

REGULAR COUNCIL MEETING  
APRIL 28, 2015

Council Chamber, Municipal Building  
Irvington, N.J. – Tuesday Evening  
April 28, 2015 - 8:00 P.M.

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

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

Absent: Paul Inman (excused)

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)

Cathy Southerland, 50 Adams Street  
Elouise McDaniel, 214 Nesbit Terrace

5. Hearing of Council Members

Council Member Lyons and Council President Frederic responded to the requests made by the above referenced citizens.

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

A. Reports

1. Minutes – Directors’ Meeting – 4-14-15
2. Joint Meeting – Minutes – 2-19-15
4. Joint Meeting – 2014 Annual Operations Report

7. Reports of Committees

- A. Request for Proposals Results – Grant Consulting Services – April 8, 2015
- B. Bid Results – Asphalt – April 16, 2015

8. Ordinances, Bills & Claims

- A. Ordinances on 1st Reading

None

C. Bills & Claims

Jones – Hudley 1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD APRIL 28, 2015, 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	\$3,400,950.41
TOTAL	\$3,400,950.41

Adopted  
Absent: Inman

Jones – Cox 2. Payrolls

March 21, 2015 through April 17, 2015

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$1,384,201.11	\$93,267.75	\$105,760.03	\$1,583,228.89

Adopted  
Absent: Inman

9. Resolutions & Motions

A. Resolutions

Cox – Hudley 1. Resolution of Commendation – Jamir Brown, Jersey Heat Track Club Runner

RESOLUTION OF COMMENDATION  
JAMIR BROWN, JERSEY HEAT TRACK CLUB RUNNER  
USATF NEW JERSEY ASSOCIATION AWARD RECIPIENT

WHEREAS, the Irvington Municipal Council would like to honor the USA Track and Field New Jersey Association Athlete of the Year for Long Jump Award recipient Jamir Brown; and

WHEREAS, Jamir is a resident of the Township of Irvington, 3rd grade student at Florence Avenue School and the son of Shareefah Brown; and

WHEREAS, Jamir Brown is a Runner for the Jersey Heat Track Club under the guidance of Coach Michele Jones-Loring; and

WHEREAS, on January 17, 2015 Jamir was honored by USA Track and Field New Jersey Association as Athlete of the Year for Long Jump in the 8 and Under Boys Division; and

WHEREAS, Jamir Brown's performances during the 2013-2014 Competition Year as a follows:

**Outdoor 2014**

- 3<sup>rd</sup> place 8 and under boys 800m run contested at 2014 AAU (Amateur Athletic Union) Junior Olympic Games at Drake Stadium, Drake University, Des Moines, Iowa-personal best 2:38.95
- 1<sup>st</sup> place 8 and under boys 1500m run contested at 2014 AAU (Amateur Athletic Union) Region 1 Qualifier on 6/27/14 at University of Massachusetts-Lowell, Lowell, MA
- 1<sup>st</sup> place 8 and under boys 800m run contested at 2014 AAU (Amateur Athletic Union) Region 1 Qualifier on 6/28/14 at University of Massachusetts-Lowell, Lowell, MA
- 1<sup>st</sup> place 8 and under boys long jump contested at 2014 AAU (Amateur Athletic Union) Region 1 Qualifier on 6/28/14 at University of Massachusetts-Lowell, Lowell, MA-personal best 12'-5.5"
- 1<sup>st</sup> place 8 and under boys 1500m run contested at USA Track and & Field (USATF) New Jersey Association Junior Olympic Outdoor Track & Field Championship on 6/17/14 at Franklin High School, Somerset, NJ
- 1<sup>st</sup> place 8 and under boys 800m run contested at USA Track and & Field (USATF) New Jersey Association Junior Olympic Outdoor Track & Field Championship on 6/8/14 at Franklin High School, Somerset, NJ
- 1<sup>st</sup> place 8 and under boys long jump contested at USA Track and & Field New Jersey Association Junior Olympic Outdoor Track & Field Championship on 6/8/14 at Franklin High School, Somerset, NJ-personal best 11'-8.5"
- 1<sup>st</sup> place 8 and under boys 1500m run contested at AAU (Amateur Athletic Union) New Jersey Junior Olympic District Qualifier on 6/1/14 at Memorial Stadium, New Brunswick, NJ
- 1<sup>st</sup> place 8 and under boys 800m run contested at AAU (Amateur Athletic Union) New Jersey Junior Olympic District Qualifier on 6/1/14 at Memorial Stadium, New Brunswick, NJ
- 1<sup>st</sup> place 8 and under boys long jump contested at AAU (Amateur Athletic Union) New Jersey Junior Olympic District Qualifier on 6/1/14 at Memorial Stadium, New Brunswick, NJ

**Indoor 2013-2014**

- 1<sup>st</sup> place 8 and under boys 1500m run 2014 USATF National Youth Indoor Track & Field Championships on 3/9/14 at Prince George's County Sports and Learning Complex, Landover, MD-personal best 5:30.72- NEW Indoor National Record
- 2<sup>nd</sup> place 8 and under boys 800m run 2014 USATF National Youth Indoor Track & Field Championships on 3/8/14 at Prince George's County Sports and Learning Complex, Landover, MD- personal best 2:45.18
- 3<sup>rd</sup> place 8 and under boys long jump 2014 USATF National Youth Indoor Track & Field Championships on 3/8/14 at Prince George's County Sports and Learning Complex, Landover, MD
- 1<sup>st</sup> place 8 and under boys 800m run contested at USA Track and & Field (USATF) New Jersey Association Championship on 2/23/14 at Bennett Indoor Athletic Complex, Toms River, NJ
- 1<sup>st</sup> place 8 and under boys long jump contested at USA Track and & Field (USATF) New Jersey Association Championship on 2/23/14 at Bennett Indoor Athletic Complex, Toms River, NJ
- 2<sup>nd</sup> place 8 and under boys 800m run contested at USA Track and & Field (USATF) New Jersey Association Championship on 2/23/14 at Bennett Indoor Athletic Complex, Toms River, NJ

March 15, 2015 - 1st place 9 and 10 boys 1500m run 2015 USATF Youth National Indoor Track & Field Championships at Prince George's County Sports and Learning Complex, Landover, MD – personal best 5:18.55

January 17, 2015 - Honored by USA Track and Field New Jersey Association as Athlete of the Year for Long Jump in the 8 and Under Boys Division

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Municipal Council hereby joins the USA Track and Field New Jersey Association and commends Jamir Brown for his outstanding accomplishments.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of the Municipal Council as a lasting tribute to his many accomplishments.

