

REGULAR COUNCIL MEETING  
SEPTEMBER 15, 2015

Council Chamber, Municipal Building  
Irvington, N.J. – Tuesday Evening  
September 15, 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 no requests to be heard.

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

A. Reports

1. Minutes – Directors' Meeting – August 11, 2015
2. Construction Official – Permits Issued in July
3. Minutes – Directors' Meeting – July 13, 2015
4. Minutes – Board of Adjustment – June 16, 2015
5. Minutes – Board of Adjustment – July 21, 2015
6. Minutes – Planning Board – June 25, 2015
7. Minutes – Planning Board – July 1, 2015
8. Tax Collector - 2014 Monthly Reports

7. Reports of Committees

A. Bid Results – Excavator – 8-5-15

## 8. Ordinances, Bills & Claims

### A. Ordinances on 1st Reading

None

### C. Bills & Claims

#### Jones – Lyons 1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD SEPTEMBER 15, 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	\$4,919,055.89
TOTAL	\$4,919,055.89

Adopted

#### Jones – Burgess 2. Payrolls

July 25, 2015 through August 7, 2015

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$1,476,052.13	\$92,817.86	\$206,014.37	
\$1,774,884.36			

Adopted

## 9. Resolutions & Motions

### A. Resolutions

Lyons – Frederic 1. Establish Handicapped Parking Spaces in Front of 109 Cummings Street, 1817 Walker Avenue and 2 Berkeley Terrace

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 space in front of 109 Cummings Street, 2 Berkeley Terrace and 1817 Walker 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 109 Cummings Street, 2 Berkeley Terrace and 1817 Walker Avenue; and

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

Adopted

Frederic – Jones 2. Commemorate Irvington Public Library's Centennial Celebration

RESOLUTION OF COMMEMORATION  
IRVINGTON PUBLIC LIBRARY CENTENNIAL CELEBRATION  
MARCH 1, 1915 - MARCH 1, 2015

WHEREAS, the Irvington Public Library celebrated its 100<sup>th</sup> anniversary on March 1, 2015; and

WHEREAS, the theme for a year-long celebration of events is "Serving with Excellence for 100 years"; and

WHEREAS, prior to 1915 there was no public Library in Irvington. People began to demand library service during this period and the Irvington Improvement Association took the lead in having a referendum placed on the ballot. The citizens voted yes and the Irvington Public Library was born with a collection of 2,000 books in a small store front facility located at the corner of Union and Nye Avenues; and

WHEREAS, the Library was transformed from merely a depository of books approximately twenty years ago to a place of destination for twenty thousand community residents and others every month; and

WHEREAS, Irvington Public Library is described as the "Star in Irvington's crown". It has long been the hub of the Township because anyone is able to enter

its doors to find help for a variety of reasons. The facility is clean and attractive, bright and lively and supports the needs and demands of its changing community; and

WHEREAS, today, the collection is approximately 200,000 books and other material. The mission of the Library is to be the cultural and educational resource center for residents of the Township of Irvington and its neighboring communities. Cutting edge technology is provided to all customers. The Library is a wireless hotspot with a Computer Lab, Public Access Internet Center and a Lap Top Center. The Library currently offers an array of public programs including daily free computer classes, literacy programs, book club, summer reading programs, cultural diversity events, college fairs, art shows, reading festivals, celebratory parties and more; and

WHEREAS, the Irvington Public Library personnel are anticipating an exciting and productive year and encourage all residents whether avid library users or not to join in the celebrations; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Municipal Council hereby commemorates the 100th anniversary of the Irvington Public Library.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of this governing body in lasting tribute to the Centennial Celebration of the Irvington Public Library.

Adopted

Lyons – Burgess 3. Authorize Emergency Contract With Adams Construction for Board-Up Services Rendered on July 6, 2015 - Not To Exceed \$8,200.00

#### AUTHORIZING EMERGENCY CONTRACT FOR BOARD-UPS

WHEREAS, the Housing Director has declared an emergency to board up three abandon houses in the Township, and;

WHEREAS, this situation constitutes a threat to public health, safety and welfare and the Housing Director has declared an emergency, and;

WHEREAS, Adams Construction & Demo company was called and services were rendered to board-up three abandon houses and;

WHEREAS, this service for calendar year 2015, has exceeded the Pay to Play threshold and;

WHEREAS, the vendor has completed the required C-271 form and is on file in the

Office of the Clerk and Purchasing.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that it ratifies the decision of the Director of Housing to authorize an emergency contract to Adams Construction for board-ups services rendered on July 06, 2015 for an amount not to exceed \$8,200.00.

THEREFORE, BE IT RESOLVED, that this vendor will exceed the Pay to Play threshold for calendar year 2015.

BE IT FURTHER RESOLVED, the appropriation to be charged for this expenditure is account Number G-02-xx-770-10A-299 and the Chief Financial Officer has paid the vendor the total sum of \$8,200.00 on purchase order numbers 15-03554, 15-03555 and 15-03556.

Adopted

Inman – Burgess 4. Award Bid - Removal of Leaves, Brush and Vegetative Matter – RER Supply, LLC - Leaves - \$7.53 per Cubic Yard, Brush - \$7.53 per Cubic Yard and Vegetative Matter - \$11.00 per Cubic Yard

#### RESOLUTION AUTHORIZING A CONTRACT OF LEAVES, BRUSH AND MIXED VEGETATIVE WASTE

WHEREAS, the Invitation to Bid for leaves, brush and mixed vegetative waste was publicly advertised in the New Jersey Star Ledger on July 07, 2015 with a deadline for bids to be submitted on July 29, 2015;

WHEREAS, three bid were received and opened by the Municipal Clerk and Purchasing Agent;

WHEREAS, the bids were referred to the Public Works Director and it has recommended that the contract should be awarded to the following firm based on being the lowest, responsible and responsive bidder:

RER SUPPLY LLC  
20 COTLUSS ROAD, SUITE 10  
RIVERDALE, NJ 07457

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the award for leaves, brush and mixed vegetative waste be made to RER Supply, LLC, 20 Cotluss road, suite 10, Riverdale, NJ 07457 for removal and disposal in the amount of : \$7.53 per cubic yards for leaves, \$7.53 per cubic yard for brush and \$11.00 per cubic yard for mixed vegetative waste; and

BE IT FURTHER RESOLVED, that this contract is for one year, starting on September 25, 2015 until September 26, 2016 for removal of all leaves, brush and mixed vegetative waste including leaves season.

BE IT FURTHER RESOLVED that the Township Attorney is hereby directed to prepare the necessary contracts and the Township Clerk is hereby directed to return the bid security to the unsuccessful bidders; and

BE IT FURTHER RESOLVED, that the required certification of availability of funds C5-00278 in the amount of \$20,000.00 for the first two months from account number 5-01-32-465-465-299 has been obtained from the Chief Financial Officer and the remaining balance will be certified in the 2016 budget.

Adopted

Lyons – Inman 5. Reject Requests for Proposals Received for Computer IT Support Services - All Proposals Substantially Exceed Appropriation for the Service

#### REJECTING ALL RFPs FOR COMPUTER IT SUPPORT SERVICES

WHEREAS, as on June 06, 2014, the Township advertised for RFPs for Computer IT Support Services; and

WHEREAS, the Township received no RFPs for this service by the submittal date of June 18, 2014; and

WHEREAS, on July 07, 2015 the Township re-advertise for this service in the New Jersey Star Ledger and Municipal website; and

WHEREAS, on July 23, 2015, the Township of Irvington accepted and opened RFPs for Computer IT Support Services; and

WHEREAS, the Township received three proposals for this service; and

WHEREAS, the Township Administrator wishes to rejected all RFPs on the lowest RFPs substantially exceeds the contracting unit's appropriation for the goods or services; and

WHEREAS, the Local Public Contract Law, 40A:11-13.2.(b) provides that a municipality may reject all RFPs when the lowest RFPs substantially exceeds the contracting unit's appropriation for the goods or services; and

NOW THEREFORE BE IT RESOVED by the Council of Township of Irvington, in the County of Essex, that all RFPs received for the Computer IT Support Service is hereby rejected in accordance with the Local Public Contracts Law, NJSA40A: 11-13.2.(b)

BE IT FURTHER RESOLVED that the Qualified Purchasing Agent is hereby authorized and directed to negotiate a contract for this service in accordance with the Local Public Contract Law.

Adopted

Inman – Burgess 6. Authorize One Year Extension on Contract for Towing and Impounding of Motor Vehicles - MTS Towing

**RESOLUTION TO EXTEND THE TOWING AND IMPOUNDMENT SERVICE CONTRACT WITHIN THE TOWNSHIP OF IRVINGTON**

WHEREAS, resolution number DP 13-113-28 authorized a towing and impoundment service contract on November 13, 2013; and

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

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

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

NOW, BE IT HEREBY RESOLVED by the Township of Irvington, Essex County, New Jersey that the following service contract be extended for one year, starting on November 15, 2015 until November 16, 2016 to MTS Towing 480 Chancellor Ave, Irvington, NJ 07111.

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

Adopted

Jones – Burgess 7. Authorize Change Order Number 1 for the Renovations of the Chris Gatling Recreational Center - Increase Contract Price by \$34,024.30

**RESOLUTION FOR CHANGE ORDER NO. 1 FOR THE RENOVATIONS OF CHRIS GATLING CENTER**

WHEREAS, an Invitation for Bids for the renovations of Chris Gatling Center was publicly advertised in the Star-Ledger on February 23, 2015, and;

WHEREAS, pursuant to that advertisement, four (4) bids were received on March 19, 2015 and, based on the recommendation of the Township Engineer, the Municipal Council awarded a contract for this work to Pharos Corporation, 879 Upper Main Street, South Amboy, NJ 08879 at their price of \$262,000.00, and;

WEHEREAS, during the course of the work it was determined that miscellaneous electrical work was required, installation of a new ceiling in the Gym, painting of the township seal on the Gym floor and replacing the flooring, which was not anticipated in the original scope of services, and:

WHEREAS, Pharos Corporation, 879 Upper Main Street, South Amboy, NJ 08879 submitted a proposal to complete the required work for an amount not to exceed \$34,024.30.

