

## REGULAR COUNCIL MEETING

JULY 12, 2016

Council Chamber, Municipal Building

Irvington, N.J. – Tuesday Evening

July 12, 2016 - 8:00 P.M.

1. Pledge of Allegiance

2. Moment of Silence

3. Roll Call

Present: Renee C. Burgess, Vernal Cox, Charnette Frederic, October Hudley, Paul Inman, Sandra R. Jones, David Lyons

Absent: None

President Lyons read the Statement of Proper Notice pursuant to the Sunshine Law.

4. Hearing of Citizens on Agenda Items Only (limited to three minutes per person and thirty minutes total)

There were no requests to be heard.

5. Hearing of Council Members

There were no requests to be heard.

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

A. Reports

1. Minutes – Directors' Meeting – June 28, 2016

2. MONOC – 2016 1st Quarter Ambulance Report

7. Reports of Committees

A. Request for Proposals Results - Medical Claims Processing Services

8. Ordinances, Bills & Claims

B. Ordinances on 2nd Reading

None

C. Bills & Claims

Cox- Inman 1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD JULY 12, 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	\$3,304,483.11
TOTAL	\$3,304,483.11

Adopted

Frederic – Inman 2. Payrolls

March 1, 2016 through June 30, 2016

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$181,698.20	\$1,975.74	\$124,982.52	\$308,656.46

June 4, 2016 through June 17, 2016

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$1,314,800.08	\$77,235.90	\$57,011.60	\$1,449,047.58

Adopted

9. Resolutions & Motions

A. Resolutions

Cox - Lyons 1. Ratify Calendar Year 2014 Annual Audit Report

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the Calendar Year 2014 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirement of N.J.S. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the Annual Audit entitled: GENERAL COMMENTS AND RECOMMENDATIONS

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 - to wit:

R.S. 52:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE, BE IT RESOLVED THAT THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON JULY 12, 2016.

---

Harold E. Wiener, R.M.C. #C-0327, M.M.C., Municipal Clerk

Adopted

Frederic - Inman 2. 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 40<sup>th</sup> 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

Jones – Cox 3. Award Bid – Resurfacing of Nye Avenue – J.A. Alexander, Inc. – Not To Exceed \$375,942.50

**RESOLUTION TO AWARD A CONSTRUCTION CONTRACT FOR THE  
RESURFACING OF NYE AVENUE**

WHEREAS, the Township of Irvington received a grant from the New Jersey Department of Transportation, under the Transportation Trust Fund program in the amount of \$ 297,900.00 for the Resurfacing of Nye Avenue; and

WHEREAS, the Township retained the firm of Keller & Kirkpatrick to prepare plans and specifications and provide contract administration services for this project; and

WHEREAS, plans and specifications for this project were reviewed and approved by NJDOT these documents were publicly bid on January 20, 2016; and,

WHEREAS, the three (3) bids received for this project were rejected by the Municipal Council and the project was readvertised for public bidding on June 8, 2016; and

WHEREAS, five (5) bids were received on June 8, 2016 for this project and the Township Engineer has reviewed these bids and determined that the bid of J.A. Alexander, Inc. of Bloomfield, NJ at \$ 238,870.75 for the base bid and \$ 137,071.45 for Alternate A for a total bid price of \$ 375,942.50 is lowest responsive for this project and it is recommended that a contract for this project be awarded to J.A. Alexander, Inc.; and

NOW, THEREFORE, BE IT RESOLVED BY MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the bid of J.A. Alexander, Inc. of Bloomfield, NJ of \$ 375,942.50 (\$ 238,870.75 for the base bid and \$ 137,071.45 for Alternate A ) for the Resurfacing of Nye Avenue be accepted as the lowest responsive bid and that a contract for this project be awarded to this firm.

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:34-5.2, the required Certificate of Availability of Funds Number C6-00190 for the above has been obtained from the Chief Financial Officer of the Township of Irvington and the appropriation to be charged for this expenditure is G-02-xx-865-14A- 299 and Capital ordinance number C-04-55-825-000-901 in the amount of \$ 375,942.50.

Adopted

Jones - Lyons 4. Award Bid – Resurfacing of Park Place - J.A. Alexander, Inc. – Not To Exceed \$337,374.16

**RESOLUTION TO AWARD A CONSTRUCTION CONTRACT FOR THE  
RESURFACING OF PARK PLACE**

WHEREAS, the Township of Irvington received a grant from the New Jersey Department of Transportation, under the Transportation Trust Fund program in the amount of \$ 377,637.00 for the Resurfacing of Park Place; and

WHEREAS, the Township retained the firm of Pennoni Associates to prepare plans and specifications and provide contract administration services for this project; and

WHEREAS, plans and specifications for this project were reviewed and approved by NJDOT, these documents were publicly bid on January 20, 2016; and,

WHEREAS, the bids received on January 20, 2016 were rejected by the Municipal Council and the project was readvertised for the receipt of public bids on June 8, 2016 ; and,

WHEREAS, on June 8, 2016 seven (7) bids were received for this project and the Township Engineer has reviewed these bids and determined that the bid of J. A. Alexander , Inc. of Bloomfield, NJ of \$ 337,374.16 is the lowest responsive bid for this project and it is recommended that a contract for this project be awarded to J.A. Alexander, Inc..

