

REGULAR COUNCIL MEETING
JUNE 24, 2014

Council Chamber, Municipal Building
Irvington, N.J. – Tuesday Evening
June 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

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)

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

5. Hearing of Council Members

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

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

A. Reports

1. Minutes – Directors’ Meeting – 5-20-14
2. Construction official – Permits Issues in May
3. Minutes – Joint Meeting – 4-17-14
4. Municipal Court – Monthly - May

7. Reports of Committees

- A. Request for Proposals Results – 6-11-14 – Information Technology Support Services
- B. Request for Proposals Results – 6-11-14 – Grant Consulting Services

8. Ordinances, Bills & Claims

A. Ordinances on 1st Reading

None

C. Bills & Claims

S. Jones – L.C. Jones 2. Payrolls

May 31, 2014 through June 13, 2014

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$1,350,889.07	\$131,536.66	\$61,018.11	\$1,543,443.84

Adopted
Absent: McElroy

9. Resolutions & Motions

A. Resolutions

S. Jones – Inman 1. Authorize Fair and Open Professional Service Contracts for Licensed Site Remediation Professionals Based Upon Request for Proposals – CME Associates, Tectonic Engineering & Surveying Consultants, Adams, Rehmann & Heggan Associates, Inc., Excel Environmental and Remington Vernick & Arango

RESOLUTION AUTHORIZING FAIR AND OPEN PROFESSIONAL SERVICE CONTRACTS FOR LICENSED SITE REMEDIATION PROFESSIONALS (LSRP)

WHEREAS, the Request for Proposals for Licensed Site Remediation Professional (LSRP) services was publicly advertised in the New Jersey Star Ledger and our Municipal Website on April 28, 2014 with a deadline for qualifications to be submitted on May 28, 2014; and

WHEREAS, five qualifications were received and publicly opened by the Purchasing Agent and Municipal Clerk; and

WHEREAS, said qualifications were referred to the Purchasing Agent, Township Engineer, and the Township Attorney; and

WHEREAS, the Township Engineer has recommended award of contracts to the following firms, based on their project history and credentials:

CME Associates
3141 Bordentown Ave, Parlin, NJ 08859-1162

Tectonic Engineering & Surveying Consultants
Park 80 East, 160 Pehle Ave, Suite 306, Saddle Brook, NJ 07663-5227

Adams, Rehmann & Heggan Associate., Inc.,
2 Broad Street, Suite 602, Bloomfield, NJ 07003

Excel Environmental Drive
111 North Center Drive, North Brunswick, NJ 08902

Reminto Vernick & Arango Engineers
300 Penhorn Ave 3rd Floor Secaucus, NJ 07094

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that contracts for Licensed Site Remediation Professional (LSRP) services be awarded to the aforementioned vendors and the Township Engineer will solicit quotes from the above vendors for each project and submit a resolution to the Municipal Council for all projects before retaining their services to determined prices.

BE IT FURTHER RESOLVED, that appointment is for one year starting on July 01, 2014 and ending on June 30, 2015; 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 the required Certification of Availability of Funds will be obtained from the Chief Financial Officer contingent on the adoption of the Calendar year 2014 and 2015 budgets.

Adopted
Absent: McElroy

S. Jones – Inman 2. Authorize Fair and Open Professional Service Contracts for Bond Counsel Services – McManimon, Scotland and Baumann - Not To Exceed \$15,000.00

RESOLUTION AUTHORIZING FAIR AND OPEN PROFESSIONAL SERVICE CONTRACT FOR BOND COUNSEL SERVICE

WHEREAS, the Request for Proposals for professional Bond Counsel services was publicly advertised in the New Jersey Star Ledger and our Municipal Website on April 28, 2014 with a deadline for qualifications to be submitted on May 28, 2014; and

WHEREAS, one qualification was received and publicly opened by the Purchasing Agent and Municipal Clerk; and

WHEREAS, said qualification was referred to the Chief Financial Officer and the Township Attorney; and

WHEREAS, the Chief Financial Officer has recommended award should be made to the following firm:

McManimon, Scotland & Baumann, LLC
Glenn Scotland
75 Livingston Ave, 2nd floor, Roseland, NJ 07068

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Bond Counsel be awarded to McManimon, Scotland & Baumann, LLC, 75 Livingston Ave, 2nd floor, Roseland, NJ 07068, on the basis of their response to the request for proposal selection criteria and qualifications, for an amount not to exceed \$15,000.00. The provider will be paid \$115.00 per hour for bond counsel services for one year starting on August 07, 2014 until August 07, 2015; 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 the required Certification of Availability of Funds in the amount not to exceed \$15, 000.00 for Bond Counsel service will be obtained from the Chief Financial Officer contingent on the adoption of the Calendar year 2014 and 2015 budget.

Adopted
Absent: McElroy

Beasley – L.C. Jones 3. Authorize Fair and Open Professional Service Contracts for Budget Consulting Services – Cheryl Gibson-Fuller, CPA – Not To Exceed \$25,000.00

RESOLUTION AUTHORIZING FAIR AND OPEN PROFESSIONAL SERVICE CONTRACT FOR BUDGET CONSULTANT

WHEREAS, the Request for Proposals for professional Budget Consultant Services was publicly advertised in the New Jersey Star Ledger and our Municipal website on April 28, 2014 with a deadline for qualifications to be submitted on May 28, 2014; and

WHEREAS, one qualification was received and publicly opened by the Purchasing Agent and Municipal Clerk; and

WHEREAS, said qualification was referred to the Chief Financial, Township Administrator and the Township Attorney; and

WHEREAS, the Chief Financial Officer has recommended award should be made to the following firm:

Cheryl G. Fuller, CPA
PO Box 418 Maplewood, NJ 07040

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Budget Consultant be awarded to Cheryl G. Fuller, CPA, PO Box 418 Maplewood, NJ 07040, on the basis of their response to the request for proposal selection

criteria and qualifications, for an annual amount of \$25,000.00. The provider will be paid \$2083.33 per month for one year starting on July 01, 2014 until June 30, 2015; 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 the required Certification of Availability of Funds in the amount not to exceed \$25,000.00 for the Budget Consultant will be obtained from the Chief Financial Officer contingent on the adoption of the Calendar year 2014 and 2015 budgets.

Adopted
Absent: McElroy

S. Jones - Lyons 4. Award Bid – Uniform Rental – Unifirst Corporation – Not To Exceed \$26,739.00

RESOLUTION AWARDING A CONTRACT FOR DPW UNIFORM RENTAL

WHEREAS, invitation to bids for uniform rental for the Department of Public Works employees was publicly advertised in the New Jersey Star Ledger and on our Municipal website on April 23, 2014 with a deadline for bids to be submitted on May 22, 2014; and

WHEREAS, one qualification was received and publicly opened by the Purchasing Agent and Municipal Clerk; and

WHEREAS, the bid was referred to the Purchasing Committee for review and it is recommended that the contract should be awarded to the following firm based to the criteria of award in bid specifications of lowest, responsible, responsive bid:

Unifirst Corporations
54-S Jefferson Road Whippany, NJ 07999

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the award for uniform rental for the Department of Public works employees be made to Unifirst Corporations of 54-S Jefferson Road, Whippany, NJ 07999 for three years for an amount not to exceed \$26,739.00. The vendor will be paid \$744.77 monthly and a maximum of \$8,937.24 annually for 41 employees; and

BE IT FURTHER RESOLVED, that this contract will start on July 01, 2014 until July 01, 2017; and

BE IT FURTHER RESOLVED that the Township Attorney is hereby directed to prepare the necessary contracts and the Mayor and Clerk is hereby authorized the execute the same; and

BE IT FURTHER RESOLVED, the appropriation to be charged for this expenditure is Account Number 4-01-26-290-292-121 with the balances of said contracts being contingent upon the adoption of the CFY 2014, 2015, 2016 and 2017 Municipal budget.

Adopted
Absent: McElroy

Inman – Frederic 5. Authorize 60 Day Extension of Contract for Computer Support Services for the Police Department – Ebonics Computer Systems – Not To Exceed \$5,000.00

RESOLUTION EXTENDING COMPUTER IT SUPPORT SERVICE FOR SIXTY(60) DAYS FOR THE POLICE DEPARTMENT

WHEREAS, resolution number DA 13-0611-7 awarded a one year contract to Ebonics Computer Systems for computer IT support service for the Police Department; and

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

WHEREAS, pursuant to 40A:11-15.3, the Township may extended computer IT support contract for a term not to exceed one year; and

WHEREAS, in the best interest of our taxpayers, the Township wishes to extended the computer IT support service for sixty (60) days; and

WHEREAS, the Township would like to extend the service contract with Ebonics Computer Systems, 92 Mountain view place, Newark, NJ 07106 for sixty (60) days; and

NOW THEREFORE BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the following contract be extended for sixty (60) days, starting on July 01, 2014 and ending on August 31, 2014 to Ebonics Computer Systems, 92 Mountain view place, Newark, NJ 07106 for an amount not to exceed \$5,000.00, the vendor will be paid \$120.00 per hour and Police Director or designee will authorized approve work on as needed basis, not to exceed a maximum amount of hours of 10 hours per week; and

BE IT FURTHER RESOLVED that the Township Attorney is hereby authorized and directed to prepare the necessary contract extension documents for sixty (60) days and the Mayor and the Township Clerk is hereby authorized to execute said contract with the above listed company.

BE IT FURTHER 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, Municipal budget.

Adopted
Absent: McElroy

Inman – Frederic 6. Authorize 60 Day Extension of Contract for Information Technology Support Services – Netarius Technology Solutions - Not To Exceed \$6,500.00

RESOLUTION EXTENDING COMPUTER IT SUPPORT SERVICE FOR SIXTY (60) DAYS

WHEREAS, resolution number DA 13-0611-11 awarded a one year contract to Netarius Technology Solutions Inc. for the computer IT support service for the Municipal Building; and

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

WHEREAS, pursuant to 40A:11-15.3, the Township may extended computer IT support contract for a term not to exceed one year; and

WHEREAS, in the best interest of our taxpayers, the Township wishes to extended the computer IT support service for sixty (60) days; and

WHEREAS, the Township would like to extend the service contract with Nettarius Technology solution, 35 College Drive, suite 101A, East Orange, NJ 07017 for sixty (60) days; and

NOW THEREFORE BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the following contract be extended for sixty (60) days, starting on July 01, 2014 and ending on August 31, 2014 to Netarius Technology solution, 35 College Drive, suite 101A, East Orange, NJ 07017 for an amount not to exceed \$6,550.00, the vendor will be paid \$85.00 per hour and IT Manager and Township Administrator will authorized approve work on as needed basis, not to exceed a maximum amount of hours of 15 hours per week; and

BE IT FURTHER RESOLVED that the Township Attorney is hereby authorized and directed to prepare the necessary contract extension documents for sixty (60) days and the Mayor and the Township Clerk is hereby authorized to execute said contract with the above listed company.

