

REGULAR COUNCIL MEETING
MARCH 25, 2014

Council Chamber, Municipal Building
Irvington, N.J. – Tuesday Evening
March 25, 2014 - 8:00 P.M.

1. Pledge of Allegiance
2. Moment of Silence
3. Roll Call

Present: Charnette Frederic, Paul Inman, Lebby C. Jones, Sandra R. Jones, David Lyons, Andrea C. McElroy, D. Bilal Beasley

Absent: None

President Beasley 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)

Richard Williams, 197 Linden Avenue
Cathy Southerland, 50 Adams Street
Cynthia Johnson, 470 Meade Street, Orange, N.J.
Elouise McDaniel, 214 Nesbit Terrace
David Hungerford, 12 Brookdale Gardens, Bloomfield, N.J.
Yves Louis, 194 Isabella Avenue
Mary Szacik, 175 Matawan Avenue, Matawan, N.J.
Emory Hall, 59 Bross Place
Harry Perryman, 21 Nesbit Terrace

5. Hearing of Council Members

Council Members L.C. Jones, Inman, Frederic, McElroy, S. Jones and President Beasley responded to the issues raised by the above referenced citizens.

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

A. Reports

1. Minutes – Directors' Meeting – 3-11-14
2. Construction Official – Permits Issued in February
3. Minutes – Planning Board – 2-27-14
4. Minutes – Joint Meeting – 1-16-14
5. Springfield Avenue Center Business Improvement District – Annual Audit Reports For Years Ending June 30, 2012 and June 30, 2013

7. Reports of Committees

None

8. Ordinances, Bills & Claims

A. Ordinances on 1st Reading

None

ALL ITEMS LISTED ON THE CONSENT AGENDA ARE CONSIDERED ROUTINE BY THE MUNICIPAL COUNCIL AND HAVE BEEN LISTED FOR ONE ROLL CALL VOTE FOR ADOPTION OF ALL ITEMS

C. Bills & Claims

McElroy – S. Jones 2. Payrolls

February 22, 2014 through March 7, 2014

REGULAR	OVERTIME	OTHER EARNED	TOTAL
\$1,347,679.41	\$119,995.47	\$84,899.45	\$1,552,574.33

Adopted

9. Resolutions & Motions

A. Resolutions

Beasley – S. Jones 1. Commendation - James Turner – 2014 Chamber of Commerce Special Presentation Recipient

WHEREAS, JAMES TURNER, the 2014 Irvington Chamber of Commerce Special Presentation recipient, grew up in Irvington and graduated from its school system and founded his company, Universal Automotive Distributors (UAD) in 1968, initially conducting business at 1151 Stuyvesant Avenue, and then moving to 1393 Springfield Avenue in 1978; and

WHEREAS, Universal Auto Distributors, at one time, employed 40 people, and has recently closed after 46 years in business; and

WHEREAS, JAMES TURNER believes in Irvington's revitalization and has maintained a positive spirit and entrepreneurial outlook, dedicated to the Township of Irvington; and

WHEREAS, JAMES TURNER is a long time member and past officer of the Irvington Chamber of Commerce, and received the Chamber's 1999 Civic Award; and

WHEREAS, JAMES TURNER has supported Irvington generously in community projects such as feeding and clothing the hungry, donating equipment to Irvington's police officers and firefighters, "Night Out" special events, the "Anti-Truancy" program and Library's "Read A Book" campaign and a wide variety of other community activities; and

WHEREAS, JAMES TURNER served in the U.S. Armed Services from 1963 to 1966, enjoys many hobbies, including martial art of Tae Kwon Do in which he holds a black belt; and

WHEREAS, JAMES TURNER is currently a partner with Ralph Ventre of Newark Paint in the ownership of Brothers Restaurant in Red Bank, New Jersey; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Municipal Council hereby commends JAMES TURNER for his community involvement and service to the community and especially his support to The Irvington Chamber of Commerce and wishes him many more distinguished and productive years.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of the Municipal Council as a lasting tribute to his many contributions to the Township of Irvington and for being named as the recipient of the 2014 Irvington Chamber of Commerce Award at their 75th Annual Civic Awards Dinner Dance at The Westwood.

Adopted

Beasley – McElroy 2. Commendation – Valentin Contreras – 2014 Chamber of Commerce Community Service Award Recipient

Valentin Contreras
2014 Community Service Award Recipient

WHEREAS, VALENTIN CONTRERAS was born in Dominican Republic (DR) and moved to Newark, NJ in 1976. Valentin played baseball in DR and continued to play while attending Barringer High School, Newark, NJ. "A high school friend of mine introduced me to a boxing trainer at a local gym who had a big afro, like mine," Valentine said, "It was that moment that I realized it was the beginning of a good relationship. This great man (referring to his trainer) was there for me in my first amateur bout and also for my first professional fight."; and

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

WHEREAS, in 1985, he began his law enforcement career at Essex County Youth House as a Juvenile Home Detention Officer. He also started community relations work by training young boxers at North Newark Boxing Club. In 1986, Valentin's manager Dave Taub nominated Valentin to the NJ Boxing Hall of Fame where he is still a member in good standing. It was there that Valentin met Henry Hascup, the President of the NJ Boxing Hall of Fame. Valentin was made the Director and head trainer of the Hall of Fame Boxing Team. His team won four team titles in a row. In 1990, the training facility was closed down and the team dissolved. Valentin moved to Irvington where he continues his community work by visiting different gyms in the State of NJ. He hopes to find a new home for his newly formed International Boxing Team, which he started at his own expense; and

WHEREAS, in 1994, Valentin joined the Irvington Police Department where he was initially assigned to the Community Relations Unit, commanded by Capt. Mike Damiano. Upon his retirement in 2010. Valentin remarked that throughout the last 16 years of his life and through the department he has learned a lot. During a visit to his homeland, DR, Valentin was made the International Boxing Commissioner for Dominican fighters outside DR, a title that he still holds today; and

WHEREAS, Valentin is a recipient of numerous public servant awards. In 2011, he was appointed by resolution to the Essex County Constable's Office where he is still active today. Valentin is currently enrolled in Essex County College, studying to obtain his degrees in Criminal Justice and in Physical Education.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Municipal Council hereby commends VALENTIN CONTRERAS for his community involvement and service to the community and especially his support to The Irvington Chamber of Commerce and wishes him many more distinguished and productive years.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of the Municipal Council as a lasting tribute to his many contributions to the Township of Irvington and for being named as the recipient of the 2014 Irvington Chamber of Commerce Award at their 75th Annual Civic Awards Dinner Dance at The Westwood.

