

REGULAR COUNCIL MEETING
APRIL 10, 2018

Council Chamber, Municipal Building
Irvington, N.J. – Tuesday Evening
April 10, 2018 - 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)

Kim Williams, 42 Oakland Street

5. Hearing of Council Members

Council President Lyons responded to the issues raised by the above referenced citizen.

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

A. Reports

1. Minutes – Directors’ Meeting – March 27, 2018

7. Reports of Committees

None

8. Ordinances, Bills & Claims

C. Bills & Claims

Jones – Lyons 1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF
IRVINGTON FOR A PERIOD APRIL 10, 2018, 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	\$3,318,085.09
TOTAL	\$3,318,085.09

Adopted
Inman: No

Jones – Burgess 2. Payrolls

March 10, 2018 through March 23, 2018

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$672,313.74	\$61,525.54	\$12,770.94	\$746,610.22

February 24, 2018 through March 15, 2018

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$942,702.47	\$109,878.98	\$13,863.96	\$1,066,445.41

Adopted
Inman: No

None

9. Resolutions & Motions

A. Resolutions

Cox – Lyons 1. Provide for Combination of Certain Issues of General Improvement Bonds Into a Single Issue of Bonds Aggregating \$9,360,000.00 in Principal Amount

**RESOLUTION PROVIDING FOR THE
COMBINATION OF CERTAIN ISSUES OF
GENERAL IMPROVEMENT BONDS OF THE**

**TOWNSHIP OF IRVINGTON, IN THE COUNTY OF
ESSEX, NEW JERSEY, INTO A SINGLE ISSUE OF
BONDS AGGREGATING \$9,360,000 IN PRINCIPAL
AMOUNT.**

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF IRVINGTON, IN THE COUNTY OF ESSEX, NEW JERSEY, AS FOLLOWS:

Section 1. Pursuant to the provisions of N.J.S.A. 40A:2-26(f), the Bonds (as defined herein) of the Township of Irvington, in the County of Essex, New Jersey (the “Township”), authorized pursuant to the bond ordinances of the Township heretofore adopted and described in Section 2 hereof shall be combined into a single and combined issue of General Improvement Bonds in the principal amount of \$9,360,000 (the “Bonds”).

Section 2. The principal amount of Bonds authorized by each bond ordinance to be combined into a single issue as above provided, the bond ordinances authorizing the Bonds described by reference to the number, the improvement description and the date of adoption, and the period or average period of usefulness determined in each of the bond ordinances are respectively as follows:

Principal Amount of Bonds	Number of Bond Ordinance	Description of Improvement and Date of Adoption of Bond Ordinance	Useful Life
\$111,000	MC 3411	Replacement of the 911 telephone system, finally adopted October 27, 2009.	10 years
\$393,674	MC 3439	Construction of an emergency operations center, finally adopted May 24, 2011.	20 years
\$470,000	MC 3450	Acquisition of a communication radio system and equipment, finally adopted September 13, 2011.	15 years
\$599,555	MC 3479	Revaluation of real property throughout the Township, finally adopted January 15, 2013.	5 years
\$479,734	MC 3505	Various capital improvements, finally adopted March 25, 2014.	9.43 years
\$2,566,037	MC 3522	Various capital improvements, finally adopted December 23, 2014.	10.94 years
\$4,415,000	MC 3580	Various capital improvements, finally adopted August 16, 2016.	9.76 years

Principal Amount of Bonds	Number of Bond Ordinance	Description of Improvement and Date of Adoption of Bond Ordinance	Useful Life
\$111,000	MC 3411	Replacement of the 911 telephone system, finally adopted October 27, 2009.	10 years
\$325,000	MC 3581	40th Street Park Upgrade Project, finally adopted August 16, 2016.	15 years

Section 3. The following matters are hereby determined with respect to the combined issue of Bonds:

- (a) The average period of usefulness is not less than 10.64 years.
- (b) The Bonds of the combined issue shall be designated “General Improvement Bonds” and shall mature within the average period of usefulness herein determined.
- (c) The Bonds of the combined issue shall be sold and issued in accordance with the provisions of the Local Bond Law applicable to the sale and the issuance of bonds authorized by a single bond ordinance and accordingly may be sold with other issues of bonds.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

- (a) None of the Bonds described in Section 2 hereof has been sold or issued heretofore, and the several bond ordinances described in Section 2 have not been revoked or rescinded and now remain in full force and effect as authorizations for the respective amounts of Bonds set opposite the descriptions of the bond ordinances in Section 2.
- (b) The several purposes or improvements authorized by the respective bond ordinances described in Section 2 hereof are purposes for which bonds may be issued lawfully pursuant to the Local Bond Law and are all purposes or improvements for which no deduction may be taken in any annual or supplemental debt statement.

Section 5. This Resolution shall take effect immediately.

Adopted
No: Inman

Burgess – Lyons 2. Determination Form and Other Details of \$9,360,000.00 General Improvement Bonds and Providing for Their Sale

**RESOLUTION DETERMINING THE FORM AND
OTHER DETAILS OF \$9,360,000 GENERAL**

**IMPROVEMENT BONDS OF THE TOWNSHIP OF
IRVINGTON, IN THE COUNTY OF ESSEX, NEW
JERSEY AND PROVIDING FOR THEIR SALE.**

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF IRVINGTON, IN THE COUNTY OF ESSEX, NEW JERSEY, AS FOLLOWS:

Section 1. (a) The \$9,360,000 General Improvement Bonds of the Township of Irvington, in the County of Essex, New Jersey (the "Township"), referred to and described in a resolution of the Township duly adopted on April 10, 2018, and entitled, "Resolution Providing for the Combination of Certain Issues of General Improvement Bonds of the Township of Irvington, in the County of Essex, New Jersey, Into a Single Issue of Bonds Aggregating \$9,360,000 in Principal Amount" and in the bond ordinances referred to therein, each in all respects duly approved and published as required by law, shall be issued as "General Improvement Bonds" (the "Bonds"). The Bonds shall mature in the principal amounts on June 1 as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2019	\$810,000	2024	\$ 945,000
2020	830,000	2025	980,000
2021	855,000	2026	1,015,000
2022	885,000	2027	1,045,000
2023	915,000	2028	1,080,000

The Bonds shall not be subject to redemption prior to maturity. The Bonds shall be ten in number, with one certificate being issued for each year of maturity, and shall be numbered GI-1 to GI-10, inclusive.

