

REGULAR COUNCIL MEETING
APRIL 24, 2014

Council Chamber, Municipal Building
Irvington, N.J. – Thursday Evening
April 24, 2014 - 8:00 P.M.

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

Present: Charnette Frederic, Paul Inman, Lebby C. Jones, Sandra R. Jones, David Lyons, D. Bilal Beasley

Absent: Andrea C. McElroy (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 – 4-8-14
2. Construction Official - Permits Issued in March
3. Minutes – Board of Adjustment – 3-18-14
4. Minutes – Planning Board – 3-27-14
5. Municipal Court – Monthly – March
6. Joint Meeting - Annual Audit Report – Year Ending 12-31-13
7. Minutes – Joint Meeting – 2-20-14

7. Reports of Committees

None

8. Ordinances, Bills & Claims

None

C. Bills & Claims

S. Jones – Beasley 2. Payrolls

March 22, 2014 through April 4, 2014

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$1,348,489.17	\$95,720.06	\$78,009.31	\$1,522,218.54

Adopted
Absent: McElroy

9. Resolutions & Motions

A. Resolutions

Beasley – S. Jones 1. Support the Click It or Ticket Mobilization of May 19, 2014 through June 1, 2014

Supporting the Click It or Ticket
Mobilization of May 19-June 1, 2014

WHEREAS, there were 545 motor vehicle fatalities in New Jersey in 2013; and

WHEREAS, a large percentage of the motor vehicle occupants killed in traffic crashes were not wearing a seat belt; and

WHEREAS, use of a seat belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

WHEREAS, the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975-2000; and

WHEREAS, the State of New Jersey will participate in the nationwide Click It or Ticket seat belt mobilization from May 19, 2014 to June 1, 2014 in an effort to raise awareness and increase seat belt usage through a combination of enforcement and education; and

WHEREAS, the Division of Highway Traffic Safety has set a goal of increasing the seat belt usage rate in the state from the current level of 91% to 92%; and

WHEREAS, a further increase in seat belt usage in New Jersey will save lives on our roadways;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Township of Irvington declares its support for the Click It or Ticket seat belt mobilization both locally and nationally from May 19, 2014 to June 1, 2014 and pledges to increase awareness of the mobilization and the benefits of seat belt use.

Adopted
Absent: McElroy

S. Jones – L.C. Jones 2. Authorize Professional Services Contract for Engineering Services - Emergency Generator Grant for the Public Safety Building - CME Associates – Not To Exceed \$9,750.00

RESOLUTION AUTHORIZING PROFESSIONAL ENGINEERING CONTRACT FOR
EMERGENCY GENERATOR GRANT FOR THE PUBLIC SAFETY BUILDING

WHEREAS, DPW 13-0611-20 appointed five engineering firms to complete projects for the Township of Irvington from July 01, 2013 until June 30, 2014; and

WHEREAS, the resolution requires that quotes be obtained from all five vendors for all projects and the vendor that submits the lowest quote will be awarded the contract; and

WHEREAS, professional engineering services is required with the preparation of grant information for a proposed emergency generator projected located at the Public Safety Building - 1 Civic Square; and

WHEREAS, one proposal was received for this project; and

WHEREAS, due to time constraints, the Mayor and Township Engineer would like to accept the proposal received; and

WHEREAS, the total cost to complete the required work is \$1975.00; and

WHEREAS, the Township Engineer and the Mayor has recommended that a contract be awarded to CME Associates, 3141 Bordentown Ave, Parlin, NJ 07719 to complete the required work.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for professional engineering service for the proposed emergency generator project be awarded to CME Associates, 3141 Bordentown Ave, Parlin, NJ 07719 for an amount not to exceed \$1975; and

BE IT FURTHER RESOLVED that the Township Attorney is hereby authorized and directed to prepare the necessary contract extension 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 C4-00237 in the amount of \$1975.00 from account number 4-01-21-165-165-256 has been obtained from the Chief Financial Officer.