Adopted

Absent: Inman

Hudley – Cox 2. Establish Handicapped Parking Spaces in Front of 41 Martin Place, 5 Feiner Place, 65 Harper Avenue, 169 Harper Avenue, 55 Lenox Avenue and 68 – 41st 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 restricted parking spaces in front of 41 Martin Place, 5 Feiner Place, 65 Harper Avenue, 169 Harper Avenue, 55 Lenox Avenue and 68 - 41<sup>st</sup> 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 41 Martin Place, 5 Feiner Place, 65 Harper Avenue, 169 Harper Avenue, 55 Lenox Avenue and 68 - 41<sup>st</sup> Street; and

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

Adopted

Absent: Inman

Cox – Burgess 3. Authorize Springfield Avenue Center Business Improvement District's 2015 Sidewalk Sale

WHEREAS, the Springfield Avenue Center Business Improvement District proposes its annual Summer 2015 Sidewalk Sale and Activities to commence and include:

Thursday, Friday, Saturday	June 4, 5, and 6	Raindate: Saturday June 13, 2015
Thursday, Friday, Saturday	July 9, 10, and 11	Raindate: Saturday July 18, 2015
Thursday, Friday, Saturday	August 6, 7, and 8	Raindate: Saturday Aug. 15, 2015

to be done in conjunction with cultural events; and

WHEREAS, Section 171-11 of the Revised Code of the Township of Irvington provides that the provisions shall not prevent the placement of booths or showcases for the display of merchandise, foods and other material along the route of any parade or at the site of any cultural event duly licensed by the Township:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that it declares that the provisions of Section 171-11 are hereby met and the Springfield Avenue Center Business Improvement District schedule of Summer 2015 Sidewalk Sale and Activity are hereby approved as set forth herein:

Thursday, Friday, Saturday	June 4, 5, and 6	Raindate: Saturday June 13, 2015
Thursday, Friday, Saturday	July 9, 10, and 11	Raindate: Saturday July 18, 2015
Thursday, Friday, Saturday	August 6, 7, and 8	Raindate: Saturday Aug. 15, 2015

Adopted

Absent: Inman

Jones – Lyons 4. Authorize Legal Settlement Agreement - of Mohammad Naeem d/b/a Sunrise Clinical Services v. Township of Irvington, et als.

RESOLUTION APPROVING THE FINAL DISPOSITION OF MOHAMMAD NAEEM

D/B/A SUNRISE CLINICAL SERVICES V. TOWNSHIP OF IRVINGTON, ET AL.

WHEREAS, the matter of Mohammad Naeem d/b/a Sunrise Clinical Services v. Township of Irvington, et als., was filed in the Superior Court of New Jersey, Docket No. ESX-L-169-13; and

WHEREAS, Mohammad Naeem d/b/a Sunrise Clinical Services alleged that they were granted a Certification of Occupancy that was in violation of the Township's Ordinance the actions and/or inactions of agents for the Township of Irvington; 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 agreement wherein the Township of Irvington and/or its agents is permanently enjoined and restrained from interfering with and attempting to close the Medical Services OPT Treatment Clinic operated by Mohammad Naeem d/b/a Sunrise Clinical Services d/b/a Oasis Clinical services at 10-24 Ball Street, Irvington only for zoning reasons relative to its operations. Upon execution of a Release and Settlement agreement and an executed Stipulation of Dismissal with Prejudice; and

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

Adopted  
Absent: Inman

Lyons – Frederic 5. Reject Proposals for Foreclosure Attorney Services – Need to Revise the Specifications

#### REJECTING REQUEST FOR PROPOSALS FOR FORECLOSURE ATTORNEY

WHEREAS, on March 05, 2015, the Township of Irvington accepted and opened Bids for RFPs; and

WHEREAS, the Township received four RFPs for this service; and

WHEREAS, the Township Attorney wishes to rejected all RFPs on the basis of specification must be revised; and

WHEREAS, the Local Public Contract Law, 40A:11-13.2.(a) and (d) provides that a municipality may reject all bids when specification must be revised; and

NOW THEREFORE BE IT RESOLVED by the Council of Township of Irvington, in the County of Essex, that all RFPs is hereby rejected in accordance with the Local Public Contracts Law, NJSA40A:11-13.2.(a) and (d)

BE IT FURTHER RESOLVED that the Qualified Purchasing Agent is hereby authorized and directed to re-bid this service.

Adopted

Absent: Inman

Burgess – Frederic 6. Authorize Tax Payment Plan - 188 - 22nd Street

Resolution to Redeem Municipal Held Lien in Installments

WHEREAS, N.J.S.A. 54:5-65 provides authority for the governing body to authorize redemption of a municipally held lien by installment payments to include principal and interest; and,

WHEREAS, Dwayne Ben, owner of record of Block 154, Lot 8, also known as 188 22<sup>nd</sup> Street, Municipality of Irvington, is desirous of satisfying Tax Title Lien # 14-00712 in the amount of \$8,502.54 by the installment payment plan.

NOW, THEREFORE, BE IT RESOLVED, BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, COUNTY OF ESSEX, STATE OF NEW JERSEY, hereby authorize an installment payment plan \$780.00, as set forth on the attached schedule and that in addition to said installments being promptly paid on the first of each month, for 12 months, all current year's taxes, subsequent taxes, assessments or other municipal liens imposed shall be promptly paid when due.

BE IT FURTHER RESOLVED, that the final payment shall be sufficient to include all amounts due the municipality and secured by the tax sale lien, except for current year's taxes, and shall include interest properly chargeable on the respective unpaid balances.

BE IT FURTHER RESOLVED, that if installment payments are regularly and promptly made in accordance with the attached schedule, then the municipality will suspend any action to cut off or foreclose the right of redemption, and will agree not to assign, transfer or otherwise alienate the tax title lien it holds.

BE IT FURTHER RESOLVED, if any unpaid installment remains unpaid after 30 days of due date, then the municipality may proceed to enforce or foreclose the tax sale lien, or sell, assign, transfer or alienate it and shall proceed only for the unpaid balance after proper credit of such installment payments as were made.

BE IT FURTHER RESOLVED, that a certified copy of this resolution, along with an attached installment schedule will be forwarded to the Tax Collector and the property owner.

Adopted

Absent: Inman

Lyons – Hudley 7. Authorize Tax Payment Plan - 57-59 Ellery Avenue

Resolution to Redeem Municipal Held Lien in Installments

WHEREAS, N.J.S.A. 54:5-65 provides authority for the governing body to authorize redemption of a municipally held lien by installment payments to include principal and interest; and,

WHEREAS, Raphaelle Marie Joseph, owner of record of Block 8, Lot 5, also known as 57-59 Ellery Avenue, Municipality of Irvington, is desirous of satisfying Tax Title Lien # 14-00028 in the amount of \$18,172.20 by the installment payment plan.

NOW, THEREFORE, BE IT RESOLVED, BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, COUNTY OF ESSEX, STATE OF NEW JERSEY, hereby authorize an installment payment plan \$656.96, as set forth on the attached schedule and that in addition to said installments being promptly paid on the first of each month, for 36 months, all current year's taxes, subsequent taxes, assessments or other municipal liens imposed shall be promptly paid when due.

BE IT FURTHER RESOLVED, that the final payment shall be sufficient to include all amounts due the municipality and secured by the tax sale lien, except for current year's taxes, and shall include interest properly chargeable on the respective unpaid balances.