Section 2. The Bonds shall be dated their date of issuance and shall bear interest payable semiannually on the first day of June and December in each year until maturity, commencing on December 1, 2018, at a rate or rates per annum, expressed in a multiple of 1/8 or 1/20 of 1% and proposed by the successful bidder in accordance with the Notice of Sale.

Section 3. The Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Director of Revenue and Finance under the official seal (or facsimile thereof) affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Township Clerk.

Section 4. (a) The Bonds will be issued in fully-registered form. One certificate shall be issued for the aggregate principal amount of each Bond maturing in each year. Both principal of and interest on the Bonds will be payable in lawful money of the United States of America. Each certificate will be registered in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York, which will act as securities depository (the "Securities Depository"). The certificates will be on deposit with the Securities Depository. The Securities Depository will be responsible for maintaining a book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The participants will be responsible for maintaining records recording the beneficial ownership interests in the Bonds on behalf of individual purchasers. Individual purchases may be made in the principal amount of \$5,000 through book-entries made on the books and records of the Securities Depository and its participants.

(b) The principal of and interest on the Bonds will be paid to the Securities Depository by the Township on the respective maturity dates and due dates and will be credited on the respective maturity dates and due dates to the participants of the Securities Depository as listed on the records of the Securities Depository as of each next preceding May 15 and November 15 (the "Record Dates" for the Bonds).

Section 5. The Bonds shall be substantially in the following form with such additions, deletions and omissions as may be necessary for the Township to market the Bonds, including in accordance with the requirements of the Securities Depository:

[Remainder of page intentionally left blank. Form of Bond begins on next page.]

REGISTERED
NUMBER GI- _____

REGISTERED
\$ _____

UNITED STATES OF AMERICA
STATE OF NEW JERSEY
COUNTY OF ESSEX

TOWNSHIP OF IRVINGTON

GENERAL IMPROVEMENT BOND

REGISTERED OWNER: Cede & Co.

PRINCIPAL AMOUNT:

DATED DATE:

MATURITY DATE: June 1, 20__

RATE OF INTEREST PER ANNUM: ____%

INTEREST PAYMENT DATES: June 1 and December 1

INITIAL INTEREST PAYMENT DATE: December 1, 2018

RECORD DATES:

May 15 and November 15

CUSIP NUMBER:

TOWNSHIP OF IRVINGTON, a public body corporate and politic of the State of New Jersey (the "Township"), hereby acknowledges itself indebted and for value received promises to pay to the REGISTERED OWNER, or its registered assigns, on the MATURITY DATE, upon presentation and surrender of this bond, the PRINCIPAL AMOUNT, and to pay interest on such sum from the DATED DATE until it matures at the RATE OF INTEREST PER ANNUM specified above semiannually on the INTEREST PAYMENT DATES in each year until maturity, commencing on the INITIAL INTEREST PAYMENT DATE. Principal of and interest due on this bond will be paid to the REGISTERED OWNER by the Township or its designated paying agent and will be credited to the participants of The Depository Trust Company as listed on the records of The Depository Trust Company as of the RECORD DATES next preceding the respective INTEREST PAYMENT DATES (the "Record Dates"). The principal of and interest on this bond are payable in lawful money of the United States of America.

This bond is not transferable as to principal or interest except to an authorized nominee of The Depository Trust Company. The Depository Trust Company shall be responsible for maintaining the book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The participants are responsible for maintaining records regarding the beneficial ownership interests in the bonds on behalf of individual purchasers.

The bonds of this issue are not subject to redemption prior to their stated maturities.

This bond is one of an authorized issue of bonds issued pursuant to the Local Bond Law of the State of New Jersey, a resolution of the Township duly adopted on April 10, 2018, and entitled, "Resolution Providing for the Combination of Certain Issues of General Improvement Bonds of the Township of Irvington, in the County of Essex, New Jersey, Into a Single Issue of Bonds Aggregating \$9,360,000 in Principal Amount" and the bond ordinances referred to therein, each in all respects duly approved and published as required by law.

The full faith and credit of the Township are hereby irrevocably pledged for the punctual payment of the principal of and interest on this bond according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or the statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or in the issuance of

this bond exist, have happened and have been performed, and that the issue of bonds of which this is one, together with all other indebtedness of the Township, is within every debt and other limit prescribed by such Constitution or statutes.

IN WITNESS WHEREOF, the TOWNSHIP OF IRVINGTON has caused this bond to be executed in its name by the manual or facsimile signatures of its Mayor and its Director of Revenue and Finance, its corporate seal to be hereunto imprinted or affixed, this bond and the seal to be attested by the manual signature of its Township Clerk, and this bond to be dated the DATED DATE as specified above.

TOWNSHIP OF IRVINGTON

[SEAL]

By: _____

Mayor

ATTEST:

By: _____
Township Clerk

By: _____
Director of Revenue and Finance

[End of Form of Bond]

Section 6. (a) The Bonds shall be sold on May 15, 2018 or such other date as may be determined by the Director of Revenue and Finance via the “PARITY Electronic Bid System” (“PARITY”) upon the terms and conditions set forth and described in the Full Notice of Sale attached hereto as Exhibit A. The Director of Revenue and Finance is hereby directed to arrange for the publication of the Short Notice of Sale attached hereto as Exhibit B, and McManimon, Scotland & Baumann, LLC is hereby directed to arrange for the publication of the Summary Notice of Sale attached hereto as Exhibit C, such publications to be not less than seven days prior to the date of sale. The Short Notice of Sale shall be published in *The Irvington Herald* (or another local newspaper) and the

Summary Notice of Sale shall be published in *The Bond Buyer*, a financial newspaper published and circulating in the City of New York, New York.

