

REGULAR COUNCIL MEETING
MAY 6, 2014

Council Chamber, Municipal Building
Irvington, N.J. – Tuesday Evening
May 6, 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,
Andrea C. McElroy, D. Bilal Beasley

Absent: None

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)

Elouise McDaniel, 214 Nesbit Terrace
Merrick Harris, 6 Hennessey Place

5. Hearing of Council Members

Council Member Lyons and Council President Beasley addressed the concerns raised by
the above referenced citizens.

6. Reports & Recommendations of Township Officers, Boards & Commissions

A. Reports

1. Minutes – Directors’ Meeting – 4-24-14
2. Minutes – Board of Adjustment – 4-15-14

7. Reports of Committees

None

8. Ordinances, Bills & Claims

A. Ordinances on 1st Reading

None

C. Bills & Claims

McElroy – S. Jones 2. Payrolls

March 8, 2014 through March 21, 2014

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$-1,230.84	\$ -	\$ -	\$ -

March 22, 2014 through April 4, 2014

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$-1,061.99	\$ -	\$ -	\$ -

April 5, 2014 through April 18, 2014

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$1,352,542.11	\$92,875.72	\$20,868.20	\$1,466,286.03

Adopted

9. Resolutions & Motions

A. Resolutions

McElroy – S. Jones 1. Authorize Use of \$130,843.00 in Housing Rehabilitation Assistance Loan Program Funds for 758 Springfield Avenue

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

WHEREAS, the Township of Irvington has committed to expend funds obligated for its HUD/ CDBG Housing rehabilitation Assistance Loan Program in accordance with its previously adopted Rehabilitation Program Policy and Procedural Manual per application to the Township's HUD/ CDBG Housing Rehabilitation Assistance Loan Program; and

WHEREAS, the Township of Irvington Office of Community Development's Staff and Director have certified that the applicant(s) identified herein are eligible for HUD/ CDBG Housing Rehabilitation Assistance Loan Program with the Township's adopted policy and procedures; 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 HUD/ CDBG Housing Rehabilitation Assistance Loan Program funds to the applicant(s) in the amount set forth in the Request for Approval/Director Authorization Form Case No. CDREH- 758 Spring in the amount not to exceed \$ 130,843.00 for a period of affordability of 15 (fifteen) years; and

BE IT FURTHER RESOLVED that the aforesaid funds of \$ 130,843.00 will be awarded as a deferred loan in the amount of \$ 130,843.00, which will convert to a grant upon expiration of the period of 15 (fifteen) year period of affordability compliance; and

BE IT FURTHER RESOLVED that the aforesaid funds are to be used for the rehabilitation of the subject property (2 family units and the common area) as set forth in Exhibit A, on file in the Township Clerk's Office and attached hereto for the premises known as 758 Springfield Avenue (Block 136 Lot 36), Irvington, New Jersey 07111, 2 family units and 1 retail unit; 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 HUD/ CDBG Investor Owner Housing Rehabilitation Assistance Loan Program Applicant(s); and

BE IT FURTHER RESOLVED that Roscoe Bacon and Dorothy Bacon, 132 Willow Street, Colonia, New Jersey 07067 is the owner of the subject property and is responsible for all work to be performed, and must insure that the contractor(s) has all the required credentials needed to perform 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. C4-00242 in the amount of \$ 130,843.00 for the above has been obtained from the Chief Financial Officer of the Township of Irvington. The appropriation to be charged for this expenditure is Account No.

T-21-41-850-12B-801 in the amount of \$ 535.95, Account No. T-21-41-850-13B-801 in the amount of \$ 13,136.98, Account No. T-21-41-850-14B-801 in the amount of \$ 117,170.07, total amount of \$ 130,843.00.

