

REGULAR COUNCIL MEETING  
JUNE 9, 2015

Council Chamber, Municipal Building  
Irvington, N.J. – Tuesday Evening  
June 9, 2015 - 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 o requests to be heard.

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

A. Reports

1. Minutes – Directors’ Meeting – 5-27-15
2. Joint Meeting – Annual Audit Reports for 2013 and 2014
3. Minutes – Planning Board – 1-22-15
4. Minutes – Planning Board – 2-25-15

7. Reports of Committees

A Request for Proposal Results – Webmaster Services – 5-27-15

8. Ordinances, Bills & Claims

B. Ordinances on 2nd Reading

None

C. Bills & Claims

Jones - Burgess 1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD JUNE 9, 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	\$5,709,503.02
SUPPLEMENTAL	\$ 248,850.23
TOTAL	\$5,958,353.25

Adopted

Jones – Burgess 2. Payrolls

May 16, 2015 through May 29, 2015

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$1,434,174.77	\$100,266.87	\$71,062.45	\$1,605,504.09

Adopted

9. Resolutions & Motions

A. Resolutions

Jones – Frederic 1. Appointment - Citizens Advisory Commission – Reginald George

WHEREAS, vacancies currently exist on the Citizens Advisory Commission due to the expiration of the terms of its members:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the following named person is hereby appointed as a member of the Citizens Advisory Commission for a term as indicated below:

NAME & ADDRESS	WARD & DISTRICT	APPOINTED BY	TERM TO EXPIRE
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Reginald George

624 Nye Avenue  
Apartment 4-G

S-1

Council 2<sup>nd</sup> Vice  
President Jones

9-10-15

Adopted

Frederic – Jones 2. Commendation - 2015 - Consumer Bowl Student Achievements

**RESOLUTION OF COMMENDATION  
IRVINGTON HIGH SCHOOL  
2015 CONSUMER BOWL ACHIEVEMENTS**

WHEREAS, the Irvington HS Consumer Bowl Team placed second in the 2015 State Finals Consumer Bowl Competition this year; and

WHEREAS, the 1<sup>st</sup> place team was Governor Livingston with a difference of only ten points and Gateway Regional was third place; and

WHEREAS, Irvington High School had another great year of competition finishing as the 2015 Essex County Consumer Bowl Champions and the 2015 Northern Regional Consumer Bowl Champions; and

WHEREAS, since 2010, Irvington High School has been state champions 4 times (2010, 2012, 2013, 2014) and still remain the only Essex County School to ever win a state championship in the 18-year history of the competition; and

WHEREAS, they have been the Essex County and Northern Regional Champs since 2010; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that we do hereby recognize and congratulate the following:

Competition Team:

Oluchukwu Ibe, Captain  
Danielson Joseph (2x State Champion)  
Donald Roberts III  
Mercio Cabrera  
Faith Northern  
Elizabeth Gasson

Study Team Members:

Miraj Seepersad  
Sha-Faye Scott  
Fritzlyn Eugene  
Zaynah Mohammed

Joseph Romano – Teacher/Advisor

as we honor them for their commitment and intense study; and

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of this governing body as a lasting tribute to these Champion Irvington High school students performing in the 2015 Consumer Bowl as well as teacher/advisory Joseph Romano for a job well done.

Adopted

Jones – Burgess 3. Authorize Contract for Legal Services in the Matter of Elouise McDaniel v. Harold Wiener, et als. - \$115.00 Per Hour Not to Exceed \$25,000.00

**RESOLUTION AUTHORIZING PROFESSIONAL SERVICES FOR  
LITIGATION/DEFENSE COUNSEL SERVICES**

WHEREAS, resolution number TA 14-0923-14 qualified fifteen firms to provide litigation/defense counsel services for the Township of Irvington from October 01, 2014 until October 31, 2015; and

WHEREAS, the resolution requires that all cases assigned to counsel for this purpose must be approved by the Municipal Council; and

WHEREAS, the Township Attorney has determined that Eric M. Bernstein & Associates, LLC

has the most experience to defend Harold Wiener and the Township of Irvington in the case of Elouise McDaniel v. Harold Wiener, et als., Docket No. L-687-15; and

WHEREAS, the Township Attorney has recommended that a contract be awarded Eric M. Bernstein & Associates, LLC, 34 Mountain Blvd., Bldg. A, Warren, NJ 07059.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Litigation/Defense counsel services be awarded to Eric M. Bernstein & Associates, LLC, 34 Mountain Blvd., Bldg. A, Warren, NJ 07059 for an amount not to exceed \$25,000.00 billed at \$115.00 per hour; and

BE IT FURTHER RESOLVED that the Township Attorney is hereby authorized and directed to prepare the necessary contracts for this case and the Mayor and Township Clerk are authorized and directed to sign the same; and

BE IT FURTHER RESOLVED, that funds for this service will paid from the Insurance fund for an amount not to exceed \$25,000.00 billed at \$115.00 per hour.