(b) Pursuant to N.J.S.A. 40A:2-34, the Township hereby designates the Director of Revenue and Finance to sell and award the Bonds substantially in accordance with the Full Notice of Sale with such changes to such Notice or the terms of the Bonds as may be necessary, beneficial or desirable in the opinion and judgment of such Director of Revenue and Finance in order to market and sell such Bonds, and such financial officer shall report in writing the results of the sale to this Township Council as required by law. The Director of Revenue and Finance is hereby authorized and directed, consistent with the terms of the Full Notice of Sale, to retain the good faith deposit of the successful bidder and to immediately return such good faith deposits, whether by wire or check, to the unsuccessful bidders.

Section 7. The Notice of Sale shall be substantially in the form attached hereto as Exhibit A with such additions, deletions and omissions as may be necessary, beneficial or desirable in the opinion and judgment of such Director of Revenue and Finance for the Township to market the Bonds, including in accordance with the requirements of the Securities Depository and PARITY. The Short Notice of Sale shall be substantially in the form attached hereto as Exhibit B with such additions, deletions and omissions as may be necessary, beneficial or desirable in the opinion and judgment of such Director of Revenue and Finance for the Township to market the Bonds, including in accordance with the requirements of the Securities Depository and PARITY. The Summary Notice of Sale shall be substantially in the form attached hereto as Exhibit C with

such additions, deletions and omissions as may be necessary, beneficial or desirable in the opinion and judgment of such Director of Revenue and Finance for the Township to market the Bonds, including in accordance with the requirements of the Securities Depository and PARITY.

Section 8. The Township Director of Revenue and Finance is hereby directed to arrange for the publication of the Short Notice of Sale attached hereto as Exhibit B in *The Irvington Herald* or such other authorized newspaper of the Township, and McManimon, Scotland & Baumann, LLC is hereby directed to arrange for the publication of the Summary Notice of Sale attached hereto as Exhibit C in *The Bond Buyer*, a financial newspaper published and circulating in the City of New York, New York, such publications to be not less than seven days prior to the date of sale.

Section 9. The Bonds shall have printed thereon a copy of the written opinion with respect to the Bonds that is to be rendered by the law firm of McManimon, Scotland & Baumann, LLC complete except for the omission of its date.

Section 10. McManimon, Scotland & Baumann, LLC is authorized to arrange for the preparation of the Official Statement and the printing thereof. The Mayor and the Director of Revenue and Finance are authorized to execute any certificates necessary in connection with the distribution of the Official Statement. Such Official Statement may be distributed in preliminary form and deemed final for purposes of Rule 15c2-12 of the Securities and Exchange Commission on behalf of the Township by the Director of Revenue and Finance or by the Mayor. Final Official Statements shall be delivered to the purchaser of

the Bonds within the earlier of seven business days following the sale of the Bonds or to accompany the purchaser's confirmations that request payment for the Bonds.

Section 11. The Township hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of interest on the Bonds, including the requirement to rebate all net investment earnings on the gross proceeds above the yield on the Bonds, if necessary.

Section 12. (a) The Director of Revenue and Finance is hereby authorized to make representations and warranties, to enter into agreements and to make all arrangements with the Securities Depository as may be necessary in order to provide that the Bonds will be eligible for deposit with the Securities Depository and to satisfy any obligation undertaken in connection therewith.

(b) In the event that the Securities Depository may determine to discontinue providing its service with respect to the Bonds or is removed by the Township and if no successor Securities Depository is appointed, the Bonds that were previously issued in book-entry form shall be converted to registered bonds in denominations of \$5,000. The beneficial owner under the book-entry system, upon registration of the Bonds held in the beneficial owner's name, will become the registered owner of the registered bonds. The Township shall be obligated to provide for the execution and delivery of the registered bonds in certified form.

Section 13. Solely for purposes of complying with Rule 15c2-12 of the Securities and Exchange Commission, as amended and interpreted from time to time (the "Rule"), and provided that the Bonds are not exempt from the Rule and

provided that the Bonds are not exempt from the following requirements in accordance with paragraph (d) of the Rule, for so long as the Bonds remain outstanding (unless the Bonds have been wholly defeased), the Township shall provide for the benefit of the holders of the Bonds and the beneficial owners thereof:

(a) On or prior to 270 days from the end of each fiscal year ending December 31 in each year in which the Bonds mature to the Municipal Securities Rulemaking Board through the Electronic Municipal Market Access Dataport (the "MSRB"), annual financial information with respect to the Township consisting of the audited financial statements (or unaudited financial statements if audited financial statements are not then available, which audited financial statements will be delivered when and if available) of the Township and certain financial information and operating data, consisting of (i) Township indebtedness, including a schedule of outstanding debt issued by the Township, (ii) the Township's property valuation information, and (iii) tax rate, levy and collection data. The audited financial information will be prepared in accordance with modified cash accounting as mandated by State of New Jersey statutory principles in effect from time to time or with generally accepted accounting principles as modified by governmental accounting standards as may be required by New Jersey law and shall be filed electronically and accompanied by identifying information with the MSRB.

(b) In a timely manner not in excess of ten business days after the occurrence of the event to the MSRB, notice of any of the following events with respect to the Bonds:

- (1) Principal and interest payment delinquencies;
- (2) Non-payment related defaults, if material;
- (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) Substitution of credit or liquidity providers or their failure to perform;
- (6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;
- (7) Modifications to the rights of holders of the Bonds, if material;
- (8) Bond calls, if material, and tender offers;
- (9) Defeasances;
- (10) Release, substitution or sale of property securing repayment of the Bonds, if material;
- (11) Rating changes;
- (12) Bankruptcy, insolvency, receivership or similar event of the Township;
- (13) The consummation of a merger, consolidation or acquisition involving the Township or the sale of all or substantially all of the assets of the Township, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and
- (14) Appointment of a successor or additional trustee or the change of name of a trustee, if material.