WHEREAS, this proposal will increase the cost of this contract to \$296,024.30.

NOW, THEREFORE, BE IT RESOLVED BY MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a change order in the amount of \$ 34,024.30 be awarded to Pharos Corporation, 879 Upper Main Street, South Amboy, NJ 08879. This will increase the contract from a price of \$ 262,000.00 to a total cost of \$296,024.30.

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:34-5.2, the required Certificate of Availability of Funds No C5-00258 for the above has been obtained from the Chief Financial Officer of the Township of Irvington and the appropriation to be charged for this expenditure in the amount of \$34,024.30 and the account number is C-04-56-848-014-902.

Adopted

Jones – Hudley 8. Authorize Legal Settlement - Holmes v. Irvington - \$125,000.00

Resolution Approving the Final Disposition of  
Gertrude and Bobby Holmes v. Township of Irvington, ET AL.

WHEREAS, the matter of Gertrude and Bobby Holmes v. Township of Irvington, et als., was filed in the Superior Court of New Jersey, Docket No. ESX-L-9615-13; and

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

WHEREAS, the Office of the Township Attorney has reviewed, monitored and



consulted with counsel and all relevant municipal officials and pursuant thereto recommend that this matter be concluded:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that it hereby agrees to a settlement of the above matter in the amount not to exceed One Hundred Twenty Five Thousand (\$125,000.00) Dollars to be paid to the firm of Mintz & Geftic, LLC, subject to the execution of a Release and Settlement agreement, 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 Police Department or any agents, officers or personnel; and

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

Adopted

Jones – Inman 9. Confirm Mayor's Nomination of Tracy Bowers as Director of the Department of Police

WHEREAS, N.J.S.A. 40:69A-36 (b) requires that the exercise of advice and consent to actions by the Mayor be by resolution of the Municipal Council; and

WHEREAS, the Mayor has submitted the nomination of Tracy Bowers as Director of the Department of Police, to be effective immediately, and to expire on June 30, 2018 for the advice and consent of the Municipal Council:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the nomination by the Mayor of Tracy Bowers as Director of the Department of Police to be effective immediately and to expire on June 30, 2018 be confirmed.

Adopted

Jones – Cox 10. Authorize Investigation to Determine Whether 62-70 Howard Street, Block 200, Lot 15.01 Should be Designated as Area in Need of Non-Condemnation Redevelopment

SEQ CHAPTER \h \r 1 **RESOLUTION AUTHORIZING THE PLANNING BOARD OF THE TOWNSHIP OF IRVINGTON TO INVESTIGATE WHETHER CERTAIN PROPERTY IN THE TOWNSHIP SHOULD BE DESIGNATED AS AN AREA IN NEED OF REDEVELOPMENT**

**WHEREAS**, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.* (the “**Redevelopment Law**”), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

**WHEREAS**, pursuant to *N.J.S.A. 40:12A-6* of the Redevelopment Law, the Municipal Council of the Township of Irvington (the “**Township Council**”) must authorize the Planning Board of the Township of Irvington (the “**Planning Board**”) to conduct a preliminary investigation of the area and make recommendations to the Township Council; and

**WHEREAS**, the Township Council desires the Planning Board to conduct an investigation to determine whether the property commonly known as 62-70 Howard Street, Irvington, NJ and identified as Block 200, Lot 15.01 on the tax map of the Township of Irvington, New Jersey (the “**Study Area**”) meets the criteria set forth in the Redevelopment Law, specifically *N.J.S.A. 40A:12A-5*, and should be designated as an area in need of redevelopment; and

**WHEREAS**, the Township Council has determined that if the Study Area is determined to meet the criteria for designation as an area in need of redevelopment, the Township Council shall be authorized to use all of those powers provided under the Redevelopment Law for use in a redevelopment area, other than the power of eminent domain pursuant to *N.J.S.A. 40A:12A-8(c)* (as designated, a “**Non-Condemnation Redevelopment Area**”).

**NOW THEREFORE, BE IT RESOLVED** by the Municipal Council of the Township of Irvington as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Planning Board is hereby authorized to conduct an investigation pursuant to and in accordance with the procedural requirements of *N.J.S.A. 40A:12-6*, to determine whether the above referenced property satisfies the criteria set forth in *N.J.S.A. 40A:12A-5* to be designated as an area in need of redevelopment.
3. As part of its investigation, and before proceeding to public hearing on the matter, the Planning Board shall prepare a map showing the boundaries of the proposed Non-Condemnation Redevelopment Area and the location of the parcel contained therein, and shall append thereto a statement setting forth the basis for the investigation.
4. The Planning Board shall conduct a public hearing, after giving due notice of the proposed boundaries of the proposed area and the date of the hearing to any persons who are interested in or would be affected by a determination that the area delineated in the notice is a Non-Condemnation Redevelopment Area.

5. At the hearing, the Planning Board shall hear from all persons who are interested in or would be affected by a determination that the area delineated in the notice is a Non-Condensation Redevelopment Area. All objections to a determination that an area is an area in need of redevelopment and evidence in support of those objections shall be received and considered by the Planning Board and made part of the public record.

6. After conducting its investigation, preparing a map of the proposed Non-Condensation Redevelopment Area, and completing a public hearing at which all objections to the designation are received and considered, the Planning Board shall make a recommendation to the Township Council as to whether the Township Council should designate the above property as an area in need of redevelopment.

7. This Resolution shall take effect immediately.

Adopted

Lyons – Jones 11. Resolution of Sorrow – Eric J. Goodman

RESOLUTION OF SORROW  
ERIC J. GOODMAN, ESQ.  
FORMER TOWNSHIP OF IRVINGTON EMPLOYEE

WHEREAS, the Irvington Municipal Council wishes to express their deepest sorrow on the passing of Eric J. Goodman; and

WHEREAS, Eric J. Goodman was called home on Sunday August 23, 2015 at Father Hudson Center for Hope Hospice in Elizabeth at the age of 71;

WHEREAS, Eric J. Goodman was born on February 14, 1946 in Newark; and

WHEREAS, for over thirty years, Eric J. Goodman, Attorney at Law, served the Township of Irvington with diligence, commitment and dedication; and

WHEREAS, Eric served in the United States Army during Vietnam; and

WHEREAS, Eric J. Goodman served the Township of Irvington for over three (3) decades by holding various municipal positions, such as Municipal Court Prosecutor, Municipal Court Judge, Township Attorney, First Assistant Township Attorney, unofficial Township Historian and certainly one of its greatest ambassadors of good will the Township has ever known; and

WHEREAS, Eric J. Goodman's passion for the Township of Irvington and its people was well known by those throughout the Township, County and State; and

WHEREAS, Eric J. Goodman always worn the pride of being a resident and son of Irvington with great honor; and

WHEREAS, Eric is survived by his beloved wife Sharon, his dear mother in-law Eleanor Haese and many other relatives and friends; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington hereby mourns the loss of Eric J. Goodman and offers its sincerest condolences to Sharon, family and friends during this period of bereavement; and

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of this governing body as a lasting tribute to Eric J. Goodman.

Adopted

Lyons – Burgess 12. Request Approval of the Director of the Division of Local Government Services to Increase Change Fund for the Municipal Court from \$100.00 to \$372.00

RESOLUTION REQUESTING APPROVAL OF THE DIRECTOR OF THE  
DIVISION OF LOCAL GOVERNMENT SERVICES TO INCREASE THE  
AMOUNT OF THE CHANGE FUND FOR THE MUNICIPAL COURT

WHEREAS, N.J.S.A. 40A:5-21 authorizes the establishment of a Change Fund in any county or municipality by application and resolution, and

WHEREAS, it is the desire of the Township of Irvington in the County of Essex, to increase the change fund for the Municipal Court from \$ 100.00 to \$ 372.00; and

WHEREAS, the custodian for this fund is the Court Director, Terrie Yuelling, who is bonded by virtue of a surety bond, and is required to maintain records for this fund in a manner conducive to proper accounting and auditing procedures.

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Township of Irvington, County of Essex, New Jersey hereby authorizes such action and two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

Jones – Burgess

Motion to table

Adopted

Cox – Frederic 13. Authorize Acceptance of \$12,000.00 Shaping Irvington 2015 Grant for Healthy Nutrition and Obesity Prevention

## Shaping Irvington NJ 2015

WHEREAS, Irvington Health Department received this fourth round of “Shaping Irvington-NJ” grant of \$12,000 from the New Jersey Department of Health to promote healthy life style program in the community; and

WHEREAS, this grant will be used to implement strategies to increase opportunities for physical activity and to improve access to healthy nutrition for obesity prevention at the Township level; and

WHEREAS, with the fourth round of funds the Shaping NJ Irvington will develop Shared Use Agreement with our Irvington Board of Education to utilize their indoor facilities/ gym at 3 schools after hour. We will organized basketball & Zumba dance program for community members for one and half hour, once a week at three school starting in August, 2015 until end of December, 2015; and

WHEREAS, the promotion of healthy nutrition Shaping NJ Irvington will expand to three more location of current six locations offerings bodegas partners and racks for healthy food at in the proximity of public schools; and

WHEREAS, Shaping NJ Irvington will develop and implement a healthy vending machine policy to promote and provide health y option for community members.

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington hereby accepts said grant award of \$12,000 for such activities.**

### Adopted

Jones – Cox 14. Authorize Grant Agreement - Municipal Alliance - \$10,339.50 – The Bridge “PIP” Program Providing Preventative Strategies and Risk Reduction Actions to Help Prevent Tobacco, Alcohol and Substance Use and/or Abuse

WHEREAS, the Irvington Municipal Alliance is a recipient of grant funding from the Governor’s Council on Alcoholism and Drug Abuse to provide Alcoholism/Drug Services for prevention, education and intervention for preschoolers through Senior Citizens; and

WHEREAS, the Irvington Municipal Alliance wishes to award grant in the amount of \$10,339.50, to Bridges Inc., 14 Park Avenue, Caldwell, New Jersey for the provision of through an initiative called “PIP”, said program provides prevention strategies and risk reduction activities that seek to prevent tobacco, alcohol and substance use and/or abuse which constitutes an eligible Irvington Municipal Alliance activity; and

WHEREAS, the governing body of the Township of Irvington is required under state law (N.J.S.A. 40A:11-1 et seq.) to authorize the execution of formal grant

agreements.

