

TOWNSHIP OF IRVINGTON



MUNICIPAL COUNCIL MEETING MINUTES JUNE 24, 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			

Council President Jamillah Z. 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)

Robert Shaw, 57 Coit Street

5. HEARING OF COUNCIL MEMBERS

There were no requests to be heard.

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

A. Reports

1. 2022 Audit Report
2. Business Administrator Musa Malik – Report of June 6, 2024 Finance Committee
3. Comptroller Audrey Lyon – Report of June 5, 2024 License Committee
4. A/Municipal Court Director Dolly Johnson – Municipal Court Collection Report for May 2024
5. Municipal Court - Weekly Summary Report for the Week of June 3, 2024 to June 7, 2024
6. A/Municipal Court Director Dolly Johnson – Mayor’s Monthly Report for the Month of May 2024
7. Community Development Dept. Rep. Attiya Pennix – Report of the June 5, 2024 Redevelopment Committee Meeting
8. A/Health Director Baffour Asare – Report of June 13, 2024 Ad Hoc Health Committee Meeting
9. Municipal Court - Weekly Summary Report for the Week of June 10, 2024 to June 14, 2024

7. REPORTS OF COMMITTEES

- A. Request for Proposals – Lead Contractor – June 5, 2024
- B. Request for Proposals – Lease of Office Space – June 5, 2024

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 Chapter 397 Article I. Noise Regulations Section 397-4 A (1) Permits For Use of Loudspeakers and Amplifiers Allowing a Permit to be Issued |
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AN ORDINANCE TO AMEND CHAPTER 397 ARTICLE I. NOISE REGULATIONS SECTION 397-4 A (1) PERMITS FOR USE OF LOUDSPEAKERS AND AMPLIFIERS ALLOWING A PERMIT TO BE ISSUED.

An Ordinance Amending Chapter 397 Article I Section 397-4A (1) Permits for Use of Loudspeakers and Amplifiers allowing a Permit to be issued of the Township of Irvington.

BE IT ORDAINED by the Municipal Council of the Township of Irvington as follows: Chapter 397-4A(1) is hereby amended to read as follows:

1. The permits shall specify the dates and hours of the permitted use and activity, which shall not be permitted before the hour of 10:00 a.m. nor after 8:00 p.m. and not permitted on Sundays or religious holidays, except if the holiday is on a Monday and same is in direct connection with a specific celebration or parade.

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

SECTION 1. Chapter 397 Article I Noise Regulations Section 397-4 A (1) Permits for Use of Loudspeakers and Amplifiers Allowing a Permit to be Issued of the Revised Code of the Township of Irvington is hereby amended to permit the use of Loudspeakers and amplifiers on Sundays or religious holidays if the holiday is on a Monday and same is in direct connection with a specific celebration or parade.

SECTION 2. All sections of the Revised Code of the Township of Irvington that are inconsistent or in conflict with the provisions of this Ordinance are hereby repealed to the extent of their inconsistencies.

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

Adopted
Absent: Frederic

Cox – Vick 2. Amend and Supplement Chapter 577 Entitled “Taxation,” Article I, “Tax Abatement Procedures,” Section 577-2, “Application Requirements,” to Include Provisions for Application Fees

MC-2024_____

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 577, OF THE CODE OF THE TOWNSHIP OF IRVINGTON ENTITLED “TAXATION,” ARTICLE I, “TAX ABATEMENT PROCEDURES,” SECTION 577-2, “APPLICATION REQUIREMENTS,” TO INCLUDE PROVISIONS FOR APPLICATION FEES

WHEREAS, the Municipal Council of the Township of Irvington (the “Municipal Council”) has designated certain real property within the Township of Irvington (the “City”) as areas in need of redevelopment (together with any properties so designated after the adoption of this Ordinance, the “Redevelopment Areas”) pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “**Redevelopment Law**”); and

WHEREAS, to effectuate the Township’s aims for encouraging redevelopment of blighted areas and the restoration of deteriorated or neglected property, the Township has granted long-term tax exemptions

pursuant to the Long-Term Tax Exemption Law, N.J.S.A. 40A:12A-1 *et seq.* in exchange for payments in-lieu of ad valorem property taxes pursuant to duly executed financial agreements; and

WHEREAS, the Township seeks a streamlined means of defraying the administrative costs associated with the receipt and processing of required applications for long-term tax exemptions; and

WHEREAS, the Township desires to amend Chapter 577 in order to implement the requirement of a fee to accompany the submission of an application for a long-term tax exemption pursuant to the Redevelopment Law.