Adopted

McElroy – S. Jones 3. Authorize Change Order 1 For Installation of Fire Protection System – Increase Contract Price by \$1,375 for Five Pull Station Covers and Two Additional Fire Alarm Control Modules – Premier Security

RESOLUTION TO APPROVE CHANGE ORDER NO. 1 FOR THE INSTALLATION OF A HARDWIRE/WIRELESS FIRE PROTECTION SYSTEM FOR THE IRVINGTON MUNICIPAL COMPLEX

WHEREAS, the Township of Irvington publicly advertised and rejected bids twice before authorizing a contract for the installation of a Hardwired/Wireless fire protection system with Premier Security, 253 Main Street, Suite 213, Matawan, NJ in the amount of \$ 111,000.00 (Pubic Safety Complex, \$ 102, 500.00 and Municipal Court, \$ 8,500.00) on September 24, 2013 as Resolution DA 13-0942-15, and;

WHEREAS, during the course of construction, it was noted that 5 of the pull stations were located in positions where an accidental alarm could occur, and:

WHEREAS, the installation of pull station covers would significantly decrease the risk of these accidental alarms occurring, and;

WHEREAS, the cost of the installation of pull stations covers in these five locations could be accomplished for a total cost of \$ 875.00, and;

WHEREAS, two (2) additional fire alarm control modules is also required in the Police Department area that was not included in the original specifications, and;

WHEREAS, the total cost to add the two fire alarm modules is \$500.00, and;

WHEREAS, the Township concurs in the recommendation of the installation of these covers and fire modules at total sum of \$1375.00.

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

That a Change Order, Change Order No. 1, for the contract with Premier Security, 253 Main Street, Suite 213, Matawan, NJ for the project known as "Installation of a Hardwired/Wireless Fire Protection System for the Irvington Municipal Complex" in the amount of \$ 1375.00 is approved so that the final contract amount is increased to \$ 112,375.00.

BE IT FURTHER RESOLVED that the required Certification of the Availability of Funds C4-00210 in the amount of \$ 1375.00 has been obtained from the Chief Financial Officer and the appropriation to be charged for this expenditure is Account No. 4-01-21-165-165-118.

Adopted

Frederic – Inman 4. Authorize Licensed Site Remediation Professional Services Contract for Wagner Place Firehouse - Boswell Engineering - Not to Exceed \$7,000.00

RESOLUTION AUTHORIZING LICENSED SITE REMEDIATION PROFESSIONAL SERVICES FOR WAGNER PLACE

WHEREAS, resolution number DPW 13-0611-15 appointed six Licensed Site Remediation Professional (LSRP) to complete projects for the Township of Irvington from July 01, 2013 until June 30, 2014; and

WHEREAS, the resolution requires that quotes be obtained from all six vendors for all projects and the vendor that submits the lowest quote will be awarded the contract; and

WHEREAS, the Township Engineer requested quotes from all six vendors to complete remediation service at Wagner Places; and

WHEREAS, only five of the six vendors responded to the quotes request; and

WHEREAS, Boswell Engineering of 303 Phillips Ave, PO Box 3152, South Hackensack, NJ 076065-17722 provided the lowest quotes for this service; and

WHEREAS, the Township Engineer has recommended that a contract be awarded to Boswell Engineering to complete the required work.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for site remedial investigation be awarded to Boswell Engineering of 303 Phillips Ave, PO Box 3152, South Hackensack, NJ 076065-17722 for an amount not to exceed \$7000.00; and

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

BE IT FURTHER RESOLVED, all additional work for this project will be submit to the Municipal Council for approval; and

BE IT RESOLVED that the required Certification of Availability of Funds in the amount not to exceed \$7000.00 for site investigation will be obtained from the Chief Financial Officer contingent on the adoption of the Calendar year 2014 budget.

Adopted

S. Jones – L.C. Jones 5. Authorize Licensed Site Remediation Professional Services Contract for Coit Street Garage - Boswell Engineering – Not to Exceed \$7,000.00

RESOLUTION AUTHORIZING LICENSED SITE REMEDIATION PROFESSIONAL SERVICES FOR COIT STREET GARAGE

WHEREAS, resolution number DPW 13-0611-15 appointed six Licensed Site Remediation Professional (LSRP) to complete projects for the Township of Irvington from July 01, 2013 until June 30, 2014; and

WHEREAS, the resolution requires that quotes be obtained from all six vendors for all projects and the vendor that submits the lowest quote will be awarded the contract; and

WHEREAS, the Township Engineer requested quotes from all six vendors to complete remediation service at Coit Street Garage; and

WHEREAS, only five of the six vendors responded to the quotes request; and

WHEREAS, Boswell Engineering of 303 Phillips Ave, PO Box 3152, South Hackensack, NJ 076065-17722 provided the lowest quotes for this service; and

WHEREAS, the Township Engineer has recommended that a contract be awarded to Boswell Engineering to complete the required work.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for site remedial investigation be awarded to Boswell Engineering of 303 Phillips Ave, PO Box 3152, South Hackensack, NJ 076065-17722 for an amount not to exceed \$7000.00; and

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

BE IT FURTHER RESOLVED, all additional work for this project will be submit to the Municipal Council for approval; and

BE IT RESOLVED that the required Certification of Availability of Funds in the amount not to exceed \$7000.00 for site investigation will be obtained from the Chief Financial Officer contingent on the adoption of the Calendar year 2014 budget.