NOW, THEREFORE, BE IT RESOLVED BY MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the bid of J. A. Alexander , Inc. of Bloomfield, NJ of \$ 337,374.16 for the Resurfacing of Park Place be accepted as the lowest responsive bid and that a contract for this project be awarded to this firm.

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:34-5.2, the required Certificate of Availability of Funds No C6-00192 for the above has been obtained from the Chief Financial Officer of the Township of Irvington and the appropriation to be charged for this expenditure is in the amount of \$ 337,374.16 is Account Number G-02-xx-865-15a-299.

Adopted

Cox – Lyons 5. Authorize Fair and Open Professional Service Contract for Web Hosting and Other Special Services - Precise Virtual Development – Not To Exceed \$28,680.00

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

WHEREAS, request for proposals (RFP) for Webmaster service was publicly advertised in the New Jersey Star Ledger on May 18, 2016 with a deadline for qualifications to be submitted on June 03, 2016; and

WHEREAS, sealed proposals were submitted on or before June 03, 2016 in response to the Township's publicly advertised request for proposal; and

WHEREAS, one proposal was received and publicly opened; and

WHEREAS, said proposals were referred to Township Administrator; and

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

Craig Felder

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

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for webmaster service be awarded to Precise Virtual Development, 1075 Easton Ave, Suite 271 Somerset, NJ 08873 on the basis of their response to the request for an amount not to exceed \$17,945.00 for webhosting services and \$10,735.00 for special services, a total amount of \$28,680.00 starting July 13, 2016 until July 12, 2017; and

BE IT FURTHER RESOLVED that the Township Attorney is hereby authorized and directed to prepare the necessary contract for one year from the date that this resolution is adopted 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 C6-00178 in the amount of \$6,000.00 from account number 6-01-20-100-100-183 has been obtained from the Chief Financial Officer for three months of service and the remaining balance will be certified upon adoption of the 2016 and 2017 calendar year budget.

Adopted

Frederic - Burgess 6. Authorize On-Line Auction of Obsolete Equipment With Govdeals

**AUTHORIZE DISPOSAL OF OLD/UNUSED EQUIPMENT WITH GOVDEAL**

WHEREAS, the Township of Irvington is the owner of certain equipment that is no longer being used; and

WHEREAS, the Township of Irvington is desirous of selling said equipment in an "as is" condition without express or implied warranties.

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

(1) The sale of old/used equipment shall be conducted through Govdeals pursuant to State of Contract A-83453/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with Govdeals is available online at govdeals.com and also available in the Division of Purchasing.

(2) The sale will be conducted online and the address of the auction site is govdeals.com.

(3) The sale is being conducted pursuant to Local Finance Notice 2008-9.

(4) A complete list of the old/used equipment is attached to this resolution, herein apart of the record.

- (5) The equipment on the attached list shall be sold in an "as is" condition without express or implied warranties with the successful bidder required to executed a Hold Harmless and Indemnification agreement concerning use of said surplus property.
- (6) The Township of Irvington reserves the right to accept or reject any bid submitted.
- (7) In the event that no bids are received, the Purchasing Agent is authorized to dispose of same for the benefit of the Township.

Adopted

Jones – Cox 7. Authorize Contract for Private Debt Collection Services - First Credit Services – Two Years – July 11, 2016 – July 10, 2018 – Not to Exceed 17.5 Percent of Amount of Debt Collected

#### AWARDING CONTRACT FOR PRIVATE DEBT COLLECTION SERVICES FOR THE MUNICIPAL COURT

WHEREAS, sealed proposals were received on June 22, 2016 for private debt collection service for the Municipal Court in response to public advertisement in the New Jersey Star Ledger on May 31, 2016; and

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

WHEREAS, said qualification was referred to the Municipal Court Administrator; and

WHEREAS, the qualifications satisfied the proposal requirements; and

WHEREAS, it is recommended that the award be made to First Credit Services, 371 Hoes Lane, Piscataway, NJ 08854 on the basis of their responsible response to the request for proposal that meets the criteria and qualifications.

NOW THEREFORE BE, IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Private Collection Agency Services for the Municipal Court of the Township of Irvington be awarded to First Credit Services, 371 Hoes Lane, Piscataway, NJ 08854 for two years starting on July 11, 2016 – July 10, 2018; 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 all payments by the debtors will be collected by the Municipal Court of the Township of Irvington and the vendor (First Credit Services) will receive an amount not to exceed seventeen point fifty percent (17.50%) of the total



amount collected by the fifteenth of the following month of collections. Payment will be forwarded by the Municipal Court Director pursuant to rules governing the Courts.

Adopted

Cox - Inman 8. Qualify Blue Asset Management, LLC as a Professional Special Tax Lien Services Vendor for a One Year Period – July 13, 2016 Through July 12, 2017

**RESOLUTION QUALIFYING A VENDOR TO PROVIDE THE TOWNSHIP WITH  
SPECIAL TAX LIENS SERVICE**

WHEREAS, the Request for Qualifications (RFQ) for Special Tax lien Service was publicly advertised in the New Jersey Star Ledger on May 10, 2016 with a deadline for qualifications to be submitted on May 25, 2016; and

WHEREAS, two qualifications were received and publicly opened; and

WHEREAS, one vendor was disqualified as the vendor did not included required documents in RFQ package; and

WHEREAS, said qualifications were referred to the Business Administrator; and

WHEREAS, the Township Administrator wishes to create a list of qualified firm to provide Special Tax Lien Service and recommends to add the firm below as a qualified vendor:-

Blue Asset Management LLC  
2282 Hamburg Turnpike, Suite F  
Wayne, NJ 07470

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the above vendor is qualified for the services of professional special tax lien services; and

BE IT FURTHER RESOLVED, the Township Business Administrator will prepare separate resolutions for all cases assigned above vendor.