For the purposes of the event identified in subparagraph (12) above, the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for the Township in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the Township, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of

reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the Township.

(c) In a timely manner to the MSRB, notice of failure of the Township to provide required annual financial information on or before the date specified in this Resolution.

(d) If all or any part of the Rule ceases to be in effect for any reason, then the information required to be provided under this Resolution, insofar as the provisions of the Rule no longer in effect required the provision of such information, shall no longer be required to be provided.

(e) The Director of Revenue and Finance shall determine, in consultation with Bond Counsel, the application of the Rule or the exemption from the Rule for each issue of obligations of the Township prior to their offering. Such officer is hereby authorized to enter into additional written contracts or undertakings to implement the Rule and is further authorized to amend such contracts or undertakings or the undertakings set forth in this Resolution; *provided*, such amendment is, in the opinion of nationally recognized bond counsel, in compliance with the Rule.

(f) In the event that the Township fails to comply with the Rule requirements or the written contracts or undertakings specified in this Resolution, the Township shall not be liable for monetary damages. The sole remedy is hereby specifically limited to specific performance of the Rule requirements or the written contracts or undertakings therefor.

Section 14. This Resolution shall take effect immediately.

Adopted
No: Inman

Lyons – Frederic 3. Authorize Enrollment in Program 1033 Program Authorizing the United States Department of Defense to Transfer Excess Property Suitable for Law Enforcement and Public Safety Activities to Municipalities and Counties

Township of Irvington
Essex County
New Jersey

SUBJECT: A RESOLUTION AUTHORIZING THE TOWNSHIP OF IRVINGTON TO PARTICIPATE IN THE FEDERAL 1033 PROGRAM PURSUANT TO 10 USC 2567 AND AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENROLL IN SUCH PROGRAM WHICH PERMITS THE UNITED STATES DEPARTMENT OF DEFENSE TO TRANSFER EXCESS PROPERTY SUITABLE FOR LAW ENFORCEMENT AND PUBLIC SAFETY ACTIVITIES TO MUNICIPALITIES AND COUNTIES.

WHEREAS, Federal law permits the Secretary of the United States Department of Defense to transfer to federal and state agencies personal property of the Department of Defense that the Secretary determines is suitable for use by agencies in law enforcement activities including counterdrug and counterterrorism activities and is excess to the needs of the Department of Defense; and

WHEREAS, Informally known as the “1033 program” this initiative allows local law enforcement agencies to obtain at little to or no cost certain surplus federal property, including aircraft, armored vehicles, automatic weapons, and night vision equipment originally intended for use by the United States Armed Forces; and

WHEREAS, the New Jersey Legislature has passed and the Governor has approved S-2364, on January 29, 2015 and March 16, 2015 respectively, as P.L. 2015, c.23, which mandates that future participation in the 1033 program must be approved by a resolution adopted by a majority of the full membership of the governing body; and

WHEREAS, the New Jersey Legislature, in enacting P.L. 2015, c.23, made the following findings and conditions:

According to the New Jersey Department of Law and Public Safety, the Office of Emergency Management has assisted with the transfer of over \$30 million in excess Department of Defense property to participating law enforcement agencies since the beginning of federal fiscal year 2014; and

In this era of fiscal constraint, participation in the 1033 program allows local units to obtain equipment that they might not otherwise be able to afford, and to prepare for, respond to, and recover from incidents to terrorism and natural disasters, such as hurricanes and sever floods; and

Although equipment is provided through the 1033 program at no cost to county and municipal law enforcement agencies, these entities are responsible for the costs associated with the maintenance, fueling, and upkeep of this equipment, and for specialized training for its operation; and

Taxpayers are the primary consumers and financiers of services provided by county and municipal law enforcement agencies and have the right to be assured that their money is spent in an efficient and effective manner and the right to know the purposes for which public funds are utilized.

WHEREAS, the Township Council is of the opinions that the future participation in the 1033 program is in the best interest of the Township of Irvington and its taxpayers and residents;

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

The allegations of the preamble are incorporated herein by reference.

The Township of Irvington is hereby authorized to enroll and participate in the 1033 program in order to acquire equipment available through such program pursuant to and in accordance with 10 U.S.C. 2576 and the guidelines established pursuant thereto.

The Director of Public Safety of the Township of Irvington, or his designee, is hereby authorized and directed to take such action as may be necessary or required by order for the Township of Irvington to be eligible to participate in the 1033 program in order to acquire equipment available through such programs and the guidelines for the use of such equipment.

Township Council hereby certifies that this resolution has been adopted by a majority of the full membership of the Township Council and that such adoption has occurred prior to the transmittal of any such application to the New Jersey State Coordinator of such program.

All Township Officials and Officers are hereby authorized and directed to take any and all action necessary to carry out the intent and purpose of this resolution.