BE IT FURTHER RESOLVED, that if installment payments are regularly and promptly made in accordance with the attached schedule, then the municipality will suspend any action to cut off or foreclose the right of redemption, and will agree not to assign, transfer or otherwise alienate the tax title lien it holds.

BE IT FURTHER RESOLVED, if any unpaid installment remains unpaid after 30 days of due date, then the municipality may proceed to enforce or foreclose the tax sale lien, or sell, assign, transfer or alienate it and shall proceed only for the unpaid balance after proper credit of such installment payments as were made.

BE IT FURTHER RESOLVED, that a certified copy of this resolution, along with an attached installment schedule will be forwarded to the Tax Collector and the property owner.

Adopted

Absent: Inman

Lyons – Cox 8. Authorize Tax Payment Plan - 111 Elmwood Avenue



Resolution to Redeem Municipal Held Lien in Installments

WHEREAS, N.J.S.A. 54:5-65 provides authority for the governing body to authorize redemption of a municipally held lien by installment payments to include principal and interest; and,

WHEREAS, Medika M Edwards, owner of record of Block 375, Lot 7, also known as 111 Elmwood Avenue, Municipality of Irvington, is desirous of satisfying Tax Title Lien # 12-03201 in the amount of \$22,919.76 by the installment payment plan.

NOW, THEREFORE, BE IT RESOLVED, BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, COUNTY OF ESSEX, STATE OF NEW JERSEY, hereby authorize an installment payment plan \$828.61, as set forth on the attached schedule and that in addition to said installments being promptly paid on the first of each month, for 36 months, all current year's taxes, subsequent taxes, assessments or other municipal liens imposed shall be promptly paid when due.

BE IT FURTHER RESOLVED, that the final payment shall be sufficient to include all amounts due the municipality and secured by the tax sale lien, except for current year's taxes, and shall include interest properly chargeable on the respective unpaid balances.

BE IT FURTHER RESOLVED, that if installment payments are regularly and promptly made in accordance with the attached schedule, then the municipality will suspend any action to cut off or foreclose the right of redemption, and will agree not to assign, transfer or otherwise alienate the tax title lien it holds.

BE IT FURTHER RESOLVED, if any unpaid installment remains unpaid after 30 days of due date, then the municipality may proceed to enforce or foreclose the tax sale lien, or sell, assign, transfer or alienate it and shall proceed only for the unpaid balance after proper credit of such installment payments as were made.

BE IT FURTHER RESOLVED, that a certified copy of this resolution, along with an attached installment schedule will be forwarded to the Tax Collector and the property owner.

Adopted  
Absent: Inman

Jones – Lyons 9. Authorize Tax Payment Plan - 23 Temple Place

Resolution to Redeem Municipal Held Lien in Installments

WHEREAS, N.J.S.A. 54:5-65 provides authority for the governing body to authorize redemption of a municipally held lien by installment payments to include principal and interest; and,

WHEREAS, Jesse & Phyllis Roberson, owner of record of Block 252, Lot 29, also known as 23 Temple Place, Municipality of Irvington, is desirous of satisfying Tax Title Lien # 12-02599 in the amount of \$7,838.65 by the installment payment plan.

NOW, THEREFORE, BE IT RESOLVED, BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, COUNTY OF ESSEX, STATE OF NEW JERSEY, hereby authorize an installment payment plan \$718.68, as set forth on the attached schedule and that in addition to said installments being promptly paid on the first of each month, for 12 months, all current year's taxes, subsequent taxes, assessments or other municipal liens imposed shall be promptly paid when due.

BE IT FURTHER RESOLVED, that the final payment shall be sufficient to include all amounts due the municipality and secured by the tax sale lien, except for current year's taxes, and shall include interest properly chargeable on the respective unpaid balances.

BE IT FURTHER RESOLVED, that if installment payments are regularly and promptly made in accordance with the attached schedule, then the municipality will suspend any action to cut off or foreclose the right of redemption, and will agree not to assign, transfer or otherwise alienate the tax title lien it holds.

BE IT FURTHER RESOLVED, if any unpaid installment remains unpaid after 30 days of due date, then the municipality may proceed to enforce or foreclose the tax sale lien, or sell, assign, transfer or alienate it and shall proceed only for the unpaid balance after proper credit of such installment payments as were made.

BE IT FURTHER RESOLVED, that a certified copy of this resolution, along with an attached installment schedule will be forwarded to the Tax Collector and the property owner.

Adopted  
Absent: Inman

Cox – Lyons 10. Authorize Re-Advertisement for Bids for Hot Asphalt Mix Due to No Bids Being Received

#### **AUTHORIZING THE RE-ADVERTISEMENT OF BIDS FOR HOT MIX/ASPHALT**

WHEREAS, on March 26, 2015, the Township of Irvington advertised on our Municipal website and the New Jersey Star ledger for bids for hot mix/asphalt; and

WHEREAS, the Township received no bids for this commodity; and

WHEREAS, the Director of Public Works wishes to re-advertise for new bids on the basis of revising the specifications; and

NOW THEREFORE BE IT RESOLVED by the Council of Township of Irvington, in the County of Essex, that the Purchasing Agent is hereby authorized to re-advertise for new bids for this commodity in accordance with Local Public Contract Law.

Adopted  
Absent: Inman

Burgess – Hudley 11. Authorize Purchasing Agent to Sell Abandoned and Unclaimed Motor Vehicles at a Public Auction

**AUTHORIZE THE PUBLIC AUCTION OF UNCLAIMED AND ABANDONED MOTOR VEHICLES**

WHEREAS, the Irvington Police Department has taken possession of motor vehicles found abandoned and unclaimed; and

WHEREAS, pursuant to N.J.S.A. 39:10A-1 provides for the public sale in a public place of such vehicles provided certain notice requirements are met; and

WHEREAS, the Police Department has complied with the provisions of N.J.S.A. 39:10A-1 as such relates to the disposition of such vehicles as identified on the attached list; and

WHEREAS, a request has been made by the department to sell the listed vehicles in accordance with the State statute cited herein.

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

(1) The Purchasing Agent is hereby authorized to sell the unclaimed motor vehicles as described in the attached list in a manner consistent with the requirements of N.J.S.A. 39:10A-1 and pursuant to the satisfaction of any properly documented credited storage and towing lien.

(2) The Purchasing Agent is hereby authorized to execute Motor Vehicle Title Certificates pursuant to the attached list on behalf of the Township for said vehicles.

(3) Any and all vehicles purchased at said auction shall be removed from the Tower's lot within thirty (30) days of sale.

Adopted  
Absent: Inman

Cox – Hudley 12. Authorize Tax Payment Plan – 357 – 16<sup>th</sup> Avenue

**Resolution to Redeem Municipal Held Lien in Installments**

WHEREAS, N.J.S.A. 54:5-65 provides authority for the governing body to authorize redemption of a municipally held lien by installment payments to include principal and interest; and,

WHEREAS, Andres Ulerio, owner of record of Block 155, Lot 17, also known as 357 16<sup>th</sup> Avenue, Municipality of Irvington, is desirous of satisfying Tax Title Lien # 12-02026 in the amount of \$31,626.27 by the installment payment plan.

