

TOWNSHIP OF IRVINGTON



MUNICIPAL COUNCIL MEETING MINUTES MARCH 11, 2024 7:30 PM

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Members of the public who would like to attend the meeting and offer public comment, you must sign up via the registration link: https://us02web.zoom.us/webinar/register/WN_hVDJhx0RE-8Y1cMiqVIQg

Appointments

Virtual - Zoom Meetings
Administration

1. PLEDGE OF ALLEGIANCE
2. MOMENT OF SILENCE
3. ROLL CALL

ROLL CALL	PRESENT	ABSENT	LATE ARRIVAL	EARLY DEPARTURE
Brown	X			
Cox	X			
Evans			X (7:33 p.m.)	
Frederic	X			
Dr. Hudley	X			
Vick	X			
Beasley, President	X			

President Beasley reads the following Statement of Proper Notice Pursuant to the Sunshine Law.

Pursuant to Chapter 231, Public Laws of 1975 and Public Laws of 2020, Chapter 11, this is to state for the record that adequate notice of this virtual meeting has been provided to the public by posting a notice on the Municipal Bulletin Board, township's website, by mailing, emailing and faxing a notice of the meeting to the Irvington Herald and the Star Ledger on December 22, 2023, and by filing said notice in the office of the Municipal Clerk.

4. HEARING OF CITIZENS ON AGENDA ITEMS ONLY

- Limited to (3) three minutes per person and (30) thirty minutes total (MUST SIGN UP IN ADVANCE OF MEETING)

Elouise McDaniel, 214 Nesbit Terrace

Response: Council President Beasley

5. HEARING OF COUNCIL MEMBERS

- Council President Beasley – Reading of correspondence from Dr. Richard Wiener, brother of the late Harold E. Wiener, Former Municipal Clerk

From: Dr. R. Wiener
Sent: Sunday, March 10, 2024 8:43 PM
To: Town Clerk
Subject: Thank you from the Wiener family

Friendly request-

Please read this correspondence into the minutes of your 3/11/24 meeting.

Dear Irvington Mayor Vauss, Municipal Clerk Shawna Supel, Township of Irvington Council Members and Irvington Township Employees,

On behalf of the entire Wiener family, we would like to take this opportunity to thank all of you for sharing so many wonderful stories about our brother Harold.

We siblings, along with our mother Josephine (who was born in Irvington 94 years ago) and Harold's wife Joanne, were quite impressed and extremely appreciative by the overwhelming support that all of the Township employees and elected officials demonstrated to us during this difficult time.

Your kind words and stories about Harold brought us much needed comfort during this difficult time. Harold was a true professional who was absolutely defined by his pride in performing his job for Irvington and he loved his life's work as your Municipal Clerk.

We thank you for recognizing Harold's four decades of service to the Township of Irvington. The mutual respect from all of you throughout this difficult time has been much appreciated and comforting to us. Thank you again for sharing your admiration and stories of Harold with us. You have helped us keep his memory alive.

With deep respect and much appreciation,

Dr. Richard Wiener (brother)
Class of 1977
Irvington High School

- on behalf of Eleanor '72 (sister), Thomas '81 (brother), and Harold's mother Josephine (Class of 1947).

CC
Township of Irvington Municipal Clerk- Shawna Supel

Dr. Richard G. Wiener
-Recently Retired

- Council President Beasley - Presentation of Resolution of Sorrow to the Family of the late Harold E. Wiener
- Remarks From the Honorable Mayor Vauss, Senator Renee C. Burgess, Council Member Brown, Council Member Cox, Council Member Evans, Council 2nd Vice President Frederic, Council 1st Vice President Dr. Hudley, Council Member Vick and Council President Beasley
- Remarks From Joanne Wiener, wife of the late Harold E. Wiener

6. REPORTS & RECOMMENDATIONS OF TOWNSHIP OFFICERS, BOARDS & COMMISSIONS

A. Reports

1. Municipal Court - Weekly Summary Report for the Week of February 19, 2024 to February 23, 2024
2. A/Municipal Court Director Dolly Johnson - Mayor's Monthly Report, January 2024
3. Joint Meeting - Audit for Fiscal Year Ending December 31, 2022
4. Municipal Court - Weekly Summary Report for the Week of February 26, 2024 to March 1, 2024
5. Township Attorney Ramon Rivera – Report of March 4, 2024 Legal Committee Meeting

7. REPORTS OF COMMITTEES

A. Request for Quotes – February 28, 2024 – Contractors for Home to Rehabilitate Residential Property

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

8. ORDINANCES, BILLS & CLAIMS

A. Ordinances on First Reading

Brown – Hudley 1. Create Municipal Code 460-24A Childhood Lead Prevention, Lead Hazards Evaluation and Abatement

Township of Irvington Municipal Code 460-24A Childhood Lead Prevention, Lead Hazards Evaluation and Abatement

- (a) The use of **lead**-based **paint** or presence of lead-based paint hazards is hereby prohibited in the Township of Irvington. Any person responsible for applying **lead**-based **paint** or whose property contain lead-based paint hazards shall be subject to a fine and remediation of the condition.
- (b) When it has been determined that expedited (within 3 business days) a child has an elevated blood **lead** level, the child's primary address, secondary address, previous primary address, and relocation address shall be inspected by a Lead Inspector / Risk Assessor assigned by the Township of Irvington to conduct an environmental intervention. The environmental intervention includes a hazard assessment and inspection of the dwelling and common areas during which the Lead Inspector / Risk Inspector may determine the presence of lead hazards including lead-based paint, lead dust and lead soil hazards. **A lead-based hazard shall be determined by testing the location and the presence of elevated blood lead levels in children.**

(c) The property owner shall ensure that access to the property is provided to the Township of Irvington Lead Inspector / Risk Assessor for the purpose of conducting an environmental intervention.

(d) When any lead hazard exists, the Lead Inspector / Risk Assessor shall order the property owner, or owner's agent, to be responsible for the abatement of all lead hazards.

1. The property owner is responsible for all costs associated with the abatement of lead hazards, the relocation of tenants, the protection of tenant belongings, and prohibition of tenant access to the lead hazards.
2. The owner, or the owner's agent, if the owner cannot be contacted, of a property found to have lead hazards in violation of this chapter shall be responsible for performing, or arranging for, abatement and/or interim controls of the lead hazards, and the expenses associated therewith, including removal of the hazards, disposal of waste products, protection or relocation of dwelling occupants, if required, and ongoing maintenance of any remaining lead-based paint.
3. In cases where a lead hazard condition poses an immediate risk of continuing exposure for children, the property owner shall relocate occupants immediately (within 24 hours) upon receipt of the determination made by the local board of health to comparable lead safe housing until the completion of abatement and/or interim controls work.
 - i. In cases where a lead hazard condition poses an immediate risk of continuing exposure for children, and the housing unit is a rental, the requirements set forth at N.J.S.A. 52:27D-437.8 for relocation determination and assistance shall apply.
4. If the property owner fails to perform any of these responsibilities, the local board of health shall perform, or arrange for the performance of, the required activities, and shall after Notice of Intent and a 5 day period to cure, bill the property owner for the expenses incurred in abating the conditions.

(e) The property owner shall comply with the following owner's responsibilities and respective compliance criteria:

OWNER'S RESPONSIBILITY

Submission of scope of work to the local board of health lead hazards

Secure financial resources notice of violation identifying the lead hazards

Perform clearance testing assessor no sooner than one hour after the final cleaning is completed pursuant to 5:17-9.1(a), and within 30 calendar days from the final cleaning pursuant to N.J.A.C.

8:51-8.2(a).

Abatement of lead hazards

pursuant to N.J.A.C. 5:17

COMPLIANCE CRITERIA

Within 30 days from the date of notice of violation identifying the

Within 45 days from the date of

From an independent certified risk

Within 60 days from the date of notice of violation

1. The owner of the property is not responsible for the abatement and/or interim controls of non-paint lead hazards that are not normally under the control of the owner, such as hazards created by the personal effects or practices of tenants of the property.

2. The property owner is responsible for the abatement and/or interim controls of non-paint hazards that are under his or her control, including, but not limited to, lead solder in plumbing.

(f) Any person who violates any provision of this chapter or who refuses to comply with an order or a directive of the Township of Irvington, shall be liable for penalties set forth by the Township of Irvington as a fine of \$5000 for each offense. For every day the offense is not abated an additional fine of \$250 per day shall be assessed

5. Failure to pay costs associated with abating any conditions (lead related) within the calendar year in which it is performed shall result in a lien via special charge outlined in MC Chapter 460-61.