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

Section 1. Chapter 577 of the Code of the Township of Irvington is hereby amended as follows (new language **underlined and bolded**; eliminated language **~~bolded~~** and struck through):

§ 577-2 Application Requirements.

Projects shall file an application with the Township that shall include:

- A. A general description of a project for which exemption and abatement is sought;
- B. A legal description of all real estate necessary for the project;
- C. Plans, drawings and other documents as may be required by the governing body to demonstrate the structure and design of the project;
- D. A description of the number, classes and type of employees to be employed at the project site within two years of completion of the project;
- E. A statement of the reasons for seeking tax exemption and abatement on the project, and a description of the benefits to be realized by the applicant if a tax agreement is granted;
- F. An estimate ~~Estimates~~ of the cost of completing such project certified by a qualified architect or engineer;**
- G. A statement showing;
 - (1) The real property taxes currently being assessed at the project site;
 - (2) Estimated tax payments that would be made annually by the applicant on the project during the period of the agreement; and
 - (3) Estimated tax payments that would be made by the applicant on the project during the first full year following the termination of the tax agreement;
- H. If the project is a commercial or industrial structure, a description of any lease agreements between the applicant and proposed users of the project, and a history and description of the users' businesses;
- I. If the project is a multiple dwelling, a description of the number and types of dwelling units to be provided, a description of the common elements or general common elements, and a statement of the proposed initial rentals or sales prices of the dwelling units according to type and of any rental lease or resale restrictions to apply to the dwellings' units respecting low-or moderate-income housing; and

J. The payment of an application fee payable as follows:

(1) Where the cost of completion specified in Paragraph F herein equals \$250,000 or less: 0.5% of the total cost of the improvement.

(2) Where the cost of completion specified in Paragraph F herein is from \$250,001 to \$1,000,000: 1% of the total cost of the improvement.

(3) Where the cost of completion specified in Paragraph F herein is from \$1,000,001 to \$10,000,000: \$12,500.00.

(5) Where the cost of completion specified in Paragraph F exceeds \$10,000,000: \$15,000.00.

~~Such other pertinent information as the governing body may require.~~

K. Such other pertinent information or documentation as the governing body may require.

Section 2. This Ordinance shall take effect immediately.

Adopted
Absent: Frederic

C. Bills & Claims

Cox – Evans 1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD **JUNE 24, 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	\$773,497.77
TOTAL	\$773,497.77

Adopted
Absent: Frederic

Cox – Brown 2. Payrolls

Payroll Date: June 14, 2024

TOTAL	\$2,274,320.24
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Adopted
Absent: Frederic

A. Resolutions

Vick – Brown 1. Treatment Works Approval for 61-79 22nd Street Urban Renewal, LLC Located at 61-79 22nd Street

RESOLUTION FOR A TREATMENT WORKS APPROVAL FOR 61-79 22ND STREET URBAN RENEWAL, LLC LOCATED AT 61-79 22ND STREET

WHEREAS 61-79 22nd Street Urban Renewal, LLC, the developer of the property located at 61-79 22nd Street, also known as Block 148 Lots 28-35, within the Township of Irvington, has applied for a Treatment Works Approval for the construction of a 62 unit, 5-story structure to be constructed on this property; and

WHEREAS, the Planning Board of the Township of Irvington has previously approved this project; and

WHEREAS, the applicant's engineer, Mr. Richard Adelsohn, P.E., of Frank H. Lehr Associates has prepared an engineering report for this project entitled "Proposed Residential Building, 61-79 22nd Street, Township of Irvington, Essex County, New Jersey" prepared by Frank H. Lehr Associates, dated November 30, 2023, revised to 1/26/24 and consisting of 148 pages which indicates that the Township's sanitary sewer has adequate capacity to receive this sewage; and

WHEREAS the requirements of the New Jersey Department of Environmental Protection (NJDEP) require that any project that generates more than 8,000 gallons per day requires a Treatment Works Approval, the first portion of which is to obtain the approval of the owner of the collection system, which in this case is the Township; and

WHEREAS, the Township Engineer has reviewed the above study and concurs in the conclusions in this study and recommends that a Treatment Works Approval be approved for this project.

