

REGULAR COUNCIL MEETING
MAY 3, 2016

Council Chamber, Municipal Building
Irvington, N.J. – Tuesday Evening
May 3, 2016 - 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
Andrew Harrison, 20 Dupont Place

5. Hearing of Council Members

Council members Inman, Burgess and Council president 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 – April 5, 2016
2. Minutes – February 18, 2016
3. Joint Meeting – 2015 Annual Operational Report
4. Construction Official - Permits Issued in March

7. Reports of Committees

A. Request for Proposals Results – IDIS Support Services - April 13, 2016

B. Request for Proposals Results – Lease of Office Space - April 13, 2016

8. Ordinances, Bills & Claims

B. Ordinances on 2nd Reading

None

C. Bills & Claims

Jones – Burgess 1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD MAY 3, 2016, 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	\$4,015,023.73
TOTAL	\$4,015,023.73

Adopted

Cox – Burgess 2. Payrolls

February 27, 2016 through March 11, 2016

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$1,469,483.22	\$97,623.94	\$171,530.69	\$1,738,637.85

Adopted

9. Resolutions & Motions

A. Resolutions

Frederic – Burgess 1. Commemoration - Haitian Flag Day, 2016

RESOLUTION OF COMMEMORATION
HAITIAN FLAG DAY

WHEREAS, HAITI's history dates back to thousands of years. The western half of the island of Hispaniola, it was first inhabited by the Taino natives. Christopher Columbus was the first European to visit the island, doing so in 1492, founding the settlement of La

Navidad. France and Spain divided Hispaniola between them in 1697, France receiving the western half, importing African slaves and imposing racial codes; and

WHEREAS, HAITIAN natives fought for their independence, under former slave Toussaint L'Ouverture, in the late 1700s and early 1800s. On January 1, 1804, HAITI proclaimed its independence from France, and withstood French and other nations' attempts to conquer them. HAITI is the second-oldest independent nation in the Americas; and

WHEREAS, For a country's citizens, the national flag is indisputably a symbol of general pride. They would consider any offense to their flag to be an offense to their country. Beyond being an icon though, a flag's origin can often say a lot about a nation's social makeup or history. Haitians feel no different and even reserve a special day to honor it, that day is May 15, 2016 and

WHEREAS, In Haiti, Flag Day is a major national holiday celebrated with great fanfare on the grounds of the national palace. Flag Day is also observed by Haitians in the Diaspora. In the United States Haitians give homage to the blue and red by carrying it around. Haiti's flag's origin is tightly linked to a history of struggle for freedom; and

WHEREAS, Toussaint Louverture and the army of revolted slaves fought successively for the Spanish against the French (1793-1794), for the French against Spain and England (1794-1802) and ultimately against France; and

WHEREAS, The leaders of the free slaves and the men of color had decided to fight for the creation of an independent nation. On May 18, 1803, in the city of Arcahaie, not far from Port-au-Prince, the newly appointed revolutionary leader Jean-Jacques Dessalines created the flag by taking a French tricolor and ripping out the white center. He then asked Catherine Flon to sew the remaining bands together; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that it hereby recognizes May 15, 2016 as Haitian Flag Day and honors this country's citizens and their ancestors who so bravely fought for their freedom from slavery.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of this governing body in lasting tribute to Haitian Flag Day.

Adopted

Inman – Cox 2. Authorize \$69,248.64 Grant Application and Participation in the Edward Byrne Memorial Justice Assistance Grant Local Program to Provide for Continued Operation of the CAD/RMS system and to Oversee Necessary Upgrades to Prevent and Control Crime

APPROVE PARTICIPATION AND AUTHORIZES THE IRVINGTON POLICE DEPARTMENT TO ACCEPT GRANT FUNDING FROM THE U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE, UNDER THE FY-2015

EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT LOCAL PROGRAM (JAG) IN THE AMOUNT OF \$69,248.64, FOR COMPENSATING A CONSULTANT TO COORDINATE THE CONTINUED OPERATION OF OUR CAD/RMS SYSTEM AND OVERSEE NECESSARY UPGRADES. FURTHERMORE, THIS RESOLUTION AUTHORIZES THE TOWNSHIP OF IRVINGTON TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE PARTICIPATING MUNICIPALITIES OF ESSEX COUNTY.