Adopted

C. Bills & Claims

Vick – Evans

1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD **MARCH 11, 2024** 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	\$1,093,771.33
TOTAL	\$1,093,771.33

Adopted

Brown – Evans

2. Payrolls

Payroll Date: February 23, 2024

TOTAL	\$2,337,436.98
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Adopted

9. RESOLUTIONS AND MOTIONS

A. Resolutions

Beasley - Frederic 1. Resolution of Sorrow – Former Irvington Municipal Clerk Harold Edward Wiener

**RESOLUTION OF SORROW
HAROLD EDWARD WIENER**

WHEREAS, on February 26, 2024, The Lord, in His infinite wisdom, took from amongst our ranks a longtime public servant and civic icon in the Irvington community, Harold Edward Wiener; and

WHEREAS, Harold was born, raised and educated in the Township of Irvington, having graduated from Union Avenue Elementary School and Irvington High School; and

WHEREAS, he received a Master of Arts degree in Teaching the Social Sciences in 1986 and Bachelor of Arts degree in Psychology/Sociology in 1979 both from Montclair State University; and

WHEREAS, Harold commenced employment with the Township of Irvington on June 16, 1980 and served the residents of this great township for over forty-three remarkable years and as the Municipal Clerk for over to thirty-five years during that time until his retirement on July 1, 2023; and

WHEREAS, he worked his way up the ranks in the Office of the Municipal Clerk until he was graciously appointed Municipal Clerk on November 24, 1987. During his tenure with the township, Harold faithfully, impartially and justly tended to the duties of the Municipal Clerk with commitment, dedication, honor and prestigious professionalism; and

WHEREAS, Harold received his state-licensed Registered Municipal Clerk Certificate (RMC) in 1986, became a Certified Municipal Clerk (CMC) in 1991 and achieved the distinguished honor of Master Municipal Clerk (MMC) in 2005; and

WHEREAS, he was a long-time member of the Municipal Clerks' Association of Essex County, served on numerous committees over the years and served as President of that organization for three years. Harold was a long-time member of the Municipal Clerks' Association of New Jersey and International Institute of Municipal Clerks; and

WHEREAS, Harold's crowning achievement occurred when he was named the "Municipal Clerk of the Year" by the Municipal Clerks' Association of New Jersey in 2010 in recognition of his dedication and professionalism to the Office of the Municipal Clerk; and

WHEREAS, known for his impartiality and fairness, Harold served under 7 Mayors and 60 individual Council Members during his tenure with the Township of Irvington; and

WHEREAS, an inspiration to others, he did not give up his fight against health complications, and would return to work as soon as he was able. He was known as a selfless individual who would frequently help others in need, regardless of the time or effort it required; and

WHEREAS, while employed as Municipal Clerk, Harold was affectionately called "the Wizard" by his staff due to his wisdom of the field, became a mentor to his staff and statewide to other Clerks entering the profession. His Knowledge, Resourcefulness, Leadership, Enthusiasm, Work Ethics, Team Spirit and

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Kindness had a profound impact to his staff, those he served and assisted during his tenure as the Municipal Clerk; and

WHEREAS, Harold is predeceased by his father Harold Wiener. He is survived by his wife Joanne, his mother Josephine, his brothers Richard and Tom, and his sister Eleanor. His is also survived by many nieces, nephews, and great-nieces and nephews:

NOW THEREFORE BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington hereby mourns the passing of Harold Edward Wiener and extends our most sincerest condolences to his 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 in lasting tribute to Harold Edward Wiener.

Adopted

Hudley – Evans 2. Resolution of Sorrow – Kathy Michele Banks-Roe

**RESOLUTION OF SORROW
KATHY MICHELE BANKS-ROE**

WHEREAS, the Municipal Council of the Township of Irvington wishes to express their deepest sorrow on the passing of Kathy Michele Banks-Roe on February 27, 2024 in Irvington; and

WHEREAS, Kathy was born on June 25, 1965 in Newark, New Jersey; and

WHEREAS, she graduated from Frank H. Morrell High School in 1983. While attending high school she was a cheerleader; and

WHEREAS, Kathy desired to go back to school to further her education and graduated from Seton Hall University in 2011 with a Bachelor's degree in Social Work where she was on the Dean's List; and

WHEREAS, she was a member of Bethlehem Baptist Church in Newark, New Jersey and served as a Deaconess, choir member, and member of a various other committees; and

WHEREAS, Kathy served as a Certified Home Health Aide for Patient Care Incorporated in West Orange, New Jersey for several years. She worked as a Medical Assistant for Dr. Iftekhar Kadri in West Orange, New Jersey for eight years, and then went on to work as a Unit Clerk for Newark Beth Israel Hospital for two years; and

WHEREAS, after leaving the medical field, Kathy had a career in education as a Paraprofessional for more than ten years; and

WHEREAS, she was the beloved daughter of Janet Banks and Julius (Jacque) Banks. Kathy was the adored sister of Kevin Banks (Venetia) and the late Keith Banks; and

WHEREAS, Kathy was the loving mother of Donnell Banks-Lucas. He was her devoted caretaker for many years; and

WHEREAS, Kathy leaves to cherish her precious memories her dedicated immediate family members and host of other relatives, cousins and friends:

NOW THEREFORE BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington hereby mourns the passing of Kathy Michele Banks-Roe and extends our most 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 in lasting tribute to Kathy Michele Banks-Roe.

Adopted

Vick – Beasley 3. Resolution of Sorrow – Veronica Vivienne Whyte

**RESOLUTION OF SORROW
VERONICA VIVIENNE WHYTE**

WHEREAS, the Municipal Council of the Township of Irvington wishes to express their deepest sorrow on the passing of Veronica Vivienne Whyte, the mother-in-law of Sonia Whyte; and

WHEREAS, Veronica Vivienne Whyte was born into the world on December 30, 1932, to Gwendolyn Mowatt and Herbert Fitzherbert Aberdeen-Wilson in Portland, Jamaica. Veronica was the oldest of four children: Howard “Dixie” Wilson, Elaine “Tootsie” Wilson, and Olive “Pinkie” Wilson Blake; and

WHEREAS, Veronica’s primary education was at Titchfield School in Port Antonio, Portland. At 20 years old, Veronica was trained in nursing at University Hospital of the West Indies School of Nursing in Kingston, Jamaica; and

WHEREAS, in 1956, Veronica immigrated to London, England to begin midwifery training at Guy’s Hospital and Fulham Maternity Hospital. In 1958, she worked with cancer patients at Royal Marsden Hospital in London, England. In 1960, Veronica was in a nursing exchange program, which brought her to Beth Israel Hospital in Newark, New Jersey. In 1963, she married Noel Whyte and had two sons, Andrew and Phillip. In 1967, Veronica and her family moved to Newark, New Jersey. Veronica was employed at Beth Israel Hospital as a cardiac care unit nurse; and

WHEREAS, in 1976, she graduated from Jersey City State College with her Bachelor of Nursing degree. During Veronica’s last two decades of work, she was a state of New Jersey nurse, where she assessed patients for nursing home placement, and investigated homecare agencies and hospitals’ state regulation compliance; and

WHEREAS, after retiring in 1998, Veronica indulged in volunteer work. She was an active member of the Jamaican Nurses’ Association and a Eucharistic Minister at Christ the King Church; and

WHEREAS, Veronica enjoyed traveling, reading, cooking, watching Jeopardy, Wheel of Fortune, NFL, and MLB games, participating in gift auctions, and faithfully attending Sunday mass. Veronica described herself as having a quiet demeanor and she always respected the opinions of others; and

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WHEREAS, Veronica is predeceased by her parents Gwendolyn Mowatt and Herbert Fitzherbert Arberdeen-Wilson, brother Howard Wilson, husband Noel Whyte, sisters-in- love Ivy Hayes, Dorothy Fong, and Ruby Reid. Veronica’s memory lives on through her sisters, Elaine Wilson and Olive Wilson Blake, her sons Andrew (Marva) and Phillip (Sonia), bonus children Colleen, Mikey, Pat, and Sandra Whyte. Grandchildren Nigil, Andy, Nia, and Nyla Whyte, as well as a multitude of godchildren, cousins, nieces, and nephews who will forever cherish her beautiful life:

NOW THEREFORE BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington hereby mourns the passing of Veronica Vivienne Whyte and extends our most 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 in lasting tribute to Veronica Vivienne Whyte.

Adopted

~~4. Refund \$996.00 on Escrow for Bryan Holder, 639 Grove Street~~ **[REMOVED BY ZONING BOARD SECRETARY FRANCIS-MCKENZIE 3-7-24 DUE TO A DISCREPANCY WITH ESCROW BALANCE]**

RESOLUTION REFUNDING \$996.00 ON ESCROW T-18-56-860-100-081 FOR BRYAN HOLDER, 639 GROVE STREET.

WHEREAS, Bryan Holder applied to the Township of Irvington’s Zoning Board of Adjustment for a use variance to operate a barbershop at property known and designated as 639 Grove Street Block 125 Lot 28.

WHEREAS, the Zoning Board Division of the Office of Community Development is seeking a refund of \$996.00 on behalf of Bryan Holder. Bryan Holder has received Zoning Board approval and seeks reimbursement from the Township of Irvington.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a reimbursement of \$996.00 to be refunded to BRYAN HOLDER for payment.