NOW, THEREFORE, BE IT RESOLVED, BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, COUNTY OF ESSEX, STATE OF NEW JERSEY, hereby authorize an installment payment plan \$940.78, as set forth on the attached schedule and that in addition to said installments being promptly paid on the first of each month, for 36 months, all current year's taxes, subsequent taxes, assessments or other municipal liens imposed shall be promptly paid when due.

BE IT FURTHER RESOLVED, that the final payment shall be sufficient to include all amounts due the municipality and secured by the tax sale lien, except for current year's taxes, and shall include interest properly chargeable on the respective unpaid balances.

BE IT FURTHER RESOLVED, that if installment payments are regularly and promptly made in accordance with the attached schedule, then the municipality will suspend any action to cut off or foreclose the right of redemption, and will agree not to assign, transfer or otherwise alienate the tax title lien it holds.

BE IT FURTHER RESOLVED, if any unpaid installment remains unpaid after 30 days of due date, then the municipality may proceed to enforce or foreclose the tax sale lien, or sell, assign, transfer or alienate it and shall proceed only for the unpaid balance after proper credit of such installment payments as were made.

BE IT FURTHER RESOLVED, that a certified copy of this resolution, along with an attached installment schedule will be forwarded to the Tax Collector and the property owner.

Adopted  
Absent: Inman

Jones – Hudley 13. Ratify Fire Deputy Chiefs Labor Agreement - July 1, 2013 Through June 30, 2017

WHEREAS, the Township of Irvington and the Irvington Deputy Fire Chiefs Association have engaged in labor negotiations for the purpose of establishing salaries and other conditions of employment for members of said association; and

WHEREAS, the Township of Irvington and the Irvington Deputy Fire Chiefs Association have mutually agreed to the salaries and other conditions of employment for the period beginning July 1, 2012 and ending June 30, 2017:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that they hereby ratify and approve the terms and conditions of the Memorandum of Agreement attached hereto and made a part hereof; and

BE IT FURTHER RESOLVED that the Mayor and the Township Clerk are authorized and empowered to execute the said Memorandum of Agreement.

Adopted  
Absent: Inman

Cox – Hudley 14. Amend Contract With JAK Construction for Pot Hole Repairs – Increase Contract Amount by \$200,000.00 for a Total Contract Amount of \$312,116.00

**A RESOLUTION INCREASING THE NOT TO EXCEED AMOUNT FOR THE POT HOLE REPAIR CONTRACT**

WHEREAS, resolution number DPW 14-0909-28 was approved by the Municipal Council on September 09, 2014 to repair various pot holes in the Township; and

WHEREAS, resolution number DPW 14-1015-34 was approved by the Municipal Council on October 15, 2014 to repair additional pot holes in the Township for a total amount not to exceed \$80,000.00; and

WHEREAS, resolution number DPW 15-0324-8 was approved by the Municipal Council on March 24, 2015 to repair additional pot holes in the Township for a total amount not to exceed \$32,116.00; and

WHEREAS, resolution number DPW 15-0414-15 was approved by the Municipal Council on April 14, 2015 to repair additional pot holes in the Township for a total amount not to exceed \$80,000.00; and

WHEREAS, the Director of Public Works has advised that based upon the tonnage amount calculated additional monies must be added to this contract; and

WHEREAS, it was determined that additional \$200,000.00 is needed to complete pot hole repairs around the Township; and

THEREFORE, BE IT RESOLVED, that the contract for Pot Hole repair service is hereby amended to an amount not to exceed \$392,116.00 to JAK Construction Corp., T/A Diamond of 35 Beaverson blvd, Brick, NJ 08723; and,

BE IT RESOLVED, that the Mayor be and is hereby authorized to execute amended contract for this service with JAK Construction Corp., T/A Diamond of 35 Beaverson blvd, Brick, NJ 08723, increasing the total contract amount to \$392,116.00

BE IT RESOLVED, that Certification of Funds number will be obtained from the Chief Financial Officers for the total sum of \$200,000.00 and will be certified when the temporary emergency appropriation is adopted herein.

Adopted  
Absent: Inman

Lyons – Jones 15. Authorize Submission of the Recycling Tonnage Grant Application for Calendar Year 2014

**2012 Recycling Tonnage**

WHEREAS, The Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for the 2014 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and to indicate the assent of the Municipal Council to the efforts undertaken by the Municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage trust fund are to be used solely for the purposes of education, implementation of recycling programs and recycling within the Township of Irvington.

Adopted  
Absent: Inman

Frederic – Burgess 16. Constable Appointment - Max Henri Pierre-Louis

BE AND IT IS HEREBY RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, NEW JERSEY that Max Henri Pierre-Louis, 18 Marshall Street, Apartment 10D, in the Township of Irvington be and she is hereby appointed to the Office of Constable for a term of three years from the date of April 28, 2015; 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 herself 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  
Absent: Inman

B. Motions

None

10. Communications & Petitions

A. Communications

None

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

B. Ordinances on 2nd Reading

1. President Frederic: An ordinance providing for a \$25.00 fee for job applications 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 PERMITTING THE TOWNSHIP TO CHARGE A FEE FOR  
EMPLOYMENT APPLICATIONS

WHEREAS, the Township of Irvington ("the Township") desires to implement an efficient employment application system which increases the efficiency in processing employment applications; and

WHEREAS, it would be beneficial to the Township and it would improve the efficiency of its current employment application process and raise revenue for the Township.

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

FIRST:

A. DEFINITIONS

Employee: A person who works for another in return for financial or other compensation.

(ii) Employment Application: A form (either paper or online) that candidates for employment complete to be considered for a job.

(iii) Fee: A fixed sum charged, as by an institution or by law, for a privilege.

B. PURPOSE OF CHARGING A FEE FOR EMPLOYMENT APPLICATIONS

The purpose of allowing the Township to charge a fee for employment applications is to implement an efficient employment application system for the Township of Irvington.

SUPERVISION:

Supervision of the employment fee application process shall be under the direction of the Business Administrator.

ENFORCEMENT RESPONSIBILITIES:

A fee of \$25.00 shall be charged for all standard employment applications. Enforcement of the employment fee application process shall be performed by the Business Administrator's Office.

REPORT TO THE MUNICIPAL COUNCIL

SECOND:

Severability:

If any section, paragraph, subparagraph, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the specific section,



paragraph, subparagraph, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

THIRD:

Repeal of Prior Ordinances:

Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance be and the same are hereby repealed to the extent of any such inconsistencies.

FOURTH:

Effective Date:

This Ordinance shall take effect after final passage and publication and as provided by law.

The public hearing on this ordinance is now open.

Cathy Southerland, 50 Adams Street  
Robery Shaw, 57 Coit Street

Council Member Lyons and Council President Frederic spoke.

Jones – Hudley

Motion to close public hearing

Adopted

Absent: Inman

Jones – Lyons

Motion to adopt this ordinance on second reading after public hearing

Adopted

Absent: Inman

2. President Frederic: An ordinance providing for various fees for criminal background checks will be heard at this time. The Clerk will read the notice of hearing.