Adopted

Frederic – Inman 6. Authorize Licensed Site Remediation Professional Services Contract for 16th Avenue Garage – CME Associates – Not to Exceed \$9,200.00

RESOLUTION AUTHORIZING LICENSED SITE REMEDIATION PROFESSIONAL SERVICES FOR 16TH AVENUE GARAGE

WHEREAS, resolution number DPW 13-0611-15 appointed six Licensed Site Remediation Professional (LSRP) to complete projects for the Township of Irvington from July 01, 2013 until June 30, 2014; and

WHEREAS, the resolution requires that quotes be obtained from all six vendors for all projects and the vendor that submits the lowest quote will be awarded the contract; and

WHEREAS, the Township Engineer requested quotes from all six vendors to complete remediation service at 16th Avenue Garage; and

WHEREAS, only five of the six vendors responded to the quotes request; and

WHEREAS, CME Associates of 3141 Bordentown Ave, Parlin, NJ 08859-1162 provided the lowest quotes for this service; and

WHEREAS, the Township Engineer has recommended that a contract be awarded to CME Associates to complete the required work.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for site remedial investigation be awarded to CME Associates of 3141 Bordentown Ave, Parlin, NJ 08859-1162 for an amount not to exceed \$9,200.00; and

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

BE IT FURTHER RESOLVED, all additional work for this project will be submit to the Municipal Council for approval; and

BE IT RESOLVED that the required Certification of Availability of Funds in the amount not to exceed \$9,200.00 for site investigation will be obtained from the Chief Financial Officer contingent on the adoption of the Calendar year 2014 budget.

Adopted

Beasley – McElroy 7. Commendation – Alfredo Ciotola - 2014 Chamber of Commerce Civic Award Recipient

**ALFREDO CIOTOLA
2014 CIVIC AWARD RECIPIENT**

WHEREAS, Alfredo A. Ciotola (AI) was born in Naples, Italy. He came to the USA in March, 1970, at the age of 19, and settled in Bronx, NY. His first job was as a machinist in a local machine shop, where he worked for a few months while going to school at night to learn English. By the end of that year, he took a job as a draftsman with Consolidated Edison Company of NY, where he worked his way up to Senior Engineer Tech.

WHEREAS, in 1973, Al met the love of his life, Susan. He then married her in 1975. The couple had three boys: Alfred, Richard and Christopher. In June of 1980, he resigned from Con-Edison and went into business with Gilbert Bier of Richards Manufacturers of Irvington, NJ. Together they purchased the assets of Caldwell Machine Company (an industrial valve repair co.) in Roselle, NJ. Gilbert Bier and his brother Bruce Bier played a major role in helping Alfredo connect with the owners of Caldwell Machine Company and subsequently relocate the purchased assets of the company to a two-car garage located at 211 Coit St. in Irvington.

WHEREAS, in 1985, Al Ciotola became sole owner of Caldwell Machine Co., after Gilbert Bier sold his interest in the company at the original investment value. In 1987, Al purchased a three-building complex located at 918 Clinton Ave. and occupied one of the buildings.

WHEREAS, in 1991, he purchased a lot of one acre in Warren, NJ; he had his house built on it and relocated his family there. Due to the great variety of services, products and solutions the company was offering, in 1995, Al renamed the company Frontline Industries, Inc.

WHEREAS, in 2008, Al purchased his building at 990 Chancellor Ave. and moved his operation there. Frontline Industries currently employs about 25 people including Al's three sons and provides industrial services to the largest hospitals, utilities and processing plants in NY & NJ. AI is a graduate of Naples Institute of Industrial Mechanical Technology. He has also attended CCNY School of Engineering and patented several products.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Municipal Council hereby commends ALFREDO A. CIOTOLA for his community involvement and service to the community and especially his support to The Irvington Chamber of Commerce and wishes him many more distinguished and productive years.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of the Municipal Council as a lasting tribute to his many contributions to the Township of Irvington and for being named as the recipient of the 2014 Irvington Chamber of Commerce Award at their 75th Annual Civic Awards Dinner Dance at The Westwood.

Adopted

Lyons – S. Jones 8. Authorize Acceptance of Social Services for the Homeless Grant – \$4,736.00 – January 1, 2014 – July 1, 2014

WHEREAS, the County of Essex, acting through its Division of Community Action proposes to enter into a sub grant agreement with Irvington Neighborhood Improvement Corporation to provide commercial shelter placement, rental/utility assistance and case management under the Social Services for the Homeless Grant at a contract price of \$64,736.00 for the period of January 1, 2014- July 31, 2014; and

WHEREAS, said grant agreement has been negotiated by the County Executive of Essex County and presented to the Board of Chosen Freeholders for its approval.

BE IT FURTHER RESOLVED that the Mayor of the Township of Irvington be and hereby is authorized to execute a Grant Agreement with the County of Essex as sub-recipient of the Social Services for the Homeless Grant Funds in the amount of \$64,736.00.

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 \$64,736.00 for such activities.