WHEREAS, the Subgrantee has agreed that funds for services provided under this grant will not be used for any other purpose other than those listed in this contract.

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

Pursuant to N.J.A.C. 5:34-5.2, the required Certificate of Availability of Funds No. C2-00458 in the amount of \$10,339.50; and

BE IT FURTHER RESOLVED that the Mayor authorized to execute any required agreements to comply with said grant for the year 2014 and 2015 to provide for education and assistance for those suffering from drug and alcohol abuse.

Adopted

Jones – Lyons 15. Authorize Execution and Acceptance of Grant Agreement with the Essex County Division of Community Action as Sub-Recipient of Additional Community Service Block Grant Funds - \$144,079.65

WHEREAS, The County of Essex, acting through its Department of Citizens Services, Division of Community Action proposes to enter into a sub grant agreement with Irvington Neighborhood Improvement Corporation to provide Emergency Services to Essex County residents for the amended price of \$144,079.00 during the 2015 program year of January 1, 2015– December 31, 2015 and

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

BE IT FURTHER RESOLVED that the Mayor of the Township of Irvington be and hereby is authorized to execute a Grant Agreement with the Essex County Division of Community Action as sub-recipient of additional Community Service Block Grant funds in the amount of \$144,079.65

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington does hereby accept the award of \$62,037.98 for such activities.

Adopted

Lyons – Inman 16. Authorize Tax Payment Plan - 37 - 39 - 20th Avenue – Total Amount to Redeem - 23,048.74 Payable Within 36 Months

### **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**, **Ignatyeva, Anastasia.**, owner of record of **Block 136, Lot 19**, also known as **37-39 20<sup>th</sup> Avenue**, Municipality of Irvington, is desirous of satisfying Tax Title Lien # **111024** in the amount of **\$23,048.74** by the installment payment plan to amend DRF 15-0811-91.

**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 **\$833.27**, 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.

18. Authorize Tax Collector to Complete Application to Participate in 2015 Electronic Tax Sale Program and Submit Same to the Division of Local Government Services

Adopted

Cox – Inman 17. Authorize Tax Collector to Complete Application to Participate in 2015 Electronic Tax Sale Program and Submit Same to the Division of Local Government Services

#### ELECTRONIC TAX SALE RESOLUTION

WHEREAS, NJSA 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Government Services,  
and

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the municipality of the Township of Irvington, New Jersey, that the Tax Collector is hereby authorized to complete an application to participate in the electronic tax sale program and submit same to the Division of Local Government Services.

Adopted

Jones – Burgess 18. Resolution of Sorrow - Agnes Warren

#### RESOLUTION OF SORROW AGNES (PUGGIE) WARREN

WHEREAS, the Irvington Municipal Council wishes to express their deepest sorrow on the passing of Agnes (Puggie) Warren; and

WHEREAS, Agnes was born on June 18, 1935 to Elizabeth and Cyrus Mc Swain;  
and

WHEREAS, Agnes departed this life on Sunday, August 30, 2015 at St. Barnabas



Medical Center in Livingston, NJ; and

WHEREAS, Agnes was one of eight children and grew up in Englewood where she attended the Englewood Public School System; and

WHEREAS, in 1951, she married Louis E. Warren Jr. and out of this union came seven children. They moved to Newark and later relocated to Irvington where they raised their family. Louis E. Warren Jr. departed this life on July 13, 1991; and

WHEREAS, Agnes was employed by the Archdioceses of Newark for many years. She gave her life to Christ as a young woman. Agnes joined Randall Chapel in the 90's under the leadership of Reverend Robert Thomas and during that time she was a member of the usher board until her health started failing; and

WHEREAS, Agnes leaves to cherish in her memories: six children, Monica Turnage (Kenneth), Rebecca Warren, Allen Warren, Paul Warren (Alicia), Terrence Warren, and Dwayne Warren, one sister Anna Mc Swain, 12 Grandchildren, 20 Great-grandchildren and 1 Great-great grandchild. She was preceded in death by her husband Louis E. Warren Jr., son Louis E. Warren III, four sisters and two brothers. Agnes is also survived by other relatives, extended family and friends; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington hereby mourns the loss of Agnes (Puggie) Warren and offers its sincerest condolences to her family and friends during this period of bereavement; and

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of this governing body as a lasting tribute to Agnes (Puggie) Warren.

Adopted

Jones – Lyons 19. Authorize Grant Application for \$319,823.00 in Housing Opportunities For Persons With Aids (HOPWA) Funds

WHEREAS, The City of Newark, acting through its H.O.P.W.A. Services Office of Partnerships and Grants Management proposes to enter into a sub grant agreement with Irvington Neighborhood Improvement Corporation to provide Housing and related services to people living with HIV/AIDS for the contract price of \$319,823 during the 2015 program year of January 1, 2015 – December 31, 2015 and

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

BE IT FURTHER RESOLVED that the Mayor of the Township of Irvington be and hereby is authorized to execute a Grant Agreement with the City of Newark as sub-recipient of H.O.P.W.A Funds in the amount of \$319,823.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington does hereby accept the award of \$319,823 for such activities.

### Adopted

Jones – Inman 20. Authorize Professional Services Contract for Architectural Services for Renovations to the Chris Gatling Recreation Center - James Guerra - \$10,000.00

### RESOLUTION FOR ADDITIONAL PROFESSIONAL SERVICES FOR THE GATLING CENTER FOR PHASE 2 RENOVATIONS

WHEREAS, the Township of Irvington received a grant from the County of Essex under the Open Space Trust Fund Program to perform interior renovations at the Gatling Center located on Union Avenue, and;

WHEREAS, exterior renovations were not within the scope of this work and it is the Township's best interests to continue work at this facility and effect certain exterior renovations at this facility; and,

WHEREAS, the project architect that had prepared the plans and specifications for the interior renovations at the Gatling Center, James R. Guerra, P.A., was asked to prepare a concept plan for these exterior renovations, which will be referred to as the Phase 2 Renovations at the Gatling Center, and has submitted a proposal to prepare the plans and specifications for this project; and

WHEREAS, the proposal submitted by the architectural firm of James R. Guerra, P.A., , in the amount of \$ 10,000, was reviewed by the Township Engineer and found to be the most expedient and cost effective way to accomplish the exterior renovations; and

WHEREAS, the Township Engineer has recommended that a professional services contract be awarded to the firm of James R. Guerra, P.A., in the amount of \$ 10,000 for the Phase 2 (Exterior Renovations) at the Gatling Center.

NOW, THEREFORE, BE IT RESOLVED BY MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a professional services contract in the amount of \$ 10,000 be awarded to the firm of James R. Guerra, P.A., for the Phase 2 (Exterior Renovations) at the Gatling Center.

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:34-5.2, the required

Certificate of Availability of Funds No. C5-00282 for the above has been obtained from the Chief Financial Officer of the Township of Irvington and the appropriation to be charged for this expenditure is in the amount of \$10,000.00, Account No. 5-01-21-165-165-299.

Adopted

Inman – Hudley 21. Authorize Settlement of Tax Appeal – 409 Myrtle Avenue

**AUTHORIZE SETTLEMENT OF THE 2012 AND 2013 TAX APPEALS  
ENTITLED 411 REALTY MANAGEMENT LLC C/O HUDSON ADVISORS V.  
TOWNSHIP OF IRVINGTON, DOCKET NOS.: 009521-2012 AND 008839-2013 OF  
THE TAX ASSESSMENT OF BLOCK 106, LOT 15 KNOWN AS 409 MYRTLE  
AVENUE IN THE TOWNSHIP OF IRVINGTON, ESSEX COUNTY, NEW  
JERSEY**

**WHEREAS**, an appeal of the real property tax assessment for tax years 2012 and 2013 involving Block 106, Lot 15 has been filed by the Taxpayer 411 Realty Management LLC c/o Hudson Advisors; and

**WHEREAS**, the proposed Stipulation of Settlement, a copy of which is incorporated herein as if set forth at length, has been reviewed and recommended by the Township Tax Assessor and Township Tax Expert; and

**WHEREAS**, the settlement of said matter as more fully set forth below is in the best interest of the Township of Irvington.

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

Settlement of the 2012 tax appeal is hereby authorized as follows:  
409 Myrtle Avenue  
Block 106, Lot 15  
Year: 2012

Original Assessment Settlement Amount		County Board Judgment	
Land:	\$720,000	N/A	WITHDRAW
Imprvts:	\$430,000	N/A	WITHDRAW
Total:	\$1,150,000	N/A	WITHDRAW

Settlement of the 2013 tax appeal is hereby authorized as follows:  
409 Myrtle Avenue

Block 106, Lot 15  
Year: 2013

	Original Assessment Settlement Amount		County Board Judgment
Land:	\$720,000	N/A	\$320,000
Imprvts:	\$430,000	N/A	\$430,000
Total:	\$1,150,000	N/A	\$750,000

All municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of this Resolution and authorizes the Special Tax Counsel to enter into the Stipulation of Settlement as provided by Taxpayer.

Adopted

Inman – Hudley 22. Authorize Settlement of Tax Appeal – 480 – 21<sup>st</sup> Street

**AUTHORIZE SETTLEMENT OF THE 2011, 2012 AND 2013 TAX APPEALS  
ENTITLED 480 S. 21<sup>ST</sup> STREET ASSOCIATES LLC V. TOWNSHIP OF  
IRVINGTON, DOCKET NOS.: 017825-2011; 012988-2012; 010471-2013 OF THE  
TAX ASSESSMENT OF BLOCK 167, LOT 12 KNOWN AS 480 21<sup>ST</sup> STREET IN  
THE TOWNSHIP OF IRVINGTON, ESSEX COUNTY, NEW JERSEY**

**WHEREAS**, an appeal of the real property tax assessment for tax years 2011, 2012 and 2013 involving Block 167, Lot 12 has been filed by the Taxpayer 480 S. 21<sup>st</sup> Street Associates LLC; and

**WHEREAS**, the proposed Stipulation of Settlement, a copy of which is incorporated herein as if set forth at length, has been reviewed and recommended by the Township Tax Assessor and Township Tax Expert; and

**WHEREAS**, the settlement of said matter as more fully set forth below is in the best interest of the Township of Irvington.