BE IT FURTHER RESOLVED, that this qualification is for one year starting on July 13, 2016 and ending on July 12, 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 for the Chief Financial Officer when a contract is awarded to the vendor.

Adopted

Frederic – Jones 9. Authorize Contract for Medical Claims Processing Service be Awarded to Insurance Design Administrators - \$28.00 Fee Per Processed Claim to be Paid by Township's Health Insurance Provider

**RESOLUTION AUTHORIZING AN AWARD OF FAIR AND OPEN  
PROFESSIONAL CONTRACT FOR MEDICAL CLAIMS PROCESSING SERVICE**

WHEREAS, the Request for Proposals for medical claims processing services was publicly advertised in the New Jersey Star Ledger on June 14, 2016 with a deadline for proposals to be submitted on June 29, 2016; and

WHEREAS, sealed proposals were submitted on or before June 29, 2016 in response to the Township's publicly advertised Request for Proposals; and

WHEREAS, one proposal was received and publicly opened; and

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

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

Insurance Design Administrators (IDA)  
153 Bauer Drive  
Oakland, NJ 07436

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Medical Claims Processing service be awarded to Insurance Design Administrators (IDA) , 153 Bauer Drive, Oakland, NJ 07436 on the basis of their response to the request for proposals meeting the selection criteria and qualifications; and

BE IT FURTHER RESOLVED, the Township Health Insurance Provider -Fairview Insurance will remit payment to vendor for an amount not to exceed \$28.00 per process claims; 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.

Adopted

Inman – Jones 10. Award Bid - 2015 Road Resurfacing Program - J.A. Alexander, Inc. – Not To Exceed \$869,975.20

**RESOLUTION TO AWARD A CONTRACT FOR THE 2015  
RESURFACING PROGRAM**

WHEREAS, the Township of Irvington prepared bid documents and publicly bid a project entitled "The 2015 Resurfacing Program"; and

WHEREAS, public bids were advertised and three (3) bids were received by the Purchasing Committee on June 14, 2016 ; and

WHEREAS, the Township Engineer has reviewed these bids and found that the bid of J. A. Alexander Inc. , Bloomfield, NJ in the amount of \$ 869,975.20 to be the lowest responsive bid for this project and therefore ,recommends the award of this contract to J. A. Alexander Inc.

NOW, THEREFORE, BE IT RESOLVED BY MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract in the amount of \$ 869,975.20 be awarded to J. A. Alexander Inc. , Bloomfield, NJ for the project "The 2015 Resurfacing Program"

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:34-5.2, the required Certificate of Availability of Funds Number C6-00216 for the above has been obtained from the Chief Financial Officer of the Township of Irvington for the total amount of \$608,000.00 charged to account number C-04-55-825-000-901 and the remaining balance of \$261,975.20 will be obtained from the Chief Financial Officer pending the approval of a bond ordinance.

**Streets in the contract**

Montgomery Avenue, Clinton Avenue to the Newark Border  
Avon Avenue, Newark Border to Springfield Avenue  
Washington Avenue, Madison Avenue to Springfield Avenue  
Orange Avenue, Clinton Avenue to Springfield Avenue  
Grove Terrace, Grove Street to Eastern parkway  
Hillside Terrace, Clinton Avenue to the Newark Border  
Leslie Place, Stuyvesant Avenue to 40th Street  
Oakland Street, Orange Avenue to Lenox Avenue  
Headley Terrace, Springfield Avenue to Elmwood Avenue  
Mill Road, Union Place to Stuyvesant Avenue

**Adopted**

Burgess – Jones 11. Authorize Payment Plan for Outstanding Municipal Lien – 214  
Columbia Avenue, Block 59, Lot 21 - \$70,993.51 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, HUNT, FERDINAND owner of record of Block 59, Lot 21, also known as 214 COLUMBIA AVENUE, Municipality of Irvington, is desirous of satisfying Tax Title Lien # 110422 in the amount of \$70,993.51 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 \$2,566.74 , as set forth on the attached schedule and that in addition to said installments being promptly paid on the first of each month, for 36 months, all current year's taxes, subsequent taxes, assessments or other municipal liens imposed shall be promptly paid when due.

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

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

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

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

Adopted

Cox - Inman 12. Authorize Payment Plan for Outstanding Municipal Lien – 68 Maple Avenue, Block 210, Lot 8 - \$49,629.38 - 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, DENEEN ANTHONY (EDNA ANTHONY) owner of record of Block 210, Lot 8, also known as 68 MAPLE AVENUE, Municipality of Irvington, is desirous of satisfying Tax Title Lien # 101257 in the amount of \$49,628.38 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 \$1,794.18 , as set forth on the attached schedule and that in addition to said installments being promptly paid on the first of each month, for 36 months, all current year's taxes, subsequent taxes, assessments or other municipal liens imposed shall be promptly paid when due.

