

TOWNSHIP OF IRVINGTON



MUNICIPAL COUNCIL MEETING MINUTES MAY 20, 2024 7:30 PM

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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		
Dr. 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 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

5. HEARING OF COUNCIL MEMBERS

None

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

A. Reports

1. Municipal Court - Weekly Summary Report for the Week of April 29, 2024 to May 3, 2024
2. Municipal Court - Weekly Summary Report for the Week of May 6, 2024 to May 10, 2024
3. Tax Collector Tyrone Young – Report of May 3, 2024 Finance Committee Meeting
4. A/Health Director Baffour Asare – Report of May 5, 2024 Ad Hoc Health Committee Meeting
5. A/Municipal Court Director Dolly Johnson - Collections Project as of April 2024
6. A/Municipal Court Director Dolly Johnson - Mayor's Monthly Report, April 2024

7. REPORTS OF COMMITTEES

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

8. ORDINANCES, BILLS & CLAIMS

A. Ordinances on First Reading

Vick – Brown 1. Amend Section 620-104 of the General Ordinances of the Township of Irvington
Regarding Stop Intersection at West Allen Street and Hillside Terrace

Ordinance to Amend Section 620-104 of the General Ordinances of the Township Of Irvington
Regarding Stop Intersection At West Allen Street And Hillside Terrace

In accordance with the provisions of Section 620-24, the following described intersections are hereby designated as Stop intersections:

(Note: Amendments are shown in Bold Italics)

Amend

Intersection

West Allen Street and Hillside Terrace

Stop Sign On

Hillside Terrace ***and West Allen Street***

(Note: This is a Multi-Stop Intersection)

Addition:

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Hillside Terrace and West Allen Street

Hillside Terrace and West Allen Street
(Note: This is a Multi-Stop Intersection)

Adopted
Absent: Evans

Vick - Brown 2. Ordinance Amending and Supplementing Section 620-19.1 Parking Too Close To Driveway By Adding West Allen Street

AN ORDINANCE AMENDING SECTION 620-19.1 OF THE REVISED CODE REGARDING PARKING TOO CLOSE TO A DRIVEWAY BY ADDING WEST ALLEN STREET

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON AS FOLLOWS:

SECTION 1. Section 620-19.1 of the Revised Code of the Township of Irvington is hereby supplemented by adding the following street and location:

Parking too close to driveway.

No person shall park or cause to be parked any type of motor vehicle within four linear feet of the crossover width of a driveway where the driveway meets the carriage way (i.e. the lower section of the driveway, which abuts the street or other public right of way) upon any of the following described streets or parts of streets:

Name of Street	Location
West Allen Street	Entire Length

SECTION 2. All ordinances or parts thereof that are inconsistent herewith are hereby repealed.

SECTION 3. This ordinance shall take effect upon final passage and publication according to law.

Adopted
Absent: Evans

Hudley – Brown 3. An Ordinance to Amend Chapter 22: Commissions, Committees, Councils And Other Agencies, Article XIII Health Advisory Board of the Township of Irvington

AN ORDINANCE TO AMEND CHAPTER 22: COMMISSIONS, COMMITTEES, COUNCILS AND OTHER AGENCIES, ARTICLE XIII HEALTH ADVISORY BOARD OF THE TOWNSHIP OF IRVINGTON.

PURPOSE

The Municipal Council of the Township of Irvington deems it necessary and appropriate for the health and welfare of the residents of the Township of Irvington to promote public health within the community. To address those concerns, the Municipal Council of the Township of Irvington desires to create a Health Advisory Board in accordance with the statutory requirements of N.J.S.A. 26:3-1 et seq., to provide continuing

advice to the Municipal Council and the citizens of this community on matters pertaining to public health in the Township. The Health Advisory Board will provide policy and action recommendations, act to support the Township Council in its capacity as the Board of Health and serve as public health advocates to the community. The Board shall consult with the Health Officer on matters of public health and shall also study the health needs of the Township and make reports and recommendations to the Council for local legislative actions.

BE IT ORDAINED by the Municipal Council of the Township of Irvington as follows:

SECTION I.

BOARD ESTABLISHED.

There is hereby created and established, pursuant to N.J.S.A. 26:3-3, a board to be known as the " Health Advisory Board of the Township of Irvington."

Members appointed.

The members of the Health Advisory Board shall serve without compensation. The Board shall consist of 5 members. Three members of the Municipal Council shall serve as the members of the advisory Board. There shall be one member of the Board who shall serve as the Board Chairperson and shall be appointed for a period of one calendar year. There shall be two members appointed by the Council for terms of one calendar year; one health professional (e.g. doctor, nurse, health educator, Health Director or otherwise) and one non-voting student member or community member to be appointed by the Township Council for a term of one school/calendar year.

Vacancy on the Health Advisory Board

In the event of a vacancy on the Health Advisory Board occurring during the unexpired term of office, a member of the Council shall be appointed as a member of the Health Advisory Board to serve the unexpired term.

SECTION II. Severability.

If any section, subsection, paragraph, sentence or other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect or invalidate the remainder of this Ordinance, but shall be confined in its effect to the section, subsection, paragraph, sentence or other part of this Ordinance directly involved in the controversy in which said judgment shall have been rendered and all other provisions of this Ordinance shall remain in full force and effect.

SECTION III.

Inconsistent Ordinances are hereby Repealed.

All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed, but only to the extent of such inconsistencies.

SECTION IV. Effective Date.

This Ordinance shall take effect immediately upon final adoption and publication in the manner prescribed by law.

Adopted
Absent: Evans

Cox – Vick

4. Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank – Calendar Year 2024

CALENDAR YEAR 2024

**MODEL ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Municipal Council of the Township Of Irvington in the County of Essex finds it advisable and necessary to increase its CY 2024 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Municipal Council hereby determines that a 3.5 % increase in the budget for said year, amounting to \$ 3,548,318.66 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Municipal Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Municipal Council of the Township Of Irvington, in the County of Essex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2024 budget year, the final appropriations of the Township Of Irvington shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$ 3,548,318.66, and that the CY 2024 municipal budget for the Township Of Irvington be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Adopted
Absent: Evans

C. Bills & Claims

Cox – Frederic 1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD MAY 20, 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	\$635,527.25
SUPPLEMENTAL	\$ 38,612.50
TOTAL	\$674,139.75

Adopted
Absent: Evans

Vick – Hudley 2. Payrolls

Payroll Date: May 5, 2024

TOTAL	\$2,142,854.44
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Adopted
Absent: Evans

9. RESOLUTIONS AND MOTIONS

A. Resolutions

Beasley – Cox 1. Resolution of Commemoration – Mount Hermon Baptist Church (MHBC) – 95th Anniversary in Ministry

RESOLUTION OF COMMEMORATION
MOUNT HERMON BAPTIST CHURCH (MHBC)
95TH ANNIVERSARY IN MINISTRY

WHEREAS, the Mount Hermon Baptist Church will be celebrating its 95th Anniversary in Ministry from Friday, May 31, 2024 to Sunday, June 2, 2024; and

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WHEREAS, after many years of having prayer service in their home at 9 Jones Street in the City of Newark, New Jersey, with many of their Christian friends, Deacon William and Sister Beulah Atkinson, were moved by the Holy Spirit to start a church. The original organizers were: Reverend Major J. and Sister Elizabeth Baldwin, Deacon Joseph and Sister Carrie Banks, Deacon Edward Jenkins, and Brother David Atkinson. Brother David Atkinson was the first new member to be accepted in the church; and

WHEREAS, it was in June 1929 that our church began under the name *Life Light Baptist Church*. Reverend Major J. Baldwin became the founding Pastor at 247 Warren Street in Newark, NJ. Under Reverend Baldwin's leadership, the church relocated to 328 Norfolk Street in 1937 and 35 Haynes Street in 1938. Both locations were also in the City of Newark, NJ; and

WHEREAS, in June of 1939, the Lord led Pastor Baldwin and his Deacons to purchase a new church home at 47 Bedford Street in Newark, NJ. It was in 1939 that our church changed its name to Mount Hermon Missionary Baptist Church and was chartered. (A black and white photograph of our old edifice at 47 Bedford Street was on display at Bill May's House of Prayer called "Beautiful" art exhibit at Aljira, A Center for Contemporary Art located at 2 Washington Place in the City of Newark, New Jersey.) They remained at the Bedford Street address until they moved to their present church home at 221 Nesbit Terrace in the City of Irvington, NJ in 1986; and

