

REGULAR COUNCIL MEETING

JUNE 28, 2016

Council Chamber, Municipal Building
Irvington, N.J. – Tuesday Evening
June 28, 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)

Hakim Slihih, 952 Washington Street, Newark
Cathy Steele, 33 – 43rd Street
Patricia Poston, 101 Union Avenue, Apartment 2-B
A Citizen, Name and Address Inaudible

5. Hearing of Council Members

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 – June 14, 2016
2. Minutes - Joint Meeting – April 21, 2016
3. Joint Meeting – Annual Audit Report for 2015
4. Joint Meeting – Third Quarter Assessment
5. Tax Collector – Monthly – January Through June, 2016

7. Reports of Committees

A. Request for Proposals Results - Various Professional Services – June 3, 2016

B. Re-Bid Results – Resurfacing of Parks Place and Resurfacing of Nye Avenue – June 8, 2016

C. Re-Bid Results – 2015 Road Resurfacing Project – June 14, 2016

D. Request for Proposals Results - Private Debt Collection Services – June 22, 2016

8. Ordinances, Bills & Claims

A. Ordinances on 1st Reading

None

C. Bills & Claims

Jones - Frederic 1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD JUNE 28, 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	\$2,249,461.06
TOTAL	\$2,249,461.06

Adopted

Jones - Cox 2. Payrolls

May 21, 2016 through June 3, 2016

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$1,295,089.58	\$62,251.56	\$168,283.06	
\$1,525,624.20			

May 28, 2016 through June 10, 2016

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$177,883.49	\$6,278.48	\$16,082.42	\$200,244.41

Adopted

9. Resolutions & Motions

A. Resolutions

Hudley – Frederic 1. Request Permission from the Director of Local Government Services for a Dedication by Rider Concerning the Enforcement and Collection of Irvington Fire Department Fines and Penalties

A RESOLUTION REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST BY RIDER FOR THE ENFORCEMENT AND COLLECTION OF IRVINGTON FIRE DEPARTMENT FINES AND PENALTIES PURSUANT TO N.J.S.A. 40A:4-39.

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a county or municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A:4-39 allows municipalities to receive amounts for costs incurred for operating expenses in connection with the enforcement and collection of Irvington Fire Department fines and penalties, as such revenues not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A.40A:4-39 provides that the Director of the Division of Local Government Services may approve such expenditures or moneys by dedication by rider; and

NOW, THEREFORE, BE IT RESOLVED by the Township of Irvington, County of Essex, New Jersey as follows:

1. The Municipal Council does hereby request permission of the Director or the Division of Local Government Services to pay expenditures under the provisions of N.J.S.A.40A:5-29, as amended by NJS 40A:5-29 for the exclusive purpose of depositing and expending funds paid by individuals to offset the costs of operating of fire department activities involving the enforcement and collection of fines and penalties.
2. The Municipal Clerk is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

Adopted

Jones - Cox 2. Authorize Shared Services Agreement with City of East Orange for Health Officer Services

AUTHORIZE SHARED SERVICES AGREEMENT FOR HEALTH OFFICER

WHEREAS, the City of East Orange AND THE Township of Irvington each have a public health office and the requisite staff to respond to the public health emergencies; and

WHEREAS, the City of East Orange has requested the assistance of the Township of Irvington for the temporary assistance and provision of a Health Officer to respond to public health emergencies, if they develop; and

WHEREAS, the Shared Services Act, N.J.S.A. 40A:65-1, et seq., permits local units of the State of New Jersey to enter into contracts with other local units to provide or receive any service that each local unit participating in the Agreement is empowered to provide or receive in its own jurisdiction, including services incidental to the primary purpose of any of the participating local units;

WHEREAS, the City of East Orange and the Township of Irvington are desirous of entering into a Shared Services Agreement to provide for the statutory response to any public health emergency in their respective municipalities without necessitating the exclusion of the entire workforce in their respective health departments, which significantly decrease the economic efficiencies to be gained from their respective municipalities.

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

The mayor and/or his designee, Business Administrator are hereby authorized to enter and execute a Shared Services Agreement with the City of East Orange for the provision of Public Health Emergency Services for the period commencing May 24, 2016 and terminating 30 days thereafter, unless terminated earlier pursuant to the provisions in the attached contract.

This Agreement is hereby ratified from May 24, 2016, through the date of adoption of this authorizing resolution.

This Agreement is authorized pursuant to the terms is authorized of the Shared Services Act (N.J.S.A. 40A:65-1, et seq.) and is exempt from public bidding requirement pursuant to the Local Public Contracts Law (N.J.S.A. 40A:11-5 (2)) as it is an agreement among municipalities.

There are no municipal monies required for these services other than those normally budgeted and appropriated.

A fully executed copy of this Agreement shall be filed in the Office of the Township Clerk by the Business Administrator.

The Municipal Council expressly authorizes the Business Administrator and/or the Director of Health, to adopt the necessary protocols to effectuate this Agreement.

STATEMENT:

This resolution ratifies and authorizes the Township to enter into a Shared Services Agreement with the City of East Orange for the provision of Public Health Emergency Services beginning May 24, 2016, in each municipality, for the period of May 24, 2016 and terminating upon 30 days, unless terminated earlier pursuant to the provision of the Agreement attached hereto, with no Municipal monies required for these services other than those budgeted and appropriated. This Agreement will have no additional costs to the Township.

Adopted

Hudley - Inman 3. Ratify Irvington Professional Firefighters Union Local 305 Employment Contract - July 1, 2016 and ending June 30, 2020

Resolution to Ratify the Irvington Professional Firefighters Union Local 305
(IAFF Local 305)
Memorandum of Agreement

WHEREAS, the Township of Irvington and the Service Employees International Union Local 305 have engaged in labor negotiations for the purpose of establishing salaries and other conditions of employment for members of said association ; and,

WHEREAS, the Township of Irvington and the Irvington Professional Firefighters Union Local 305 have mutually agreed to the salaries and other conditions of employment for the period beginning July 1, 2016 and ending June 30, 2020.

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

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

Adopted

Inman - Jones 4. Commendation - Valentin Contreras - First and Currently Only Person From the Dominican Republic Elected to the New Jersey Boxing Hall of Fame

WHEREAS, Valentin Contreras was born in Dominican Republic and moved to Newark, NJ in 1976. He played baseball in DR and continued to play while attending Barringer High School, Newark, NJ. A high school friend introduce him to a boxing trainer at a local gym and at that moment Valentin realized the beginning of a good friendship; and this great man (referring to his trainer) was there for him in his first amateur bout and also for the first professional fight; and

WHEREAS, early into Valentin's boxing career, he developed an irregular heartbeat and had to stop boxing. The trainer realized the passion within Valentin and advised him to get a job in law enforcement and to start training fighters. In 1985, he began his law

enforcement career at Essex County Youth House as a Juvenile Home Detention Officer; and

WHEREAS, he also started community relations' work by training young boxers at North Newark Boxing Club. In 1986, Valentin's manager Dave Taub nominated him to the NJ Boxing Hall of Fame where he is still a member in good standing. It was there that Valentin met Henry hascup, the President of the NJ Boxing Hall of Fame. His team won the training facility was closed down and the team dissolved; and

WHEREAS, Valentin moved to Irvington where he continues his community work by visiting different gyms in the State of NJ, he hopes to find a new home for his newly formed International Boxing Team, which he stated at his own expense. In 1994, Valentin joined the Irvington Police Department where he was initially assigned to Community Relations Unit, commanded by Dept. Mike Damiano. Upon his retirement in 2010 he remarked that throughout the last 16 years of his life and through the department he has learned a lot. During a visit to his homeland, DR, Valentin was made the International Boxing Commissioner for Dominican fighters outside DR, a title that he still holds today; and

WHEREAS, Valentin Contreras in the only person from the Dominican Republic to have been elected to the New Jersey Boxing Hall of Fame:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Municipal Council hereby commends Valentin Contreras for his being named as the first and currently only person from the Dominican Republic to have been elected to the New Jersey Boxing Hall of Fame; and

