley – L.C. Jones 19. Authorize Use of Up to \$1,000,000.00 in Community Housing Development Organization Funds for Housing Development in the South and East Wards to Brand New Day, Inc. and Episcopal Community Redevelopment, Inc.

WHEREAS, per HUD rules and regulations, all HUD/HOME AND HOME CHDO Funds must be obligated within a 2 year period and expended within a 5 year period; and

WHEREAS, the Township of Irvington, Office of Community Development must spend or forfeit \$966,651 in HUD/HOME CHDO Funds; and

WHEREAS, Brand New Day, Inc. and Episcopal Community Development, Inc. are currently developing housing projects respectively in the Township's East Ward, Irvington Scattered Sites Redevelopment Project, and in the Township's South Ward, ECD - 21st Street Development; and

WHEREAS, via Resolution No. OCDP 09-0623-26, the Municipal Council of the Township of Irvington, Essex County, New Jersey resolved that should Brand New Day, Inc. and/or Episcopal Community Development, Inc. be awarded NSP2 funds for housing development in the Township of Irvington, via the Office of Community Development & Planning, support for housing development in the East Ward and South Ward targeted areas of redevelopment will be awarded by leveraging HUD funds in the amount of \$600,000.00 with NSP2 funds (Exhibit A); and

WHEREAS, Brand New Day, Inc. has been awarded \$1,300,000.00 in NSP2 Program Funds as a non-profit Consortium Member of the Newark Essex County NSP2 Consortium of which \$650,000.00 is allocated for its East Ward Redevelopment Initiative in the Township of Irvington (Exhibit B); and

WHEREAS, Episcopal Community Development, Inc. has been awarded \$1,300,000.00 as a non-profit Consortium Member of the Newark Essex County NSP2 Consortium applicable only to work performed in Irvington, New Jersey (Exhibit B); and

WHEREAS, Brand New Day, Inc. and Episcopal Community Development, Inc. are in need of additional funding to complete their respective projects in the Township due to unforeseen increase costs in materials and labor since these projects were initially funded based upon budgets prepared in 2009 (Exhibit C); and

WHEREAS, the Township of Irvington, Office of Community Development & Planning fully supports and has the funds to increase its proposed award of HUD funds in the amount of \$600,000.00 to \$1,000,000.00, (each CHDO: Brand New Day, Inc. and Episcopal Community Redevelopment, Inc. to be awarded \$500,000.00) to be leveraged with the NSP2 funds which have been awarded for housing development in the Township of Irvington, East and South Wards.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington does hereby ratify and approve the provision of HUD/HOME of HOME CHDO Loan Program funds to Brand New Day, Inc. in the amount set forth on the request for Approval/Director Authorization Form, Case No. HMCHD09-2013/2014, amount of \$500,000.00 on file in the Township Clerk's Office and to Episcopal Community Development, Inc. in the amounts set forth on the request for Approval/Director Authorization Form, Case No. HMCHD10-2013/2014, amount of \$500,000.00 (Exhibit D); and

BE IT FURTHER RESOLVED that the aforesaid funds for Brand New Day, Inc. are to be used for new construction of 3 two-family rental homes for low- and moderate-income Irvington families at scattered sites in the Township's East Ward and funds for Episcopal Community

Development, Inc. are to be used for new construction of 10 two-families in scattered sites in the Township's South Ward; and

BE IT FURTHER RESOLVED that pursuant to N.J.A.C 5:34-5.2, the required Certificate of Availability of Funds has been obtained from the Chief Financial Office of the Township of Irvington, and the appropriation to be charged for these expenditures are; Brand New Day, Inc. - Cert. No. # c3-00295, Amt. \$500,000.00 and Episcopal Community Development, Inc. - Cert. No. # c3-00296, Amt. \$500,000.00.

Council member Lyonms, Council President BeALsey and Council Member Inman spoke.

Adopted
No: Inman
Absent: Frederic, S. Jones

Beasley – L.C. Jones 20. Establish Corrected Preliminary Tax Levy

WHEREAS, the Township of Irvington's Tax Collector will be unable to issue tax bills by June 14, 2013 as required by law, due to the failure of Essex County to strike a tax rate, and

WHEREAS, the Chief Financial Officer has determined that there will be insufficient cash flow to support operations in late July 2013 unless third quarter revenue is received on time, and

WHEREAS, the Chief Financial Officer has reviewed and computed an estimated tax levy in accordance with N.J.S.A. 54: 4-66.3, and

WHEREAS, the estimated tax levy for 2013 is hereby set at \$70,479,703.42, and

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Irvington, County of Essex, State of New Jersey, hereby authorizes that the Tax Collector is directed to prepare, complete, mail or otherwise deliver as soon as practicable to each individual assessed, or the individual's mortgagee or servicing organization, estimated tax bills for the Township of Irvington for the third quarter 2013, in accordance with the procedures set forth in N.J.S.A. 54:4-66.2et seq.