Adopted

Lyons – S. Jones 2. Authorize Change Order #2 for Integrated Security and Access Control System for Police Department - Change of Equipment – No Additional Cost to the Township

A RESOLUTION AUTHORIZING CHANGE ORDER #2 FOR THE INTEGRATED SECURITY AND ACCESS CONTROL SYSTEM FOR THE POLICE DEPARTMENT

WHEREAS, a contract was awarded to Integrated Systems & Services., by resolution number DP 13-1008-25 in the amount of \$153,711.21 for security and access control in the Police Department; and,

WHEREAS, change order resolution number DP 14-0311-7 was approved on March 11, 2014, increasing the total contract to \$180,051.64; and,

WHEREAS, it was recommended by vendor and agreed by the Police Department that several equipment be changed, modifying the original bid specifications; and,

WHEREAS, the change of equipment will not increase in total contract; and,

WHEREAS, the Director agrees with the recommended changes; and,

THEREFORE, BE IT RESOLVED, that the Mayor and Municipal Clerk be and is hereby authorized to execute Change Order #2 with Integrated Systems & Services., 541 Industrial Way West, Suite B, Eatontown, NJ 07224, modifying the bid specifications and equipment at no additional cost to the Township; and,

THEREFORE, BE IT RESOLVED, the total contract amount for this project will remain at \$180,051.64.

Adopted

S. Jones – Frederic 3. Authorize One Year Extension of Contract for Actuarial Services - Aquarius Capital - Not to Exceed \$1,500.00

RESOLUTION TO EXTEND ACTUARIAL SERVICE CONTRACT

WHEREAS, resolution number DRF 13-0611-40 authorized a actuarial service on June 11, 2013; and

WHEREAS, the original specifications included language that allowed for the extension up to two additional one year contract at the existing terms and conditions if mutually accepted to the vendor and Township; and

WHEREAS, the vendor has agreed to extend the existing agreement for one year; and

WHEREAS, it would be in the Township's best interest to extend the existing agreement for one year as recommended by the Finance and Revenue Director; and

NOW, BE IT HEREBY RESOLVED by the Township of Irvington, Essex County, New Jersey that the following contract be extended for one year, starting on June 30, 2014 until July 01, 2014 for an amount not to exceed \$1,500.00 per year to Aquarius Capital, 110 Betsy Brown road, Port Chester, NY 10573.

BE IT FURTHER RESOLVED that the Township Attorney is directed to prepare the appropriate contracts and the Mayor and the Township Clerk be and the same are hereby authorized to execute said contract with the above listed company.

BE IT RESOLVED that the required Certification of Availability of Funds will be obtained from the Chief Financial Officer contingent on the adoption of the Calendar year 2014 budget.

Adopted

McElroy - Lyons 4. Establish Handicapped Parking Spaces in Front of 114 Madison Avenue, 14 Howard Street, 61 Coit Street and 320 Vermont Avenue

WHEREAS, N.J.S.A. 39:4-197.5 provides that a Municipality may by resolution provide for restricted parking spaces in front of residences for use by any person who has been issued a special vehicle identification card pursuant to the provisions of N.J.S.A. 39:4-205, when using a motor vehicle on which is displayed a certificate, for which a special vehicle identification card has been issued pursuant to N.J.S.A. 39:4-206; and

WHEREAS, requests have been made for a restricted parking spaces in front of:

114 Madison Avenue
14 Howard Street
61 Coit Street
320 Vermont Avenue

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that parking spaces restricted for use by any person who has been issued a special vehicle identification card pursuant to the provisions of N.J.S.A. 39:4-205, when using a motor vehicle on which is displayed a certificate, for which a

special vehicle identification card has been issued pursuant to N.J.S.A. 39:4-206, be established in front of 114 Madison Avenue, 14 Howard Street, 61 Coit Street and 320 Vermont Avenue; and

BE IT FURTHER RESOLVED that the Department of Neighborhood Services is directed to place a sign designating said handicapped parking spaces.

Adopted

Lyons- McElroy 5. Authorize Acceptance of Grant Agreement for Irvington Neighborhood Improvement Corporation to Service Low-Income Poverty Constituents – \$72,753.00

WHEREAS, the County of Essex, acting through its Division of Community Action proposes to enter into a sub grant agreement with Irvington Neighborhood Improvement Corporation to service the low-income poverty constituents of Essex County (except the City of Newark) during the 2014 program year (January 1, 2014 – December 31, 2014).