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

Adopted

Lyons – Frederic 5. Authorize Professional Services Contracts for Budget Consulting Services - Cheryl G. Fuller, C.P.A. - \$30,000.00 From July 1, 2016 Through June 30, 2017

RESOLUTION AUTHORIZING FAIR AND OPEN PROFESSIONAL SERVICE CONTRACT FOR BUDGET CONSULTANT

WHEREAS, the Request for Proposals for professional Budget Consultant Services was publicly advertised in the New Jersey Star Ledger and our Municipal website on May 18, 2016 with a deadline for qualifications to be submitted on June 03, 2016; and

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

WHEREAS, said qualification was referred to the Chief Financial; and

WHEREAS, the Chief Financial Officer has recommended award should be made to the following firm:

Cheryl G. Fuller, CPA
PO Box 418
Maplewood, NJ 07040

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Budget Consultant be awarded to Cheryl G. Fuller, CPA, PO Box 418 Maplewood, NJ 07040, on the basis of their response to the request for proposal selection criteria and qualifications, for an annual amount of \$30,000.00. The provider will be paid \$2,500.00 per month for one year starting on July 01, 2016 until June 30, 2017; and

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

BE IT RESOLVED that the required certification of availability of funds C6-00211 in the amount of \$2,500.00 from account number 6-01-20-110-113-299 has been obtained from the Chief Financial Officer for the first month payment and the remaining balance will be certified upon the adoption of the 2016 and 2017 budget.

Adopted

Jones - Lyons 6. Award Bid - 2015 Summer Food Service Program - Karson Food Service - Not To Exceed \$110,517.10

**RESOLUTION AWARDING A CONTRACT FOR THE 2016 SUMMER
FOODS PROGRAM SERVICES**

WHEREAS, sealed bids were received on June 14, 2016 for the 2016 Summer Food Services in response to published advertisement for bids in the New Jersey Star Ledger on May 11, 2016; and

WHEREAS, two bids were received and opened from Karson Food Service and Metropolitan Foods DBA Driscoll Foods; and

WHEREAS, said bids were referred to Purchasing Agent, Parks and Recreation Director and the Summer Foods Services Director for recommendation to the Municipal Council; and

WHEREAS, the Recreation Director and the Summer Foods Services Director have recommended that the award should be made to Karson Food Service Inc., 3409 Rose Ave., Ocean, NJ 07712 on the basis of their lowest responsible, responsive bid of \$110,517.10; and

BE IT FURTHER RESOLVED, the Municipal Clerk is hereby authorized the

return the bid bonds to the unsuccessfully bidders; and

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

BE IT FURTHER RESOLVED, that the required certification of availability of funds C6-00207 in the amount of \$50,000.00 from account number G-02-xx-714-15A-299 has been obtained from the Chief Financial Officer and the remaining balance will be obtained from the Chief Financial Officer upon the adoption of Municipal Budget.

Adopted

Jones - Hudley 7. Authorize Contract with The Bridge, Inc. for the Use of \$19,909.50 in Grant Funds from the Municipal Alliance for the Innervations Program

Awarding a Contract for Bridges, INC., for Irvington Municipal Alliance Activity

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

WHEREAS, the Irvington Municipal Alliance wishes to award grant in the amount of \$19,909.50 to Bridges Inc., 860 Bloomfield Ave, Caldwell, NJ 07006 for the provision of through an initiative called "Keys to Innervations", said program provides prevention strategies and self-esteem building activities that seek to prevent tobacco, alcohol and substance use and/or abuse which constitutes an eligible Irvington Municipal Alliance activity; and

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

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

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

BE IT FURTHER RESOLVED, the Chief Financial Officer has paid the vendor on Purchase order number 16-02836 for first and second quarters service for the amount of \$5,500.00 and the remaining balance of \$14,405.90 will be charged for this expenditure are Account Number G-02-XX-703-16A-299.

IT IS FURTHER RESOLVED that the Mayor is authorized to execute any required agreements to comply with said grant for year 2016 to provide for education and assistance to those suffering from drug and alcohol abuse.

Adopted

Cox - Inman 8. Authorize Fiscal Year 2016-2017 Second Year Community Development and Planning Annual Action Plan

AUTHORIZE THE SUBMISSION OF THE FISCAL YEAR 2016-2017 CPMP SECOND ANNUAL ACTION PLAN OF THE TOWNSHIP OF IRVINGTON PURSUANT TO THE REQUIREMENTS OF FEDERAL REGULATION 24 CFR PART 91 AND PART 92.

WHEREAS, Title I of the Housing and Community Development Act of 1974 as amended provides for a program of Community Development Block Grants AND title II of the Cranston-Gonzalez National Affordable Housing Act, as amended provides for a program of HOME Investment Partnerships; and

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

WHEREAS, the Township of Irvington anticipates that the United State Department of Housing and Urban Development will make available to the Township of Irvington the minimum sum of \$955,920 under the Fiscal Year 2016-2017 Community Development Block Grant Program and \$311,930 under the HOME Investment Partnerships Program; and

WHEREAS, the Township understands that the stated amount may decrease or increase when HUD officially makes its allocations of the subject funds for Fiscal Year 2016-2017; and

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

WHEREAS, federal regulations at 24 CF Part 91 and Part 92 require that the Township of Irvington prepare and submit a CPMP Second Program Year Action Plan as a prerequisite to receipt of entitlement Community Development Block Grant funds and formula HOME Investment Partnerships Program funds; and

WHEREAS, the Township of Irvington, pursuant to the requirements of federal regulation 24 CFR Part 91 and Part 92, has given citizens an opportunity to express their opinions regarding the Township of Irvington, and has held public meetings hearings, which were open to the public; and

WHEREAS, said public meetings and hearings were for the purpose of considering and obtaining the views of the citizens of the Township of Irvington on community development and housing needs, and for the purpose of providing the citizens with an opportunity to participate in the development of the CPMP Second Program Year Action Plan; and

WHEREAS, said CPMP Second Program Year Action Plan for federal assistance requires certain certifications to be submitted along with and as part of said plans:

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

SECTION 1

That the Mayor be and he is authorized and directed to submit the Township of Irvington CPMP Second Program Year Action Plan to the U.S. Department of Housing and Urban Development as required by federal regulation 24 CFR Part 91 and Part 92, including all understandings and certifications contained therein, to act as the authorized representative of the Township of Irvington and to provide such additional information as may be required.

SECTION 2

That the Township of Irvington CPMP Second Program Year Action Plan shall request funding to the fullest extent of funding allowed and determined by the United States Department of Housing and Urban Development Act of 1974, as amended and Title II of the Cranston-Gonzales National Affordable Housing Act, as amended.

SECTION 3

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

SECTION 4

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

Adopted

Jones - Cox 9. Authorize Professional Services Contracts for Pool of Foreclosure Attorneys – Eric M. Bernstein and Associates, O'Donnell McCord, PC, and the Law Office of Steven S. Glickman, LLC

**RESOLUTION AUTHORIZING FAIR AND OPEN PROFESSIONAL SERVICE
CONTRACT FOR BOND COUNSEL SERVICE**

WHEREAS, the Request for Proposals for professional Bond Counsel services was publicly advertised in the New Jersey Star Ledger and our Municipal Website on May 18, 2016 with a deadline for qualifications to be submitted on June 03, 2016; and

WHEREAS, two proposals were received and publicly opened by the Purchasing Agent and Municipal Clerk; and

WHEREAS, said qualifications were referred to the Chief Financial Officer; and

WHEREAS, the Chief Financial Officer has recommended award should be made to the following firm:

McManimon, Scotland & Baumann, LLC
Glenn Scotland
75 Livingston Ave, 2nd floor
Roseland, NJ 07068

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Bond Counsel be awarded to McManimon, Scotland & Baumann, LLC, 75 Livingston Ave, 2nd floor, Roseland, NJ 07068, on the basis of their response to the request for proposal selection criteria and qualifications, for an amount not to exceed \$15,000.00. The provider will be paid \$115.00 per hour for bond counsel services for one year starting on August 10, 2016 until August 11, 2017; and

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

BE IT RESOLVED that the required Certification of Availability of Funds will be obtained from the Chief Financial Officer contingent from capital bonds or on the adoption of the Calendar year 2016 and 2017 budget.

