

REGULAR COUNCIL MEETING
SEPTEMBER 29, 2015

Council Chamber, Municipal Building
Irvington, N.J. – Tuesday Evening
September 29, 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)

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

5. Hearing of Council Members

Council Members Cox, Inman and Frederic responded to the issues raised by the above referenced citizens.

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

A. Reports

1. Minutes – Directors’ Meeting – September 15, 2015
2. Joint Meeting – 4th Quarter Assessment
3. Construction Official – Permits Issued in August
4. Minutes - Planning Board - August 27, 2015

7. Reports of Committees

None

8. Ordinances, Bills & Claims

B. Ordinances on 2nd Reading

None

C. Bills & Claims

Hudley – Cox 1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD SEPTEMBER 29, 2015, AS ENUMERATED ON THIS LIST FOR MATERIALS, SUPPLIES AND SERVICES FURNISHED, DELIVERED AND/OR PERFORMED HAVE BEEN CERTIFIED BY THE DEPARTMENTS AS CORRECT, EACH CLAIM AND PURCHASE ORDER HAVE BEEN VERIFIED AND REVIEWED FOR THE AVAILABILITY OF FUNDS, ACCURACY OF ACCOUNT CODING AND COMPLETENESS BY THE ADMINISTRATION, THEREFORE:

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

BILL LIST	\$3,506,480.01
TOTAL	\$3,506,480.01

Adopted

Hudley – Jones 2. Payrolls

July 11, 2015 through July 24, 2015

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$1,485,497.13	\$127,407.92	\$85,260.21	\$1,698,165.26

August 8, 2015 through August 21, 2015

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$1,460,968.04	\$100,736.02	\$286,759.41	\$1,848,463.47

August 22, 2015 through September 4, 2015

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$1,426,691.25	\$121,707.46	\$405,146.92	\$1,953,545.63

September 5, 2015 through September 18, 2015

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$1,430,100.58	\$79,837.88	\$85,362.05	\$1,595,300.51

Adopted

9. Resolutions & Motions

A. Resolutions

Jones – Hudley 1. Authorize Legal Settlement - McCall Versus Irvington – \$250,000.00

RESOLUTION APPROVING THE FINAL DISPOSITION OF
Shynell McCall v. Township of Irvington, et al.

WHEREAS, the matter of Shynell McCall v. Township of Irvington, et als., was filed in the Superior Court of New Jersey, Docket No. ESX-L-002112-13; 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 Two Hundred Fifty Thousand (\$250,000.00) Dollars to be paid to the firm of Eldridge Hawkins, 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 – Burgess 2. Authorize Contract for Legal Services With Lamb Kretzer in the Matter of Donald Higgs v Michael Myers et al - \$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 Lamb Kretzer, LLC has the most experience to defend Police Officers Michael Myers and Mark Green in the case of Donald Higgs v. Michael Myers, et al, Civil Action No. 15-2900 (JLL); and

WHEREAS, the Township Attorney has recommended that a contract be awarded Lamb Kretzer, LLC, 110B Meadowlands Parkway, Suite 201, Secaucus, New Jersey 07094

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

for a contract amount not to exceed \$25,000.00. The billing rate for this contract is \$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 a contract amount not to exceed \$25,000.00. The billing rate for this contract is \$115.00 per hour.

Adopted

Jones – Hudley 3. Authorize Contract for Legal Services With Lamb Kretzer in the Matter of Garden State Check Cashing Service, Inc. Versus the Township of Irvington – \$115.00 Per Hour Not To Exceed \$15,000.00

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 Lamb Kretzer, LLC has the most experience to defend the Township of Irvington and Rudy Ince in the case of

Richard Klein and Garden State Check Cashing Service, Inc. v. Township of Irvington, et als, Docket no. ESX-L-4032-15; and

WHEREAS, the Township Attorney has recommended that a contract be awarded Lamb Kretzer, LLC, 110B Meadowlands Parkway, Suite 201, Secaucus, New Jersey 07094

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 Lamb Kretzer, LLC, 110B Meadowlands Parkway, Suite 201, Secaucus, New Jersey 07094, for a contract amount not to exceed \$15,000.00. The billing rate for this contract is \$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 a contract amount not to exceed \$15,000.00. The billing rate for this contract is \$115.00 per hour.

Adopted

Frederic – Inman 4. Appointments - Citizens Advisory Commission - Myneka Macenat, Alvin Mullins, Raymond Daniels and Darlene Reeves

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 persons are 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
Myneka Macenat 90 Linden Avenue	E-1	Council President Frederic	9-10-17
Alvin B. Mullins 32 Argyle Terrace	E-4	Council Member Inman	9-10-17
Darlene Reeves 41 Vine Avenue	E-8	Council Member Inman	9-10-17
Raymond Daniels 491 Grove Street	E-8	Council Member Inman	9-10-17

Adopted

Jones – Hudley 5. Authorize Contract for Legal Services With Lamb Kretzer in the Matter of Atta Hourizadeh and Yousef vs. Township of Irvington and Derrick James - \$115.00 Per Hour Not To Exceed \$10,000.00

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 Lamb Kretzer, LLC has the most experience to defend the Township of Irvington and Derrick James in the case of Atta Hourizadeh and Yousef Tishbi v. Township of Irvington and Derrick James, Docket No. ESX-L-5223-15; and

WHEREAS, the Township Attorney has recommended that a contract be awarded Lamb Kretzer, LLC, 110B Meadowlands Parkway, Suite 201, Secaucus, New Jersey 07094; and

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 Lamb Kretzer, LLC, 110B Meadowlands Parkway, Suite 201, Secaucus, New Jersey 07094, for a contract amount not to exceed \$10,000.00. The billing rate for this contract is \$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 be paid from the Insurance fund for a contract amount not to exceed \$10,000.000. The billing rate for this contract is \$115.00 per hour.