BE IT FURTHER 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, Municipal budget.

Adopted
Absent: McElroy

Inman – L.C. Jones 7. Ratify Emergency Contract for Sewer Back Up Cleaning Services - Servpro – Not to Exceed \$6,000.00

RESOLUTION TO AWARD AN EMERGENCY CONTRACT FOR SEWER CLEAN-UP IN THE PUBLIC SAFETY BUILDING

WHEREAS, on June 11, 2014, sewer backed-up and flooded the Police Department basement, and;

WHEREAS, the Department of Public Works employees were unable to clean up the affected area due to safety and hazardous conditions, and;

WHEREAS, the Neighborhood Service Director declared an emergency and authorized the hiring of a certified contractor, and;

WHEREAS, Servpro had the equipment and personnel to assist the Department of Public Works, and;

WHEREAS, this situation constitutes a threat to public health, safety, welfare, and the Director of Neighborhood Services of the Township of Irvington declared an Emergency and Servpro, located at 5 Neskell Drive, Basking Ridge, NJ 07920 had the necessary equipments available immediately to remediate the affected area on an emergency basis, and;

WHEREAS, the total cost to remediate the affected area was \$6,000.00.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that it ratifies the decision of the Director of Neighborhood Service of the Township of Irvington to authorize an emergency contract in the amount not to exceed \$6,000.00 with Servpro located at 5 Neskell Drive, Basking Ridge, NJ 07920 to remediate the affected area.

BE IT FURTHER 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, Municipal budget.

Adopted
Absent: McElroy

L.C. Jones – Beasley 8. Resolution of Sorrow - Jesse Lee Tyson Jr.

RESOLUTION OF SORROW
JESSE LEE TYSON JR.

WHEREAS, the Irvington Municipal Council wishes to express their deep sorrow on the passing of Jesse Lee Tyson Jr. of Irvington N.J on Tuesday, June 3, 2014; and

WHEREAS, Jesse Lee Tyson Jr., beloved son of the late Jesse and Julia Tyson, Sr., was born on April 16, 1939, in Pitt County, North Carolina; and

WHEREAS, Jesse was educated in Pitt County, North Carolina public school system; and

WHEREAS, Jesse entered into the arms forces of the United States Army and after receiving an honorable discharge he migrated to New Jersey in the early 1960's; and

WHEREAS, Jesse was employed at University Hospital, in Newark, N.J. until his retirement; and

WHEREAS, He was a member of Franklin-St. John's United Methodist Church in Newark, N.J. where he served as a Communion Steward. He was a faithful member of the United Methodist Men and sang with the Men Choir called "The Mighty Male Chorus"; and

WHEREAS, Jesse loved to spend time with family and he enjoyed cooking. He was loved by everyone he came contact with and he had a kind spirit; and

WHEREAS, Jesse preceded in death by his mother, Julia and father, Jesse Tyson, Sr., a daughter, Sharon Tyson, and a sister, Gladys McCullough; and

WHEREAS, Jesse leaves to cherish in his memories: his wife Sallie Gregg Tyson, a daughter, a sister, grandchildren, great-grandchildren, nieces, nephews, great nieces, great nephews, as well as his sister-in-laws, brother-in-laws, special aunts and a host of other close relatives and many, many loving friends.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington hereby mourns the loss of Jesse Lee Tyson Jr. and offers its sincerest condolences to his family and friends during this period of bereavement; and

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of this governing body as a lasting tribute to Jesse Lee Tyson Jr.

Adopted
Absent: McElroy

S. Jones – Inman 9. Authorize Use of \$10,000.00 in Irvington Homebuyer Assistance Loan Program Funds – 81 Hillside Terrace

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-2013-0004, 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 81 Hillside Terrace, 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 Doreatha Wertz and Casey Eggar, 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. C4-00247 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-21-41-850-10A-806 in the amount of \$10,000.00.

Adopted
Absent: McElroy

Inman – S. Jones 10. Authorize Use of \$30,500.00 in Housing Rehabilitation Assistance Loan Program Funds – 538 Grove Street

WHEREAS, the Township of Irvington has obligated funds for the purpose of financing its 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 Housing Rehabilitation Assistance in accordance with the provisions of said policy; and

WHEREAS, the Director of Community Development has determined that the need for housing rehabilitation work exists at 538 Grove Street, 3 family, Irvington, New Jersey 07111; and

WHEREAS, a work scope was prepared for this housing rehabilitation project and the quote of \$ 30,500.00 was the lowest qualified quote of the estimated scope of work price \$ 33,500.00 and was awarded to the contractor (see Exhibit A); 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 for rehabilitation at 538 Grove Street in the amount set forth on the Request for Approval/Director Authorization Form Case # LR-2013-0002 in the total amount of \$ 30,500.00, which is on file in the Office of the Township Clerk; and

BE IT FURTHER RESOLVED 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 hereto for premises known as 538 Grove Street, 3 family, Irvington, New Jersey; and

BE IT FURTHER RESOLVED that any such funds not expended toward 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 Housing Rehabilitation Assistance Program Applicants; and

BE IT FURTHER RESOLVED that the work is to 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 has 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. C4-00246 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 \$ 15,909.44 from Account T-21-41-850-10F-802 and in the amount \$ 14,590.56 from Account T-21-41-850-14B-801 for a total amount of \$ 30,500.00.

Adopted
Absent: McElroy

Frederic – Inman 11. Authorize Change Order #1 - Emergency Operations Center at Wagner Place Firehouse - Contingency Amount of \$12,656.00 - No Change in Final Contract Price

RESOLUTION TO APPROVE CHANGE ORDER NO.1 FOR THE EMERGENCY OPERATIONS CENTER AT FIRE STATION NO.3 (WAGNER PLACE)

WHEREAS, sealed bids were received on February 19, 2014 for the construction of an Emergency Operations Center at Fire Station No.3 (Wagner Place), and;

WHEREAS, a contract for this project was awarded on March 24, 2014 to Salazar & Associates, Inc, 625 Rahway Avenue, Suite 1A, Union, NJ 07083 at their bid price of \$865,163.00,and;

WHEREAS, during the course of the construction, the cracking of an interior wall was noted that could cause a structural problem, and;

WHEREAS, the condition was reviewed by the project architect, The Musial Group, as well as the Township Engineer and a solution was proposed resulting in a change order proposal from the contractor, Salazar & Associates, in the amount of \$ 12,656.60,and;

WHEREAS, the project architect and the Township Engineer have reviewed this solution and found it to be the most cost effective manner in which to address this situation, and;

WHEREAS, due to the age and condition of the building, a contingency fund was included in the project bid to accommodate field changes and the amount of this change order is within the amount of the contingency so that no additional funds shall be required for this change order and the total value of the contract remains unchanged:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a Change Order, Change Order No. 1, in the amount of \$ 12,656.00 is hereby approved. The funds for this change are included within the current contract with Salazar & Associates for this project so that this change order does not alter the total value of the contract,

Adopted
Absent: McElroy

S. Jones – Inman 12. Authorize 60 Day Extension of Contract for Tax Appeal Counsel Services – Eric J. Goodman, Esq. – Not To Exceed \$14,000.00

RESOLUTION AUTHORIZING FAIR AND OPEN PROFESSIONAL SERVICE CONTRACT FOR TAX APPEALS COUNSEL

WHEREAS, the Request for Proposals for professional Tax Appeals counsel services was publicly advertised in the New Jersey Star Ledger on April 28, 2014 with a deadline for qualifications to be submitted on May 28, 2014; and

WHEREAS, five qualifications were received and publicly opened; and

WHEREAS, said qualification was referred to the Tax Assessor, Chief Financial, Legal Committee and the Township Attorney; and

WHEREAS, the Legal Committee has recommended award should be made to the following firm:

Eric J. Goodman., Esq.
973 Stuyvesant Ave Irvington, NJ 07111

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Tax Appeals Attorney be awarded to Eric J. Goodman., Esq., 973 Stuyvesant Ave Irvington, NJ 07111, on the basis of their response to the request for proposal selection criteria and qualifications, for an amount not to exceed \$14,000.00. The provider will be paid \$95.00 per hour/\$7000.00 per month for tax appeal services for two month (60 days) starting on July 01, 2014 until August 31, 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 the required Certification of Availability of Funds in the amount not to exceed \$14, 000.00 for the Tax Appeals Attorney will be obtained from the Chief Financial Officer contingent on the adoption of the Calendar year 2014.

Adopted
Absent: McElroy

L.C. Jones - Frederic 13. Authorize 60 Day Contract for Litigation/Defense Counsel Services Based Upon Request for Proposals – Maloof, Lebowitz, Connahan & Oleske, Eric M. Bernstein & Associates, LLC, Roth D'Aquanni, LLC, Clarence Barry-Austin PC, Lamb & Kretzer and Childress & Jackson, LLC

RESOLUTION AUTHORIZING FAIR AND OPEN PROFESSIONAL SERVICE CONTRACT FOR LITIGATION/DEFENSE COUNSEL

WHEREAS, the Request for Proposals for professional Litigation/Defense counsel services was publicly advertised in the New Jersey Star Ledger and the Municipal website on April 28, 2014 with a deadline for qualifications to be submitted on May 28, 2013; and

WHEREAS, ten qualifications were received and publicly opened; and

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

WHEREAS, the Legal Committee has recommended award should be made to the following firm:

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

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

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

Lamb & Kretzer,
110 B Meadowlands Pkwy suite 201, Secaucus NJ 07094

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 six 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 two months (sixty days) starting on July 01, 2014 until August 31, 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.

Adopted
Absent: McElroy

Inman – S. Jones 14. Authorize \$5,330.50 in Grant Funding for The Bridge, Inc.- Elementary Socialization Program to Provide Prevention Strategies and Self-Esteem Building Activities That Seek to Prevent Tobacco, 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 grant in the amount of \$5,333.50, 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 Subgrantee 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

Pursuant to N.J.A.C. 5:34-5.2, the required Certificate of Availability of Funds No. C2-00458 in the amount of \$5,330.50 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. G-02-XX-703-13A-299 in the amount of \$5,330.50; and

BE IT FURTHER RESOLVED that the Mayor is authorized to execute any required agreements to comply with said grant for the year 2013 grant extension through June 20, 2014 to provide for education and assistance for those suffering from drug and alcohol abuse.

Adopted
Absent: McElroy

S. Jones – Inman 15. Authorize \$5,330.50 in Grant Funding for The Bridge, Inc.- Healthy Body Health Minds Program to Provide Prevention Education and Intervention for Pre-Schoolers Through Senior Citizens That Seek to Prevent Tobacco, 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 grant in the amount of \$5,333.50, to Bridges Inc., 14 Park Avenue, Caldwell, New Jersey for the provision of through an initiative called “Healthy Body Healthy Minds”, 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 Subgrantee 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

Pursuant to N.J.A.C. 5:34-5.2, the required Certificate of Availability of Funds No. C2-00458 in the amount of \$5,330.50 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. G-02-XX-703-13A-299 in the amount of \$5,330.50; and

BE IT FURTHER RESOLVED that the Mayor is authorized to execute any required agreements to comply with said grant for the year 2013 grant extension through June 20, 2014 to provide for education and assistance for those suffering from drug and alcohol abuse.