Adopted

Cox - Hudley 10. Authorize Change Order for Department of Public Works Uniforms - Increase Contract Price by 28,000.00 for Total Contract Amount of \$54,739 Per Year

A RESOLUTION INCREASING THE NOT TO EXCEED AMOUNT FOR THE DPW UNIFORMS CONTRACT

WHEREAS, resolution number DPW 14-0624-14 was approved by the Municipal Council on June 24, 2014 for DPW uniform rental for a yearly amount not to exceed \$26,739.00; and

WHEREAS, the Director of Public Works has advised that based upon additional employees hired in the Department, additional monies must be added to this contract; and

WHEREAS, it was determined that an additional \$28,000.00 is needed to added to the Uniform contract; and

WHEREAS, in accordance with NJSA 5:30- 11-9 this increase exceeds the allowable twenty percent change order and the attached justification has been provided by the Director of Public Works; and

THEREFORE, BE IT RESOLVED, that the contract for DPW Uniforms is hereby amended to an amount not to exceed \$54,739.00 per year to Unifirst Corporations of 54-S Jefferson Road, Whippany, NJ 07999 ; and,

BE IT RESOLVED, that the Mayor be and is hereby authorized to execute amended contract for this service with Unifirst Corporations of 54-S Jefferson Road, Whippany, NJ 07999, increasing the total contract amount to \$54,739.00 per year.

BE IT RESOLVED, in accordance with NJSA 5:30- 11-9(6), a summary of this resolution will be advertised in the Township official newspaper; and

BE IT RESOLVED, a copy of this resolution shall be forwarded to Division of Local Government service in accordance with NJSA 5:30- 11-9 (d)

BE IT RESOLVED, that Certification of Funds number C6-00210 has been obtained from the Chief Financial Officers for the total sum of \$28,000.00 charged to account number 6-01-32-165-165-29.

Adopted

Frederic - Lyons 11. Authorize Contract for Actuarial Services – Aquarius Capital - Not To Exceed \$6,000.00 from July 1, 2016 Through June 30, 2017

AWARDING A CONTRACT FOR ACTUARIAL SERVICES

WHEREAS, sealed proposals were received on June 03, 2016 for Actuarial services in response to the published advertisement for proposals in the New Jersey Star Ledger on May 18, 2016; and

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

WHEREAS, the proposal received was reviewed according to the New Jersey Local Public Contract law, and met the terms of the proposal; and

WHEREAS, the Chief Financial Officer has recommended that the award be made to Aquarius Capital, 110 Betsy Brown road, Port Chester, NY 10573 on the basis of their responsible response to the request for proposal that meets the criteria and qualifications, in an amount not to exceed \$6,000.00 for Full GASB 45 Valuation for one year, starting on July 01, 2016 - June 30, 2017; and

NOW THEREFORE BE, IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for actuarial service be awarded to Aquarius Capital, 110 Betsy Brown road, Port Chester, NY 10573.

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

BE IT FURTHER RESOLVED that the required certification of availability of funds C6-00212 in the amount of \$1,500.00 from account number 6-01-20-130-130-256 has been obtained from the Chief Financial Officer for the first month payment and the remaining balance will be certified upon the adoption of the 2016 and 2017 budget.

Adopted

Inman – Lyons 12. Authorize Application Before the Local Finance Board on Bond Ordinance Authorizing Various Capital Improvements and Bond Ordinance Authorizing Improvements to 40th Street Park

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

WHEREAS, the Township of Irvington, in the County of Essex, New Jersey (the “Township”) desires to make application to the Local Finance Board pursuant to N.J.S.A. 40A:3-1 et seq. in connection with the adoption of 1) a bond ordinance providing for various capital improvements, appropriating \$4,647,600 and authorizing \$4,415,220 bonds or notes and 2) a bond ordinance providing for the 40th Street Park Upgrades Project, appropriating \$650,000 and authorizing \$325,000 bonds or notes.

WHEREAS, the Township believes that:

- (a) it is in the public interest to accomplish such purpose;
- (b) said purpose or improvements are for the health, welfare, convenience or betterment of the inhabitants of the local unit;
- (c) the amounts to be expended for said purpose or improvements are not unreasonable or exorbitant;
- (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the local unit and will not create an undue financial burden to be placed upon the local unit;

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

Section 1. The application to the Local Finance Board is hereby approved, and the Township’s Bond Counsel, along with other representatives of the Township, are

hereby authorized to prepare such application and to represent the Township in matters pertaining thereto.

Section 2. The Clerk of the Township is hereby directed to prepare and file a copy of the proposed bond ordinances and this resolution with the Local Finance Board as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute.

Adopted

Hudley – Cox 13. Commendation - SFC Harvey Craig - JROTC Instructor at Irvington High School

RESOLUTION COMMENDING SFC HARVEY CRAIG

WHEREAS, Harvey Craig is a product of Newark Public Schools and an alumnus of West Side High School; and

WHEREAS, after graduation from high school, he entered the United States Army, served over 20 years and retired in 2005; and

WHEREAS, SFC Craig has served all over the continental United States and overseas, including tours in Korea, Germany, Hawaii and multiple deployments to the Balkans in support of Operation Enduring Freedom after 9/11; and

WHEREAS, he has earned a multitude of Army decorations and graduated from the Total Army Instructor Course which opened the doors for him to become a high school teacher; and

WHEREAS, SFC Craig used his experience as an instructor in the Army to transition into his second career, entering into the halls of Irvington High School as a JROTC instructor in 2005; and

WHEREAS, since his arrival to the Irvington JROTC, the program has maintained the Honor Unit with Distinction Award consistently for over a decade; and

WHEREAS, the Irvington JROTC is one of the flagship organizations with the district. Cadets within the program entering into the U.S. military, college and the workforce gaining meaningful employment; and

WHEREAS, led by SFC Craig, the cadets learn about leadership, military history, financial literacy and host of other disciplines of study that assist them with becoming future leaders of tomorrow; and

WHEREAS, he consistently seeks ways to improve his craft by completing over 50 professional hours annually, attending workshops pertaining to Financial Literacy, JROTC courses, and district mandated training such as Danielson's Framework for Teaching and Kagan Strategies to name a few; and

WHEREAS, SFC Craig's love of teaching, grooming and mentoring these cadets have paid off in the form of JROTC cadets becoming valedictorians, salutatorians, presidents of prestigious clubs such as the National Honor Society, student liaisons for the Board of Education and other organizations; and

WHEREAS, the program has been lauded and called upon for various community service projects and this led to SFC Craig being awarded the NJ Heart of a Heroes Award in 2012 by NJ First Lady Mary Pat Christie; and

WHEREAS, he also received the Township's Proclamation for his work with a unit in Afghanistan and students of University Elementary School communicating via letters and exchanging kites to be flown in both countries, with kite flying was a favorite past time in Afghanistan that was nearly removed by the Taliban; and

WHEREAS, this instructor is not about personal accolades, he feels the true awards and evaluations are from the cadets and he bleeds Irvington Blue and is a true Blue Knight:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington Commends SFC Harvey Craig for his service to this country and to this community and for his years of distinguished services as a JROTC instructor at Irvington High School; and

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of this governing body as a lasting tribute to the contributions made by SFC Harvey Craig.