WHEREAS, in the year of our Lord, Nineteen Hundred and Sixty-One, Reverend Major J. Baldwin was called to his reward. Reverend Joseph Brown, an associate minister of the Providence Baptist Church, Newark, NJ who had assisted Pastor Baldwin during his illness, was made pastor in 1961. Reverend Brown resigned in 1964 after three years of service. In 1965, Reverend Lester Glover was called and served as pastor until 1966; and

WHEREAS, God blessed them and answered their many prayers by sending the church a God-fearing and Spirit-filled minister in the person of the beloved Pastor Jeremiah Ford, who assumed the pastorate on June 3, 1967. Under Pastor Ford's leadership, the Church continued to grow and progress. Pastor Ford's teachings, leadership, and dedication to the Lord's work resulted in many souls being converted. The membership grew through converts and new members who joined with their church under Christian experience. Through Pastor Ford's vision and prayers, their church became a tithing church; God proved Himself faithful to their church since they've obeyed His Holy Word and commands from the Scriptures. The church does not raise monies to support the church by selling within or outside of the church; and

WHEREAS, with the help of God, the Church purchased their present Church home, 221 Nesbit Terrace in the City of Irvington, New Jersey. We marched into our edifice on Sunday, March 9, 1986. In 1991, through the aide of the Lord and Savior Jesus Christ, the giving spirit, and dedication of the congregation, they burned the mortgage within five years of purchasing the church; and

WHEREAS, in the succeeding years they have been successful in adding a parking lot, a handicap ramp, and a handicap accessible bathroom, which enable persons with physical disabilities to attend our worship services. In 1996 they changed the entrance of the church from a side entrance to the present front entrance. The Women's Guild Ministry under the leadership of the First lady, Doris Ford, worked untiringly to remodel the kitchen and to purchase banquet tables and chairs for our dining hall with donations from our members and friends. Over the years, many more improvements were made to our church; and

WHEREAS, in addition to our regular auxiliaries, under Pastor Ford's leadership a Nurses Unit and a New Membership Ministry were formed. Our New Membership Ministry offers instruction and support for

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spiritual growth to all new converts and members joining with the church. The church established the Youth for Christ Scholarship Fund through which we present scholarships to our youth to support their continuing education; and

WHEREAS, during the year 2003, we re-decorated the Church Auditorium by painting and installing wall to wall carpeting. We also installed central air and converted our heating system from oil to gas; and

WHEREAS, in 2004, the church experienced noticeable growth in membership. A new choir was organized named the "United Voices of Faith". We purchased a new church van to support the members in their efforts to attend church; and

WHEREAS, in 2006, the church purchased new pulpit furniture. Pastor Ford's prayers for additional support to help manage the growing ministry was answered by the following ministers joining the pulpit staff: Reverend Roger J. Harris, Jr., Minister Jerry Ford, Evangelist Sharon Merriweather Ford, Evangelist Sheri L. Cooks, Evangelist Joann Ross, and Juanita Felis; and

WHEREAS, since the organization of the church, we've had ten Chairmen of the Deacon Ministry. The late Joseph Banks was the first Chairman of the Deacon Ministry. He was followed by the late Deacons, Jessie Perry, James Perry, Joel Ham, Thomas Smith, Johnny Kates, and Reverend George Davis, pastor of the First Baptist Church of Carteret, New Jersey also served as chairman of our Deacon Ministry. Deacon James Jackson, Sr. served as chairman of the Deacon Ministry ordained under pastor Ford until he moved his membership in 2015. He was followed by Deacon Odell Brascom and our current Deacon Louis A. Johnson both ordained by our former pastor Rev. Dr. Rodger J. Harris, Jr.; and

WHEREAS, in October 2007, our beloved Rev. Dr. Jeremiah Ford retired after 40 years of pastoring the loving members of Mount Hermon Baptist Church. He served as pastor Emeritus providing love, support, knowledge, wisdom, and prayerful counsel to the body of Mount Hermon Baptist Church until his transition to his glorious reward in May 2020. In March 2008, Rev. Rodger J. Harris, Jr. was installed as the fifth pastor of Mount Hermon Baptist Church; and

WHEREAS, during his tenure, he further his education earning the designation and title of Rev. Dr. Rodger J. Harris, Jr., with his wife, Lady Ellen Michelle Harris, re-established our Vacation Bible School (VBS) efforts, partnered with Chancellor Avenue School to provide school supplies and Thanksgiving baskets to families in need, and collaborated with our Evangelist Joann Ross and the Interfaith Hospitality Network to host families in transition seeking assistance for permanent housing; and

WHEREAS, Rev. Dr. Rodger J. Harris, Jr. added to the church's leadership staff. He licensed Minister Shauna Kay Anderson to the Gospel Ministry, and ordained Deacons Odell Brascom and Louis A. Johnson into the Deacon Ministry, which continues to be a blessing. Furthermore, they were blessed by the addition of our beloved Rev. Eddie Lee Jenkins to the leadership staff where he served faithfully until his passing in June 2023; and

WHEREAS, in July 2023, Rev. Sheri L. Cooks was asked to help support the body of Mount Hermon Baptist Church and the leadership team who proved to be faithful during the times of great change. On December 31, 2023, Rev. Dr. Rodger J. Harris, Jr. resigned after 15 years of pastoring Mount Hermon Baptist Church; and

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WHEREAS, in April 2024, after much prayer and fasting, the body of Mount Hermon Baptist Church named Rev. Sheri L. Cooks the sixth pastor of the church. Since having the privilege of supporting the church body and leadership, with the help of the Holy Spirit, under her leadership, we reignited an interest and growth in our Hour of Power Noon Day Prayer and Bible Study that take place on Wednesdays. Our Sunday School is experiencing a resurgent under the anointed leadership of our superintendent Sister Antonette Sadler, assistant superintendent Sister Maria Hamilton, and lead teacher Minister Shauna Kay Anderson. We have recreated and implemented our New Members and Baptism Course to assist in laying a firm spiritual foundation in the lives of new converts; and

WHEREAS, as the Mount Hermon Baptist Church family reflects on 95 years of ministry, we bless the Lord for a rich heritage of faith and living love every day. We are moving forward in the spirit of 1 John 4:11 KJV *“Beloved, if God so loved us, we ought also to love one another”*:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Municipal Council hereby commemorates the 95th Anniversary in Ministry of the Mount Hermon Baptist Church (MHBC).

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of this Governing Body in lasting tribute to the 95th Anniversary in Ministry of the Mount Hermon Baptist Church (MHBC).

Adopted
Absent: Evans

Beasley - Brown 2. Resolution of Sorrow - Dorothy Jean Vauss, Mother of the Honorable Mayor Vauss

**RESOLUTION OF SORROW
DOROTHY JEAN VAUSS**

WHEREAS, on Monday, April 29, 2024, The Lord, in His infinite wisdom, took from amongst our ranks Dorothy Jean Vauss, beloved mother of the Honorable Mayor Tony Vauss; and

WHEREAS, she peacefully passed away at Cooperman Barnabas Medical Center in Livingston, New Jersey; and

WHEREAS, Dorothy's life journey began on May 20, 1953, in Macon County, Alabama, born to the late Johnny and Iola Mitchell; and

WHEREAS, she was a devoted employee of The Essex County Hospital Center for 44 years; and

WHEREAS, Dorothy exemplified the qualities of a mother - responsible, caring, loving, dependable, trusting, and humble. She dedicated her life to ensuring the well-being of her children and family, always putting their needs above her own; and

WHEREAS, her nurturing spirit and unwavering love created a foundation of strength and support for her family, guiding them with wisdom and kindness; and

WHEREAS Dorothy's circle of loved ones extends to her close friends Joyce, Tina, Dianne, Jewel, Sue, Lydell, Melbo, and Elisa, who shared in her joys, sorrows, and precious moments throughout her life; and

WHEREAS, preceding her in passing are her sisters, Ida M. Neil, Lillie Dorsey, and Mary Dorsey, and her brothers Charles Melford, William Mitchell, Bobby Lee Thomas, Arthur James Mitchell, Willie Mitchell, and Edward Green; and

WHEREAS, Dorothy's legacy is carried on by her two loving sons, Anthony R. Vauss (April) and Christopher C. Bembry (Darlene); and

WHEREAS, she will always be remembered as a cherished grandmother to Anthony A. Vauss, Kahliah Vauss, Destiny Bembry, Majid Bembry, RaQuil Bembry, and great-grandmother to Anthony A. Vauss "III"; and

WHEREAS, Dorothy will be dearly missed by her surviving sister Flora Sweeper (Dennis), and brothers, Hassan, and Johnny Jr.; and

WHEREAS, in addition to her immediate family, Dorothy leaves behind a host of nieces, nephews, as well as her extended family of adopted grandchildren; and

WHEREAS, Dorothy's legacy will forever be cherished by her children, who rise and call her blessed. Her family, and all who were touched by her love join in praising her remarkable qualities - a testament to her enduring impact and the depth of her love and care; and

WHEREAS, May Dorothy Jean Vauss's memory be a source of comfort and strength to all who knew and loved her. Her legacy will forever endure within our hearts:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington hereby mourns the loss of Dorothy Jean Vauss, beloved mother of the Honorable Mayor Tony Vauss and offers its sincerest condolences to her family and friends during this period of bereavement; and

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of this governing body as a lasting tribute to Dorothy Jean Vauss.