WHEREAS, the US Department of Justice Bureau of Justice Assistance, as part of its nationwide strategy to prevent and control crime based on local needs and conditions, has implemented a law enforcement funding program through the FY-2015 Edward Byrne Memorial Justice Assistance Grant Local Program (JAG); and

WHEREAS, the city of Newark, as the largest of the Essex County Municipalities, shall be the lead applicant and shall be responsible for administration of the funds including distribution of the funds, monitoring the award, submitting progress reports, and providing ongoing assistance to sub recipients of the funds; and

WHEREAS, the Memorandum of Agreement has allocated funding for the Irvington Police Department in the amount of \$69,248.64 for this purpose to enable the implementing of strategies to prevent and control crime.

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

The Mayor and/or or his designee, the Public Safety Director, are hereby authorized to enter into a Memorandum of Agreement with the participating Department of Justice requesting grant funding in the amount of \$69,248.64 from the 2015 Edward Byrne Memorial Justice Assistance Grant Local Program for this purpose.

The Municipal Council hereby approves authorization of accepting this award from the date of adoption of this authorizing resolution. The grant is hereby accepted.

The Mayor and/or his designee, the Public Safety Director, are hereby authorized to enter into and execute grant documents with the Bureau of Justice Assistance to expend the grant with the Bureau of Justice Assistance for the purpose of for compensating a consultant to coordinate the continued operation of our CAD/RMS system and oversee necessary upgrades to prevent and control crime.

The period of the grant is for (2) years commencing upon approval and acceptance. As a matter of public policy the Township of Irvington Police Department wishes to participate to the fullest extent possible with the United States Department of Justice, and will abide by the regulations set forth in the use and reporting of all uses of award grant funds.

Adopted

Burgess – Cox 3 Authorize Professional Services Contract for Legal Services - Michael Chase, Irvington, Docket #2016-2987 - DeCotiis, Fitzpatrick & Cole, LLP - Not to Exceed \$25,000.00

RESOLUTION RATIFYING PROFESSIONAL SERVICES CONTRACT FOR LITIGATION/DEFENSE COUNSEL SERVICES

WHEREAS, resolution number TA 15-1027-36 qualified twelve firms to provide litigation/defense counsel services for the Township of Irvington from November 01, 2015 until October 31, 2016; 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 Decotiis, FitzPatrick & Cole, LLP has the most experience to defend the Township of Irvington in the case of Michael Chase, Irvington, Docket #2016-2987; and

WHEREAS, the Township Attorney has recommended that a contract be awarded to Decotiis, FitzPatrick & Cole, LLP, 500 Frank W. Burr Blvd., Suite 31, Teaneck, NJ, 07666; 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 Decotiis, FitzPatrick & Cole, LLP, 500 Frank W. Burr Blvd., Suite 31, Teaneck, NJ, 07666 for a contract amount not to exceed \$25,000.00. The billing rate for this contract is \$195.00 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 \$195.00 per hour.

Adopted

Cox – Burgess 4. Authorize Professional Services Contract for Legal Services – Removal Appeal Filed in the Office of Administrative Law by Michael L. Chase - DeCotiis, Fitzpatrick & Cole, LLP - Not to Exceed \$25,000.00

RESOLUTION RATIFYING PROFESSIONAL SERVICES CONTRACT FOR LITIGATION/DEFENSE COUNSEL SERVICES

WHEREAS, resolution number TA 15-1027-36 qualified twelve firms to provide litigation/defense counsel services for the Township of Irvington from November 01, 2015 until October 31, 2016; 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 Decotiis, FitzPatrick & Cole, LLP has the most experience to defend the Township of Irvington in the Removal Appeal filed in the Office of Administrative Law by Michael Chase; and

WHEREAS, the Township Attorney has recommended that a contract be awarded to Decotiis, FitzPatrick & Cole, LLP, 500 Frank W. Burr Blvd., Suite 31, Teaneck, NJ, 07666; 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 Decotiis, FitzPatrick & Cole, LLP, 500 Frank W. Burr Blvd., Suite 31, Teaneck, NJ, 07666 for a contract amount not to exceed \$25,000.00. The billing rate for this contract is \$195.00 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 \$25,000.000. The billing rate for this contract is \$195.00 per hour.