The Clerk stated for the record that this notice of hearing was identical to the first notice that was read.

The Clerk will read the ordinance by title.

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 98 (FEES AND LICENSES) OF THE CODE OF THE TOWNSHIP OF IRVINGTON

WHEREAS the Township of Irvington is committed to protecting the health, safety and welfare of the community; and

NOW THEREFORE BE IT ORDAINED THAT the Municipal Council of the Township of Irvington hereby amends and supplements Chapter 98 of the Code of Township of Irvington as follows:

ARTICLE II. Schedule of Fees

[Amended 8-10-2004 by Ord. No. MC 3268]

§ 98-4.1 Fees under Chapter 40, Police Department.

[Added 10-14-1969 by Ord. No. MC 2241; amended 12-28-1982 by Ord. No. 2679; 8-11-1987 by Ord. No. MC 2834; 12-12-1995 by Ord. No. MC 3027; 12-14-1999 by Ord. No. MC 3134; 8-14-2001 by Ord. No. MC 3176; 10-12-2005 by Ord. No. MC 3306]

A. (Remains the same).

B. For fingerprinting, the fee shall be \$85. Any application that requires a police investigation, the individual shall get a refund of \$60.00 if that applicant is selected for employment. (ADDED)

[Amended 12-29-2009 by Ord. No. MC 3413]

C. (Remains the same).

[Amended 12-29-2009 by Ord. No. MC 3413]

D. (Remains the same).

[Amended 12-29-2009 by Ord. No. MC 3413]

E. (Remains the same).

[Amended 12-29-2009 by Ord. No. MC 3413]

F. (Remains the same).

[Added 7-10-2007 by Ord. No. MC 3348]

The public hearing on this ordinance is now open.

Cathy Southerland, 50 Adams Street

Jones – Burgess

Motion to close public hearing

Adopted

Absent: Inman

Jones – Burgess

Motion to adopt this ordinance on second reading after public hearing

Adopted

Absent: Inman

3. President Frederic: An ordinance providing for various fees for off duty police assignments will be heard at this time. The Clerk will read the notice of hearing.

The Clerk stated for the record that this notice of hearing was identical to the first notice that was read.

The Clerk will read the ordinance by title.

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 98 (FEES AND LICENSES) OF THE CODE OF THE TOWNSHIP OF IRVINGTON

WHEREAS the Township of Irvington is committed to protecting the health, safety and welfare of the community; and

NOW THEREFORE BE IT ORDAINED THAT the Municipal Council of the Township of Irvington hereby amends and supplements Chapter 98 of the Code of Township of Irvington as follows:

Chapter 98. Fees and Licenses

Article II. Schedules and Fees

§98-4.1. Fees under Chapter 40, Police Department

- A. For clearance visas and clearance letters, the fee shall be \$27.
- B. For fingerprinting, the fee shall be \$27.
- C. For a photograph, the fee shall be \$39.
- D. For each search to verify information authorized for release, the fee shall be \$27.
- E. For copies of motor vehicle accident reports, the fee shall be \$1 per page if obtained in person. For copies of all other reports authorized for release by the rules and regulations established pursuant to § 40-11, the fee shall be \$9, if obtained in person. For copies of such reports requested other than in person, the fee shall be \$26 per report. A fee of \$24 will be charged for each report searched for and not found.
- F. Fees for special detail assignments for off-duty police officers shall be as follows:
  - (1) Rate is \$40 per hour and with patrol car is an additional \$10 per hour, gross before taxes.
  - (2) Rate of compensation for police officer for construction \$85 per hour and with patrol car is an additional \$10 per hour, gross before taxes
  - (3) Rate for traffic with patrol car \$50 per hour, gross before taxes
  - (4) Rate for strike duty \$40 per hour, gross before taxes.
  - (5) Any detail involving the services of four or more officers will require a supervisor who shall receive compensation at an additional \$2 per hour, gross pay before taxes, above the hourly rate of police officers assigned to said details.
  - (5) An additional fee of 10% per officer hour is hereby established to cover the administrative costs, overhead and out-of-pocket expense of the Township of Irvington. This fee shall not apply to the Township of Irvington Board of Education.

Repeal of Prior Ordinances:

Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance be and the same are hereby repealed to the extent of any such inconsistencies.  
Effective Date:

This Ordinance shall take effect after final passage and publication and as provided by law.

The public hearing on this ordinance is now open.

There were no requests to be heard.

Cox - Burgess

Motion to close public hearing

Adopted  
Absent: Inman

Cox – Burgess                      Motion to adopt this ordinance on second reading after public hearing

Council Members Lyons and Cox spoke.

Adopted  
Absent: Inman

4. President Frederic: An ordinance providing for regulations for off duty police assignments will be heard at this time. The Clerk will read the notice of hearing.

The Clerk stated for the record that this notice of hearing was identical to the first notice that was read.

The Clerk will read the ordinance by title.

**AN ORDINANCE PROVIDING FOR REGULATIONS FOR OFF DUTY  
ASSIGNMENTS OF POLICE OFFICERS.**

**CHAPTER 40 POLICE DEPARTMENT**

**ESTABLISHED CONDITIONS**

For the convenience of those persons and entities which utilize the services of off-duty law enforcement officers of the Township of Irvington Police Department, and to authorize the outside employment of Municipal Police while off duty, the Township of Irvington hereby establishes a policy regarding the use of said officers in compliance with N.J.S.A. 45:19-9 et seq. as amended by the Security Officers Registration Act, P.L. 2004, c. 134.

A. Members of the Township of Irvington Police Department, at their option, shall be permitted to accept police-related employment for private employers, who are separate and independent from the Township of Irvington, only during off-duty hours and at such time as will not interfere with the efficient performance of regularly scheduled or emergency duty of the Township.

B. Any person or entity wishing to employ off-duty police shall first obtain the approval of the Chief of Police or his or her designee, which approval shall be granted if, in the opinion of the Chief of Police or his or her designee, such employment is necessary and would not be inconsistent with the efficient functioning and good reputation of the Police Department and would not unreasonably endanger or threaten the safety of the officer or officers who are to perform the work.

**TRUST ACCOUNT**

A. To assure the timely payment of wages to police officers who perform off-duty services, and to meet the requirements of the Fair Labor Standards Act, the Township of Irvington has established a trust fund known as the "Outside Employment for Police Officers Trust Account," which trust fund is dedicated for the receipt of fees collected from private persons or entities for payment to police officers for off-duty or outside employment services. The Outside Employment for Police Officers Trust Account shall be administered by the Department of Revenue and Finance of the Township of Irvington, which shall make a report to the Township Council every 90 days regarding said account.