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

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

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

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

Adopted

Inman – Burgess 13. Authorize Payment Plan for Outstanding Municipal Lien – 179 – 181 – 22nd Street, Block 149, Lot 29 - \$29,621.65 – Payable Within 24 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, NEW HORIZON SOLUTIONS, LLC owner of record of Block 149, Lot 29, also known as 179-181 22<sup>ND</sup> STREET, Municipality of Irvington, is desirous of satisfying Tax Title Lien # 111154 in the amount of \$29,621.65 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 \$1,478.85 , as set forth on the attached schedule and that in addition to said installments being promptly paid on the first of each month, for 24 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

Lyons - Cox 14. Authorize Handicapped Parking Spaces in Front of 46 Durand Place and 151 Maple Avenue

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

WHEREAS, requests have been made for restricted parking spaces in front of 68 Berkshire Place, 2 Chapman Place, #30, 211 Myrtle Avenue, 272 Nesbit Terrace and 169 Munn Avenue:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that parking spaces restricted for use by any person who has been issued a special vehicle identification card pursuant to the provisions of N.J.S.A. 39:4-205, when using a motor vehicle on which is displayed a certificate, for which a special vehicle identification card has been issued pursuant to N.J.S.A. 39:4-206, be established in front of 68 Berkshire Place, 2 Chapman Place, #30, 211 Myrtle Avenue, 272 Nesbit Terrace and 169 Munn Avenue; and

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

Adopted

Cox - Burgess 15. Authorize Tax Amnesty Program for Payment of Penalties and Interest on Past Due Taxes From August 1, 2016 Through August 31, 2016

WHEREAS, the Municipal Township Council of the Township of Irvington recognizes that the past and current economic climate has had a tremendous adverse impact upon Irvington residents and particularly those struggling daily to pay their real property taxes; and

WHEREAS, the inability of the taxpayers to pay his or her taxes ultimately has a direct impact on the viability of the Municipality; and

WHEREAS, both branches of Municipal Government recognize and concur that some specific program must be put into place to lessen the burden taxpayers are carrying and assist them to any extent possible with their current tax dilemma; and

WHEREAS, N.J.S.A. 54:4-99 is a specific State statutory provision, that subject to the provisions of N.J.S.A. 54:4-100, permits the abatement alteration, adjustment and settlement of any past taxes due, and other Municipal charges, both of principal and of any and all interest and penalties thereon, as it shall be equitable and just and be for the best interest of the Municipality; and

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

SECTION 1. The Municipal Council of the Township of Irvington, hereby, declares that a tax amnesty period shall go into effect between the dates of August 1, 2016 and August 31, 2016 pursuant to the following guidelines:

1. Applies to any accrued, unpaid tax principal, penalty and interest as of December 31, 2015;
2. Applies to all real property, except those properties where foreclosure complaints have been filed by or on behalf of the Township;
3. While there will be no waiver of any principal due, all accrued penalty and interest as of August 31, 2016 will be waived;
4. All applications for waiver must be made in-person, by the property owner and/or registered agent, in the case of a corporation;
5. At the time of application, all updated owner/registered agent information must be provided, including a copy of property owner's identification, or, in the case of a corporation, other documentation, including formation documents, current BRC, contact information for the registered agent is required and a physical address must be submitted as part of this update;
6. Applications for forgiveness must be submitted to the Office of Economic Development between 9:00am on August 1<sup>st</sup> through 3:00pm August 31<sup>st</sup> and must be accompanied by a minimum deposit of \$5,000.00 of the outstanding principal amount of taxes owed on the property;
7. Final payment must be received within 60 days from the date of application (i.e. the date application and deposit was submitted to the Office of Economic Development;
8. Failure to pay within 60 days of the application date will result in automatic default and all penalties and interests will be become due immediately; and
9. The \$5,000.00 deposit will be deemed forfeited and funds counted towards satisfaction of the full arrears, including penalties and interest.

Adopted

Jones – Cox 16. Designate Nationwide REO Asset Services, LLC., By and Through Its Agent, Michael Cherry as Redeveloper of Eleven Properties Within the Township of Irvington Rehabilitation Area and Authorize Escrow Agreement

RESOLUTION OF THE TOWNSHIP OF IRVINGTON, IN THE COUNTY OF ESSEX AUTHORIZING THE DESIGNATION OF NATIONWIDE REO ASSET SERVICES, LLC., BY AND THROUGH ITS AGENT, MICHAEL CHERRY 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 **246-248 19<sup>th</sup> Avenue, Block 103 and Lot 19; (b) 118 19<sup>th</sup> Avenue, Block 122, Lot 45; (c) 204 19<sup>th</sup> Avenue, Block 122 and Lot 38 (d) 36 Arverne Terrace , Block 117 and Lot 10; (e) 50 Arverne Terrace, Block 117 and Lot 3 (f) 20 Arverne Terrace , Block 117 and Lot 18; (g) 52-54 Arverne Terrace , Block 117 and Lot 2; (h) 44 Arverne Terrace, Block 117 and Lot 6; (i) 19 Tichenor Terrace, Block 125 and Lot 20; (j) 25 Tichenor Terrace, Block 125 and Lot 17; (k) and 1215 Clinton Avenue, Block 39 and Lot 1** (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. Nationwide REO Asset Services, LLC., by and through its agent, Michael Cherry 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

##### Adopted

Frederic - Cox 17. Designate Mecca Property Development, LLC., By and Through Its Agent, Dennis Jenkins as Redeveloper of 34 Tiffany Place, 69 Maple Avenue and 54 Laurel Avenue Within the Township of Irvington Rehabilitation Area and Authorize Foreclosure Escrow Agreement