Adopted

Burgess - Jones 4. Resolution of Sorrow – Rita L. Owens

**RESOLUTION OF SORROW
RITA L. OWENS**

WHEREAS, in the infinite wisdom of the good Lord, Rita L. Owens was taken from amongst our ranks on March 21, 2018; and

WHEREAS, Rita L. Owens was a beloved mother, daughter and sister; and

WHEREAS, when her personal life underwent a change in 1978, Rita L. Owens moved her family to the High Court Project in East Newark; and

WHEREAS, Rita L. Owens, a strong woman, set two personal goals for herself to attend college and move her family out of the High Court Project; and

WHEREAS, Rita L. Owens worked full and part time and studied at Kean Community College where she accomplished her goals in two short years, graduating college in 1980 and becoming an art teacher at Irvington High School, and moved her family out of the High Court Project; and

WHEREAS, Rita L. Owens retired as an art teacher from the Irvington public school system in 2004; and

WHEREAS, Rita L. Owens a dedicated member of the Petra Baptist Church, the beloved daughter of Katherine V. Bray and the late Henry L. Bray Sr.; loving and devoted mother of Dana E. Owens, better known as Queen Latifah, Raven Cruz-Owens and the late Lancelot H. Owens; caring sister of Angela Sheppard, Richard Bray Sr., Henry L. Bray Jr., Jimmy Bray, Phillip Bray and Robert Bray and Ant of Irvington housing Authority Commissioner Andre L. Francis III:

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

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of this governing body as a lasting tribute to Rita L. Owens

Adopted

Hudley – Jones 5. Authorize Professional Services Contract for Licensed Site Remediation Services Based on Low Quotation – Berkeley Terrace Playground Improvements - E2 Project Management – \$1,750.00

RESOLUTION TO AWARD A PROFESSIONAL SERVICES CONTRACT FOR A LICENSED SITE REMEDIATION PROFESSIONAL FOR THE BERKELEY TERRACE PLAYGROUND

WHEREAS, the Township of Irvington received a Notice of Violation from the New Jersey Department of Environmental Protection (NJDEP) with regards to the Berkeley Terrace Playground said Notice references Irvington Youth Safe Haven, 340 Eastern Parkway which is the Berkeley Terrace Playground; and

WHEREAS, the Township Engineer prepared a Request for Quotes that was mailed to the 4 firms under an annual contract with the Township for Licensed Site Remediation Professional Services (LSRP); and

WHEREAS, based upon the Request for Quotes, 3 responses were received as follows:

Firm	Fee Proposal
E2 Project Management Rockaway, NJ	\$1,795.00
CME Associates Monmouth Junction, NJ	\$2,750.00
Mott MacDonald Morristown, NJ	\$3,550.00

WHEREAS, after review by the Township Engineer, it was determined that the fee proposal of E2 Project Management of Rockaway, NJ was most cost efficient response to the Request for Quotes.

NOW, THEREFORE, BE IT RESOLVED BY MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a professional services contract for LSRP services for the Berkeley Terrace Playground be awarded to E2 Project Management of Rockaway, NJ at their proposal price of \$1,750.00.

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:34-5.2, the required Certificate of Availability of Funds No. C6-00292 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 \$1,750.00 is Account No. 8-01-21-165-165-299.

Adopted

Jones – Frederic 6. Approve Springfield Avenue Center Special Improvement District's 2018 Sidewalk Sale Dates

WHEREAS, the Springfield Avenue Center Business Improvement District proposes its annual Summer 2018 Sidewalk Sale and Activities to commence and include:

Thursday, Friday, Saturday	May 3, 4, and 5	Rain date: Saturday May 12, 2018
Thursday, Friday, Saturday	June 7, 8, and 9	Rain date: Saturday June 16, 2018
Thursday, Friday, Saturday	July 12, 13, and 14	Rain date: Saturday July 21, 2018
Thursday, Friday, Saturday	August 2, 3, and 4	Rain date: Saturday August 11, 2018
Thursday, Friday, Saturday	September 6, 7 and 8	Rain date: Saturday September 15, 2018

to be done in conjunction with cultural events; and

WHEREAS, Section 171-11 of the Revised Code of the Township of Irvington provides that the provisions shall not prevent the placement of booths or showcases for the display of merchandise, foods and other material along the route of any parade or at the site of any cultural event duly licensed by the Township:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that it declares that the provisions of Section 171-11 are hereby met and the Springfield Avenue Center Business Improvement District schedule of Summer 2018 Sidewalk Sale and Activity are hereby approved as set forth herein:

Thursday, Friday, Saturday	May 3, 4, and 5	Rain date: Saturday May 12, 2018
Thursday, Friday, Saturday	June 7, 8, and 9	Rain date: Saturday June 16, 2018
Thursday, Friday, Saturday	July 12, 13, and 14	Rain date: Saturday July 21, 2018
Thursday, Friday, Saturday	August 2, 3, and 4	Rain date: Saturday August 11, 2018
Thursday, Friday, Saturday	September 6, 7 and 8	Rain date: Saturday September 15, 2018

Adopted

Hudley – Jones 7. Authorize Purchase of Proprietary Document Management Software Annual Fee for Police Department - Power DMS, INC - \$7,500.00

RESOLUTION TO PURCHASE PROPRIETARY SOFTWARE TECHNOLOGY FOR THE PUBLIC SAFETY DEPARTMENT

WHEREAS, the Public Safety Department is required to use a document management program to distribute administration polices, general orders, memos and other vital documents to all members; and

WHEREAS, the technology and maintenance are proprietary software for Power DMS Incorporated; and

WHEREAS, the total cost of this software will exceed the quote threshold; and

WHEREAS, under New Jersey Local Public Contract (NJSA 40A:11-5dd), the Township may award a contract for proprietary software in lieu of bidding; and

WHEREAS, the Township would like to take advantage of provisions of NJSA 40:11-5 (dd) and award a service contract to Power DMS, INC for the total sum of \$7,500.00

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON hereby authorizes a service contract to for Power DMS Incorporated, 101 South Garland Ave, Suite 300, Orlando, FL 32801 under provisions of NJSA 40:11-5dd to purchase proprietary software for the total sum of \$7,500.00; and

BE IT FURTHER RESOLVED, that the Township Attorney is directed to prepare the appropriate contract for such goods and services and the Mayor and Municipal Clerk is authorized to sign the same; and

BE IT FURTHER RESOLVED that the required availability of funds in the amount of \$7,500.00 has been obtained from the Chief Financial Officer, charged to budget account number 8-01-25-240-240-262.