Adopted
Absent: Evans

Cox – Hudley 3. Authorize Use of Public Buildings as Polling Places for the 2024 Special Primary Election on July 16, 2024 and Special General Election on September 18, 2024

BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, NEW JERSEY that the following public buildings are hereby authorized for election purposes for the **Special Primary and Special General Elections** during the year 2024:

WARD	DISTRICT	LOCATION
East	2 & 3	Shelter House, Parkway Playground
East	4	Grove Street Firehouse

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West 3 Wagner Place Fire House

West 8 Shelter House, 40th Street Playground

Adopted
Absent: Evans

Frederic – Hudley 4. Amend DA 23-1127-28 Accepting Funding from Community Services Block Grant (CSBG) - Due to an Increase in Funding – Total Grant Allocation \$414,000.00

**AMENDMENT TO RESOLUTION DA 23-1127-28 ADOPTED ON November 27, 2023.
RESOLUTION ACCEPTING FUNDING FROM COMMUNITY SERVICES BLOCK GRANT (CSBG)**

WHEREAS, Irvington Neighborhood Improvement Corporation seeks to amend resolution number DA 23-1127-28 due to an increase in funding.

WHEREAS, The County of Essex, acting through its Department of Citizens Services, Division of Community Action through the Community Services Block Grant (CSBG) proposes to enter into a sub grant agreement with Irvington Neighborhood Improvement Corporation to service the low-income poverty constituents of Essex County for the contract price of \$105,000.00 during the 2024 program year of January 1, 2024–December 31, 2024, which has been amended to \$414,000.00.

WHEREAS, said grant agreement has been negotiated and approved by the County Executive of Essex County and to the Board of County Commissioners for Its approval; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington be and hereby authorized to execute a Grant Agreement with the Essex County Division of Community Action as sub-recipient of Community Services Block Grant funds in the amount of \$414,000.00.

BE IT FURTHER RESOLVED that the Township of Irvington does hereby accept the award of \$414,000.00 for such activities.

Adopted
Absent: Evans

Hudley – Vick 5. Ratify and Approve the Provision of Lead Safe Irvington Program Funds in the Amount Not to Exceed \$11,650.00 for 19 Ruth Street – Optimum Environmental Solutions

RESOLUTION FOR LEAD SAFE IRVINGTON PROGRAM

WHEREAS, the Township of Irvington has been awarded Office of Lead Hazard Control and Healthy Homes (OLHCHH) funds by the Department of Housing and Urban Development (HUD) and it has obligated funds for the purpose of financing its LEAD SAFE Irvington 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 19 Ruth Street, Irvington, New Jersey, 07111 is eligible to receive assistance through the LEAD SAFE Irvington Program per the Township’s policies and procedures; and

WHEREAS the Contractor selected through a competitive BID to perform the Remediation work is **Optimum Environmental Solutions** 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 23-0710-21 and (3) three contractors EnviroScience Solutions LLC and Absolute JM Services LLC and Optimum Environmental Solutions provided quotes for the required work (1) one contractor A-Arcalenz submitted a signed “Decline to Bid Form.”

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 LEAD SAFE Irvington funds to the applicant(s) in the amount not to exceed \$11,650.00 for a period of affordability of five (5) years; and

BE IT FURTHER RESOLVED that the aforesaid funds of \$11,650.00 will be disbursed in one (1) installment in the amount of \$11,650.00 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 the premises known as, 19 Ruth Street and owned by homeowner Precious Arthurs; 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/OLHCHH 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. C24-0080 in the amount of \$11,650.00 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. G-02-XX-716-19A-251 in the amount of \$11,650.00.

Adopted
Absent: Evans

~~6. Authorize Cancellation and Refund of Various Tax Sale Certificates – Fundality~~
~~2023 LLC [5-20-24 REMOVED BY ADMINISTRATION AT CAUCUS~~
~~MEETING]~~

Resolution Authorizing Cancellation and Refund of Tax Sale Certificates

WHEREAS, the following Certificates of Sale were issued to FUNDPALITY 2023 LLC for delinquent taxes at a Tax Sale held on December 18, 2023:

<u>Certificate Number</u>	<u>Block</u>	<u>Lot</u>	<u>Property Address</u>
23-00487	162	35.02	449 21 st Street
23-00488	162	35.03	453 21 st Street
23-00489	163	2.01	458 21 st Street
23-00490	163	2.02	454 21 st Street

; and

WHEREAS, the township of Irvington became the lienholder of four 2017 certificate of sales, described herein, due to a lien cancellation agreement; and

WHEREAS, by the way of evidence, FUNDPALITY 2023 LLC is eligible for the following amounts that should be canceled and refunded due to prior lien cancellation agreement:

<u>Certificate Number</u>	<u>Block</u>	<u>Lot</u>	<u>Property Address</u>	<u>Refund Amount</u>
23-00487	162	35.02	449 21 st Street	\$3395.80
23-00488	162	35.03	453 21 st Street	\$7,066.36
23-00489	163	2.01	458 21 st Street	\$7,066.36
23-00490	163	2.02	454 21 st Street	\$7,066.36

; and

WHEREAS, the Tax Collector requests to refund the lienholder, FUNDPALITY 2023 LLC, the charges, along with interest on liens, in the amount of \$24,594.88 and premiums in the amount of \$1,100.00; and

WHEREAS, the Tax Collector requests to add all canceled taxes for 2022 and 2023 in the amount of \$33,979.21 as subsequent charges to the 2017 tax sale certificates as follows:

<u>Certificate Number</u>	<u>Block</u>	<u>Lot</u>	<u>Property Address</u>	<u>Subsequent Amount</u>
17-00687	162	35.02	449 21 st Street	\$6,087.46
17-00688	162	35.03	453 21 st Street	\$9,297.25
17-00689	163	2.01	458 21 st Street	\$9,297.25
17-00690	163	2.02	454 21 st Street	\$9,297.25.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Tax Collector is authorized and directed to:

1. Cancel the aforementioned 2023 Certificates of Sale
2. Refund the lienholder, FUNDPALITY 2023 LLC, the charges paid for the purchase of liens in the amount of \$24,594.88 and premiums in the amount of \$1,100.00
3. Add 2022 and 2023 subsequent taxes in the amount of \$33,979.21 as subsequent charges to the 2017 municipal liens.

~~7. Authorize Cancellation and Refund of Tax Sale Certificate # 15-01094 on 42 Coit Street and Tax Sale Certificate # 15-01097 on 934 Clinton Avenue~~
[5-20-24 REMOVED BY ADMINISTRATION AT CAUCUS MEETING]

Resolution Authorizing Cancellation and Refund of Tax Sale Cert# 15-01094 on 42 Coit St and Tax Sale Cert# 15-01097 on 934 Clinton Ave

WHEREAS, Certificate of Sale #15-01094 and #15-01097 were issued to FTA FINANCIAL LLC for delinquent charges on Block 201 Lot 2 and Block 201 Lot 8, commonly known as 42 Coit St. and 934 Clinton Ave respectively, at a Tax Sale held on December 21, 2015; and

WHEREAS, Certificate of Sale #15-01094 and #15-01097 have been deemed erroneously sold due to \$25.00 balances on the 2015 SID charges; and

WHEREAS, due to the invalid tax lien certificates sold, the Tax Collector requests to cancel Certificate of Sale #15-01094 and #15-01097 that were issued to FTA FINANCIAL LLC on said parcels; and

WHEREAS, the Tax Collector requests to refund tax sale certificate # 15-01094 and #15-01097 in the amount of \$25.02 per certificate, plus recording fees in the amount of \$33.00 per certificate to FTA FINANCIAL LLC, 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 # 15-01094 and #15-01097 in the total amount of **\$116.04** to FTA FINANCIAL LLC and change lien account status to canceled.