Adopted

Jones – Hudley 6. Award 2015-16 CDBG Grant Funds to Famicare, Inc. – \$15,000.00

FAMICARE, INC.

WHEREAS, the Township of Irvington is a recipient of 2015-2016 Community Development Block Grant (CDBG) Program funds administered by the U.S. Department of Housing and Urban Development; and

WHEREAS, the Township of Irvington wishes to award CDBG grant funds in the amount \$15,000.00 to FAMICARE, INC. a private Non-Profit corporation of the State of New Jersey with principal offices at 883 SANFORD AVENUE, NEW JERSEY 07111 for the provision of public services, which constitute an eligible CDBG activity; and,

WHEREAS, the Township of Irvington has allocated sufficient CDBG funds to fund a proposed grant agreement in the amount of \$15,000.00 with the FAMICARE, INC., a private Non-Profit Corporation of the State of New Jersey; and

WHEREAS, the U.S. Department of Housing and Urban Development has issued federal regulations which revise 24 CFR 570 Sub-Part J, requiring all CDBG recipients to enter into formal legal agreements with private non-profit organizations, called "CDBG sub-recipients", in order for these organizations to receive CDBG funding from the Township of Irvington; and

WHEREAS, the Township of Irvington is also subject to the provisions of federal OMB Circular A-102 Attachment 0, "Procurement Standards" which apply the Township's procurement of services, supplies and property with CDBG funds; and

WHEREAS, OMB Circular A-102 also requires the Township to conform to all applicable state and local laws relating to formal legal agreements by municipal government procurement of goods and services; 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 and procurement contracts (in excess of \$8,500.00) with private contractors:

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

1. The Mayor and the Township Clerk are hereby authorized and directed to execute an agreement with FAMICARE, INC., for which Educational and Social Services are to be performed at 883 SANFORD AVENUE, NEW JERSEY 07111.
2. Pursuant to N.J.A.C. 5:34-5.2, the required certificate of Availability of Funds No. C5-00288 in the amount of \$15,000.00 for the above has been obtained from the Chief Financial Officer of the Township of Irvington. The appropriation to be charged for this expenditure is Account No. T-21-41-850-16C-806.

Adopted

Jones – Burgess 7. Award 2015-16 CDBG Grant Funds to the Bridge, Inc. – \$15,000.00

THE BRIDGE, INC.

WHEREAS, the Township of Irvington is a recipient of 2015-2016 Community Development Block Grant (CDBG) Program funds administered by the U.S. Department of Housing and Urban Development; and

WHEREAS, the Township of Irvington wishes to award CDBG grant funds in the amount \$15,000.00 to THE BRIDGE, INC. a private Non-Profit corporation of the State of New Jersey with principal offices at 1065 CLINTON AVENUE, IRVINGTON, NEW JERSEY 07111 for the provision of public services, which constitute an eligible CDBG activity; and,

WHEREAS, the Township of Irvington has allocated sufficient CDBG funds to fund a proposed grant agreement in the amount of \$15,000.00 with THE BRIDGE, INC., a private Non-Profit Corporation of the State of New Jersey; and

WHEREAS, the U.S. Department of Housing and Urban Development has issued federal regulations which revise 24 CFR 570 Sub-Part J, requiring all CDBG recipients to enter into formal legal agreements with private non-profit organizations, called "CDBG sub-recipients", in order for these organizations to receive CDBG funding from the Township of Irvington; and

WHEREAS, the Township of Irvington is also subject to the provisions of federal OMB Circular A-102 Attachment 0, "Procurement Standards" which apply the Township's procurement of services, supplies and property with CDBG funds; and

WHEREAS, OMB Circular A-102 also requires the Township to conform to all applicable state and local laws relating to formal legal agreements by municipal government procurement of goods and services; 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 and procurement contracts (in excess of \$8,500.00) with private contractors:

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

1. The Mayor and the Township Clerk are hereby authorized and directed to execute an agreement with THE BRIDGE, INC. for which Mental Health Counseling and Addiction Services are to be performed at 1065 CLINTON AVENUE, IRVINGTON, NEW JERSEY 07111.

2. Pursuant to N.J.A.C. 5:34-5.2, the required certificate of Availability of Funds No. C5-00286 in the amount of \$15,000.00 for the above has been obtained from the Chief Financial Officer of the Township of Irvington. The appropriation to be charged for this expenditure is Account No. T-21-41-850-16C-804.

