

REGULAR COUNCIL MEETING  
SEPTEMBER 23, 2014

Council Chamber, Municipal Building  
Irvington, N.J. – Tuesday Evening  
September 23, 2014 - 8:00 P.M.

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

Present: Renee C. Burgess, Vernal Cox, October Hudley, Paul Inman, Sandra R. Jones, David Lyons, Charnette Frederic

Absent: None

President Frederic read the Statement of Proper Notice pursuant to the Sunshine Law.

4. Hearing of Citizens on Agenda Items Only (limited to three minutes per person and thirty minutes total)

There were no requests to be heard.

5. Hearing of Council Members

There were no requests to be heard.

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

A. Reports

1. Minutes – Directors’ Meeting – 9-9-14
2. Construction Official – Permits Issued in August

7. Reports of Committees

None

8. Ordinances, Bills & Claims

C. Bills & Claims

Jones – Lyons 1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD SEPTEMBER 23, 2014, AS ENUMERATED ON THIS LIST FOR MATERIALS, SUPPLIES AND SERVICES FURNISHED, DELIVERED AND/OR PERFORMED HAVE BEEN CERTIFIED BY THE DEPARTMENTS AS CORRECT, EACH CLAIM AND PURCHASE ORDER HAVE BEEN VERIFIED AND REVIEWED FOR THE AVAILABILITY OF FUNDS, ACCURACY OF ACCOUNT CODING AND COMPLETENESS BY THE ADMINISTRATION, THEREFORE:

BE IT RESOLVED, BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON THAT THE FOLLOWING BE PAID BY THE CHIEF FINANCIAL OFFICER:

BILL LIST	\$1,018,517.49
TOTAL	\$1,018,517.49

Adopted

Burgess – Cox 2. Payrolls

August 23, 2014 through September 5, 2014

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$1,378,971.53	\$175,734.55	\$981,614.54	\$2,536,320.62

Adopted

9. Resolutions & Motions

A. Resolutions

Frederic – Inman 1. Commendation - Reverend Joseph V. Thelusca - Installation as Pastor of the Mount Olivet SDA Church

**RESOLUTION OF COMMENDATION**  
Joseph V. Thelusca

WHEREAS, the Reverend Joseph V. Thelusca is a native of Haiti who migrated to Irvington, New Jersey at the age of thirteen; and

WHEREAS, he is a graduate of Montclair State University with a Bachelor of Science Degree in Dietetics & Nutrition and the Andrews University Theological Seminary, Berrien Springs, Michigan with a Masters of Divinity; and

WHEREAS, in 2010 he was appointed as Associate Pastor of The SDA Church of the Oranges in Orange, New Jersey; and

WHEREAS, during his tenure as Associate Pastor, Reverend Thelusca has been instrumental in enhancing the Youth, Community Services, Discipleship and Bible works ministries that minister to the spiritual, emotional, educational, physical and financial needs of the church and community; and

WHEREAS, on August 1, 2014, he was assigned to The Mount Olivet Seventh-day Adventist Church, in Neptune, NJ; and

WHEREAS, in addition to his pastoral and connectional responsibilities, Reverend Thelusca currently serves as the Chief Chaplain of the East Orange Police Department, Chairman of the New Jersey Caribbean-American Governor State Commission and Spiritual Counselor to Council President Charnette Frederic, Irvington, NJ.; AND

WHEREAS, Reverend Thelusca has worked extensively with programs to enhance the educational and leadership skill sets of our youth; and

WHEREAS, for three years he served as the Pathfinder Coordinator for the New Jersey Conference charged with multiple church youth training programs, serving as the liaison between Pathfinder Directors and the Conference Youth Leader, acquiring resources and facilitating youth training programs and he also served as the Youth Director for Maranatha SDA Church in Newark for two years; and

WHEREAS, on a state level, he served the Caribbean and Chief of Staff for Assemblyman Craig A. Stanley, NJ Legislative 28<sup>th</sup> District and Under Governor Christie Whitman, Reverend Thelusca served on the NJ State Parole Board and Special Assistant to Board Members and Chairman during panel hearing; and

WHEREAS, Reverend Thelusca has also served as the Ombudsman and Inmate Advocate for Essex County Jail; and

WHEREAS, Reverend Thelusca's national and international work experiences include serving as the Senior Consultant for Government Relations Worldwide at BSKS Associates in Washington, DC, and as Adviser to The USAID Assistant Administrator for Latin America; and

WHEREAS, upon his recommendation, The White House for a second time held a briefing to celebrate Haitian-Americans Heritage Month and Tom Shannon, Assistant Secretary of the Western Hemisphere at the State Department was selected as the keynote speaker as well as Karl Rove, the former President's Senior Adviser serving as a keynote speaker.