Adopted
Absent: McElroy

Inman – S. Jones 16. Authorize Assignment of Seven Tax Sale Certificates to Octavia Non-Profit Group

WHEREAS, N.J.S.A. 54:5-112 and 54:5-113, provide the Mayor and Council with the authority to sell real estate tax liens held by the municipality at a private sale for sums not less than the amount of municipal liens charged against same, and,

WHEREAS, the Tax Collector has notified the owner of record as appearing on the most recent Tax Duplicate at least five days prior to the affirmation of this resolution and a public notice of the pending sale was posted in three (3) public places within the Township of Irvington, and advertised once in the Irvington Herald.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Mayor and Council hereby assign municipal held liens recorded as:

Block/Lot	Owner Property Address	Cert No.	Sale Date	Amount of Sale	Amount As of June 24, 2014
151-25	Wall Street Development 207 21 st Street	12-02000	12/27/2012	\$7,858.80	\$ 27,592.16
151-1	Minguet, Philidor 224 22 nd Street	081387	06/27/2008	\$8,848.72	\$152,021.68
151-3	Vilarinho, Joao c/o Milara, Esq 244 22 nd Street	111167	06/28/2011	\$1,665.20	\$ 14,995.44
150-18	Walker, Lorna 253 22 nd Street	12-01994	12/27/2012	\$ 590.52	\$ 1,919.39
151-6	Sookram, Sunderdat 254 22 nd Street	111168	06/28/2011	\$ 753.72	\$ 51,219.85
150-15	Faulknor, Stafford 261 22 nd Street	111164	06/28/2011	\$ 569.04	\$ 22,835.85
150-14	American First Prope 263 22 nd Street	111163	06/28/2011	\$7,233.66	\$ 46,378.15

together with subsequent liens thereon, at private sale to:

Octavia Non Profit Group
315 South 7th Street
Newark, NJ 07103

Adopted
Absent: McElroy

Lyons – Inman 17. Authorize Acceptance of \$42,000.00 in Municipal Alliance Grant Funds

WHEREAS, the Township Council of the Township of Irvington, County of Essex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst person of all ages; and,

WHEREAS, the Township Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Township Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Essex;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of Irvington, County of Essex, State of New Jersey hereby recognizes the following:

1. The Irvington Township Council does hereby authorize submission of an application for Alliance DEDR funding for the fiscal year beginning July 1, 2014 in the amount of \$42,000.

2. The Township Council acknowledges the terms and condition for administering the grant, including administration compliance, audit requirements, and the following cash and in-kind match requirements:

Cash Match = \$10,500
In-Kind Match = \$31,500
Total Alliance Budget = \$84,000

APPROVED: _____
Wayne Smith, Mayor

CERTIFICATION

I, Harold E., Weiner, Acting Municipal Clerk of the Township of Irvington, County of Essex, State of New Jersey, do hereby certify the foregoing to be a true ad exact copy of a resolution duly authorized by the Irvington Township Council on this 24th day of June, 2014.

Harold E. Weiner, Town Clerk

Adopted
Absent: McElroy

Frederic – Inman 18. Authorize Grant Application - Transportation Alternatives - 2014

Township of Irvington
County of Essex
TA-2014-Irvington Township-00053

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Transportation Alternatives Program

NOW THEREFORE BE IT RESOLVED that the Council of the Township of Irvington formally approves the grant application for the above stated program.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as TA-2014-Irvington Township-00053 to the New Jersey Department of Transportation on behalf of the Township of Irvington.

BE IT FURTHER RESOLVED that the Mayor and clerk are hereby authorized to sign the agreement on behalf of the Township of Irvington and that their signatures constitute acceptance of the terms and conditions of grant agreement and approve execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Council on this _____ day of June, 2014.

Township Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL _____
(Township Clerk) (Presiding Officer)

Adopted
Absent: McElroy

Inman – Frederic 19. Authorize Cancellation of Sewer User Charges on a Variety of Properties for 2013 and 2014 Due to the Water Being Disconnected at the Premises

WHEREAS, the properties listed below were charged an annual sewer user fee; and

WHEREAS, the properties listed below may be vacant land and is not subject to the annual sewer user fee; and

WHEREAS, New Jersey American Water Company has forwarded a letter stating the water service was discontinued and the meter was removed.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Tax Collector is authorized and directed to remove the below listed charges:

Block	Lot	Address	Amount	Year
31	32	598 STUYVESANT AVENUE	\$180.00	2013
31	32	598 STUYVESANT AVENUE	\$180.00	2014
209	36	39 MAPLE AVENUE	\$540.00	2013
209	36	39 MAPLE AVENUE	\$540.00	2014
113	11	441 GROVE STREET	\$360.00	2013
113	11	441 GROVE STREET	\$360.00	2014
215	2	148 MAPLE AVENUE	\$180.00	2013
215	2	148 MAPLE AVENUE	\$180.00	2014
212	23	27 HOWARD STREET	\$360.00	2013
212	23	27 HOWARD STREET	\$360.00	2014
78	71	1173 CLINTON AVENUE	\$180.00	2013
78	71	1173 CLINTON AVENUE	\$180.00	2014
165	17	517 21 ST STREET	\$540.00	2013
165	17	517 21 ST STREET	\$540.00	2014
157	4	492-494 GROVE STREET	\$360.00	2013
157	4	492-494 GROVE STREET	\$360.00	2014
59	21	214 COLUMBIA AVENUE	\$720.00	2013
59	21	214 COLUMBIA AVENUE	\$720.00	2014
148	40	42 20 TH AVENUE	\$360.00	2013
148	40	42 20 TH AVENUE	\$360.00	2014
74	15	298 VERMONT AVENUE	\$360.00	2013
74	15	298 VERMONT AVENUE	\$360.00	2014
123	22	14 HIGHLAND TERRACE	\$1,080.00	2013
123	22	14 HIGHLAND TERRACE	\$1,080.00	2014
207	28	111 ELLIS AVENUE	\$540.00	2012
207	28	111 ELLIS AVENUE	\$540.00	2013
207	28	111 ELLIS AVENUE	\$540.00	2014
335	12	35-37 PARK PLACE	\$360.00	2013
335	12	35-37 PARK PLACE	\$360.00	2014
115	13	483 GROVE STREET	\$360.00	2014
203	2	100 COIT STREET	\$360.00	2013
203	2	100 COIT STREET	\$360.00	2014
TOTAL				\$13,860.00

Adopted
Absent: McElroy

B. Motions

None

10 Communications & Petitions

A Communications

None

B. Petitions

None

11. Pending Business

None

12. Miscellaneous

A. Bingos and Raffles

None

NON-CONSENT AGENDA ITEMS

B. Ordinances on 2nd Reading

1. President Beasley: An ordinance abolishing the Department of Neighborhood Services, re-establishing the Departments of Health, Housing Services and Public Works, re-establishing the title of Confidential Assistant to the Mayor and establishing salaries of Department Directors 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.

AN ORDINANCE REPEALING ORDINANCES MC 3392, MC 3393, MC 3394, MC 3395 AND MC 3407 TO ABOLISH THE DEPARTMENT OF NEIGHBORHOOD SERVICES AND RE-ESTABLISH THE DEPARTMENT OF HEALTH, THE DEPARTMENT OF HOUSING AND THE DEPARTMENT OF PUBLIC WORKS, REPEALING ORDINANCE MC 3100 TO RE-ESTABLISH THE TITLE OF CONFIDENTIAL ASSISTANT TO THE MAYOR AND ESTABLISHING SALARIES FOR CERTAIN DEPARTMENT DIRECTORS.

WHEREAS, the Municipal Council is desirous of abolishing the Department of Neighborhood Services and re-establishing the Department of Health, the Department of Housing Services and the Department of Public Works; and

WHEREAS, the Municipal Council is desirous of re-establishing the title of Confidential Assistant to the Mayor; and

WHEREAS, the Municipal Council is desirous of establishing salaries of certain department directors, effective July 1, 2014:

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

SECTION 1. Ordinances MC 3392, MC 3393, MC 3394, MC 3395 and MC 3407 regarding the establishment of the Department of Neighborhood Services and the abolishment of the Department of Health, the Department of Housing Services and the Department of Public Works are hereby repealed in their entirety.

SECTION 2. Ordinance MC 3100 repealing the title of Confidential Assistant to the Mayor is hereby repealed.

SECTION 3. The following salaries are hereby established for certain Department Directors, effective July 1, 2014:

	Minimum	Maximum
Department of Administration	\$115,000.00	\$130,000.00
Department of Revenue and Finance	\$110,000.00	\$125,000.00
Department of Parks and Recreation	\$ 70,000.00	\$ 80,000.00
Department of Health	\$ 70,000.00	\$ 80,000.00
Department of Housing Services	\$ 70,000.00	\$ 80,000.00
Department of Public Works	\$ 80,000.00	\$ 95,000.00
Department of Fire	\$ 40,000.00	\$ 50,000.00
Department of Police	\$110,000.00	\$145,000.00

SECTION 4. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of the within ordinance are hereby repealed to the extent of any inconsistencies or conflicts therewith.

SECTION 5. This ordinance shall be effective upon final passage and publication according to law.

The public hearing on this ordinance is now open

There were no requests to be heard.

S. Jones – Inman Motion to close public hearing

Adopted
Absent: McElroy

S. Jones – Inman Motion to adjourn final adoption of the ordinance until July 1, 2014

Adopted
Absent: McElroy

2. President Beasley: An ordinance amending and supplementing various sections of Chapter 183 of the Revised Code regarding taxicabs will be heard at this time. The Clerk will read the notice of hearing.

The Clerk stated for the record that this notice was identical to the prior notice that was read.

The Clerk will read the ordinance by title.

AN ORDINANCE AMENDING AND SUPPLEMENT CHAPTER 183 OF THE REVISED CODE ENTITLED “TAXICABS”.

SECTION 1. BE IT ORDAINED BY THE MUNICIPAL COUNCIL FO THE TOWNSHIP OF IRVINGTON as follows:

§ 183-1 Definitions

As use in this chapter, the following terms shall have the meanings indicated:

AUCTION

The process by which the Township issues taxicab medallions by offering them up for bid, taking bids, and then issuing them to the highest bidder.

BIDDER

An individual submitting a bid for a taxicab medallion at an auction. [Added 1-15-2008 by Ord.No. MC 3368]

CRUISING

The driving of a taxicab on the streets or public places of the Township in search of or for purposes of soliciting prospective passengers for hire.

DIRECTOR

The Director of the Department of Police.