Adopted

Jones – Lyons 8. Award 2015-16 CDBG Grant Funds to the Irvington Counseling Center - \$15,000.00

IRVINGTON COUNSELING CENTER

WHEREAS, the Township of Irvington is a recipient of 2015-2016 Community Development Block Grant (CDBG) Program funds administered by the U.S. Department of Housing and Urban Development; and

WHEREAS, the Township of Irvington wishes to award CDBG grant funds in the amount of \$12,000.00 to IRVINGTON COUNSELING CENTER, a private Non-Profit corporation of the State of New Jersey with principal offices at 21-29 WAGNER PLACE, IRVINGTON, NEW JERSEY 07111 for the provision of public services, which constitute an eligible CDBG activity; and,

WHEREAS, the Township of Irvington has allocated sufficient CDBG funds to fund a proposed grant agreement in the amount of \$15,000.00 with the IRVINGTON COUNSELING CENTER a private Non-Profit Corporation of the State of New Jersey; and

WHEREAS, the U.S. Department of Housing and Urban Development has issued federal regulations which revise 24 CFR 570 Sub-Part J, requiring all CDBG recipients to enter into formal legal agreements with private non-profit organizations, called "CDBG sub-recipients", in order for these organizations to receive CDBG funding from the Township of Irvington; and

WHEREAS, the Township of Irvington is also subject to the provisions of federal OMB Circular A-102 Attachment 0, "Procurement Standards" which apply the Township's procurement of services, supplies and property with CDBG funds; and

WHEREAS, OMB Circular A-102 also requires the Township to conform to all applicable state and local laws relating to formal legal agreements by municipal government procurement of goods and services; 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 and procurement contracts (in excess of \$8,500.00) with private contractors:

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

1. The Mayor and the Township Clerk are hereby authorized and directed to execute an agreement with IRVINGTON COUNSELING CENTER, for which mental health counseling, psychiatric, medication monitoring, individual, family and group therapy counseling services are to be performed at 21-29 WAGNER PLACE, IRVINGTON, NEW JERSEY 07111.

2. Pursuant to N.J.A.C. 5:34-5.2, the required certificate of Availability of Funds No. C5-00287 in the amount of \$15,000.00 for the above has been obtained from the Chief Financial Officer of the Township of Irvington. The appropriation to be charged for this expenditure is Account No. T-21-41-850-16C-801.

Adopted

Jones – Lyons 9. Award 2015-16 CDBG Grant Funds to the Association of Retarded Citizens (ARC) - \$15,000.00

ARC (ASSOCIATION OF RETARDED CITIZENS)

WHEREAS, the Township of Irvington is a recipient of 2015-2016 Community Development Block Grant (CDBG) Program funds administered by the U.S. Department of Housing and Urban Development; and

WHEREAS, the Township of Irvington wishes to award CDBG grant funds in the amount \$15,000.00 to ARC (ASSOCIATION OF RETARDED CITIZENS), a private Non-Profit corporation of the State of New Jersey with principal offices at 123 NAYLON AVENUE, LIVINGSTON, NEW JERSEY 07039 for the provision of public services, which constitute an eligible CDBG activity; and,

WHEREAS, the Township of Irvington has allocated sufficient CDBG funds to fund a proposed grant agreement in the amount of \$15,000.00 with the ARC (ASSOCIATION OF RETARDED CITIZENS), a private Non-Profit Corporation of the State of New Jersey; and

WHEREAS, the U.S. Department of Housing and Urban Development has issued federal regulations which revise 24 CFR 570 Sub-Part J, requiring all CDBG recipients to enter into formal legal agreements with private non-profit organizations, called "CDBG sub-recipients", in order for these organizations to receive CDBG funding from the Township of Irvington; and

WHEREAS, the Township of Irvington is also subject to the provisions of federal OMB Circular A-102 Attachment 0, "Procurement Standards" which apply the Township's procurement of services, supplies and property with CDBG funds; and

WHEREAS, OMB Circular A-102 also requires the Township to conform to all applicable state and local laws relating to formal legal agreements by municipal government procurement of goods and services; 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 and procurement contracts (in excess of \$8,500.00) with private contractors:

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

1. The Mayor and the Township Clerk are hereby authorized and directed to execute an agreement with ARC (ASSOCIATION OF RETARDED CITIZENS), for which a Summer Camp for Children with Developmental and Intellectual Disabilities are to be offered at 127 EAST CEDAR STREET, EAST HANOVER, NEW JERSEY 07936.

2. Pursuant to N.J.A.C. 5:34-5.2, the required certificate of Availability of Funds No. C5-00285 in the amount of \$15,000.00 for the above has been obtained from the Chief Financial Officer of the Township of Irvington. The appropriation to be charged for this expenditure is Account No. T-21-41-805-16c-802.

Adopted

Cox – Frederic 10. Award 2015-16 CDBG Grant Funds to Community Organization Making Better Alternatives Today for Tomorrow, Inc. (C.O.M.B.A.T.T.) - \$8,000.00

C.O.M.B.A.T.T.

(Community Organization Making Better Alternatives Today for Tomorrow, Inc.)