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

Settlement of the 2011 tax appeal is hereby authorized as follows:

480 21<sup>st</sup> Street  
Block 167, Lot 12

Year: 2011

	Original Assessment Settlement Amount	County Board Judgment	
Land:	\$126,400	\$126,400	\$126,400
Imprvts:	\$143,600	\$143,600	\$113,600
Total:	\$270,000	\$270,000	\$240,000

Settlement of the 2012 tax appeal is hereby authorized as follows:

480 21<sup>st</sup> Street  
Block 167, Lot 12  
Year: 2012

	Original Assessment Settlement Amount	County Board Judgment	
Land:	\$126,400	\$126,400	\$126,400
Imprvts:	\$143,600	\$143,600	\$83,600
Total:	\$270,000	\$270,000	\$210,000

Settlement of the 2013 tax appeal is hereby authorized as follows:

480 21<sup>st</sup> Street  
Block 167, Lot 12  
Year: 2013

Amount	Original Assessment	County Board Judgment	Settlement
Land:	\$126,400	\$126,400	\$126,400
Imprvts:	\$143,600	\$143,600	\$53,600
Total:	\$270,000	\$270,000	\$180,000

All municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of this Resolution and authorizes the Special Tax Counsel to enter into the Stipulation of Settlement as provided by Taxpayer.

Adopted

Inman – Hudley 23. Authorize Settlement of Tax Appeal – 60 Becker Terrace

**AUTHORIZE SETTLEMENT OF THE 2013 TAX APPEAL ENTITLED LONNIE ALSTON ET AL V. TOWNSHIP OF IRVINGTON, DOCKET NO.: 018556-2013 OF THE TAX ASSESSMENT OF BLOCK 371, LOT 53 KNOWN AS 60 BECKER TERRACE IN THE TOWNSHIP OF IRVINGTON, ESSEX COUNTY, NEW JERSEY**

**WHEREAS**, an appeal of the real property tax assessment for tax year 2013 involving Block 371, Lot 53 has been filed by the Taxpayer Lonnie Alston et al; and

**WHEREAS**, the proposed Stipulation of Settlement, a copy of which is incorporated herein as if set forth at length, has been reviewed and recommended by the Township Tax Assessor and Township Tax Expert; and

**WHEREAS**, the settlement of said matter as more fully set forth below is in the best interest of the Township of Irvington.

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

Settlement of the 2013 tax appeal is hereby authorized as follows:

60 Becker Terrace

Block 371, Lot 53

Year: 2013

	Original Assessment	County Board Judgment	Settlement
Amount			
Land:	\$149,000	\$149,000	\$149,000
Imprvts:	\$76,000	\$76,000	\$11,000
Total:	\$225,000	\$225,000	\$160,000

All municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of this Resolution and authorizes the Special Tax Counsel to enter into the Stipulation of Settlement as provided by Taxpayer.

Adopted

Inman – Hudley 24. Authorize Settlement of Tax Appeal – 300 Coit Street

**AUTHORIZE SETTLEMENT OF THE 2013 TAX APPEAL ENTITLED AVM**

**LLC/ B&B IRON WORKS, INC V. TOWNSHIP OF IRVINGTON, DOCKET NO.: 010202-2013 OF THE TAX ASSESSMENT OF BLOCK 183, LOT 7 KNOWN AS 300 COIT STREET IN THE TOWNSHIP OF IRVINGTON, ESSEX COUNTY, NEW JERSEY**

**WHEREAS**, an appeal of the real property tax assessment for tax year 2013 involving Block 183, Lot 7 has been filed by the Taxpayer AVM LLC/ B&B Iron Works Inc.; and

**WHEREAS**, the proposed Stipulation of Settlement, a copy of which is incorporated herein as if set forth at length, has been reviewed and recommended by the Township Tax Assessor and Township Tax Expert; and

**WHEREAS**, the settlement of said matter as more fully set forth below is in the best interest of the Township of Irvington.

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

Settlement of the 2013 tax appeal is hereby authorized as follows:

300 Coit Street  
Block 183, Lot 7  
Year: 2013

	Original Assessment Settlement Amount	County Board Judgment	
Land:	\$379,000	\$379,000	\$379,000
Imprvts:	\$514,500	\$514,500	\$271,000
Total:	\$893,500	\$893,500	\$650,000

All municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of this Resolution and authorizes the Special Tax Counsel to enter into the Stipulation of Settlement as provided by Taxpayer.

Adopted

Inman – Hudley 25. Authorize Settlement of Tax Appeal – 99 West Rich Street

**AUTHORIZE SETTLEMENT OF THE 2013 TAX APPEAL ENTITLED  
STEPHANIE BURGAR-ALSTON ET AL V. TOWNSHIP OF IRVINGTON,  
DOCKET NO.: 014694-2013 OF THE TAX ASSESSMENT OF BLOCK 37, LOT 29  
KNOWN AS 92 W. RICH STREET IN THE TOWNSHIP OF IRVINGTON, ESSEX  
COUNTY, NEW JERSEY**

**WHEREAS**, an appeal of the real property tax assessment for tax year 2013 involving Block 37, Lot 29 has been filed by the Taxpayer Stephanie Bugar-Alston et al; and

**WHEREAS**, the proposed Stipulation of Settlement, a copy of which is incorporated herein as if set forth at length, has been reviewed and recommended by the Township Tax Assessor and Township Tax Expert; and

**WHEREAS**, the settlement of said matter as more fully set forth below is in the best interest of the Township of Irvington.

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

Settlement of the 2013 tax appeal is hereby authorized as follows:

92 W. Rich Street

Block 37, Lot 29

Year: 2013

	Original Assessment Settlement Amount	County Board Judgment	
Land:	\$125,400	\$125,400	\$125,400
Imprvts:	\$49,600	\$49,600	\$14,600
Total:	\$175,000	\$175,000	\$140,000

All municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of this Resolution and authorizes the Special Tax Counsel to enter into the Stipulation of Settlement as provided by Taxpayer.

Adopted

Inman – Hudley 26. Authorize Settlement of Tax Appeal – 22-24 Camptown Road

**AUTHORIZE SETTLEMENT OF THE 2013 TAX APPEAL ENTITLED BAKER PROPERTIES, L.P. V. TOWNSHIP OF IRVINGTON, DOCKET NO.: 010459-2013 OF THE TAX ASSESSMENT OF BLOCK 363.02, LOT 1.11 KNOWN AS 22-24 CAMPTOWN ROAD IN THE TOWNSHIP OF IRVINGTON, ESSEX COUNTY, NEW JERSEY**

**WHEREAS**, an appeal of the real property tax assessment for tax year 2013 involving Block 363.02, Lot 1.11 has been filed by the Taxpayer Baker



Properties, L.P.; and

**WHEREAS**, the proposed Stipulation of Settlement, a copy of which is incorporated herein as if set forth at length, has been reviewed and recommended by the Township Tax Assessor and Township Tax Expert; and

**WHEREAS**, the settlement of said matter as more fully set forth below is in the best interest of the Township of Irvington.

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

Settlement of the 2013 tax appeal is hereby authorized as follows:  
22-24 Camptown Road  
Block 363.02, Lot 1.11  
Year: 2013

	Original Assessment Settlement Amount	County Board Judgment	
Land:	\$593,500	\$593,500	\$593,500
Imprvts:	\$737,500	\$737,500	\$616,500
Total:	\$1,331,000	\$1,331,000	\$1,210,000

All municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of this Resolution and authorizes the Special Tax Counsel to enter into the Stipulation of Settlement as provided by Taxpayer.

Adopted

Inman – Hudley 27. Authorize Settlement of Tax Appeal – 1016 Stuyvesant Avenue, Block 308, Lot 30.01

**AUTHORIZE SETTLEMENT OF THE 2013 TAX APPEAL ENTITLED FELICIA VILLAGE ASSOCIATES V. TOWNSHIP OF IRVINGTON, DOCKET NO.: 010193-2013 OF THE TAX ASSESSMENT OF BLOCK 308, LOT 30.01, QUALIFIERS C0002 AND C0005 KNOWN AS 1016 STUYVESANT AVENUE IN THE TOWNSHIP OF IRVINGTON, ESSEX COUNTY, NEW JERSEY**

**WHEREAS**, an appeal of the real property tax assessment for tax year 2013 involving Block 308, Lot 30.01, Qualifiers C0002 and C0005 has been filed by the Taxpayer Felicia Village Associates; and

**WHEREAS**, the proposed Stipulation of Settlement, a copy of which is incorporated herein as if set forth at length, has been reviewed and

recommended by the Township Tax Assessor and Township Tax Expert; and

**WHEREAS**, the settlement of said matter as more fully set forth below is in the best interest of the Township of Irvington.

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

Settlement of the 2013 tax appeal is hereby authorized as follows:

1016 Stuyvesant Avenue

Block 308, Lot 30.01, Qualifier C0002

Year: 2013

	Original Assessment Settlement Amount	County Board Judgment	
Land:	\$30,000	\$30,000	\$30,000
Imprvts:	\$25,000	\$25,000	\$20,000
Total:	\$55,000	\$55,000	\$50,000

Settlement of the 2013 tax appeal is hereby authorized as follows:

1016 Stuyvesant Avenue

Block 308, Lot 30.01, Qualifier C0005

Year: 2013

	Original Assessment Settlement Amount	County Board Judgment	
Land:	\$30,000	\$30,000	\$30,000
Imprvts:	\$22,000	\$22,000	\$20,000
Total:	\$52,000	\$52,000	\$50,000

All municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of this Resolution and authorizes the Special Tax Counsel to enter into the Stipulation of Settlement as provided by Taxpayer.