~~8. Cancel Tax Sale Certificate #23-00457 and Refund Lienholder Trystone Capital Asset LLC Block 151 Lot 28, 215 21st Street – \$6,356.56~~

[[5-20-24 REMOVED BY ADMINISTRATION AT CAUCUS MEETING]

Resolution to Cancel Tax Sale Certificate #23-00457 and Refund Lienholder Trystone Capital Asset LLC Block 151 Lot 28, 215 21st Street

WHEREAS, Certificate of Sale #23-00457 was issued to Trystone Capital Asset LLC for delinquent taxes at a Tax Sale held on December 18, 2023; and

WHEREAS, the Tax Collector requests permission to cancel and refund Certificate of Sale #23-00457; and

WHEREAS, the property located at 215 21st St., on Block 151 Lot 28, was erroneously assessed with a building assessment; and

WHEREAS, the property, by way of evidence of the tax assessor's records, is vacant land which; and

WHEREAS, the Tax Collector requests to refund the lienholder, Trystone Capital Asset LLC, the lien in the amount of \$6,356.56.

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:

1. Cancel Certificate of Sale #23-00457 and
2. Issue a refund in the amount of \$6,356.56 to lienholder, Trystone Capital Asset LLC.

~~9. Refund Sewer Overpayment on Block 15 Lot 36, 429 Chapman Street – \$328.61~~
[5-20-24 REMOVED BY ADMINISTRATION AT CAUCUS MEETING]

**Resolution to Refund Sewer Overpayment
on Block 15 Lot 36, 429 Chapman St.**

WHEREAS, Certificate of Sale #23-00033 was issued to FIG 20, LLC for delinquent sewer charges on Block 15 Lot 36 commonly known as 429 Chapman St, at a Tax Sale held on December 18, 2023; and

WHEREAS, Certificate of Sale #23-00033 was erroneously sold on Block 15 Lot 36 commonly known as 429 Chapman St., due to a misapplied sewer payment received on 11/13/2023 in the amount of \$191.04; and

WHEREAS, due to the erroneous sewer lien sold on Block 15 Lot 36, the taxpayer Rubens Clitus redeemed Certificate of Sale #23-00033 on 2/7/2024 in the amount of \$328.61; and

WHEREAS, due to the erroneous sewer lien certificate sold, the Tax Collector requests to refund the sewer overpayment in the amount of \$328.61 to the taxpayer, Rubens Clitus; 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 refund the sewer overpayment in the amount of **\$328.61** to the taxpayer, Rubens Clitus.

- Cox – Vick 10. Authorize Emergency Temporary Appropriation #4 to Extend the Calendar Year 2024 Temporary Municipal Budget

<u>APPROPRIATIONS WITHIN "CAPS"</u>	
	<u>CY-24</u>
	<u>Emerg Budget #4</u>
Mayor's Office:	
<u>OFFICE OF THE TOWNSHIP CLERK</u>	
Township Clerk's Office:	
Salaries and Wages	-
Other Expenses	-
Elections:	
Salaries and Wages	-
Other Expenses	109,500.00
Council's Office:	
Salaries and Wages	-
Other Expenses	-
Board of Adjustment:	

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Salaries and Wages	-
Other Expenses	-
Rent Leveling Board:	-
Salaries and Wages	-
Other Expenses	-
Total Office of the Township Clerk	109,500.00
Total Operations Within "CAPS"	109,500.00
Total Appropriations Within "CAPS"	109,500.00
<u>APPROPRIATIONS EXCLUDED from "CAPS"(continue)</u>	-
State Summer Food Program	490,398.65
National Opioid Settlement Funds	561,940.64
Total Grants	1,052,339.29
Total Operations Excluded from "CAPS"	1,052,339.29
Total Appropriations Excluded from "CAPS"	1,052,339.29
Total General Appropriations	1,161,839.29

-

Adopted
Absent: Evans

Frederic – Brown 11. Authorize a Fair and Open Professional Services Contract for Architectural Services for the Irvington Outdoor Education Center in Readington - The Musial Group, PA - \$ 233,885.00

RESOLUTION AUTHORIZING A FAIR AND OPEN PROFESSIONAL SERVICES CONTRACT FOR ARCHITECTURAL SERVICES FOR THE IRVINGTON OUTDOOR EDUCATION CENTER, READINGTON, NEW JERSEY

WHEREAS, a Request for Proposals for architectural services for the Irvington Outdoor Education Center, Readington, New Jersey was publicly advertised in the New Jersey Star Ledger with a deadline for proposals to be submitted on March 13, 2024; and

WHEREAS, the Request for Proposals expired on May 13, 2024 and the vendor agreed to extend their proposal for an additional 30 days; and

WHEREAS, one proposal for this project was received and publicly opened by the Purchasing Agent and the Municipal Clerk; and

Whereas said proposal was referred to the Township Engineer; and

Whereas, the Township Engineer has recommended an award of this professional services should be made to the following firm based on their proposal for an amount not to exceed \$ 233, 885.00.

The Musial Group, PA
191 Mill Lane
Mountainside, NJ 07902

NOW, THEREFORE, BE IT RESOLVED BY MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a professional services contract be awarded to The Musial Group, PA, 191 Mill Lane, Mountainside, NJ 07902 to provide architectural services for the Irvington Outdoor Education Center, on the basis of their response to the request for proposals selection criteria and qualifications for an amount not to exceed \$ 233,885.00; and

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:34-5.2, the required Certificate of Availability of Funds No. C24-0054 for the above work has been obtained from the Chief Financial Officer of the Township of Irvington and the appropriation to be charged for this expenditure is in the amount of \$ 233,885.00.00 is Account G-02-xx-869-22A-299.

Adopted
Absent: Evans

Vick – Brown 12. Authorize the Execution of a Redevelopment and Land Disposition Agreement with 61-79 Twenty Second Urban Renewal, LLC for the Redevelopment of Property Identified as Block 148, Lots 28, 29, 30, 31, 32, 33, 34 and 35 - 61-79 22nd Street

RESOLUTION OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AND LAND DISPOSITION AGREEMENT WITH 61-79 TWENTY SECOND URBAN RENEWAL, LLC FOR THE REDEVELOPMENT OF PROPERTY IDENTIFIED AS BLOCK 148, LOTS 28, 29, 30, 31, 32, 33, 34 AND 35 ON THE TAX MAPS OF THE TOWNSHIP AND IDENTIFIED IN THE TOWNSHIP TAX RECORDS AS 61-79 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 Township is the owner of certain properties within the Redevelopment Area designated as Block 166, Lots 30, 31, 33, 34 & 35 and identified in the Township tax records, respectively, as 71 22nd Street, 69 22nd Street, 65 22nd Street, 63 22nd Street and 61 22nd Street (the “**Township Parcels**”); and

WHEREAS, 61-79 Twenty Second Urban Renewal, LLC (the “**Redeveloper**”) and its Affiliates are the owners of certain properties within the Redevelopment Area designated as Block 148, Lots 28, 29 & 32 and identified in the Township tax records, respectively, as 77-79 22nd Street, 73-75 22nd Street and 67 22nd Street (the “**Redeveloper Parcels**”, together with the Township Parcels, the “**Property**”); and

WHEREAS, the Redeveloper has submitted to the Township its plans for the acquisition of the Township Parcels, the assemblage of the Property, and the development, financing, construction, implementation, and cohesive redevelopment of the Property with a five (5) story multi-family, residential building with sixty-two (62) market-rate residential units (comprised of four (4) three-bedroom units, twenty-one (21) two-bedroom units and thirty-seven (37)

one- bedroom units) and 56 off-street parking (including 10 EV parking spaces) and 10 on-street parking spaces, the repair and/or replacement of the sidewalk frontage on the Property, off-street parking and certain other on-site and offsite improvements (collectively, 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, 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 Redeveloper has requested that the Township, in its capacity as redevelopment entity, enter into negotiations for a Redevelopment Agreement and, if deemed applicable and appropriate, a Financial Agreement, as may be applicable or appropriate for the redevelopment of the Property (each an “**Agreement**”); 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, 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