Adopted

Hudley – Cox 4. Establish Handicapped Parking Spaces in Front of 32 Yale Avenue and 11 Laurel Avenue

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

WHEREAS, requests have been made for restricted parking spaces in front of 32 Yale Avenue and 11 Laurel Avenue:

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 32 Yale Avenue and 11 Laurel Avenue; and

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

Adopted

Jones – Cox 5. Waive \$38,479.52 in Interest on Past Due Taxes on 479-87 Chancellor Avenue, Block 185, Lot 8 Contingent Upon the Payment of \$97,501.46 on or before July 30, 2015

**WHEREAS**, a municipal lien was placed on 479-87 Chancellor Avenue, also known as Block 185 Lot 8, at a Tax Sale held on June 19, 2012 for delinquent/unpaid taxes in the amount of \$11,397.66; and

**WHEREAS**, the total amount due on Block 185 Lot 8, Tax Sale Cert# 12-00099, with interest and cost to June 9, 2015 is \$135,980.98 which includes subsequent municipal charges up to the 2015 2nd qtr taxes and 2015 annual sewer charge; and

**WHEREAS**, the owner of 487 Chancellor Ave Realty Corp, has written a letter requesting an abatement of the interest owed on said certificate; and

**WHEREAS**, the interest and cost on Tax Sale Cert# 12-00099 to June 9, 2015 is \$38,479.52; and

**WHEREAS**, the Governing Body may forgive interest, penalties and costs pursuant to the provisions of N.J.S.A. 54:4-99:

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON** that the Tax Collector is authorized and directed to abate the current interest charges of \$38,479.52 imposed on Block 185 Lot 8, and the taxpayer be allowed to pay the principal amount of \$97,501.46 on or before July 30, 2015, which is the principal amount due of said certificate of sale #12-00099.

Adopted

Jones – Cox 6. Authorize Assignment of Tax Sale Certificate – 927-931 Clinton Avenue

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

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

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

<b>Block/Lot</b>	<b>Owner Property Address</b>	<b>Cert No.</b>	<b>Sale Date</b>	<b>Amount of Sale</b>	<b>Amount As of June 09, 2015</b>
165 - 29	Capstream Funding LLC 927-931 Clinton Avenue	101080	07/12/2010	\$21,778.37	\$225,875.52

together with subsequent liens thereon, at private sale to:

Community Life Improvement Centers, Inc.  
17 Muhammad Ali Avenue  
Newark, NJ 07108

Adopted

Jones – Burgess 7. Authorize Tax Payment Plan - 873 Stuyvesant Avenue - Total Amount to Redeem - \$96,184.69 Payable Within 36 Months

**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**, **V & C Liquors, Inc.**, owner of record of **Block 355, Lot 53**, also known as **873 Stuyvesant Avenue**, Municipality of Irvington, is desirous of satisfying Tax Title Lien # **12-03085** in the amount of **\$96,184.69** 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 **\$3,477.31**, 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

Jones – Inman 8. Waive \$4,389.19 in Interest on Past Due Taxes on 119 Brookside Avenue, Block 99 Lot 22 Contingent Upon the Payment of \$15,634.41 on or before July 30, 2015

**WHEREAS**, a municipal lien was placed on 119 Brookside Avenue, also known as Block 99 Lot 22, at a Tax Sale held on December 27, 2012 for delinquent/unpaid taxes in the amount of \$1,827.48; and

**WHEREAS**, the total amount due on Block 99 Lot 22, Tax Sale Cert# 12-01716, with interest and cost to June 9, 2015 is \$20,023.60 which includes subsequent municipal charges up to the 2015 2nd qtr taxes and 2015 annual sewer charge; and

**WHEREAS**, the owner of 119 Brookside Avenue, has written a letter requesting an abatement of the interest owed on said certificate; and

**WHEREAS**, the interest and cost on Tax Sale Cert# 12-01716 to June 9, 2015 is \$4,389.19; and

**WHEREAS**, the Governing Body may forgive interest, penalties and costs pursuant to the provisions of N.J.S.A. 54:4-99:

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON** that the Tax Collector is authorized and directed to abate the current interest charges of \$4,389.19 imposed on Block 99 Lot 22, and the taxpayer be allowed to pay the principal amount of \$15,634.41 on or before July 30, 2015, which is the principal amount due of said certificate of sale #12-01716.