Adopted

L.C. Jones – McElroy 9. Authorize Acceptance of Grant Award of \$116,821.00 From the N.J. Department of Health - Prevention and Control Services for HIV, Sexually Transmitted Diseases and Tuberculosis

WHEREAS, Care and Treatment Unit (CAT) Division of HIV, STD and TB Services (DHSTS) and The New Jersey Department of Health (NJDOH) has made available to the Township of Irvington, a grant of \$116,821.00, and

WHEREAS, said grant would enable Irvington Neighborhood Improvement Corporation to increase accessible, comprehensive, quality HIV medical care and support services for persons living with HIV/AIDS, especially those newly diagnosed and those diagnosed but lost to care; and increase the number and proportion of HIV infected people in treatment.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington hereby accepts said grant award of \$116,821.00 for such activities.

Adopted

S. Jones – Inman 10. Authorize Application Before the Local Finance Board – Approval of Funding for Tax Appeal Credits and Refunds

RESOLUTION OF THE TOWNSHIP OF IRVINGTON, IN THE COUNTY OF ESSEX, NEW JERSEY IN CONNECTION WITH THE APPROVAL BY THE LOCAL FINANCE BOARD, IN THE DIVISION OF LOCAL GOVERNMENT SERVICES, DEPARTMENT OF COMMUNITY AFFAIRS OF THE TOWNSHIP'S APPLICATION PURSUANT TO N.J.S.A. 40A:2-51

WHEREAS, in 2013, the Township of Irvington, in the County of Essex, New Jersey (the "Township"), fully adjudicated tax appeals in the amount of \$2,852,685, including \$1,868,426 in 2013 tax appeals that were applied to the successful tax payers in the form of a credit on the 2013 Fourth Quarter tax bill (the "Tax Appeal Credits") and \$984,259 will be paid by the Township to the successful tax payers as a refund for overpayments (the "Tax Appeal Refunds"); and

WHEREAS, November 26, 2013, the Township adopted a "Resolution of the Township of Irvington, in the County of Essex, New Jersey Making Application to the Local Finance Board Pursuant to N.J.S.A. 40A:2-51 and N.J.S.A. 40A:3-1 et seq.", with the understanding that the Local Finance Board (the "Local Finance Board"), in the Division of Local Government Services (the "Division"), Department of Community Affairs, would only consider three-fourths of the Tax Appeal Credits as eligible for possible long-term financing pursuant to N.J.S.A. 40A:2-51; and

WHEREAS, on November 20, 2013, the Township made application to the Local Finance Board pursuant to N.J.S.A. 40A:2-51 and N.J.S.A. 40A:3-1 et seq., in connection with the adoption by the Township of a refunding bond ordinance authorizing \$2,436,500 in tax appeal refunding bonds and notes to finance three-fourths of the Tax Appeal Credits, all of the Tax Appeal Refunds and other costs in connection therewith; and

WHEREAS, on March 12, 2014, the Local Finance Board approved the Township's application on the condition that the Township acknowledge that all Township hiring for new positions, positions not filled as of March 12, 2014 and positions vacated subsequent to March 12, 2014 will be subject to prior review and approval of the Director of the Division, commencing as of March 12, 2014 and ending December 31, 2014;

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

Section 1. The recitals to this resolution are incorporated herein by this reference made hereby.

Section 2. The Township hereby acknowledges and consents to the prior review and approval by the Director of the Division of all Township hiring for new positions, positions not filled as of March 12, 2014 and positions vacated subsequent to March 12, 2014, and further acknowledges and consents to such review and approval commencing as of March 12, 2014, and ending on December 31, 2014.

Section 3. This resolution shall take effect immediately.

Adopted

Frederic – Inman 11. Award Bid – New Emergency Operations Center - Salazar & Associates - \$865,000.00

AWARDING A CONTRACT FOR THE NEW EMERGENCY OPERATIONS CENTER, ADDITION & RENOVATION OF FIRE STATION NO.3, WAGNER PLACE

WHEREAS, sealed proposals were received on February 19, 2014 for the new emergency operations center, addition & renovation of fire station No. 3, Wagner place in response to the published advertisement for bids in the New Jersey Star Ledger and on the Township website on January 27, 2014; and

WHEREAS, seventeen (17) prospective bidders purchased plans and specifications for this project; and

WHEREAS, seven (7) bids were received and opened by the Township Clerk and Purchasing Agent; and

WHEREAS, the bids received were reviewed according to the New Jersey Local Public Contract law, and six of the bids met the terms of the bid; and

WHEREAS, the apparent lowest bidder did not include the following documents in his bid:- the acknowledge of addendum form, business disclosure entity certification form and bidder safety acknowledgement form, which is not curable by the Township as per NJSA 40A:11-23.2, as such, the bid was ruled unresponsive and defective; and

WHEREAS, the Purchasing Committee has recommended that the award be made to Salazar & Associates, 625 Rahway Ave, Suite 1A, Union, NJ 07083 on the basis of their responsible response to the request for bids that meets the criteria and qualifications, in an amount not to exceed \$865,000.00

NOW THEREFORE BE, IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for the construction of the new emergency operations center, addition & renovation of fire station No. 3, Wagner place be awarded to Salazar & Associates, 625 Rahway Ave, Suite 1A, Union, NJ 07083.

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. In addition, the Township Clerk is hereby directed to return the bid security to the unsuccessful bidders; and

BE IT FURTHER RESOLVED that the required Certificate of Availability of Funds, No. C4 - for \$865,000.00, the total contract amount has been obtained from the Chief Financial Officer and the appropriation to be charged for this expenditure is the Non-Budget Spending Reserves, Account number 2-01-55-006-000-003.