NOW, THEREFORE, BE IT RESOLVED BY MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a Treatment Works Approval be granted to 61-79 22nd Street Urban Renewal, LLC for the proposed construction of new residential units located at 61-79 22nd Street, also known as Block 148 Lots 28-35, within the Township of Irvington and that the Township Engineer be authorized to endorse this application on behalf of the Township.

Adopted
Absent: Frederic

Hudley – Brown 2. Authorizing A Service Agreement to Repair Sole Source Elgin Pelican Street Sweeper - W.E. Timmerman Co. Inc. - Not to Exceed \$65,000.00

RESOLUTION AUTHORIZING A SERVICE AGREEMENT TO REPAIR SOLE SOURCE ELGIN PELICAN STREET SWEEPER

WHEREAS, Public Works has an Elgin Pelican street sweepers to clean various streets in the Township; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5(1)(d)(d), parts and services can only be purchased from W.E. Timmerman Co. Inc., P.O Box 71, Whitehouse, NJ 08888; and

MINUTES – REGULAR COUNCIL MEETING – JUNE 24, 2024 - PAGE 7

WHEREAS, the Administration would like to request a sole source exemption for parts and service for the street sweepers; and

WHEREAS, the Administration will like to award a sole source contract to W.E. Timmerman Co. Inc., P.O Box 71, Whitehouse, NJ 08888 for an amount not to exceed \$65,000.00

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Irvington in the County of Essex, and State of New Jersey, that Public Works is authorized to purchase parts and services from to W.E. Timmerman Co. Inc., P.O Box 71, Whitehouse, NJ 08888 for an amount not to exceed \$65,000.00.

BE IT FUTHER RESLOVED that the required certification of availability of funds C24-0013 in the amount of \$65,000.00 from account number 4-01-26-290-292-299 has been obtained from the Chief Financial Officer.

Adopted
Absent: Frederic

Cox – Brown 3. Authorize the Purchase of Proprietary Equipment from Groff Tractor New Jersey LLC – Not to Exceed \$50,000.00

RESOLUTION AUTHORIZING THE PURCHASE OF PROPRIETARY EQUIPMENT FROM GROFF TRACTOR NEW JERSEY LLC

WHEREAS, Public Works has a Case Equipment Wheel loader; and

WHEREAS, parts and services and only be purchased from Groff Tractor New Jersey, LLC, 551 North Harding Highway, Vineland, NJ 08360; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5(1)(d)(d), the Township may purchase goods and services without bidding for sole source goods or services; and

WHEREAS, the Administration would like to request a sole source exemption for parts and service for the Case Equipment Wheel Loader; and

WHEREAS, the Administration will like to award a sole source contract to Groff Tractor New Jersey, LLC, 551 North Harding Highway, Vineland, NJ 08360 for an amount not to exceed \$50,000.00

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Irvington in the County of Essex, and State of New Jersey, that Public Works is authorized to purchase the required parts and service from Groff Tractors New Jersey, LLC for an amount not to exceed \$50,000.00.

BE IT FUTHER RESLOVED that the required certification of availability of funds C24-0059 in the amount of \$50,000.00 from account numbers 4-01-28-375-375-299 has been obtained from the Chief Financial Officer.

Adopted
Absent: Frederic

Vick – Hudley 4. Authorize Purchases Under the State of New Jersey Cooperative Purchasing Program Over the Bid Threshold of \$44,000.00

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

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

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

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

Name of Vendor	State Contract Number	Commodity	Amount
AT&T	85016	Telephone Service	\$265,000.00
Pitney Bowes	41258	Postage	\$110,000.00
A.lembo car & Truck	40825	Collision repair	\$90,000.00
Verizon Land Lines	85943	Telephone Service	\$170,000.00
Ricoh USA Inc	40467	Copier	\$100,000.00
Fire Fighter One	T0790/ 17-FLEET-00807	Fire Engine Parts & Equipment	\$190,000.00
Motorola Communications	A83909	Police Radio Equipment	\$100,000.00
SHI International	21-TELE-01360	Computers and Supplies	\$245,000.00
Witmer Public Safety Group	17-Fleet-00767	Ammunition	\$120,000.00
Johnston Communications	<u>22-TELE-40642/</u> <u>23-TELE-45462</u>	Telephone Wiring	\$300,000.00