Adopted

Lyons - Burgess 14. Commendation - Dr. October Hudley - Irvington's First Council Member With a Doctorate Degree

**RESOLUTION OF COMMEMORATION
HONORABLE COUNCILWOMAN DR. OCTOBER HUDLEY**

WHEREAS, the Irvington Municipal Council would like to commemorate and acknowledge Honorable Councilwoman Dr. October Hudley for being Irvington's First African-American elected official serving on the Municipal Council holding a Doctorate Degree; and

WHEREAS, Councilwoman Dr. October Hudley was sworn in as Council Member At-Large on July 1, 2014; and

WHEREAS, originally from Newark, NJ Councilwoman Dr. Hudley became a resident of the Township of Irvington in 1972. She attended Grove Street School, Myrtle Avenue School (University Middle) and graduated from Frank H. Morrell High School (Irvington High School) where she participated in the Distributive Education Club of America and won first place at the State Conference; and

WHEREAS, in 1983 she received a Bachelors of Science Degree in Elementary Education at Winston-Salem State University in North Carolina, in 2003 she received a Master's Degree in Educational Technology (with a 4.0 GPA) and in May 2016 she received her Doctorate Degree in Educational Technology from New Jersey City University (with a GPA 3.9). She is a Certified Library Media Specialist, Certified Smartboard Instructor and Maintains Supervisor's Certification; and

WHEREAS, Councilwoman Dr. Hudley was first hired by the Irvington Board of Education as a Basic Skills Teacher. She became the first African American Computer Lab Teacher in the Irvington Public School District. Currently, she is the Library Media Specialist at Grove Street School; and

WHEREAS, Councilwoman Dr. Hudley's is affiliated with the following organizations: Member of the Irvington National Action Network, Member of the NAACP (National Association for the Advancement of Color People), Democratic County Committee Member representing East-9, Member of the Dr. Martin Luther King Commemorative Committee, Chairperson of the School Leadership Council, served on school's Data Collection Committee, served on District Needs Assessment Committee Member, Coordinator of Grove Street School Celebrity Read Program, served as The League Coordinator- Philanthropy Community Service Program, Coordinate the Grove Street School Community Technology Center Liaison for the Tools 4 School Program, Lifetime Member and Treasurer of the Grove Street School Parent Teacher Association, served as President of the Grove Street School PTA, Union Ave School PTA, and Irvington High School Parent Teacher Student Association; served as Treasurer of the Essex County Council of PTAs and served as Vice-President Library Board Trustees of the Irvington Public Library; and

WHEREAS, Councilwoman Dr. Hudley was the recipient of the following accolades: New Jersey Association of School Librarian Future Leaders Award 2007, Community Service Award 2010 Irvington Democrat County Committee, Teacher of the Year for Grove Street School 2012-2013 and Teacher of the District 2012-2013; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that it hereby commends Councilwoman Dr. October Hudley for her hard work, determination and dedication in earning her Doctorate Degree from New Jersey City University; and

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of this Governing Body in lasting tribute to Councilwoman Dr. October Hudley.

Adopted

Jones - Lyons 15. Authorize Shared Services Agreement With Irvington Housing Authority for Interior Maintenance and Apartment Turn Over Services

A SHARED SERVICES AGREEMENT WITH THE TOWNSHIP OF IRVINGTON AND THE IRVINGTON HOUSING AUTHORITY FOR THE PROVISION OF INTERIOR MAINTENANCE AND APARTMENT TURN OVERS (ATO) SERVICES

WHEREAS, the Township of Irvington, has been in discussions to share various services so as to mutually and respectively reduce the cost of providing such services between the Township and Housing Authority; and

WHEREAS, the Irvington Housing Authority is in need skilled and unskilled labor, union workers to maintain the interior commons areas of the buildings and complete apartment turn overs (ato) in all buildings;

WHEREAS; the Township of Irvington has skilled and unskilled labor union workers; and

WHEREAS, the Irvington Municipal Council finds that it is the public interest to enter a shared service agreement, pursuant to the provisions of NJSA 40A:65-1 et seq., the Uniformed Shared Services and Consolidation Act, to enter such an agreement for maintenance and ATO services to be provided by the Township; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a shared-service agreement between the Township and Irvington Housing Authority is hereby authorized for interior maintenance and ATO services for one year from July 5, 2016 to June 30, 2017.

BE IT RESOLVED Attorney is hereby authorized and directed to review and approve shared-service agreement and the Mayor and Township Clerk are authorized and directed to sign the same; and

BE IT RESOLVED the Township of Irvington will invoice the authority on a monthly basis for hours worked by Township skilled and unskilled labor, union workers assigned to the Housing Authority project in addition to other expenses and cost. The authority is to reimburse/pay the Township within two weeks from the date of the invoice.

Adopted

Abstain: Burgess, Cox

Cox – Inman 16. Designation of 1386 Liberty LLC (Premal) as Redeveloper of 129 Mill Road and 738 - 740 Lyons Avenue

RESOLUTION OF THE TOWNSHIP OF IRVINGTON, IN THE COUNTY OF ESSEX AUTHORIZING THE DESIGNATION OF 1386 LIBERTY, LLC AS

REDEVELOPER OF CERTAIN PROPERTY LOCATED WITHIN THE TOWNSHIP OF IRVINGTON AND

WHEREAS, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "LRHL"), the Mayor and Municipal Council of the Township of Irvington (the "**Township Council**"), by resolution dated June 23, 2015, designated as an "area in need of rehabilitation" the entire area of the Township of Irvington, in the County of Essex (collectively, the "**Property**") and including without limitation, real property within the Township known as 129 Mill Road, Block 307.01 and Lot 6; 738-740 Lyons Avenue, Block 264 and Lot 2; and, 873 Stuyvesant Avenue, Block 355 and Lot 53, Township (the "Property") as an area in need of rehabilitation pursuant to the LRHL (the "Rehabilitation Area"); and

WHEREAS, pursuant to N.J.S.A. 40A:12A-4(a)(3) and N.J.S.A. 40A:12A-7 the Township Council is empowered to adopt a redevelopment plan pursuant to which redevelopment projects are to be undertaken or carried out within an "area in need of redevelopment," and

WHEREAS, pursuant to that authority the Township Council caused a redevelopment plan for the Property to be prepared, entitled the *Redevelopment Plan Township-Wide Area in need of Rehabilitation* (the "**Redevelopment Plan**"); and

WHEREAS, the Township Council duly adopted a redevelopment plan governing the Rehabilitation Area, including, but not limited to, the Property above; and;

WHEREAS, the Township Council has determined to exercise the powers of redevelopment and serve as the "Redevelopment Entity" responsible for carrying out the redevelopment projects in the Rehabilitation Area in accordance with the Redevelopment Plan and pursuant to N.J.S.A. 40A: 12A-4(c); and

WHEREAS, 1386 Liberty, LLC (the "Redeveloper") submitted to the Township a Redeveloper's Application outlining the concept for the rehabilitation of the Property into mixed use commercial and residential units (the "Project") for review and consideration as to that portion of the Rehabilitation Area identified as the Property; and

WHEREAS, the Redeveloper submitted information in its Redeveloper's Application outlining its financial capabilities, experience, expertise and project concept descriptions for the Project and requested designation by the Township as the redeveloper for the Project; and

WHEREAS, the Township evaluated the Redeveloper's proposal according to criteria which included project concept descriptions and made the determination that the redevelopment of the Property thereof is in accordance with applicable provisions of the Redevelopment Plan will contribute to the rehabilitation of the Township in accordance with the legislative intent, goals and objectives of LRHL; and;

WHEREAS, the Township owns municipal tax liens attached to the Property and intends to initiate In Rem Foreclosure proceedings to acquire title to the Property and will subsequently transfer title to the Redeveloper pursuant to the attached Escrow Agreement affixed as **Exhibit A**.

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

1 Generally. The aforementioned recitals are incorporated herein as though fully set forth at length.

2 Designation of the Developer. 1386 Liberty, LLC is hereby designated as redeveloper, pursuant to N.J.S.A. 40A:12A-1 et seq., of the Project, subject to transfer of title of the Property to the Redeveloper and the subsequent execution of a Redevelopment Agreement once transfer has taken place.