Adopted

Inman – Hudley 9. Authorize Tax Payment Plan - 579-583 Grove Street - Total Amount to Redeem - \$86,242.07 Payable Within 36 Months

**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**, **Clarence B Wright Funeral Home Inc.**, owner of record of **Block 116, Lot 22**, also known as **579-583 Grove Street**, Municipality of Irvington, is desirous of satisfying Tax Title Lien # **100666** in the amount of **\$86,242.07** 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 **\$3,117.86**, 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

Jones – Cox 10. Authorize Tax Payment Plan - 56 Augusta Street - Total Amount to Redeem - \$31,684.82 Payable Within 36 Months

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, Danceaholic Records, LLC., owner of record of Block 211, Lot 18, also known as 56 Augusta Street, Municipality of Irvington, is desirous of satisfying Tax Title Lien # 12-00118 in the amount of \$31,684.82 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 \$1,145.48, 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

Burgess – Inman 11. Authorize Tax Payment Plan - 354 - 356 - 16th Avenue – Total Amount to Redeem - \$3,068.43 Payable Within 12 Months

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, Odell Barnes LLC., owner of record of Block 150, Lot 12, Qual , also known as 354-356 16<sup>TH</sup> Avenue, Municipality of Irvington, is desirous of satisfying Tax Title Lien # 13-00811 in the amount of \$3,068.43 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 \$281.31, 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

Cox – Frederic 12. Authorize Fair and Open Professional Service Contract for Web Hosting and Other Special Services - Precise Virtual Development – Not To Exceed \$22,890.00

RESOLUTION AUTHORIZING FAIR AND OPEN PROFESSIONAL SERVICE  
CONTRACT FOR WEB HOSTING AND OTHER SPECIAL SERVICES

WHEREAS, request for proposals (RFP) for Webmaster service was publicly advertised in the New Jersey Star Ledger on May 08, 2015 with a deadline for qualifications to be submitted on May 27, 2015; and

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

WHEREAS, said proposal was referred to the Business Administrator; and

WHEREAS, the proposal satisfied the RFP requirement and;

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

Craig Felder  
Precise Virtual Development  
1075 Easton Ave  
Suite 271  
Somerset, NJ 08873

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for webmaster service be awarded to Precise Virtual Development, 1075 Easton Ave, Suite 271 Somerset, NJ 08873 on the basis of their response to the request for an amount not to exceed \$21,600.00 per year for web service/special service at an hourly rate of \$45.00 per hour for a 40 hours per month and \$1290.00 per year for webhosting service, a total amount of \$22,890.00; and

BE IT FURTHER RESOLVED, that this service contract will start on June 28, 2015 until June 27, 2016; 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 C5-00262 in the amount of \$1,800.00 from account number 5-01-20-100-100-256 has been obtained from the Chief Financial Officer for the first month payment and the remaining balance will be certified upon the adoption of the 2015 and 2016 budget.

Adopted

Jones – Cox 13. Authorize Tax Payment Plan - 15 Temple Place - Total Amount to Redeem - \$22,835.75 Payable Within 36 Months

**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**, **Emele, Fidel & Virginia**, owner of record of **Block 252, Lot 25**, also known as **15 Temple Place**, Municipality of Irvington, is desirous of satisfying Tax Title Lien # **12-02596** in the amount of **\$22,835.75** 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 **\$825.57**, 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

Cox – Inman 14. Authorize Tax Payment Plan - 383 - 21st Street - Total Amount to Redeem - \$25,688.78 Payable Within 36 Months

**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**, **Morris, James**, owner of record of **Block 137, Lot 22**, Qual , also known as **383 21<sup>ST</sup> Street**, Municipality of Irvington, is desirous of satisfying Tax Title Lien # **111041** in the amount of **\$25,688.78** 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 **\$928.71**, 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

Cox – Inman 15. Authorize Submission of Office of Community Development and Planning Five Year Consolidated Plan to HUD - 2015 to 2019