WHEREAS, Reverend Thelusca was the first Haitian-American to be elected as a Board of Education member and the youngest elected official in New Jersey, serving as a Board of Education Member in Irvington from 1998 to 2000 and his interests include running, reading, public policy and travel. Since 2005, has been happily married to the former Marthine Fleurinor of Miami, Florida and currently live in East Orange, New Jersey; and

WHEREAS, on September 13, 2014 Reverend Joseph V. Thelusca will be installed as the new Pastor of The Mount Olivet SDA Church:

NOW, THEREFORE BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that Reverend Joseph V. Thelusca be commended and honored for being installed as the new Pastor of The Mount Olive SDA Church; and

BE IT FURTHER RESOLVED that the Municipal Council wishes Reverend Joseph V. Thelusca continued success in all of his future endeavors.

Adopted

Jones – Inman 2. Establish Handicapped Parking Spaces in Front of 935 Grove Street, 140 Lincoln Place, 208 - 22nd Street, 9 Laurel Avenue and 83 Coolidge Street

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

WHEREAS, requests have been made for a restricted parking space in front of 935 Grove Street, 140 Lincoln Place, 208 - 22nd Street, 9 Laurel Avenue and 83 Coolidge Street:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a parking space restricted for use by any person who has been issued a special vehicle identification card pursuant to the provisions of N.J.S.A. 39:4-205, when using a motor vehicle on which is displayed a certificate, for which a special vehicle identification card has been issued pursuant to N.J.S.A. 39:4-206, be established in front of 935 Grove Street, 140 Lincoln Place, 208 - 22nd Street, 9 Laurel Avenue and 83 Coolidge Street; and

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

Adopted

Jones – Burgess 3. Constable Appointment – Rodney Sanders

BE AND IT IS HEREBY RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, NEW JERSEY that Rodney J. Sanders, 49 Coit Street in the Township of Irvington be and he is hereby appointed to the Office of Constable for a term of three years from the date of September 23, 2014; and

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

Jersey, said bond to be conditioned as provided by law, and that said bond be approved as to form by the Township Attorney.

Adopted

Jones - Cox 4. Appointments – Senior Citizens Commission – Gladys Fisher and Lynn Wiggins

WHEREAS, the Municipal Council established the Senior Citizens Commission by Ordinance MC 3197, duly adopted on August 13, 2002; and

WHEREAS, the Senior Citizens Commission consists of 7 members appointed for a four year term; two of which are appointed by the Municipal Council:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the following named persons are hereby appointed as members of the Senior Citizens Commission for terms as indicated below:

NAME AND ADDRESS	TERM TO EXPIRE
Gladys Fisher 624 Nye Avenue	12-31-18
Lynn Wiggins 42 Maple Avenue	12-31-18

Adopted

Inman - Cox 5. Authorize Application to the Local Finance Board – \$1,900,000.00 for Joint Meeting Capital Improvement Bond Ordinance

RESOLUTION OF THE TOWNSHIP OF IRVINGTON, IN THE COUNTY OF ESSEX, NEW JERSEY MAKING APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:2-7(d), N.J.S.A. 40A:2-11(c), N.J.S.A. 40A:2-26(e), N.J.S.A. 40A:3-1 et seq. AND N.J.S.A. 58:11B-9(a)

WHEREAS, the Township of Irvington, in the County of Essex, New Jersey (the “Township”) desires to make application to the Local Finance Board for its review and approval of a financing through the New Jersey Environmental Infrastructure Trust Financing Program (the “Program”) and a bond ordinance authorizing the project to be financed through the Program;

WHEREAS, the Township believes that:

- (a) it is in the public interest to accomplish such purpose;
- (b) said purpose or improvements are for the health, welfare, convenience or betterment of the inhabitants of the local unit or units;

(c) the amounts to be expended for said purpose or improvements are not unreasonable or exorbitant;

(d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the local unit or units and will not create an undue financial burden to be placed upon the local unit or units;

NOW THEREFORE, BE IT RESOLVED BY THE TOWNSHIP OF IRVINGTON, IN THE COUNTY OF ESSEX, NEW JERSEY as follows:

Section 1. The application to the Local Finance Board is hereby approved, and the Township's Bond Counsel and financial advisor, along with other representatives of the Township, are hereby authorized to prepare such application and to represent the Township in matters pertaining thereto.