Vick – Frederic 5. Authorize Emergency Temporary Appropriation #1 to Extend the CY 2024 Temporary Municipal Budget

<u>APPROPRIATIONS WITHIN "CAPS"</u>	
	<u>CY-24</u>
<u>OFFICE OF THE MAYOR</u>	<u>Emerg Budget #1</u>
Mayor's Office:	
Salaries and Wages	-
Other Expenses	-
Neighborhood Services:	
Salaries and Wages	-
Other Expenses	-
Irvington Mental Health Center:	
Other Expenses	-

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Planning Board:	-
Salaries and Wages	-
Other Expenses	-
Office of Emergency Management:	-
Salaries and Wages	-
Other Expenses	-
Community Planning & Development	
Salaries and Wages	-
Other Expenses	-
Total Office of the Mayor	-

<u>OFFICE OF THE TOWNSHIP CLERK</u>	-
Township Clerk's Office:	
Salaries and Wages	-
Other Expenses	-
Elections:	
Salaries and Wages	30,000.00
Other Expenses	75,000.00
Council's Office:	
Salaries and Wages	-
Other Expenses	-

Board of Adjustment:	
Salaries and Wages	-
Other Expenses	-
Rent Leveling Board:	
Salaries and Wages	-
Other Expenses	-
Total Office of the Township Clerk	105,000.00

<u>OFFICE OF THE TAX ASSESSOR</u>	-
Municipal Tax Assessor:	
Salaries and Wages	-
Other Expenses	-
Total Office of the Tax Assessor	-

<u>ATTORNEY TO TOWNSHIP COUNCIL</u>	-
Legislative Research Officer:	
Salaries and Wages	-
Other Expenses	-
Total Attorney to Township Council	-

<u>OFFICE OF THE TOWNSHIP ATTORNEY</u>	-
Township Attorney:	

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Salaries and Wages	-
Other Expenses	-
Total Office of the Township Attorney	-

<u>DEPARTMENT OF ADMINISTRATION</u>	-
Office of the Business Administrator:	
Salaries and Wages	-
Other Expenses	-
Other Expenses - Postage	-
Total Department of Administration	-

<u>DEPARTMENT OF POLICE</u>	-
Police:	
Salaries and Wages	-
Other Expenses	250,000.00
<u>APPROPRIATIONS WITHIN "CAPS"(continue)</u>	
School Guards:	
Salaries and Wages	-
Other Expenses	-
Chaplains and Surgeons:	
Salaries and Wages	-
Parking Division:	
Other Expenses	-
Total Department of Police	250,000.00

<u>DEPARTMENT OF FIRE</u>	-
Fire:	
Salaries and Wages	-
Other Expenses	75,000.00
Uniform Fire Safety	
Salaries and Wages	-
Other Expenses	-
Total Department of Fire	75,000.00

<u>DEPARTMENT OF REVENUE AND FINANCE</u>	-
Division of Finance:	
Salaries and Wages	-
Other Expenses:	
Administration of Finance	-
Auditing	-
Insurance:	
General Liability	500,000.00

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Workers Comp	-
Employers Group Health	1,000,000.00
Division of Revenue-Tax Collection:	
Salaries and Wages	-
Other Expenses	-
Division of Licenses:	
Salaries and Wages	-
Other Expenses	-
Division of Central Purchasing:	
Salaries and Wages	-
Other Expenses	-
Total Department of Revenue and Finance	1,500,000.00

<u>DEPARTMENT OF PUBLIC WORKS</u>	-
Division of Engineering:	
Salaries and Wages	-
Other Expenses	-

Land Rental, Refuse Dumping:	
Other Expenses	-
Division of Streets and Sewers:	
Salaries and Wages	-
Other Expenses	-
Snow Removal:	
Salaries and Wages	-
Other Expenses	-
Division of Motorized Equipment:	
Salaries and Wages	-
Other Expenses	-
Division of Public Property:	
Salaries and Wages:	
Public Buildings	-
Shade Tree	-
Other Expenses:	
Public Buildings	60,000.00
Shade Tree	-
Total Department of Public Works	60,000.00

<u>DEPARTMENT OF HEALTH AND WELFARE</u>	-
Division of Health:	
Salaries and Wages:	
Health Administration	-
Environmental Health	-
Nursing	-

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Other Expenses:	
Health Administration	-
Environmental Health	-
Nursing	-
Senior Citizen Center:	
Salaries and Wages	-
Other Expenses	-
Total Department of Health and Welfare	-
<u>DEPARTMENT OF PARKS AND RECREATION</u>	-
Division of Park Maintenance:	
Salaries and Wages	-
Other Expenses	-
Division of Recreation:	
Salaries and Wages	-
Other Expenses	-
Public Events and Celebration:	
Other Expenses	-
Irvington Municipal Pool:	
Salaries and Wages	-
Other Expenses	-
Total Department of Parks and Recreation	-
<u>DEPARTMENT OF HOUSING</u>	-
Housing Services:	
Salaries and Wages	-
Other Expenses	-
Total Department of Housing Services	-
<u>MUNICIPAL COURT</u>	-
Municipal Court	
Salaries and Wages	-
Other Expenses	10,000.00
Total Municipal Court	10,000.00
<u>PUBLIC DEFENDER</u>	-
Public Defender	
Salaries and Wages	-
Other Expenses	-
Total Public Defender	-
<u>UNIFORM CONSTRUCTION CODE</u>	-

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Construction Code Official:	
Salaries and Wages	-
Other Expenses	-
Total Construction Services	-
<u>UNCLASSIFIED</u>	-
Utilities:	
Electricity, Gas	-
Telephone and Telegraph	-
Telephone Lease System	-
Fire Hydrants	-
Water	-
Gasoline	-
Street Lighting	-
Prior Year Salary Adjustments	-
Emergency Dispatch Services (Transportation)	-
Tax Appeals'	-
Total Unclassified	-
Total Operations Within "CAPS"	<u>2,000,000.00</u>
<u>Deferred Charges & Statutory Expenditures</u>	-
Social Security System (OASI)	-
State Unemployment Insurance Fund	-
Fund Administrative Cost	-
Public Employees Retirement System	-
Police & Firemen's Retirement System	-
DCRPS	-
Judgments	-
Total Deferred Charges & Statutory Exp	-
Total Appropriations Within "CAPS"	<u>2,000,000.00</u>
<u>APPROPRIATIONS EXCLUDED FROM "CAPS"</u>	-
<u>OTHER OPERATIONS</u>	-
Joint Sewer Maintenance	-
Maintenance of Free Public Library	-
911 Dispatch Services	-
	-
Total Other Operations	-

APPROPRIATIONS EXCLUDED from "CAPS"(continue)	-
State Summer Food Program	-
United Way of Greater Newark-Covid-19/22	-
Essex County ERAP program-2022	-
NJ DOT Transportation	-
HPOWA Grant 22- 2023	-
Total Grants	-
Total Operations Excluded from "CAPS"	-
MUNICIPAL DEBT SERVICE	-
Down Payment on Capital Improvements	-
Capital Improvement Fund	-
Payment of Bond Principal	-
Interest on Bonds	-
Payment of Note Principal	-
Interest on Notes	-
Green Trust Loan Program:	
Payment of Principal and Interest	-
Demolition Loan Repayment	-
NJ Environmental Infrastructure Trust Loan Principal & Interest	-
Deferred Charges - Emergency Auth 5 Yr	-
County Lease	-
Total Municipal Debt Service	-
Total Appropriations Excluded from "CAPS"	
for Municipal Purposes	-
TYPE ONE SCHOOL DEBT	-
Interest on Bonds	-
Total Type One School Debt	-
Total Appropriations Excluded from "CAPS"	-
Reserve for Uncollected Taxes	-
Total General Appropriations	<u>2,000,000.00</u>

Adopted

Vick – Brown

6. Authorize Cancellation and Refund of Tax Sale Certificate due to Invalid Tax Sale Certificate on Block 168 Lot 18, 905 20th Street Rear in the Amount of \$318.64

Resolution Authorizing Cancellation and Refund of Tax Sale Cert # 23-00512

due to Invalid Tax Sale Certificate on Block 168 Lot 18, 905 20TH St. Rear

WHEREAS, Certificate of Sale #23-00512 was issued to Irvington Redevelopment for delinquent sewer charges on Block 168 Lot 18 commonly known as 905 20TH St. Rear, at a Tax Sale held on December 18, 2023; and

WHEREAS, the property located at 905 20TH St. Rear, by way of evidence of the tax assessor's records received after the date of sale, said property is township owned; and

WHEREAS, the tax collector, is reporting the taxes need to be canceled on the parcels assessed to Township of Irvington owned property via IN-REM Foreclosure on Block 168 Lot 18 commonly known as 905 20TH St. Rear for the tax year 2023; and

WHEREAS, due to the erroneous tax lien cert sold, the Tax Collector requests to cancel Certificate of Sale #23-00512 that was issued to Irvington Redevelopment for delinquent taxes on said parcel; and

WHEREAS, the Tax Collector requests to refund tax sale certificate # 23-00512 in the amount of \$318.64 to Irvington Redevelopment, upon receipt of duly endorsed tax sale certificate for cancellation, and change lien account status to canceled.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, COUNTY OF ESSEX, STATE OF NEW JERSEY that the Township of Irvington Tax Collector is authorized to cancel and refund tax sale certificate # 23-00512 in the amount of \$318.64 to Irvington Redevelopment and change lien account status to canceled; hereby authorizes the cancellation of taxes for the year 2023 on Township of Irvington owned property on Block 168 Lot 18 commonly known as 905 20TH St. Rear for the tax year 2023.

Adopted

Brown – Vick 7. Authorize Cancellation of Exempt 2022 Taxes and Issue a Refund in the Amount of \$1,412.70 to Affraz Mohammed as a 100% Disabled Veteran at 14-16 Park Place, Block 337 Lot 7

RESOLUTION TO CANCEL AND REFUND PROPERTY TAXES

WHEREAS, Affraz Mohammed is the owner of 14-16 Park Pl., Block 337 Lot 7 and Affraz Mohammed is a 100% disabled veteran and;

WHEREAS, Affraz Mohammed has filed an application for 100% tax exemption and the tax assessor Silvia Forbes has approved the property tax exemption on December 1, 2021 and;

WHEREAS, in continuation of DRF 23-0227-20 the 2022 taxes on 14-16 Park Pl. were billed and paid in the amount of \$435.89 in principal and \$976.81 in interest by the taxpayer and;

WHEREAS, the property owner is entitled to a refund in the total amount of \$1,412.70, from the date of application approved by the tax assessor on December 1, 2021.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Tax Collector's office is authorized and directed to cancel the exempt 2022 taxes and issue a refund in the amount of **\$1,412.70** to Affraz Mohammed as a 100% Disabled Veteran at 14-16 Park Pl., Block 337 Lot 7.