RESOLUTION OF THE TOWNSHIP OF IRVINGTON, IN THE COUNTY OF ESSEX AUTHORIZING THE DESIGNATION OF MECCA PROPERTY DEVELOPMENT, LLC., BY AND THROUGH ITS AGENT, DENNIS JENKINS 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 **34 Tiffany Place, block 4 and lot 11; 69 Maple Avenue, Block 209 and Lot 46, and, 54 Laurel Avenue, Block 20 and lot 13** (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. Mecca Property Development, LLC., by and through its agent, Dennis Jenkins 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

Adopted

Frederic - Cox 18. Designate D & S Housing, LLC., By and Through Its Agents Samir Halabi and Dito Gergedava as Redeveloper of 985 Grove Street and 1178 Springfield Avenue in the Township of Irvington and Authorize Foreclosure Escrow Agreement

RESOLUTION OF THE TOWNSHIP OF IRVINGTON, IN THE COUNTY OF ESSEX  
AUTHORIZING THE DESIGNATION OF D & S HOUSING, LLC., BY AND  
THROUGH ITS AGENTS SAMIR HALABI AND DITO GERGEDAVA 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 **985 Grove Street, Block 210 and Lot 63 and 1178 Springfield Avenue, Block 29 and Lot 20** (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. D & S Housing, LLC., by and through its agents Samir Halabi and Dito Gergedava 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

Adopted

Cox - Burgess 19. Authorize Contract for Design and Administration of Emergency Generators at the Public Safety Building – CME Associates, Inc. – Total Amount Not to Exceed \$40,548.00

RESOLUTION TO AWARD a Professional Services Contract to DESIGN AND PROVIDE CONTRACT ADMINISTRATION SERVICES FOR EMERGENCY GENERATORS AT THE PUBLIC SAFETY COMPLEX AND THE GATLING CENTER

WHEREAS, the Township of Irvington applied for and received a grant in the amount of \$ 250,000.00 from the Federal Emergency Management Agency (FEMA) to install emergency generators at the Public Safety Complex and at the Chris Gatling Center; and

WHEREAS, the design of these emergency generators is beyond the capabilities of current Township staff; and

WHEREAS, the Township Engineer has solicited a proposal from the consultant who prepared the technical specifications that were utilized to obtain the grant by the Township. This consultant is on the list of engineering firms that provide professional services to the Township on an annual basis to services (DPW 15-1027-46); and,

WHEREAS, after reviewing the proposal that was received for this project, the Township Engineer has determined that the proposal of CME Associates, Inc. for a total fee of \$ 40,548.00, which is broken down as \$ 24,320.00 for design and \$ 16,228.00 for the contract administration for this project to be the most cost effective proposal for this project and therefore recommends the award of a professional services contract to CME Associates, Inc. for this project.

NOW, THEREFORE, BE IT RESOLVED BY MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a professional services contract in the amount of \$40,548.00 (\$ 24,320.00 for design and \$ 16,228.00 for contract administration) be awarded to CME Associates, Inc for the design and installation of Emergency Generators at the Public Safety Complex and the Gatling Center.

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:34-5.2, the required Certificate of Availability of Funds No. C6-00189 for the above has been obtained from the Chief Financial Officer of the Township of Irvington and the appropriation to be charged for this expenditure is in the amount of \$ 40,548.00 is Account No. G-02-XX-805-16A-299.

Adopted

Burgess - Inman 20. Authorize Contract for Design and Administration of Resurfacing of Madison Avenue from Stuyvesant Avenue to the Garden State Parkway - Keller & Kirkpatrick – Total Amount Not To Exceed \$13,420.00

#### RESOLUTION TO AWARD A PROFESSIONAL SERVICES CONTRACT FOR THE DESIGN OF THE RESURFACING OF MADISON AVENUE

WHEREAS, the Township of Irvington received a grant from the New Jersey Department of Transportation, under the Transportation Trust Fund program in the amount of \$ 390,6370.00 for the Resurfacing of Madison Avenue, from Stuyvesant Avenue to the Garden State Parkway; and

WHEREAS, the Township received proposals from the five engineering firms that are part of the Township's annual contract for engineering services to prepare the bid documents and construction administration services for this contract; and

WHEREAS, the Township Engineer has reviewed these proposals and found that the proposal of Keller & Kirkpatrick, in the amount of \$ 7,250 for design and \$ 6,170.00 for construction administration for a total fee proposal of \$ 13,420.00, was the most cost efficient to complete the work on this project

NOW, THEREFORE, BE IT RESOLVED BY MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that professional services contract for the Resurfacing of Madison Avenue be awarded to Keller and Kirkpatrick, Inc. 301 Gibraltar Drive, Morris Plains, NJ 07950 at their proposed price of \$ 7,250 for design and \$ 6,170.00 for construction administration for a total fee proposal of \$ 13,420.00.

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:34-5.2, the required Certificate of Availability of Funds No. c6-00205 for the above has been obtained from the Chief Financial Officer of the Township of Irvington and the appropriation to be charged for this expenditure is in the amount of \$ 13,420.00 is Account No. c-04-55-825-000-901.