Section 2. The Clerk of the Township is hereby directed to prepare and file a copy of the introduced ordinance and this resolution with the Local Finance Board as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute.

Adopted

Frederic – Cox 6. Resolution of Commendation – Latino Heritage Month

**LATINO/HISPANIC HERITAGE MONTH-2014**

WHEREAS, during the month of September and October, Latino residents of Irvington celebrate in honor of Latinos/Hispanic Heritage Month; and

WHEREAS, the Latino population of Irvington is growing and is rich in culture and heritage and the Township of Irvington is pleased to be able to honor those who play a large part in enhancing our community for the benefit of all; and

WHEREAS, the Latino people have made great contributions in the areas of architecture, sciences and in many other spheres of human enlightenment which are sources of advancements that make up America and the world today; and

WHEREAS, the nation's Latinos/Hispanic Heritage is more than five centuries old, its first official recognition did not occur until 1968. In that year both the House and Senate authorized an annual Proclamation designating the week of September 15th and 16th as Latinos/Hispanic Heritage Week which later was extended for a month by President Reagan; and

WHEREAS, "September 15 was chosen as the starting point for the celebration because it is the anniversary of independence of five Latin American countries: Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua. They all declared independence in 1821. In addition, Mexico, Chile and Belize celebrate their independence days on September 16, September 18 and September 21, respectively"; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that it hereby commemorates September 15, 2014 through October 15, 2014 as Latinos/Hispanic Heritage Month in the Township of Irvington and sends its congratulations and warmest regards to Irvington's Latino community; and

BE IT FURTHER RESOLVED that copies of this resolution be spread upon the minutes of the Irvington Municipal Council in recognition of our outstanding Latinos and community leaders.

Adopted

Cox - Burgess 7. Authorize the Purchase of Public Works Vehicles Over the Public Bid Threshold of \$36,000.00 - Beyer Bros. Corp.

**AUTHORIZE 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, Beyer Bros Corp of 109 Broad Ave, Fairview NJ 07022 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 A73697 over the bid threshold of \$36,000.00 through this resolution and properly executed purchase orders for the purchase of vehicles for the Department of Public Works.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Irvington authorizes the purchase of new GMC vehicles for the Department of Public Works over the bid threshold of \$36,000.00, pursuant to all the conditions of state contract number A73697; 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

Burgess – Jones 8. Authorize Change Order # 3 for the Integrated Security & Access Control System for the Police Department - Increase Total Contract by \$3,600.00

**AUTHORIZE CHANGE ORDER #3 FOR THE INTEGRATED SECURITY AND ACCESS CONTROL SYSTEM FOR THE POLICE DEPARTMENT**

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

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

WHEREAS, change order number two, resolution number DP 14-0506-13 was approved on May 06, 2014, with no increase in the overall contract; and

WHEREAS, it was recommended by vendor and agreed by the Police Department that additional equipment is required to complete the project but was not in the original bid specifications; and

WHEREAS, the additional equipment will increase the total contract by \$3,600.00; and

WHEREAS, the Director agrees with the recommended changes; and

THEREFORE, BE IT RESOLVED, that the Mayor and Municipal Clerk be and is hereby authorized to execute Change Order number three with Integrated Systems & Services., 541 Industrial Way West, Suite B, Eatontown, NJ 07224, modifying the bid specifications and equipment; and

THEREFORE, BE IT RESOLVED, the total contract amount for this project will increase to \$183,651.64.