Adopted

Vick – Brown 8. Authorize Cancellation and Refund of Tax Sale Certificate due to Invalid Tax Sale Certificate on Block 16 Lot 94, 1379 Clinton Avenue in the Amount of \$5,117.75 and Premium \$2,200.00

**Resolution Authorizing Cancellation and Refund of Tax Sale Cert # 23-00042
due to Invalid Tax Sale Certificate on Block 16 Lot 94, 1379 Clinton Ave.**

WHEREAS, Certificate of Sale #23-00042 was issued to Pro Cap 8 FBO Firsttrust Bank for delinquent sewer charges on Block 16 Lot 94 commonly known as 1379 Clinton Ave., at a Tax Sale held on December 18, 2023: and

WHEREAS, Certificate of Sale #23-00042 was erroneously sold as the tax charges were misapplied on November 2, 2023, to the property located at 1379 Springfield Ave. Block 365 Lot 9; and

WHEREAS, due to the erroneous tax lien cert sold, the Tax Collector requests to cancel Certificate of Sale #23-00042 that was issued to Pro Cap 8 FBO Firsttrust Bank for misapplied tax charges on said parcel; and

WHEREAS, the Tax Collector requests to refund tax sale certificate # 23-00042 in the amount of \$5,117.75 to Pro Cap 8 FBO Firsttrust Bank, upon receipt of duly endorsed tax sale certificate for cancellation, and change lien account status to canceled.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, COUNTY OF ESSEX, STATE OF NEW JERSEY that the Township of Irvington Tax Collector is authorized to cancel and refund tax sale certificate # 23-00042 in the amount of \$5,117.75 and premium \$2,200.00 to Pro Cap 8 FBO Firsttrust Bank and change lien account status to canceled.

Adopted

Vick – Frederic 9. Authorize Cancellation and Refund of Tax Sale Certificate and Refund of Annual Sewer Charges on Block 135 Lot 21, 167-173 Ellis Avenue in the Amount of \$2,460.13

Resolution Authorizing Cancellation of Tax Sale Certificate #19-00525 and Refund of Annual Sewer Charges on Block 135 Lot 21, 167-173 Ellis Ave

WHEREAS, The Annual Sewer Charge was billed in the amount of \$540.00 per year from 2019 to 2023 on Block 135 Lot 21, commonly known as 167-173 Ellis Ave; and

WHEREAS, the property, by way of evidence of the tax assessor's records, is a 3-family dwelling; and

WHEREAS, the property, by way of evidence of the New Jersey American Water Company's records, has no water meter; and

WHEREAS, the property, by way of evidence of the Township of Irvington Code Inspector's records, has not been issued a Certificate of Occupancy; and

WHEREAS, Certificate of Sale #19-00525 was issued to Pro Cap 8 FBO Firsttrust Bank for delinquent taxes at a Tax Sale held on December 27, 2019; and

WHEREAS, the Tax Collector requests permission to cancel Certificate of Sale #19-00525; and

WHEREAS, the Tax Collector request to refund the lienholder, Pro Cap 8 FBO Firsttrust Bank, the charges paid on lien in the amount of \$2,346.64 as well as pay legal interest in the amount of \$113.49, for a total refund in the amount of \$2,460.13.

WHEREAS, due to the erroneous billing of the Annual Sewer Charges, the Tax Collector requests to cancel sewer charges on said parcel and change the account status to "Inactive"; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, COUNTY OF ESSEX, STATE OF NEW JERSEY that the Township of Irvington Tax Collector is authorized to:

1. Cancel Certificate of Sale #19-00525 and
2. Refund the lienholder, Pro Cap 8 FBO Firsttrust Bank, the total charges paid for the purchase of lien, along with legal interest, in the amount of \$2,460.13
3. Change the sewer account status to "Inactive."

Adopted

Vick – Brown 10. Authorize Refund of Tax Overpayment on Block 27, Lot 6.01, 45 Laurel Avenue in the Amount of \$3,340.52

**Resolution to Refund Tax Overpayment
on Block 27 Lot 6.01, 45 Laurel Ave.**

WHEREAS, Lillian Zhang is the lienholder of TSC# 22-00112 on 45 Laurel Ave., Block 27 Lot 6.01; and

WHEREAS, Lillian Zhang remitted a subsequent tax payment in the amount of \$3,340.52 for the 2023 Q4 taxes; and

WHEREAS, said payments in the amount of \$3,340.52 were applied to Block 27 Lot 6.01 2023 Q4 taxes on October 19, 2023; and

WHEREAS, Corelogic also remitted a payment in the amount of \$3,340.52 for the 2023 Q4 taxes on Block 27 Lot 6.01; and

WHEREAS, said payments in the amount of \$3,340.52 were applied to Block 27 Lot 6.01 2023 Q4 on November 8, 2023; and

WHEREAS, Lillian Zhang has requested to be refunded the tax overpayment in the amount of \$3,340.52 for 45 Laurel Ave., Block 27 Lot 6.01; and

WHEREAS, the Tax Collector desires to refund the tax overpayment in the amount of \$3,340.52 to Lillian Zhang.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, COUNTY OF ESSEX, STATE OF NEW JERSEY that the Township of Irvington Tax Collector is authorized and directed to refund the overpaid taxes to Lillian Zhang in the amount of \$3,340.52.

Adopted

Beasley – Beasley ~~11. Authorize Refund of Tax Overpayment on Block 275, Lot 13, 139 Augusta Street in the Amount of \$2,821.42 [REMOVED BY FINANCE COMMITTEE]~~

**Resolution to Refund Tax Overpayment
on Block 275 Lot 13, 139 Augusta St.**

WHEREAS, Corelogic remitted an overpayment in the amount of \$2,821.42 for the 2023 Q4 taxes on Block 275 Lot 13; and

WHEREAS, two payments were remitted for the 2023 Q4 taxes on October 31, 2023 and November 8, 2023, which resulted in an overpayment; and

WHEREAS, Corelogic has requested to be refunded the tax overpayment in the amount of \$2,821.42 for 139 Augusta St., Block 275 Lot 13; and

WHEREAS, the Tax Collector desires to refund the tax overpayment in the amount of \$2,821.42 to Corelogic.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, COUNTY OF ESSEX, STATE OF NEW JERSEY that the Township of Irvington Tax Collector is authorized and directed to refund the overpaid taxes to Corelogic in the amount of \$2,821.42.

Vick – Brown 12. Authorize the Cancellation of Municipal Clean Up and Labor Fees, Interest and Penalties on Properties in the Total Amount of \$658,873.13

Resolution Authorizing the Cancellation of Municipal Clean Up and Labor Fees, Interest and Penalties on Properties

WHEREAS, the Tax Collector seeks authorization to cancel the attached charges due to either being township owned properties or the tax office having no prior resolution authorization to add said fees to the “Special Charges” accounts; and

WHEREAS, said fees amounted to \$235,846.83 for vacant property fees and unauthorized clean and lien fees and \$423,026.30 for demolition charges; and

WHEREAS, in implementing collections of unpaid charges, various amounts in 2010 - 2020, there were “Special Charges” accounts created in order to collect unpaid municipal clean up and labor fees, and the township now wishes to cancel said fees along with any penalty and interest that may have automatically been assessed in connection therewith:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, IN THE COUNTY OF ESSEX, NEW JERSEY, AS FOLLOWS: the Tax Collector is hereby authorized and directed to cancel said fees in the total amount of \$658,873.13 along with any penalty and interest for open special charges accounts, together with the interest accrued thereupon through and to the date of this Resolution.

Adopted

Vick – Brown 13. Authorize Assignment of Tax Sale Certificate to Trystone Capital Assets, LLC
– 227 21st Street, Block 154, Lot 20 – Total Amount as of March 15, 2024 – \$1,315.66

RESOLUTION AUTHORIZING ASSIGNMENT

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 15, 2024
154/20	227 S Realty LLC 227 21 st St..	23-00462	12/18/2023	\$1,016.47	\$1315.66

together with subsequent liens thereon, at private sale to:

Trystone Capital Assets, LLC
1608 Route 88, Suite 330
Brick, NJ 08724

Adopted

~~14. Authorize 5 Year Old Premiums and Foreclosed Tax Sale Certificates to Escheat to the Township~~ **[REMOVED BY FINANCE COMMITTEE]**

Authorize 5 Year Old Premiums and Foreclosed Tax Sale Certificates to Escheat to the Township

WHEREAS, N.J.S.A. 54:5-32 permits the Tax collector to sell taxes, assessments or other municipal liens at Tax Sale to the bidder who offers to pay the highest amount of premium; and

WHEREAS, pursuant to N.J.S.A. 54:5-33 any premium payment shall be held by the collector and returned to the purchaser of the fee if and when redemption is made. If redemption is not made within five years from the date of tax sale, the premium shall be turned over to the Treasurer of the municipality and become part of the funds of the municipality; and

WHEREAS, if the property is foreclosed by an outside lien holder, the premium paid by that lien holder becomes Township revenue; and

WHEREAS, as a continuation of resolution DRF 23-0814-34, the records of the Tax Office indicate the attached Tax Sale Certificates labeled “Exhibit A” are premiums from 2018 and prior years which remain outstanding for greater than five years from the date of tax sale; and

WHEREAS, the records of the Tax Office indicate the following Tax Sale Certificates labeled “Exhibit B” were foreclosed upon in 2023 and prior years.