WHEREAS, the Township of Irvington is a recipient of 2015-2016 Community Development Block Grant (CDBG) Program funds administered by the U.S. Department of Housing and Urban Development; and

WHEREAS, the Township of Irvington wishes to award CDBG grant funds in the amount \$8,000.00 to C.O.M.B.A.T.T., a private Non-Profit corporation of the State of New Jersey with principal offices the CHRIS GATLING CENTER, 285 UNION AVENUE, IRVINGTON, NEW JERSEY 07111 for the provision of public services, which constitute an eligible CDBG activity; and,

WHEREAS, the Township of Irvington has allocated sufficient CDBG funds to fund a proposed grant agreement in the amount of \$8,000.00 with the C.O.M.B.A.T.T., a private Non-Profit Corporation of the State of New Jersey; and

WHEREAS, the U.S. Department of Housing and Urban Development has issued federal regulations which revise 24 CFR 570 Sub-Part J, requiring all CDBG recipients to enter into formal legal agreements with private non-profit organizations, called "CDBG sub-recipients", in order for these organizations to receive CDBG funding from the Township of Irvington; and

WHEREAS, the Township of Irvington is also subject to the provisions of federal OMB Circular A-102 Attachment 0, "Procurement Standards" which apply the Township's procurement of services, supplies and property with CDBG funds; and

WHEREAS, OMB Circular A-102 also requires the Township to conform to all applicable state and local laws relating to formal legal agreements by municipal government procurement of goods and services; 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 and procurement contracts (in excess of \$8,500.00) with private contractors:

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

1. The Mayor and the Township Clerk are hereby authorized and directed to execute an agreement with C.O.M.B.A.T.T., INC., for which Mentoring, Educational and Recreational services to youth are to be offered at the CHRIS GATLING CENTER, 285 UNION AVENUE, IRVINGTON, NEW JERSEY 07111

2. Pursuant to N.J.A.C. 5:34-5.2, the required certificate of Availability of Funds No. C5-00289 in the amount of \$8,000.00 for the above has been obtained from the Chief Financial Officer of the Township of Irvington. The appropriation to be charged for this expenditure is Account No. T-21-41-850-16C-807.

Adopted

Jones – Burgess 11. Award 2015-16 CDBG Grant Funds to Jersey Heat Track Club – \$8,000.00

JERSEY HEAT TRACK CLUB, INC.

WHEREAS, the Township of Irvington is a recipient of 2015-2016 Community Development Block Grant (CDBG) Program funds administered by the U.S. Department of Housing and Urban Development; and

WHEREAS, the Township of Irvington wishes to award CDBG grant funds in the amount \$8,000.00 to JERSEY HEAT, INC., a private Non-Profit corporation of the State of New Jersey with principal offices C/O Michele Jones Loring, 225 PARK PLACE, IRVINGTON, NEW JERSEY 07111 for the provision of public services, which constitute an eligible CDBG activity; and,

WHEREAS, the Township of Irvington has allocated sufficient CDBG funds to fund a proposed grant agreement in the amount of \$8,000.00 with the JERSEY HEAT TRACK CLUB, INC., a private Non-Profit Corporation of the State of New Jersey; and

WHEREAS, the U.S. Department of Housing and Urban Development has issued federal regulations which revise 24 CFR 570 Sub-Part J, requiring all CDBG recipients to enter into formal legal agreements with private non-profit organizations, called "CDBG sub-recipients", in order for these organizations to receive CDBG funding from the Township of Irvington; and

WHEREAS, the Township of Irvington is also subject to the provisions of federal OMB Circular A-102 Attachment 0, "Procurement Standards" which apply the Township's procurement of services, supplies and property with CDBG funds; and

WHEREAS, OMB Circular A-102 also requires the Township to conform to all applicable state and local laws relating to formal legal agreements by municipal government procurement of goods and services; 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 and procurement contracts (in excess of \$8,500.00) with private contractors:

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

1. The Mayor and the Township Clerk are hereby authorized and directed to execute an agreement with JERSEY HEAT TRACK CLUB, INC., for which Youth Track and Field Services for youth ages 6 – 18 will be offered at various Irvington Public Locations.
2. Pursuant to N.J.A.C. 5:34-5.2, the required certificate of Availability of Funds No. C5-00290 in the amount of \$8,000.00 for the above has been obtained from the Chief Financial Officer of the Township of Irvington. The appropriation to be charged for this expenditure is Account No. T-21-41-850-16C-808.

Adopted

Hudley – Burgess 12. Award 2015-16 CDBG Grant Funds to VFW Post #1941, Inc.
– \$15,000.00

VFW POST #1941, INC.