[Amended 9-27-1988 by Ord. No. MC 2865]

DISPATCHER

A person placed in charge of a dispatch office by the holder.

[Added 11-9-1984 by Ord. No. MC 2753]

DISPATCH OFFICE

An office located in a building, staffed on a 24-hour basis, from which all taxis operating under a taxicab medallion are directed by a dispatcher by way of a dispatch system.

DISPATCH SYSTEM

A two-way communication network operated between taxicabs and a dispatch office for the purposes of directing taxicabs and keeping a log of taxicab calls. The log shall be made available to the Township police upon request.

HEARING

A public hearing before the Director or his designee at which a licensee is given an opportunity to appear personally or be represented by counsel and be heard and to present evidence on his behalf.

HOLDER

A person to whom a medallion has been issued.[1]

MEDALLION

. A license limited in quantity, issued by the Township that allows an individual or entity to operate a taxicab or taxicabs in the town.

[Added 1-15-2008 by Ord. No. MC 3368]

OPEN STAND

A public place alongside the curb of a street or elsewhere in the Township, which has been designated by the Director, Department of Police, as reserved exclusively for the use of taxicabs.

TAXICAB

Any automobile, taxicab or other motor vehicle engaged in the business of transporting passengers for hire or pay within the town, whether operated from stands in the street or dispatched by telephone calls to garages or in any other manner, it being the intention of this chapter to include in the definition of "taxicab" such vehicles as carry passengers for hire or pay for which public patronage is solicited. Any motor vehicle, other than a bus or autobus, traveling on designated routes using the streets of the town for the purpose of carrying passengers for hire, for which public patronage is solicited, and the owner of which vehicle holds himself out as a public carrier, shall be deemed a "taxicab" and shall be licensed as such.

TAXI DRIVER'S LICENSE

The permit granted by the Director of Police to a person to drive a taxicab upon the streets of the Township.

[Amended 9-27-1988 by Ord. No. MC 2865]

TAXIMETER

A mechanical instrument or device attached to a taxicab by which the charge for hire of a taxicab is mechanically calculated and on which such charge is plainly indicated and visible to passengers.

TOWNSHIP

The Township of Irvington, New Jersey.

[Amended 9-27-1988 by Ord. No. MC 2865]

TRANSFER

To sell, transfer or in any other manner dispose of a medallion. Where the medallion is in the name of a corporation or other legal entity, any change in majority ownership of the corporation or other legal entity shall constitute a "transfer" thereof.

WAITING TIME

The time during which a taxicab is not in motion from the time of acceptance of a passenger or passengers to the time of discharge. "Waiting time" does not include any time during which the taxicab is not in motion due to any cause other than the request, act or fault of a passenger or passengers.

[1]:

Editor's Note: The definition of "license bureau," which immediately followed this definition, was repealed 9-27-1988 by Ord. No. 2865.

§ 183-1.1 Taxicab Commission

A. There shall henceforth be established a Taxicab Commission in the Township of Irvington whose purpose shall be to regulate, facilitate, monitor and enforce the operation of the taxicab service in the Township.

B. Members. The Commission shall consist of three members with one being appointed by the Mayor, one appointed by the Municipal Council and one representative from the Office of the Township Attorney. The term of office for each member shall be for one year from the date of appointment.

§ 183-2 Insurance Requirements

A. In order to ensure the safety of the public, it shall be unlawful for the holder of a taxicab license medallion to operate or cause or permit a taxicab to be operated, nor shall any license medallion be issued under this chapter, unless and until the applicant shall have complied with the provisions of N.J.S.A. 48:16-1 to 48:16-12 and the acts amendatory thereof or supplemental thereto.

B. The statutory insurance policy issued for the term of the taxicab driver's license shall be delivered to the Director of Police or his designee with the application for the license taxicab driver's license. Upon issuance of the license taxicab driver's license, the policy approved as to form by the Township Attorney shall be thereupon filed forthwith in the office of the Township Clerk. This provision shall not exclude six-month insurance policies issued pursuant to full statutory requirements.

C. The license taxicab driver's license shall be effective only so long as the statutory insurance policy shall remain in full force to the full and collectible amounts is as required by the statute.

D. In the event of the cancellation of the insurance policy, the license taxicab driver's license shall terminate upon the effective date of the cancellation, unless prior thereto the insurance has been reinstated by withdrawal of the cancellation or a new policy of insurance is delivered to the Director of Police for the remainder of the taxicab driver's license.

E. It shall be the duty of the holder of a taxicab license to, at all times, keep in the all taxicabs operating under the medallion, an insurance card issued by the Township Clerk, showing that the statutory insurance is in full force and effect at the time of operation of the taxicab. It shall be unlawful to operate a taxicab without said insurance card and to fail to produce said insurance card it upon demand.

F. All taxicabs licensed and operated here in the Township of Irvington shall meet the insurance requirement of \$100,000 against any loss by reason of liability imposed by law, starting with the renewal of insurance of each individual taxicab operating under a medallion. Any company or owner holder who fails to satisfy the aforementioned requirement will be subject to the immediate forfeiture of their license medallion to operate the regulated vehicle in the Township. was repealed 9-27-1988 by Ord. No. MC 2865.

§ 183-4 Taxicab licenses required.

[Amended 9-27-1988 by Ord. No. MC 2865; 7-15-2003 by Ord. No. MC 3228]

A. No person holder shall operate or permit a taxicab owned or controlled by him to be operated as a taxicab upon the streets of the Township without having first obtained a taxicab license from the Director of Police.

B. Upon conviction of a violation of § 183-4A, the Municipal Court shall impose a fine as set forth in Ch. 1, Art. III.

C. Any person holder who operates a taxicab or permits a taxicab owned or controlled by him or her to be operated in the Township without having first obtained a taxicab valid license from the Director municipality shall, in addition to fines and penalties currently codified, shall cause such vehicle to be towed by the Police Department and shall be responsible for all costs associated with such action. in addition to any fines and penalties currently codified.

[Added 11-8-2012 by Ord. No. MC 3473]

§ 183-5 Application for taxicab license; renewals.

A. An application for a taxicab license or renewal thereof shall be filed with the Director upon forms provided by the town. Said application shall be verified under oath and shall contain the following information:

- (1) Name and address of the applicant; and where the applicant is not a natural person, the name and address of all owners or participants in the ownership of the legal entity and all officers, directors or others of like position, whatever their title.
- (2) The year, type and model of vehicle for which the license is desired, together with clear photographs of the front, rear and both sides of the same.[Amended 11-9-1984 by Ord. No. MC 2753]
- (3) The number of persons the vehicle is capable of carrying.
- (4) A statement that the applicant has never been convicted in any state of a high misdemeanor or a violation of this chapter or any prior ordinance of the town relating to taxicabs.
- (5) Such further information as the Director may reasonably require.

B. The annual application for renewal of taxicab licenses shall be filed not later than 30 days prior to the expiration date.

§ 183-6 Issuance and refusal of taxicab medallions.
[Amended 1-15-2008 by Ord. No. MC 3368]

A.

B. Issuance of taxicab medallions.

- (1) The Director of Police shall be empowered to issue medallions to qualified persons and to replace any revoked taxicab medallions that were not transferred by the owners prior to revocation. Issuance of medallions shall be made through by application for a license, submitted by the highest bidder at a public auction. The mMedallion numbers shall be set by the Director of Police.
- (2) The Director of Police is authorized to delegate matters pertaining to the auction and to take such further measures as in his/her discretion may be appropriate to the sale of the medallions.
- (3) The public auction shall be conducted in accordance with the laws of the State of New Jersey.
- (4) Any person may submit a bid to obtain a medallion. The highest bidder must, however, satisfy all criteria for taxicab license owners have a taxicab license and must meet the all provisions as set forth in the public solicitation issued by the Township of Irvington[CR1].
- (5) The highest bidder must file an application for a taxicab medallion with the Director of Police within the time specified in the public solicitation.

C. Refusal of taxicab medallions. The Director of Police shall be empowered to refuse to issue licenses medallions or renewals thereof pursuant to the provisions of this chapter. The applicant shall be permitted to appeal the Director's refusal to the Municipal Council at its next regular meeting. from the Director of Police's refusal to issue a license. In refusing any such license, the Director of Police shall state the reasons therefor in writing, and, if the same is deemed lawful and proper by the Municipal Council, such refusal shall be sustained. The maximum number of taxicab medallions issued or outstanding at any one time shall not exceed 56.

D. Maximum number of medallions. The maximum number of taxicab medallions issued or outstanding at any one time shall not exceed fifty-six (56).

§ 183-7 Grounds for refusal of taxicab license.

The Director shall have the power to refuse a taxicab license pursuant to required by § 183-4 on the grounds that public convenience currently does not require additional licensed taxicabs or that public safety will be best served by the refusal to issue any additional licenses or that the taxistand open stand desired is not in the interest of the public health, safety or welfare.

§ 183-8 Taxicab driver's license fees; expiration.

[Amended 6-14-1983 by Ord. No. MC 2701]

A. A taxicab driver's license shall be for a period of one year or for such lesser period of time as the insurance required pursuant to § 183-2 remains in full force.

B. No taxicab driver's license shall be issued or renewed unless the applicant therefor has paid an initial license fee as set forth in Chapter 98, Fees and Licenses. The fee charged for renewal or extension of said license within a one-year-period shall be as set forth in Chapter 98, Fees and Licenses, for each renewal or extension provided in accordance with the provisions of § 183-2 of the Irvington Township Code. Such license fees shall be in addition to any other fee or charge made or established by proper authorities and applicable to said holder for the vehicle or vehicles under his operation and control.

§ 183-9 Transfer of licenses medallions; fees; hypothecation prohibited.

A. No taxicab license medallion may be sold, assigned or otherwise transferred without the consent of the Director. A license medallion may be transferred to another person to be used in the bona fide operation of a taxicab business with the consent of the Director after the filing of an application as provided in this chapter and upon the payment of a transfer fee as set forth in Chapter 98, Fees and Licenses. No transfer may be made during the month of January.

[Amended 9-27-1988 by Ord. No. MC 2865]

B. No taxicab license medallion shall be assigned, mortgaged, pledged or otherwise hypothecated to secure a debt, loan, advance or the like, unless such assignment, mortgage, pledge or other security arrangement is first approved by the Director.

§ 183-10 Driver's license required.

No person shall operate a taxicab for hire upon the streets of the town Township, and no person who owns or controls a taxicab shall permit it to be so operated, and no taxicab licensed by the town Township shall be so operated at any time for hire, unless the driver of said taxicab shall have first obtained and shall have currently in force a taxicab driver's license issued under the provisions of this chapter.

§ 183-11 Conditions precedent to issuance of a taxicab driver's license.

No taxicab driver's license shall be issued to any person unless such person shall be is a holder of a taxicab license or is be the lessee, servant, employee or agent of such a holder[CR2].