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of Irvington that the Chief Financial Officer is authorized to transfer the following funds:

- A. The total premiums in the amount of \$89,120.22 as unanticipated revenue
- B. The total foreclosed premiums in the amount of \$626,066.92 as unanticipated revenue.

Vick – Beasley 15. Authorize Use of \$9,850.00 in HUD Homeowner Rehabilitation Assistance Funds for 434 Union Avenue - Maharaj General Contracting LLC

RESOLUTION FOR HOME REHABILITATION PROGRAM

WHEREAS, the Township of Irvington has been awarded Community Development Block Grant Funds and HOME Partnership Funds by the Department of Housing and Urban Development (HUD) and it has obligated funds for the purpose of financing its Emergency HOMEOWNER Housing Rehabilitation Program administered by the Department of Economic Development and Grants Oversight; and

WHEREAS, the Township of Irvington, Department of Economic Development and Grants Oversight has identified that the applicant, who is the owner of 434 Union Ave, Irvington, New Jersey, 07111 is eligible to

receive assistance through the Emergency Rehabilitation Program per the Township’s policies and procedures; and

WHEREAS the Contractor selected through a competitive BID to perform the Remediation work is Maharaj General Contracting LLC and said funds shall be disbursed to the Contractor for the benefit of the applicant; and,

WHEREAS, the Department of Economic Development and Grants Oversight has contacted all the contractors on resolution number EDGO 23-02149. Two contractors (2) EnviroScience Solutions LLC and Maharaj General Contracting LLC provided quotes for the required work; two contractors (2) and A-Arcalenz LLC and BGI Resources Intl Corp. declined to participate in the bidding and two contractors (2) Tekcon Construction Inc. and Absolute Abatement and Construction Services did not provide any submission or correspondence before the deadline; and,

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington does ratify and approve the provision of HOME Rehabilitation Program funds to the applicant(s) in the amount not to exceed \$9,850.00 for a period of affordability of five (5) years; and

BE IT FURTHER RESOLVED that the aforesaid funds of \$9,850.00 will be disbursed in one (1) installments in the amount of \$9,850.00 after review of work performed and proof of funds expended to facilitate the remediation; and

BE IT FURTHER RESOLVED that the aforesaid funds are to be used for the remediation of the subject property and related soft cost associated with the remediation of the subject property as set forth in Exhibit A (Scope of Work), attached hereto for the premises known as, 434 Union Avenue, Irvington, New Jersey 07111, one family unit(s) and owned by homeowner; and

BE IT FURTHER RESOLVED that any such funds not expended in the remediation and related soft cost associated with the remediation of the subject property in accordance with adopted policy and procedures shall be recaptured by the TOWNSHIP OF IRVINGTON for use in assisting other HUD Program applicant(s); and

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:34-5.2, the required Certificate of Fund Req. No. C24-0030 in the amount of \$9,850.00 for the above has been obtained from the Chief Financial Officer of the Township of Irvington. The appropriation to be charged for this expenditure is Account No. T-21-41-850-18B-801 in the amount of \$9,850.00.

Adopted

Vick – Brown 16. Authorize the Execution of a Redevelopment Agreement With 175 22nd Street Irvington LLC for the Redevelopment of Property Identified as Block 149, Lot 30, 175-177 22nd Street

RESOLUTION OF THE TOWNSHIP OF IRVINGTON AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT WITH 175 22ND STREET IRVINGTON LLC FOR THE REDEVELOPMENT OF PROPERTY IDENTIFIED AS BLOCK 149, LOT 30; ON THE TAX MAPS OF THE TOWNSHIP AND IDENTIFIED IN THE TOWNSHIP TAX RECORDS AS 175-177 22ND STREET

WHEREAS, the Municipal Council (the “**Township Council**”) of the Township is authorized pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “**Redevelopment Law**”), to determine whether certain parcels of land within the Township constitute an area in need of rehabilitation and/or an area in need of redevelopment and to create redevelopment plans which provide development controls for any area so designated; and

WHEREAS, by resolutions duly adopted in accordance with the Redevelopment Law, the Township Council designated certain properties within the East Ward of the Township as an area in need of redevelopment (the “**Redevelopment Area**”); and

WHEREAS, the Redevelopment Law authorizes municipalities to adopt a redevelopment plan for an area designated as an “area in need of redevelopment” pursuant to which redevelopment projects are to be undertaken; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7 of the Redevelopment Law and in accordance with the procedures set forth therein, the Township Council duly adopted the East Ward/East Springfield Avenue Redevelopment Plan (as amended, the “**Redevelopment Plan**”) for the Redevelopment Area; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-4, the Township has determined to act as the “redevelopment entity”, as such term is defined at N.J.S.A. 40A:12A-3, responsible for carrying out redevelopment projects within the Redevelopment Area in accordance with the Redevelopment Plan, pursuant to N.J.S.A. 40A:12A-4(c); and

WHEREAS, the Redeveloper is the owner of certain property located within the Redevelopment Area, which property is identified on the official tax map of the Township as Block 149, Lot 30; and identified in the Township tax records as 175-177 22nd Street (the “**Property**”); and

WHEREAS, the Redeveloper has submitted to the Township its plans for the design, development, financing, construction and maintenance of a new 4-story residential, multifamily dwelling with ground floor parking and fifteen (15) apartments on the second (2nd) through fourth (4th) floors (the “**Project**”); and

WHEREAS, Redeveloper desires to be designated by the Township as the “redeveloper” (as defined in the Redevelopment Law) for the Property, and has provided information evidencing financial responsibility and capability, a concept plan and a construction schedule with respect to the Project; and

WHEREAS, the Township Council has determined that the Redeveloper meets all necessary criteria, including financial capabilities, experience, expertise and project concept descriptions, and, as a result, has determined to engage in negotiations with Redeveloper for the purpose of entering into this Agreement; and

WHEREAS, Redeveloper has agreed to implement the Redevelopment Plan to effectuate the Project and in connection therewith, Redeveloper has agreed to devote substantial assets and funds to complete the Project; and

WHEREAS, the Proposed Redeveloper has requested that the Township, in its capacity as redevelopment entity, enter into negotiations for a Redevelopment Agreement and/or Financial Agreement, as may be applicable or appropriate for the redevelopment of the Project Area (each, an “**Agreement**”); and

WHEREAS, in order to implement the development, financing, construction, operation and management of the Project, the Township has determined to enter into this Agreement with Redeveloper, which specifies the rights and responsibilities of the Township, and specifies the rights and responsibilities of Redeveloper with respect to the Project,

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

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

Section 2. Redeveloper Designated; Execution of Redevelopment Agreement Authorized.

(a) The Mayor is hereby authorized to execute the Redevelopment Agreement, substantially in the form attached hereto as **Exhibit A**, subject to modification or revision deemed necessary or desirable in consultation with counsel, and to take all other necessary or desirable action to effectuate such Redevelopment Agreement.

(b) The Municipal Clerk is hereby authorized and directed, upon the execution of the Redevelopment Agreement in accordance with the terms of Section 2(a) hereof, to attest to the signature of the Mayor upon such document and is hereby further authorized and directed to affix the corporate seal of the Township upon such document.

(c) Upon the execution and attestation of the Redevelopment Agreement, the Mayor, upon consultation with counsel to the Township, is hereby further authorized to take any and all actions, and execute and deliver such other documents, certificates and instruments necessary, desirable or convenient to effectuate the terms of the Redevelopment Agreement.

(d) Upon execution of the Redevelopment Agreement, and so long as the Redevelopment Agreement remains in full force and effect, Redeveloper is hereby designated as “redeveloper” for the Project in accordance with the Redevelopment Law.

Section 3. Severability. If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

Section 4. Availability of the Resolution. A copy of this resolution shall be available for public inspection at the office of the Municipal Clerk.

Section 5. Effective Date. This resolution shall take effect immediately.

Exhibit A

ESCROW AGREEMENT

Adopted

Breun Ave LLC for the Redevelopment of Property Identified as Block 206,
Lot 16, 14 Bruen Avenue

**RESOLUTION OF THE TOWNSHIP OF IRVINGTON AUTHORIZING THE
EXECUTION OF A REDEVELOPMENT AGREEMENT WITH 14 BREUN AVE LLC
FOR THE REDEVELOPMENT OF PROPERTY IDENTIFIED AS BLOCK 206, LOT
16; ON THE TAX MAPS OF THE TOWNSHIP AND IDENTIFIED IN THE
TOWNSHIP TAX RECORDS AS 14 BRUEN AVENUE**

WHEREAS, the Municipal Council (the “**Township Council**”) of the Township is authorized pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “**Redevelopment Law**”), to determine whether certain parcels of land within the Township constitute an area in need of rehabilitation and/or an area in need of redevelopment and to create redevelopment plans which provide development controls for any area so designated; and

WHEREAS, by resolutions duly adopted in accordance with the Redevelopment Law, the Township Council designated certain properties within the East Ward of the Township as an area in need of redevelopment (the “**Redevelopment Area**”); and

WHEREAS, the Redevelopment Law authorizes municipalities to adopt a redevelopment plan for an area designated as an “area in need of redevelopment” pursuant to which redevelopment projects are to be undertaken; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7 of the Redevelopment Law and in accordance with the procedures set forth therein, the Township Council duly adopted the East Ward/East Springfield Avenue Redevelopment Plan (as amended, the “**Redevelopment Plan**”) for the Redevelopment Area; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-4, the Township has determined to act as the “redevelopment entity”, as such term is defined at N.J.S.A. 40A:12A-3, responsible for carrying out redevelopment projects within the Redevelopment Area in accordance with the Redevelopment Plan, pursuant to N.J.S.A. 40A:12A-4(c); and