Adopted

McElroy – L.C. Jones 12. Authorize Assignment of Five Tax Sale Certificates to Anbar Holdings I, LLC

WHEREAS, N.J.S.A. 54:5-112 and 54:5-113, provide the Mayor and Council with the authority to sell real estate tax liens held by the municipality at a private sale for sums not less than the amount of municipal liens charged against same, and,

WHEREAS, the Tax Collector has notified the owner of record as appearing on the most recent Tax Duplicate at least five days prior to the affirmation of this resolution and a public notice of the pending sale was posted in three (3) public places within the Township of Irvington, and advertised once in the Irvington Herald.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Mayor and Council hereby assign municipal held liens recorded as:

Block/Lot	Owner Property Address	Cert No.	Sale Date	Amount of Sale	Amount As of March 25, 2014
81 – 10	Jose & Rosa Rodriguez 31 Orange Avenue	13-00526	12/27/2013	\$11,588.81	\$ 15,439.23
84 – 46	Urban City Realty Corp 41 Myrtle Avenue	13-00545	12/27/2013	\$12,892.63	\$ 17,129.93
201 – 5	New Jersey Wholesale 34 Coit Street	13-00931	12/27/2013	\$ 16,037.67	\$ 21,393.50
206 – 21	Bessie Austin 27 Harrison Place	13-00947	12/27/2013	\$ 10,713.93	\$ 14,306.62
374 – 21	Vera E. Carpenter 1342 Springfield Avenue	13-01821	12/27/2013	\$ 15,620.73	\$ 21,206.72

together with subsequent liens thereon, at private sale to:

ANBAR HOLDINGS I, LLC
1135 CLIFTON AVENUE
SUITE 101
CLIFTON, NJ 07013

Adopted

B. Motions

None

10. Communications & Petitions

A. Communications

None

B. Petitions

None

11. Pending Business

A. Provide Resident Parking Permits on Orange Avenue From Madison Avenue to Clinton Avenue from 8:00 A.M. to 8:00 P.M.

12. Miscellaneous

A. Bingos and Raffles

None

NON-CONSENT AGENDA ITEMS

B. Ordinances on 2nd Reading

S. Jones – McElroy 1. Re-Adoption of Bond Ordinance Providing For Various Capital Improvements \$533,600/\$508,189

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF IRVINGTON, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$533,600 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$508,189 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

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

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of Irvington, in the County of Essex, New Jersey (the "Township") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$533,600, and further including the aggregate sum of \$25,411 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$508,189 pursuant to the Local Bond Law and the provisions of the Municipal Qualified Bond Act, P.L. 1976, c. 38, as amended. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

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

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
a) The acquisition of vehicles, including all related costs and expenditures incidental thereto.	\$296,800	\$282,666	5 years
b) The acquisition of an Elgin Pelican Sweeper and Altec Controlled Chipper, including all related costs and expenditures incidental thereto.	\$236,800	\$225,523	15 years
TOTAL:	\$533,600	\$508,189	

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

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

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

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

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

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 9.43 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$508,189, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$50,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

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

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

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the ARule@) for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

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

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

Adopted

Beasley – McElroy 2. Re-Adoption of \$2,436,500.00 Refunding Bond Ordinance for Tax Appeals

REFUNDING BOND ORDINANCE PROVIDING FOR PAYMENT OF AMOUNTS OWING TO OTHERS FOR TAXES LEVIED IN AND BY THE TOWNSHIP OF IRVINGTON, IN

THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$2,436,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,436,500 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING THE COST THEREOF.

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

Section 1. The Township of Irvington, in the County of Essex, New Jersey (the "Township") is hereby authorized to pay an aggregate amount not exceeding \$2,385,579 for amounts owed by the Township to the owners of various properties for taxes levied in the Township (plus certain costs associated therewith), as more particularly described on the List of Settled Appeals and available for inspection in the office of the Township Clerk, which list is hereby incorporated by reference as if set forth at length herein. Such amount shall be paid to taxpayers in the form of a refund, or used by the Township to reimburse tax appeal amounts applied as credits to taxpayers' future taxes payable, as applicable.

Section 2. An aggregate amount not exceeding \$50,921 for items of expense listed in and permitted under N.J.S.A. 40A:2-51(b) has been included in the aggregate principal amount of refunding bonds authorized herein.

Section 3. In order to finance the cost of the project described in Section 1 hereof, negotiable refunding bonds are hereby authorized to be issued in the principal amount of \$2,436,500 pursuant to the Local Bond Law and the Municipal Qualified Bond Act.

Section 4. In anticipation of the issuance of the refunding bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law. All refunding bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations.

All notes issued hereunder may be renewed from time to time, but all such notes including renewals shall mature and be paid no later than the seventh anniversary of the date of the original notes; provided, however, that no notes shall be renewed beyond the first or any succeeding anniversary date of the original notes unless an amount of such notes, at least equal to the first legally payable installment of the bonds in anticipation of which the notes are issued, determined in accordance with the maturity schedule for the bonds approved by the Local Finance Board, is paid and retired on or before such anniversary date; and provided, further, that the period during which the bond anticipation notes and any renewals thereof and any permanent bonds are outstanding, shall not exceed the period set for the maturity of the bonds by the Local Finance Board.

The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond

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

Section 6. The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$2,436,500, but that the net debt of the Township determined as provided in the Local Bond Law is not increased by this bond ordinance. The obligations authorized herein will be within all debt limitations prescribed by that Law.

Section 7. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 8. A certified copy of this refunding bond ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption, together with a complete statement in the form prescribed by the Director and signed by the chief financial officer of the Township as to the indebtedness to be financed by the issuance of the refunding bonds authorized herein.

Section 9. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law, provided that the consent of the Local Finance Board has been endorsed upon a certified copy of this ordinance as finally adopted.

Adopted
No: Lyons

3. President Beasley: An ordinance amending the ordinance establishing the Green Advisory Committee will be heard at this time. The Clerk will read the notice of hearing,

The Clerk read the notice of hearing.

The Clerk will read the ordinance by title.