§ 183-12 Minimum qualifications.

No taxicab driver's license shall be issued unless the applicant therefor:

A. Furnishes satisfactory evidence that he or she has a valid New Jersey automobile driver's license that he or she obtained at least one (1) year immediately prior to the date of the application for the taxicab driver's license; been the holder for at least one (1) year immediately prior to the date of application of a valid New Jersey automobile driver's license;

B.

C. Is at least eighteen (18) years of age;

D. Has been a resident of the State of New Jersey for at least one (1) year;

E. Is able to read and write the English language;

F. (Reserved)[1]

[1]:

Editor's Note: Former Subsection E, which required that applicants be citizens of the United States, was repealed 11-9-1984 by Ord. No. MC 2753.

G. Affirms that he or she has never been convicted in any state of a high misdemeanor or a violation of this chapter or any prior ordinance of the town Township relating to taxicabs.

§ 183-13 Application for taxicab driver's license; accompanying items.

A. An application for a taxicab driver's license shall be filed with the Director upon forms provided by the town. The application and shall contain the following information:

(1) Name and address of the applicant.

(2) Places of residence for the preceding five (5) years.

(3) Age, height, color of eyes and color of hair.

(4) Place of birth.

(5) Marital status.

(6) Previous employment and employer.

(7) Whether the applicant has ever been convicted of a high misdemeanor, misdemeanor or violation of this chapter or any ordinance of the town governing taxicabs.

(8) Whether a driver's license issued by any state or municipality to him or her has ever been suspended or revoked, and for what cause.

B. The application shall be accompanied by four (4) passport-type photographs of the applicant taken within thirty (30) days of the application, front view, size two by two (2 x 2) inches.

C. When required by the Director or his designee, said application shall be accompanied by a certificate of a licensed physician of the State of New Jersey, dated within sixty (60) days prior to the filing of the application, stating that in his opinion the applicant is physically sound, with good eyesight, and is not subject to epilepsy, vertigo, heart trouble or any other infirmity of body or mind which might make him unfit for the safe operation of a taxicab.

D. Upon an initial application for a taxicab driver's license, the applicant shall submit to fingerprinting by the Police Department of the town.

E. The application shall also be accompanied by the license fee prescribed in § 183-16 of this chapter.

§ 183-14 Investigation of application; approval or rejection of application.

[Amended 9-27-1988 by Ord. No. MC 2865]

A. Upon filing of an application for a taxicab driver's license, the Police Department shall conduct an investigation. The applicant's photograph and fingerprints, where required, shall be forwarded to the Bureau of Records and Identification. A report of such investigation and a copy of the traffic and police record of the applicant, if any, shall be attached to the application and returned to the Director for his consideration.

B. The Director shall consider the application and the reports and physician's certificate required to be attached thereto and shall approve or reject the application. No license shall be issued until the receipt of a written report from said Bureau of Records and Identification containing the results of its investigation of the applicant. If a delay of more than thirty (30) days is encountered between the date of fingerprinting and the receipt of the results of a fingerprint check through the files of the Federal Bureau of Investigation or the New Jersey State Police, the Director may issue a temporary license for a period of not more than six (6) months based upon the results of an examination of the fingerprint files of the Township Police Department. If, when received, the results of the examination of the fingerprint files of the Federal Bureau of Investigation or the New Jersey State Police shows that the applicant may be ineligible to receive a license, the temporary license may be revoked immediately and the applicant rejected. If the applicant is rejected, the applicant may request a hearing before the Director to offer evidence why his application should be reconsidered.

§ 183-15 Issuance of taxicab driver's license; contents.

[Amended 9-27-1988 by Ord. No. MC 2865]

Upon the approval by the Director of an application for a taxicab driver's license, a license shall be issued. The license shall bear the name, signature and recent photograph of the applicant and shall bear the signature of the Director.

§ 183-16 Expiration of taxicab driver's license; fees; display of license.

A. Each taxicab driver's license shall be for the period ending on December 31 following its issuance and shall expire on that date.

B. The fee for a taxicab driver's license shall be as set forth in Chapter 98, Fees and Licenses, per year.

C. While a taxicab driver is operating a taxicab his taxicab driver's license shall be displayed as provided in § 183-21 of this chapter.

§ 183-17 Responsibility for operation.

Every holder of a taxicab license shall be responsible for all taxicabs operating under the holder's medallion the operation of the vehicle for which the license has been granted regardless of the legal relationship between such the holder and the driver of said vehicle the taxicab.

§ 183-18 Safety requirements.

A. Rules and regulations shall be promulgated by the Director to provide safe transportation of the public and shall specify such safety equipment and regulatory devices as he shall deem necessary.

B. No taxicab driver shall operate and no owner holder shall permit to be operated a taxicab in which a child five (5) years of age or younger is a passenger unless a child eighteen (18) months of age or younger is in a federally approved car seat, regardless of whether such child is in the

front or rear seat; and a child over eighteen (18) months of age but less than five (5) years is in a car seat, if a front seat passenger, or is in a lap belt and shoulder harness, if a rear seat passenger. [Added 2-25-1992 by Ord. No. MC 2941]

C. No medallion taxicab license shall be issued to or renewed for any taxicab fleet, taxicab mini fleet or independent taxicab owner unless and until proof shall have been given to the Director or his designee that such taxicab fleet, mini fleet or independent owner has adequately provided for the safety of children under the age of five (5) years who are passengers in a taxicab operated by them, as set forth in Subsection B.

[Added 2-25-1992 by Ord. No. MC 2941]

D. In the case of a taxicab fleet or mini fleet, such proof shall consist of a written policy or posted notice at the base of operation and in all fleet taxicabs, conspicuous to drivers, setting forth that prior to the operation of the taxicab, children eighteen (18) months of age or younger who are passengers in a taxicab shall be placed in federally approved child restraint seats and children over the age of eighteen (18) months but under the age of five (5) years must be placed in a car seat, if riding in the front seat of the taxicab, or in a lap and/or lap and shoulder harness seat belt, if riding in the rear of the taxicab. A taxi fleet or mini fleet must at all times keep and maintain in fleet vehicles or at the base of operation a total number of federally approved car seats equal to twenty-five percent (25%) of the number of licensed taxicabs in its fleet, which shall at all times be available for use by drivers of fleet taxicabs. If a request is made for a taxicab by telephone, the dispatcher shall inquire about the presence and age of children who will be making the ride and inform the caller of the policy set forth in Subsection B. He or she will dispatch only a taxicab with a car seat if there is a child eighteen (18) months or younger. Fleet or mini fleet owners who stop for a fare must comply with Subsection B. If a car seat is required and the particular driver does not have one, he or she must pass up the fare.

[Added 2-25-1992 by Ord. No. MC 2941]

E. In the case of an independent owner, such proof shall consist of evidence that the independent owner keeps and maintains a federally approved car seat in the passenger compartment or trunk of the licensed vehicle at all times, for use in accordance with Subsection B above.

[Added 2-25-1992 by Ord. No. MC 2941]

F. Holders of taxicab medallions licenses prior to the effective date of § 183-18B of the Revised Code of the Township of Irvington shall have thirty (30) days from the effective date of § 183-18B of the Revised Code of the Township of Irvington to comply with these requirements before any penalty may be imposed for violations thereof. The license of any taxicab medallion of a holder owner or driver who has not complied with the requirements of § 183-18B of the Revised Code of the Township of Irvington after the passage of said thirty-day grace period shall be subject to penalties provided in § 183-48 of the Revised Code of the Township of Irvington for such violations. The requirements of § 183-18B of the Revised Code of the Township of Irvington shall be strictly applied to any application for licensure or renewal of a license after the effective date of § 183-18B of the Revised Code of the Township of Irvington.

[Added 2-25-1992 by Ord. No. MC 2941]

§ 183-19 Inspections.

[Amended 9-27-1988 by Ord. No. MC 2865]

A. Prior to the use and operation of any vehicle under the provisions of this chapter, said vehicle must pass New Jersey State inspection. The Director may examine any and all such licensed vehicles at any time or order any inspection at any time.

B. The Taxi Inspector, as a designee of the Director of Police, is hereby authorized to make an initial and periodical inspection of taxicabs.

[Added 11-8-2012 by Ord. No. MC 3474]

§ 183-20 Maintenance of taxicab in clean and sanitary condition.

[Amended 12-22-1981 by Ord. No. MC 2650; 12-12-1989 by Ord. No. MC 2897]

Every vehicle operating under this chapter shall, at all times, be maintained in a sanitary condition, shall be mechanically sound and the interior and exterior shall be kept in good order, free from dirt, dust, dents or other damage. Vehicles involved in accidents but are safe to operate may continue in service after inspection by the Director or his designee for a maximum of thirty (30) days.

§ 183-21 Taxicab identification.

A. Every taxicab shall bear the following identification:

[Amended 9-27-1988 by Ord. No. MC 2865; 12-12-1989 by Ord. No. MC 2897; 11-7-1990 by Ord. No. MC 2915; 2-11-1991 by Ord. No. MC 2920]

(1) A card at least three (3) inches in height by five (5) inches in length, setting forth in legible letters the name of the owner, the license number of the vehicle and year of issue, which card

shall be so affixed on the side of the taximeter that it is visible to any passenger within the taxicab.

(2) The taxicab driver's license issued by the Director shall be so affixed as to be visible to any passenger within the taxicab.

(3) Each taxicab shall bear in the outside of each rear door and in the center of the rear trunk deck lid, in painted letters, in contrasting colors, not less than eight (8) inches in length, the taxi identification number assigned by the Director, which number shall run in sequence and not be duplicated. Additionally, each taxicab shall bear on the outside of each front door, in painted letters, not less than three (3) inches in height, in contrasting colors, the name of the owner, association of which the owner is a member or registered trade name by which the owner conducts business.

(4) The name of the owner or corporate owner shall be painted in legible letters two (2) inches in height on the rear doors.

(5) The schedule of rates as established in § 183-23 of the Revised Code shall be painted on each of the rear doors of every taxicab operating in the Township of Irvington. Said rate schedule shall be painted in legible letters, in contrasting colors, large enough so that they are easily identifiable.

B. Each taxicab shall be painted a distinctive color so that it can be easily distinguished by the public. Said colors shall first be approved by the Director.

C. C. It shall be unlawful for any person to operate any vehicle not licensed under this chapter in such a manner as to mislead or tend to mislead, deceive or defraud the public into believing that said vehicle is a taxicab or is being operated as a taxicab.

D. In the event the name of the owner holder or the trade name of the owner holder or association includes the name of a color and said name is painted or placed on the outside front doors of the taxicab, then the color referred to in the name or association shall be the dominant color scheme of the body of the taxicab. This provision shall become effective and applied to new taxicab vehicles acquired after the effective date of this chapter.