3 Execution of the Escrow Agreement to cover the Township's cost of Foreclosing on the Property.

4 Effective Date. This resolution shall take effect immediately.

Exhibit A - Escrow Agreement

EXHIBIT A

Escrow Agreement

Adopted

Cox – Inman 17. Designation of Project Irvington LLC as Redeveloper of 10 Properties

RESOLUTION OF THE TOWNSHIP OF IRVINGTON, IN THE COUNTY OF ESSEX AUTHORIZING THE DESIGNATION OF PROJECT IRVINGTON, LLC AS REDEVELOPER OF CERTAIN PROPERTIES LOCATED WITHIN THE TOWNSHIP OF IRVINGTON AND

WHEREAS, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "LRHL"), the Mayor and Municipal Council of the Township of Irvington (the "**Township Council**"), by resolution dated June 23, 2015, designated as an "area in need of rehabilitation" the entire area of the Township of Irvington, in the County of Essex (collectively, the "**Property**") and including without limitation, real property within the Township known as **79 Delmar Place, Block 73 and lot 24; 85 Cummings Street, Block 78 and Lot 37; 93 Cummings Place, Block 78 and Lot 38; 68-70 Linden Avenue, Block 84 and Lot 18; 216 Isabella Avenue, Block 65 and Lot 21; 34 Tiffany Place; Block 4 and Lot 11; 108 Madison Avenue, Block 89 and Lot 18; 10 Bell Street, Block 79 and Lot 96; 44 Fuller Place, Block 73 and Lot 45; and 12**

Delmar Place, Block 101 and Lot 1 (the “Properties”) as an area in need of rehabilitation pursuant to the LRHL (the “Rehabilitation Area”); and

WHEREAS, pursuant to *N.J.S.A.* 40A:12A-4(a)(3) and *N.J.S.A.* 40A:12A-7 the Township Council is empowered to adopt a redevelopment plan pursuant to which redevelopment projects are to be undertaken or carried out within an “area in need of redevelopment,” and

WHEREAS, pursuant to that authority the Township Council caused a redevelopment plan for the Property to be prepared, entitled the *Redevelopment Plan Township-Wide Area in need of Rehabilitation* (the “**Redevelopment Plan**”); and

WHEREAS, the Township Council duly adopted a redevelopment plan governing the Rehabilitation Area, including, but not limited to, the Property above; and;

WHEREAS, the Township Council has determined to exercise the powers of redevelopment and serve as the “Redevelopment Entity” responsible for carrying out the redevelopment projects in the Rehabilitation Area in accordance with the Redevelopment Plan and pursuant to *N.J.S.A.* 40A: 12A-4(c); and

WHEREAS, Project Irvington, LLC whose address is 445 Union Avenue, Paterson, New Jersey, (the “Redeveloper”) submitted to the Township a Redeveloper’s Application outlining the concept for the rehabilitation of the Property into mixed use commercial and residential units (the “Project”) for review and consideration as to that portion of the Rehabilitation Area identified as the Property; and

WHEREAS, the Redeveloper submitted information in its Redeveloper’s Application outlining its financial capabilities, experience, expertise and project concept descriptions for the Project and requested designation by the Township as the redeveloper for the Project; and

WHEREAS, the Township evaluated the Redeveloper’s proposal according to criteria which included project concept descriptions and made the determination that the redevelopment of the Property thereof is in accordance with applicable provisions of the Redevelopment Plan will contribute to the rehabilitation of the Township in accordance with the legislative intent, goals and objectives of LRHL; and;

WHEREAS, the Township owns municipal tax liens attached to the Property and intends to initiate In Rem Foreclosure proceedings to acquire title to the Property and will subsequently transfer title to the Redeveloper pursuant to the attached Escrow Agreement affixed as **Exhibit A**.

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

1 Generally. The aforementioned recitals are incorporated herein as though fully set forth at length.

2 Designation of the Developer. Project Irvington, LLC is hereby designated as redeveloper, pursuant to N.J.S.A. 40A:12A-1 et seq., of the Project, subject to transfer of title of the Properties to the Redeveloper and the subsequent execution of a Redevelopment Agreement once transfer has taken place.

3 Execution of the Escrow Agreement to cover the Township's cost of Foreclosing on the Property.

4 Effective Date. This resolution shall take effect immediately.

Exhibit A - Escrow Agreement

EXHIBIT A

Escrow Agreement

Adopted

Inman - Frederic 18. Authorize Payment Plan for Outstanding Municipal Lien – 126 - 22nd Street - \$58,938.13 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, **Robin M. Scarpia for G. & J. McNeil** owner of record of **Block 142, Lot 5**, also known as **126 22nd Street**, Municipality of Irvington, is desirous of satisfying Tax Title Lien # **111096** in the amount of **\$58,938.13** 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 **\$2,130.75**, 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 19. Authorize Payment Plan for Outstanding Municipal Lien - 8 Lincoln Place - \$21,708.23 Payable Within 12 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, Aburadi, Kamel et al owner of record of **Block 80, Lot 38**, also known as 8 Lincoln Place, Municipality of Irvington, is desirous of satisfying Tax Title Lien # 14-00422 in the amount of **\$21,708.23** 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 **\$1,990.21** , as set forth on the attached schedule and that in addition to said installments being promptly paid on the first of each month, for 12 **months**, all current year's taxes, subsequent taxes, assessments or other municipal liens imposed shall be promptly paid when due.

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

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

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

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

Adopted

Cox – Frederic 20. Establish a Sister City Partnership Between Irvington Township and Cazale, Cabaret, Haiti

A RESOLUTION TO ESTABLISH A SISTER CITY PARTNERSHIP BETWEEN IRVINGTON TOWNSHIP AND CAZALE, CABARET, HAITI

WHEREAS, the "People-to-People" Program was inaugurated by the President of the United States in 1956 to establish greater friendship and understanding between the people of the United States and other nations through the medium of direct personal contact, and

WHEREAS, many countries have endorsed this program and have joined with numerous cities of the United States in adopting and implementing programs for the exchange of ideas and visitations of people, and

WHEREAS, the Irvington Township Council is dedicated to pursuing regional, national and international relations which produce broad community benefit; and

WHEREAS, the Irvington Township Council is interested in creating an atmosphere in which international economic development and trade can be developed, implemented and strengthened; and

WHEREAS, the Irvington Township Council is interested in fostering environments through which municipal partnerships can creatively learn, work and solve problems together; and

WHEREAS, the Irvington Township Council is committed to creating, in addition to economic and business opportunities, cultural and educational experiences for the

citizens of Irvington Township and Cazale, Cabaret , Haiti through long term municipal partnerships.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF IRVINGTON TOWNSHIP, NEW JERSEY that,

A sister city partnership is hereby established between the Irvington Township, NJ and the city of Cabaret, Haiti for the purpose of communication, economic development, and exchange of information, expertise, and culture;

Adopted

Frederic - Inman 21. Commemorate June as Adopt a Cat Month

WHEREAS, every year Animal Services Agencies receives thousands of litters of kittens, in addition to all the adult cats who find their way into those shelters

WHEREAS, these agencies simply do not have the space or the resources to take care of that many animals; and

WHEREAS, out of the thousands of cats that enter these shelters each year only about twenty-five percent are adopted into loving homes resulting in most of them, in fact more than 70%, must be euthanized; and

WHEREAS, the Township of Irvington would like to take this time to bring community awareness to the numerous benefits associated with owning a cat, and to shine the light on all of the beautiful kittens and cats that are eagerly awaiting loving homes; and

WHEREAS, celebrated each year in June, Adopt-A-Cat Month is a nationwide campaign that encourages people to adopt a cat from a shelter; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington hereby commemorates June as Adopt-A-Cat Month and urges its citizenry to visit a local animal shelter to adopt a cat and enjoy the loving presence of these lovely and loving felines.

Adopted

10. Communications and Petitions

A. Communications

1. Mayor Vauss – Mayor to Serve as Person In Charge of the Office of Emergency Management

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]

B. Authorize Police Department to Tow Vehicles from Private Property When Properly Notified by Township Officials

12. Miscellaneous

A. Bingos and Raffles

None

NON-CONSENT AGENDA ITEMS

8. Ordinances, Bills & Claims

B. Ordinances on 2nd Reading

1. President Frederic: An ordinance authorizing the Police Department to tow vehicles from private property when properly notified by Township Officials will be heard at this time. The Chair recognizes Council Member Jones

AN ORDINANCE CONCERNING TOWING AND TOWING OPERATORS AND AMENDING AND REPEALING VARIOUS PARTS OF STATUTORY LAW.

BE IT ORDAINED by the Municipal Council of the Township of Irvington, New Jersey: Definitions relative to towing, towing operators.

As used in this ordinance:

"Basic towing service" means towing as defined in this section and other ancillary services as may be specified by the director by regulation.

"Consumer" means a natural person.