REDEVELOPMENT AND LAND DISPOSITION AGREEMENT

Adopted
Absent: Evans

Vick – Brown 13. Authorize the Execution of a Redevelopment Agreement with 900 Grove Street, LLC for the Redevelopment of Property Identified as Block 206, Lot 11 - 900-906 Grove Street

RESOLUTION OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT WITH 900 GROVE STREET, LLC FOR THE REDEVELOPMENT OF PROPERTY IDENTIFIED AS BLOCK 206, LOT 11 ON THE TAX MAPS OF THE TOWNSHIP AND IDENTIFIED IN THE TOWNSHIP TAX RECORDS AS 900-906 GROVE 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, 900 Grove Street, LLC (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 206, Lot 11, assessed together with additional Lots 12 and 13; and identified in the Township tax records as 900-906 Grove Street (the “**Property**”); and

WHEREAS, the Redeveloper has submitted to the Township its plans for the design, development, financing, construction and maintenance of a thirty (30) unit multi-family building with approximately ±50 parking spaces, including ground-level parking and stacked parking spaces (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, 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 Redeveloper has requested that the Township, in its capacity as redevelopment entity, enter into negotiations for a Redevelopment Agreement and, if deemed applicable and appropriate, a Financial Agreement, as may be applicable or appropriate for the redevelopment of the Property (each an “Agreement”); 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, 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.

(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

REDEVELOPMENT AGREEMENT

Adopted
Absent: Evans

Vick – Brown 14. Designate Irvington Redevelopment 2022 LLC as Redeveloper for the Redevelopment of Certain Property Identified as Block 166, Lot 25 on the Official Tax Maps of the Township and Identified In The Township Tax Records As 473 21st Street; and Authorizing the Execution of a Redevelopment and Land Disposition Agreement and the Transfer of the Property

RESOLUTION OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON IN THE COUNTY OF ESSEX, NEW JERSEY, DESIGNATING IRVINGTON REDEVELOPMENT 2022 LLC AS REDEVELOPER FOR THE REDEVELOPMENT OF CERTAIN PROPERTY IDENTIFIED AS BLOCK 166, LOT 25 ON THE OFFICIAL TAX MAPS OF THE TOWNSHIP AND IDENTIFIED IN THE TOWNSHIP TAX RECORDS AS 473 21ST STREET; AND AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AND LAND DISPOSITION AGREEMENT AND THE TRANSFER OF THE PROPERTY IN CONNECTION THEREWITH

WHEREAS, the Municipal Council (the “**Township Council**”) of the Township of Irvington (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, in accordance with the Redevelopment Law, on July 14, 2015, by Resolution No. UEZ 15-0714-11, the Township Council adopted a resolution designating the entire Township as an area in need of rehabilitation (the “**Rehabilitation Area**”); and

WHEREAS, on August 11, 2015, the Township Council duly adopted Ordinance MC. 3549, enacting a redevelopment plan for the Rehabilitation Area entitled the *Township-Wide Area in need of Rehabilitation Redevelopment Plan* (the “**Redevelopment Plan**”), pursuant to the Redevelopment Law and in accordance with the procedures set forth therein; and

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

WHEREAS, pursuant to the Redevelopment Law, including Section 8 thereof (*N.J.S.A. 40A:12A-8*), a municipality is permitted to contract with a redeveloper to undertake redevelopment projects pursuant to a redevelopment plan within the area designated in that plan; and

WHEREAS, the Township is the owner of certain property located within the Rehabilitation Area, which property is identified as Block 166, Lot 25 on the official tax maps of the Township and identified in the Township tax records as 473 21st Street (the “**Property**”); and

WHEREAS, Irvington Redevelopment 2022 LLC (the “**Redeveloper**”) has submitted to the Township its plans for the acquisition of the Property, and the design, development, financing, rehabilitation and maintenance thereon of the existing vacant and dilapidated residential structure and certain other on-site and offsite improvements (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, 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,

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.

(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. Conveyance of Property Authorized.

(a) The Township Council hereby approves the conveyance of the Property; and authorizes the Mayor, upon the execution of the Redevelopment Agreement, in accordance with the terms of Section 2(a) hereof, to execute a deed conveying the Property to Redeveloper, together with any other necessary documents and/or agreements between the Redeveloper and the Township, subject to modification or revision in consultation with counsel, deemed necessary or desirable to effectuate same. Said authorization includes delivery of the deed to the Property and any and all associated documents required to effectuate the conveyance of the Property.

(b) The Mayor and other necessary city officials and professionals are each hereby authorized and directed to execute and deliver such documents as are necessary to facilitate the transactions contemplated hereby and in the Redevelopment Agreement, and to take such actions or refrain from such actions as are necessary to facilitate the transactions contemplated hereby, in consultation with, as applicable, counsel to the Township, and any and all actions taken heretofore with respect to the transactions contemplated hereby are hereby ratified and confirmed.

(c) Upon the execution of the deed, together with any other necessary documents and/or agreements between the Redeveloper and the Township, in accordance with the terms of Section 3(a), the Municipal Clerk is hereby authorized and directed to attest to the signature of the Mayor upon such documents and is hereby further authorized and directed to affix the corporate seal of the Township upon such documents.

Section 4. 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 5. Availability of the Resolution. A copy of this resolution shall be available for public inspection at the office of the Municipal Clerk.

Section 6. Effective Date. This resolution shall take effect immediately.

Exhibit A

REDEVELOPMENT AND LAND DISPOSITION AGREEMENT

Adopted
Absent: Evans

Vick – Brown 15. Authorize the Execution of Property Exchange Agreement Exchanging Township-Owned Property for Privately-Owned Property Within the East Ward/East Springfield Avenue Redevelopment Area – ZMN

RESOLUTION OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON AUTHORIZING THE EXECUTION OF PROPERTY EXCHANGE AGREEMENT EXCHANGING TOWNSHIP-OWNED PROPERTY FOR PRIVATELY-OWNED PROPERTY WITHIN THE EAST WARD/EAST SPRINGFIELD AVENUE REDVELOPMENT AREA

WHEREAS, the Municipal Council (the “**Township Council**”) of the Township of Irvington (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, the “**Redevelopment Plan**”) for the Redevelopment Area; and

WHEREAS, the Township is the owner of certain property located within the Redevelopment Area, which property is designated on the official tax maps of the Township and identified in the Township tax records as Block 148, Lot 24, located at 89 22nd Street within the Township (the “**Township Parcel**”);

WHEREAS, ZMN Irvington, LLC (“**ZMN**”) is the owner of certain property located within the Redevelopment Area, which property is designated on the official tax maps of the Township and identified in the Township tax records as Block 147, Lot 15, located at 100 22nd Street, and as Block 147, Lot 38, located at 22 20th Avenue, both within the Township (the “**ZMN Parcels**,” and together with the Township Parcel, the “**Properties**”); and

WHEREAS, the ZMN parcels are situated upon the site of a proposed redevelopment, the advancement of which would be facilitated by the Township’s acquisition of the ZMN Parcels; and

WHEREAS, the acquisition of the Township Parcel by the Redeveloper would facilitate a redevelopment project envisioned by the Redeveloper involving property that lies directly contiguous with the Township Parcel; and

WHEREAS, the Township and ZMN recognize the mutual benefit of a proposed exchange of the Township Parcel for the ZMN Parcel, in order to facilitate the successful substantial redevelopment of a substantial amount of property within the Redevelopment Area,

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. Execution of Property Exchange Agreement Authorized.

(m) The Mayor is hereby authorized to execute the Property Exchange 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.

(n) The Municipal Clerk is hereby authorized and directed, upon the execution of the Property Exchange 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.

(o) Upon the execution and attestation of the Property Exchange 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 thereof.

(p) Upon execution of the Property Exchange Agreement, the Township is authorized to duly pursue the transaction contemplated therein for the purposes recited herein.