Adopted
Absent: McElroy

S. Jones – Beasley 3. Award an Emergency Sewer Repair Contract for a Sewer Failure on West Civic Sq - Your Way Construction - \$9,500.00

**RESOLUTION TO AWARD AN EMERGENCY SEWER REPAIR CONTRACT FOR A
SEWER FAILURE ON WEST CIVIC SQUARE**

WHEREAS, the sanitary sewer located on West Civic Square collapsed on April 09, 2014, 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 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 Acting Roads and Sewer Superintendent contacted three contractors :- Garcia Construction, Your Way Construction and Colonelli Bros and only one vendor submitted a quote and the vendor is competent to perform this work on an emergency basis and who is willing to effect this repair immediately, and;

WHEREAS, Your Construction has provided a quote to complete the required work for an amount not to exceed \$9,500.00, and;

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 and Township Engineer to authorize an emergency contract in the amount of \$9,500.00 to Your Way Construction of 404 Coit Street, Irvington, NJ to repair the sanitary sewer located on Springfield Ave and Becker Terrace.

BE IT FURTHER RESOLVED, that the required certification of availability of funds, C4-00238 in the amount of \$9,500.00 was obtained from the Chief Financial Officer from account number 4-01-21-165-165-118.

Adopted
Absent: McElroy

Frederic – Beasley 4. Amend Resolution DF 14-0325-3 for the New Emergency Operation Center - Corr Bid Amount from \$865,000.00 to \$865,163.00

AMENDING RESOLUTION NUMBER DF 14-0325-3

WHEREAS, on March 25, 2014, resolution number DF 14-0325-3 approved a contract for the new emergency operations center additions and renovations of fire station No. 3, Wagner Place; and

WHEREAS, the total bid amount should have been \$865,163.00 instead of \$865,000.00; and

WHEREAS, the Administration would like to amend the contract to include the difference of \$163.00; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, that resolution number DF 14-0325-3 is hereby amended to an amount not to exceed \$865,163.00

BE IT FURTHER RESOLVED that the Township Attorney is hereby authorized and directed to prepare an amended to the original contract and the Mayor and the Township Clerk are authorized to sign the same.

Adopted
Absent: McElroy

Beasley – S. Jones 5. Accept Grant Award of \$150,000.00 for The Essex County Recreation and Open Space Trust Fund 2014 Local Aid Program

WHEREAS, the County of Essex has made available to the Township of Irvington, a grant of \$150,000.00, entitled "The Essex County Recreation and Open Space Trust Fund 2014 Local Aid Program"; and

WHEREAS, said grant would fund projects ranging from open space acquisition to multi-park improvement projects and facilities mainly the Chris Gatling Recreation Center Renovation, 28 Union Avenue, Irvington NJ 07111; and

WHEREAS, it is in the best interests of the Township of Irvington and its citizens to accept said grant:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington hereby accepts said grant and it is further resolved that the Mayor is authorized to execute any required agreements to comply with said grant of \$150,000.00 to provide fund projects ranging from open space multi-park improvement projects.

Adopted
Absent: McElroy

L.C. Jones – Beasley 6. Authorize Memorandum of Understanding With Irvington, Maplewood and Orange Regarding The Assistance Firefighters Grant Program

RESOLUTION AUTHORIZING A MEMORANDUM OF UNDERSTANDING AMONG THE TOWNSHIP OF IRVINGTON, ESSEX COUNTY, NEW JERSEY, THE TOWNSHIP OF MAPLEWOOD, ESSEX COUNTY, NEW JERSEY AND THE CITY OF ORANGE, ESSEX COUNTY NEW JERSEY REGARDING THE ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY

WHEREAS, the fire departments of the above referenced municipalities habitually work in concert under mutual aid agreements to ensure the safety of the named municipalities and the Essex County region as a whole; and

WHEREAS, the municipal and fire department administration of each municipality have reviewed the benefits of the Assistance to Firefighters Grant (AFG) Program made available by the Federal Department of Emergency Management (FEMA) and understands the advantages of equipping each department with communications devices, frequencies, and training that will facilitate the collaborative fire and rescue activities regularly undertaken by these departments in various locations around the County of Essex and the State of New Jersey; and

WHEREAS, the Township of Irvington, the Township of Maplewood, and the City of Orange, Essex County, New Jersey (partners) have come together to collaborate and make application for the AFG Program; and

WHEREAS, the partners have agreed to enter into a Memorandum of Understanding in which the Township of Irvington will be the lead agency and named applicant and the other entities will be partners in request of the total sum of \$1,276,723 for the purchase of portable radios, mobile radios, base stations, and training required for the use of said equipment;