Adopted

Jones – Cox 5. Authorize Professional Services Contract for Legal Services – Yaakov Bradley Versus Irvington, et als. - Roth D'Aquanni - Not to Exceed \$25,000.00

RESOLUTION RATIFYING PROFESSIONAL SERVICES CONTRACT FOR LITIGATION/DEFENSE COUNSEL SERVICES

WHEREAS, resolution number TA 15-1027-36 qualified twelve firms to provide litigation/defense counsel services for the Township of Irvington from November 01, 2015 until October 31, 2016; 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 Roth D'Aquanni, LLC has the most experience to defend the Township of Irvington in the case of Yaakov Bradley v. Irvington, et als., Docket No: L-1723-16; and

WHEREAS, the Township Attorney has recommended that a contract be awarded to Roth D'Aquanni, LLC, 150 Morris Avenue, Suite 303, Springfield, New Jersey, 07081; 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 Roth D'Aquanni, LLC, 150 Morris Avenue, Suite 303, Springfield, New Jersey, 07081 for a contract amount not to exceed \$25,000.00. The billing rate for this contract is \$150.00 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 \$25,000.000. The billing rate for this contract is \$150.00 per hour.

Adopted

Cox – Inman 6. Authorize Purchase of Proprietary Equipment from Groff Tractor New Jersey LLC - Not to Exceed Bid Threshold of \$40,000.00

RESOLUTION AUTHORIZING THE PURCHASE OF PROPRIETARY EQUIPMENT FROM GROFF TRACTORS NEW JERSEY LLC

WHEREAS, Public Works purchased a Case excavator to demolish various properties in the Township; and

WHEREAS, the safety guard and window broke while the equipment was being used to demolish a property in the Township; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5(1)(d)(d), equipment being purchased is a sole source product and only can be purchased from Groff Tractor New Jersey, LLC, 551 North Harding Highway, Vineland, NJ 08360; and

WHEREAS, the total purchase will exceed the bid threshold of \$40,000.00; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Irvington in the County of Essex, and State of New Jersey, that Public Works is authorized to purchase the required equipment from Groff Tractors New Jersey, LLC.

BE IT FURTHER RESOLVED, the Chief Financial Officer is authorized to pay Groff Tractors New Jersey, LLC on purchase order number 16-01738 from account number 6-01-26-310-311-299 for the required equipment.

Adopted

Cox – Jones 7. Authorize Application for \$600,000.00 Loan From the New Jersey Department of Community Affairs for Demolition of Properties

RESOLUTION TO APPLY FOR AND OBTAIN FROM THE NEW JERSEY
DEPARTMENT OF COMMUNITY AFFAIR \$600,000.00 FOR DEMOLITION OF
VARIOUS PROPERTIES IN THE TOWNSHIP

WHEREAS, the Township of Irvington desires to apply for and obtain a loan from the New Jersey Department of Community Affairs for approximately \$600,000.00 to carry out a project to demolish several properties that have been declared a hazard by the Township of Irvington's Construction Official.

Be it therefore RESLOVED, that the Township of Irvington does hereby authorize the application for such a loan; and, upon receipt of the loan agreement from the New Jersey Department of Community Affairs, does further authorize the execution of the agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of said agreement between the Township of Irvington and the New Jersey Department of Community Affairs.

Be it further RESOLVED, that the persons whose names, titles and signatures appear below are authorized to sign the application, the agreement, and any other documents in connection therewith:

Signature
Anthony Vauss, Mayor
Administrator

Signature
Althea Headley, Assistant Business

CERTIFICATION:

I, Harold Wiener, the Municipal Clerk of Township of Irvington hereby certify that at a meeting of the Township Council held on May 03, 2016 the above RESOLUTION was duly adopted on May 3, 2016.