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

PROPERTY EXCHANGE AGREEMENT

Adopted
Absent: Evans

Vick – Brown 16. Authorize the Execution of an Escrow Agreement with Oak Street Health
MSO, LLC for the Redevelopment of Property Identified as Block 33, Lot 13 -
1106-1110 Springfield Avenue

**RESOLUTION OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF
IRVINGTON AUTHORIZING THE EXECUTION OF AN ESCROW AGREEMENT
WITH OAK STREET HEALTH MSO, LLC FOR THE REDEVELOPMENT OF
PROPERTY IDENTIFIED AS BLOCK 33, LOT 13 ON THE TAX MAPS OF THE
TOWNSHIP AND IDENTIFIED IN THE TOWNSHIP TAX RECORDS AS 1106-1110
SPRINGFIELD AVENUE**

WHEREAS, the Municipal Council (the “**Township Council**”) of the Township of Irvington (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, pursuant to the Redevelopment Law, on July 14, 2015, by Resolution No. UEZ 15-0714-11 the Township Council designated the entire Township as an area in need of rehabilitation (the “**Rehabilitation Area**”); and

WHEREAS, on August 11, 2015, the Township Council duly adopted Ordinance No. MC 3549, enacting a redevelopment plan for the Rehabilitation Area entitled the *Township-Wide Area in need of Rehabilitation Redevelopment Plan* (the “**Redevelopment Plan**”), pursuant to the Redevelopment Law and in accordance with the procedures set forth therein; and

WHEREAS, to realize the redevelopment of Rehabilitation Area, the Township determined to exercise the powers of redevelopment and serve as the “redevelopment entity” responsible for carrying out redevelopment projects in accordance with the Redevelopment Law; and

WHEREAS, Oak Street Health MSO, LLC (the “**Proposed Redeveloper**”) is the contract lessee of certain property located within the Rehabilitation Area identified on the official tax maps of the Township as Block 33, Lot 13 identified in the Township tax records as 1106-1110 Springfield Avenue (the “**Property**”); and

WHEREAS, proposes to occupy the Property and to redevelop same in accordance with the Redevelopment Plan (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 (each, an “**Agreement**”); and

WHEREAS, the Proposed Redeveloper has agreed to defray certain costs incurred by or on behalf of the Township arising out of or in connection with the redevelopment of the Project; and

WHEREAS, the Township and the Proposed Redeveloper wish to enter into an escrow and funding agreement establishing the mechanism for the deposit and disposition of funds to cover the Township’s costs,

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. Execution of Agreement. The Township Council hereby authorizes the Mayor to execute the escrow and funding agreement substantially in the form attached hereto as Exhibit A, with such changes, deletions, and modifications in consultation with counsel as may be necessary or desirable to effect the transaction contemplated by this resolution. However, neither the adoption of this resolution, nor the execution of the escrow and funding agreement authorized hereby, shall be construed in any way to bind the Township to execute one or more definitive agreements with respect to the Project.

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
Absent: Evans

Vick – Brown 17. Ratify Professional Services Contract for Foreclosure Counsel Services to Obtain Updated Title Searches & Title Insurance for Prior Foreclosed Properties – Goldenberg, Mackler, Sayegh - Not to Exceed \$10,000.00

Ratifying Professional Services Contract for Foreclosure Counsel Services to Obtain Updated Title Searches & Title Insurance for Prior Foreclosed Properties

WHEREAS, resolution number _ OCDP 24-0311-9_ qualified Goldenberg, Mackler, Sayegh as foreclosure counsel for the Township of Irvington from July 1, 2023 to June 30, 2024; and

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

WHEREAS, the Township assigned Goldenberg, Mackler, Sayegh, to represent the Township in the following foreclosure matters to obtain updated title and title insurance: 205 19th Ave.; 207 19th Ave.; 209 19th Ave; 342 17th Ave; 344 17th Ave; 346 17th Ave; 125 W. Allen St.; 107 Linden Ave; 86 Linden Ave.; 200 19th Ave; 25 Grove Terrace; 621 Grove St.; 599 Grove St.; 213 19th Ave; 197 19th Ave; 687 18th Ave; 112 19th Ave.; 350 17th Ave; 650-656 18th Ave; 191 Maple Ave; 486 Nye Ave; 16 Headley Terrace

WHEREAS, the Township Attorney has recommended that a contract be awarded to Goldenberg, Mackler, Sayeih 660 New Road, Suite 1A, Northfield, NJ 08225 for a contract amount not to exceed \$10,000.00 The billing rate shall not exceed \$450.00 per title commitment 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 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 Availability of Funds, certification number C24-0094 was obtained from the Chief Financial Officer and the appropriation to be charged for this expenditure is 4-01-21-180-185-256 in the amount of \$10,000.00.

Adopted
Absent: Evans

Brown – Vick 18. Authorize the Preparation and Issuance of a Request for Proposals for Conveyance and Redevelopment of Certain Township-Owned Properties

RESOLUTION OF THE TOWNSHIP OF IRVINGTON AUTHORIZING THE PREPARATION AND ISSUANCE OF A REQUEST FOR PROPOSALS FOR CONVEYANCE AND REDEVELOPMENT OF CERTAIN TOWNSHIP-OWNED PROPERTIES

WHEREAS, the Municipal Council (the “**Township Council**”) of the Township of Irvington (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, in accordance with the Redevelopment Law, on July 14, 2015, by resolution No. UEZ 15-0714-11, the Township Council adopted a resolution designating the entire Township as an area in need of rehabilitation (the “**Rehabilitation Area**”); and

WHEREAS, on August 11, 2015, the Township Council duly adopted Ordinance MC. 3549, enacting a redevelopment plan for the Rehabilitation Area entitled the *Township-Wide Area in need of Rehabilitation Redevelopment Plan* (the “**Redevelopment Plan**”), pursuant to the Redevelopment Law and in accordance with the procedures set forth therein; and

WHEREAS, to realize the redevelopment of Rehabilitation Area, the Township determined to exercise the powers of redevelopment and serve as the “redevelopment entity” responsible for carrying out redevelopment projects in accordance with the Redevelopment Law; and

WHEREAS, the Township is the owner of certain properties within the Rehabilitation Area identified on the official tax maps of the Township and identified in the Township tax records as:

BID #	PROP #	BLOCK	LOT	PROP LOCATION	PROP TYPE
1	Pkg 1	131	13	205 19TH AVE	Vacant Land
		131	12	207 19TH AVE	Vacant Land
		131	11	209 19TH AVE	Vacant Land
2	Pkg 2	149	20	342 17TH AVE	Vacant Land
		149	19	344 17TH AVE	Vacant Land

		149	18	346 17TH AVE	Vacant Land
3	1	42	8	125 W. ALLEN ST.	1 Family
4	2	79	78	107 Linden Avenue	1 Family
5	3	84	24	86 Linden Avenue	1 Family
6	4	122	36	200 19TH AVE	Vacant Land
7	5	122	17	25 Grove Terrace	Vacant Land
8	6	126	26	621 Grove Street	1 Family/Bar
9	7	127	24	599 Grove Street	Vacant Land
10	8	131	9	213 19TH AVE	Vacant Land
11	9	131	16	197 19TH AVE	Vacant Land
12	10	140	11	687 18TH AVE	Vacant Land
13	11	143	15	112 19TH AVE	Vacant Land
14	12	149	17	350 17TH AVE	Vacant Land
15	13	154	38	656 18TH AVE	Vacant Land
16	14	219	35	191 Maple Avenue	2 Family
17	15	220	18	486 Nye Avenue	2 Family
18	16	374	28	16 Headley Terrace	2 Family
				22 Total	

WHEREAS, the Township desires to prepare and circulate a Request for Proposals for the purpose of identifying prospective redevelopers interested in redeveloping the Property pursuant to the Redevelopment Plan and Request for Proposals.

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

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

Section 2. The Township Council hereby approves the Request for Proposals in the form attached hereto as **Exhibit A**, together with such additions, deletions, and other modifications as deemed necessary or desirable by the Township, upon consultation with the Township redevelopment counsel and planner (the “**RFP**”), and hereby authorize and direct the Office of Community Development and Planning, Business Administrator and the Township’s redevelopment counsel and planner to finalize and distribute the RFP to prospective redevelopers and others interested in the redevelopment of the Property.

Section 3. The Office of Community Development and Planning, Business Administrator, other Township officials, and the Township’s redevelopment counsel and planner are hereby further authorized and directed to take any action necessary to effectuate the transaction contemplated by this resolution and the RFP.

Section 4. This resolution shall take effect in accordance with applicable law.