FIVE-YEAR CONSOLIDATED PLAN 2015-2019  
AND  
ONE-YEAR ANNUAL ACTION PLAN 2015-2016  
PURSUANT TO THE REQUIREMENTS OF FEDERAL REGULATIONS 24 CFR  
PART 91

WHEREAS, Title 1 of the Housing and Community Development Act of 1974 as amended, provides for a program of Community Development Block Grants; and

WHEREAS, TITLE II OF THE Cranston-Gonzalez National Affordable Housing Act, as amended provides that HOME Investment Partnership Program funds be made available to certain participating jurisdictions on a formula basis; and

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

WHEREAS, the United States Department of Housing and Urban Development has made available to the Township of Irvington the sum of \$917,961.00 under the Fiscal Year

2015-2016 (1<sup>st</sup> Year) Community Development Block Grant Program and \$87,754.00 under the HOME Investment Partnerships Program; and

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

WHEREAS, federal regulations at 24 CFR Part 91 require that the Township prepare and submit a Five-Year Consolidated Plan 2015-2019 and an One-Year Annual Action Plan 2015-2016 as a prerequisite to receipt of entitlement Community Development Block Grant funds and formulas HOME Investment Partnerships Program funds; and

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

WHEREAS, said public meetings and hearing were for the purpose of considering and obtaining the views, ideas, and recommendations of the citizens of the Township of Irvington on community development and housing needs, and for the purpose of providing the citizens with an opportunity to participated in the development of the Five-Year Consolidated Plan 2015-2019 and the One-Year Annual Action Plan 2015-2016; and

WHEREAS, said Five-Year Consolidated Plan 2015-2019 and One-Year Annual Action Plan 2015-2016 for federal assistance requires certain certifications to be submitted along with and as part of said plans:

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

#### SECTION 1

That the Mayor be and he is authorized and directed to submit the Township of Irvington the Five-Year Consolidated Plan 2015-2019 and the One-Year Annual Action Plan 2015-2016 to the U.S. Department of Housing and Urban Development as required by federal regulation 24 CFR Part 91, including all understandings and certifications contained therein, to act as the authorized representative of the Township of Irvington, and to provide such additional information as may be required.

#### SECTION 2

That the Township of Irvington Consolidated Plan and Annual Action Plan shall request funding to the fullest extent of funding allowed and determined by the United States Department of Housing and Urban Development Act of 1974, as amended and Title H of the Cranston-Gonzalez National Affordable Housing Act, as amended.

#### SECTION 3

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

#### SECTION 4

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

Adopted

Burgess – Inman 16. Authorize Tax Payment Plan - 763 Lyons Avenue - Total Amount to Redeem - \$11,061.36 Payable Within 36 Months

#### **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**, **Senat, Joraine**, owner of record of **Block 285, Lot 7**, also known as **763 Lyons Avenue**, Municipality of Irvington, is desirous of satisfying Tax Title Lien # **14-01227** in the amount of **\$11,061.36** 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 **\$399.89**, 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

Jones – Burgess 17. Authorize Mortgage Subordination Agreement - 127 Ball Street

WHEREAS, Sheba Edwin, owner of 127 Ball Street, Irvington, New Jersey gave a mortgage to the HUD/ HOME Irvington Homebuyer Down Payment Assistance Loan Program in the amount of \$10,000.00 recorded in Book 12483 Page 1445 on February 21, 2014, in the Office of the Essex County Register's Office; and

WHEREAS, such was previously approved by the Municipal Council by Resolution No. OCDP 13-1210-33 adopted on December 10, 2013; and

WHEREAS, Sheba Edwin seeks to have the Township of Irvington subordinate its mortgage to a new mortgage given by Residential Mortgage Solutions DBA Fresh Start Mortgage Solutions, as shown in the attached Subordination Agreement; and

WHEREAS, the Director of Community Development recommends the requested action as detailed in the attached letter:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township agrees to subordinate its loan to the new mortgage given by Residential Mortgage Solutions DBA Fresh Start Mortgage Solutions; and

BE IT FURTHER RESOLVED that the Mayor and the Clerk are authorized to execute the attached Subordination Agreement.

Adopted

Inman – Burgess 18. Ratify PBA Local #29 Labor Agreement – January 1, 2015

Through December 31, 2017

WHEREAS, the Township of Irvington and the PBA Local 29 have engaged in labor negotiations for the purpose of establishing salaries and other conditions of employment for members of the said association of the Township of Irvington; and

WHEREAS, the Township of Irvington and the PBA Local 29 have mutually agreed to the salaries and other conditions of employment for the period beginning January 1, 2015 and ending December 31, 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 Contract 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 Contract.