Adopted

Inman – Hudley 28. Authorize Settlement of Tax Appeal – 70 – 22<sup>nd</sup> Street

**AUTHORIZE SETTLEMENT OF THE 2013 TAX APPEAL ENTITLED  
GREATER PATERSON PROPERTIES, LIENHOLDER/TAXPAYER V.  
TOWNSHIP OF IRVINGTON, DOCKET NO.: 014666-2013 OF THE TAX  
ASSESSMENT OF BLOCK 147, LOT 5 KNOWN AS 70 22<sup>ND</sup> STREET IN THE  
TOWNSHIP OF IRVINGTON, ESSEX COUNTY, NEW JERSEY**

**WHEREAS**, an appeal of the real property tax assessment for tax year 2013 involving Block 147, Lot 5 has been filed by the Taxpayer, Greater Paterson Properties Lienholder/Taxpayer; and

**WHEREAS**, the proposed Stipulation of Settlement, a copy of which is incorporated herein as if set forth at length, has been reviewed and recommended by the Township Tax Assessor and Township Tax Expert; and

**WHEREAS**, the settlement of said matter as more fully set forth below is in the best interest of the Township of Irvington.

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

Settlement of the 2013 tax appeal is hereby authorized as follows:

70 22<sup>nd</sup> Street  
Block 147, Lot 5  
Year: 2013

	Original Assessment Settlement Amount		County Board Judgment
Land:	\$75,000	N/A	\$30,000
Imprvts:	\$0	N/A	\$0
Total:	\$75,000	N/A	\$30,000

All municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of this Resolution and authorizes the Special Tax Counsel to enter into the Stipulation of Settlement as provided by Taxpayer.

Adopted

Inman – Hudley 29. Authorize Settlement of Tax Appeal – 771 Lyons Avenue

**AUTHORIZE SETTLEMENT OF THE 2013 TAX APPEAL ENTITLED ATTA HOUIZADEH ET AL V. TOWNSHIP OF IRVINGTON, DOCKET NO.: 013579-2013 OF THE TAX ASSESSMENT OF BLOCK 285, LOT 1 KNOWN AS 771 LYONS AVENUE IN THE TOWNSHIP OF IRVINGTON, ESSEX COUNTY, NEW JERSEY**

**WHEREAS**, an appeal of the real property tax assessment for tax year 2013 involving Block 285, Lot 1 has been filed by the Taxpayer Atta Houizadeh et al; and

**WHEREAS**, the proposed Stipulation of Settlement, a copy of which is incorporated herein as if set forth at length, has been reviewed and recommended by the Township Tax Assessor and Township Tax Expert; and

**WHEREAS**, the settlement of said matter as more fully set forth below is in the best interest of the Township of Irvington.

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

Settlement of the 2013 tax appeal is hereby authorized as follows:

771 Lyons Avenue  
Block 285, Lot 1  
Year: 2013

	Original Assessment Settlement Amount	County Board Judgment	
Land:	\$151,500	\$151,500	\$75,500
Imprvts:	\$0	\$49,600	\$0
Total:	\$151,500	\$151,500	\$75,500

All municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of this Resolution and authorizes the Special Tax Counsel to enter into the Stipulation of Settlement as provided by Taxpayer.

Adopted

Inman – Hudley 30. Authorize Settlement of Tax Appeal – 54-56 Ridgewood Avenue

**AUTHORIZE SETTLEMENT OF THE 2014 TAX APPEAL ENTITLED MARIAN K. KRIEBELT V. TOWNSHIP OF IRVINGTON, DOCKET NO.: 011853-2014 OF THE TAX ASSESSMENT OF BLOCK 14, LOT 13 KNOWN AS 54-56 RIDGEWOOD AVENUE IN THE TOWNSHIP OF IRVINGTON, ESSEX COUNTY, NEW JERSEY**

**WHEREAS**, an appeal of the real property tax assessment for tax year 2014 involving Block 14, Lot 13 has been filed by the Taxpayer, Marian K. Kriebelt; and

**WHEREAS**, the proposed Stipulation of Settlement, a copy of which is incorporated herein as if set forth at length, has been reviewed and recommended by the Township Tax Assessor and Township Tax Expert; and

**WHEREAS**, the settlement of said matter as more fully set forth below is in the

best interest of the Township of Irvington.

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

Settlement of the 2014 tax appeal is hereby authorized as follows:

54-56 Ridgewood Avenue

Block 14, Lot 13

Year: 2014

	Original Assessment Settlement Amount	County Board Judgment	
Land:	\$33,000	\$33,000	\$33,000
Imprvts:	\$100,000	\$100,000	\$87,000
Total:	\$133,000	\$133,000	\$120,000

The provisions of the N.J.S.A. 54:51A-8 (Freeze Act) shall be applicable to the Taxpayer's 2015 assessment reducing same from \$133,000 to \$120,000 as set forth above and incorporated as if set forth at length herein.

All municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of this Resolution and authorizes the Special Tax Counsel to enter into the Stipulation of Settlement as provided by Taxpayer.

Adopted

Inman – Hudley 31. Authorize Settlement of Tax Appeal – 442 Nye Avenue

**AUTHORIZE SETTLEMENT OF THE 2012, 2013 AND 2014 TAX APPEALS ENTITLED GOLD VIEW PROPERTIES C/O HUDSON ADVISORS V. TOWNSHIP OF IRVINGTON A.K.A. LSREF 2 CLIPPER III LLC/ HUDSON ADVISORS V. TOWNSHIP OF IRVINGTON, DOCKET NOS.: 018827-2012; 010472-2013; 015124-2014 OF THE TAX ASSESSMENT OF BLOCK 216, LOT 10 KNOWN AS 442 NYE AVENUE IN THE TOWNSHIP OF IRVINGTON, ESSEX COUNTY, NEW JERSEY**

**WHEREAS**, an appeal of the real property tax assessment for tax years 2012, 2013 and 2014 involving Block 216, Lot 10 has been filed by the Taxpayer Gold View Properties c/o Hudson Advisors a.k.a. LSREF 2 Clipper III LLC; and

**WHEREAS**, the proposed Stipulation of Settlement, a copy of which is incorporated herein as if set forth at length, has been reviewed and

recommended by the Township Tax Assessor and Township Tax Expert; and

**WHEREAS**, the settlement of said matter as more fully set forth below is in the best interest of the Township of Irvington.

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

Settlement of the 2012 tax appeal is hereby authorized as follows:

442 Nye Avenue

Block 216, Lot 10

Year: 2012

	Original Assessment Settlement Amount	County Board Judgment	
Land:	\$133,000	\$133,000	\$133,000
Imprvts:	\$302,600	\$302,600	\$217,000
Total:	\$435,600	\$435,600	\$350,000

Settlement of the 2013 tax appeal is hereby authorized as follows:

442 Nye Avenue

Block 216, Lot 10

Year: 2013

	Original Assessment Settlement Amount	County Board Judgment	
Land:	\$133,000	\$133,000	\$133,000
Imprvts:	\$302,600	\$302,600	\$167,000
Total:	\$435,600	\$435,600	\$300,000

Settlement of the 2014 tax appeal is hereby authorized as follows:

442 Nye Avenue

Block 216, Lot 10

Year: 2014

	Original Assessment Amount	County Board Judgment	Settlement
Land:	\$21,300	\$21,300	\$21,300
Imprvts:	\$337,500	\$337,500	\$228,700

Total:	\$358,800	\$358,800	\$250,000
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All municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of this Resolution and authorizes the Special Tax Counsel to enter into the Stipulation of Settlement as provided by Taxpayer.

Adopted

Inman – Hudley 32. Authorize Settlement of Tax Appeal – 730 Chancellor Avenue

**AUTHORIZE SETTLEMENT OF THE 2013 TAX APPEAL ENTITLED LSREF 2 CLIPPER III LLC/ HUDSON ADVISORS V. TOWNSHIP OF IRVINGTON, DOCKET NO.: 008829-2013 OF THE TAX ASSESSMENT OF BLOCK 299, LOT 19 KNOWN AS 730 CHANCELLOR AVENUE IN THE TOWNSHIP OF IRVINGTON, ESSEX COUNTY, NEW JERSEY**

**WHEREAS**, an appeal of the real property tax assessment for tax year 2013 involving Block 299, Lot 19 has been filed by the Taxpayer, LSREF 2 Clipper III LLC/ Hudson Advisors; and

**WHEREAS**, the proposed Stipulation of Settlement, a copy of which is incorporated herein as if set forth at length, has been reviewed and recommended by the Township Tax Assessor and Township Tax Expert; and

**WHEREAS**, the settlement of said matter as more fully set forth below is in the best interest of the Township of Irvington.

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

Settlement of the 2013 tax appeal is hereby authorized as follows:  
730 Chancellor Avenue  
Block 299, Lot 19  
Year: 2013

	Original Assessment Settlement Amount		County Board Judgment
Land:	\$360,000	N/A	\$360,000
Imprvts:	\$1,000,000	N/A	\$640,000
Total:	\$1,360,000	N/A	\$1,000,000

All municipal officials are hereby authorized to take whatever action may be necessary to

implement the terms of this Resolution and authorizes the Special Tax Counsel to enter into the Stipulation of Settlement as provided by Taxpayer.

Adopted

Inman – Hudley 33. Authorize Settlement of Tax Appeal – 42 Coit Street

**AUTHORIZING SETTLEMENT OF THE 2013 TAX APPEAL ENTITLED  
PSE&G CO. V. TOWNSHIP OF IRVINGTON, DOCKET NO.: 007432-2013 OF  
THE TAX ASSESSMENT OF BLOCK 201, LOT 2 KNOWN AS 42 COIT STREET  
IN THE TOWNSHIP OF IRVINGTON, ESSEX COUNTY, NEW JERSEY**

**WHEREAS**, an appeal of the real property tax assessment for tax year 2013 involving Block 201, Lot 2 has been filed by the Taxpayer, PSE&G Co.; and

**WHEREAS**, the proposed Stipulation of Settlement, a copy of which is incorporated herein as if set forth at length, has been reviewed and recommended by the Township Tax Assessor and Township Tax Expert; and

**WHEREAS**, the settlement of said matter as more fully set forth below is in the best interest of the Township of Irvington.

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

Settlement of the 2013 tax appeal is hereby authorized as follows:

42 Coit Street

Block 201, Lot 2

Year: 2013

Original Assessment		County Board Judgment	
Settlement Amount			
Land:	\$568,200	N/A	\$568,200
Imprvts:	\$637,900	N/A	\$381,800
Total:	\$1,206,100	N/A	\$950,000

All municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of this Resolution and authorizes the Special Tax Counsel to enter into the Stipulation of Settlement as provided by Taxpayer.