B. Any person or entity requesting the services of an off-duty law enforcement officer in the Township of Irvington shall estimate the number of hours such law enforcement services are required, which estimate shall be approved in writing by the Chief of Police, or his or her designee, and upon Chief of Police approval, a copy of said approval shall be forwarded to the Jobs in Blue Office of the Township of Irvington. The person or entity requesting the services shall then forward payment for services for the total estimated hours of service, the rates of compensation and administrative fees as set forth in § 40-21 to the Jobs in Blue Office which, upon review, will forward to the Department of Revenue and Finance for deposit in a trust account within the Outside Employment for Police Officers Trust Account.

C. In any instance where the number of hours required is unknown and cannot be reasonably estimated, or is anticipated to be in excess of 10 days, the person or entity requesting the services of an off-duty law enforcement officer shall deposit an amount sufficient to cover the rate of compensation and administrative fees set forth in § 40-21 for the equivalent of 10 days prior to the commencement of any work. Any unused portion of the deposit shall be returned or credited against the final amount owed.

D. Prior to posting any request for services of off-duty law enforcement officers, the Chief of Police or his or her designee shall verify that the balance in the trust account of the person or entity requesting services is sufficient to cover the compensation and fees for the number of hours specified in the request for services. The Chief of Police or his or her designee shall not post a request for services from any person or entity unless all fees and compensation required in the manner described above have been deposited in the Off-Duty Employment for Police Officers Trust Account. All payments must be paid directly to the Township for said account. No officer shall be paid directly by any employer for requested services nor provide any such services for more hours than are specified in the request for services.

E. In the event the funds in such a trust account should become depleted, services of off-duty law enforcement officers shall cease, and further requests for further or future services shall not be performed or posted until additional funds have been deposited in the trust account in the manner prescribed above. In the event of an unforeseen emergency situation that would require an officer to remain beyond the time for which funds have been posted, the Chief of Police or his or her designee may waive the requirement for posting additional funds after the first 10 hours for any person or entity exhibiting a previous satisfactory payment history. However, the person or entity

requiring the extended service within 48 hours shall make payment for the additional hours.

F. The person or entity requesting such services shall be responsible for ensuring that sufficient funds remain in the trust account in order avoid any interruption of services.

G. Exemption. All public utility companies that are under the jurisdiction of, and regulated by, the New Jersey Board of Public Utilities, and state, county and other quasi-government agencies will be exempt from the provisions set forth in this section requiring advance payment to the trust account; provided, however, that there are no amounts previously due that are outstanding for a period in excess of 30 days. Any such delinquent balances shall require advance payment of the amount outstanding prior to any officer engaging in any further off-duty assignments.

### **REQUESTS FOR SERVICES**

A. All requests to the Township for services of off-duty law enforcement officers in the Township of Irvington Police Department for a period of one week or longer shall be forwarded to the Chief of Police or his or her designee for posting at least 10 days before such services are required. Any law enforcement officers, when so employed by private employers, shall be compensated at the rate set forth in § 40-21, hereafter.

B. All requests to the Township for services of off-duty law enforcement officers in the Township of Irvington Police Department for a period of less than one week shall be forwarded to the Chief of Police or his or her designee for posting as soon as practicable, but in no event less than 24 hours before such services are required, except in emergency situations. Any law enforcement officers, when so employed by private employers, shall be compensated at the rates set forth in § 40-21 hereafter.

C. In emergency situations, requests to the Township for the services of off-duty law enforcement officers in the Township of Irvington Police Department shall be made as necessary to the Chief of Police or his or her designee, who shall make every effort to accommodate such request in a reasonable manner in his or her discretion. Any law enforcement officers, when so employed by private employers, shall be compensated at the rates set forth in § 40-21 hereafter.

### **RATES OF COMPENSATION**

A. Rates of compensation for contracting the services of off-duty law enforcement officers are established as set forth in Chapter 98 Fees and Licenses.

B. All off-duty employment law enforcement officers shall be guaranteed a minimum of four hours and be compensated for any fraction thereof, or whole hour, in addition thereto.

### **CANCELLATION**

In the event that the person or entity requesting the off-duty law enforcement officers fails to contact the Township of Irvington at least two hours prior to the scheduled start time to cancel the job, or the officer works fewer than four hours and the job is completed, the officer is entitled to be paid for the minimum of four hours at the rate compensation set forth in § 40-21.

## **PUBLIC EMERGENCIES**

The Chief of Police or his or her designee shall have the authority to order any police officer engaged in off-duty assignments within the Township to respond to an emergency situation within the Township of Irvington. The Chief of Police or his or her designee shall also have the right to order any off-duty assignment to be terminated whenever said assignment creates an unacceptable risk to the health, safety and welfare of the off-duty officer and/or the citizens of the Township of Irvington. In the event that a police officer is assigned to an emergency situation, the Chief of Police or his or her designee shall make note of said off-duty assignment. In any situation where an off-duty police officer is called to an emergency situation, said person shall not be responsible for the payment of the officer's hourly rate, administrative fee or any other fees to the Township of Irvington until such time as said police officer and/or equipment returns to the assignment of the off-duty employer.

## **EXCLUSION**

All outside agencies except State Police and Essex County Sheriffs are excluded from Jobs in Blue in Irvington. For all Township projects the Township is excluded from paying the jobs in blue rate.

## **POLICIES AND PROCEDURES**

The Police Department policy and procedures shall be revised to be in compliance with this article and N.J.S.A. 45:19-9 et seq. as amended by P.L. 2004, c. 134.

Repeal of Prior Ordinances:

Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance be and the same are hereby repealed to the extent of any such inconsistencies.

Effective Date:

This Ordinance shall take effect after final passage and publication and as provided by law.

The public hearing on this ordinance is now open.

Cathy Southerland, 50 Adams Street

Cox – Burgess

Motion to close public hearing

Adopted

Absent: Inman

Cox – Burgess

Motion to adopt this ordinance on second reading after public hearing

Council Members Lyons, Cox and Council President Frederic spoke.

Adopted

Absent: Inman

5. President Frederic: An ordinance authorizing a possible exceeding of the municipal budget appropriation limits and establishing a CAP bank for the calendar year 2015 municipal budget will be heard at this time. The Clerk will read the notice of hearing.

The Clerk stated for the record that this notice of hearing was identical to the first notice that was read.

The Clerk will read the ordinance by title.

**TOWNSHIP OF IRVINGTON  
CALENDAR YEAR 2015  
MODEL ORDINANCE TO EXCEED THE MUNICIPAL BUDGET  
APPROPRIATION LIMITS  
AND TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

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

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

**WHEREAS**, the Municipal Council hereby determines that a 3.5 % increase in the budget for said year, amounting to **\$ 2,631,257.37** in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

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

**NOW THEREFORE BE IT ORDAINED**, by the Municipal Council of the Township of Irvington, in the County of Essex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2015 budget year, the final appropriations of the Township of Irvington shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to **\$ 2,631,3257.37**. and that the CY 2015 municipal budget for the Township of Irvington be approved and adopted in accordance with this ordinance; and,



**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

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

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

The public hearing on this ordinance is now open.