Adopted

Cox – Frederic 19. Authorize Application to Local Finance Board - Amended Capital Improvement Ordinance

**RESOLUTION OF THE TOWNSHIP OF IRVINGTON, IN THE COUNTY OF ESSEX, NEW JERSEY MAKING APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT N.J.S.A. 40A:3-1 ET SEQ.**

**WHEREAS**, the Township of Irvington, in the County of Essex, New Jersey (the “Township”) desires to make application to the Local Finance Board pursuant to N.J.S.A. 40A:3-1 et seq. in connection with the adoption of an ordinance amending Sections 3 and 6(b) of Bond Ordinance numbered MC 3522

**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;
- (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 and will not create an undue financial burden to be placed upon the local unit;

**NOW THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF 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, 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 proposed 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

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

A. Ordinances on 1st Reading

Jones - Frederic 1. Amend Bond Ordinance For Various Capital Improvements

BOND ORDINANCE AMENDING SECTIONS 3 AND 6(b) OF BOND ORDINANCE NUMBERED MC3522, FINALLY ADOPTED DECEMBER 23, 2014, OF THE TOWNSHIP OF IRVINGTON, IN THE COUNTY OF ESSEX, NEW JERSEY IN ORDER TO AMEND THE DESCRIPTIONS, APPROPRIATIONS, AUTHORIZATIONS AND AVERAGE USEFUL LIFE.

Adopted

Cox - Hudley 2. Amend Various Parking Provisions in the Revised Traffic Code

AN ORDINANCE AMENDING CHAPTER 192 VEHICLES AND TRAFFIC

Adopted

Jones - Burgess 3. Amend Chapter 148-68 of Revised Code - Property Maintenance Fee

AN ORDINANCE TO AMEND CHAPTER 148 (PROPERTY MAINTENANCE) OF THE CODE OF THE TOWNSHIP OF IRVINGTON REQUIRING REGISTRATION OF ALL VACANT PROPERTIES BY OWNERS AND BENEFICIARIES AND ESTABLISHING CERTAIN SECURITY AND MAINTENANCE REQUIREMENTS.

Adopted

## 9. Resolutions & Motions

### A. Resolutions

Burgess - Frederic 20 Authorize Calendar Year 2015 Municipal Budget to be Read By Title

WHEREAS, N.J.S.A. 40A:4-8 provides that the 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 budget,

(a) shall be made available for public inspection, in the case of a municipal budget, in the free public library, if any, of the municipality, and in the free county libraries or regional libraries located in the municipality or, if no county libraries or regional libraries are located in the municipality, the county or regional library of the county in which the municipality is located, and the public officer delegated the responsibility of delivering copies of the approved budget to such libraries shall forward to the governing body an attestation that each such delivery was made:

(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. 40A:4-8 1 (a) and 1 (b), have been met and therefore the Calendar Year 2015 municipal budget shall be read by title only.

Adopted

21A . President Frederic: The Calendar Year 2015 Municipal Budget was introduced on May 12, 2015, summary published in the Irvington Herald on May 21, 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 2015 Calendar year Municipal Budget by title.

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the CY 2015 Municipal Budget of the Township of Irvington:

Total General Revenues	\$99,431,002.71
Total General Appropriations	\$99,431,002.71

The public hearing on the Calendar Year 2015 Municipal Budget is now open.

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

Burgess - Frederic                      Motion to close public hearing

Adopted

Burgess - Frederic                      Motion to adjourn further deliberations on the Calendar Year 2015  
Municipal Budget

Adopted

## 12. Miscellaneous

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

Richard Williams, 197 Linden Avenue  
Kevin Atkins, 927-931 Clinton Avenue  
Elouise McDaniel, 214 Nesbit Terrace  
Cathy Southerland, 50 Adams Street  
Kim Williams, 42 Oakland Street  
Michael Spruill, 97 Lenox Avenue  
Osia Higgins, 572 Stuyvesant Avenue

Council Members Lyons, Jones, Hudley, Burgess, Cox and Council President Frederic addressed the issues raised by the above referenced citizens and made public announcements of upcoming events in the Township.

13. Adjournment

There being no further business, the meeting was adjourned at 8:52 P.M.

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Charnette Frederic, Council President

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Harold E. Wiener, Municipal Clerk