WHEREAS, said grant agreement has been negotiated by the County Executive of Essex County and presented to the Board of Chosen Freeholders for it's approval: and

WHEREAS the Mayor of the Township of Irvington be and hereby is authorized to execute a Grant Agreement with the County of Essex as sub-recipient of the Community Service Block Grant Funds in the amount of \$72,753.00

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington does hereby accept the award of \$72,753.00 for such activities; and

BE IT FURTHER RESOLVED, that the Mayor of the Township of Irvington is hereby authorized to execute a Grant Agreement with the Essex County Division of Community Action.

Adopted

McElroy – Lyons 6. Authorize Use of \$10,000.00 in Irvington Homebuyer Assistance Loan Program Funds – 27 Allen Street

WHEREAS, the Township of Irvington has obligated funds for the purpose of financing its HUD/HOME Irvington Homebuyer Assistance Loan Program; and

WHEREAS, the Township of Irvington has committed to funds obligated for its HUD/ HOME Irvington Homebuyer Assistance Loan Program in accordance with its previously adopted "Policy and Procedural Manual for the Homebuyer Program" per application to the Township's HUD/HOME Program; and

WHEREAS the Township of Irvington's HUD/HOME Irvington Homebuyer Program staff and supervisor have certified that the applicant(s) identified herein are eligible for the HUD/HOME Irvington Homebuyer Assistance Loan Program benefits in accordance with the Township's adopted policies and procedures; and

WHEREAS, the Mayor has previously authorized the provision of the requested HUD/HOME Irvington Homebuyer Assistance Loan Program benefits in accordance with the provisions of said policy.

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 the HUD/HOME Irvington Homebuyer Assistance Loan Program funds to the applicant(s) in the amount set forth in the Irvington Homebuyers Assistance Program Agreement – Case No. HB-2013-0003 in the amount of \$ 10,000.00 ; and

BE IT FURTHER RESOLVED that the aforesaid funds are to be used toward Down Payment for the process of purchasing the premises known as 27 Allen Street, Irvington, New Jersey, IRVINGTON, NEW JERSEY, Exhibit A, Sales Contract; and

BE IT FURTHER RESOLVED that the aforesaid funds are to use Irvington Homebuyer Assistance Loan Program funds and are to be paid to Vernice McFadden and Shellie Williams Esq., subject to having provided the Office of Community Development & Planning with a true copy of their contract of sale, mortgage commitment and appraisal, and whose attorney and title company is properly licensed to practice law and transfer title by the State of New Jersey and the Homebuyer Assistance Program Agreement between the applicant(s); and

BE IT FURTHER RESOLVED that any such funds not expended in the Purchase of the subject property in accordance with adopted policy and procedures shall be recaptured by the TOWNSHIP OF IRVINGTON for use in assisting other HUD/HOME Irvington Homebuyer Assistance Loan Program applicant(s); and

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:34-5.2, the required Certificate of Funds Req. No. C4-00241 for the above have been obtained from the Chief Financial Officer of the Township and the appropriation to be charged for the expenditure is Account No. T-21-41-850-11A-805 in the amount of \$ 10,000.00

Adopted

Frederic – Beasley 7. Constable Appointment – Thomas Campbell

BE AND IT IS HEREBY RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, NEW JERSEY that Thomas Campbell 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 May 6, 2014; 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.

Adopted

Frederic – Beasley 8. Commemorate May 18, 2014 As Haitian Flag Day

RESOLUTION OF COMMEMORATION HAITIAN FLAG DAY

WHEREAS, for a country's citizens, the national flag is indisputably a symbol of general pride. They would consider any offense to their flag to be an offense to their country. Beyond being an icon though, a flag's origin can often say a lot about a nation's social make-up or history. Haitians feel no different and even reserve a special day to honor it, that day is May 18, 2014; and

WHEREAS in Haiti, Flag Day is a major national holiday celebrated with great fanfare on the grounds of the national palace. Flag Day is also observed by Haitians in the Diaspora. In The United States Haitians give homage to the red and blue by carrying it around with them or on their persona. Haiti's flag's origin is tightly linked to a history of struggle for freedom; and