Cathy Southerland, 50 Adams Street  
Elouise McDaniel, 214 Nesbit Terrace  
Merrick Harris, 6 Hennessey Place  
Harry Perryman, 21 Nesbit Terrace

Cox – Frederic                      Motion to close public hearing

Adopted  
Absent: Inman

Cox – Frederic                      Motion to adopt this ordinance on second reading after public hearing

Council Member Lyons and Council President Frederic spoke.

Adopted  
Absent: Inman

6. President Frederic: An ordinance authorize a special emergency appropriation in the amount of \$1,238,000 for the payment of contractually required severance liabilities 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 AUTHORIZING A SPECIAL  
EMERGENCY APPROPRIATION IN THE AMOUNT  
OF \$1,238,000 FOR THE PAYMENT OF  
CONTRACTUALLY REQUIRED SEVERANCE  
LIABILITIES, IN AND BY THE TOWNSHIP OF  
IRVINGTON, IN THE COUNTY OF ESSEX, NEW  
JERSEY**

**BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP  
OF IRVINGTON, IN THE COUNTY OF ESSEX, NEW JERSEY AS FOLLOWS:**

**Section 1.** The payment by the Township of Irvington, in the County of Essex, New Jersey (the “Township”) of contractually required severance liabilities

resulting from the layoff or retirement of certain Township employees is hereby authorized, and a special emergency appropriation of \$1,238,000 is hereby authorized pursuant to the Local Budget Law (N.J.S.A. 40A:4-53(h)) for such purpose.

**Section 2.** A copy of this ordinance as finally adopted shall be filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey.

**Section 3.** This ordinance shall take effect in accordance with applicable law.

The public hearing on this ordinance is now open.

Cathy Southerland, 50 Adams Street  
Elouise McDaniel, 214 Nesbit Terrace

Cox – Burgess Motion to close public hearing

Adopted  
Absent: Inman

Cox – Burgess Motion to adopt this ordinance on second reading after public hearing

Council member Lyons spoke.

Adopted  
Absent: Inman

## 9. Resolutions & Motions

### A. Resolutions

Cox – Lyons 17. Authorize Temporary Emergency Appropriation to Extend the Calendar Year 2015 Temporary Municipal Budget

<b>APPROPRIATIONS WITHIN "CAPS"</b>	
	<b><u>CY-15</u></b>
<b><u>OFFICE OF THE MAYOR</u></b>	<b><u>Emerg Temp #3</u></b>
Mayor's Office:	
Salaries and Wages	33,259.80
Other Expenses	2,500.00
Irvington Mental Health Center:	-
Other Expenses	-
Planning Board:	-
Salaries and Wages	6,593.55
Other Expenses	750.00
Office of Emergency Management:	-
Salaries and Wages	416.67

Other Expenses	-
Mayor's Committees:	-
Salaries and Wages	-
Other Expenses	-
<b>Total Office of the Mayor</b>	<b>43,520.02</b>
<b><u>OFFICE OF THE TOWNSHIP CLERK</u></b>	
Township Clerk's Office:	
Salaries and Wages	34,812.63
Other Expenses	2,500.00
Elections:	-
Salaries and Wages	-
Other Expenses	-
Council's Office:	-
Salaries and Wages	32,769.18
Other Expenses	3,700.00
	-
Board of Adjustment:	-
Salaries and Wages	9,200.46
Other Expenses	650.00
Rent Leveling Board:	-
Salaries and Wages	-
Other Expenses	-
<b>Total Office of the Township Clerk</b>	<b>-</b>
<b><u>OFFICE OF THE TAX ASSESSOR</u></b>	
Municipal Tax Assessor:	
Salaries and Wages	13,630.86
Other Expenses	4,000.00
<b>Total Office of the Tax Assessor</b>	<b>17,630.86</b>
<b><u>ATTORNEY TO TOWNSHIP COUNCIL</u></b>	
Legislative Research Officer:	
Salaries and Wages	5,305.59
Other Expenses	-
<b>Total Attorney to Township Council</b>	<b>5,305.59</b>
<b><u>OFFICE OF THE TOWNSHIP ATTORNEY</u></b>	
Township Attorney:	
Salaries and Wages	44,931.33
Other Expenses	10,250.00
<b>Total Office of the Township Attorney</b>	<b>55,181.33</b>

<b>DEPARTMENT OF ADMINISTRATION</b>	
Office of the Business Administrator:	
Salaries and Wages	60,808.92
Other Expenses	17,500.00
Other Expenses - Postage	10,000.00
<b>Total Department of Administration</b>	<b>88,308.92</b>
<b>DEPARTMENT OF POLICE</b>	
Police:	
Salaries and Wages	2,202,798.87
Other Expenses	60,500.00
<b>APPROPRIATIONS WITHIN "CAPS"(continue)</b>	-
School Guards:	-
Salaries and Wages	12,697.18
Other Expenses	-
Chaplains and Surgeons:	-
Salaries and Wages	568.14
Parking Division:	-
Other Expenses	-
<b>Total Department of Police</b>	<b>2,276,564.19</b>
<b>DEPARTMENT OF FIRE</b>	
Fire:	
Salaries and Wages	1,331,162.22
Other Expenses	8,500.00
Uniform Fire Safety	-
Salaries and Wages	-
Other Expenses	-
<b>Total Department of Fire</b>	<b>1,339,662.22</b>
<b>DEPARTMENT OF REVENUE AND FINANCE</b>	
Division of Finance:	
Salaries and Wages	54,723.66
Other Expenses:	-
Administration of Finance	7,500.00
Auditing	-
Insurance:	-
General Liability	-
Workers Comp	-
Employers Group Health	-
Division of Revenue-Tax Collection:	
Salaries and Wages	33,534.18

Other Expenses	-
Division of Licenses:	-
Salaries and Wages	13,420.26
Other Expenses	-
Division of Central Purchasing:	-
Salaries and Wages	15,581.94
Other Expenses	1,000.00
<b>Total Department of Revenue and Finance</b>	<b>125,760.04</b>

<b>DEPARTMENT OF PUBLIC WORKS</b>	
Division of Engineering:	
Salaries and Wages	39,747.30
Other Expenses	200,000.00
	-
Land Rental, Refuse Dumping:	-
Other Expenses	346,665.00
Division of Streets and Sewers:	-
Salaries and Wages	73,149.96
Other Expenses	5,500.00
Snow Removal:	-
Salaries and Wages	2,500.00
Other Expenses	-
Division of Motorized Equipment:	-
Salaries and Wages	22,738.41
Other Expenses	15,000.00
Division of Public Property:	-
Salaries and Wages:	-
Public Buildings	52,931.46
Shade Tree	19,743.15
Other Expenses:	-
Public Buildings	10,500.00
Shade Tree	2,500.00
<b>Total Department of Public Works</b>	<b>790,975.28</b>

<b>DEPARTMENT OF HEALTH AND WELFARE</b>	
Division of Health:	
Salaries and Wages:	
Health Administration	21,689.31
Environmental Health	12,599.94
Nursing	7,733.16
Other Expenses:	-
Health Administration	2,500.00
Environmental Health	8,000.00