AN ORDINANCE TO ESTABLISH THE IRVINGTON GREEN TEAM ADVISORY COMMITTEE

WHEREAS, the Mayor' Committee for a Green Future of the New Jersey League of Municipalities has promulgated and publishes a municipal certification program and organization called ("Sustainable Jersey "); and

WHEREAS, the purpose of Sustainable Jersey is to enlist municipalities in a concerted and organized state-wide effort to improve the environment and promote sustainability; and;

WHEREAS, the Township desires to establish the Irvington Green Team as a permanent advisory committee of the Township of Irvington ("Township").

NOW, THEREOF BE IT ORDAINED by the Municipal Council of the Township of Irvington, County of Essex, State of New Jersey as follows:

FIRST: Establishment:

The Irvington Green Team be and is hereby established as an advisory committee to the Irvington Municipal Council.

SECOND: Purpose:

The General purposes for the Green Team shall include but not be limited to:

- (a) Managing Irvington's participation in the Sustainable Jersey program;
- (b) Encouraging the Township staff to pursue sustainable practices where possible and implement the Municipal Council's environmental goals;
- (c) At the recommendation of the Municipal Council, work with the existing groups within the Township whose actions effect environmental issues so as to eliminate duplication and assure that important tasks are covered;
- (d) Provide suggestions for further research and action to the Township Council;
- (e) At the direction of the Municipal Council, provide advice and suggestions to the Township Planning Board, and the Township Board of Adjustment to assure that environmental issues are considered in their deliberations and actions;
- (f) Manage and organize various ad hoc environmental groups within the Township;
- (g) Solicit and evaluate environmental ideas and suggestions from the community;
- (h) Promote the causes of sustainability within the Township.

THIRD: Membership, Term of Office:

The Irvington Municipal Council shall appoint seven (7) members to serve as the Green Team. The Green Team shall elect from among its members a Chair, Vice Chair and secretary/Treasurer. Initially, three (3) members shall be appointed to a three (3) year term, two (2) members to a two (2) year term and two (2) members to a one (1) year term.

Thereafter, all terms shall be for three (3) years. Additionally, a member of the Municipal Council and the Township Administrator shall serve as ex officio members of the Green Team. Ex officio members shall not vote.

The Green Team shall select Township volunteers to work on Green Team projects. The names of the Green Team volunteers shall periodically be submitted to the Township Council and the Green Team committee reports, minutes, etc. shall also be submitted to the Township Council.

FOURTH: Meetings:

The Green Team shall meet monthly.

Additional meetings of Green Team may be scheduled by the Chair at his/her discretion.

FIFTH Severability:

If any section, paragraph, subparagraph, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the specific section, paragraph, subparagraph, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

SIXTH: Repeal of Prior Ordinances

Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance be and the same are hereby repealed to the extent of any such inconsistencies.

SEVENTH Effective Date:

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.

Frederic – Beasley Motion to close public hearing.

Adopted

Frederic – Beasley Motion to adopt this ordinance on second reading after public hearing

Adopted

C. Bills & Claims

McElroy – S. Jones 1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD ENDING MARCH 25, 2014, 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	\$1,942,082.40
SUPPLEMENTAL #1	\$ 185,249.69
TOTAL	\$2,127,332.11

Adopted
No: Lyons

9. Resolutions & Motions

A. Resolutions

Lyons – L.C. Jones 13. Award Bid - Snow Removal and Hauling Service - Your Way Construction – Various Hourly Rates Based Upon Equipment

RESOLUTION TO AWARD A CONTRACT FOR SNOW REMOVAL AND HAULING SERVICE TO YOUR WAY CONSTRUCTION, GENERAL CONSTRUCTION AND SITE WORK

WHEREAS, the Department of Neighborhood Services may need to hire an outside contractor to assist with the removal of snow on an as needed basis; and

WHEREAS, the Request for Proposals for snow removal and plowing service was publicly advertised in the New Jersey Star Ledger and on the Township website on January 31, 2014 with a deadline for qualifications to be submitted on February 26, 2014; and

WHEREAS, three qualifications were received and publicly opened by the Township Clerk and Qualified Purchasing Agent; and

WHEREAS, said qualifications were referred to the Acting Director of Neighborhood Services; and

WHEREAS, the Acting Director Of Neighborhood Service has recommended the award of a contract should be made to the lowest, responsible, responsive bidder-: Your Way Construction, General Construction and Site Work, located at 404 Coit Street, Irvington, NJ 07111; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for snow removal and plowing service be awarded to Your Way Construction, General Construction and Site Work, located at 404 Coit Street, Irvington, NJ 07111 for an annual amount not to exceed \$20,000.00 per year. The provider will be paid \$165.00 per hour for a single axle truck (minimum 26,000 GVWR), \$165.00 per hour for a tandem axle truck, \$160.00 per hour for single axle truck (minimum 12,000GVWR), \$250.00 per hour for a Salt Spreader, \$130.00 per hour for 20 cu.yd. rolls off, \$130.00 per hour for 30 cu. yd. roll offs, \$130.00 per hour for Tandem axle truck, \$140.00 for Tri-axle truck and \$200.00 per hour for front end loader; and

BE IT FURTHER RESOLVED, that this service contract is only allowed to be used, when approved by the Director of Neighborhood services on an "as needed" and "on call" basis, starting on March 25, 2014 until March 25, 2016; 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 for the snow removal and hauling Service will be obtained from the Chief Financial Officer contingent on the adoption of the Calendar year 2014, 2015 and 2016 Municipal budget.