EXHIBIT A

Form of Request for Proposals

Adopted
Absent: Evans

Vick – Brown 19. Ratify Professional Services Contract for Foreclosure Counsel Services to Obtain Updated Title Searches & Title Insurance for Prior Tax Lien Property - 853-855 Grove Street Block 132 Lot 6.01 - Goldenberg, Mackler, Sayegh - Not to Exceed \$2,000.00

Ratifying Professional Services Contract for Foreclosure Counsel Services to Obtain Updated Title Searches & Title Insurance for Prior Tax Lien Property

WHEREAS, resolution number _OCDP 24-0311-9_ qualified Goldenberg, Mackler, Sayegh as foreclosure counsel for the Township of Irvington from July 1, 2023 to June 30, 2024; and

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

WHEREAS, the Township assigned Goldenberg, Mackler, Sayegh, to represent the Township in the following matter to obtain updated title and title insurance: 853-855 Grove Street Block 132 Lot 6.01

WHEREAS, the Township Attorney has recommended that a contract be awarded to Goldenberg, Mackler, Sayeih 660 New Road, Suite 1A, Northfield, NJ 08225 for a contract amount not to exceed \$2,000.00 The billing rate shall not exceed \$ 450.00 per title commitment 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 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 Availability of Funds, certification number C24-0095 was obtained from the Chief Financial Officer and the appropriation to be charged for this expenditure is 4-01-21-180-185-256 in the amount of \$2,000.00.

Adopted
Absent: Evans

Brown – Hudley 20. Award a Bid for Solar Powered Trash Compactor Bins and Non-Compacting Recycling Bins - Big Belly Solar LLC - Not to Exceed \$68,697.75

RESOLUTION AWARDING A BID FOR SOLAR POWERED TRASH COMPACTOR BINS AND NON-COMPACTING RECYCLING BINS

WHEREAS, sealed bids were received on March 20, 2024 for the purchase of solar powered trash compactor bins and Non-Compacting Recycling bins to published advertisement for bids in the New Jersey Star Ledger on February 27, 2024; and

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

WHEREAS, said bid was referred to the Public Works Director for recommendation to the Municipal Council; and

WHEREAS, the Public Works Director has recommended that the award should be made to lowest bidder Big Belly Solar LLC of 150 A Street, suite 103, Needham, MA 02494 for an amount not to exceed \$68,697.75; and

BE IT FURTHER RESOLVED, the Municipal Clerk is hereby authorized the return the bid bonds to the unsuccessfully bidders; and

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

BE IT FURTHER RESLOVED that the required certification of availability of C24-0029 in the amount of \$68,697.75 from account number 4-01-32-465-465-118 has been obtained from the Chief Financial Officer.

Adopted
Absent: Evans

Brown – Hudley 21. Authorize a Contract With Sourcewell Coop Vendor Jet Vac Equipment LLC for the Purchase of One New 900-Eco 12 Yard Truck Mounted Combination Sewer Cleaner for Department of Public Works - \$571,861.68

RESOLUTION AUTHORIZING A CONTRACT WITH SOURCEWELL COOP VENDOR JET VAC EQUIPMENT LLC FOR THE PURCHASE OF ONE NEW 900-ECO 12 YARD TRUCK MOUNTED COMBINATION SEWER CLEANER FOR DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Township of Irvington became a member of Source Well National Co-operative purchasing by resolution number DPW 22-1212-39; and

WHEREAS, the Township of Irvington, pursuant to N.J.S.A. 40A:11-12a 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; and

WHEREAS, the cost savings determination is on file and now part of this contract; and

WHEREAS, Pursuant to, N.J.S.A. 52:34 6.2, all procurement forms has been submitted to the Qualified Purchasing Agent and is now part of this contract; and

WHEREAS, Pursuant to, N.J.S.A. 52:34 6.1, a notice of intent/Legal notice for this purchase was advertised in the New Jersey Start Ledger on May 01, 2024 and no comments were submitted by deadline date of May 15, 2024; and

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WHEREAS, the Department of Public Works wishes to purchase one (1) new 900-ECO 12 Yard Truck Mounted Combination Sewer Cleaner through Jet Vac Equipment LLC located at 1590 Dutch Road, Dixon, IL 61021 under Source well contract number contract number RFP101221 for a total amount not to exceed \$571,861.68; and

NOW, THEREFORE, BE IT RESLOVED, that the Municipal Council of the Township of Irvington hereby authorizes the Qualified Purchasing Agent to enter into a contract with Jet Vac Equipment LLC located at 1590 Dutch Road, Dixon, IL 61021 for an amount not to exceed \$571,861.68 under the Source Well Contract number contract number RFP101221; and

BE IT FURTHER RESLOVED that the required certification of availability of funds C23-0195 in the amount of \$571,861.68 has been obtained from the Chief Financial Officer, charged to account number G-02-xx-912-21A-219; and

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

Adopted
Absent: Evans

Cox – Brown 22. Contract With Sourcewell Coop Vendor Enterprise Fleet Management for the Purchase of Fleet Management Service for the Irvington Police Department - Enterprise Fleet Management - \$383,500.00

**RESOLUTION AUTHORIZING A CONTRACT WITH SOURCEWELL COOP VENDOR
ENTERPRISE FLEET MANAGEMENT FOR THE PURCHASE OF FLEET
MANAGEMENT SERVICE FOR THE IRVINGTON POLICE DEPARTMENT**

WHEREAS, the Township of Irvington became a member of Source Well National Co-operative purchasing by resolution number DPW 22-1212-39; and

WHEREAS, the Township of Irvington, pursuant to N.J.S.A. 40A:11-12a 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; and

WHEREAS, the cost savings determination is on file and now part of this contract; and

WHEREAS, Pursuant to, N.J.S.A. 52:34 6.2, all procurement forms has been submitted to the Qualified Purchasing Agent and is now part of this contract; and

WHEREAS, Pursuant to, N.J.S.A. 52:34 6.1, a notice of intent/Legal notice for this purchase was advertised in the New Jersey Start Ledger on May 01, 2024 and no comments were submitted by May 15, 2024 deadline; and

WHEREAS, the Department of Police wishes to purchase fleet management service from Enterprise Fleet Management service located at 1550 Route 23 North, Wayne, NJ 07470 under Source well contract number Contract Number: - RFP#030122 for a total amount not to exceed \$383,500.00; and

NOW, THEREFORE, BE IT RESLOVED, that the Municipal Council of the Township of Irvington hereby authorizes the Qualified Purchasing Agent to enter into a contract with Enterprise Fleet Management service of 1550 Route 23 North, Wayne, NJ 07470 for an amount not to exceed \$383,500.00 under the Source Well Contract number Contract Number:- RFP#030122; and

BE IT FURTHER RESLOVED that the required certification of availability of funds C24-0067 in the amount of \$383,500.00 has been obtained from the Chief Financial Officer, charged to account number 4-01-25-240-240-167; and

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

Adopted
Absent: Evans

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 providing for the cancellation of tax overpayments or delinquent amounts of \$10.00 and less will be heard at this time. the clerk will read the notice of hearing.

The Clerk will read the ordinance by title.

AN ORDINANCE PROVIDING FOR THE CANCELLATION OF TAX OVERPAYMENTS OR DELINQUENT AMOUNTS OF \$10.00 AND LESS

WHEREAS, in accordance with N.J.S.A. 40A:5-17.1, “Notwithstanding the provisions of any law to the contrary, the governing body of a municipality may adopt a resolution authorizing a municipal employee to cancel/process, without further action on the part of the governing body, any property tax overpayments or delinquency of less than \$10.00; and

WHEREAS, in an effort to maintain the highest level of fiscal accountability, the Tax Collector must have the ability to cancel/process any tax overpayments and/or delinquencies of less than \$10.00: and

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

SECTION 1. the Tax Collector is hereby authorized to cancel/process any tax overpayments or delinquency less than \$10.00.

SECTION 2. All ordinances inconsistent or in conflict with the provisions of the within ordinance are hereby repealed.

SECTION 3. This Ordinance shall take effect upon final passage and publication according to law.

The public hearing on this ordinance is now open

Frederic – Brown Motion to close public hearing

Adopted
Absent: Evans

Frederic – Brown Motion to adopt this ordinance on second reading after Public Hearing

Adopted
Absent: Evans

2. President Beasley: An ordinance amending and supplementing Section 620-19.1 Parking Too Close To Driveway by adding Chestnut Avenue. For the record, this notice is identical to the prior notice read.

The Clerk will read the ordinance by title.

AN ORDINANCE AMENDING SECTION 620-19.1 OF THE REVISED CODE REGARDING PARKING TOO CLOSE TO A DRIVEWAY BY ADDING CHESTNUT AVENUE BETWEEN BANTA PLACE AND ENS PLACE

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON AS FOLLOWS:

SECTION 1. Section 620-19.1 of the Revised Code of the Township of Irvington is hereby supplemented by adding the following street and location:

Parking too close to driveway.