Adopted

Lyons – Cox 34. Authorize Application for Transportation Trust Funds to Resurface Madison Avenue - \$430,250.00



RESOLUTION FOR THE RESURFACING OF MADISON AVENUE AS PART OF  
THE NJDOT TRANSPORTATION TRUST FUND PROGRAM

WHEREAS, the State of New Jersey, through the New Jersey Department of Transportation ( NJDOT) annually accepts applications from municipalities to participate in the Transportation Trust Fund for various road projects, and;

WHEREAS, NJDOT is accepting applications for funding for Fiscal Year 2016, and;

WHEREAS, The Township Engineer has recommended that an application for the Resurfacing of Madison Avenue, from Stuyvesant Avenue to Eastern Parkway, be submitted for this grant application, and;

WHEREAS, the estimated cost of this project is \$ 430,250.00, and;

WHEREAS, the Municipal Council has reviewed this recommendation and concurs in the recommendation of the Township Engineer.

NOW, THEREFORE, BE IT RESOLVED BY MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that an application for participation in the 2016 Transportation Trust Fund for the Resurfacing of Madison Avenue in the amount of \$ 430,250 is approved and that the Mayor and the appropriate municipal officials are authorized to submit and endorse this application on behalf of the Township.

Adopted

Inman – Hudley 35. Authorize Settlement of Tax Appeal – 1089-91 Clinton Avenue

**AUTHORIZE SETTLEMENT OF THE 2013 TAX APPEAL ENTITLED PSE&G CO. V. TOWNSHIP OF IRVINGTON, DOCKET NO.: 007259-2013 OF THE TAX ASSESSMENT OF BLOCK 279, LOT 2 KNOWN AS 1089-91 CLINTON AVENUE IN THE TOWNSHIP OF IRVINGTON, ESSEX COUNTY, NEW JERSEY**

**WHEREAS**, an appeal of the real property tax assessment for tax year 2013 involving Block 279, Lot 2 has been filed by the Taxpayer, PSE&G Co.; and

**WHEREAS**, the proposed Stipulation of Settlement, a copy of which is incorporated herein as if set forth at length, has been reviewed and recommended by the Township Tax Assessor and Township Tax Expert; and

**WHEREAS**, the settlement of said matter as more fully set forth below is in the best interest of the Township of Irvington.

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF**

**THE TOWNSHIP OF IRVINGTON** as follows:

Settlement of the 2013 tax appeal is hereby authorized as follows:

1089-91 Clinton Avenue

Block 279, Lot 2

Year: 2013

	Original Assessment Settlement Amount	County Board Judgment	
Land:	\$870,000	N/A	\$870,000
Imprvts:	\$368,300	N/A	\$180,000
Total:	\$1,238,300	N/A	\$1,050,000

All municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of this Resolution and authorizes the Special Tax Counsel to enter into the Stipulation of Settlement as provided by Taxpayer.

Adopted

B. Motions

None

**10. Communications & Petitions**

**A. Communications**

1. Mayor Vauss – Appointment of Tracy Bowers as Acting Police Director, Effective September 1, 2015 and Police Director, Effective September 15, 2015

2. Board of Public Utilities – Renewal Certificate of Approval to Operate and Maintain a Cable Television System in and for the Township of Irvington – Comcast of New Jersey II, LLC

**B. Petitions**

None

**11. Pending Business**

None

**12. Miscellaneous**

A. Bingos and Raffles

None

\*\*\*\*\*

## NON-CONSENT AGENDA ITEMS

### 8. Ordinances, Bills & Claims

#### B. Ordinances on 2nd Reading

1. President Frederic: An ordinance authorizing an amendment to the redevelopment financial agreement for 514 Lyons Avenue 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 OF THE TOWNSHIP OF IRVINGTON,  
COUNTY OF ESSEX, STATE OF NEW JERSEY  
AUTHORIZING AMENDMENT TO THE FINANCIAL AGREEMENT WITH 514  
LYONS AVENUE URBAN RENEWAL INVESTORS LLC**

tc \11 ""

**WHEREAS**, the Local Redevelopment and Housing Law, *N.J.S.A.* 40A:12A-1 *et seq.* (the “**Redevelopment Law**”), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment and confers upon municipalities certain contract, planning and financial powers to undertake the redevelopment of such redevelopment areas; and

**WHEREAS**, on February 27, 2001, the Township of Irvington (the “**Township**”) designated certain property, more particularly described as Blocks 183-186 on the tax map of the Township, as an area in need of redevelopment; and

**WHEREAS**, the Township subsequently authorized the preparation of, and adopted, the Coit Street Phase I Block 183-186 Redevelopment Plan (the “**Redevelopment Plan**”), in accordance with *N.J.S.A.* 40A:12A-7; and

**WHEREAS**, to effectuate the Redevelopment Plan, the Township issued a request for proposals to develop Block 184, Lot 9, more commonly known as 514 Lyons Avenue (the “**Property**”); and

**WHEREAS**, the Township selected, and entered into a redevelopment agreement with, 514 Lyons Avenue Urban Renewal Investors LLC (the “**Entity**”), an urban renewal entity created pursuant to the Long Term Tax Exemption Law,

*N.J.S.A. 40A:20-1 et seq. (the “LTTE Law”)*, for the construction of a retail automobile parts store, along with certain other improvements on the Property (the “**Project**”); and

**WHEREAS**, on June 14, 2005, the Township granted the Entity a long term tax exemption for the Project for a term of twenty years from the date of execution of the original Financial Agreement, attached hereto as **Exhibit A** (the “**2005 Agreement**”), or fifteen (15) years from the Annual Service Charge Start Date, as that term is defined in the 2005 Agreement; and

**WHEREAS**, Entity has since fully constructed the Project; and

**WHEREAS**, the Entity and the Township now desire to extend the duration of the 2005 Agreement, subject to the LTTE Law.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Council that the Mayor is hereby authorized to execute this Amendment to the 2005 Agreement substantially in the form presented to the Township Council, and as attached hereto as **Exhibit B**, with such changes, omissions or amendments as the Mayor shall determine necessary, with the advise of redevelopment counsel, to effectuate the terms of this ordinance; and

**BE IT FURTHER ORDAINED** by the Township Council that this ordinance shall take effect in accordance with law.

I HEREBY CERTIFY the foregoing to be a true copy of an Ordinance adopted by the Township Council of the Township of Irvington, in the County of Essex, at its meeting held on \_\_\_\_\_, 2015.

---

Harold E. Wiener  
Municipal Clerk of the Township of Irvington

**EXHIBIT A**

**[Original 2005 Financial Agreement]**

**EXHIBIT B**

**[Proposed Amendment to Financial Agreement]**

The public hearing on this ordinance is now open.

There were no requests to be heard.

Jones – Frederic

Motion to close public hearing

Adopted

Jones - Frederic  
public

Motion to adopt this ordinance on second reading after  
hearing

Adopted

2. President Frederic: An ordinance amending Chapter 187 of the Revised Code entitled towing will be heard at this time. The Clerk will read the notice of hearing.

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

The Clerk will read the ordinance by title.

**AN ORDINANCE TO AMEND CHAPTER 187 (TOWING) OF THE CODE OF THE TOWNSHIP OF IRVINGTON**

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON THAT Chapter 187 of the revised code of the Township of Irvington is hereby amended and supplemented as follows:

**§187-2 ESTABLISHMENT OF A LIST OF ELIGIBLE TOWERS**

There shall be no more than two towing companies authorized to provide towing services to the Township of Irvington. Qualified towing contractors (hereinafter referred to as “contractors”) shall be invited to submit proposals under this Article to provide services for towing and storage of vehicles involved in accidents, stolen vehicles and other vehicles designated by the Irvington Police Department, as set forth herein, 24 hours a day, seven days a week in the Township of Irvington, in accordance with specifications set forth herein. Notice of request for proposals shall be placed in the Irvington Herald or other appropriate publication and by posting said notice conspicuously in the Irvington Town Hall.

**§187-6 SPECIFICATIONS**

**(C) Wreckers**

Each Contractor must have three flatbeds which shall be defined as equipment capable of removing a vehicle from the surface upon which it is located to the bed of the tow trucks so as to avoid damage to certain motor vehicles which

cannot be towed in the conventional manner due to air-lock suspension or the like. Wreckers used by the contractor must be of such construction and capacity that they will, with a combination of wreckers, be able to tow any type of vehicle, including up righted or overturned vehicles. These wreckers must be found satisfactory by the Director of Police or his designee. "Tow Vehicles" means only those vehicles equipped with a boom or booms, winches, slings, tilt beds, wheel lifts or under-reach equipment for transport of private passenger automobiles, including such other features as otherwise herein set forth.

(E) Land Area

(1) The contractor shall show proof that he owns, leases or is under contract to own or lease a total minimum storage area, which accommodates 500 vehicles. This storage area shall consist of no more than two permissible lots, which will accommodate 500 vehicles. A deed, lease or contract shall be provided as evidence meeting the above requirement and a letter from the Township verifying that such use is permissible. The two storage areas referenced herein must be within 10 minutes of the Township's Police Headquarters. In the event that any of the chosen companies fails to meet the required standards set forth herein, the Township in its discretion may contract with an alternate vendor from the list it has available during the contractual period.

(2 – 10) remains the same

(11) The fee to be charged for private passenger automobile storage shall be governed by Article II Section 98-28 of this code.

(J) Charge for services

(1) Fees for private passenger vehicles damaged in an accident or recovered after being stolen may not exceed the fees established by Chapter 98 Article II Section 98-28.

All ordinances inconsistent with this ordinance are hereby replaced to the extent of such inconsistencies.

This ordinance shall take effect upon final passage according to law.  
The public hearing on this ordinance is now open.

There were no requests to be heard.

Cox – Hudley

Motion to close public hearing

Adopted

Cox – Hudley

after public hearing

Motion to adopt this ordinance on second reading

Adopted

3. President Frederic: An ordinance amending Chapter 98 regarding fees for towing will be heard at this time. The Clerk will read the notice of hearing.

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

The Clerk will read the ordinance by title.