E. No taxicab covered by the terms of this chapter shall be licensed if the color scheme or the name, monogram or insignia to be used thereon shall conflict with or imitate any color scheme, monogram, name or insignia used by any other person, firm or corporation operating a taxicab or taxicabs in the town in such a manner as to mislead or tend to mislead, deceive or defraud the public.

F. If, after a license has been issued for a taxicab hereunder, the color scheme, name, monogram or insignia used by such person, firm or corporation operating a taxicab or taxicabs in the Township misleads or tends to mislead, deceive or defraud the public, the license for such taxicab or taxicabs may be revoked by the Director after notice to the owner.

[Amended 9-27-1988 by Ord. No. MC 2865]

§ 183-22 Taximeters.

A. It shall be unlawful to operate a taxicab in the Township unless there is a fully operational taximeter. All taxicabs must be equipped with an accurate taximeter fastened to the taxicab in front of the passenger compartment and visible to all passengers at all times. Such taximeter shall be operated by a mechanism of standard design and construction driven either from the transmission or speedometer shaft by a flexible and permanently attached driving mechanism and shall be sealed at all points and connections where, if manipulated, such manipulation would affect the correct reading and recording. Each taximeter shall have thereon a flag or other automatic device to denote when the vehicle is employed and when it is not employed, and it shall be the duty of the driver to throw the flag or other automatic device of such taximeter into a nonrecording position at the termination of each trip.

[Amended 3-15-2005 by Ord. No. MC 3286]

B. Any representative of the Director is hereby authorized, either on the complaint of any person or without such complaint, to inspect any taximeter. Upon discovering any inaccuracy in the taximeter, the taxicab shall be taken off the streets until the taximeter has been repaired, placed in the required working condition, reinspected and resealed.

[Amended 9-27-1988 by Ord. No. MC 2865]

C. There is hereby established a penalty for operating a taxicab without a working taximeter in the vehicle as set forth in Chapter 1, General Provisions, Article III.

[Added 3-15-2005 by Ord. No. MC 3286]

§ 183-23 Rates; display of rate schedule.

[Amended 10-25-1983 by Ord. No. MC 2716; 11-7-1990 by Ord. No. MC 2915; 2-11-1991 by Ord. No. MC 2920; 12-28-2004 by Ord. No. MC 3283]

A. It shall be unlawful for the a owner holder or for a driver of a taxicab to charge or cause to be charged for the use of a taxicab a sum greater than the following rates:

(1) Between points within the Township. For conveying the first one or more passengers between any two points within the corporate limits of the Township, the rates shall be computed by use of an approved taximeter as follows:

(a) For the first 1/8 of a mile or any fraction thereof: \$2.15.

[Amended 11-8-2012 by Ord. No. MC 3473]

(b) For each additional 1/8 of a mile or any fraction thereof: \$0.35.

[Amended 11-8-2012 by Ord. No. MC 3473]

(c) For each minute of waiting time: \$0.35.

[Amended 11-8-2012 by Ord. No. MC 3473]

(d) Notwithstanding the foregoing rates, there shall be a minimum charge of \$3.50.

(2) For transporting one or more passengers from any point in the Township of Irvington to any other point within the state of New Jersey outside the Township of Irvington, there shall be an additional charge of \$2 above the amount computed by the use of an approved taximeter.

[Amended 11-8-2012 by Ord. No. MC 3473]

(3) For conveying one or more passengers to any point outside the state of New Jersey, the charge shall be 1 1/2 times the meter reading.

B. If one or more passengers is a senior citizen 65 years or older, a discount of 10% of the final meter charge shall be granted upon proof of age.

C. A legible printed schedule of the aforementioned meter rates shall be conspicuously posted within the taxicab so that it is visible to the passengers, which printed schedule shall be provided by the Director. Said schedule shall also be conspicuously posted in the office of the Director and at the principal place of business of each taxicab company operating within the Township of Irvington.

§ 183-23.1 Receipt required upon request.

[Added 11-8-2012 by Ord. No. MC 3474]

All taxicab drivers must provide passengers with receipts for the cab ride at the passenger's request. All taxicabs shall have notice of this option conspicuously displayed in the taxicab.

§ 183-24 Fare disputes; fraud.

A. All disputes as to the rate of fare shall be reported by the driver to the dispatcher. The dispatcher shall make a record of the dispute in the official log book. If the dispatcher is unable to resolve said dispute, he shall refer same to the Director or his designee.

[Amended 11-9-1984 by Ord. No. MC 2753; 9-27-1988 by No. MC 2865]

B. It shall be unlawful for any person to fail to comply with a determination described in Subsection A of this section or hire any taxicab with intent to defraud the person from whom it is hired of the value of such services.

§ 183-25 Front seat restrictions.

No person, other than the licensed driver of the taxicab, shall ride or sit in the front seat of the taxicab unless the rear seat is fully occupied by passengers. This provision shall not apply to passengers who must sit in the front seat for physical or health reasons.

§ 183-26 Restrictions on rental; illegal or immoral use prohibited.

A. It shall not be unlawful for the owner of any taxicab a holder to hire out or rent such a taxicab to a taxicab driver or any other person for use within the Township for a stipulated sum over a specified period of time, provided that:

[Amended 9-27-1988 by Ord. No. MC 2865]

(1) Said licensee driver is licensed by the Township to drive a taxicab upon the streets of the Township; and

(2) The owner holder files with the Director of Police a certificate of insurance that the operators and drivers of such taxicabs are covered by worker's compensation insurance in accordance with the laws of the State of New Jersey. The period of insurance coverage as evidenced by said certificate shall be concurrent with the term of the driver's taxicab driver's license.

B. No holder of a taxicab license or taxicab driver of a taxicab shall knowingly permit his a taxicab to be used for any illegal or immoral purpose.

§ 183-27 Solicitation of passengers.

A. No taxicab driver shall solicit passengers for a taxicab except when positioned at an open stand while sitting in the driver's compartment of such a taxicab or while standing immediately adjacent to the curb side thereof..

B.

C. No taxicab driver shall solicit taxicab patronage passengers in a loud tone of voice or in any manner that annoys any person or obstructs the movement of any person or by following any person for the purpose of soliciting patronage.

§ 183-28 Receipt and discharge of passengers.

Taxicab drivers shall not receive or discharge passengers in the roadway but shall pull their taxicabs as close as possible to the right-hand curb, or in the absence of a curb, to the extreme right-hand side of the road and there receive or discharge passengers. On one-way streets passengers may be discharged at either the right or left-hand curb or side of the roadway where no curb exists.

§ 183-29 Cruising.

A. No taxicab driver shall cruise in search of passengers except in such areas and at such times as may be designated by the Director. Such areas and times shall be designated only when the Director finds that taxicab cruising would not congest traffic or endanger pedestrians or other vehicles.

B. No taxicab driver shall cruise back and forth in front of or otherwise interfere with the orderly access to or egress from any place of public accommodation or assemblage.

§ 183-30 Additional passengers; number of passengers restricted.

A. No taxicab driver shall permit any other person additional passengers to occupy or ride in said taxicab unless the person or persons first employing the taxicab shall consent to the acceptance of an the additional passenger or passengers.

B. No charge shall be made for an additional passenger except when the additional passenger rides beyond the previous passenger's destination.

C. Unless otherwise permitted by the Director, no taxicab driver shall permit more than four (4) persons to be carried in a taxicab as passengers. A child under six (6) years of age shall not be counted as a passenger for the purposes of this subsection.

§ 183-31 Refusal to carry passengers.

No taxicab driver shall refuse or neglect to carry any orderly person or persons, upon request, to the designation requested, unless the driver is previously engaged or unable or forbidden by the provisions of this chapter to do so.

§ 183-32 Solicitation of business for others; use other than transportation restricted.

A. It shall be unlawful for any taxicab driver to solicit business for any hotel, motel, rooming house, bar, tavern, restaurant, theater and the like or to attempt to divert patronage from one business place to another.

B. No taxicab driver, when engaged in the operation of a taxicab, shall sell intoxicating liquors or use his vehicle for any illegal purpose or for any purpose other than the transportation of passengers and their baggage.

§ 183-33 Conduct of drivers.

A taxicab driver, when engaged in the operation of a taxicab, shall behave in a civil and courteous manner and shall not use any indecent, profane or insulting language.

§ 183-34 Appearance of driver.

[Amended 11-9-1984 by Ord. No. MC 2753]

When engaged in the operation of a taxicab, a taxicab driver shall be clean and neat of person and dress. Proper footgear shall be worn at all times.

§ 183-35 Advertising.

Subject to such regulations as the Director may promulgate, it shall be lawful for any person owning or operating a taxicab holder or taxicab driver to permit advertising matter to be affixed or installed on the outside of such taxicab, provided that the location of such advertising matter

on the taxicab shall not interfere with the comfort of passengers or the safe operation of the vehicle. Such advertising matter shall not be of a lewd, lascivious or obscene nature.

§ 183-36 Lost articles.

At the termination of each trip the driver of a taxicab shall thoroughly search the interior of such taxicab for any property lost or left therein by a passenger. Such property, unless sooner claimed or delivered to the property owner, must be reported in writing by the holder or the taxicab driver or holder to the License Bureau with a brief description particulars and description within twenty-four (24) hours after the same has been found.

§ 183-37 Operation of taxicab by unlicensed driver.

It shall be unlawful for any person owning or operating a licensed taxicabholder or taxicab driver to permit such any taxicab to be operated by any person who does not hold a valid taxicab driver's license as required by this chapter.

§ 183-38 Taxicab service.

A. Every person engaged in the taxicab business in the Township town operating pursuant to the provisions of this chapter shall render general taxicab service to the public desiring to use taxicabs.

B. Taxicab licensees or their representatives Dispatchers shall answer all calls received for taxicab service within town Township limits as soon as they can reasonably do so. If such services cannot be rendered within a reasonable time, they shall then notify the prospective passenger as to how long a delay there will be before the call can be answered and state the reason therefor.

C. Any licensee or representative holder who shall refuse to accept a call for taxicab service anywhere within town Township limits at any time when such holder has a taxicab available or who shall fail or refuse to render general taxicab service shall be deemed in violation of this chapter.

§ 183-39 Misinformation of prospective passenger.

No taxicab driver of any taxicab shall induce any passenger to employ him by knowingly misinforming or misleading any such prospective passenger either as to time or place of the arrival or departure of any train, motor vehicle or airplane or as to the location of any hotel, public place or private residence or as to the distance between any two (2) points, nor shall such driver deceive any prospective passenger or make any false representations relative to the taxicab service requested.

§ 183-40 Use of most direct route.

No taxicab driver shall convey any passenger to any other place or over any route contrary to a passenger's instructions. Unless otherwise instructed by the passenger, the taxicab driver shall employ the most direct route practical between the points of departure and destination.

§ 183-41 Records.