WHEREAS, the Redeveloper is the owner of certain property located within the Redevelopment Area, which property is identified on the official tax map of the Township as Block 209, Lot 16; and identified in the Township tax records as 14 Bruen Avenue (the “**Property**”, as further described in Schedule A attached hereto and made a part hereof); and

WHEREAS, the Redeveloper has submitted to the Township its plans for the design, development, financing, construction and maintenance of a low-rise, multi-family, three (3) story garden apartment building, consisting of twelve (12) residential units, with ground-level parking spaces and certain other on-site and offsite improvements (the “**Project**”, as more fully described in Schedule B attached hereto and made a part hereof); and

WHEREAS, Redeveloper desires to be designated by the Township as the “redeveloper” (as defined in the Redevelopment Law) for the Property, and has provided information evidencing financial responsibility and capability, a concept plan and a construction schedule with respect to the Project; and

WHEREAS, the Township Council has determined that the Redeveloper meets all necessary criteria,

including financial capabilities, experience, expertise and project concept descriptions, and, as a result, has determined to engage in negotiations with Redeveloper for the purpose of entering into this Agreement; and

WHEREAS, Redeveloper has agreed to implement the Redevelopment Plan to effectuate the Project and in connection therewith, Redeveloper has agreed to devote substantial assets and funds to complete the Project; and

WHEREAS, the Proposed Redeveloper has requested that the Township, in its capacity as redevelopment entity, enter into negotiations for a Redevelopment Agreement and/or Financial Agreement, as may be applicable or appropriate for the redevelopment of the Project Area (each, an “**Agreement**”); and

WHEREAS, in order to implement the development, financing, construction, operation and management of the Project, the Township has determined to enter into this Agreement with Redeveloper, which specifies the rights and responsibilities of the Township, and specifies the rights and responsibilities of Redeveloper with respect to the Project,

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

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

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

Section 2. Redeveloper Designated; Execution of Redevelopment Agreement Authorized.

(e) The Mayor is hereby authorized to execute the Redevelopment Agreement, substantially in the form attached hereto as **Exhibit A**, subject to modification or revision deemed necessary or desirable in consultation with counsel, and to take all other necessary or desirable action to effectuate such Redevelopment Agreement.

(f) The Municipal Clerk is hereby authorized and directed, upon the execution of the Redevelopment Agreement in accordance with the terms of Section 2(a) hereof, to attest to the signature of the Mayor upon such document and is hereby further authorized and directed to affix the corporate seal of the Township upon such document.

(g) Upon the execution and attestation of the Redevelopment Agreement, the Mayor, upon consultation with counsel to the Township, is hereby further authorized to take any and all actions, and execute and deliver such other documents, certificates and instruments necessary, desirable or convenient to effectuate the terms of the Redevelopment Agreement.

(h) Upon execution of the Redevelopment Agreement, and so long as the Redevelopment Agreement remains in full force and effect, Redeveloper is hereby designated as “redeveloper” for the Project in accordance with the Redevelopment Law.

Section 3. Severability. If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

Section 4. Availability of the Resolution. A copy of this resolution shall be available for public inspection at the office of the Municipal Clerk.

Section 5. Effective Date. This resolution shall take effect immediately.

Exhibit A

ESCROW AGREEMENT

Adopted

~~18. Authorize the Execution of a Redevelopment and Land Disposition Agreement With 21 Street Urban Renewal LLC for the Redevelopment of Property Identified As Block 137, Lots 25 and 30, 393-95 21st Street and 740 Springfield Avenue [REMOVED BY REDEVELOPMENT COMMITTEE]~~

RESOLUTION OF THE TOWNSHIP OF IRVINGTON AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AND LAND DISPOSITION AGREEMENT WITH 21 STREET URBAN RENEWAL LLC FOR THE REDEVELOPMENT OF PROPERTY IDENTIFIED AS BLOCK 137, LOTS 25 AND 30; ON THE TAX MAPS OF THE TOWNSHIP AND IDENTIFIED IN THE TOWNSHIP TAX RECORDS AS 393-95 21ST STREET AND 740 SPRINGFIELD AVENUE

WHEREAS, the Municipal Council (the “**Township Council**”) of the Township is authorized pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “**Redevelopment Law**”), to determine whether certain parcels of land located therein constitute areas in need of redevelopment or rehabilitation and to create redevelopment plans which provide development controls for any area so designated; and

WHEREAS, on August 13, 2002, the Township Council, by Resolution No. UEZ 02-0813-14, the Township Council adopted a resolution designating certain properties within the East Ward of the Township as an area in need of redevelopment (the “**Redevelopment Area**”); and

WHEREAS, pursuant to *N.J.S.A. 40A:12A-7* of the Redevelopment Law and in accordance with the procedures set forth therein, the Township Council duly adopted the East Ward/East Springfield Avenue Redevelopment Plan (as amended and restated, the “**Redevelopment Plan**”) for the Redevelopment Area; and

WHEREAS, pursuant to *N.J.S.A. 40A:12A-4*, the Township has determined to act as the “redevelopment entity”, as such term is defined at *N.J.S.A. 40A:12A-3*, responsible for carrying out redevelopment projects within the Redevelopment Area in accordance with the Redevelopment Plan, pursuant to *N.J.S.A. 40A:12A-4(c)*; and

WHEREAS, the 21 Street Urban Renewal LLC (the “**Redeveloper**”) is the owner of certain property within the Redevelopment Area identified on the official tax map of the Township as Block 137, Lots 1, 2, 4, 5 and 26-29; and identified in the Township tax records, respectively, as 744-748 Springfield Avenue, 10 22nd

Street, 16 22nd Street, 18 22nd Street, 397-403 21st Street, and 734 Springfield Avenue (the “**Redeveloper Parcels**”); and

WHEREAS, the Township is the owner of certain property located within the Redevelopment Area, which property is identified as Block 137, Lots 25 & 30 on the official tax maps of the Township and identified in the Township tax records, respectively, as 393-95 21st Street and 740 Springfield Avenue (the “**Township Parcels**”, together with the Redeveloper Parcels, the “**Property**”); and

WHEREAS, the Redeveloper has submitted to the Township its plans for the acquisition and assemblage of the Property, and the design, development, financing, construction, and maintenance thereon of a mixed-use project consisting of approximately twelve thousand (12,000) square feet of commercial/retail space on the first floor and approximately one hundred fifty-six (156) residential units (comprised of 71 one-bedroom units, 80 two-bedroom units and 5 three-bedroom units), one hundred forty-three (143) off-street parking spaces, the repair and/or replacement of the sidewalk frontage and off-street parking, and certain other on-site and offsite improvements (the “**Project**”); and

WHEREAS, the Redeveloper desires to be designated by the Township as the “redeveloper” (as defined in the Redevelopment Law) for the Property, and has provided information evidencing financial responsibility and capability, a concept plan and a construction schedule with respect to the Project; and

WHEREAS, the Township Council has determined that the Redeveloper meets all necessary criteria, including financial capabilities, experience, expertise and project concept descriptions, and, as a result, has determined to engage in negotiations with Redeveloper for the purpose of entering into this Agreement; and

WHEREAS, Redeveloper has agreed to implement the Redevelopment Plan to effectuate the Project and in connection therewith, Redeveloper has agreed to devote substantial assets and funds to complete the Project; and

WHEREAS, in order to effectuate the Redevelopment Plan and the Project, the Township has determined to enter into a redevelopment and land disposition agreement with the Redeveloper, (the “**Redevelopment Agreement**”), which establishes Redeveloper as the “redeveloper” of the Project, as that term is defined in the Redevelopment Law, and which specifies the respective rights and responsibilities of the Township and the Redeveloper with respect to the Project and the terms and conditions of the conveyance of the Property; and

WHEREAS, in order to implement the development, financing, construction, operation and management of the Project, the Township has determined to enter into the Redevelopment Agreement with Redeveloper, which specifies the rights and responsibilities of the Township, and specifies the rights and responsibilities of Redeveloper with respect to the Project,

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

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

Section 2. Redeveloper Designated; Execution of Redevelopment Agreement Authorized.

(i) The Mayor is hereby authorized to execute the Redevelopment Agreement, substantially in the form attached hereto as **Exhibit A**, subject to modification or revision deemed necessary or desirable in consultation with counsel, and to take all other necessary or desirable action to effectuate such Redevelopment Agreement.

(j) The Municipal Clerk is hereby authorized and directed, upon the execution of the Redevelopment Agreement in accordance with the terms of Section 2(a) hereof, to attest to the signature of the Mayor upon such document and is hereby further authorized and directed to affix the corporate seal of the Township upon such document.

(k) Upon the execution and attestation of the Redevelopment Agreement, the Mayor, upon consultation with counsel to the Township, is hereby further authorized to take any and all actions, and execute and deliver such other documents, certificates and instruments necessary, desirable or convenient to effectuate the terms of the Redevelopment Agreement.

(l) Upon execution of the Redevelopment Agreement, and so long as the Redevelopment Agreement remains in full force and effect, Redeveloper is hereby designated as “redeveloper” for the Project in accordance with the Redevelopment Law.

Section 3. Severability. If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

Section 4. Availability of the Resolution. A copy of this resolution shall be available for public inspection at the office of the Municipal Clerk.

Section 5. Effective Date. This resolution shall take effect immediately.