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL FO THE TOWNSHIP OF IRVINGTON that it is hereby agreed by and among the partners as follows:

1. Grant funding will be divided according to the following ratio - \$607,697.20 to the Township of Irvington; \$288,746.10 to the Township of Maplewood, and \$380,297.70 to the City of Orange;
2. Each partner will dedicate grant and/or matching funds to training for use of the equipment according to the following ratio - \$13,100 for Irvington; \$8,300 for Orange, \$6,300 for Maplewood;
3. Each partner organization will contribute a matching sum that is equivalent to 10% of the funding allotted to its fire department;
4. The Irvington Department of Revenue and Finance will receive grant funds and distribute them to the partner organizations within ten (10) days of receiving said funds;
5. Personnel from the Irvington Fire Department will ensure that all required grant reporting is submitted in a timely fashion;
6. Personnel from each partner organization will submit information required for reporting to the Irvington Fire Department as requested in a timely fashion;
7. Partner organizations will be responsible for the maintenance of their own equipment; and
8. Partner organizations will be responsible for separately procuring the equipment that will be used by their fire departments.

Adopted
Absent: McElroy

S. Jones – Frederic 7. Authorize the Submission of the Fiscal Year 2014 - 2015 Community Developer and Planning Fifth Annual Action Plan

RESOLUTION AUTHORIZING THE SUBMISSION OF THE FISCAL YEAR 2014-2015 CPMP FIFTH ANNUAL ACTION PLAN OF THE TOWNSHIP OF IRVINGTON PURSUANT TO THE REQUIREMENTS OF FEDERAL REGULATION 24 CFR PART 91 AND PART 92.

WHEREAS, Title I of the Housing and Community Development Act of 1974 as amended provides for a program of Community Development Block Grants AND title II of the Cranston-Gonzalez National Affordable Housing Act, as amended provides for a program of HOME Investment Partnerships; and

WHEREAS, the Township of Irvington is an entitlement and formula city as defined under said Acts, and is entitled to financial assistance; and

WHEREAS, the Township of Irvington anticipates that the United State Department of Housing and Urban Development will make available to the Township of Irvington the minimum sum of \$891,563 under the Fiscal Year 2014-2015 Community Development Block Grant Program and \$91,280 under the HOME Investment Partnerships Program; and

WHEREAS, the Township understands that the stated amount may decrease or increase when HUD officially makes its allocations of the subject funds for Fiscal Year 2014-2015; and

WHEREAS, the Township of Irvington desires to receive said funds to conduct housing rehabilitation, economic development, physical improvements, slum clearance, and public service activities in the Township of Irvington; and

WHEREAS, federal regulations at 24 CF Part 91 and Part 92 require that the Township of Irvington prepare and submit a CPMP Fifth Program Year Action Plan as a prerequisite to receipt of entitlement Community Development Block Grant funds and formula HOME Investment Partnerships Program funds; and

WHEREAS, the Township of Irvington, pursuant to the requirements of federal regulation 24 CFR Part 91 and Part 92, has given citizens an opportunity to express their opinions regarding the Township of Irvington, and has held public meetings hearings, which were open to the public; and

WHEREAS, said public meetings and hearings were for the purpose of considering and obtaining the views of the citizens of the Township of Irvington on community development and housing needs, and for the purpose of providing the citizens with an opportunity to participate in the development of the CPMP Fifth Program Year Action Plan; and

Page 1 of 2

WHEREAS, said CPMP Fifth Program Year Action Plan for federal assistance requires certain certifications to be submitted along with and as part of said plans:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, ESSEX COUNTY, NEW JERSEY:

SECTION 1

That the Mayor be and he is authorized and directed to submit the Township of Irvington CPMP Fifth Program Year Action Plan to the U.S. Department of Housing and Urban Development as required by federal regulation 24 CFR Part 91 and Part 92, including all understandings and certifications contained therein, to act as the authorized representative of the Township of Irvington and to provide such additional information as may be required.

SECTION 2

That the Township of Irvington CPMP Fifth Program Year Action Plan shall request funding to the fullest extent of funding allowed and determined by the United States Department of Housing and Urban Development Act of 1974, as amended and Title II of the Cranston-Gonzales National Affordable Housing Act, as amended.