Adopted

Cox – Burgess 8. Waive Interest & Penalties on Municipal Liens on 290 - 292 - 22nd Street, Block 143, Lot 12 in Lieu of Full Payment of Principal Amount of Back Taxes

REQUEST TO ABATE INTEREST & PENALTIES ON MUNICIPAL LIEN

WHEREAS, a municipal lien was placed on 290-292 21st Street, also known as Block 143 Lot 12, at a Tax Sale held on July 12, 2010 for delinquent/unpaid taxes in the amount of \$8,363.56; and

WHEREAS, the total amount due on Block 143 Lot 12, Tax Sale Certificate #100908, with interest and penalties to April 13, 2018 is \$97,145.62 which includes subsequent municipal charges up to the 2018 1st quarter taxes and 2018 annual sewer charge; and

WHEREAS, the owner Abujudeh, Amjad, has written a letter requesting an abatement of the interest and penalties owed on said certificate; and

WHEREAS, the interest and penalties on Tax Sale Certificate #100908 to April 13, 2018 is \$47,226.82; and

WHEREAS, the Governing Body may forgive interest, penalties and costs pursuant to the provisions of N.J.S.A. 54:4-99:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Tax Collector is authorized and directed to abate the current interest charges and penalties imposed on Block 143 Lot 12 and the taxpayer be allowed to pay the principal amount and fees of \$49,918.80 with a certified check or money order payable to the Township of Irvington.

Adopted

Burgess – Lyons 9. Authorize Tax Payment Plan Prior to Tax Sale – 218 – 19th Avenue, Block 122, Lot 45

**Municipal Payment Plan
Prior to Tax Sale**

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, R&R Management LLC owner of record of Block 122, Lot 45, also known as 218 19th Avenue, Municipality of Irvington, is desirous of satisfying Tax Title Lien #110889 in the amount of \$94,556.04 by the installment payment plan.

NOW, THEREFORE, BE IT RESOLVED, BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, COUNTY OF ESSEX, STATE OF NEW JERSEY, hereby authorize an installment payment plan for \$3,418.43, as set forth on the attached schedule and that in addition to said installments being promptly paid on the first of each month, for 36 months, all current year's taxes, subsequent taxes, assessments or other municipal liens imposed shall be promptly paid when due.

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

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

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

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

Adopted

Cox – Lyons 10. Authorize Tax Payment Plan Prior to Tax Sale – 36 Grove Terrace, Block 116, Lot 39

**Municipal Payment Plan
Prior to Tax Sale**

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, Hobson, Juanita & Amsterdam, Andray owner of record of Block 116, Lot 39, also known as 36 Grove Terrace, Municipality of Irvington, is desirous of satisfying Tax Title Lien #14-00550 in the amount of \$34,747.79 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 for \$1,256.22, as set forth on the attached schedule and that in addition to said installments being promptly paid on the first of each month, for 36 months, all current year's taxes, subsequent taxes, assessments or other municipal liens imposed shall be promptly paid when due.

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

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

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

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

Adopted

Hudley – Jones 11. Authorize Acceptance of \$86,161.14 in 2017 New Jersey Clean Communities Program Grant Funding

NEW JERSEY CLEAN COMMUNITIES GRANT 2017 PROGRAM YEAR

WHEREAS, the State of New Jersey, acting through its Department of Environmental Protection, has awarded an entitlement grant in the amount of \$86,161.14 to the Township of Irvington during the 2017 program year of January 1, 2017–December 31, 2017; and

WHEREAS, the New Jersey Clean Communities grant is a statewide litter-abatement program created by the passage of the Clean Communities Act that involves a three-fold attach on litter clean-up enforcement and education and said grant is awarded to municipalities based on their proportionate share of housing units and determined by

the latest Census and municipal road mileage provided by the Department of Transportation; and

BE IT FURTHER RESOLVED that the Mayor of the Township of Irvington hereby accepts this grant award from the Department of Environment Protection in the amount of \$86,161.14 to implement litter programs.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington does hereby accept the award of \$86,161.14 for such activities.

Adopted

Cox – Lyons 12. Authorize Professional Services Contract for Financial Consulting Services Progressive Capital International Inc, DBA Government Strategy Group – Not To Exceed \$150,000.00 – April 11, 2018 to April 10, 2019

A RESOLUTION AUTHORIZING A NON-FAIR AND OPEN CONTRACT FOR FINANCIAL MANAGEMENT CONSULTING

WHEREAS, the Township of Irvington, in the County of Essex and State of New Jersey, is in need of a Certified Financial Management Consulting service; and

WHEREAS, the Township would like to retain the service of a certified Licensed Financial Consulting Company to satisfy the deficiency in the annual audit report; and

WHEREAS, Progressive Capital International Inc, DBA Government Strategy Group of 450 Shrewsbury Plaza, #330, Shrewsbury NJ 07702 has offered to provide said services to the Township of Irvington for the annual amount of \$150,000.00 for the calendar year 2018; and

WHEREAS, pursuant to the provisions of N.J.S.A. 19:44A-20.4 the vendor has completed the required pay to plays forms; and

WHEREAS, the C-271 Political Contribution Disclosure forms were on file in the Office of the Municipal Clerk and Purchasing Agent on March 23, 2018; and

WHEREAS, the Township would like to award a Non Fair and Open contract to Progressive Capital International Inc, DBA Government Strategy Group of 450 Shrewsbury Plaza, #330, Shrewsbury NJ 07702; and

WHEREAS, this contract will start on April 11, 2018 and will expire on April 10, 2019; and

WHEREAS, Progressive Capital International Inc, DBA Government Strategy Group has completed and submitted a Business Entity Disclosure Certification which certifies that Progressive Capital International Inc, DBA Government Strategy Group has not made any

reportable contributions to a political or candidate committee in the Township of Irvington in the previous one year, and that the contract will prohibit Progressive Capital International Inc, DBA Government Strategy Group from making any reportable contributions through the term of the contract, and

NOW THEREFORE, BE IT RESOLVED that the Municipal Council of the Township of Irvington authorizes the award of a non-fair and open contract to Progressive Capital International Inc, DBA Government Strategy Group of 450 Shrewsbury Plaza, #330, Shrewsbury NJ 07702 for an amount not to exceed \$150,000.00; and,

BE IT FURTHER RESLOVED, that the required certification of availability of funds C8-00300 in the amount of \$25,000.00 for the first two months of service has been obtained from the Chief Financial Officer, charged account number 8-01-20-100-100-229 and the remaining balance of \$125,000.00 will be certified upon the adoption of the 2018 and 2019 budget.