"Decoupling fee" means a charge by a towing company for releasing a motor vehicle to its owner or operator when the vehicle has been, or is about to be, hooked or lifted by a tower, but prior to the vehicle actually having been moved or removed from the property.

"Motor vehicle" includes all vehicles propelled otherwise than by muscular power, excepting such vehicles as run only upon rails or tracks and motorized bicycles, motorized scooters, motorized wheelchairs and motorized skateboards.

"Non-consensual towing" means the towing of a motor vehicle without the consent of the owner or operator of the vehicle.

"Person" means an individual, a sole proprietorship, partnership, corporation, limited liability company or any other business entity.

"Private property owner" means the owner or lessee of private property, or an agent of such owner or lessee, but shall not include a private property towing company acting as an agent of such owner or lessee.

"Private property towing" means the non-consensual towing from private property or from a storage facility by a motor vehicle of a consumer's motor vehicle that is parked illegally, parked during a time at which such parking is not permitted, or otherwise parked without authorization, or the immobilization of or preparation for moving or removing of such motor vehicle, for which a service charge is made, either directly or indirectly.

"Township towing company" means the towing company that has a current municipal contract with the Township of Irvington to tow motor vehicles within the Township of Irvington.

"Towing means the moving or removing from public or private property or from a storage facility by a motor vehicle of a consumers motor vehicle that is damaged as a result of an accident or otherwise disabled, is recovered after being stolen, or is parked illegally or otherwise without authorization, parked during a time at which such parking is not permitted, or otherwise parked without authorization, or the immobilization of or preparation for moving or removing of such motor vehicle, for which a service charge is made, either directly or indirectly. Dues or other charges of clubs or associations which provide towing services to club or association members shall not be considered a service charge for purposes of this definition.

"Township Official" means an employee of the Township of Irvington who is authorized by the Township to tow vehicles with in the Township of Irvington for purposes of this ordinance only,

"Vehicle" means any device in, upon or by which a person or property is or may be transported upon a highway.

Consent required for towing from privately owned property.

If a property owner wants an unauthorized vehicle towed from their property they must call Irvington Police Department and request that an officer come out to tow the vehicle. The only person that can request a tow is the property owner and/or a Township Official, not a tenant or visitor. Also the person requesting the tow must show photo identification and provide their full name, address phone number and e-mail address to the police officer responding to the call.

The towing of a vehicle can only be authorized by the following,

The property owner who states that the vehicle was parked on their property without permission and/or consent

A township official who determines that the vehicle presents a public safety hazard (harboring or infested with rodents, vermin, animals, insects etc. or remitting toxic fumes/chemicals into the environment) or nuisance,

If it is determined by an officer of the Irvington Police Department that that the motor vehicle is unauthorized and prohibited from parking on the property owner's property, then:

- (1) the motor vehicles will be towed at the owner's expense;
- (2) the name, address, and telephone number of the towing company that will perform the towing;
- (3) the charges for the towing and storage of towed motor vehicles will be charged to the owner of the motor vehicle;
- (4) the street address of the storage facility where the towed vehicles can be redeemed after payment of the posted charges and the times during which the vehicle may be redeemed;

Availability of records.

Every towing company that performs private property or other non-consensual towing shall retain and make available for inspection by the division for a period of three years, invoices, job orders, logs, claims for reimbursement from insurance companies and other documentation relating to all consensual and non-consensual towing services performed and rates charged for the services.

Jones – Inman

Motion to table this ordinance on second reading

Adopted

2. President Frederic: An ordinance Authorizing approval of a an application for a long term tax exemption and execution of a financial agreement with CB Berkeley Urban Renewal Associates, LLC will be heard at this time. The Clerk will read the notice of hearing.

The Clerk will read the ordinance by title.

ORDINANCE OF THE TOWNSHIP OF IRVINGTON, COUNTY OF ESSEX, NEW JERSEY APPROVING AN APPLICATION FOR A LONG TERM TAX EXEMPTION AND AUTHORIZING THE EXECUTION OF A FINANCIAL AGREEMENT WITH CB BERKELEY URBAN RENEWAL ASSOCIATES, LLC

WHEREAS, the Municipal Council (the “**Township Council**”) of the Township of Irvington (the “**Township**”), a public body corporate and politic of the State of New Jersey (the “**State**”), is authorized pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “**LRHL**”), to determine whether certain parcels of land within the Township constitute an area in need of rehabilitation and/or an area in need of redevelopment; and

WHEREAS, CB Berkeley Urban Renewal Associates, LLC (the “**Entity**”) is an urban renewal entity formed and qualified to do business under the provisions of the Long Term Tax Exemption Law, *N.J.S.A. 40A:20-1 et seq.* (the “**LTTE Law**”); and

WHEREAS, the Entity is the contract purchaser of certain property identified as Block 139, Lot 1 and Block 135, Lot 14 on the official tax maps of the Township and more commonly known by the street addresses of 9-23 Berkeley Terrace and 794 Grove Street (collectively, the “**Property**”); and

WHEREAS, the Property is located within the East Ward/East Springfield Avenue Redevelopment Area (the “**Redevelopment Area**”), which has been designated by the Township Council as an area in need of redevelopment, pursuant to the LRHL; and

WHEREAS, pursuant to *N.J.S.A. 40A:12A-7* of the LRHL, the Township Council adopted an ordinance approving and adopting a redevelopment plan for the Redevelopment Area entitled the *East Ward/East Springfield Avenue Redevelopment Plan* (as amended and restated, the “**Redevelopment Plan**”); and

WHEREAS, the Entity proposes to rehabilitate the Property by: renovating the interior and exterior of the two (2) story, one-hundred fifty-three (153) unit residential buildings, adding passive and active outdoor amenity spaces for tenants, increasing security, arranging for on-site maintenance and incorporating new social services intended to provide targeted benefits to new and existing tenants (the “**Project**”); and

WHEREAS, the Project shall conform to the Redevelopment Plan and will be in conformance with the master plan of the Township; and

WHEREAS, despite the Entity’s substantial investment of equity and borrowed funds, such amounts are insufficient to pay for all of the costs associated with the Project; and

WHEREAS, in order to enhance the economic viability of and opportunity for a successful project, the Entity has submitted an application for the approval of the Project (the “**Exemption Application**”) and a form of financial agreement (the “**Financial Agreement**”) to the Township for the approval of an urban renewal project, all in accordance with the LTTE Law, specifically *N.J.S.A. 40A:20-8*; and

WHEREAS, pursuant to *N.J.S.A. 40A:20-8*, the Mayor has reviewed the Exemption Application and has submitted the Exemption Application and Financial Agreement to the Township Council with his recommendation for approval, subject to

the condition that the Entity pay, in lieu of tax payments on the Project, an annual service charge; and

WHEREAS, upon review of the proposed Project, the Exemption Application and the Mayor's Recommendation, the Township has made the following findings with respect to the Project pursuant to *N.J.S.A. 40A:20-11*:

1. The Property is covered by a Project-Based Section 8 Contract. The Property's most recent REAC Inspection resulted in a score of 40c, which is a failing score, placing the property in danger of losing its subsidy, and thereby creating a risk that the asset could ultimately become vacant, non-tax paying and an attractive nuisance for crime;

2. Given the costs of the Project, the investment risk makes the financing of the Project infeasible in the absence of a tax exemption provided by the Township;

3. The construction of the Project will result in the rehabilitation of the Property, substantial improvements to the infrastructure on the site as well as community benefits in the form of increased jobs, social services and recreational space;

4. The Project is consistent with the Redevelopment Plan, will further its objectives and will contribute to the economic growth of the Township; and

5. The Financial Agreement was a material inducement to the Entity to undertake the Project in the Township and facilitate the redevelopment of the Redevelopment Area and upon expiration of the exemption, the Project shall be fully assessed and conventionally taxed; and

WHEREAS, after review of the Exemption Application, the Township Council desires to approve the Application and to authorize the execution of the Financial Agreement in substantially in the form attached hereto as **Exhibit A**; and

WHEREAS, the Entity has indicated to the Township that it may, through its affiliate, CB Berkley Terrace, LLC, obtain long term financing from the New Jersey Housing and Mortgage Finance Agency (the "**HMFA**") for the Project; and