WHEREAS, the Township of Irvington is a recipient of 2015-2016 Community Development Block Grant (CDBG) Program funds administered by the U.S. Department of Housing and Urban Development; and

WHEREAS, the Township of Irvington wishes to award CDBG grant funds in the amount \$15,000.00 to VFW POST #1941, INC., a private Non-Profit corporation of the State of New Jersey with principal offices 56-58 CHESTNUT AVENUE, IRVINGTON, NEW JERSEY 07111 for the provision of public services, which constitute an eligible CDBG activity; and,

WHEREAS, the Township of Irvington has allocated sufficient CDBG funds to fund a proposed grant agreement in the amount of \$15,000.00 with the VFW POST #1941, INC., a private Non-Profit Corporation of the State of New Jersey; and

WHEREAS, the U.S. Department of Housing and Urban Development has issued federal regulations which revise 24 CFR 570 Sub-Part J, requiring all CDBG recipients to enter into formal legal agreements with private non-profit organizations, called "CDBG sub-recipients", in order for these organizations to receive CDBG funding from the Township of Irvington; and

WHEREAS, the Township of Irvington is also subject to the provisions of federal OMB Circular A-102 Attachment 0, "Procurement Standards" which apply the Township's procurement of services, supplies and property with CDBG funds; and

WHEREAS, OMB Circular A-102 also requires the Township to conform to all applicable state and local laws relating to formal legal agreements by municipal government procurement of goods and services; 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 and procurement contracts (in excess of \$8,500.00) with private contractors:

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

1. The Mayor and the Township Clerk are hereby authorized and directed to execute an agreement with VFW POST #1941, INC., to facilitate the rehabilitation of their building to provide suitable accommodations for them to continue to deliver social services to the Township's veteran population.
2. Pursuant to N.J.A.C. 5:34-5.2, the required certificate of Availability of Funds No. C5-00291 in the amount of \$15,000.00 for the above has been obtained from the Chief Financial Officer of the Township of Irvington. The appropriation to be charged for this expenditure is Account No. T-21-41-850-16C-812.

Adopted

Hudley – Burgess 13. Award 2015-16 CDBG Grant Funds to Innovation, Music and Performing Arts Conservatory, Inc. (IMPAC) - \$15,000.00

IMPAC (Innovation, Music and Performing Arts Conservatory, Inc.)

WHEREAS, the Township of Irvington is a recipient of 2015-2016 Community Development Block Grant (CDBG) Program funds administered by the U.S. Department of Housing and Urban Development; and

WHEREAS, the Township of Irvington wishes to award CDBG grant funds in the amount \$15,000.00 to IMPAC INC., a private Non-Profit corporation of the State of New Jersey with principal offices 101 NESBIT TERRACE, IRVINGTON, NEW JERSEY 07111 for the provision of public services, which constitute an eligible CDBG activity; and,

WHEREAS, the Township of Irvington has allocated sufficient CDBG funds to fund a proposed grant agreement in the amount of \$15,000.00 with the IMPAC, INC., a private Non-Profit Corporation of the State of New Jersey; and

WHEREAS, the U.S. Department of Housing and Urban Development has issued federal regulations which revise 24 CFR 570 Sub-Part J, requiring all CDBG recipients to enter into formal legal agreements with private non-profit organizations, called "CDBG sub-recipients", in order for these organizations to receive CDBG funding from the Township of Irvington; and

WHEREAS, the Township of Irvington is also subject to the provisions of federal OMB Circular A-102 Attachment 0, "Procurement Standards" which apply the Township's procurement of services, supplies and property with CDBG funds; and

WHEREAS, OMB Circular A-102 also requires the Township to conform to all applicable state and local laws relating to formal legal agreements by municipal government procurement of goods and services; 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 and procurement contracts (in excess of \$8,500.00) with private contractors:

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

1. The Mayor and the Township Clerk are hereby authorized and directed to execute an agreement with IMPAC, INC., for which Irvington Youth will be provided with Instruction in Music, Dance and Dramatic arts at 971 CLINTON AVENUE, IRVINGTON, NEW JERSEY 07111.
2. Pursuant to N.J.A.C. 5:34-5.2, the required certificate of Availability of Funds No. C5-00292 in the amount of \$15,000.00 for the above has been obtained from the Chief Financial Officer of the Township of Irvington. The appropriation to be charged for this expenditure is Account No. T-21-41-850-16c-813.

Adopted

Cox – Lyons 14. Award 2015-16 CDBG Grant Funds to the Irvington Public Library
- \$30,000.00

IRVINGTON PUBLIC LIBRARY

WHEREAS, the Township of Irvington is a recipient of 2015-2016 Community Development Block Grant (CDBG) Program funds administered by the U.S. Department of Housing and Urban Development; and

WHEREAS, the Township of Irvington wishes to award CDBG grant funds in the amount \$30,000.00 to the IRVINGTON PUBLIC LIBRARY, a public facility with principal offices at 5 CIVIC SQUARE, IRVINGTON, NEW JERSEY 07111 for the provision of public services and enhancement to public facilities, which constitute eligible CDBG activities; and,

WHEREAS, the Township of Irvington has allocated sufficient CDBG funds to fund a proposed grant agreement in the amount of \$30,000.00 with the IRVINGTON PUBLIC LIBRARY a Township facility which delivers public services to the Township's residents; and

WHEREAS, the U.S. Department of Housing and Urban Development has issued federal regulations which revise 24 CFR 570 Sub-Part J, requiring all CDBG recipients to enter into formal legal agreements with private non-profit organizations, called "CDBG sub-

recipients", in order for these organizations to receive CDBG funding from the Township of Irvington; and

WHEREAS, the Township of Irvington is also subject to the provisions of federal OMB Circular A-102 Attachment 0, "Procurement Standards" which apply the Township's procurement of services, supplies and property with CDBG funds; and

WHEREAS, OMB Circular A-102 also requires the Township to conform to all applicable state and local laws relating to formal legal agreements by municipal government procurement of goods and services; 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 and procurement contracts (in excess of \$8,500.00) with private contractors:

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

1. The Mayor and the Township Clerk are hereby authorized and directed to execute an agreement with the IRVINGTON PUBLIC LIBRARY to facilitate the replacement of the video surveillance equipment in and around the library located at 5 CIVIC SQUARE, IRVINGTON, NEW JERSEY 07111.