Exhibit A

REDEVELOPMENT AGREEMENT

Evans – Beasley 19. Approve Additional Funds for Troy Corbett V. Otis C. Hill, et als. - Simmons Law, LLC - Increased to an Amount Not to Exceed \$26,675.00

RESOLUTION APPROVING ADDITIONAL FUNDS FOR TROY CORBETT V. OTIS C. HILL, ET ALS. DOCKET NO. ESX-L-007069-23

WHEREAS, on December 26, 2023 the law firm of Simmons Law, LLC . was awarded a contract for Litigation Counsel Services for an amount not to exceed \$1,500.00 by resolution number TA 23-1226-54; and

WHEREAS the law firm of Simmons Law, LLC. has submitted an estimated budget in the amount of \$26,675.00 to litigate this matter;

WHEREAS, the Township seeks to pay the law firm of Simmons Law, LLC. for services provided within the scope of the contract, during the contract period but in excess of the contract amount;

WHEREAS, the total contract amount for this matter is hereby increased to an amount not to exceed \$26,675.00.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the services performed by the firm of Simmons Law, LLC. in excess of the contract amount is hereby ratified and confirmed for an amount not to exceed \$26,675.00; and

BE IT FUTHER RESOLVED, that total contract amount for this matter is hereby increased to an amount not to exceed \$26,675.00; and

BE IT FUTHER RESOLVED, that the Mayor and Municipal Clerk is hereby authorized to sign and execute an amended contract for Litigation Counsel Service; and

BE IT RESOLVED, that funds for this service will be paid from the Insurance Fund for a contract amount not to exceed \$26,675.00.

Adopted

Brown – Vick 20. Authorize Local Support for Garden State Gas LLC for Cannabis License Application(s) to the New Jersey Cannabis Regulatory Commission

**RESOLUTION OF THE TOWNSHIP OF IRVINGTON AUTHORIZING LOCAL SUPPORT FOR
GARDEN STATE GAS LLC
FOR CANNABIS LICENSE APPLICATION(S) TO THE NEW JERSEY CANNABIS
REGULATORY COMMISSION**

WHEREAS, in 2020, New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called "cannabis" for adults at least 21 years of age; and

WHEREAS, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c. 16, known as the "New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act" (the "Act"), which legalizes the recreational use of marijuana by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession; and

WHEREAS, the Act establishes six marketplace classes of licensed businesses, including Class 1 Cannabis Cultivator License, for facilities involved in growing and cultivating cannabis; and

WHEREAS, in accordance with the regulations established by the Act, N.J.A.C. 17:30-5.1, an applicant for an annual cannabis business license shall include proof of local support in their applications, which shall be submitted as a resolution adopted by the governing body.

NOW, THEREFORE, BE IT RESOLVED by the Township Council for the Township of Irvington that the Township of Irvington hereby supports the applicant, Brandon Hayes of Garden State Gas LLC whose proposed site of operation is 380 Coit Street, Irvington, New Jersey, for the type of cannabis business licenses being sought to operate within the Township of Irvington's jurisdiction in accordance with the Township Code of the Township of Irvington.

Adopted

Brown – Hudley 21. Authorize Service Agreement to Repair Sole Source Sewer Jet - Sewer Equipment
- Not to Exceed \$60,000.00

AUTHORIZE SERVICE AGREEMENT TO REPAIR SOLE SOURCE SEWER JET

WHEREAS, Public Works is in need of repairs and parts of sewer jet; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5(1)(d)(d), parts and services can only be purchased from Sewer Equipment of 1590 Dutch Road, Dixon, IL 61021

WHEREAS, the Administration would like to request a sole source exemption for parts and services of the sewer jet; and

WHEREAS, the Administration will like to award a contract to Sewer Equipment of 1590 Dutch Road, Dixon, IL 61021 for an amount not to exceed \$60,000.00

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Irvington in the County of Essex, and State of New Jersey, that Public Works is authorized to purchase parts and service from Sewer Equipment of 1590 Dutch Road, Dixon, IL 61021 starting on February 13th, 2024 for an amount not to exceed \$60,000.00

BE IT FURTHER RESOLVED that the required certification of availability of funds C24-0012 in the amount of \$30,000.00 from account number 4-01-26-290-292-299 has been obtained from the Chief Financial Officer.

Adopted

Hudley – Vick 22. Authorize Purchases Under the Essex County Co-Op of New Jersey Cooperative Purchasing Program Over the Bid Threshold for the Disposal of Type 13 Solid Waste
- Advanced Enterprises Recycling DBA Dart - Not to Exceed \$650,000.00

AUTHORIZING PURCHASES UNDER THE ESSEX COUNTY CO-OP OF NEW JERSEY COOPERATIVE PURCHASING PROGRAM OVER THE BID THRESHOLD OF \$44,000.00

WHEREAS, the Township of Irvington, pursuant to N.J.S.A. 40A: 11-12(a) and N.J.A.C. 5:34-7.29(c) may by resolution and without advertising for bids, purchase any goods or services under the Essex County Cooperative Purchasing Program on behalf of their members; and,

WHEREAS, Essex County Co-op has awarded solid waste transfer fee for type 13 solid waste to Advanced Enterprises Recycling DBA Dart; and,

WHEREAS, Advanced Enterprises Recycling DBA Dart located at 540 Doremus Ave Newark, NJ 07105 will exceed the bid threshold of \$44,000.00 for calendar year 2024; and

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WHEREAS, based on the estimated tonnage, the total amount that will be paid to this vendor is an amount not to exceed \$650,000.00 for the year; and

WHEREAS, the Township of Irvington intends to enter into this contract with Advanced Enterprises Recycling DBA Dart over the bid threshold of 44,000.00 through this resolution and properly executed purchase orders for disposal of type 13 solid waste for an amount not to exceed \$650,000.00.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Irvington authorizes the purchasing agent to pay this vendor over the bid threshold of \$44,000.00 pursuant to all the conditions of Essex County Co-op contract; and

BE IT FURTHER RESOLVED, that the total payments to this vendor for calendar year 2024 shall not exceed \$650,000.00

BE IT FURTHER RESOLVED that the duration of this authorization shall be until December 31, 2024

BE IT FURTHER RESOLVED that the required certification of availability of funds, C24-0009 in the amount of \$400,000.00 was obtained from the Chief Financial Officer from account number 4-01-32-465-465-118 and the remaining balance of \$250,000.00 will be certified upon the adoption of the 2024 budget.

BE IT FURTHER RESOLVED a separate resolution will be submitted to the Municipal Council for all addition vendors exceeding the bid threshold of \$44,000.00.

Adopted

Hudley – Vick 23. Award a Contract for Independent Hearing Officer and Special Assessment – The Ambrose Group LLC – Not to Exceed \$200,000.00

AWARDING A CONTRACT FOR INDEPENDENT HEARING OFFICER AND SPECIAL ASSESSMENT

WHEREAS, sealed RFP were received on February 07, 2024 for Independent Hearing Officer and Special Assessment in response to published advertisement for bids in the New Jersey Star Ledger on January 12, 2024; and

WHEREAS, one RFP was received and opened from The Ambrose Group LLC by the Municipal Clerk and Purchasing Agent; and

WHEREAS, said bid was referred to the Township Attorney for recommendation to the Municipal Council; and

WHEREAS, the Township Attorney has recommended that the award should be made to The Ambrose Group LLC of 2 Village Park Road, Cedar Grove, NJ 07009 for an amount not to exceed \$200,000.00; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Independent Hearing Officer and Special Assessment be awarded to The

Ambrose Group LLC of 2 Village Park Road, Cedar Grove, NJ 07009 on the basis of their response to the request for an amount not to exceed \$200,000.00 for one year starting on March 12, 2024 until March 13, 2025.

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

BE IT FURTHER RESOLVED that the required certification of availability of funds C24-0038 in the amount of \$49,999.98 from account number 4-01-20-155-155-256 and 4-01-20-155-155-299 has been obtained from the Chief Financial Officer and the remaining balance of \$150,000.02 will be certified upon the adoption of the 2024Municipal budget.

Adopted

Brown – Vick 24. Authorize Purchases of Various Products Through the Morris County Cooperative Purchasing Program Over the \$44,000.00 Bid Threshold for CY 2024

**AUTHORIZING PURCHASES UNDER THE MORRIS
COUNTY COOPERATIVE PURCHASING PROGRAM
OVER THE BID THRESHOLD OF \$44,000.00**

WHEREAS, the Township of Irvington, pursuant to N.J.S.A. 40A:11-12(a) and N.J.A.C. 5:34- 7.29(c) may by resolution and without advertising for bids, purchase any goods or services under the Morris Cooperative Purchasing Program and,

WHEREAS, the Township of Irvington has the need on a timely basis to purchase goods or services utilizing Morris Cooperative Purchasing Program contracts; and

WHEREAS, the list of vendors below will exceed the bid threshold of \$44,000.00 for calendar year 2024:-

Name of Vendor	Contract Number	Commodity	Amount
Continental Trading & Hardware	10	Lumber, Insulations, hardware and Paint	\$250,000.00
Jen Electric	37	Traffic signal maintenance and repairs	\$200,000.00
Tilcon New York Inc	6	Road Resurfacing	\$150,000.00
Sherwin Williams	10	Paint	\$95,000.00

WHEREAS, the Township of Irvington intends to enter into contracts with Morris County Co-op contract vendors over the bid threshold of \$44,000.00 through this resolution and properly executed purchase orders, which shall be subject to all the conditions applicable to current Co-op contracts.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Irvington authorizes the purchase of certain goods and services from those approved Morris County Co-op

vendors over the bid threshold of \$44,000.00, pursuant to all the conditions of the individual contracts; and

BE IT FURTHER RESOLVED by the Township Council that, pursuant to the N.J.A.C. 5:30- 5.5(b), the certification of available funds and resolutions shall be certified at such time as the goods or services are called for prior to placing the order for good or service in excess of \$44,000.00, and a certification of availability of funds is made by the Chief Financial Officer via an authorized purchase order; and

BE IT FURTHER RESOLVED that the duration of this authorization shall be until December 31,2024

BE IT FURTHER RESOLVED a separate resolution will be submitted to the Municipal Council for all addition vendors exceeding the bid threshold of \$44,000.00.