Adopted

10. Communications and Petitions

A. Communications

1. League of Municipalities – Legislative Bulletin # 3

11. Pending Business

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

12. Miscellaneous

A. Bingos and Raffles

None

\*\*\*\*\*

NON-CONSENT AGENDA ITEMS

8. Ordinances, Bills & Claims

A. Ordinances on 1st Reading

Inman - Burgess 1 Bond Ordinance – 40<sup>th</sup> Street Park Upgrades Project – \$650,000.00/\$325,000.00

BOND ORDINANCE PROVIDING FOR THE 40TH STREET PARK UPGRADES PROJECT IN AND BY THE TOWNSHIP OF IRVINGTON, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$650,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$325,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

Adopted

Inman - Burgess 2. Bond Ordinance for Various Capital Improvements – \$4,647,600/\$4,415,220

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.

Adopted

Cox - Jones 3. Prohibit More Than Four Dogs or Cats Per Household

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 65 ANIMALS, PART 1. DOMESTIC ANIMALS, ARTICLE II. DOGS AND CATS, AMENDED § 65-3.2 LIMIT ON NUMBER OF DOGS AND CATS (ADDED) PER HOUSEHOLD

Adopted

## 9. Resolutions & Motions

### A. Resolutions

Cox – Frederic 21. Introduction of Amendment to Calendar Year 2016 Municipal Budget

**Township of Irvington**

**County of Essex**

**Resolution to Amend Budget**

Whereas, the local Municipal Budget for the CY 2016 was approved on 3rd day of May, 2016, and

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

WHEREAS, it is desires to amend said approved Budget, now



amendments to the approved Budget of CY 2016 be made:

	(			(
	(		Abstained	(
	(	(		(
	(	(		(
RECORDED VOTE Ayes	(		Nays	(
	(	(	Absent	(

	<u>From</u>	<u>To</u>
<b><u>General Revenues</u></b>		
1. Surplus Anticipated	-	-
2. Surplus Anticipated with Prior Written Consent of Director of Local Government Services	-	-
3. Miscellaneous Revenue-Section A: Local Revenue		
<b>Total Section A: Local Revenue</b>	<b>9,952,537.11</b>	<b>9,952,537.11</b>
3. Miscellaneous Revenue-Section B: State Aid Without Offsetting Appropriations		
<b>Total Section B: Local Revenue</b>	<b>12,875,233.00</b>	<b>12,875,233.00</b>
3. Miscellaneous Revenue-Sections C: Dedicated Uniform Construction Code Fees Offset with Appropriations		
<b>Total Section C: Local Revenue</b>	<b>311,766.80</b>	<b>311,766.80</b>
3. Miscellaneous Revenues - Section F: Special Items of General Revenue Anticipated with Prior written Consent of Director of Local Government Services- Public and Private Revenues Offset with Appropriations: State & Federal Grants		
<b><u>Unappropriated Grants</u></b>		
Clean Communities	-	88,764.54
County of Essex - SSH Block Grant	-	43,998.00
State of NJ CLPP - Grant	-	49,894.00
County of Essex - Service Block Grant	-	67,666.49
County of Essex- Service Block Grant	-	25,684.91
Police Body Armor	-	13,381.71
Housing Opportunities for People with Aids	-	5,224.77
<b>Total Section F: Special Items of General Revenue Anticipated, Public and Private</b>		
<b>Revenue Offset with Appropriations:</b>	<b>471,147.00</b>	<b>765,761.42</b>
3. Miscellaneous Revenue - Section G: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Other Special items:		
Sale Of Town Owned Property	825,000.00	-

**MINUTES – REGULAR COUNCIL MEETING – JULY 12, 2016 - PAGE 26**

General Capital Surplus	-	950,201.00
<b>Total Section G: Special Items of General revenue anticipated</b>		
<b>with prior written consent of the Director of Local Government Services</b>	<b>1,862,353.50</b>	<b>1,987,554.50</b>
 <b>4. Receipts from Delinquent Taxes</b>	 <b>3,052,954.24</b>	 <b>3,052,954.24</b>
 <b><u>Summary of Revenues</u></b>		
1. Total Surplus Anticipated	-	-
2. Surplus Anticipated with Prior Witten Consent of Director of Local Government Services	-	-
3. Miscellaneous Revenues:		
Total Section A: Local Revenue:	9,952,537.11	9,952,537.11
Total Section B: State Aid without Offsetting Appropriations:	12,875,233.00	12,875,233.00
Total Section C: Dedicated Uniform Construction Code Fees offset with Appropriations	311,766.80	311,766.80
Total Section D: Special Items of General Revenue, Inter local Muni. Services	-	-
Total Section E: Special Items of General Revenue, Additional Revenues	-	-
Total Section F: Special Items of General Revenue, Public and Private Revenue	471,147.00	765,761.42
Total Section G: Special items of General Revenue, Other Special Items	1,862,353.50	1,987,554.50
Total Miscellaneous Revenue	25,473,037.41	25,892,852.83
4. Receipts from Delinquent Taxes	3,052,954.24	3,052,954.24
5. Subtotal General Revenues ( Items 1,2,3 and 4)	28,525,991.65	28,945,807.07
6. Amount to be Raised by Taxes for support of Municipal Budget:		
a) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes	70,522,859.00	70,522,859.00
b) Addition to Local District School Tax	1,859,749.00	1,857,642.20
c) Minimum Library Tax	691,271.37	691,271.37
	\$	
<b>7. TOTAL GENERAL REVENUES</b>	<b>101,599,871.02</b>	<b>\$ 102,017,579.64</b>

**8. GENERAL APPROPRIATIONS**

<b>(A) Operations Within "CAPS"</b>		-
Office of Emergency Management Other Expense	-	12,000.00
Police Department Other Expenses	717,974.34	705,974.34
<b>Total Operations (Item 8 (A) Within "CAPS"</b>	<b>66,842,525.04</b>	<b>66,842,525.04</b>