2. Pursuant to N.J.A.C. 5:34-5.2, the required certificate of Availability of Funds No. C5-00293 in the amount of \$30,000.00 for the above has been obtained from the Chief Financial Officer of the Township of Irvington. The appropriation to be charged for this expenditure is Account No. T-21-41-850-16D-802.

Adopted

Burgess – Jones 15. Authorize Contract for Legal Services With Eric M. Bernstein & Associates in the Matter of Weah vs. Joseph Zepeda 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 the Township of Irvington and the Irvington Police Department in the case of Weah v. Jose Zepeda, et als., Docket no. ESX-L-5878-15; 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; and

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 a contract amount not to exceed \$25,000.00. The billing rate for this contract is \$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 a contract amount not to exceed \$25,000.000. The billing rate for this contract is \$115.00 per hour.

Adopted

Hudley – Lyons 16. Authorize Contract for Legal Services With Clarence Barry-Austin in the Matter of Weah vs. Joseph Zepeda 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 Clarence Barry-Austin, P.C. has the most experience to defend Police Officer Jose Zepeda in the case of Weah v. Jose Zepeda, et als., Docket no. ESX-L-5878-15; and

WHEREAS, the Township Attorney has recommended that a contract be awarded Clarence Barry-Austin, P.C., 76 South Orange Avenue, Suite 207, South Orange, New Jersey 07079; and

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 Clarence Barry-Austin, P.C., 76 South Orange Avenue, Suite 207, South Orange, New Jersey 07079 for a contract amount not to exceed \$25,000.00. The billing rate for this contract is \$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 be paid from the Insurance fund for a contract amount not to exceed \$25,000.00. The billing rate for this contract is \$115.00 per hour.

Jones – Cox 17. Authorize Approval of Additional Funds for Prior Labor Counsel Legal Services - \$29,403.73 - Scarinci and Hollenbeck

APPROVING ADDITIONAL FUNDS FOR PRIOR LABOR COUNSEL SERVICES

WHEREAS, on November 8, 2012 the firm of Scarinci & Hollenbeck was awarded a contract for Labor Counsel Services for an amount not to exceed \$50,000.00 by resolution number TA 12-1108-8; and

WHEREAS, on June 11, 2013 the firm of Scarinci & Hollenbeck was awarded a contract for Labor Counsel Services for an amount not to exceed \$50,000.00 by resolution number TA 13-0611-8 for the period of July 1, 2013 – June 30, 2014; and

WHEREAS, on June 24, 2014 the firm of Scarinci & Hollenbeck was awarded a contract for Labor Counsel Services for an amount not to exceed \$8,333.33 by resolution number TA 14-0624-4 for the period of July 1, 2014 – August 31, 2014; and

WHEREAS, on August 12, 2014 the firm of Scarinci & Hollenbeck was awarded a contract for Labor Counsel Services for an amount not to exceed \$4,166.66 by resolution number TA 14-0812-6 for the period of September 1, 2014 – September 30, 2014; and

WHEREAS, Scarinci Hollenbeck provided the Township with Labor Counsel Services for the aforementioned time periods with an additional expenditure totaling \$29,403.73; and

WHEREAS, the Township would seek to pay Scarinci Hollenbeck for services provided in excess of the contract amount totaling \$29,403.73 for matter within the scope of the contract;

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the services performed by the firm of Scarinci Hollenbeck in excess of the contract amounts, totaling \$29,403.73 is hereby ratified and confirmed; and

BE IT FURTHER RESOLVED, that the required certification of availability of funds C5-00274 in the amount of \$4,000.00 has been obtained from the Chief Financial Officer and the remaining balance will be obtained from the Chief Financial Officer contingent on the adoption of the calendar year 2015 and 2016 budget.

Adopted

Hudley – Jones 18. Request Approval of the Director of the Division of Local Government Services to Increase Change Fund for the Municipal Court from \$100.00 to \$272.00

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 of 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 \$ 272.00; 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.

Adopted

Cox – Hudley 19. Establish Handicapped Parking Spaces - 133 Maple Avenue, 17 Standard Place, 40 Newton Place, 246 - 40th Street and 40 Grant Place

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 133 Maple Avenue, 17 Standard Place, 40 Newton Place, 246 - 40th Street and 40 Grant Place

:

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 133 Maple Avenue, 17 Standard Place, 40 Newton Place, 246 - 40th Street and 40 Grant Place

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

Adopted

Inman – Burgess 20. Commemoration - Mt. Sinai Full Gospel Center 100th Anniversary

Resolution of Commemoration
Mount Sinai Full Gospel Deliverance Center
Centennial Celebration

WHEREAS, the Mount Sinai Full Gospel Deliverance Center, the family church of East Ward Council Member Paul Inman, will be celebrating its 100th Church Anniversary from October 2-4, 2015; and