Adopted

Burgess - Frederic 9. Authorize Contract for Child Heath Conference Services - Newark Community Health Center, Inc. - Not to Exceed \$35,000.00

**AUTHORIZE CONTRACT FOR CHILD HEALTH CONFERENCE SERVICES**



WHEREAS, the Request for Proposals for Child Health Conference services was publicly advertised in the New Jersey Star Ledger on July 23, 2014 with a deadline for proposals to be submitted on August 07, 2014; and

WHEREAS, one qualification was received and publicly opened; and

WHEREAS, said qualification was referred to the Health Director; and

WHEREAS, the Health Director has recommended award should be made to the following firm:

Newark Community Health Center, Inc., 741 Broadway Newark, NJ 07104

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Child Health Conference service be awarded to Newark Community Health Center, Inc., 741 Broadway Newark, NJ 07104 on the basis of their response to the request for proposal selection criteria and qualifications, for an amount not to exceed \$35,000.00. The provider will be paid \$2,916.67 per month for Child Health Conference services for one year starting on August 08, 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 \$30, 000.00 for tuberculosis control service will be obtained from the Chief Financial Officer contingent on the adoption of the Calendar year 2014 and 2015 budget.

Adopted

Burgess – Jones 10. Authorize Contract for Tuberculosis Control Services – Newark Community Health Center, Inc. - Not to Exceed \$30,000.00

**AUTHORIZE CONTRACT FOR TUBERCULOSIS CONTROL SERVICES**

WHEREAS, the Request for Proposals for tuberculosis control was publicly advertised in the New Jersey Star Ledger on July 23, 2014 with a deadline for proposals to be submitted on August 07, 2014; and

WHEREAS, one qualification was received and publicly opened; and

WHEREAS, said qualifications were referred to the Health Director; and

WHEREAS, the Health Director has recommended award should be made to the following firm:

Newark Community Health Center, Inc., 741 Broadway Newark, NJ 07104

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for tuberculosis control be awarded to Newark

Community Health Center, Inc., 741 Broadway Newark, NJ 07104 on the basis of their response to the request for proposal selection criteria and qualifications, for an amount not to exceed \$30,000.00. The provider will be paid \$2,500.00 per month for tuberculosis control services for one year starting on August 08, 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 \$30,000.00 for tuberculosis control service will be obtained from the Chief Financial Officer contingent on the adoption of the Calendar year 2014 and 2015 budget.

Adopted

Lyons – Jones 11. Authorize a Pilot Program for an Electronic Tax Sales for the Twnship of Irvington

**AUTHORIZE ELECTRONIC TAX SALES FOR THE TOWNSHIP OF IRVINGTON**

WHEREAS, NJSA 54:519-1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Government Services; and

WHEREAS, the Director of the Division of Local Government Services has promulgated rules and regulations for pilot programs; and

WHEREAS, the Director of the Division of Local Government Services has approved NJ Tax Lien Investors/RealAuction.com to conduct pilot programs; and

WHEREAS, the rules and regulations authorize a municipality to submit an application for participation in the pilot program for an electronic tax sales; and

WHEREAS, an electronic tax sale is innovative and provide a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process; and

WHEREAS, the municipality of Township of Irvington wishes to participate in the pilot program for an electronic tax sale.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, that the Tax Collector is hereby authorized to complete an application to participate in the electronic tax sale program and submit same to the Director of the Division of Local Government Services along with two copies of this resolution.

Adopted

Jones – Burgess 12. Authorize Contract for Foreclosure Counsel - Eric J. Goodman, Esq. - One Year - Not to Exceed \$34,100.00

**AUTHORIZE FAIR AND OPEN PROFESSIONAL SERVICE CONTRACT  
FOR FORECLOSURE COUNSEL**

WHEREAS, the Request for Proposals for professional Foreclosure counsel services was publicly advertised in the New Jersey Star Ledger on July 23, 2014 with a deadline for proposals to be submitted on August 07, 2014; and

WHEREAS, two proposals were received and publicly opened; and

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

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

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

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Foreclosure Attorney be awarded to Eric J. Goodman, 973 Stuyvesant, Irvington NJ 07111, on the basis of their response to the request for proposal selection criteria and qualifications, for an amount not to exceed \$34,100.00. The provider will be paid \$34,100.00 for 100 properties for one year starting on October 01, 2014 until October 31, 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 \$34,100.00 for the Tax Appeals Attorney will be obtained from the Chief Financial Officer.