## **AN ORDINANCE TO AMEND CHAPTER 98 FEES AND LICENSES OF THE REVISED CODE**

**BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON THAT** Chapter 98 of the revised code of the Township of Irvington is hereby amended and supplemented as follows:

### **§98-28 Fees under Chapter 187, Towing**

C. All vehicles as described in Subsection G of § 187-6, excepting passenger motor vehicles stolen or damaged in an accident as covered by N.J.A.C. 11:3-38, shall be towed and stored, if necessary, at the rates referenced below in § F of this provision, except that vehicles held for police investigation shall be towed and stored at no charge. All vehicles in § 187-6F, Removing abandoned vehicles, will be towed and stored, if necessary, the rates referenced below in § F of this provision.

### **E. DELETED**

F. The charge (s) for services rendered by any licensee operating in the Township of Irvington shall not exceed the following rates:

**TOWING FEES** Light Duty- 5,999 lbs. GVW and Under \$200.00 Medium Duty – 6,000 lbs – 14,999 lbs 250.00 Heavy Duty – 15,000 lbs and above 400.00 **STORAGE (OUTSIDE)** Light Duty 32.00 Per Day Medium Duty 50.00 Per Day Heavy Duty 75.00 Per Day Tractor Trailer 100.00 Per Day **STORAGE (INSIDE)** Light Duty 50.00 Per Day Medium Duty 75.00 Per Day Heavy Duty 100.00 Per Day **WINCHING** Light Duty 75.00 per ½ hour Medium Duty 100.00 per ½ hour Heavy Duty 200 per ½ hour **SERVICE RATES FOR ACCIDENT AND STOLEN VEHICLES/RECOVERY EQUIPMENT:** Rotator Set Up Fee \$750.00 Per Hour Heavy Duty Wreckers 400.00 Per Hour Landoll w/Tractor 250.00 Per Hour 250.00 Per Hour Heavy Duty Rotator 750.00 Per Hour Relief Refrigerated Tractor Trailer 300.00 Per Hour Tractor Only 200.00 Per Hour Flatbed 250.00 Per Hour Service Truck 250.00 Per Hour Front End Loader (Two-Yard Minimum Bucket) 250.00 Per Hour Bob Cat/Skid Steer 250.00 Per Hour Fork Lift 300.00 Per Hour Backhoe 250.00 Per Hour Dump Truck 250.00 Per Hour Dump Trailer w/Tractor 250.00 Per Hour Roll Off Container (40-Yd) + disposal fee 250.00 Per Hour Light Tower (Two-Light Minimum) 150.00 Per Hour Pallet Jacks 200.00 Flat Fee Rollers (Off Load) 200.00 Flat Fee Spreader Bar 500.00 Per Hour **LABOR** Yard Fee 75.00 Flat Supervisor (Wrecker Master) 150.00 Per Hour Tech Labor (Driver, Rigger) 100.00 Per Hour Manual Labor 75.00 Per Hour Light Duty Winch 75.00 Per ½ Hour Medium Duty Winch 100.00 Per ½ Hour Heavy Duty Winch 200.00 Per ½ Hour **MISCELLANEOUS** Administration Fee 10% of Total Towing Fee Speedy Dry 25.00 Per Bag All ordinances inconsistent with this ordinance are hereby replaced to the extent of such inconsistencies.

This ordinance shall take effect upon final passage according to law.

The public hearing on this ordinance is now open.

There were no requests to be heard.

Cox - Hudley Motion to close public hearing

Adopted

Cox - Hudley Motion to adopt this ordinance on second reading  
after public hearing

Adopted

## 9. Resolutions & Motions

### A. Resolutions

Inman – Frederic 36. Introduction of Amendment to Calendar Year 2015 Municipal Budget

**Township of Irvington**

**County of Essex**

**Resolution to Amend Budget**

Whereas, the local Municipal Budget for the CY 2015 was approved on 12th day of May, 2015, and

WHEREAS, the public hearing on a said Budget has been held as advertised, and

WHEREAS, it is desires to amend said approved Budget,

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the Township of Irvington, County of Essex, that the following amendments to the approved Budget of CY 2015 be made:

( (Abstained( ( (RECORDED VOTE Ayes  
( ( Nays (( ( (Absent( **From**  
**To General Revenues** 1. Surplus Anticipated 2. Surplus Anticipated with Prior Written Consent of Director  
of Local Government Services 3. Miscellaneous Revenue-Section A: Local Revenue **Total Section A:**  
**Local Revenue 9,618,629.93 9,618,629.93** 3. Miscellaneous Revenue-Section B: State Aid Without  
Offsetting Appropriations **Total Section B: Local Revenue 12,875,233.00 12,875,233.00** 3.  
Miscellaneous Revenue-Sections C: Dedicated Uniform Construction Code Fees Offset with  
Appropriations **Total Section C: Local Revenue 379,024.00 379,024.00** 3. Miscellaneous Revenues  
- Section F: Special Items of General Revenue Anticipated with prior written Consent of Director of Local  
Government Services- Public and Private Revenues Offset with Appropriations: State & Federal Grants  
NJ DOT - Park Place 377,637.00 NJ ACCHO - Health Department 12,150.00 NJ ACCHO - Health  
Department 4,500.00 NJ ACCHO - Health Department 1,254.00 NJ Depart. Of Health - CLPP  
Grant 165,000.00 Essex County - SSH Grant 2014/15 110,000.00 Robert Wood Johnson Foundation  
- Grant 200,000.00 Shaping NJ - Health Grant 12,000.00 Essex County - CSBG 2015 62,037.98



NJ Summer Food Program 2015 255,524.13 HOPWA 2015 319,823.00 FEMA - Fire assistance Grant - Equip. 157,878.00 Newark - JAG 83,801.40 Essex County - CSBG 141,727.53 Essex County - SSH 2015/16 110,000.00 Municipal Alliance - 2015 -16 84,000.00 Federal 2014- COPs grant 1,000,000.00 **Unappropriated Grants** Clean Communities 73,000.28 Shaping NJ - Health Grant 10,000.00 NJ American Water - Tree Grant 9,000.00 Recycling Tonnage Aid 21,729.09 Police Body Armor 13,152.62 Housing Opportunities for People with Aids 34,227.98 **Total Section F: Special Items of General Revenue Anticipated, Public & Private Revenue Offset with Appropriations:- 3,289,468.48** 3. Miscellaneous Revenue - Section G: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Other Special items: Irvington Hospital Site Annual Development fee - 45,000.00 Payment in Lieu of Taxes 124,190.91 235,686.96 Cancel outstanding Checks - Current Fund 300,607.81 Cancel General Trust Appropriated Reserves 224,987.13 Irvington Board of Ed Garbage Removal 293,500.00 **Total Section G: Special Items of General revenue anticipated with prior written consent of the Director of Local Government Services 1,231,772.08 1,575,363.07** 4. Receipts from Delinquent Taxes 3,353,056.47 3,443,489.80 **Summary of Revenues** 1. Total Surplus Anticipated 2. Surplus Anticipated with Prior Witten Consent of Director of Local Government Services 3. Miscellaneous Revenues: Total Section A: Local Revenue: 9,618,629.93 9,618,629.93 Total Section B: State Aid without Offsetting Appropriations: 12,875,233.00 12,875,233.00 Total Section C: Dedicated Uniform Construction Code Fees offset with Appropriations 379,024.00 379,024.00 Total Section D: Special Items of General Revenue, Inter local Muni. Services Total Section E: Special Items of General Revenue, Additional Revenues Total Section F: Special Items of General Revenue, Public and Private Revenue 3,289,468.48 Total Section G: Special items of General Revenue, Other Special Items 1,231,772.08 1,575,363.07 Total Miscellaneous Revenue 24,104,659.01 27,737,718.48 4. Receipts from Delinquent Taxes 3,353,056.47 3,443,489.80 5. Subtotal General Revenues ( Items 1,2,3 and 4) 27,457,715.48 31,181,208.28 6. Amount to be Raised by Taxes for support of Municipal Budget: a) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes 69,240,785.14 69,405,746.09 b) Addition to Local District School Tax 1,965,204.00 1,859,749.00 c) Minimum Library Tax 767,298.09 767,298.09 **7. TOTAL GENERAL REVENUES \$ 99,431,002.71 \$ 103,214,001.46** 8. **GENERAL APPROPRIATIONS** Mayor Office: Salary & Wages 336,893.36 385,375.36 Mayor Office: Other Expense 29,500.00 39,500.00 Office Of Tax Assessor: Salary & Wages 125,640.68 135,740.68 Office Of Tax Assessor: Other Expenses 64,650.00 54,550.00 Business Administrator: Salary & Wages 521,259.95 551,259.95 Business Administrator: Other Expense 207,000.00 177,000.00 Department of Police: Salary & Wages - O/T 750,000.00 1,000,000.00 Department of Fire: Other Expense 219,500.00 201,958.00 Division of Finance: Insurance Health Benefits 13,975,275.37 13,922,814.37 **(A) Operations Within "CAPS" Total Operations (Item 8 (A) Within "CAPS" 64,991,865.72 65,230,344.72 (E) Deferred Charges and Statutory Expenditures - Municipal Within "CAPS" STATUTORY EXPENDITURES** Unclassified Prior Year expense- Legal fees Scarinci, Hollenbeck 2013-14 29,403.73 Insurance Trust 61,327.74 299,040.74 Pensions - DCRP 25,500.00 Pensions -PERS 1,155,539.87 1,219,827.00 Pensions -PFRS 6,444,291.08 Judgements **Total Deferred Charges and Statutory Expenditures - Within "CAPS" 10,744,883.40 11,043,968.13 (H-1) Total General Appropriations for Municipal Purposes Within "CAPS" 75,736,749.12 76,274,312.85** 8. **GENERAL APPROPRIATIONS (A) Operations - Excluded from "CAPS" Health Benefits - Outside Caps - 52,461.00 Total Other Operations - Excluded from "CAPS" 5,716,262.49 5,768,723.49 (A) Operations - Excluded from "CAPS" Public and Private Programs Offset by Revenues** NJ DOT - Park Place 377,637.00 NJ ACCHO - Health Department 12,150.00 NJ ACCHO - Health Department 4,500.00 NJ ACCHO - Health Department 1,254.00 NJ Depart. Of Health - CLPP Grant 165,000.00 Essex County - SSH Grant 2014/15 110,000.00 Robert Wood Johnson Foundation - Grant 200,000.00 Shaping NJ - Health Grant 12,000.00 Essex County - CSBG 2015 62,037.98 NJ Summer Food Program 2015 255,524.13 HOPWA 2015 319,823.00 FEMA - Fire assistance Grant -Equip. 157,878.00 FEMA - Cash Match 17,542.00 Newark - JAG 83,801.40 Essex County - CSBG 14 172,753.00 Essex County - SSH 2015/16 110,000.00 Municipal Alliance - 2015 -16 84,000.00 Municipal Alliance - ash Match 10,000.00 Federal 2014- COPs grant 1,000,000.00 **Unappropriated Grants** Clean Communities 73,000.28 Shaping NJ - Health Grant 10,000.00 NJ American Water - Tree Grant