WHEREAS, if it does proceed with the HMFA, the Entity intends to develop the Project without use of the LTTE Law and requests that the tax exemption for the Property be granted pursuant to the provisions of the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended (*N.J.S.A. 55: 14K-1 et seq.*; the rules promulgated thereunder at *N.J.A.C. 5:80-1.1 et seq.*; and all applicable guidelines promulgated thereunder (the foregoing hereinafter collectively referred to as the "**HMFA Requirements**"); and

WHEREAS, on June 14, 2016, the Township Council adopted a RESOLUTION ENDORSING HOUSING NEED FOR BERKELEY TERRACE APARTMENTS

PROJECT BY CB BERKELEY TERRACE, LLC endorsing the need for affordable housing within the Township pursuant to the HMFA Requirements; and

WHEREAS, in the event the Entity secures financing under the HMFA Requirements, the Project will then be subject to the HMFA Requirements and a mortgage and other loan documents executed between the Entity and the New Jersey Housing and Mortgage Finance Agency

WHEREAS, the Township Council agrees that in the event that the Entity obtains long term financing from the HMFA, that a tax exemption and financial agreement will be entered into with the Entity, or a designated assignee, pursuant to the same economic terms set forth in the Exemption Application, with a similar duration and payments in lieu of tax structure, but subject to the requirements of the HMFA Law rather than the LTTE Law and such agreement may be entered into without further authorization from the Township Council.

NOW THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, NEW JERSEY AS FOLLOWS:

Section 1. The forgoing recitals are incorporated herein as if set forth in full.

Section 2. An exemption from taxation (both land and improvements) as set forth in the Exemption Application is hereby approved and granted to the Entity, with respect to the Project in the Redevelopment Area pursuant to the provisions of the LTTE Law and in accordance with the terms set forth in the Exemption Application. In the event the Entity secures financing under the HMFA Law, the Project and the Property, including both the land and the improvements thereon, will be exempt from real property taxation as provided by the HMFA Requirements provided that payments in lieu of taxes for municipal services supplied to the Project are made to the Township in accordance with the same terms and conditions as provided in the Exemption Application.

Section 3. The Mayor, in consultation with counsel to the Township, is hereby authorized to execute the Financial Agreement substantially in the form attached hereto as **Exhibit A** subject to modification or revisions, as deemed necessary and appropriate. The Mayor is further authorized to prepare, amend or execute any other agreements necessary to effectuate this ordinance, including a financial agreement conforming to the terms of the HMFA Requirements, subject to compliance with the Exemption Application.

Section 4. The Clerk of the Township is hereby authorized and directed, upon execution of the Financial Agreement by the Mayor, to attest to the signature of the Mayor and to affix the corporate seal of the Township upon such document.

Section 5. The executed copy of the Financial Agreement shall be certified by and filed with the Office of the Township Clerk. Further, the Clerk shall file certified copies of this ordinance and the Financial Agreement with the Tax Assessor of the Township and the Director of the Division of Local Government Services with the Department of Community Affairs, in accordance with Section 12 of the LTTE Law.

Section 6. The Project shall conform with all federal, state and Township laws, ordinances and regulations relating to its construction and use.

Section 7. The Entity shall, in the operation of the Project, comply with all laws so that no person of race, religious principles, color, national origin or ancestry will be subject to discrimination.

Section 8. This ordinance shall take effect in accordance with all applicable laws.

The public hearing on this ordinance is now open

There were no requests to be heard.

Burgess - Inman Motion to close public hearing

Adopted

Burgess - Inman Motion to adopt this ordinance on second reading after public hearing

Adopted

3. President Frederic: A \$4,647,600.00 bond ordinance for various capital improvements was introduced on first reading on May 17, 2016 and public hearing held on June 14, 2016. The Chair recognizes Council Member Cox.

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL
IMPROVEMENTS IN AND BY THE TOWNSHIP OF
IRVINGTON, IN THE COUNTY OF ESSEX, NEW JERSEY,
APPROPRIATING \$4,647,600 THEREFOR AND
AUTHORIZING THE ISSUANCE OF \$4,415,220 BONDS OR
NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST
THEREOF.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF IRVINGTON,
IN THE COUNTY OF ESSEX, NEW JERSEY (not less than two-thirds of all members thereof
affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of Irvington, in the County of Essex, New Jersey (the "Township") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$4,647,600, and further including the aggregate sum of \$232,380 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$4,415,220 pursuant to the Local Bond Law and the provisions of the Municipal Qualified Bond Act, P.L. 1976, c.38, as amended. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to

be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
a) <u>Police:</u>			
(i) Acquisition of various vehicles, including sports utility vehicles, vans and a pick-up truck, including all related costs and expenditures incidental thereto.	\$351,600	\$334,020	5 years
(ii) Acquisition of a 911 phone system, including all related costs and expenditures incidental thereto.	<u>\$420,000</u>	<u>\$399,000</u>	10 years
TOTAL:	<u>\$771,600</u>	<u>\$733,020</u>	
b) <u>Public Works:</u>			
(i) Acquisition of various vehicles, including pick-up trucks and a mini dump truck, including all related costs and expenditures incidental thereto.	\$180,000	\$171,000	5 years
(ii) Street paving, as more specifically described on a list on file in the Office of the Clerk which is hereby incorporated by reference as if set forth at length, including all work and materials necessary therefor and incidental thereto.	<u>\$1,440,000</u>	<u>\$1,368,000</u>	10 years
TOTAL:	<u>\$1,620,000</u>	<u>\$1,539,000</u>	
c) <u>Fire Department:</u>			

Acquisition of a fire truck pumper, including all related costs and expenditures incidental thereto.

<u>\$1,020,000</u>	<u>\$969,000</u>	10 years
--------------------	------------------	----------

d) Health Department:

(i) Acquisition of an animal retrieval truck for the animal control office, including all related costs and expenditures incidental thereto.

\$42,000	\$39,900	5 years
----------	----------	---------

(ii) Kitchen renovations, including appliances, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.

<u>\$60,000</u>	<u>\$57,000</u>	5 years
-----------------	-----------------	---------

TOTAL:	<u>\$102,000</u>	<u>\$96,900</u>
--------	------------------	-----------------

e) Recreation:

(i) Installation of rubber resurfacing, including all work and materials necessary therefor and incidental thereto.

\$78,000	\$74,100	10 years
----------	----------	----------

(ii) Renovations to the Grove Street Park, the Chancellor Avenue Park and the Berkeley Terrance Park, including all work and materials necessary therefor and incidental thereto.

<u>\$150,000</u>	<u>\$142,500</u>	15 years
------------------	------------------	----------

TOTAL:	<u>\$228,000</u>	<u>\$216,600</u>
--------	------------------	------------------

f) Business Administrator:

Acquisition of sport utility vehicles, information technology and furniture, including all related costs

and expenditures incidental thereto.	\$ <u>156,000</u>	\$ <u>148,200</u>	5 years
--------------------------------------	-------------------	-------------------	---------

(g) Municipal Court:

(i) Renovations to the ticket window, including the relocation of a wall and the acquisition of office furniture, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.	\$120,000	\$114,000	5 years
---	-----------	-----------	---------

(ii) Installation of ADA compliant unisex bathrooms, including all work and materials necessary therefor and incidental thereto.	\$ <u>90,000</u>	\$ <u>85,500</u>	10 years
--	------------------	------------------	----------

TOTAL:	\$ <u>210,000</u>	\$ <u>199,500</u>	
--------	-------------------	-------------------	--

(h) Legal Department:

Foreclosure of delinquent tax properties throughout the Township, including all related costs and expenditures incidental thereto.	\$ <u>360,000</u>	\$ <u>342,000</u>	15 years
--	-------------------	-------------------	----------

(i) Clerk's Office:

Acquisition of a document scanning system, including all related costs and expenditures incidental thereto.	\$ <u>180,000</u>	\$ <u>171,000</u>	15 years
---	-------------------	-------------------	----------

GRAND TOTAL:	\$ <u>4,647,600</u>	\$ <u>4,415,220</u>	
--------------	---------------------	---------------------	--