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

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

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

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

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

Adopted
Absent: Frederic

Hudley – Brown 5. Award a Professional Service Contract for a Land Survey of the Department of Public Works Garage Property at 408 Coit Street - Harbor Consultants - \$9,500.00

RESOLUTION TO AWARD A PROFESSIONAL SERVICES CONTRACT FOR A LAND SURVEY OF THE DEPARTMENT OF PUBLIC WORKS GARAGE PROPERTY LOCATED AT 408 COIT STREET

WHEREAS the Township of Irvington owns and operates a public works facility known as the Coit Street DPW Garage at 408 Coit Street, also known as Block 178 Lot 6; and

WHEREAS the Garage roof has become damaged, and it is planned to replace the existing building and redevelop the site in a more efficient manner and layout to better serve the needs of the Department of Public Works and the public in general; and

WHEREAS the first step in creating a plan for this redevelopment is to prepare a survey of the existing features of the property as well as establish the property line of the site and, in an effort to do so, the Township Engineer prepared and distributed a Request for Quotes (RFQ) to the engineering firms that are part of the annual engineering services contract; and

WHEREAS, in response to the RFQ, 5 quotes were received from the various engineering firms with the quote of Harbor Consultants of Cranford, NJ being the lowest quote at \$ 9,500; and

WHEREAS, the Township Engineer has reviewed these quotes and recommends that professional services contract for this survey be awarded to Harbor Consultants at their quote \$ 9, 500.00.

NOW, THEREFORE, BE IT RESOLVED BY MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a Professional Services Contract for a land survey of the Department of Public Works Garage located at 408 Coit to Harbor Consultants of Cranford NJ at their quoted price of \$ 9,500.00.

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:34-5.2, the required Certificate of Availability of Funds C24-0098 for the above has been obtained from the Chief Financial Officer of the Township of Irvington and the appropriation to be charged for this expenditure is in the amount of \$ 9,500.00 is 4-01-26-290-292-299.

Adopted
Absent: Frederic

Cox – Hudley 6. Authorize Service Contract for Ambulance and Dispatch Services - Robert Wood Johnson Health Network Inc. - August 13, 2024 until August 12, 2029

Authorizing service contract for Ambulance and Dispatch service

WHEREAS, request for proposals for ambulance and dispatch services were publicly advertised in the New Jersey Star Ledger on May 05, 2025 with a deadline for proposals to be submitted on May 29, 2024; and,

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

WHEREAS, the bid were referred to the Public Safety Department for review and it is recommended that the contract should be awarded to the following firm based on evaluation criteria that is most advantageous to the Township:

Robert Wood Johnson Health Network INC
126 Paterson Street, New Brunswick, NJ 08901

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the contract for ambulance and dispatch services be made to Robert Wood Johnson Health Network INC of 126 Paterson street, New Brunswick, NJ 08901 for five (5) years at no cost to the Township. The Township will be charged for prisoner's transport \$350.00 per prisoner and coverage at Pop Warner Game \$350.00 per game; and

BE IT FURTHER RESOLVED, that this contract is for five years, starting on August 13, 2024 until August 12, 2029.

BE IT FURTHER RESOLVED that the Township Attorney is hereby directed to prepare the necessary contracts and the Mayor and Township Clerk is hereby directed to sign the same.

BE IT FURTHER RESOLVED that the required certification of availability of funds for Prisoner Transport and Pop Warner games will be certified upon the adoption of the 2024, 2025, 2026, 2027, 2028, 2029 budgets.

Adopted
Absent: Frederic

Vick – Brown 7. 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 Authorize the Execution of a Redevelopment and Land Disposition Agreement and the Transfer of the Property in Connection

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.