Harold E. Wiener, Municipal Clerk

Adopted

Cox – Jones 8. Authorize Contract for Emergency Prosecutor on April 8, 2016 – Drew Bauman, Esq. - Not to Exceed \$300.00 Per Court Session

RESOLUTION AUTHORIZING THE TOWNSHIP ATTORNEY TO USE
SUBSTITUTE PROSECUTORS ON AN EMERGENCY BASIS

WHEREAS, resolution number TA 15-0811-25 appointed five substitute prosecutors to be used on an on-call basis in the event of conflict cases or due to shortage of available staff and;

WHEREAS, the five appointed substitute prosecutors were unavailable to coverage a court session on April 8, 2016 and;

WHEREAS, the Township would have to cancel court sessions due to shortage of staff which would affect the public safety and welfare of the Township pursuant to NJSA 40A:11-6 and;

WHEREAS, the Township Attorney has declared an emergency in writing to hire Drew Bauman to cover the municipal court session on April 8, 2016.

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

1. The Township Attorney will hire Drew Bauman as a substitute prosecutor on an emergency basis for April 8, 2016 court session.
2. The Township Attorney will prepare the appropriate contract for this service.
3. The vendors will be paid an amount not to exceed \$300.00 per session on requisition no. R6-06081.

BE IT FURTHER RESOLVED that the Township Attorney is hereby authorized and directed to prepare the necessary contract and the Mayor and Township Clerk are authorized and directed to sign the same.

Adopted

Inman – Jones 9. Authorize Redemption of Municipality Held Lien By Installment Payments – 87 May Street, Block 211, Lot 1

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, **Starrshima Brown** owner of record of **Block 211, Lot 1**, also known as **87 May Street**, Municipality of Irvington, is desirous of satisfying Tax Title Lien # **091279** in the amount of **\$58,945.55** 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 **\$2,131.02**, 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 – Burgess 10. Authorize Redemption of Municipality Held Lien By Installment Payments – 353 Coit Street, Block 194, Lot 13

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, **Xpress Automotive LLC (Michael Holland)**, owner of record of **Block 194, Lot 13**, also known as **353 Coit Street**, Municipality of Irvington, is desirous of satisfying Tax Title Lien # **15-00001** in the amount of **\$21,475.20** by the installment payment plan.

NOW, THEREFORE, BE IT RESOLVED, BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, COUNTY OF ESSEX, STATE OF NEW JERSEY, hereby authorize an installment payment plan **\$1,968.85**, as set forth on the attached schedule and that in addition to said installments being promptly paid on the first of each month, for **12 months**, all current year's taxes, subsequent taxes, assessments or other municipal liens imposed shall be promptly paid when due.

BE IT FURTHER RESOLVED, that the final payment shall be sufficient to include all amounts due the municipality and secured by the tax sale lien, except for

current year's taxes, and shall include interest properly chargeable on the respective unpaid balances.

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

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

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

Adopted

Cox – Burgess 11. Authorize Redemption of Municipality Held Lien By Installment Payments – 20 Lindsley Avenue, Block 309, Lot 12

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, NJ Odgen, LLC (Uriel Mejia) owner of record of **Block 309, Lot 12**, also known as **20 Lindsley Avenue**, Municipality of Irvington, is desirous of satisfying Tax Title Lien # **101720** in the amount of **\$39,291.04** 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 **\$1,420.47**, 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

Inman – Hudley 12. Authorize Redemption of Municipality Held Lien By Installment Payments – 1048 Clinton Avenue, Block 212, Lot 15

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, **JL Appliance, Inc (Jerry Lee)**, owner of record of **Block 212, Lot 15**, also known as **1048 Clinton Avenue**, Municipality of Irvington, is desirous of satisfying Tax Title Lien # **111486** in the amount of **\$108,984.91** by the installment payment plan.