Defeated
Yes: Beasley. L.C. Jones, McElroy
No: Inman, Lyons
Absent: Frederic, S. Jones

Lyons – McElroy 21. Constable Appointment – Nathaniel Gaddist

BE AND IT IS HEREBY RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, NEW JERSEY that Nathaniel Gaddist, 203 Laurel Avenue in the Township of Irvington be and he is hereby appointed to the Office of Constable for a term of three years from the date of July 9, 2013; and

BE IT FURTHER RESOLVED that the above named person shall be notified of his appointment for the term aforesaid by the Township Clerk and directed to present himself to him and take and subscribe to the oath as provided by law, and to file with the Township Clerk at the same time a surety bond in the sum of \$1,000.00 to remain in force for the full term above set forth, the surety on said bond being a surety company duly authorized to do business in the State of New Jersey, said bond to be conditioned as provided by law, and that said bond be approved as to form by the Township Attorney.

Council Member Lyons and Council President Beasley spoke.

Adopted
No: Bealsey
Absent: Frederic, S. Jones

Inman – L.C. Jones 22. Constable Re-Appointment – Eric Francis

BE AND IT IS HEREBY RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, NEW JERSEY that Eric Francis, 170 – 22nd Street in the Township of Irvington be and he is hereby appointed to the Office of Constable for a term of three years from the date of July 9, 2013; and

BE IT FURTHER RESOLVED that the above named person shall be notified of his appointment for the term aforesaid by the Township Clerk and directed to present himself to him and take and subscribe to the oath as provided by law, and to file with the Township Clerk at the same time a surety bond in the sum of \$1,000.00 to remain in force for the full term above set forth, the surety on said bond being a surety company duly authorized to do business in the State of New Jersey, said bond to be conditioned as provided by law, and that said bond be approved as to form by the Township Attorney.

Council Member Inman spoke.

Adopted
Absent: Frederic, S. Jones

23. President Beasley: The calendar year 2012 municipal budget was passed upon first reading on May 29, 2013 published in summary form in the Irvington Herald on June 6, 2013 and public hearing scheduled for this date, place and time.

The Clerk will read the notice of hearing.

Mr. Wiener: Notice is hereby given that the budget and tax resolution was approved by the Municipal Council of the Township of Irvington, County of Essex on May 29, 2013. A hearing on the budget and tax resolution will be held at Town Hall, on July 9, 2013 at 8:00 o'clock PM at which time and place objections to the Budget and Tax Resolution for the year 2010 may be presented by taxpayers or other interested persons. Copies of the budget are available in the office of the at the Municipal Building, Civic Square, Irvington, New Jersey during the hours of 9AM to 4:30PM.

The Clerk will read the calendar year 2013 municipal budget by title.

Mr. Wiener: BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the CY 2013 Municipal Budget of the Township of Irvington:

Total General Revenues	\$100,759,036.50
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Total General Appropriations	\$100,759,036.50
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The public hearing on the calendar year 2013 municipal budget is now open.

Elouise McDaniel, 214 Nesbit Terrace
John Sowell, 985 Stuyvesant Avenue
Frank McBee, 46 Durand Place

L.C. Jones - McElroy	Motion to close public hearing.
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Adopted
Absent: Frederic, S. Jones

L.C. Jones – McElroy	Motion to adjourn further deliberations of the calendar year 2013 municipal budget
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Council Members Lyons, L.C. Jones and Council President Harold Beasley spoke.

Adopted
Absent: Frederic, S. Jones

12. Miscellaneous

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

John Sowell, 985 Stuyvesant Avenue

Al-Tariq Shabazz, 165 Maple Avenue
Frank McBee, 46 Durand Place

Council Members Lyons, L.C. Jones, McElroy and Council President Beasley addressed the issues raised by the above referenced citizens.

13. Adjournment

There being no further business, the meeting was adjourned at 8:52 P.M.

D. Bilal Beasley, Council President

Harold E. Wiener, Municipal Clerk