**(E) Deferred Charges and Statutory Expenditures - Municipal Within "CAPS"**

**STATUTORY EXPENDITURES**

Insurance Trust Deficit	-	0.41
-------------------------	---	------

# MINUTES – REGULAR COUNCIL MEETING – JULY 12, 2016 - PAGE 27

Prior Year Invoices-Tax Appeal Attorney O'Donnell McCord, PC	-	32,762.12
Consolidated Police & Firemans Pension Fund	-	2,199.13
Pensions -PFRS	6,909,857.78	6,975,328.22
<b>Total Deferred Charges and Statutory Expenditures - Within "CAPS"</b>	<b>9,885,294.73</b>	<b>9,985,726.83</b>

<b>(H-1) Total General Appropriations for Municipal Purposes Within "CAPS"</b>	<b>76,727,819.77</b>	<b>76,828,251.87</b>
--	----------------------	----------------------

## **8. GENERAL APPROPRIATIONS**

<b>(A) Operations - Excluded from "CAPS"</b>	-	-
<b>Total Other Operations - Excluded from "CAPS"</b>	<b>6,093,033.72</b>	<b>6,093,033.72</b>

## **(A) Operations - Excluded from "CAPS"** **Public and Private Programs Offset by Revenues** **Unappropriated Grants**

Clean Communities	-	88,764.54
County of Essex - SSH Block Grant	-	43,998.00
State of NJ CLPP - Grant		49,894.00
County of Essex - Service Block Grant	-	67,666.49
County of Essex- Service Block Grant	-	25,684.91
Police Body Armor	-	13,381.71
Housing Opportunities for People with Aids	-	5,224.77
<b>Total Public and Private Program Offset By Revenue</b>	<b>471,147.00</b>	<b>765,761.42</b>
<b>Total Operations Excluded from "CAPS"</b>	<b>6,564,180.72</b>	<b>6,858,795.14</b>

## **8. General Appropriations**

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

<b>Capital Improvement fund</b>	<b>250,000.00</b>	<b>325,500.00</b>
<b>Total Capital Improvements - Excluded from "CAPS"</b>	<b>250,000.00</b>	<b>325,500.00</b>

### **(D) Municipal Debt Service - Excluded from "CAPS"**

Payment of Bond Antic. Notes and Capital Notes	853,752.00	821,911.00
Interest on Notes	202,579.00	354,883.76
	-	-
<b>Total Municipal Debt Service - Excluded from "CAPS"</b>	<b>9,351,972.46</b>	<b>9,472,436.22</b>

### **(E) Deferred Charges - Municipal - Excluded from "CAPS"**

**MINUTES – REGULAR COUNCIL MEETING – JULY 12, 2016 - PAGE 28**

Emergency Authorizes 5 year- Terminal Payout	679,617.92	410,217.92
<b>Total Deferred Charges - Municipal- Excluded from "CAPS"</b>	<b>679,617.92</b>	<b>410,217.92</b>
<b>(H-2) Total General Appropriations for Municipal Purposes Excluded from "CAPS"</b>	<b>16,845,771.10</b>	<b>17,066,949.28</b>
<b>( I ) Type 1 District School Debt Services</b>		
<b>Total Local School Purpose</b>	<b>3,091,706.20</b>	<b>3,091,706.20</b>
<b>(O) Total General Appropriations - Excluded from "CAPS"</b>	<b>19,937,477.30</b>	<b>20,158,655.48</b>
<b>(L) Subtotal General Appropriations {items (H-1) and (O)}</b>	<b>96,665,297.07</b>	<b>96,986,907.35</b>
<b>(M) Reserve for Uncollected Taxes</b>	<b>4,934,573.95</b>	<b>5,030,672.29</b>
	<b>\$</b>	
<b>9. Total General Appropriation</b>	<b>101,599,871.02</b>	<b>\$ 102,017,579.64</b>

**Summary of Appropriations:**

(H-1) Total General Appropriations for

Municipal Purposes within "CAPS"	76,727,819.77	76,828,251.87
(a) Operations - Excluded from "CAPS"	-	-
Other Operations	6,093,033.72	6,093,033.72
Public & Private Progs Offset by Revenues	471,147.00	765,761.42
( C ) Capital Improvement	250,000.00	325,500.00
(D) Municipal Debt Service	9,351,972.46	9,472,436.22
(E) Total Deferred & Statutory Charges - Excluded from "CAPS"	679,617.92	410,217.92
(F) Judgments	-	-
(G) Cash Deficit - With Prior Consent of LFB	-	-
(K) Local District School Purpose	3,091,706.20	3,091,706.20
(N) Transferred to Board of Education	-	-
(M) Reserve for Uncollected Taxes	4,934,573.95	5,030,672.29
	<b>\$</b>	
<b>9. Total General Appropriation</b>	<b>101,599,871.02</b>	<b>\$ 102,017,579.64</b>

BE IT FURTHER RESOLVED, that three certified copies of this resolution be filed in the Office of the Director of the Division of Local Government Services for his certification of the 2016 Local Municipal Budget so amended.

BE IT FURTHER RESOLVED, that this complete amendment, in accordance with the provisions of N.J.S 40A:4-9, be published in the Irvington Herald in the issue of \_07/21/2016 and the said publication contain notice of public hearing on said amendment to be held on August 9, 2016 at Town Hall on 1 Civic Square, Irvington, NJ at 8:00 P.M.