NOW, THEREFORE, BE IT RESOLVED, BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, COUNTY OF ESSEX, STATE OF NEW JERSEY, hereby authorize an installment payment plan **\$3,940.07**, 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

Inman – Burgess 13. Authorize Redemption of Municipality Held Lien By Installment Payments – 106 Washington Avenue, Block 88, Lot 10

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, **Julissa Triniado**, owner of record of **Block 88, Lot 10**, also known as **106 Washington Avenue**, Municipality of Irvington, is desirous of satisfying Tax Title Lien # **14-00467** in the amount of **\$16,428.72** 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 **\$593.94**, 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

Inman – Cox 14. Establish Handicapped Parking Spaces in Front of 35 Yale Avenue and 38 Elmwood Avenue

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

WHEREAS, requests have been made for a restricted parking spaces in front of 35 Yale Avenue and 38 Elmwood 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 35 Yale Avenue and 38 Elmwood Avenue; and

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

Adopted

Inman – Frederic 15. Authorize Issuance of Tax Anticipation Notes Not To Exceed \$10,500,000.00 for Calendar Year 2016 Municipal Budget

RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$10,500,000 TAX ANTICIPATION NOTES OF CY 2016 OF THE TOWNSHIP OF IRVINGTON, IN THE COUNTY OF ESSEX, NEW JERSEY.

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF IRVINGTON, IN THE COUNTY OF ESSEX, NEW JERSEY (not less than the majority of the full membership of the governing body) AS FOLLOWS:

Section 1. In anticipation of the collection of taxes during the current fiscal year, we are hereby authorized to be issued tax anticipation notes of the Township, each to be known as "Tax Anticipation Note of CY-2016," in amounts not exceeding \$10,500,000.00. The proceeds of such notes shall be applied only to purposes provided for in the budget or for which taxes are levied for the current year.

Section 2. The following certificate has been prepared by the Director of Revenue and Finance and is filed in the office of the Township Clerk:

CERTIFICATE WITH RESPECT TO TAX ANTICIPATION NOTES

I, Faheem J. Ra'Oof, Director of Revenue and Finance of the Township of Irvington, in the County of Essex, New Jersey HEREBY CERTIFY as follows:

1. The gross borrowing power in respect to tax anticipation notes for the calendar fiscal year of 2016, being 30 percent of the tax levy for all purposes of the calendar fiscal year of 2015, plus 30 percent of the amount of miscellaneous revenues realized in cash during the calendar fiscal year of 2015, is \$30,964,200.44.
2. The amount of notes outstanding in anticipation of the collection of taxes of the calendar fiscal year of 2015, except such notes as will be renewed by or paid from the proceeds of the notes to be issued, is \$ -0-.
3. The net borrowing power, being the excess of the first over the second of the two above amounts, is \$30,964,200.44.
4. This certificate is made with respect to \$10,500,000.00 Tax Anticipation Notes of CY-2015 about to be authorized by the Township Council of the Township of Irvington.

IN WITNESS WHEREOF, I have hereunto set my hand this 3rd day of May, 2016.

Faheem J. Ra'Oof, Director of Revenue and Finance

Section 3. The following matters in connection with the notes are hereby determined:

- (a) All notes issued hereunder shall mature at such times as may be determined by the Director of Revenue and Finance, provided that no note shall mature later than 120 days following the end of the calendar fiscal year.

(b) All notes issued hereunder shall bear interest at such rate or rates as may be determined by the Director of Revenue and Finance.

(c) All notes shall be in the form prescribed by the Local Budget Law and otherwise as determined by the Director of Revenue and Finance and such officer's signature upon the notes shall be conclusive as to such determination;

(d) Notes issued hereunder may be renewed from time to time, provided, however, that no renewal note shall be issued later than the last day of the fiscal year.

(e) All notes shall be executed by the Mayor and the Director of Revenue and Finance and attested by the Township Clerk.

Section 4. The Director of Revenue and Finance is authorized and directed to determine all matters in connection with the notes not determined by this or by a subsequent resolution and such officer's signature upon the notes shall be conclusive as to such determination.

Section 5. The Director of Revenue and Finance is hereby authorized to sell the notes from time to time at public or private sale in such amounts as such officer may determine at not less than par and to deliver them from time to time to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof and payment therefore.

Section 6. Any instrument issued pursuant to this resolution shall be a general obligation of the Township, and the full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations.

Section 7. The Director of Revenue and Finance is authorized and is directed to report in writing to the Township Council at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this resolution is made, such report to include the amount, the description, the interest rate and the maturity of the notes sold, the price obtained and the name of the purchaser.