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of

the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 9.76 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$4,415,220, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$1,134,600 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the “Rule”) for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel,

consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. 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 authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Cox – Frederic Motion to table this ordinance on second reading

Adopted

9. Resolutions & Motions

A. Resolutions

Frederic - Cox 22. Authorize Fair and Open Professional Service Contracts for Bond Counsel Services – McManimon, Scotland and Baumann – Not To Exceed \$15,000.00

RESOLUTION AUTHORIZING FAIR AND OPEN PROFESSIONAL SERVICE CONTRACT FOR BOND COUNSEL SERVICE

WHEREAS, the Request for Proposals for professional Bond Counsel services was publicly advertised in the New Jersey Star Ledger and our Municipal Website on May 18, 2016 with a deadline for qualifications to be submitted on June 03, 2016; and

WHEREAS, two proposals were received and publicly opened by the Purchasing Agent and Municipal Clerk; and

WHEREAS, said qualifications were referred to the Chief Financial Officer; and

WHEREAS, the Chief Financial Officer has recommended award should be made to the following firm:

McManimon, Scotland & Bauman, LLC
Glenn Scotland
75 Livingston Avenue, 2nd Floor
Roseland, N.J. 07068

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Bond Counsel be awarded to McManimon, Scotland & Baumann, LLC, 75 Livingston Ave, 2nd floor, Roseland, NJ 07068, on the basis of their response to the request for proposal selection criteria and qualifications, for an amount not to exceed \$15,000.00. The provider will be paid \$115.00 per hour for bond counsel services for one year starting on August 10, 2016 until August 11, 2017; and

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

BE IT RESOLVED that the required Certification of Availability of Funds will be obtained from the Chief Financial Officer contingent from capital bonds or on the adoption of the Calendar year 2016 and 2017 budget.

Adopted

Cox – Jones 3. Ratify SEIU 617 School Crossing Guard Contract from July 1, 2012 Through June 30, 2018 [WALK ON BY SPONSOR]

Ratify Service Employees International Union Local 617
Memorandum of Agreement

WHEREAS, the Township of Irvington and the Service Employees International Union Local 617 have engaged in labor negotiations for the purpose of establishing salaries and other conditions of employment for members of said association ; and,

WHEREAS, the Township of Irvington and the Service Employees International Union Local 617 have mutually agreed to the salaries and other conditions of employment for the period beginning July 1, 2012 and ending June 30, 2018.

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

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

Adopted

ALCOHOLIC BEVERAGE CONTROL BOARD

JUNE 28, 2016

1. Chairman Cox calls the Meeting to Order

Roll Call

Present: Commissioners Burgess, Frederic, Hudley, Inman, Jones, Lyons, Chair Person Cox

Absent: None

2. New Business

Cox – Burgess A. Renewal of ABC Consumption Licenses for 2016- 2017 Licensing Year

WHEREAS, the following named individuals, partnerships or corporations, being applicants for Plenary Retail Consumption Licenses for the year 2016-2017 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 2016-2017 at the address set opposite their respective name, viz:

0709-33-009-006	San Andres & Salazar, Inc. Eva Salazar, Executrix t/a Eddy's Tavern	9-11 Myrtle Avenue
*0709-33-018-003	Dairy King, Inc. t/a Mug's Pub	63 New Street
*0709-33-064-008	Damery, Inc. t/a The Foxes	33 Welland 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; and

BE IT FURTHER RESOLVED that the licenses listed above marked with an asterisk are contingent upon payment of the required fees by June 30, 2016.

Adopted
No: Inman

Cox – Burgess B. Renewal of ABC Distribution Licenses for 2016 - 2017 Licensing Year

WHEREAS, the following named individuals, partnerships or corporations, being applicants for Plenary Retail Distribution Licenses for the year 2016-2017, 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 Distribution 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 Distribution Licenses be issued to the following named individuals, partnerships and corporations for the sale of alcoholic beverages in original containers for consumption off the licensed premises for the year 2016-2017 at the address set opposite their respective name, viz:

*0709-44-001-008	Vighnavinashanaya Corporation t/a Roseway Liquors & Deli	701 Lyons Avenue
0709-44-003-012	Shree Mata, Inc.	749-751 Lyons Avenue
0709-44-014-003	Puni Liquors, LLC t/a Home Liquors	1269-77 Springfield Avenue
0709-44-032-002	Ricron, Inc. c/o Ronald A. Wermuth 3 Huntington Lane Roseland, N.J. 07068	POCKET
*0709-44-066-007	Gajanana, Inc. t/a Madison Superette	378 Stuyvesant Avenue
*0709-44-086-006	Satgurudev, Inc. t/a Chancellor Liquor	580 Chancellor 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; and

BE IT FURTHER RESOLVED that the licenses listed above marked with an asterisk are contingent upon payment of the required fees by June 30, 2016.

Adopted
No: Inman

Cox – Burgess C. Renewal of ABC Club Licenses for 2016 - 2017 Licensing Year

WHEREAS, the following named organizations, being applicants for Club Licenses for the year 2016-2017, 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 organizations to whom Club 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 Club Licenses for the sale of alcoholic beverages be issued to each of the following named clubs for the sale of alcoholic beverages be issued to each of the following named clubs for the sale of alcoholic beverages by the glass or other open receptacles to be consumed on the licensed premises, for the year 2016-2017 at the address set opposite their respective names, viz:

LICENSE NUMBER	NAME	ADDRESS
*0709-31-093-001	UKRAINIAN COMMUNITY CENTER, INC. T/A UKRAINIAN COMMUNITY CENTER	140-146 PROSPECT 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 Chapter 59 of the Irvington Township Code, known as Ordinance MC 2622, which licenses, after being so signed, shall be released by the License Bureau to the licensee; and

BE IT FURTHER RESOLVED that the licenses listed above marked with an asterisk are contingent upon payment of the required fees by June 30, 2016.

Adopted
No: Inman

Cox – Burgess D Renewal of ABC Consumption License for 2016 – 2017 Licensing Year for Vic's Place, trading as Vic's Place [REMOVED FROM ORIGINAL ITEM ABC 2-A]

WHEREAS, the following named individuals, partnerships or corporations, being applicants for Plenary Retail Consumption Licenses for the year 2016-2017 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 2016-2017 at the address set opposite their respective name, viz:

0709-33-034-002	Vic's Place, Inc. t/a Vic's Place	395 Stuyvesant 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; and

BE IT FURTHER RESOLVED that the licenses listed above marked with an asterisk are contingent upon payment of the required fees by June 30, 2016.

Adopted
No: Inman, Jones, Lyons

Cox – Hudley E. Renewal of ABC Consumption Licenses for 2016-2017 Licensing Year for Brothers 521 Lounge and Cafe Corp., trading as Florian and Bob's Dollhouse and Mariela, Inc., trading as Paradizio Royal Club [REMOVED FROM ORIGINAL ITEM ABC 2-A]

WHEREAS, the following named individuals, partnerships or corporations, being applicants for Plenary Retail Consumption Licenses for the year 2016-2017 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 2016-2017 at the address set opposite their respective name, viz:

0709-33-047-002	Brothers 521 Lounge and Cafe Corp. t/a Florian and Bob's Dollhouse	554 Lyons Avenue
*0709-33-055-006	Mariela, Inc. t/a Paradizio Royal Club	1053-55 Clinton Avenue

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

BE IT FURTHER RESOLVED that the licenses listed above marked with an asterisk are contingent upon payment of the required fees by June 30, 2016.

Adopted
No: Burgess, Inman, Jones

3. Adjournment

12. Miscellaneous

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

Patricia Poston, 101 Union Avenue, Apartment 2-B

Cathy Steele, 33 – 43rd Street

Keith Sirrano Baldeo, 101 West Oldis Street, Rochelle Park, Owner of N.J. Pulse Newspaper

Rodney White, 41 Durance Place

Kim Williams, 42 Oakland Street

All of the Council Members responded to the above referenced citizen.

13. Adjournment

There being no further business, the meeting was adjourned at 9:38 P.M.

Charnette Frederic, Council President

Harold E. Wiener, Municipal Clerk