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 FURTHER RESOLVED notice of this action shall be published in newspapers as required by law by the Municipal Clerk.

Adopted
No: Inman

10. Communications and Petitions

A. Communications

None

11. Pending Business

None

12. Miscellaneous

A. Bingos and Raffles

None

NON-CONSENT AGENDA ITEMS

8. Ordinances, Bills & Claims

A. Ordinances on 1st Reading

Cox – Burgess 1. Amend Chapter 98, Section 18 – Fees for Land Use Procedures

AN ORDINANCE AMENDING CHAPTER 98, SECTION 18 REGARDING
FEES FOR LAND USE PROCEDURES

Adopted
Abstain: Inman

Burgess – Cox 2. Authorize Acceptance of Quit Claim Deed for 66 – 22nd Street, Block 147, Lot 4.02 from Brand New Day, Inc.

AN ORDINANCE ACCEPTING A QUIT CLAIM DEED FOR 66 22ND ST STREET,
IRVINGTON, NEW JERSEY, 07111, Jersey 07111, BLOCK NO. 147 AND LOT NO.
4.02 IN THE TOWNSHIP OF IRVINGTON FROM BRAND NEW DAY, INC.

Adopted

Burgess – Cox 3. Authorize Acceptance of Quit Claim Deed for 68 – 22nd Street, Block 147, Lot 4.01 from Brand New Day, Inc.

AN ORDINANCE ACCEPTING A QUIT CLAIM DEED FOR 68 22nd ST STREET,
IRVINGTON, NEW JERSEY, 07111, BLOCK NO. 147 AND LOT NO. 4.01 IN THE
TOWNSHIP OF IRVINGTON FROM BRAND NEW DAY, INC.

Adopted

Burgess – Cox 4. Authorize Acceptance of Quit Claim Deed for 1 – 7 Nelson Place, Block 145, Lot 12 from Brand New Day, Inc.

AN ORDINANCE ACCEPTING A QUIT CLAIM DEED FOR 1 – 7 NELSON PLACE,
IRVINGTON, NEW JERSEY, 07111, BLOCK NO. 145 AND LOT NO. 12 IN THE
TOWNSHIP OF IRVINGTON FROM BRAND NEW DAY, INC.

Adopted

Burgess – Cox 5. Authorize Acceptance of Quit Claim Deed for 125 – 19th Avenue, Block 147, Lot 21 from Brand New Day, Inc.

AN ORDINANCE ACCEPTING A QUIT CLAIM DEED FOR 125 19th AVENUE,
IRVINGTON, NEW JERSEY, 07111, BLOCK NO. 147 AND LOT NO. 21 IN THE
TOWNSHIP OF IRVINGTON FROM BRAND NEW DAY, INC.

Adopted

Burgess – Cox 6. Authorize Acceptance of Quit Claim Deed for 127 – 19th Avenue, Block 147, Lot 20 from Brand New Day, Inc.

AN ORDINANCE ACCEPTING A QUIT CLAIM DEED FOR 127 19th AVENUE, IRVINGTON, NEW JERSEY, 07111, BLOCK NO. 147 AND LOT NO. 20 IN THE TOWNSHIP OF IRVINGTON FROM BRAND NEW DAY, INC.

Adopted

Burgess – Cox 7. Authorize Acceptance of Quit Claim Deed for 11 Standard Place, Block 147, Lot 30.01 from Brand New Day, Inc.

AN ORDINANCE ACCEPTING A QUIT CLAIM DEED FOR 11 STANDARD PLACE, IRVINGTON, NEW JERSEY, 07111, BLOCK NO. 147 AND LOT NO. 31.01 IN THE TOWNSHIP OF IRVINGTON FROM BRAND NEW DAY, INC.

Adopted

Burgess – Cox 8. Authorize Acceptance of Quit Claim Deed for 359 – 21st Street, Block 146, Lot 7 from Brand New Day, Inc.

AN ORDINANCE ACCEPTING A QUIT CLAIM DEED FOR 359 21st STREET, IRVINGTON, NEW JERSEY, 07111, BLOCK NO. 146 AND LOT NO. 7 IN THE TOWNSHIP OF IRVINGTON FROM BRAND NEW DAY, INC.

Adopted

Burgess – Cox 9. Authorize Acceptance of Quit Claim Deed for 176 Maple Avenue, Block 216, Lot 2 from New Jersey Community Capital, Inc.

AN ORDINANCE ACCEPTING A QUIT CLAIM DEED FOR 176 MAPLE AVENUE, IRVINGTON, NEW JERSEY, 07111, BLOCK NO. 216 AND LOT NO. 2 IN THE TOWNSHIP OF IRVINGTON FROM NEW JERSEY COMMUNITY CAPITAL, INC.

Adopted

Burgess – Cox 10. Authorize Acceptance of Quit Claim Deed for 174 Maple Avenue, Block 216, Lot 3 from New Jersey Community Capital, Inc.

AN ORDINANCE ACCEPTING A QUIT CLAIM DEED FOR 174 MAPLE AVENUE, IRVINGTON, NEW JERSEY, 07111, BLOCK NO. 216 AND LOT NO. 3 IN THE TOWNSHIP OF IRVINGTON FROM NEW JERSEY COMMUNITY CAPITAL, INC.