(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. 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: Frederic

Vick – Cox 8. Issue Duplicate Certificate of Sale for 4 Bruen Avenue

RESOLUTION TO ISSUE DUPLICATE CERTIFICATE OF SALE

WHEREAS, the Tax Collector of this municipality has conducted an annual tax sale which is dated **June 10, 1999**, covering premises commonly known as **4 Bruen Avenue**. and referred to as **Block 209 Lot 19** as set out on the municipal tax map then in use, which certificate bears number **99-66** and said tax sale certificate was struck off to the Township of Irvington, and;

WHEREAS, the Tax Collector has determined that the original tax sale certificate is lost and is not found to be in the office.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Tax Collector of the Township of Irvington be and is hereby authorized, **to issue an appropriate duplicate tax sale certificate** as described, all in accordance with the requirements of Chapter 99 of Public Laws of 1997.

BE IT FURTHER RESOLVED that a copy of this Resolution be attached to the duplicate certificate and that said duplicate certificate shall be stamped or otherwise have imprinted upon it the word **“Duplicate”** as required by law.

Adopted

Absent: Frederic

Vick – Brown 9. Refund Tax Overpayment on 24 Highland Terrace in the Amount of \$1,336.16

**Resolution to Refund Tax Overpayment
on Block 123 Lot 25, 24 Highland Terrace**

WHEREAS, Herman Franczoz remitted a payment in the amount of \$1,336.16 for the 2024 Q1 taxes on Block 123 Lot 25; and

WHEREAS, Corelogic remitted a payment in the amount of \$1,378.57 for the 2024 Q1 taxes on Block 123 Lot 25; and

WHEREAS, said payments were applied to Block 123 Lot 25 2024 Q1 taxes on February 6, 2024 and February 7, 2024; and

WHEREAS, Herman Franczoz has requested to be refunded the tax overpayment in the amount of \$1,336.16 for 24 Highland Terrace, Block 123 Lot 25; and

WHEREAS, the Tax Collector desires to refund the tax overpayment in the amount of \$1,336.16 to Herman Franczoz.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, COUNTY OF ESSEX, STATE OF NEW JERSEY that the Township of Irvington Tax Collector is authorized and directed to refund the overpaid taxes to Herman Franczoz in the amount of \$1336.16.

Adopted
Absent: Frederic

Cox– Vick 10. Refund Tax Overpayment on 16 Harding Terrace in the Amount of \$1,824.94

**Resolution to Refund Tax Overpayment
on Block 351 Lot 35, 16 Harding Terrace**

WHEREAS, Leonardo Roberto remitted a payment in the amount of \$1,824.94 for the 2024 Q1 taxes on Block 351 Lot 35; and

WHEREAS, Corelogic remitted a payment in the amount of \$1,824.94 for the 2024 Q1 taxes on Block 351 Lot 35; and

WHEREAS, said payments were applied to Block 351 Lot 35 2024 Q1 taxes on January 31, 2024 and February 7, 2024; and

WHEREAS, Leonardo Roberto has requested to be refunded the tax overpayment in the amount of \$1,824.94 for 16 Harding Terrace, Block 351 Lot 35; and

WHEREAS, the Tax Collector desires to refund the tax overpayment in the amount of \$1,824.94 to Leonardo Roberto.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, COUNTY OF ESSEX, STATE OF NEW JERSEY that the Township of Irvington Tax Collector is authorized and directed to refund the overpaid taxes to Leonardo Roberto in the amount of \$1,824.94.

Adopted
Absent: Frederic

Cox – Vick 11. Authorize Tax Amnesty for 111 Elmwood Avenue

Tax Amnesty; Block 375 Lot 7, 111 Elmwood Ave.

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

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

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

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

WHEREAS, Medika M. Edwards, owner of record of Block 375 Lot 7, also known as 111 Elmwood Ave., Municipality of Irvington, is desirous of satisfying, principal only, on Tax Title Lien # 12-03201, taxes and sewer delinquencies via tax amnesty in the amount of \$72,056.64; and

WHEREAS, the Township will waive the outstanding penalties and interest in the amount of \$82,394.57; and

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

1. Applies to all real property, except those properties where foreclosure complaints have been filed by or on behalf of the Township;
2. While there will be no waiver of any principal due, all accrued penalty and interest as of June 24, 2024 will be waived;
3. At the time of application, all updated owner/registered agent information must be provided, including a copy of property owner's identification, or, in the case of a corporation, other