SECTION 3

That the Mayor and other authorized, appropriate and responsible officials be and they are hereby authorized and directed to duly consider the comments and recommendations received as part of the citizen participation process and to incorporate those comments and recommendations in the plan to the extent feasible and to provide a full and written response to all comments and recommendations as part of the final CPMP Fifth Program Year Action Plan submission.

SECTION 4

That the Mayor and other authorized, appropriate and responsible officials be and they are hereby authorized and directed to execute on behalf of the Township of Irvington such certifications and other documentation as may be required by the U.S. Department of Housing and Urban Development.

Adopted

Absent: McElroy

L.C. Jones – Beasley 8. Authorize \$10,661.00 in Grant Funding for The Bridge, Inc., - Prevention/Intervention Program to Provide for Education and Assistance for Victims of Drug and Alcohol Abuse

WHEREAS, the Irvington Municipal Alliance is a recipient of grant funding from the Governor's Council on Alcoholism and Drug Abuse to provide Alcoholism/Drug Services for prevention, education and intervention for preschoolers through Senior Citizens; and

WHEREAS, the Irvington Municipal Alliance wishes to award a grant in the amount of \$10,661.00, to Bridges Inc., 14 Park Avenue, Caldwell, New Jersey for the provision of through an initiative called "PIP, Prevention/Intervention Program", said program provides prevention strategies and self-esteem building activities that seek to prevent tobacco, alcohol and substance use and/or abuse which constitutes an eligible Irvington Municipal Alliance activity; and

WHEREAS, the governing body of the Township of Irvington is required under state law (N.J.S.A. 40A:11-1 et seq.) to authorize the execution of formal grant agreements

WHEREAS, the Sub grantee has agreed that funds for services provided under this grant will not be used for any other purpose other than those listed in this contract:

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

1. Pursuant to N.J.A.C. 5:34-5.2, the required Certificate of Availability of Funds No. in the amount of \$10,661.00 for the above has been obtained from the Chief Financial Officer of the Township of Irvington. The appropriations to be charged for this expenditure are Account No. C4-00236 in the amount of \$10,661.00.

IT IS FURTHER RESOLVED that the Mayor is authorized to execute any required agreements to comply with said grant for the year 2013 to provide for education and assistance to those suffering from drug and alcohol abuse; and

BE IT FURTHER RESOLVED that Resolution DA 14-0408-12 is hereby repealed.

Adopted
Absent: McElroy

S. Jones – Beasley 9. Authorize \$10,661.00 in Grant Funding for The Bridge, Inc. – Elementary Socializ Program to Provide Prevention Strategies and Self-Esteem Building Activities That Seek to Prevent Toba Alcohol and Substance Use and Abuse

WHEREAS, the Irvington Municipal Alliance is a recipient of grant funding from the Governor's Council on Alcoholism and Drug Abuse to provide Alcoholism/Drug Services for prevention, education and intervention for preschoolers through Senior Citizens; and

WHEREAS, the Irvington Municipal Alliance wishes to award a grant in the amount of \$10,661.00, to Bridges Inc., 14 Park Avenue, Caldwell, New Jersey for the provision of through an initiative called "ESP Bridge Elementary Socialization", said program provides prevention strategies and self-esteem building activities that seek to prevent tobacco, alcohol and substance use and/or abuse which constitutes an eligible Irvington Municipal Alliance activity; and

WHEREAS, the governing body of the Township of Irvington is required under state law (N.J.S.A. 40A:11-1 et seq.) to authorize the execution of formal grant agreements

WHEREAS, the Sub grantee has agreed that funds for services provided under this grant will not be used for any other purpose other than those listed in this contract:

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

1. Pursuant to N.J.A.C. 5:34-5.2, the required Certificate of Availability of Funds in the amount of \$10,661.00 for the above initiative has been obtained from the Chief Financial Officer of the Township of Irvington. The appropriations to be charged for this expenditure are Contract No. C4-00236 in the amount of \$10,661.00.

IT IS FURTHER RESOLVED that the Mayor is authorized to execute any required agreements to comply with said grant for the year 2013 to provide for education and assistance to those suffering from drug and alcohol abuse; and

BE IT FURTHER RESOLVED that Resolution DA 14-0408-12 is hereby repealed.