A. Except as otherwise provided in Subsection B hereof, the a holder of a taxicab license shall require each taxicab driver to maintain, and the taxicab driver of each taxicab shall maintain, a daily record upon which all trips shall be recorded of all trips. The daily record shall show the taxicab numbers, license number of the driver, specific hours of duty, time and place of origin and destination of each trip and the amount of fare received for each trip. All such records shall be furnished to the holder of the license and shall be retained by him the holder for one (1) year. The holder shall be responsible for the maintenance of daily records of all taxicabs operated by him under the holder's medallion.

B. In the event that one (1) or more taxicabs are dispatched by radio from a central location, the records required by Subsection A hereof shall be maintained at said the dispatch office by the holder or his the dispatcher.

[Amended 11-9-1984 by Ord. No. MC 2753]

C. Every holder shall record in a book, maintained solely for such purpose, the time of departure from the garage of every licensed taxicab, the name, address and license number of the taxicab driver thereof, the license number of the taxicab and the time of the taxicab's return to the garage.

D. All records required by this section shall be open to inspection by representatives of the Police Department. The records required to be maintained by this section shall be kept on forms approved by the Director and supplied by the holder or dispatcher to the taxicab driver.

[Amended 11-9-1984 by Ord. No. MC 2753; 9-27-1988 by Ord. No. MC 2865]

§ 183-42 Open stands.

The Director shall recommend the establishment of open stands in such places upon the streets of the Township as he deems necessary for the use of taxicabs operating in the township. The Director shall make such recommendation to the Municipal Council after taking into consideration the needs for such stands, the convenience to the general public and the recommendations of the Police and Fire Departments of the township.

§ 183-43 Use of open stands.

A. All open stands shall be used by taxicab drivers on a first-come, first-served basis. A taxicab driver entering an open stand with his taxicab shall join any waiting taxicabs from the rear and advance forward as the preceding taxicabs depart.

B. Taxicab drivers shall remain within five (5) feet of their respective taxicabs and shall not solicit passengers in a loud or boisterous manner or engage in loud or boisterous talk while waiting at the open stand.

C. Nothing in this chapter shall prevent any passenger from boarding the taxicab of his choice at any open stand.

D. The Director shall prescribe the maximum number of taxicabs which may occupy any open stand at one time.

E. Private vehicles or other vehicles for hire shall not at any time occupy a space upon the street established as an open stand.

§ 183-44 Parking and standing of taxicabs prohibited in certain locations.

No person taxicab driver shall park or stand a taxicab in any prohibited area or in any area controlled by curb parking meters or at the curb within fifteen (15) feet of the entrance to the Irvington Bus Terminal or any theater, hotel, restaurant or similar place of public accommodation or resort within the township.

§ 183-45 Enforcement.

[Amended 9-27-1988 by Ord. No. MC 2865]

The Police Department shall observe the operations of the holders of taxicab and driver's licenses and of taxicab drivers for the purpose of ensuring compliance with the provisions of this chapter.

§ 183-46 Reports and complaints to be forwarded.

[Amended 9-27-1988 by Ord. No. MC 2865]

All complaints and/or reports received pertaining to the subject matter of this chapter are to be forwarded to the Director or his designee.

§ 183-47 Notice of charges; hearings; appeals.

A. Prior to the suspension or revocation of a license medallion or a taxicab driver's license and/or the imposition of a monetary penalty as provided in § 183-48 of this chapter, the taxicab license holder and/or the taxicab driver shall be given written notice of the charges and shall be afforded a hearing before the Director or his designee. The taxicab license holder and/or the taxicab driver may be represented by counsel. The decision of the Director shall be subject to appeal to the Municipal Council of the township. No such hearing, appeal or decision shall be unduly delayed.

B. The hearing provided for herein shall be recorded by electronic or other means.

C. In the event of an appeal, the licensee holder and/or taxicab driver shall at his own cost and expense cause a written transcription of such recording to be made and shall serve upon the Town Clerk seven (7) copies of the same, together with seven (7) copies of a written memorandum setting forth his grounds of appeal.

D. In the event that the party charged does not appear at the time and place of hearing, then and in that event, the medallion and/or taxicab driver's license shall be immediately suspended, and in the discretion of the Director or his designee the matter may be referred to the Municipal Court.

[Added 12-12-1989 by Ord. No. MC 2897]

§ 183-48 Violations and penalties; hearings.

[Amended 12-12-1989 by Ord. No. MC 2897; 12-28-2004 by Ord. No. MC 3283; 6-14-2011 by Ord. No. MC 3445]

A. Hearings. Hearings regarding the issuance of summons should be held before the Taxicab Commission. Summonses issued to owners, drivers or agents shall at a minimum provide for a

hearing to take place within 14 days from the issuance of the summons. The person or persons to whom a summons is issued may be represented by counsel of their choice at such proceedings.

B. Foreign taxicabs. Foreign taxicabs shall be described and identified as those which are not registered with the Township and do not therefore possess a license to operate a taxicab service within the Township. Such taxicabs shall be strictly prohibited from picking up fares within the Township's geographical borders.

C. Applications. An application to obtain a taxicab license must be filled out with all information provided being accurate and correct. Any false information and/or misstatement regarding material information will subject the applicants' application to be rejected and the fee paid to be forfeited to the Township.

§ 183-49 False statements.

Any person who shall make any false statement in any application for a medallion and/or taxicab driver's license or in any record that he is required to maintain pursuant to this chapter shall be subject to the penalties provided in §§ 183-47 and 183-48 of this chapter.

§ 183-50 Removal of taxicab from service.

A. Any taxicab licensed under this chapter may be removed from the streets by the Director or his designee if:

(1) The taxicab is found to be unsafe or in any way unsuitable for taxicab service, or otherwise in violation of the provisions of §§ 183-18 to 183-20 of this chapter, inclusive.

(2) The taximeter has been discovered to be inaccurate as provided in § 183-22.

B. If, within sixty (60) days of the removal of the taxicab as provided in Subsection A of this section, the taxicab is not returned to service in full compliance with the provisions of this chapter, the Director shall issue a complaint to the taxicab license holder.

C. No taxicab shall be placed into service that is more than ten (10) years old. Age is defined by the model year and not the date placed into service. In no event is a vehicle to be placed into service that is not mechanically sound and where the interior and exterior are not in good order. A vehicle may remain in service as long as it is mechanically sound and the interior and exterior are in good order.

[Amended 12-22-1981 by Ord. No. MC 2650; 12-12-1989 by Ord. No. MC 2897]

§ 183-51 Taxicab dispatch office.

[Added 12-22-1981 by Ord. No. MC 2650]

No person, firm or corporation shall operate or permit the operation of a taxicab dispatch office without obtaining a medallion license therefor from the Director.

§ 183-52 Application for a license to operate a dispatch office.

[Added 12-22-1981 by Ord. No. MC 2650]

A. An holder seeking a license to operate a dispatch office shall file an application for a taxicab dispatch office license shall be filed with the Director upon forms provided by him. Said application shall be under oath and shall contain the following information:

(1) The name and address of the applicant and, when the applicant is not a natural person, the names and addresses of all owners of the legal entity and all officers, directors and others of like position, whatever their titles.

(2) The address at which the dispatch office is to be maintained.

(3) The names and addresses of anyll holder and any taxicab driversowners operating out of using the dispatch service office.

B. In the event that a license to operate a taxicab dispatch office license is granted, the holder thereof shall report any changes in the information contained in the application therefor to the Director within seven (7) days.

§ 183-53 Fees.

[Added 12-22-1981 by Ord. No. MC 2650]

A taxicab dispatch office license shall be for the year ending January 31 and shall expire on that date. No license dispatch office license shall be issued or renewed unless the applicant therefor has paid an annual licensing e fee as set forth in Chapter 98, Fees and Licenses.

§ 183-54 Dispatch service to unlicensed taxicab or driver; licenses to be on file.
[Added 11-9-1984 by Ord. No. MC 2753]
No dispatch office licensed hereunder shall render service to or on behalf of any unlicensed taxicab or taxicab driver. All taxicab licenses issued to the holder shall be on file at all times at the dispatch office from which such taxicabs are dispatched.

§ 183-55 Good conduct letters and releases.
[Added 11-8-2012 by Ord. No. MC 3473]
Any taxicab company who attempts to employ a taxicab driver from another taxicab company licensed to operate in the Township of Irvington must first secure a letter that (1) such prospective driver is in good standing with the company; (2) that said driver he is leaving the company,, and (3) that said driver does not owe or have any outstanding financial obligation to the company where that he is leaving; and, (4), that said driver does not or owe the Township of Irvington for any outstanding fines or violations.

SECTION 2. All ordinances or parts of Ordinances inconsistent or in conflict with the provisions of the within ordinance are hereby repealed.

SECTION 3. This ordinance shall take effect upon final passage and publication according to law.

The public hearing on this ordinance is now open

There were no requests to be heard.

Beasley - S. Jones Motion to close public hearing

Adopted
Absent: McElroy

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

Adopted
Abstain: Frederic
Absent: McElroy

C. Bills & Claims

S. Jones – Frederic 1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD JUNE 24, 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	\$2,400,363.84
SUPPLEMENTAL #1	\$ 111,935.83
TOTAL	\$2,512,299.67

Adopted
Absent: McElroy
No: Lyons

9. Resolutions & Motions

A. Resolutions

Frederic – S. Jones 20. Authorize Contract With Day Chevrolet, Inc. for Police Vehicles Which Exceeds the \$17,500.00 Pay to Play Threshold For an Amount Not To Exceed the \$36,000.00 Bid Threshold

**AUTHORIZING PURCHASES UNDER THE STATE OF NEW JERSEY COOPERATIVE
PURCHASING PROGRAM
OVER THE BID THRESHOLD OF \$36,000.00**

WHEREAS, the Township of Irvington, pursuant to N.J.S.A. 40A:11-12(a) and N.J.A.C. 5:34-7.29(c) may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of Treasury; and,

WHEREAS, the Township of Irvington has the need on a timely basis to purchase goods or services utilizing State contracts; and

WHEREAS, Day Chevrolet Inc., of 3996 William Penn Hwy, Monroeville, PA 15146 will exceed the bid threshold of \$36,000.00 for calendar year 2014; and

WHEREAS, the Township of Irvington intends to enter into contracts with State Contract number 82926 over the bid threshold of \$36,000.00 through this resolution and properly executed purchase orders for the purchase of new Chevrolet police vehicles.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Irvington authorizes the purchase of new Chevrolet police vehicles over the bid threshold of \$36,000.00, pursuant to all the conditions of state contract number 82926; and

BE IT FURTHER RESOLVED by the Township Council that, pursuant to the N.J.A.C. 5:30-5.5(b), the certification of available funds and resolutions shall be certified at such time as the goods or services are called for prior to placing the order for good or service in excess of \$36,000.00, and a certification of availability of funds is made by the Chief Financial Officer via an authorized purchase order; and

BE IT FURTHER RESOLVED that the duration of this authorization shall be until December 31, 2014

BE IT FURTHER RESOLVED a separate resolution will be submitted to the Municipal Council for all addition vendors exceeding the bid threshold of \$36,000.00.