WHEREAS Toussaint Louverture and the army of revolted slaves fought successively for the Spanish against the French (1793-1794), for the French against Spain and England (1794-1802) and ultimately against France; and

WHEREAS, the leaders of the free slaves and the men of color had decided to fight for the creation of an independent nation. On May 18, 1803, in the city of Arcahaie, not far from Port-au-Prince, the newly appointed revolutionary leader [Jean-Jacques Dessalines](#) created the flag by taking a French tricolor and ripping out the white center. He then asked [Catherine Flon](#) to sew the remaining bands together; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that it hereby recognizes May 18, 2014 as Haitian Flag Day and honors this country's citizens and their ancestors who so bravely fought for their freedom from slavery.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes

of this governing body in lasting tribute to Haitian Flag Day.

Adopted

S. Jones – Beasley 9. Resolution of Sorrow – Yvonne McLean

WHEREAS, God, in his infinite wisdom, recently took from amongst our ranks Yvonne McLean; and

WHEREAS, Yvonne entered this life on January 8, 1944 to the late Arlean Blackwell & Leroy Smith in Huntsville, Alabama; and

WHEREAS, she was adored and raised by her step father Warder Bradford. On May 1, 1961, she married Willie McLean in Newark New Jersey by Rev. Foote and from this union they had two daughters; and

WHEREAS, Yvonne received her early formative education in Huntsville, Alabama; she attended Essex County College and remained on the dean's list as she achieved her Associate degree, later on graduated from Keon College with a BA degree in elementary education and taught for twenty years in the public school system in Irvington and Newark; and

WHEREAS, she was a member of New Hope Baptist Church for more than 50 years and served as an Usher, Trustee, Adult Choir President Floral Club, First Lady's Society; she was also the Recreation Director at The C. H. Wolters Community Center and the list goes on; and

WHEREAS, Yvonne was fiercely independent and prided herself on living a practical life placing value on love, friendship and laughter. She was truly a generous individual who genuinely found deep satisfaction in helping her family and friends. Much of her joy in life centered around finding unique ways to place a smile on the faces of loved ones. Yvonne possessed a special gift to inspire greatness to all who knew her by consistently offering a rare combination of sweet words, kind gestures, and contagious laughter

WHEREAS, Yvonne was a long time resident of May Street in Irvington and served her neighborhood and the community extremely well for several decades; and

WHEREAS, Yvonne leaves behind her long time husband Willie McLean and her family members and friends to treasure their many fond memories of her; and

WHEREAS, Yvonne will also be sorely missed by her friends and neighbors in the Irvington Park area and beyond:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington mourns the recent loss of

Yvonne McLean and joins with her family and friends in grieving during this period of bereavement; and

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of the Irvington Municipal Council as a lasting tribute to Yvonne McLean.

Adopted

B. Motions

None

10. Communications & Petitions

A. Communications

1. League of Municipalities – Legislative Bulletin #2

B. Petitions

None

11. Pending Business

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

12. Miscellaneous

A. Bingos and Raffles

Beasley – L.C. Jones 1. Sacred Heart of Jesus Church

Adopted

NON-CONSENT AGENDA ITEMS

8. Ordinances, Bills & Claims

B. Ordinances on 2nd Reading

1. President Beasley: An ordinance to establish a not to exceed 3.5% CAP for the calendar year 2014 municipal budget and establishing a CAP Bank will be heard at this time. The Clerk will read the notice of hearing.

The Clerk read the notice of hearing.

The Clerk will read the ordinance by title.

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)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 5.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Municipal Council of the Township of Irvington in the County of Essex finds it advisable and necessary to increase its CY 2014 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Municipal Council hereby determines that a 3.5 % increase in the budget for said year, amounting to \$2,660,335.58 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS the Municipal Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Municipal Council of the Township of Irvington, in the County of Essex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2014 budget year, the final appropriations of the Township of Irvington shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$2,660,335.58 and that the CY 2014 municipal budget for the Township of Irvington be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final

appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the
Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

The public hearing on this ordinance is now open.

There were no requests to be heard.