Adopted
Absent: McElroy

S. Jones – Frederic 10. Authorize Application For the Sustainable Jersey Small Grants Program

Authorize Application For the Sustainable Jersey Small Grants Program Funded by the New Jersey Department of Health

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the Township of Irvington strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, the Township of Irvington is participating in the Sustainable Jersey Program; and

WHEREAS, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created a grant program called the Sustainable Jersey Small Grants funded by the New Jersey Department of Health;

THEREFORE, the Mayor and Council of the Township of Irvington have determined that the Township should apply for the aforementioned Grant.

THEREFORE, BE IT RESOLVED, that Mayor and Council of the Township of Irvington, State of New Jersey, authorize the submission of the aforementioned Sustainable Jersey Grant funded by the New Jersey Department of Health.

Adopted
Absent: McElroy

Frederic – Beasley 11. Approve Comcast's Application for the Renewal of a Cable Television Franchise the Township of Irvington

A RESOLUTION STATING THAT THE TOWNSHIP OF IRVINGTON CONSENTS TO THE COMCAST OF NEW JERSEY II, LLC'S APPLICATION FOR RENEWAL OF MUNICIPAL CONSENT TO CONSTRUCT AND OPERATE A CABLE TELEVISION SYSTEM IN THE TOWNSHIP OF IRVINGTON.

WHEREAS, application has been made by Comcast of New Jersey II, LLC's application for renewal of municipal consent to construct and operate a cable television system in the Township of Irvington; and

WHEREAS, a public hearing concerning the consent herein granted to Cablevision was held after proper public notice pursuant to the terms and conditions of the N.J. Cable TV Act; and

WHEREAS, Said hearing having been held and fully open to the public, and the municipality having received all comments regarding the qualifications of Comcast to receive this consent, the Township hereby finds Comcast possesses the necessary legal, technical, character, financial and other qualifications to support municipal consent, and that Comcast's operating and construction arrangements are adequate and feasible:

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington consents to the Comcast of New Jersey II, LLC's application for renewal of municipal consent to construct and operate a cable television system in the Township of Irvington; and

BE IT FURTHER RESOLVED that the Township Attorney's Office shall forthwith transmit this resolution to the N.J. Office of Cable TV with a draft ordinance authorizing the renewal of the municipal consent for their approval prior to the ordinance being submitted to the Municipal Council for final approval.

Adopted
Absent: McElroy

Beasley – S. Jones 12. Re-Appointment – Irvington Housing Authority Commissioner – Carolyn Jenkins

WHEREAS, a vacancy exists in the membership of the Irvington Housing Authority due to the expiration of the term of Carolyn Jenkins on November 22, 2013:

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 as indicated below:

NAME & ADDRESS	TERM TO EXPIRE
Carolyn Jenkins 127 Laurel Avenue	11-22-18

Adopted
Absent: McElroy

Beasley – S. Jones 13. Re-Appointment – Irvington Housing Authority Commissioner – Joanne Bennett

WHEREAS, a vacancy exists in the membership of the Irvington Housing Authority due to the expiration of the term of Joanne Bennett on November 22, 2012:

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 as indicated below:

NAME & ADDRESS	TERM TO EXPIRE
Joanne Bennett 121 Union Avenue	11-22-17

Adopted
Absent: McElroy

Beasley – S. Jones 14. Resolution of Need in Connection with HMFA Approval of a Project to Rehabilitate Irvington Senior Apartments Located at 1 Linden Avenue

RESOLUTION OF NEED IN CONNECTION WITH HMFA APPROVAL OF A PROJECT TO REHABILITATE IRVINGTON SENIOR APARTMENTS LOCATED AT 1 LINDEN AVENUE.

WHEREAS, Irvington Senior Urban Renewal 2013, LLC (hereinafter referred to as the "Sponsor") proposes to rehabilitate an existing 135 unit, elderly Section 8 building known as Irvington Senior Apartments (hereinafter referred to as the "project") pursuant to the provisions of the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended (N.J.S.A.55:14K-1 et the rules promulgated thereunder at N.J.A.C. 5:80-1.1 et and all applicable guidelines promulgated thereunder (the foregoing hereinafter collectively referred to as the "HMFA Requirements") within the Township of Irvington (hereinafter referred to as the "Municipality") on a site described as Lot 122, Block 79 as shown on the Official Assessment Map of the Township of Irvington, Essex County and commonly known as Irvington Senior Apartments, 1 Linden Avenue, New Jersey; and

WHEREAS, the Project will be subject to the HMFA Requirements and the mortgage and other loan documents executed between the Sponsor and the New Jersey Housing and Mortgage Finance Agency (hereinafter referred to as the "Agency"); and

WHEREAS, pursuant to the HMFA Requirements, the Municipal Council hereby determines that there is a need for this housing project in the Irvington Township.