Section 8. The Director of Revenue and Finance, in connection with other professionals of the Township acting under his direction, is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document for the Township, as it may be so updated from time to time, to be distributed in connection with the sale of obligations of the Township. The Director of Revenue and Finance is hereby authorized to execute such disclosure document on behalf of the Township.

Section 9. (a) Solely for purposes of complying with Rule 15c2-12 of the Securities and Exchange Commission (the "Rule"), and provided that an issue of notes authorized by this resolution is not exempt from the Rule and provided that an issue of notes is not exempt from the following requirements in accordance with paragraph (d) of the Rule, for so long as an issue of notes of the Issuer remains outstanding (other than an issue of notes which has been wholly defeased), the Township shall provide in a timely manner to each nationally recognized municipal securities information repository ("National

Repositories") or to the Municipal Securities Rulemaking Board, and to the appropriate State information depository, if any, ("State Depository," and together with the National Repositories, the "Repositories") notice of the following events with respect to an issue of notes, if material (herein "Material Events"):

- (1) Principal and interest payment delinquencies;
- (2) Non-payment related defaults;
- (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) Substitution of credit or liquidity providers, or their failure to perform;
- (6) Adverse tax opinions or events affecting the tax-exempt status of the security;
- (7) Modifications to rights of security holders;
- (8) Bond calls;
- (9) Defeasances;
- (10) Release, substitution, or sale of property securing repayment of the securities; and
- (11) Rating changes.

(b) The covenants and undertakings contained in this Section are made for the benefit of the holders or beneficial owners of the notes issued under this resolution.

(c) The Director of Revenue and Finance shall determine, in consultation with Bond Counsel, the application of the Rule or the exemption from the Rule for each issue of notes prior to their offering. Such officer is hereby authorized to enter into written contracts or undertaking to implement this resolution and is further authorized to amend such contracts or undertakings as needed to comply with the Rule or upon the advice of Bond Counsel.

(d) In the event that the Township fails to comply with this resolution or the written contract or undertaking, the Township shall not be liable for monetary damages, remedy of the holders or beneficial owners of the notes being hereby specifically limited to specific performance of the covenants contained in this resolution or the written contract or undertaking.

Section 10. This resolution shall take effect immediately.

CERTIFICATE

I, Harold E. Wiener, Clerk of the Township of Irvington, in the County of Essex, State of New Jersey, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the governing body of the Township duly called and held on May 2, 2016 has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Township this 3rd day of May, 2016.

Harold E. Wiener, Clerk

(SEAL)

Adopted

Frederic – Cox 16. Commendation - Reverend Dr. Peter A. Butler, Jr.- Recipient of 2016 Irvington Chamber of Commerce Community Service Award.

WHEREAS, Rev. Dr. Peter A. Butler, Jr. was born in Orange, New Jersey in 1966, raised in Maplewood and moved to Irvington in 1998 where he was a pulpit supply minister at Second Reformed Church until receiving his call to full time ministry there in 1999; and

WHEREAS, Rev. Dr. Peter A. Butler, Jr. has degrees in philosophy, theology, divinity and ministry and has done graduate work in English Literature; and

WHEREAS, before entering the ministry he worked in a bookstore, as a custodian, a pipe organ technician, a college professor and a seminary professor; and

WHEREAS, while Rev. Dr. Peter A. Butler, Jr. engages in normal church activities such as counseling, funerals and weddings, it is his care for the salvation and life of people that stands out as one of his most shining values; and

WHEREAS, since being called to the Second Reformed Church, Rev. Dr. Peter A. Butler, Jr. has labored to preach and teach the Gospel of Jesus Christ and that God the Son had come to earth in the person of Jesus Christ, lived a holy and perfect life, died for the sins of others and ascended back to his Throne at the Right Hand of God; and

WHEREAS, Rev. Dr. Peter A. Butler, Jr.'s sermons are heard by some three thousand people each month; and

WHEREAS, under the influence of Rev. Richard Baxter, Rev. Dr. Peter A. Butler, Jr. came to agree that the best thing he could do for the congregation is get good books into their hands and he distributes Bibles and good books to the congregation throughout the year; and