Adopted
No: Inman

S. Jones – McElroy 14. Authorize One Year Contract Extension for Webhosting Services to Precise Virtual Development for an Amount Not to Exceed \$17,945.00 for Webmaster/Webhosting Services and \$5,049.00 for Special Services, Totaling \$22,994.00

RESOLUTION EXTENDING WEB HOSTING SERVICE CONTRACT FOR ONE YEAR

WHEREAS, resolution number DA 13-0409-7 awarded a contract to Precise Virtual Development for web master/web hosting services for one year starting on April 09, 2013 until April 09, 2014; and

WHEREAS, the original specifications included language that allowed for the extension up to a one year contract at the existing terms and conditions if mutually accepted to the vendor and Township; and

WHEREAS, the Township would like to extend the service contract with Precise Virtual Development, 1075 Easton Ave, Suite 271, Somerset, New Jersey 08873 for one year; and

NOW THEREFORE BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the following contract be extended for one year, starting on April 10, 2014 and ending on April 10, 2015 to Precise Virtual Development, 1075 Easton Ave, Suite 271, Somerset, New Jersey 08873 for an amount not to exceed \$17,945.00 for webmaster/webhosting services and \$5,049 for special services, a total sum of \$22,994.00; and

BE IT FURTHER RESOLVED that the Township Attorney is hereby authorized and directed to prepare the necessary contract extension documents for one year and the Mayor and the Township Clerk is hereby authorized to execute said contract with the above listed company. BE IT FURTHER RESOLVED, that the required Certification of Availability of Funds will be obtained from the Chief Financial Officer contingent on the adoption of the calendar year 2013 and 2014 Municipal budget.

Defeated
YES: S. Jones, McElroy, Beasley
NO: Frederic, Inman, L.C. Jones, Lyons

McElroy – Lyons 15. Authorized Investigation to Identify Parcels of Properties in Potential Foreclosure That May be Designated As Areas In Need of Redevelopment

**RESOLUTION SUPPORTING THE ADMINISTRATION OF THE TOWNSHIP
OF IRVINGTON'S INVESTIGATION REGARDING WHETHER CERTAIN
PROPERTIES IN THE TOWNSHIP SHOULD BE DESIGNATED AS AN AREA
IN NEED OF REDEVELOPMENT**

WHEREAS, due in large part to the economic downturn of 2007 and certain predatory lending practices, many Township of Irvington home owners have experienced a significant decline in home values yet remain subject to underwater mortgages which have principal balances that exceed the current value of their home; and

WHEREAS, underwater mortgages are at significantly greater risk of going into foreclosure, with research showing that homeowners who are severely underwater on their mortgages are 150% to 200% more likely to default on their mortgages; and

WHEREAS, resetting mortgages on underwater homes to fair market value may reduce foreclosures and stabilize the real estate market to create revenue and jobs in our Township; and

WHEREAS, loans held in private-label securitization trusts (the “PLS Loans”) tend to be subject to pooling and servicing agreements that would require collective action by many security holders before the PLS Loans can be modified or sold out of trusts; and

WHEREAS, approximately one hundred ninety-nine (199) PLS Loans are located in the Township of Irvington (the “Township”); and

WHEREAS, conducting collective action across most holders of the PLS Loans has been historically difficult; and

WHEREAS, 78% of the PLS Loans located in the Township have some predatory feature in the terms of the original loan, including, but not limited to Adjustable Rate Mortgages, Balloon Mortgages, Interest Only Mortgages and Negative Amortizations; and

WHEREAS, the Township has an interest in reducing the number of foreclosures within the Township to keep families in their homes and preserve the community and tax base and the Township has a responsibility to promote policies that benefit the people who live and work in our Township; and

WHEREAS, it is in the public good and in the public interest for the Township to keep families in their homes and preserve the community and tax base; and

WHEREAS, none of the foreclosure prevention efforts that have been implemented thus far at the local, state, or federal levels have adequately addressed the crisis;

WHEREAS, cities and towns elsewhere in the country have considered implementing local programs to reset underwater mortgages by acquiring certain underwater mortgages for fair market value for the purpose of restructuring and modifying those loans by reducing the loan principal; and

WHEREAS, such programs may help prevent foreclosures and stabilize the housing market in communities where they are implemented; and

WHEREAS, the Township desires to determine if it may utilize its powers of eminent domain to acquire, restructure and/or modify the PLS Loans located in the Township to help prevent foreclosures and stabilize the Township’s housing market; and

WHEREAS, the *Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.* (the “LRHL”), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

WHEREAS, the Township may utilizes its powers of eminent domain for the redevelopment of areas in need of redevelopment; and

WHEREAS, pursuant to *N.J.S.A. 40:12A-6* the Township Council of the Township of Irvington (the “Township Council”) must authorize the Planning Board of the Township of Irvington (the “Planning Board”) to conduct a preliminary investigation of the proposed area and make recommendations to the Township Council; and

WHEREAS, the Township Council desires to support the Township Administration initiative to identify whether various individual or contiguous sites within the Township may qualify as an “area in need of redevelopment” in accordance with *N.J.S.A. 40A:12A-5* and *N.J.S.A. 40A:12A-6* due to the status of certain PLS Loans which include underwater mortgages or mortgages subject to pre-foreclosure or foreclosure activities; and

WHEREAS, the Township Administration shall prepare a staff report (the “Staff Report”) identifying the parcels located throughout the Township to be studied to determine if they meet the criteria to be designated an area in need of redevelopment; and

WHEREAS, the Staff Report shall further examine the extent to which underwater mortgages in the Township have lead to foreclosures, and the potential impact that such foreclosures have had on (i) increasing the municipal deficit, (ii) eroding the municipal tax base, (iii) placing an undue burden on Township property owners, (iv) causing homes to become dilapidated, obsolete and/or blighted, (v) forcing cuts to essential local services and jobs that support communities and/or (vi) otherwise negatively impacting the general welfare of the Township; and

WHEREAS, in connection with completing the Staff Report, the Township Administration shall conduct an investigation, prepare a map of the proposed area (the “Proposed Area”), and complete a public hearing at which comments to the designation shall be received and considered (collectively, the “Due Diligence Investigation”); and

WHEREAS, subject to the results of the Due Diligence Investigation, the Township Council shall consider directing the Planning Board to conduct an investigation in accordance with *N.J.S.A. 40A:12A-6* to determine whether the Proposed Area as identified in the Staff Report meets the criteria set forth in *N.J.S.A. 40A:12A-5* to be designated as an area in need of redevelopment.