NOW, THEREFORE, BE IT RESOLVED:

(1) The Council finds and determines that the 135 unit, elderly Section 8 building known as Irvington Senior Apartments proposed by the Sponsor meets or will meet an existing housing need;

(2) The Council does hereby adopts this Resolution and makes the determination and findings herein contained by virtue of, pursuant to, and in conformity with the provisions of the HMFA Law to enable the Agency to process the Sponsor's application for Agency funding to finance the Project.

(3) This Resolution shall be effective immediately upon its adoption.

Adopted
Absent: McElroy

B. Motions

None

10. Communications & Petitions

A. Communications

1. Millburn Resolution Opposing A-4147 – Require Public Bid Advertisements to Include Cost Estimate Ranges

2. New Jersey Emergency Management Section of the State Police – Approval of Emergency Operations

3. Mayor Smith – Appointment – Acting Director of Neighborhood Services – Eric Watson

B. Petition

None

11. Pending Business

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

12. Miscellaneous

A. Bingos and Raffles

Beasley – L.C. Jones 1. Good Shepard Church

Adopted
Absent: McElroy

NON-CONSENT AGENDA ITEMS

8. Ordinances, Bills & Claims

A. Ordinances on 1st Reading

S. Jones – L.C. Jones 1. Authorize a 3.5% CAP for the CY 2014 Municipal Budget and Establish a CAP Bank

TOWNSHIP OF IRVINGTON CALENDAR YEAR 2014 MODEL ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

Adopted
No: Inman
Absent: McElroy

C. Bills & Claims

S. Jones – Beasley 1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD ENDING APRIL 22, 2014, 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	\$1,055,936.06
SUPPLEMENTAL #1	\$1,517,452.17
TOTAL	\$2,573,388.23

Adopted
No: Lyons
Absent: McElroy

9. Resolutions & Motions

A. Resolutions

S. Jones - Beasley 15. Authorizing Planning Board to Investigate Whether Certain Properties Should be Designated as Areas in Need of Redevelopment

AUTHORIZE THE PLANNING BOARD OF THE TOWNSHIP OF IRVINGTON TO INVESTIGATE WHETHER CERTAIN PROPERTIES IN THE TOWNSHIP SHOULD BE DESIGNATED AS AN AREA IN NEED OF REDEVELOPMENT

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.* (the “LRHL”), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

WHEREAS, pursuant to *N.J.S.A. 40:12A-6* the Township Council of the Township of Irvington (the “Township Council”) must authorize the Planning Board of the Township of Irvington (the “Planning Board”) to conduct a preliminary investigation of the proposed area and make recommendations to the Township Council; and

WHEREAS, the Township Council by Resolution MC14-0325-12, dated March 25, 2014 (the “Initial Resolution”), directed the Township Administration to identify various individual or contiguous sites which are subject to loans held in private-label securitization trusts (“PLS Loans”) within the Township that may qualify as an “area in need of redevelopment” in accordance with *N.J.S.A. 40A:12A-5* and *N.J.S.A. 40A:12A-6*; and

WHEREAS, the Township Administration prepared a staff report (the “Staff Report”) identifying one hundred ninety-nine (199) parcels subject to PLS Loans (collectively, the “Property”) located throughout the Township; and

WHEREAS, in connection with completing the Staff Report, the Township Administration conducted an investigation, prepared a map of the Property (the “Proposed Area”), and completed a public hearing on March 31, 2014 at which comments to the designation were received and considered (collectively, the “Due Diligence Investigation”); and

WHEREAS, based on its Due Diligence Investigation, and as set forth in the Staff Report, the Township Administration is recommending the designation of the Proposed Area as an area in need of redevelopment; and

WHEREAS, the Township Council desires to direct the Planning Board to conduct an investigation in accordance with *N.J.S.A. 40A:12A-6* to determine whether the Proposed Area as

identified in the Staff Report meets the criteria set forth in *N.J.S.A.* 40A:12A-5 to be designated as an area in need of redevelopment; and

WHEREAS, the if the Planning Board investigation determines that the Proposed Area meets the criteria set forth in *N.J.S.A.* 40A:12A-5 to be designated as an area in need of redevelopment, such designation shall authorize the Township to use all those powers provided pursuant to the LRHL for use in a redevelopment area, including the power of eminent domain.