WHEREAS, Rev. Dr. Peter A. Butler, Jr. also helped to facilitate a weekly distribution of Cosco baked goods, started a monthly feeding program for any in need who would come and an in-congregation food pantry; and

WHEREAS, Rev. Dr. Peter A. Butler, Jr. is a cat lover;

WHEREAS, Rev. Dr. Peter A. Butler, Jr. received the Essex H&R Block "Community Service" award in 2009, became the co-chair of the Passaic Valley Missions Commission of the Reformed Church of America and began supervising Hope Reformed Church and

their student pastor in 2010, joined the Irvington Chamber of Commerce Board of Directors in 2011, received the Irvington Rotary Club “Service Above Self” award in 2012; and currently works as a blog reviewer and is a published author of poetry , and is currently working on several book projects, and is the 2016 Recipient of the Irvington Chamber of “Commerce Community Service” award:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington recognizes the many contributions by made Rev. Dr. Peter A. Butler, Jr. to the community and the religious congregation of the Second Reformed Church and commends his being named as the recipient of the 2016 Irvington Chamber of Commence “Community Service” award; and

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of this governing as a lasting tribute to Rev. Dr. Peter A. Butler, Jr.

Adopted

Frederic – Cox 17. Commendation - Kelly Michel - Recipient of 2016 Irvington Chamber of Commerce Civic Award

WHEREAS, Kelly Michel is the founder and executive director of Harmony Education and Life Partners and has established the foundation of the Harmony Childcare initiative; and

WHEREAS, under the leadership and care of Kelly Michel, graduates have gone to gifted and talented academic programs and Harmony continues to development intelligent, self-sufficient, confident and responsible children for today and tomorrow; and

WHEREAS, Harmony’s first level of services began as a home based professional day care 18 years ago where Kelly Michel identified a need to help children from low-income families to be prepared for school and utilized her experience in operating educational; programs combined with creative, multicultural and innovative approaches to help children learn; and

WHEREAS, under Kelly Michel’ s tutelage, Harmony serves over 200 children including its after school summer program utilizing the collaborative efforts of visionary educators, involved parents and involved community leaders; and

WHEREAS, Kelly Michel’s commitment has allowed the center to maintain its high quality and standards for early childhood education by emphasizing creativity, academic achievement, language skills, literacy and family values; and

WHEREAS, in 2015, under the leadership of Kelly Michel, Harmony Education & Life partners initiated Irvington’s first Early Head Start program to the Irvington Community; and

WHEREAS, Kelly Michel is a Haitian immigrant who moved to the United States without speaking the English language and exemplifies commitment, determination and

perseverance while fighting for services for autistic children, participating in advisory boards for quality early education, providing innovative services to Irvington families and partnering with other organizations as a means of resource to the Township of Irvington; and

WHEREAS, Kelly Michel’s true mission and journey in life is to prepare children to dream and succeed in all of their endeavors because they were give equal opportunity and options; and

WHEREAS, Kelly Michel has previously received the 2009 Rotary Club of Irvington’s “Service Above Self” award and the Turrell Fund Community Champions Award and is the recipient of the 2016 Chamber of Commerce “Civic Award”:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington recognizes the many educational and civic contributions made by Kelly Michel to the community her being named the recipient of the 2016 Irvington Chamber of Commence “Civic Award”; and

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of this governing as a lasting tribute to Kelly Michel.

Adopted

10. Communications and Petitions

A. Communications

1. Mayor Vauss – Re-Appointment – Alternate Member of Planning Board – Toya Burgess

B. Petitions

None

11. Pending Business

A. Establish One Way Westbound on Glorieux Street Between Nesbit Terrace and Stuyvesant Avenue [PENDING COUNTY AND DOT APPROVALS]

12. Miscellaneous

A. Bingos and Raffles

Jones – Lyons 1. Sacred Heart of Jesus Church

Adopted

NON-CONSENT AGENDA ITEMS

8. Ordinances, Bills & Claims

A. Ordinances on 1st Reading

Cox – Jones 1. Provide for Resident Permit Parking for Corner Properties Adjacent to Resident Permit Parking Streets

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 192 VEHICLES AND TRAFFIC

Adopted

Inman – Burgess 2. Provide Resident Permit Parking on Myrtle Avenue from Springfield Avenue to Madison Avenue

AN ORDINANCE TO AMEND AND SUPPLEMENT ORDINANCE MC 3202 PROVIDING FOR RESIDENT PERMIT PARKING ON MYRTLE AVENUE.