9,000.00	Recycling Tonnage Aid	21,729.09	Police Body Armor	13,152.62
	Housing Opportunities for People with Aids	34,227.98	<b>Total Public and Private Program</b>	
<b>Offset By Revenue</b>	<b>3,317,010.48</b>	<b>Total Operations Excluded from "CAPS"</b>	<b>5,716,262.49</b>	
<b>9,085,733.97</b>	<b>8. General Appropriations(C)</b>	<b>Total Capital Improvements - Excluded from "CAPS"</b>	<b>Capital Improvement fund</b>	<b>Total Capital Improvements - Excluded from "CAPS"( D)</b>
<b>69,320.71</b>	<b>Municipal Debt Service - Excluded from "CAPS"</b>	<b>Green Trust Loan Program</b>	<b>59,584.04</b>	
	<b>NJ Environmental Infrastructure Trust Loan</b>	<b>246,370.16</b>	<b>257,769.48</b>	
<b>-</b>	<b>- Total Municipal Debt Service - Excluded from "CAPS"</b>	<b>9,222,845.74</b>		
<b>9,243,981.73</b>	<b>(E) Deferred Charges - Municipal - Excluded from "CAPS"</b>	<b>Emergency Authorizes 5</b>		
<b>year- Terminal Payout</b>	<b>478,617.92</b>	<b>454,617.92</b>	<b>Total Deferred Charges - Municipal-</b>	
<b>Excluded from "CAPS"</b>	<b>478,617.92</b>	<b>454,617.92</b>	<b>(H-2) Total General Appropriations</b>	
<b>for Municipal Purposes Excluded from "CAPS"</b>	<b>15,417,726.15</b>	<b>18,784,333.62</b>	<b>( I ) Type 1</b>	
<b>District School Debt Services</b>	<b>Interest on Bonds</b>	<b>-</b>	<b>- Total</b>	
<b>Local School Purposes</b>	<b>3,093,813.00</b>	<b>3,093,813.00</b>	<b>(O) Total General Appropriations -</b>	
<b>Excluded from "CAPS"</b>	<b>18,511,539.15</b>	<b>21,878,146.62</b>	<b>(L) Subtotal General Appropriations</b>	
<b>{items (H-1) and (O)}</b>	<b>94,248,288.27</b>	<b>98,152,459.47</b>	<b>(M) Reserve for Uncollected Taxes</b>	
<b>5,182,714.44</b>	<b>5,061,541.99</b>	<b>9. Total General Appropriation \$</b>	<b>99,431,002.71</b>	<b>\$</b>
<b>103,214,001.46</b>	<b>Summary of Appropriations:</b>	<b>(H-1) Total General Appropriations for</b>	<b>Municipal</b>	
<b>Purposes within "CAPS"</b>	<b>75,736,749.12</b>	<b>76,274,312.85</b>	<b>(a) Operations - Excluded from</b>	
<b>"CAPS"</b>	<b>-</b>	<b>-</b>	<b>Other Operations</b>	<b>5,716,262.49</b>
<b>5,768,723.49</b>	<b>Public &amp; Private Progs Offset by Revenues</b>	<b>-</b>	<b>-</b>	
<b>3,317,010.48</b>	<b>( C ) Capital Improvement</b>	<b>-</b>	<b>(D) Municipal</b>	
<b>Debt Service</b>	<b>9,222,845.74</b>	<b>9,243,981.73</b>	<b>(E) Total Deferred &amp; Statutory Charges -</b>	
<b>Excluded from "CAPS"</b>	<b>478,617.92</b>	<b>454,617.92</b>	<b>(F) Judgments</b>	<b>-</b>
<b>-</b>	<b>(G) Cash Deficit - With Prior Consent of LFB</b>	<b>-</b>	<b>(K) Local</b>	
<b>District School Purpose</b>	<b>3,093,813.00</b>	<b>3,093,813.00</b>	<b>(N) Transferred to Board of</b>	
<b>Education</b>	<b>-</b>	<b>-</b>	<b>(M) Reserve for Uncollected Taxes</b>	
<b>5,182,714.44</b>	<b>5,061,541.99</b>	<b>9. Total General Appropriation \$</b>	<b>99,431,002.71</b>	<b>\$</b>
<b>103,214,001.46</b>				

BE IT FURTHER RESOLVED, that three certified copies of this resolution be filed in the Office of the Director of the Division of Local Government Services for his certification of the 2015 Local Municipal Budget so amended.

BE IT FURTHER RESOLVED, that this complete amendment, in accordance with the provisions of N.J.S 40A:4-9, be published in the Irvington Herald in the issue of 09/17/2015 and the said publication contain notice of public hearing on said amendment to be held at Town Hall on September 22, 2015 at 1 Civic Square, Irvington, NJ at 6:30 P.M.

It is hereby certified that this is a true copy of resolution amending the budget, adopted by the Governing Body on 22nd day of September, 2015.

It is hereby certified that all changes are in proof and the budget remains in balance.

Faheem J. Ra' Oof, CPA, Director of Revenue & Finance

Adopted

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ALCOHOLIC BEVERAGE CONTROL BOARD

SEPTEMBER 15, 2015

Chairman Cox called the Meeting to Order

1. New Business

Jones – Cox A. Renewal of Consumption License for 2012-2013 – Ember's Tavern, LLC, trading as Ember's Tavern, 874 - 876 Clinton Avenue

WHEREAS, the following named individuals, partnerships or corporations, being applicants for Plenary Retail Consumption Licenses for the year 2015-2016 to sell alcoholic beverages under the provisions of N.J.S.A. Title 33 having been investigated as required by said Law, and the Alcoholic Beverage Control Board being satisfied that said applicants in all things have met the requirements of the law and are suitable and proper individuals, partnerships or corporations to whom Plenary Retail Consumption Licenses for the sale of alcoholic beverages should be issued:

NOW THEREFORE BE IT RESOLVED BY THE MUNICIPAL COUNCIL ACTING AS THE ALCOHOLIC BEVERAGE CONTROL BOARD OF THE TOWNSHIP OF IRVINGTON that permanent Plenary Retail Consumption Licenses be issued to the following named individuals, partnerships and corporations for the sale of alcoholic beverages by the glass or other open receptacles to be consumed on the licensed premises and also for the sale of alcoholic beverages in original containers for consumption off the licensed premises for the year 2015-2016 at the address set opposite their respective name, viz:

0709-33-021-004 Ember's Tavern, LLC  
t/a Ember's Tavern

874-876 Clinton Avenue

BE IT FURTHER RESOLVED that the said licenses be issued in the name of and under the seal of the Township of Irvington and be signed by a representative of the License Bureau, in order to fulfill the provisions of the Irvington Township Code, known as Ordinance MC 2622, which license, after being so signed, shall be released by the License Bureau to the licensee.

Adopted

Jones – Cox B. Renewal of Consumption License for 2012-2013 – Cricket Productions, Inc., trading as Cricket Club, 415-21 – 16th Avenue and 720 Lyons Ave. Corp., trading as Marlo's Cocktail Lounge, 702 Lyons Avenue

WHEREAS, the following named individuals, partnerships or corporations, being applicants for Plenary Retail Consumption Licenses for the year 2015-2016 to sell alcoholic beverages under the provisions of N.J.S.A. Title 33 having been investigated as required by said Law, and the Alcoholic Beverage Control Board being satisfied that said applicants in all things have met the requirements of the law and are suitable and proper individuals, partnerships or corporations to

whom Plenary Retail Consumption Licenses for the sale of alcoholic beverages should be issued:

NOW THEREFORE BE IT RESOLVED BY THE MUNICIPAL COUNCIL ACTING AS THE ALCOHOLIC BEVERAGE CONTROL BOARD OF THE TOWNSHIP OF IRVINGTON that permanent Plenary Retail Consumption Licenses be issued to the following named individuals, partnerships and corporations for the sale of alcoholic beverages by the glass or other open receptacles to be consumed on the licensed premises and also for the sale of alcoholic beverages in original containers for consumption off the licensed premises for the year 2015-2016 at the address set opposite their respective name, viz:

0709-33-042-002	Cricket Productions, Inc.	415-21 – 16th Avenue
	t/a Cricket Club	
0709-33-073-005	72 Lyons Ave. Corp.	702 Lyons Avenue
	t/a Marlo's Cocktail Lounge	

BE IT FURTHER RESOLVED that the said licenses be issued in the name of and under the seal of the Township of Irvington and be signed by a representative of the License Bureau, in order to fulfill the provisions of the Irvington Township Code, known as Ordinance MC 2622, which license, after being so signed, shall be released by the License Bureau to the licensee.

Adopted

## 2. Adjournment

\*\*\*\*\*

## 12. Miscellaneous

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

Rodney White, 41 Durand Place, Mailing Address: 624 Nye Avenue  
Eugene Otto, 35 Ellery Avenue  
Elouise McDaniel, 214 Nesbit Terrace  
Frank McBee, 46 Durand Place  
Bertrand Roe, 19 Tremont Terrace  
Richard Williams, 197 Linden Avenue

All of the Council Members responded to the concerns raised by the above referenced citizens.

## 13. Adjournment

There being no further business, the meeting was adjourned at 9:03 P.M.

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Charnette Frederic, Council President

Harold E. Wiener, Municipal Clerk