WHEREAS, one of the oldest Pentecostal churches in the city of Winston-Salem, North Carolina, Mount Sinai had her humble beginning in late 1915 when Bishop C.H. Hairston and Elder Henry Wilson (later Bishop) organized a group to conduct street meetings and brush arbor revivals. Over 60 churches, first known as the Colored Holiness Church and later chartered as the Glorious Church of God, Inc., grew out of this gathering. In the process of establishing "home base" churches that evolved from the revivals, Bishop Henry Wilson, a Salisbury native, was named pastor of Mount Sinai Winston-Salem. At the time of his death, January 1976, Bishop Wilson had served as pastor of Mount Sinai for 51 years; and

WHEREAS, in June 1976, Elder John L. Hines (later Bishop), an internationally traveled COGIC evangelist and New Jersey native, assumed the pastorate and ushered the congregation into a new era. He distinguished himself as a multi-faceted leader: pastor, teacher, builder, evangelizer, scholar and administrator who navigated the church to new heights. His administration emphasized sound biblical principles, character building, training for effective leadership, evangelism, family enrichment, Christian Education, youth and seniors' ministries and community outreach; and

WHEREAS, Bishop Hines initiated a full-scale building project to better serve the needs of the membership and the East Winston Community in 1979. This building venture brought the church into the national spotlight due to the controversial location of the new edifice in proximity to a major airport. In 1980, city officials ordered the church to stop construction. Under Bishop Hines' God-directed leadership, the church persevered and construction resumed in 1984. The spacious tri-level structure was completed in 1987. In 1992 Bishop Hines prophetically proclaimed, "This shall be called the House of Deliverance," giving birth to the new vision, Mount Sinai Full Gospel Deliverance Center; and

WHEREAS, committed to the completion of the work and expansion of the vision, Pastor Yvonne H. Hines, wife of the late Bishop, became the first female pastor in the history of the local church and the organization. Amid the challenges of parenting, day-to-day ministerial demands and organizational disputations over female leadership, she has successfully and profoundly led the church into a viable 21st century ministry. She has gained the respect of congregants and fellow clergy as an exceptional leader, prolific preacher, teacher and administrator. For the past nineteen years, she has graciously and

enthusiastically steered the church in a positive direction, particularly emphasizing community outreach, ministry expansion and educational progression for all ages; and

WHEREAS, during her tenure as pastor, she has added several new ministries: Performing Arts, Birthday Club, Liturgical Dancers, Singles' and Couples' Ministries, and Pastor's Core Council (PCC). In 2001, she coordinated a successful Building Fund Drive that culminated with the mortgage burning on the present sanctuary, and, in 2002, she spearheaded renovations of the fellowship hall. Currently, she is leading the church in an aggressive project geared toward the redevelopment and revitalization of the East 25th and Manchester Street vicinity. The church currently owns and manages 24 properties in the area with additional acquisitions pending; 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 Mount Sinai Full Gospel Deliverance Center.

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 Mount Sinai Full Gospel Deliverance Center.

Adopted

Hudley – Burgess 21. Authorize Services Agreement Between the Township of Irvington and Christ the King Preparatory School for Use of Student Interns

RESOLUTION TO APPROVE THE SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF IRVINGTON AND CHRIST THE KING PREPARATORY SCHOOL

WHEREAS, the Township of Irvington and Christ the King Preparatory School wish to allow high school students the opportunity to gain work experience in order to earn a portion of the cost of their private college preparatory education;

WHEREAS, the Municipal Council approves said Agreement between the Township and Christ the King Preparatory School;

WHEREAS, the proposed agreement between the Township of Irvington and Christ the King Preparatory School, a copy of which is attached and made a part hereof, be and it hereby is approved, and the Township Clerk, Harold Weiner, Mayor, Tony Vauss, or other Officer, is hereby authorized to execute the same in duplicate and to deliver a duplicate original to Christ the King;

NOW THEREFORE BE IT RESOLVED that the governing body of the Township of Irvington, in the County of Essex, in the State of New Jersey, hereby authorizes the Township of Irvington and Christ the King Preparatory School Agreement. Further, the Township and Christ the King Preparatory School are hereby authorized to do and perform any and all acts, including execution of any and all documents as shall be deemed necessary or advisable to carry out the purposes and intent of the Agreement.

Adopted

Jones – Lyons 22. Authorize Tax Payment Plan – 485 Nye Avenue – Total Amount to Redeem – \$43,344.57 – 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, **Stewart, Frederick & Morrison, E.**, owner of record of **Block 213, Lot 41**, also known as **485 Nye Avenue**, Municipality of Irvington, is desirous of satisfying Tax Title Lien # **111510** in the amount of **\$43,344.57** 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 **\$1,567.01**, 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

Hudley – Jones 23. Authorize Tax Payment Plan – 98 Hopkins Place – Total Amount to Redeem – \$74,663.82 – 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, **Ulmer, Chantella.**, owner of record of **Block 205, Lot 14**, also known as **98 Hopkins Place**, Municipality of Irvington, is desirous of satisfying Tax Title Lien # **111404** in the amount of **\$74,663.82** 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 **\$2,699.28**, 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 – Lyons 24. Authorize Abatement of \$11,297.17 in Interest on 219-221 Lincoln Place, Block 329, Lot 36 in Consideration of the Full Amount of the Principal of \$32,029.98 Being Paid on or Before November 30, 2015