MINUTES – REGULAR COUNCIL MEETING – JUNE 24, 2024 - PAGE 16

documentation, including formation documents, current BRC, contact information for the registered agent is required and a physical address must be submitted as part of this update;

4. Applications for forgiveness must be submitted to the Office of Economic Development and must be accompanied by a minimum deposit of \$5,000.00 of the outstanding principal amount of taxes owed on the property;
5. Final payment must be received on or by June 24, 2024;
6. Failure to pay on or by June 24, 2024 will result in automatic default and all penalties and interests will be become due immediately; and
7. The \$5,000.00 deposit will be deemed forfeited and funds counted towards satisfaction of the full arrears, including penalties and interest.

Adopted
Absent: Frederic

Vick – Cox 12. Authorize Emergency Temporary Appropriation #5 to Extend the Calendar Year 2024 Temporary Municipal Budget

<u>APPROPRIATIONS WITHIN "CAPS"</u>	
	<u>CY-24</u>
<u>OFFICE OF THE MAYOR</u>	<u>Emerg Budget #5</u>
Mayor's Office:	
Salaries and Wages	123,832.74
Other Expenses	18,325.00
Neighborhood Services:	-
Salaries and Wages	90,224.57
Other Expenses	-
Irvington Mental Health Center:	-
Other Expenses	1,125.00
Planning Board:	-
Salaries and Wages	3,959.11
Other Expenses	3,237.50
Office of Emergency Management:	-
Salaries and Wages	4,375.00
Other Expenses	-
Community Planning & Development	-
Salaries and Wages	39,846.89
Other Expenses	6,250.00
Total Office of the Mayor	291,175.80
<u>OFFICE OF THE TOWNSHIP CLERK</u>	<u>-</u>
Township Clerk's Office:	
Salaries and Wages	67,272.02

MINUTES – REGULAR COUNCIL MEETING – JUNE 24, 2024 - PAGE 17

Other Expenses	6,750.00
Elections:	
Salaries and Wages	2,500.00
Other Expenses	5,000.00
Council's Office:	
Salaries and Wages	42,696.26
Other Expenses	7,125.00

Board of Adjustment:	
Salaries and Wages	7,418.34
Other Expenses	2,825.00
Rent Leveling Board:	
Salaries and Wages	6,250.00
Other Expenses	-

Total Office of the Township Clerk	147,836.63
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<u>OFFICE OF THE TAX ASSESSOR</u>	-
Municipal Tax Assessor:	
Salaries and Wages	25,018.85
Other Expenses	2,625.00
Total Office of the Tax Assessor	27,643.85

<u>ATTORNEY TO TOWNSHIP COUNCIL</u>	-
Legislative Research Officer:	
Salaries and Wages	6,204.54
Other Expenses	200.00
Total Attorney to Township Council	6,404.54

<u>OFFICE OF THE TOWNSHIP ATTORNEY</u>	-
Township Attorney:	
Salaries and Wages	97,205.56
Other Expenses	52,415.50
Total Office of the Township Attorney	149,621.06

<u>DEPARTMENT OF ADMINISTRATION</u>	-
Office of the Business Administrator:	
Salaries and Wages	97,720.62

Other Expenses	32,250.00
Other Expenses - Postage	12,500.00
Total Department of Administration	142,470.62

<u>DEPARTMENT OF POLICE</u>	-
Police:	
Salaries and Wages	2,586,851.56
Other Expenses	128,098.38
<u>APPROPRIATIONS WITHIN "CAPS"(continue)</u>	
School Guards:	
Salaries and Wages	81,054.80
Other Expenses	62.50
Chaplains and Surgeons:	-
Salaries and Wages	318.75
Parking Division:	-
Other Expenses	62.50
Total Department of Police	2,796,448.49

<u>DEPARTMENT OF FIRE</u>	-
Fire:	
Salaries and Wages	1,584,443.63
Other Expenses	70,728.50
Uniform Fire Safety	
Salaries and Wages	-
Other Expenses	-
Total Department of Fire	1,655,172.13

<u>DEPARTMENT OF REVENUE AND FINANCE</u>	-
Division of Finance:	
Salaries and Wages	73,576.94
Other Expenses:	
Administration of Finance	20,125.00
Auditing	19,625.00
Insurance:	
General Liability	266,835.94
Workers Comp	259,462.50