Adopted

Jones – Frederic 13. Authorize Contract for Labor Counsel - Florio, Perrucci, Steinhardt & Fader – One Year - Not to Exceed \$50,000.00

**AUTHORIZE 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 July 23, 2014 with a deadline for proposals to be submitted on August 07, 2014; and

WHEREAS, three qualifications were received and publicly opened; and

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

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

Florio, Perrucci, Steinhardt & Fader  
218 RT. 17N, Suite 410 Rochelle Park, NJ 07662

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Labor Attorney be awarded to Florio, Perrucci, Steinhardt & Fader, 218 RT. 17N, Suite 410, Rochelle Park, NJ 07662, on the basis of their response to the request for proposal selection criteria and qualifications, for an amount not to exceed \$50,000.00. The provider will be paid \$115.00 per hour for attorneys, \$75.00 per hour for paralegals for one year October 01, 2014 until October 31, 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 \$50,000.00 for the Labor Counsel will be obtained from the Chief Financial Officer.

Adopted

Burgess - Frederic 14. Authorize Tax Payment Agreement – 111 Elmwood Avenue - Total Amount to Redeem of \$18,265.59 - Payable Within 36 Months

**REDEEM MUNICIPAL LIEN  
IN INSTALLMENT PAYMENTS**

WHEREAS, the Township of Irvington had an Accelerated Tax Sale on December 27, 2012 on lands known on the Tax Map of the Township of Irvington aforesaid as Block 375, Lot 7 owned by Edwards, Medika M., and that said Tax Sale advertised amount and subsequent municipal liens on said premises remain unpaid; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Irvington Tax Collector be and she is hereby authorized to enter into the following agreement mentioned for the payment of tax arrears and current taxes on the premises 111 Elmwood Avenue, Block 375 Lot 7 on the Irvington Tax Map, TSC# 12-03201:

TSC# 12-03201	\$ 5,285.40
Subsequent Charges	\$ 9,927.57
Total Interest & Cost Due to 09/23/2014	\$ 3,052.95
 Total Amount to Redeem	 \$18,265.92

That beginning October 1, 2014 and on or before the 1<sup>st</sup> day of each succeeding month thereafter, the Taxpayer Edwards, Medika M. shall pay to the Irvington Tax Collector the sum of \$660.36 each month to be applied by said Tax Collector on account of said municipal liens in the manner most convenient to her as provided by N.J.S.A. 54:5-74. In addition, the Taxpayer shall pay to the Tax Collector the current taxes as they become due on February 1st, May 1st, August 1st and November 1st of each year. The foregoing payments shall continue until all taxes and interest on tax arrears and current taxes as provided herein shall have been paid in full; all tax arrears and interest thereon must be paid within 36 months.

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

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

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

Adopted

Inman – Cox 15. Authorize Tax Payment Agreement – 131 Myrtle Avenue - Total Amount to Redeem of \$20,307.74 - Payable Within 36 Months

RESOLUTION TO REDEEM MUNICIPAL LIEN  
IN INSTALLMENT PAYMENTS

WHEREAS, the Township of Irvington had an Accelerated Tax Sale on December 27, 2012 on lands known on the Tax Map of the Township of Irvington aforesaid as Block 89, Lot 15 owned by Thecknel Etienne & Linda Etienne, and that said Tax Sale advertised amount and subsequent municipal liens on said premises remain unpaid; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Irvington Tax Collector be and she is hereby authorized to enter into the following agreement mentioned for the payment of tax arrears and current taxes on the premises 131 Myrtle Avenue, Block 89 Lot 15 on the Irvington Tax Map, TSC# 12-01668:

TSC# 12-01668	\$ 4,951.79
Subsequent Charges	\$10,500.84
Total Interest & Cost Due to 09/23/2014	\$ 4,855.11
 Total Amount to Redeem	 \$20,307.74

That beginning October 1, 2014 and on or before the 1<sup>st</sup> day of each succeeding month thereafter, the Taxpayer Thecknel Etienne & Linda Etienne, shall pay to the Irvington Tax Collector the sum of \$734.17 each month to be applied by said Tax Collector on account of said municipal liens in the manner most convenient to her as provided by N.J.S.A. 54:5-74. In addition, the Taxpayer shall pay to the Tax Collector the current taxes as they become due on February 1st, May 1st, August 1st and November 1st of each year. The foregoing payments shall continue until all taxes and interest on tax arrears and current taxes as provided herein shall have been paid in full; all tax arrears and interest thereon must be paid within 36 months.