It is hereby certified that this is a true copy of resolution amending the budget, adopted by the Governing Body on 9th day of August, 2016.

\_\_\_\_\_  
Harold Weiner, Municipal Clerk

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

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

Adopted

## 12. Miscellaneous

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

Richard Williams, 197 Lenox Avenue  
Elouise McDaniel, 214 Nesbit Terrace  
Rodney White, 41 Durand Place  
Frank McBee, 46 Durand Place  
James Eaddy, 85 Sheridan Street  
Kim Williams, 42 Oakland Street

Council President Lyons and Council Members Cox, Frederic and Burgess addressed the issues raised by the above referenced citizens.

## 13. Adjournment

\*\*\*\*\*

## ALCOHOLIC BEVERAGE CONTROL BOARD

JUNE 28, 2016

1. Chairman Cox called the Meeting to Order
2. New Business

Cox – Lyons A. Renewal of ABC Consumption License for 2016- 2017 Licensing Year – 1425 Springfield Avenue Corp., Trading As 43<sup>rd</sup> Street Café, 1425-31 Springfield Avenue

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:

0709-33-063-004	1425 Springfield Avenue Corp. t/a 43rd Street Café	1425-31 Springfield Avenue
-----------------	---	----------------------------

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

Adopted

Cox – Frederic B. Renewal of ABC Consumption License for 2016- 2017 Licensing Year – P.S. Clervoyant, LLC, Trading As Slick's Tavern, 371 Nye Avenue

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:

0709-33-068-005	P.S. Clervoyant, LLC t/a Slick's Tavern	371 Nye 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.

Defeated

YES: Frederic, Hudley

NO: Inman, Jones, Lyons, Cox

ABSTAIN: Burgess

Cox – Frederic C. Renewal of ABC Consumption License for 2016- 2017 Licensing Year – Willmar Lounge, Inc., Trading As Willmar Lounge, 865 Springfield Avenue

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:

0709-33-085-002 Willmar Lounge, Inc.  
t/a Willmar Lounge

865 Springfield Avenue

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

Defeated

YES: Cox, Frederic, Hudley

NO: Burgess, Inman, Jones, Lyons

Cox – Lyons D. Renewal of ABC Distribution License for 2016 - 2017 Licensing Year - JRC Liquors, Inc., Trading As JRC Liquors, 728 Springfield Avenue

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:

0709-44-046-009	JRC Liquors, Inc t/a JRC Liquors	728 Springfield Avenue
-----------------	-------------------------------------	------------------------

BE IT FURTHER RESOLVED that the said licenses be issued in the name of and under the seal of the Township of Irvington and be signed by a representative of the License Bureau, in order to fulfill the provisions of the Irvington Township Code, known as Ordinance MC 2622, which license, after being so signed, shall be released by the License Bureau to the licensee.0709-44-001-008

Adopted

Cox – Lyons E. Renewal of ABC Distribution License for 2016 - 2017 Licensing Year - DJP Spirits, LLC, Trading As DJP Spirits, 1158-1160 Stuyvesant Avenue

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:

0709-44-056-005	DJP Spirits, LLC t/a trading as DJP Spirits	1158-1160 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.0709-44-001-008

Adopted



Cox – Lyons F. Renewal of ABC Distribution License for 2016 - 2017 Licensing Year - 762  
–764 Chancellor Ave., Corp, Trading As Jaison Liquor, Deli and Grocery, 762 – 764  
Chancellor Avenue

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:

0709-44-067-005	762-764 Chancellor Ave., Corp.	762-764 Chancellor Avenue
	t/a Jaison Liquor, Deli & Grocery	

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.0709-44-001-008

Adopted

Cox – Lyons G. Rescind Renewal of Ricron ABC Pocket Distribution License - Need for Special Ruling by State Division of ABC

WHEREAS, on June 28, 2016, the ABC Board adopted Resolution Number ABC 16-0628-7 which renewed the following Plenary Retail Distribution license for the 1016-2017 licensing year; and

0709-44-032-002	Ricron, Inc.	POCKET
	c/o Ronald A. Wermuth	
	3 Huntington Lane	
	Roseland, N.J. 07068	

WHEREAS, the New Jersey Division of Alcoholic Beverage Control has informed the Township of Irvington that said license holder needs a Special Ruling from the State Division of Alcoholic Beverage Control before the license can be legally renewed:

NOW THEREFORE BE IT RESOLVED BY THE MUNICIPAL COUNCIL ACTING AS THE ALCOHOLIC BEVERAGE CONTROL BOARD OF THE TOWNSHIP OF IRVINGTON that Resolution Number ABC 16-628-7 is hereby amended by deleting the following Plenary Retail Distribution License renewal for the 2016-2017 licensing year:

0709-44-032-002 Ricron, Inc.  
c/o Ronald A. Wermuth  
3 Huntington Lane  
Roseland, N.J. 07068

POCKET

BE IT FURTHER RESOLVED that the said licenses is hereby rescinded for the 2016-2017 licensing year pending approval of a special ruling from the State Division of Alcoholic Beverage Control and subsequent approval by the local Alcoholic Beverage Control Board.

Adopted

13. Adjournment

There being no further business, the meeting was adjourned at 9:49 P.M.

---

David Lyons, Council President

---

Harold E. Wiener, Municipal Clerk