Adopted

Brown – Vick 25. Authorize Purchases of Various Products Through the State of New Jersey Cooperative Purchasing Program Over the \$44,000.00 Bid Threshold for CY 2024

AUTHORIZING PURCHASES UNDER THE STATE OF NEW JERSEY COOPERATIVE PURCHASING PROGRAM OVER THE BID THRESHOLD OF \$44,000.00

WHEREAS, the Township of Irvington, pursuant to N.J.S.A. 40A:11-12(a) and N.J.A.C. 5:34-7.29 (c) may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of Treasury; and;

WHEREAS, the Township of Irvington has the need on a timely basis to purchase goods or Services utilizing State contracts; and

WHEREAS, the list of vendors below will exceed the bid threshold of \$44,000.00 for calendar year 2024:

Name of Vendor	State Contract Number	Commodity	Amount
Samuels Inc DBA Buy Wise	85992	Auto Parts	\$160,000.00
Keer Electrical	T0167	Electrical Supplies	\$75,000.00
Morton Salt	T0213	Rock Salt	\$150,00.00
Rachle's/ Michele's Oil	T0083	Gasoline/Diesel	\$475,000.00
Parts Authority, LLC	20-Fleet-00984	Auto Parts	\$95,000.00
Limbach Company, LLC	88689	HVAC	\$225,000.00
American Hose & Hydraulic	40866	Auto Parts	\$85,000.00
Fastenal Company	19-Fleet-00678	Auto Parts	\$65,000.00
Grainger	19-Fleet-00566	Industrial Supplies	\$100,000.00
FairField Maintenance	A42264	Fuel Repair	\$100,000.00

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WHEREAS, the Township of Irvington intends to enter into contracts with State contract vendors over the bid threshold of \$44,000.00 through this resolution and properly executed purchase orders, which shall be subject to all the conditions applicable to current State contracts.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Irvington authorizes the purchase of certain goods and services from those approved New Jersey State contract vendors over the bid threshold of \$44,000.00, pursuant to all the conditions of the individual State contracts; and

BE, IT FURTHER RESOLVED by the Township Council that pursuant to the N.J.A.C. 5:30-5.(b). the certification of available funds and resolutions shall be certified at such time as the goods or services are called for prior to placing the order for good or service in excess of \$44,000.00, and a certification of availability of funds is made by the Chief Financial Officer via an authorized purchase order; and

BE IT FURTHER RESOLVED that the duration of this authorization shall be until December 31, 2024

BE IT FURTHER RESOLVED a separate resolution will be submitted to the Municipal Council for all additional vendors exceeding the bid threshold of \$44,000.00

Adopted

Vick – Beasley 26. Approve Professional Services Contract for Planner Services to the Planning and Zoning Boards - ARH Associates - Total Sum Not to Exceed \$180,000.00

RESOLUTION APPROVING PROFESSIONAL SERVICES CONTRACT FOR PLANNER SERVICES

WHEREAS, resolution number OCDP-23-0814-19 qualified two firms to provide Planner services for the Township of Irvington from August 10, 2023 and ending on August 11, 2024; and

WHEREAS, the resolution requires that all services assigned to the Planner for this purpose must be approved by the Municipal Council; and

WHEREAS, the Community Development Director has determined that ARH Associates has the required qualification to provide Planner services to the Planning and Zoning Board for an amount of \$75,000.00 and \$75,000.00 for drafting/amending redevelopment plans, zoning ordinance, zoning maps and additional services for a total sum not to exceed \$180,000.00; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Planner services be awarded to ARH Associates of 215 Bellevue Ave Hammonton, NJ 08037 for a contract amount not to exceed \$180,000.00; and

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

BE IT FURTHER RESOLVED that the required certification of availability of funds \$1,500.00 and \$1,500.00 in the amount of \$3,000.00 from account numbers C24-0048 and C24-0049 has been

obtained from the Chief Financial Officer and the remaining balance of \$147,000.00 will be charged to applicant escrow funds.

Adopted

Vick – Brown 27. Ratify Professional Services Contract for Foreclosure Counsel Services -
Goldenberg, Mackler, Sayeh, Mintz, Pfeffer, Bonchi & Gill - Not to Exceed
\$50,000.00

**RESOLUTION RATIFYING PROFESSIONAL SERVICES CONTRACT FOR FORECLOSURE
COUNSEL SERVICES**

WHEREAS, resolution number TA 23- 0522-26 qualified one firm to provide foreclosure counsel services to the Township of Irvington from July1, 2023 to June 30, 2024; and

WHEREAS, the resolution requires that all cases assigned to counsel for this purpose must be approved by the Municipal Council; and

WHEREAS, the Township Attorney has assigned Goldenberg, Mackler, Sayeh, Mintz, Pfeffer, Bonchi & Gill to represent the Township for general foreclosure matters.

WHEREAS, the Township Attorney has recommended that a contract be awarded to, Goldenberg, Mackler, Sayeh, Mintz, Pfeffer, Bonchi & Gill, 660 New Road, Suite 1A, Northfield, NJ 08225; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Foreclosure Counsel services be awarded to Goldenberg, Mackler, Sayeh, Mintz, Pfeffer, Bonchi & Gill, 660 New Road, Suite 1A Northfield, NJ 08225 for a contract amount not to exceed \$50,000.00. The billing rates shall not exceed \$6,500.00 per foreclosure complaint and \$150.00 per hour for any contested matters, and

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

BE IT RESOLVED that the required Certification of Funds, certification number C24-0045 was obtained from the Chief Financial Officer in the amount of \$5000.00 to be charged to expenditure account number 4-01-21-182-185-299 and the remaining balance of \$45,000.00 will be certified upon the adoption of the 2024 budget.

Adopted

10. COMMUNICATION AND PETITIONS

A. Communications

None

11. PENDING BUSINESS

None

NON-CONSENT AGENDA

8. ORDINANCES, BILLS & CLAIMS (Continued)

B. Ordinances on Second Reading

1. President Beasley: An ordinance amending and supplementing Chapter 620 of the Township of Irvington General Ordinances to Prohibit “Blocking the Box” will be heard a time. The Clerk will read the notice of hearing.

The Clerk will read the ordinance by title

An Ordinance to amend Section 620 of the Township of Irvington’s General Ordinances to Prohibit
“Blocking the Box”

- a. No driver shall enter an intersection unless there is sufficient space on the other side of the intersection to accommodate the vehicle he/she is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic control signal indication to proceed.
- b. All intersections within the Township of Irvington shall be designated as “Don’t Block the Box” intersections, and appropriate striping and signage shall be provided.
- c. This section is consistent with and amplifies N.J.S.A. 39:4-67, by authorizing the installation of signage to be designed for this purpose an erected at intersection
- d. There shall be a minimum penalty of \$ 250 for violation of this section.

The Public Hearing on this ordinance is now open

Vick – Cox Motion to close Public Hearing

Adopted

Vick – Cox Motion to adopt this ordinance on second reading after Public Hearing

Adopted

**ALCOHOLIC BEVERAGE CONTROL BOARD
MARCH 11, 2024**

1. Chairman Cox calls the Meeting to Order

2. Roll Call

3. New Business

Cox – Beasley A. Authorize Person to Person Transfer of Plenary Retail Consumption License issued to B2 Sport Lounge LLC (Trading as Moonlight Restaurant and Lounge) to Trennetha S. Green-Richardson (Trading As Touch Lounge and Restaurant)

WHEREAS, an application has been filed for a Person to Person Transfer of Plenary Retail Consumption License Number 0709-33-085-004, heretofore issued to B2 Sport Lounge LLC (Trading as Moonlight Restaurant and Lounge); and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the license business.

NOW, THEREFORE BE IT RESOLVED by the Municipal Council, Acting as the Alcoholic Beverage Control Board of the Township of Irvington, New Jersey does hereby approve, effective March 11, 2024, the Person to Person Transfer of the aforesaid Plenary Retail Consumption License to Trennetha S. Green-Richardson, and does hereby direct the Township Clerk or the ABC Board Secretary to endorse the license certificate to the new ownership as follows: “This license, subject to all its terms and conditions, is hereby transferred to Trennetha S. Green-Richardson, effective March 11, 2024.”

**Trennetha S. Green-Richardson
Trading As – Touch Lounge and Restaurant
865 Springfield Avenue
Irvington, NJ 07111**

Adopted

4. Adjournment

12. MISCELLANEOUS

A. General Hearing of Citizens and Council Members limited to three minutes per person (MUST SIGN UP IN ADVANCE OF MEETING)

Elouise McDaniel, 214 Nesbit Terrace
Robert Shaw, 57 Coit Street

Council President Beasley addressed the concerns raised by the above referenced citizens.

13. ADJOURNMENT (*Roll Call)

There being no further business, the meeting adjourned at 8:13 P.M.

Jamillah Z. Beasley, Council President

Shawna M. Supel, Municipal Clerk