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

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

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

Adopted

Burgess – Inman 16. Authorize Tax Payment Agreement - 92 Washington Avenue - Total Amount to Redeem of \$19,692.59 - Payable Within 36 Months

RESOLUTION TO REDEEM MUNICIPAL LIEN  
IN INSTALLMENT PAYMENTS

WHEREAS, the Township of Irvington had an Accelerated Tax Sale on December 27, 2012 on lands known on the Tax Map of the Township of Irvington aforesaid as Block 88, Lot 3 owned by Nwafili, Ike S. & Nkechi H.. and that said Tax Sale advertised amount and subsequent municipal liens on said premises remain unpaid; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Irvington Tax Collector be and she is hereby authorized to enter into the following agreement mentioned for the payment of tax arrears and current taxes on the premises 92 Washington Avenue, Block 88 Lot 3 on the Irvington Tax Map, TSC# 12-01655:

1. TSC# 12-01655	\$ 4,852.41
Subsequent Charges	\$11,341.47
Total Interest & Cost Due to 09/23/2014	\$ 3,498.71

Total Amount to Redeem	\$19,692.59
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2. That beginning October 1, 2014 and on or before the 1<sup>st</sup> day of each succeeding month thereafter, the Taxpayer Nwafili, Ike S. & Nkechi H. shall pay to the Irvington Tax Collector the sum of \$711.93 each month to be applied by said Tax Collector on account of said municipal liens in the manner most convenient to her as provided by N.J.S.A. 54:5-74. In addition, the Taxpayer shall pay to the Tax Collector the current taxes as they become due on February 1st, May 1st, August 1st and November 1st of each year. The foregoing payments shall continue until all taxes and interest on tax arrears and current taxes as provided herein shall have been paid in full; all tax arrears and interest thereon must be paid within 36 months.

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

3. Upon the full satisfaction of the amount required to redeem said lands from said Tax Sale Certificate, including the subsequent municipal liens as aforesaid, together with Sewer user

charges and current taxes, the Collector of Taxes shall deliver to said Taxpayer said Tax Sale Certificate properly endorsed for cancellation.

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

Adopted

Inman - Cox 17. Authorize Tax Payment Agreement – 26 Grove Terrace - Total Amount to Redeem of \$32,475.57 - Payable Within 36 Months

**RESOLUTION TO REDEEM MUNICIPAL LIEN  
IN INSTALLMENT PAYMENTS**

WHEREAS, the Township of Irvington had an Accelerated Tax Sale on June 28, 2011 on lands known on the Tax Map of the Township of Irvington aforesaid as Block 116, Lot 34 owned by Ulmer, Chantel, and that said Tax Sale advertised amount and subsequent municipal liens on said premises remain unpaid; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Irvington Tax Collector be and she is hereby authorized to enter into the following agreement mentioned for the payment of tax arrears and current taxes on the premises 26 Grove Terrace, Block 116 Lot 34 on the Irvington Tax Map, TSC# 110840:

TSC# 110840	\$ 8,064.40
Subsequent Charges	\$20,666.82
Total Interest Due to 09/09/2014	\$ 3,744.35
 Total Amount to Redeem	 \$32,475.57

That beginning October 1, 2014 and on or before the 1<sup>st</sup> day of each succeeding month thereafter, the Taxpayer Ulmer, Chantel shall pay to the Irvington Tax Collector the sum of \$1,174.07 each month to be applied by said Tax Collector on account of said municipal liens in the manner most convenient to her as provided by N.J.S.A. 54:5-74. In addition, the Taxpayer shall pay to the Tax Collector the



current taxes as they become due on February 1st, May 1st, August 1st and November 1st of each year. The foregoing payments shall continue until all taxes and interest on tax arrears and current taxes as provided herein shall have been paid in full; all tax arrears and interest thereon must be paid within 36 months.

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

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

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

Adopted

Frederic – Jones 18 Authorize Final Disposition of Attorneys Fees in the Matter of Prentiss Thompson versus the Township of Irvington - \$225,000.00

**RESOLUTION APPROVING THE FINAL DISPOSITION OF ATTORNEYS FEES IN THE MATTER OF PRENTISS THOMPSON v. TOWNSHIP OF IRVINGTON, ET AL.**

WHEREAS, the matter of Prentiss Thompson v. Township of Irvington al. v., was filed in the Superior Court of New Jersey, Docket No. ESX-L-2412-10; and;

WHEREAS, an order was entered on February 14, 2014 awarding attorney's fees to Plaintiff in the amount of \$264,486.68.