S. Jones – L.C. Jones Motion to close public hearing

Adopted

S. Jones – L.C. Jones Motion to adopt this ordinance on second reading after
public hearing

Adopted
No: Inman

C. Bills & Claims

McElroy – S. Jones 1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD ENDING MAY 6, 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	\$1,579,729.34
SUPPLEMENTAL #1	\$3,412,293.60
TOTAL	\$4,992,022.94

Adopted

No: Lyons

9. Resolutions & Motions

A. Resolutions

S. Jones – Beasley 10. Authorize Contract for Independent Hearing Officer - Karen Brown, Esq. - Not to Exceed \$5,000.00

APPOINTING AN INDEPENDENT HEARING OFFICER

WHEREAS, the Township of Irvington has a need for the services of an Independent Hearing Officer due to a conflict that arise during the process of a grievance; and

WHEREAS, The Local Public Contract Law N.J.S.A. 40:A 11-1 et seq. and NJSA 19:44A-1 et, seq, requires that the resolution of appointment be publicly advertised when professional services are engaged without competitive bids; and

WHEREAS, the Township Attorney has recommended that the Law Office of Karen Brown be appointed to serve as the independent hearing for the conflict case; and

WHEREAS, the Law office of Karen Brown of 24 Merselis Ave Clifton, NJ 07011 is qualified and is available to serve as an Independent Hearing Officer; and

WHEREAS, the Law Office of Karen Brown has submitted the required C-271 certificate and the required documentation is on file in the office of the Municipal Clerk and Division of Purchasing; and

WHEREAS, this service will not exceed \$5,000.00 and all invoices will be paid by the Township Insurance carrier; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, that the Township Attorney is hereby authorized and directed to engage the service of Independent Hearing Officer with the Law Firm of Karen Brown of 24 Merselis Ave, Clifton, NJ 07011 for an amount not to exceed \$5000.00.

BE IT FURTHER RESOLVED, that this appointment is being made in a non-fair and open manner:- without competitive bidding because the service is required immediately.

BE IT FURTHER RESOLVED, that this appointment is for the completion of the conflict case. The agreements between the Township and the vendor will be on file with the Township Clerk of Irvington Township.

BE IT FURTHER RESOLVED, a copy of this resolution shall be published in the

newspaper as required by law.

Adopted

No: Lyons

S. Jones – McElroy 11. Authorize Corrective Deed To Waive Clause 10 of Rider Between Township of Irvington and LVJ Planning for 665 Stuyvesant Avenue

RESOLUTION WAIVING THE RIDER IN THE DEED BETWEEN THE TOWNSHIP OF IRVINGTON AND LVJ PLANNING, LLC.

WHEREAS, New Jersey Redevelopment Authority 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 as well as certain other requirements; and

WHEREAS the Township waived said six (6) months completion provision on April 24, 2014 by way of Resolution No. OCDP 14-0424-3; and

WHEREAS the rider also contained a clause that barred LVJ Planning, LLC applying, selling or transferring title “to a non-profit or non-taxable organization for a period of ten (10) years” after March 3, 2009; and

WHEREAS the Township has no opposition to New Jersey Redevelopment Authority providing funding to LVJ Planning, LLC or foreclosing on LVJ Planning in the event of a default by same.

NOW, THEREFORE, BE IT RESOLVED, that the Township of Irvington waives clause number ten (10) of its rider to the deed between LVJ Planning, LLC and the Township of Irvington and directs the Township Attorney’s office to prepare a corrective deed removing the Rider contained therein, and extinguishing the obligations set forth therein, relieving the Grantee of all obligations, both current and future as reflected in said Rider and the Mayor and Clerk of the Township are hereby authorized and directed to sign said deed

Adopted

No: Inman, Lyons

12. Miscellaneous

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

Elouise McDaniel, 214 Nesbit Terrace
Richard Williams, 197 Linden Avenue
Robert Shaw, 57 Coit Street
Merrick Harris, 6 Hennessey Place

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

13. Adjournment

There being no further business, the meeting was adjourned at 8:43 P.M.

D. Bilal Beasley, Council President

Harold E. Wiener, Municipal Clerk