Adopted

Cox – Jones 3. Repeal Pay to Play Ordinances Numbers MC 3443 and MC 3519 to Provide for State Pay to Play regulations

AN ORDINANCE REPEALING ORDINANCES MC 3443 AND MC 3519, REGARDING “PAY TO PLAY” REGULATIONS, IN THEIR ENTIRETY.

Adopted

9. Resolutions & Motions

A. Resolutions

Jones – Cox 18. Authorize Six Month Extension for Grant Consulting Contract - CGP& H Community Grants, Planning and Housing - Not To Exceed \$15,075.00

RESOLUTION TO EXTEND FOR GRANT CONSULTING SERVICE FOR SIX MONTHS

WHEREAS, resolution number DA 15-0512-15 awarded a service contract for Grant Consulting Contract on May 12, 2015; 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 six months; and

WHEREAS, it would be in the Township's best interest to extend the existing agreement for six months as recommended by the Administration; and

NOW, BE IT HEREBY RESOLVED by the Township of Irvington, Essex County, New Jersey that the following contract be extended for six months, starting on May 14, 2016 until November 15, 2016 with CGP&H Community Grants, Planning & Housing, 101 Interchange Plaza, Suite 301, Cranbury, NJ 08512-3716 for Grant Consulting service.

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 contract with the above listed company.

BE IT FURTHER RESOLVED, that the required certification of availability of funds C5-00280 in the amount of \$5,025.00 from account number 6-01-20-100-100-256 has been obtained from the Chief Financial Officer for two months service and the remain balance of \$10,050.00 will be obtained from the CFO upon the adoption of the 2016 budget.

Adopted

Jones – Frederic 19. Authorize \$105,710.00 Increase in Snow Removal Contract - Your Way Construction

A RESOLUTION INCREASING THE NOT TO EXCEED AMOUNT FOR THE SNOW REMOVAL CONTRACT

WHEREAS, resolution number DPW 14-0325-8 was approved by the Municipal Council on March 25, 2014 for snow removal service for an amount not to exceed \$20,000.00; and

WHEREAS, it was determined that additional \$105,710.00 is needed for snow removal service; and

THEREFORE, BE IT RESOLVED, that the contract for snow removal service is hereby amended to an amount not to exceed \$125,710.00 to Your Way Construction, 404 Coit Street, Irvington, NJ 07111; and,

BE IT RESOLVED, that the Mayor be and is hereby authorized to execute amended contract for this service with Your Way Construction, 404 Coit Street, Irvington, NJ 07111, increasing the total contract amount to \$125,710.00

BE IT RESOLVED, the Chief Financial Officer is hereby authorized to pay this vendor the total sum of \$125,710.00 on the following purchase orders:-15-00662, 15-00995, 15-00996, 15-00997, 15-02090, 16-01561 and 16-01580.

Adopted

Cox - Frederic

20. Introduction of Calendar Year 2016 Municipal Budget

BE IT RESOLVED that the following statements of Revenues and Appropriations shall constitute the Calendar Year 2016 Municipal Budget for the Township of Irvington:

Total General Revenues: \$101,599,871.02

Total General Appropriations \$101,599,871.02

BE IT FURTHER RESOLVED that a summary of said budget shall be published in the May 19, 2016 edition of the Irvington Herald; and

BE IT FURTHER RESOLVED that the public hearing for said budget shall be held on Tuesday, June 14, 2016 at 8:00 P.M. in the Council Chambers, Municipal Building, Irvington, N. J.

Adopted

12. Miscellaneous

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

Andrew Harrison, 20 Dupont Place
Cathy Southerland, 50 Adams Street
Merrick Harris, 6 Hennessey Place
Eric Dixon, 17 Ruth Srtreet
Elouise McDaniel, 214 Nesbit Terrace

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

13. Adjournment

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

Charnette Frederic, Council President

Harold E. Wiener, Municipal Clerk