WHEREAS, a municipal lien was placed on 219-221 Lincoln Place, also known as Block 329 Lot 36, at a Tax Sale held on December 27, 2012 for delinquent/unpaid taxes in the amount of \$7,244.79; and

WHEREAS, the total amount due on Block 329 Lot 36, Tax Sale Cert# 12-02912, with interest and cost to September 29, 2015 is \$43,327.15 which includes subsequent municipal charges up to the 2015 3rd quarter taxes and 2015 annual sewer charge; and

WHEREAS, the owner of 219 Lincoln Place LLC, has written a letter requesting an abatement of the interest owed on said certificate; and

WHEREAS, the interest and cost on Tax Sale Cert# 12-02912 to September 29, 2015 is \$11,297.17; 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 \$11,297.17 imposed on Block 329 Lot 36, and the taxpayer be allowed to pay the principal amount of \$32,029.98 on or before November 30, 2015, which is the principal amount due of said certificate of sale #12-02912.

Adopted

Hudley – Burgess 25. Ratify Technical Amendment to Calendar Year 2015 Budget Amendment

**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		
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 14	-	172,753.00
Essex County - SSH 2015/16	-	110,000.00
Municipal Alliance - 2015 -16	-	84,000.00
Federal 2014- COPs grant	-	1,000,000.00
<u>Unappropriated Grants</u>		
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
Agreement with Irvington Housing Authority	123,000.00	78,000.00
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
<u>Summary of Revenues</u>		
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 & 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
<u>8. GENERAL APPROPRIATIONS</u>		
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
Expenditures W/O Appropriations	861,769.00	861,769.87
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	6,502,111.08	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

Total Public and Private Program Offset By Revenue	-	3,317,010.48
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Total Operations Excluded from "CAPS"	5,716,262.49	9,085,733.97
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8. General Appropriations

(C) Total Capital Improvements - Excluded from "CAPS"

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

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.

It is hereby certified that this is a true copy of resolution, adopted by the Governing Body on 29th day of September, 2015

Harold Weiner, Municipal Clerk

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

B. Motions

None

10. Communications & Petitions

A. Communications

None

B. Petitions

None

11. Pending Business

None

12. Miscellaneous

A. Bingos and Raffles

None

NON-CONSENT AGENDA ITEMS

8. Ordinances, Bills & Claims

A. Ordinances on 1st Reading

Cox - Burgess 1. Create Department of Public Safety

AN ORDINANCE AMENDING CHAPTERS 13 AND 40 OF THE REVISED CODE OF THE TOWNSHIP OF IRVINGTON BY CREATING THE DEPARTMENT OF PUBLIC SAFETY, AND PROVIDING FOR THE APPOINTING OF A PUBLIC SAFETY DIRECTOR AND SALARY AND THE APPOINTMENT OF A DEPUTY PUBLIC SAFETY DIRECTOR.

Adopted

Cox – Hudley 2. Establish Salary of Director of Public Safety

AN ORDINANCE AMENDING ORDINANCE NUMBER MC 3511 TO PROVIDE FOR CERTAIN SALARIES

Adopted

Burgess – Jones 3. Establish Residential Parking Permits on Glorieux Street Between Nesbit Terrace and Park Place, Seven Days a Week, 24 Hours Per Day, and on the Entire Length of Argyle Terrace Between the Hours of 8:00 A.M. and 8:00 P.M.

AN ORDINANCE AMENDING PART II GENERAL LEGISLATION/CHAPTER 192, VEHICLES AND TRAFFIC/ARTICLE II, PARKING/SECTION 192-16.2 PARKING RESTRICTED FOR RESIDENTS; PARKING PERMIT REQUIRED; AND AMENDING 192-96.1

Adopted
Abstain: Cox

ALCOHOLIC BEVERAGE CONTROL BOARD

SEPTEMBER 29, 2015

Chairman Cox calls the Meeting to Order

1. New Business

Inman – Burgess B. Renewal of Consumption License for 2015-2016 – Antojito's Restaurant, Inc., 1240 Springfield Avenue and 43rd Street Café, 1425 Springfield 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:

0709-33-017-006	Antojito's Restaurant, Inc. t/a Antojito's Restaurant	1240 Springfield Avenue
0709-33-063-004	1425 Springfield Avenue Corp. t/a 43rd Street Café	1425-31 Springfield 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

2. Adjournment

12. Miscellaneous

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

Frank McBee, 41 Durand Place
Eric Dixon, 17 Ruth Street
Cheryl Turner, VFW Post #1941, 56 Chestnut Avenue
Rodney White, 46 Durand Place, Mailing Address: 624 Nye Avenue
Cathy Southerland, 50 Adams Street
Elouise McDaniel, 214 Nesbit Terrace

All of the Council Members responded to the issues presented by the above referenced citizens.

13. Adjournment

There being no further business, the meeting was adjourned at 8:42 P.M.

Charnette Frederic, Council President

Harold E. Wiener, Municipal Clerk