WHEREAS, the Township of Irvington Administration and the Municipal Council desires to bring this matter to a resolution settling under the award amount; 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 settlement with Plaintiff's counsel for counsel fees in the above matter in the amount of Two Hundred (\$225,000.00) Twenty Five

Thousand Dollars subject to the execution of a Release and Settlement agreement, executed Stipulation of Dismissal with Prejudice; and

BE IT FURTHER RESOLVED that said Two Hundred (\$225,000.00) Twenty Five Thousand Dollars is to be paid to Plaintiff's counsel, Forman, Cardonsky & Lawrence.

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

Cox - Jones 19. Authorize Contract With General Code Publishers Corp. – Re-Codification of Township Ordinances – Not To Exceed \$22,140.00

WHEREAS, the Township of Irvington is desirous of re-codifying its ordinances due to the fact that Irvington's Revised Code has not been re-codified since 1979; and

WHEREAS, the Township's current Codification Company, General Code Publishers, 781 Elmgrove Road, Rochester, N.Y. 14624, has submitted a proposal to re-codify the existing Revised Code dated July 10, 2014, for an amount not to exceed \$22,140.00; and

WHEREAS, services related to the revision and codification of municipal ordinances are exempt from public bidding under the Local Public Contracts Law pursuant to N.J.S.A. 40:11-5(x); and

WHEREAS, General Code Publishers has submitted the appropriate pay to play documents required for contracts exceeding \$17,500.00; and

WHEREAS, an ordinance providing for a special emergency appropriation to fund the services described herein is scheduled for adoption on September 23, 2014:

NOW, THEREFORE, BE IT RESOLVED that the Township of Irvington enter into a contract with General Coded Publishers Corp., 781 Elmgrove Road, Rochester, N.Y. 14624, for the re-codification of Irvington's current Revised Code, pursuant to their proposal dated June 10, 2014 for an amount not to exceed \$22,140.00 starting on January 01, 2015; and

BE IT FURTHER RESOLVED that the Township Attorney hereby authorized and directed to prepare the necessary contract for said services; and

BE IT FURTHER RESOLVED that the required certification of funds for this expenditure will be provided by the Chief Financial Officer upon the adoption of the special emergency appropriation ordinance referenced herein.

Adopted

B. Motions

None

10. Communications & Petitions

A. Communications

1. Mayor Vauss – Appointment – Mayor’s Alternate to the Library Board of Trustees – Rihul Etienne, 66 Harrison Place

B. Petitions

None

11. Pending Business

None

12. Miscellaneous

A. Bingos and Raffles

None

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NON-CONSENT AGENDA ITEMS

8. Ordinances, Bills & Claims

A. Ordinances on 1st Reading

Inman - Burgess 1. Bond Ordinance – Joint Meeting Capital Assessment - \$1,900,000.00

BOND ORDINANCE PROVIDING FOR THE FUNDING OF THE TOWNSHIP OF IRVINGTON’S CAPITAL ASSESSMENT FOR CAPITAL IMPROVEMENTS UNDERTAKEN BY THE JOINT MEETING OF ESSEX AND UNION COUNTIES ON BEHALF OF ITS PARTICIPANTS INCLUDING THE TOWNSHIP, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$1,900,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,900,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

Adopted

Jones - Lyons 2. Repeal Township’s Pay to Play Ordinance and Replace With State Pay to Play Law

AN ORDINANCE RESCINDING ORDINANCE NUMBER MC 3443 PERTAINING TO POLITICAL CONTRIBUTIONS MADE TO MUNICIPAL CANDIDATES AND MUNICIPAL AND COUNTY POLITICAL PARTIES

Adopted

B. Ordinances on 2nd Reading

1. President Frederic: An ordinance providing for a special emergency appropriation to fund the re-codification of the Township's ordinances over a five year period 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

ORDINANCE TO SPREAD THE COST OF CODIFICATION OVER A 5 YEAR PERIOD  
THROUGH AN EMERGENCY APPROPRIATION

AN ORDINANCE AUTHORIZING AN EMERGENCY APPROPRIATION UNDER  
N.J.S.A. 40A:4-53 FOR THE PURPOSE OF PREPARING A REVISION AND  
CODIFICATION OF THE ORDINANCES OF THE TOWNSHIP OF IRVINGTON.

Be it ordained by the Municipal Council of the Township of Irvington, County of Essex ,  
State of New Jersey as follows:

Section 1. Pursuant to N.J.S.A. 40A:4-53, the sum of \$22,140.0 is hereby appropriated  
for the purpose of the preparation of a revision and codification of the ordinances of the  
Township of Irvington , and shall be deemed a special emergency appropriation as defined and  
provided for in N.J.S.A. 40A:4-55.