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

1. The Irvington Planning Board is hereby authorized to conduct an investigation pursuant to and in accordance with the procedural requirements of *N.J.S.A.* 40A:12-6, to determine whether the Proposed Area identified in the Staff Report satisfy the criteria set forth in *N.J.S.A.* 40A:12A-5 to be designated as an area in need of redevelopment.
2. As part of its investigation, and before proceeding to public hearing on the matter, the Planning Board shall prepare a map showing the boundaries and location of the Proposed Area, and shall append thereto a statement setting forth the basis for the investigation.
3. The Planning Board shall conduct a public hearing, after giving due notice of the boundaries and location of the Proposed Area in accordance with the requirements of *N.J.S.A.* 40A:12-6, which notice (i) shall identify the Proposed Area as a “Condemnation Redevelopment Area”, and (ii) shall specifically state that a redevelopment area determination shall authorize the Township to exercise the power of eminent domain to acquire the property in the Proposed Area.
4. At the hearing, the Planning Board shall hear from all persons who are interested in or would be affected by a determination that the Proposed Area delineated in the notice is a redevelopment area. All objections to a determination that the Proposed Area is an area in need of redevelopment and evidence in support of those objections shall be received and considered by the Planning Board and made part of the public record.
5. After conducting its investigation, preparing a map of the boundaries and location of the Proposed Area, and completing a public hearing at which all objections to the designation are received and considered, the Planning Board shall make a recommendation to the Township Council as to whether the Township Council should designate all or some of the Proposed Area as an area in need of redevelopment.
6. This Resolution shall take effect immediately.

Beasley – Frederic

Motion to Table

Adopted

Absent: McElroy

L.C. Jones – S. Jones

16. Introduction of Calendar Year 2014 Municipal Budget

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the CY 2014 Municipal Budget of the Township of Irvington:

Total General Revenues	\$99,220,014.74
------------------------	-----------------

Total General Appropriations	\$99,220,014.74
------------------------------	-----------------

BE IT FURTHER RESOLVED that a summary of said budget be published in the May 15, 2014 edition of the Irvington Herald along with a notice that the public hearing on said budget and tax resolution shall be held on June 10, 2014 at 8 o'clock P.M. in the Council Chamber, Municipal Building, Room 113, Civic Square, Irvington, New Jersey.

Beasley – S. Jones

Motion to Adjourn to May 6, 2014

Adopted
Absent: McElroy

Beasley – L.C. Jones 1. Waive the Six Months Provision for Construction to Be Completed Within Six Months in the Deed between the Township of Irvington and LVJ Planning, LLC for 665 Stuyvesant Avenue

RESOLUTION WAIVING THE SIX MONTHS PROVISION IN THE DEED BETWEEN THE TOWNSHIP OF IRVINGTON AND LVJ PLANNING, LLC.

WHEREAS, NJRA Direct desires to provide funding to LVJ Planning, LLC to be secured by a first mortgage on property located at 665 Stuyvesant Avenue, Block 340, Lot 18, in the Township of Irvington, New Jersey; and

WHEREAS, the rider to the Deed from the Township of Irvington to LVJ Planning, LLC dated March 3, 2009 provides that any repairs and renovation work must be completed within six (6) months of March 3, 2009; and

WHEREAS the Township has no opposition to NJRA Direct providing funding to LVJ Planning, LLC.

NOW, THEREFORE, BE IT RESOLVED, that the Township of Irvington waives the six (6) months completion provision in its deed to LVJ Planning, LLC., with the understanding that completion of any renovations shall occur within a reasonable time after receipt from LVJ Planning, LLC of funding from NJRA Direct.

Council Members Beasley, L.C. Jones, Frederic and Lyons spoke.

Adopted
No: Inman, Lyons
Absent: McElroy

12. Miscellaneous

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

Noel White, 76 Bross Place

13. Adjournment

There being no further business, the meeting was adjourned at 8:25 P.M.

D. Bilal Beasley, Council President

Harold E. Wiener, Municipal Clerk