No person shall park or cause to be parked any type of motor vehicle within four linear feet of the crossover width of a driveway where the driveway meets the carriage way (i.e. the lower section of the driveway, which abuts the street or other public right of way) upon any of the following described streets or parts of streets:

Name of Street

Location

Chestnut Avenue

Between Banta Place and Ens Place

SECTION 2. All ordinances or parts thereof that are inconsistent herewith are hereby repealed.

SECTION 3. This ordinance shall take effect upon final passage and publication according to law.

The public hearing on this ordinance is now open

Beasley – Vick

Motion to close public hearing

Adopted
Absent: Evans

Beasley – Vick

Motion to adopt this ordinance on second reading after Public Hearing

Adopted
Absent: Evans

3. President Beasley: A bond ordinance providing for various capital improvements in and by the Township of Irvington, appropriating \$20,000,000.00 and authorizing the issuance of \$19,000,000.00 bonds or notes of the township to finance part of the cost was scheduled to be adopted at this time.

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL
IMPROVEMENTS IN AND BY THE TOWNSHIP OF IRVINGTON, IN THE
COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$20,000,000
THEREFOR AND AUTHORIZING THE ISSUANCE OF \$19,000,000
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 \$20,000,000, including America Rescue Funds in the amount of \$2,500,000 (the "ARF Funds") for the project described in Section 3(c)(2) and Urban Enterprise Zone funds in the amount of \$432,000 (the "UEZ Funds" and together with the ARF Funds, the "Funds") for the project described in Section 3(c)(10) and further including the aggregate sum of \$1,000,000 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 and in anticipation of receipt of the Funds referred to above, negotiable bonds are hereby authorized to be issued in the principal amount of \$19,000,000 pursuant to the Local Bond Law and the provisions of the Municipal Qualified Bond Act, P.L. 1976, c. 38, as amended. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

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

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
a) <u>Police Department</u>			
1) The acquisition of sport utility vehicles, including all related costs and expenditures incidental thereto.	\$1,575,000	\$1,496,250	5 years

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
2) The acquisition of a plate reader and a mobile camera platform, including all related costs and expenditures incidental thereto.	\$360,000	\$342,000	10 years
3) Jail cell and bathroom repairs, including all work and materials necessary therefor and incidental thereto.	\$622,000	\$590,900	15 years
4) The installation of a heating, ventilation and air-conditioning system at the Police Building, including all work and materials necessary therefore and incidental thereto.	\$95,000	\$90,250	15 years
b) <u>Fire Department</u>			
1) The acquisition of ice machines, including all related costs and expenditures incidental thereto.	\$11,000	\$10,450	15 years
2) The acquisition of personal protective gear, including all related costs and expenditures incidental thereto.	\$570,000	\$541,500	5 years
3) The acquisition of laundry equipment, including all related costs and expenditures incidental thereto.	\$140,000	\$133,000	15 years
4) Grading and paving of a section of the training tower, including all work and materials necessary therefor and incidental thereto.	\$105,000	\$99,750	10 years
5) The installation of fencing at the training tower site, including all work and	\$25,000	\$23,750	10 years

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
materials necessary therefor and incidental thereto.			
6) Repairs to Stations 2, 3 and 4, including all work and materials necessary therefor and incidental thereto.	\$260,000	\$247,000	15 years
7) The acquisition of self-contained breathing apparatus, including all related costs and expenditures incidental thereto.	\$490,000	\$465,500	5 years
8) The acquisition of vehicles, including sport utility vehicles and pick-up trucks and further including all related costs and expenditures incidental thereto.	\$415,000	\$394,250	5 years
<u>c) Department of Public Works</u>			
1) Renovations to the 16 th Avenue garage, including all work and materials necessary therefor and incidental thereto and underground storage tank abandonment or removal, including all environmental work and materials necessary therefore and incidental thereto.	\$2,025,000	\$1,923,750	20 years
2) The construction of a new building at 406 Coit Street, including all work and materials necessary therefor and incidental thereto.	\$3,745,000 (Includes the ARF Funds)	\$3,557,750	30 years
3) The installation of sprinkler systems at various buildings, as more fully described on a	\$335,000	\$318,250	15 years

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<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
list on file in the Office of the Clerk, which list is hereby incorporated by reference as if set forth at length, including all related costs and expenditures incidental thereto.			
4) Renovations to the Union Avenue Building, including all work and materials necessary therefore and incidental thereto.	\$630,000	\$598,500	15 years
5) Repairs to the Town Hall elevator, including all work and materials necessary therefor and incidental thereto.	\$600,000	\$570,000	15 years
6) The acquisition of vehicles, including a sewer trucks, bucket trucks, crane trucks, dump trucks, a utility trucks, electric trucks and yard packer trucks and further including all related costs and expenditures incidental thereto.	\$2,115,000	\$2,009,250	10 years
7) The acquisition of equipment, including a small loader, a large loader, a claw attachment and wheel align lifts and further including all related costs and expenditures incidental thereto.	\$435,000	\$413,250	15 years
8) The installation of electric charging stations, including all work and materials necessary therefor and incidental thereto.	\$50,000	\$47,500	15 years
9) The acquisition of multi-function copiers, including all	\$110,000	\$104,500	5 years

work and materials necessary therefor and incidental thereto.				
10) The acquisition of street sweepers, including all related costs and expenditures incidental thereto.	\$715,000 (Includes the UEZ Funds)	\$679,250	5 years	
d) <u>General Projects</u>				
1) The South 20 th Street Drainage Project, as more fully described on a list on file in the Office of the Clerk, which list is hereby incorporated by reference as if set forth at length, including all work and materials necessary therefor and incidental thereto.	\$435,000	\$413,250	20 years	
2) Park surfacing, as more fully described on a list on file in the Office of the Clerk, which list is hereby incorporated by reference as if set forth at length, including all work and materials necessary therefor and incidental thereto.	\$250,000	\$237,500	10 years	
3) Improvements to the North Union Avenue and Mill Road intersection, including all work and materials necessary therefor and incidental thereto.	\$205,000	\$194,750	10 years	
4) Annual Road resurfacing, as more fully described on a list on file in the Office of the Clerk, which list is hereby incorporated by reference as if set forth at length, including all work and material necessary therefor and incidental thereto.	\$657,000	\$624,150	10 years	

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5) The installation of a guard rail at Cleremont Avenue, including all work and materials necessary therefor and incidental thereto.	\$115,000	\$109,250	10 years
6) Eberhardt Park repairs, including all work and materials necessary therefor and incidental thereto.	\$150,000	\$142,500	15 years
7) Recreation court resurfacing at various locations, as more fully described on a list on file in the Office of the Clerk, which list is hereby incorporated by reference as if set forth at length, including all work and materials necessary therefor and incidental thereto.	\$160,000	\$152,000	10 years
8) Improvements to the Gatling Center roof and floor, including all work and materials necessary therefor and incidental thereto.	\$330,000	\$313,500	15 years
9) Improvements to the 40 th Street running track, including all work and materials necessary therefor and incidental thereto.	\$160,000	\$152,000	10 years
10) Orange Park pool enclosure, including all work and materials necessary therefor and incidental thereto.	<u>\$2,110,000</u>	<u>\$2,004,500</u>	20 years
Totals:	<u>\$20,000,000</u>	<u>\$19,000,000</u>	

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

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. 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 or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

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

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

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Township may lawfully undertake as general

improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 15.97 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 \$19,000,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$3,000,000 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 the Treasury Regulations.

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

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of

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

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable 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.

Vick – Hudley Motion to adjourn final adoption of this ordinance until after approval by the New Jersey Local Finance Board until June 24, 2024

Adopted
Absent: Evans

12. MISCELLANEOUS

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

Doris Sherrill, 35 August Street
Elouise McDaniel, 214 Nesbit Terrace
George Alochukwu, 887 Springfield Avenue
Kathleen Witcher, 14 Garwood Terrace

Robert Shaw, 57 Coit Street

Council President Beasley, Council Member Brown, Council Member Cox, Council Member Dr. Frederic, Council Member Dr. Hudley and Council Member Vick addressed the concerns raised by the above referenced citizens, provided closing remarks and shared upcoming township events.

13. ADJOURNMENT (*Roll Call)

There being no further business, the meeting adjourned at 8:08 P.M.

Jamillah Z. Beasley, Council President

Shawna M. Supel, Municipal Clerk