Adopted

Burgess – Cox 11. Authorize Acceptance of Quit Claim Deed for 21 Montrose Terrace, Block 126, Lot 17 from New Jersey Community Capital, Inc.

AN ORDINANCE ACCEPTING A QUIT CLAIM DEED FOR 21 MONTROSE TERRACE, IRVINGTON, NEW JERSEY, 07111, BLOCK NO. 126 AND LOT NO. 17 IN THE TOWNSHIP OF IRVINGTON FROM NEW JERSEY COMMUNITY CAPITAL, INC.

Adopted

Burgess – Cox 12. Authorize Acceptance of Quit Claim Deed for 83 Madison Avenue, Block 86, Lot 36 from New Jersey Community Capital, Inc.

AN ORDINANCE ACCEPTING A QUIT CLAIM DEED FOR 83 MADISON AVENUE, IRVINGTON, NEW JERSEY, 07111, BLOCK NO. 86 AND LOT NO. 36 IN THE TOWNSHIP OF IRVINGTON FROM NEW JERSEY COMMUNITY CAPITAL, INC.

Adopted

B. Ordinances on 2nd Reading

1. President Lyons: An amend Chapter 98 regarding Fire Inspection Fees and Caron Monoxide Detector Fees will be heard at this time. The Clerk will read the notice of hearing.

The Clerk will read the ordinance by title

**AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 98 OF THE REVISED CODE OF THE TOWNSHIP OF
IRVINGTON PERTAINING TO FEES FOR FIRE INSPECTIONS
AND SMOKE AND CARBON MONOXIDE DETECTOR
INSPECTION FEES.**

**BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE
TOWNSHIP OF IRVINGTON as follows:**

SECTION 1.

Revisions to:

1. MC 98-50: Fee for Fire Inspection

Current: MC 98-50: Fee for Fire Inspection

~~The fee for a subsequent re-inspection, after the initial and the follow-up re-inspection, shall be 1/2 of the original fee.~~

Revised: MC 98-50: Fee for Fire Safety Inspection (we inserted the word “safety”)

The fee for Fire Safety Inspections shall be as follows:

- a) 1 Unit \$100
- b) 2 Units \$150
- c) 3 Units \$200
- d) For structures with more than 3 units a fee of \$20 per additional unit shall be added to the \$200 fee.
- e) The re-inspection fee shall be 50% of the initial fee.
- f) All fees must be paid prior to an initial inspection or re-inspection.

SECTION 2.

Revisions to:

1. MC 98-60: Smoke and Carbon Monoxide Detector Inspection Fees

Current: MC 98-60: Smoke and Carbon Monoxide Detector Inspection Fees

~~There is hereby established a smoke detector/carbon monoxide inspection fee pursuant to the below schedule.~~

- ~~A. Smoke detector/carbon monoxide inspection fee \$75~~
- ~~B. Recheck inspection fee \$25 per recheck inspection~~

SECTION 3. Remove 98-60 from the Municipal Code.

SECTION 4. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of the within ordinance are hereby repealed.

SECTION 5. This ordinance shall take effect upon final passage and publication according to law.

The public hearing on this ordinance is now open

There were no requests to be heard.

Cox - Hudley

Motion to close public hearing

Adopted

Cox - Hudley
hearing

Motion to adopt this ordinance on second reading after public

Adopted

9. Resolutions & Motions

A. Resolutions

Hudley – Jones 13. Waive 20 Day Waiting Period for Adoption of Ordinance Pertaining to Fire Inspection Fees and Carbon Monoxide Detector Fees

RESOLUTION WAIVING THE TWENTY (20) DAY WAITING PERIOD PURSUANT TO N.J.S.A. 40-69A-181 (a) AND SECTION 5-30 (d) OF THE REVISED CODE OF THE TOWNSHIP OF IRVINGTON AFTER FINAL PASSAGE OF AN ORDINANCE BY THE MUNICIPAL COUNCIL AND APPROVAL BY THE MAYOR

WHEREAS, an ordinance entitled "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 98 OF THE REVISED CODE OF THE TOWNSHIP OF IRVINGTON PERTAINING TO FEES FOR FIRE INSPECTIONS AND SMOKE AND CARBON MONOXIDE DETECTOR INSPECTION FEES" was duly passed on first reading by the Municipal Council on March 27, 2018, and duly adopted by the Municipal Council on second reading after public hearing on April 10, 2018; and

WHEREAS, pursuant to N.J.S.A. 40:69A-181 (a) and Section 5-30 (d) of the Revised Code of the Township of Irvington, an ordinance shall take effect twenty (20) days after final passage by the Municipal Council and approval by the Mayor; and

WHEREAS, pursuant to N.J.S.A. 40:69A-181 (b) and Section 5-30 (d) of the Revised Code of the Township of Irvington, two- thirds (2/3) of the full membership of the Municipal Council may declare an emergency, by written resolution, to reduce this twenty (20) day period:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON (not less than 2/3 of the full membership thereof affirmatively concurring) that pursuant to the provisions of N.J.S.A. 40:69A-181 (b) and Section 5-30 (d) of the Revised Code of the Township of Irvington, it does hereby declare that an emergency exists that an ordinance entitled " AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 98 OF THE REVISED CODE OF THE TOWNSHIP OF IRVINGTON PERTAINING TO FEES FOR FIRE INSPECTIONS AND SMOKE AND CARBON MONOXIDE DETECTOR INSPECTION FEES" shall become effective immediately upon its approval by the Mayor.

Adopted

12. Miscellaneous

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

Brenda Brown, 65 Coit Street

Council Member Hudley and Council President Lyons responded to the issues raised by the above referenced citizen.

13. Adjournment

There being no further business, the meeting was adjourned at 8:18 P.M.

David Lyons, Council President

Harold E. Wiener, Municipal Clerk