Section 2. The authorization to finance the appropriation shall be provided for in  
succeeding annual budgets by the inclusion of at least 1/5 of the amount authorized pursuant to  
this act (N.J.S.A. 40A:4-55).

Section 3. This ordinance shall take effect upon its passage, approval, publication and  
filing according to law.

The public hearing n this ordinance is now open.

There were no requests to be heard.

Cox – Jones

Motion to close public hearing

Adopted

Cox – Jones

Motion to adopt this ordinance on second reading after public hearing

Adopted

9. Resolutions & Motions

A. Resolutions

Jones - Cox 20. Authorize Contract for Litigation - Defense Counsel Services to Various Qualified Law Firms – One Year - \$115.00 Per Hour

**QUALIFYING VENDORS IN A FAIR AND OPEN MANNER FOR LITIGATION/DEFENSE COUNSEL SERVICES**

WHEREAS, the Request for Qualifications for professional Litigation/Defense counsel services was publicly advertised in the New Jersey Star Ledger and the Municipal website on July 23, 2014 with a deadline for qualifications to be submitted on August 07, 2014; and

WHEREAS, fifteen qualifications were received and publicly opened; and

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

WHEREAS, the Township Attorney has recommended that all fifteen firms should be added to list of qualified vendors for Litigation/Defense counsel:

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

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

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

Law Offices of Brenda Coppola  
324 East Broad Street  
Westfield, NJ 07090

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

Corttrell, Solensky & Semple, PA  
550 Broad Street  
Newark, NJ 07102-4599

Shain, Schaffer & Rafanello  
150 Morristown Road, Suite 105

Bernardsville, NJ 07924

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

Florio Perrucci Steinhardt & Fader  
218 RT. 17N, Suite 410  
Rochelle Park, NJ 07662

Shabazz & Associates LLC  
17 Academy Street Suite 305  
Newark, NJ 07102

Glazare & Kamel  
1207 East Grant Street, 3rd Floor  
Elizabeth, NJ 07201

David Stanziale  
552 High Mountain Ave  
North Haledon, NJ 07508

Joseph M. Wenzel  
1000 Clifton Ave, Suite 101  
Clifton, NJ 07013

Murphy Orlando LLC  
30 Montgomery Street, 15 Floor  
Jersey City, NJ 07302

Lamb Kretzer  
110 B Meadowlands Parkway, Suite 201,  
Secaucus, New Jersey 07094

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the above fifteen vendors are qualified for the services of professional Litigation/Defense Counsel and the Township Attorney will prepare separate resolutions for all cases assigned to each of the above vendors.

BE IT FURTHER RESOLVED, that this qualification is for one year starting on October 01, 2014 and ending on October 31, 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 funds for this service will be paid from the Insurance Fund for an amount not to exceed \$115.00 per hour.

Adopted

Jones - Frederic 21. Authorize Contract for Tax Appeals Counsel - O'Donnell McCord, P.C. – One Year - Not to Exceed \$84,000

**AUTHORIZE 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 July 23, 2014 with a deadline for proposals to be submitted on August 07, 2014; and

WHEREAS, five proposals were received and publicly opened; and

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

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

O'Donnell McCord, P.C  
15 Mount Kemble Ave  
Morristown, NJ 07960

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Tax Appeals Attorney be awarded to O'Donnell McCord, P.C. 15 Mount Kemble Ave, Morristown, NJ 07960, on the basis of their response to the request for proposal selection criteria and qualifications, for an amount not to exceed \$84,000.00. The provider will be paid \$115.00 per hour/\$7000.00 per month for tax appeal services for one year starting on October 01, 2014 until October 31, 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 \$84,000.00 for the Tax Appeals Attorney will be obtained from the Chief Financial Officer.

Adopted

Council Members Jones and Cox spoke.

12. Miscellaneous

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

Rodney White, 624 Nye Avenue, mailing address: 41 Durand Place

Clarence Maney, 185 Nesbit Terrace

Harry Perryman, 21 Nesbit Terrace

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

13. Adjournment

There being no further business, the meeting was adjourned at 8:27 P.M.

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Charnette Frederic, Council President

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Harold E. Wiener, Municipal Clerk