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

1. The recitals above are incorporated herein as if set forth at length.
2. The Township Administration is hereby authorized to conduct an investigation and prepare the Staff Report identifying the parcels located throughout the Township to be studied to determine if they meet the criteria to be designated an area in need of redevelopment.
3. As part of its investigation, the Township Administration shall prepare a map showing the boundaries and location of the proposed area, and shall append thereto a statement setting forth the basis for the investigation.
4. The Township Administration shall conduct a public hearing to hear from all persons who are interested in or would be affected by such determination.
5. After conducting its investigation, preparing a map of the boundaries and location of the proposed area, and completing a public hearing, the Township Administration shall make a recommendation to the Township Council as to whether the Township Council direct the Planning Board to conduct a formal investigation to designate all or some of the proposed area as an area in need of redevelopment.
6. This Resolution shall take effect immediately.

Adopted
No: L.C. Jones

L.C. Jones – McElroy 16. Authorize Transfers of Funds in Calendar Year 2013 Municipal Budget

**TOWNSHIP OF IRVINGTON
APPROPRIATIONS TRANSFER
RESOLUTION
CY - 2013**

#3

<u>Within "CAP"</u>	<u>Accounts</u>	<u>From</u>	<u>To</u>
Mayor Office S & W		-	-
Clerks Office S&W		31.76	-
Tax Assessor O&E		-	
Legislative Research S &W		18.22	
Township Attorney S&W		-	
Township Attorney O&E		28,161.05	
Police Department S&W		20,614.03	

911 Transportation	27,528.00	
Finance Depart S&W	1,140.32	
Finance Depart O&E	-	10,000.00
Engineering S&W	4,706.55	
Engineering O&E	-	70,000.00
Housing Other Expenses	3,000.00	
Street & Sewer S&W	2,148.09	
Street & Sewer O&E	1,202.34	
Motorized S&W	521.66	-
Motorized Equip.	2,500.00	
Public Building S&W	8.68	-
Public Building O&E	10,000.00	
Shade Tree S&W	7,031.72	
Health Admin O & E	5,000.00	
Nursing S&W	468.24	
Environmental S&W	605.08	-
Park Maint S&W	7,192.03	
Public Events	7,466.60	-
Public Defender S&W	1,912.04	
Building Construction S&W	-	213.98
State Unemployment O&E	20,614.03	
Surety Bonds O&E	26,099.23	
Workers Comp O&E	26,659.95	
PERS		1,243.26
Social Security		48,172.38
SUB-TOTAL INSIDE CAPS	204,629.62	129,629.62
<u>OUTSIDE CAPS:</u>		
911 Emer Dispatch Service	-	75,000.00
SUB-TOTAL OUTSIDE CAPS	-	75,000.00
GRANT TOTAL	204,629.62	204,629.62

Adopted

17. President Beasley: The Camptown Business Center Improvement District Budget for 2013-2014 was introduced on February 25, 2014, published in the Irvington Herald on March 6, 2014, and public hearing set for this date, time and place. The Clerk will read the notice of hearing.

The Clerk read the notice of hearing.

The Clerk will read the Budget by Title

The following statements of revenues and appropriations shall constitute the Springfield Avenue Business Improvement District's Budget for 2013-2014

Total General Revenues \$231,132.00

Total General Appropriations \$231,132.00

The public hearing on the Camptown Business Improvement District's Budget for 2013-2014 will be heard at this time.

Cathy Southerland, 50 Adams Street
Emory Hall, 59 Bross Place
Eric Dixon, 17 Ruth Street
Luz Carde, 119 Coit Street

McElroy – S. Jones Motion to close public hearing

Adopted

McElroy – S. Jones Motion to adopt Camptown Business Improvement District
Budget for 2012-2013

Adopted

18. President Beasley: A public hearing on Comcast's application for the renewal of a cable television franchise will be heard at this time. The Clerk will read the notice of hearing.

The Clerk read the notice of hearing.

The public hearing on Comcast's application for the renewal of a cable television franchise is now open.

Charles Smith, Representing Comcast
Sharon Hand, 539 Union Avenue
Cynthia Johnson, 470 Meade Street, Orange, N.J.
Patricia Poston, 101 Union Avenue
Robert Shaw, 57 Coit Street

Council Members Inman, S. Jones, L.C. Jones, Frederic and Lyons addressed the issues raised by the above referenced citizens.

Beasley – L.C. Jones Motion to close public hearing

Adopted

12. Miscellaneous

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

Cynthia Johnson, 470 Meade Street, Orange, N.J.
Abdul Hill, 68 Myrtle Avenue
Sharon Hand, 539 Union Avenue
Elouise McDaniel, 214 Nesbit Terrace
Mary Szacik, 175 Matawan Avenue, Matawan, N.J.
Yolanda Anderson, Newark, N.J.
Patricia Poston, 101 Union Avenue
Yves Louis, 194 Isabella Avenue
Harry Perryman, 21 Nesbit Terrace
David Hungerford, 12 Brookdale Gardens, Bloomfield, N.J.
Clarice Weaver, 40 Adams Street
Emory Hall, 59 Bross Place
Robert Shaw, 57 Coit Street

Council Members Frederic and L.C. Jones responded to the issues raised by the above referenced citizens.

13. Adjournment

There being no further business, the meeting was adjourned at 10:10 P.M.

D. Bilal Beasley, Council President

Harold E. Wiener, Municipal Clerk