Adopted
No: Lyons
Absent: McElroy

S. Jones – Inman 21. Authorize 60 Day Contract With Existing Vendors for General Engineering Services Based Upon Request for Proposals - CME Associates, Remington Vernick & Arango, LS Engineering Associates Corps. and Keller & Kirkpatrick, Inc.

**RESOLUTION AUTHORIZING FAIR AND OPEN PROFESSIONAL SERVICE CONTRACTS
FOR CONSULTING ENGINEERING SERVICES**

WHEREAS, the Request for Proposals for professional Engineering services was publicly advertised in the New Jersey Star Ledger and our Municipal website on April 28, 2014 with a deadline for qualifications to be submitted on May 28, 2014; and

WHEREAS, seven qualifications were received and publicly opened by the Municipal Clerk and the Purchasing Agent; and

WHEREAS, said qualifications were referred to the Purchasing Agent, Township Engineer, and the Township Attorney; and

WHEREAS, the Township Engineer has recommended award of contracts to all firms for one year; and

WHEREAS, the Municipal Council has revised the Township Engineer's recommendation to award contracts to only existing Engineering firms for two months:

CME Associates
3141 Bordentown Ave.
Parlin, NJ 08859-1162

Reminton Vernick & Arango Engineers
300 Penhorn Ave., 3rd Floor
Secaucus, NJ 07094

LS Engineering Associates Corps
150 River Road, Suite E2
Montville, NJ 07045

Keller & Kirkpatrick, Inc.,
301 Gibraltar Drive, Suite 2A
Morris Plain, NJ 07950

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that contracts for Consulting Engineering services be awarded to the above vendors and the Township Engineer will solicit quotes from the above vendors for each project and submit a resolution to the Municipal Council for all projects before retaining their services to determined prices.

BE IT FURTHER RESOLVED, that appointment is for one year starting on July 01, 2014 and ending on August 31, 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 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
Absent: McElroy

Beasley – S. Jones 22 Authorize 60 Day Contract With Existing Vendors for Architectural Services Based Upon Requests for Proposals - The Musial Group Architects, James R. Guerra, P.A. and LS Engineering Associates Corps.

RESOLUTION AUTHORIZING FAIR AND OPEN PROFESSIONAL SERVICE CONTRACTS FOR ARCHITECTURAL SERVICES

WHEREAS, the Request for Proposals for Architectural services was publicly advertised in the New Jersey Star Ledger and on our Municipal website on April 28, 2014 with a deadline for qualifications to be submitted on May 28, 2014; and

WHEREAS, four qualifications were received and publicly opened by the Purchasing Agent and Municipal Clerk; and

WHEREAS, said qualifications were referred to the Purchasing Agent, Township Engineer, and the Township Attorney; and

WHEREAS, the Township Engineer has recommended the award of contracts to all the firms for one year; and

WHEREAS, the Municipal Council has revised the Township Engineer's recommendation to award contracts only to existing firms for two months, to the following firms:

The Musial Group Architecture
191 Mill Lane

Mountainside, NJ 07092

James R. Guerra, P.A.
55 Jefferson Ave.
Elizabeth, NJ 07201

LS Engineering Associates Corps
150 River Road, Suite E2
Montville, NJ 07045

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that contracts for Architectural services be awarded to the above three vendors and the Township Engineer will solicit quotes from the above vendors for each municipal project and submit a resolution to the Municipal Council for all projects before retaining their services.

BE IT FURTHER RESOLVED, that appointment is for two months starting on July 01, 2014 and ending on August 31, 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 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
Absent: McElroy

Lyons – Inman 23. Authorize Participation and Application for Justice Assistance Grant (JAG) Program - \$79,734.32

RESOLUTION TO APPROVE PARTICIPATION AND AUTHORIZE THE IRVINGTON POLICE DEPARTMENT TO SUBMIT AN APPLICATION FOR GRANT FUNDING FROM THE U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE, UNDER THE FY-2014 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT LOCAL PROGRAM (JAG) IN THE AMOUNT OF \$79,734.72.00, FOR PURCHASING EQUIPMENT AND IMPLEMENTING STRATEGIES TO PREVENT AND CONTROL CRIME. FURTHERMORE, THIS RESOLUTION AUTHORIZES THE TOWNSHIP OF IRVINGTON TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE PARTICIPATING MUNICIPALITIES OF ESSEX COUNTY.

WHEREAS, the US Department of Justice - Bureau of Justice Assistance, as part of its nationwide strategy to prevent and control crime based on local needs and conditions, has implemented a law enforcement funding program through the FY-2014 Edward Byrne Memorial Justice Assistance Grant Local Program (JAG); and

WHEREAS, the city of Newark, as the largest of the Essex County Municipalities, shall be the lead applicant and shall be responsible for administration of the funds including distribution of the funds, monitoring the award, submitting progress reports, and providing ongoing assistance to sub recipients of the funds; and

WHEREAS, the Memorandum of Agreement has allocated funding for the Irvington Police Department in the amount of \$79,734.72.00 for the purpose of purchasing equipment and implementing strategies to prevent and control crime.

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

1. The Mayor and/or or his designee, the Police Director, are hereby authorized to enter into a Memorandum of Agreement with the participating Department of Justice requesting grant funding in the amount of \$79,734.72.00 from the 2014 Edward Byrne Memorial Justice Assistance Grant Local Program for the purpose of purchasing equipment and implementing strategies to prevent and control crime.

2. The Municipal Council hereby approves authorization of this application from the date of application submission to the date of adoption of this authorizing resolution. Upon notification of the receipt of a grant award in connection with this application, the grant is hereby accepted.
3. Upon notification of the receipt of a grant award in connection with this application, the Mayor and/or his designee, the Police Director, are hereby authorized to enter into and execute grant documents with the Bureau of Justice Assistance to receive and expend the grant documents with the Bureau of Justice Assistance to receive and expend the grant award for the purpose of purchasing equipment and implementing strategies to prevent and control crime.
4. The period of the grant is for (4) years commencing upon approval of the application by the U.S. Department of Justice Bureau, Bureau of Justice Assistance.
5. As a matter of public policy the Township of Irvington Police Department wishes to participate to the fullest extent possible with the United States Department of Justice, and will abide by the regulations set forth in the use and reporting of all uses of award grant funds.

Adopted
Absent: McElroy

S. Jones – Inman 24. Authorize 60 Day Extension of Contract for Labor Counsel Services – Scarinci Hollenbeck - Not To Exceed \$8,333.33

RESOLUTION AUTHORIZING FAIR AND OPEN PROFESSIONAL SERVICE CONTRACT
FOR LABOR COUNSEL

WHEREAS, the Request for Proposals for professional Labor counsel services was publicly advertised in the New Jersey Star Ledger and on our Municipal website on April 28, 2014 with a deadline for qualifications to be submitted on May 28, 2014; and

WHEREAS, three qualifications were received and publicly opened; and

WHEREAS, said qualifications were referred to the Chief Financial Officer, Legal Committee and the Township Attorney; and

WHEREAS, the Legal Committee has recommended award should be made to the following firm:

Scarinci Hollenbeck
1100 Valley Brook Ave, PO Box 790
Lyndhurst, NJ 07071

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Labor Attorney be awarded to Scarinci Hollenbeck, 1100 Valley Brook Ave, PO Box 790, Lyndhurst, NJ 07071, on the basis of their response to the request for proposal selection criteria and qualifications, for an amount not to exceed \$8,333.33. The provider will be paid \$115.00 per hour for attorneys, \$75.00 per hour for paralegals for two months (60 days) starting on July 01, 2014 until August 31, 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 the required Certification of Availability of Funds in the amount not to exceed \$8,333.33 for the Labor Counsel will be obtained from the Chief Financial Officer contingent on the adoption of the Calendar year 2014 budget.

Adopted
No: L.C. Jones, Lyons
Absent: McElroy

S. Jones – Inman 25. Authorize Legal Settlement – Michael Walker and Alfredo Aeman - \$46,500.00

APPROVE THE FINAL DISPOSITION OF Michael Walker and Alfredo Aleman v. Township of Irvington, ET AL.

WHEREAS, the matter of Michael Walker and Alfredo Aleman v. Township of Irvington al. v., was filed in the United States District Court of New Jersey, Civil Action No. 2:13-CV-05688--DMC-JBC; and

WHEREAS, the Township of Irvington Administration and the Municipal Council deem it in the best interest to bring this matter to a resolution, thus saving the Township further expense in the defense thereof and curtailing any excessive liability that could result from this litigation which would include the awarding of attorneys fees in excess of this proposed settlement; and

WHEREAS, the Office of the Township Attorney has reviewed, monitored and consulted with counsel and all relevant municipal officials and pursuant thereto recommend that this matter be concluded:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that it hereby agrees to a settlement of the above matter in the amount of Forty-Six Thousand (\$46,500.00) Five Hundred Dollars subject to the execution of a Release and Settlement agreement, executed Stipulation of Dismissal with Prejudice; and

BE IT FURTHER RESOLVED that said Forty-Six Thousand (\$46,500.00) Five Hundred dollars is to be paid as follows:

- a) Thirty-Four Thousand Five Hundred (\$34,500.00) dollars to be paid to Michael Walker and to be delivered to his attorney, Christine Carey Lilore, Esq., subsequent to Municipal Council approval; and
- b) Twelve Thousand (\$12,000.00) dollars to be paid to Alfredo Aleman and to be delivered to his attorney, Christine Carey Lilore, Esq.

BE IT FURTHER RESOLVED that this matter is hereby concluded with absolutely no admission of liability on behalf of the Township of Irvington, its Police Department or any agents, officers or personnel; and

BE IT FURTHER RESOLVED that the settlement funds will be processed through D&H Alternative Risk Solutions, the Township's third party liability administrator.

Adopted
Absent: McElroy

Inman – L.C. Jones 26. 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	\$100,663,993.80
Total General Appropriations	\$100,663,993.80

BE IT FURTHER RESOLVED that a summary of said budget be published in the Jul 17, 2014 edition of the Irvington Herald along with a notice that the public hearing on said budget and tax resolution shall be held on August 12, 2014 at 8 o'clock P.M. in the Council Chamber, Municipal Building, Room 113, Civic Square, Irvington, New Jersey.

Adopted
Absent: McElroy

12. Miscellaneous

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

Emory Heard, 59 Bross Place
Dorothy Otto, 83 West Rich Street
Elaine Spencer, 2 Bedford Terrace
Harry Perryman, 21 Nesbit Terrace
Denise Bonds, 40 Adams Street
Mary Scacik, 175 Matawan Avenue, Matawan, N.J.
Robert Shaw, 57 Coit Street

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

13. Adjournment

There being no further business, the meeting was adjourned at 9:28 P.M.

D. Bilal Beasley, Council President

Harold E. Wiener, Municipal Clerk