Nursing	750.00
Senior Citizen Center:	-
Salaries and Wages	8,281.20
Other Expenses	500.00
<b>Total Department of Health and Welfare</b>	<b>62,053.61</b>
<b>Department of Community Development &amp; Planning</b>	-
Salaries and Wages	14,883.72
Other Expenses	1,500.00
<b>Total Department of Comm. Dev &amp; Planning</b>	<b>16,383.72</b>
<b>DEPARTMENT OF PARKS AND RECREATION</b>	
Division of Park Maintenance:	
Salaries and Wages	54,220.05
Other Expenses	2,500.00
Division of Recreation:	-
Salaries and Wages	24,343.83
Other Expenses	-
Public Events and Celebration:	-
Other Expenses	-
Irvington Municipal Pool:	-
Salaries and Wages	-
Other Expenses	5,000.00
<b>Total Department of Parks and Recreation</b>	<b>86,063.88</b>
<b>DEPARTMENT OF HOUSING</b>	
Housing Services:	
Salaries and Wages	51,950.28
Other Expenses	3,500.00
<b>Total Department of Housing Services</b>	<b>55,450.28</b>
<b>MUNICIPAL COURT</b>	
Municipal Court	
Salaries and Wages	111,020.28
Other Expenses	10,500.00
<b>Total Municipal Court</b>	<b>121,520.28</b>
<b>PUBLIC DEFENDER</b>	
Public Defender	
Salaries and Wages	3,461.55
Other Expenses	3,500.00
<b>Total Public Defender</b>	<b>3,461.55</b>
<b>UNIFORM CONSTRUCTION CODE</b>	

Construction Code Official:	
Salaries and Wages	37,945.95
Other Expenses	3,500.00
<b>Total Construction Services</b>	<b>41,445.95</b>
<b>UNCLASSIFIED</b>	
Utilities:	
Electricity, Gas	62,500.00
Telephone and Telegraph	45,000.00
Telephone Lease System	-
Fire Hydrants	-
Water	2,500.00
Gasoline	30,000.00
Street Lighting	62,500.00
Prior Year Salary Adjustments	-
Emergency Dispatch Services (Transportation)	-
Tax Appeals'	-
<b>Total Unclassified</b>	<b>202,500.00</b>
<b>Total Operations Within "CAPS"</b>	<b>5,331,787.72</b>
<b>Deferred Charges &amp; Statutory Expenditures</b>	
Social Security System (OASI)	105,500.00
State Unemployment Insurance Fund	87,585.00
Fund Administrative Cost	-
Public Employees Retirement System	-
Police & Firemen's Retirement System	-
Judgments	-
Deferred Charges Grants Over	-
Expenditures W/O Approp.	-
Grant Expenditures W/O Approp.	-
Deferred Charges - WC & GL	-
Cash Deficit Preceding Year	-
<b>Total Deferred Charges &amp; Statutory Exp</b>	<b>193,085.00</b>
<b>Total Appropriations Within "CAPS"</b>	<b>5,524,872.72</b>
<b>APPROPRIATIONS EXCLUDED FROM "CAPS"</b>	
<b>OTHER OPERATIONS</b>	
Joint Sewer Maintenance	-
Maintenance of Free Public Library	87,500.00
911 Dispatch Services	-

	-
<b>Total Other Operations</b>	<b>87,500.00</b>
<b>APPROPRIATIONS EXCLUDED from "CAPS"(continue)</b>	
<b>FEDERAL AND STATE GRANTS</b>	
Health IPCHIP - Grant	
<b>Total Grants</b>	-
<b>Total Operations Excluded from "CAPS"</b>	<b>87,500.00</b>
<b>MUNICIPAL DEBT SERVICE</b>	
Down Payment on Capital Improvements	-
Capital Improvement Fund	-
Payment of Bond Principal	-
Interest on Bonds	-
Payment of Note Principal	-
Interest on Notes	-
Green Trust Loan Program:	-
Payment of Principal and Interest	-
Payment of Principal and Interest-2003	-
Payment of Principal & Interest 727 GTP	-
Demolition Loan Repayment	-
NJ Environmental Infrastructure Trust Loan Principal & Interest	-
Deferred Charges - Emergency Auth 5 Yr	-
Emergency Storm	-
<b>Total Municipal Debt Service</b>	-
<b>Total Appropriations Excluded from "CAPS"</b>	
<b>for Municipal Purposes</b>	<b>87,500.00</b>
<b>TYPE ONE SCHOOL DEBT</b>	
Payment of Bond Principal	-
Interest on Bonds	-
<b>Total Type One School Debt</b>	-
<b>Total Appropriations Excluded from "CAPS"</b>	<b>87,500.00</b>
<b>Reserve for Uncollected Taxes</b>	-
<b>Total General Appropriations</b>	<b>5,612,372.72</b>

Adopted  
Absent: Inman



Hudley – Cox 18. Authorize Springfield Avenue Center Business Improvement District's (SACBID) 2015 Budget to be Read by Title Only

WHEREAS, N.J.S.A. 40:56-84(f) provides that a Special Improvement District budget as advertised shall be read in full at the public hearing, or that it may be read by its title only if:

1. At least one week prior to the date of the hearing a complete copy of the approved Special Improvement District budget, as advertised,

(b) shall be posted in a public place where public notices are customarily posted in the principal public building; and

(b) copies are made available to each person requesting same during said week and during the public hearing:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that it is hereby declares that the conditions of N.J.S.A. 40:56-84(f), 1 (a) and 1 (b), have been met and therefore the Springfield Avenue Center Special Improvement District Budget shall be read by title only.

Adopted  
Absent: Inman

18A. President Frederic: The Springfield Avenue Center Business Improvement District's budget for 2015 was introduced on March 24, 2015, published in the Irvington Herald on April 2, 2015 and public hearing set for this date, time and place. The Clerk will read the notice of hearing.

The Clerk read the notice of hearing.

The Clerk will read the budget by title

BE IT RESOLVED that the following total revenues and appropriations shall constitute the 2014-2015 Springfield Avenue Center Business Improvement District Budget:

Total General Revenues	\$232,531,00
Total General Appropriations	\$232,531,00

The public hearing on the Springfield Avenue Center Business Improvement District's Budget for 2015 will be heard at this time.

There were no requests to be heard.

Jones – Lyons                      Motion to close public hearing

Adopted  
Absent: Inman

Jones – Lyons

Motion to adopt Springfield Avenue Center Business Improvement District's Budget for 2015

Adopted

Absent: Inman

12. Miscellaneous

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

David Hungerford, 10 Crestmont Road, Montclair, N.J.

Elouise McDaniel, 214 Nesbit Terrace

Cathy Southerland, 50 Adams Street

Harry Perryman, 21 Nesbit Terrace

Merrick Harris, 6 Hennessey Place

Richard Williams, 197 Linden Avenue

Robert Shaw, 57 Coit Street

All of the Council Members present addressed the issues raised by the above referenced citizens.

13. Adjournment

There being no further business, the meeting was adjourned at 9:45 P.M.

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Charnette Frederic, Council President

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Harold E. Wiener, Municipal Clerk