MINUTES – REGULAR COUNCIL MEETING – JUNE 24, 2024 - PAGE 19

Employers Group Health	2,364,606.24
Division of Revenue-Tax Collection:	
Salaries and Wages	70,373.33
Other Expenses	8,762.50
Division of Licenses:	
Salaries and Wages	12,836.25
Other Expenses	1,000.00
Division of Central Purchasing:	
Salaries and Wages	44,534.38
Other Expenses	3,762.50
Total Department of Revenue and Finance	3,145,500.57

<u>DEPARTMENT OF PUBLIC WORKS</u>	-
Division of Engineering:	
Salaries and Wages	60,732.86
Other Expenses	46,875.00

Land Rental, Refuse Dumping:	
Other Expenses	787,125.00
Division of Streets and Sewers:	
Salaries and Wages	141,305.33
Other Expenses	59,625.00
Snow Removal:	
Salaries and Wages	12,500.00
Other Expenses	25,625.00
Division of Motorized Equipment:	
Salaries and Wages	37,243.91
Other Expenses	39,375.00
Division of Public Property:	
Salaries and Wages:	
Public Buildings	144,389.92
Shade Tree	34,337.84
Other Expenses:	
Public Buildings	41,875.00
Shade Tree	6,875.00

MINUTES – REGULAR COUNCIL MEETING – JUNE 24, 2024 - PAGE 20

Total Department of Public Works	1,437,884.86
<u>DEPARTMENT OF HEALTH AND WELFARE</u>	-
Division of Health:	
Salaries and Wages:	
Health Administration	25,339.38
Environmental Health	11,666.16
Nursing	1,250.05
Other Expenses:	
Health Administration	3,750.00
Environmental Health	16,062.50
Nursing	1,250.00
Senior Citizen Center:	
Salaries and Wages	10,719.68
Other Expenses	3,625.00
Total Department of Health and Welfare	73,662.77
<u>DEPARTMENT OF PARKS AND RECREATION</u>	-
Division of Park Maintenance:	
Salaries and Wages	109,057.56
Other Expenses	45,750.00
Division of Recreation:	
Salaries and Wages	42,500.00
Other Expenses	8,150.00
Public Events and Celebration:	
Other Expenses	1,875.00
Irvington Municipal Pool:	
Salaries and Wages	8,812.50
Other Expenses	6,000.00
Total Department of Parks and Recreation	222,145.06
<u>DEPARTMENT OF HOUSING</u>	-
Housing Services:	
Salaries and Wages	74,357.60
Other Expenses	2,062.50
Total Department of Housing Services	76,420.10

MINUTES – REGULAR COUNCIL MEETING – JUNE 24, 2024 - PAGE 21

<u>MUNICIPAL COURT</u>	-
Municipal Court	
Salaries and Wages	203,234.40
Other Expenses	15,900.00
Total Municipal Court	219,134.40
<u>PUBLIC DEFENDER</u>	-
Public Defender	
Salaries and Wages	9,993.75
Other Expenses	937.50
Total Public Defender	9,993.75
<u>UNIFORM CONSTRUCTION CODE</u>	-
Construction Code Official:	
Salaries and Wages	63,871.67
Other Expenses	2,187.50
Total Construction Services	66,059.17
<u>UNCLASSIFIED</u>	-
Utilities:	
Electricity, Gas	81,250.00
Telephone and Telegraph	73,750.00
Telephone Lease System	-
Fire Hydrants	65,975.00
Water	8,246.88
Gasoline	62,500.00
Street Lighting	93,750.00
Prior Year Salary Adjustments	-
Emergency Dispatch Services (Transportation)	23,125.00
Tax Appeals'	-
Total Unclassified	408,596.88
Total Operations Within "CAPS"	10,876,170.65

MINUTES – REGULAR COUNCIL MEETING – JUNE 24, 2024 - PAGE 22

<u>Deferred Charges & Statutory Expenditures</u>	-
Social Security System (OASI)	241,984.38
State Unemployment Insurance Fund	43,750.00
Fund Administrative Cost	-
Public Employees Retirement System	-
Police & Firemen's Retirement System	-
DCRPS	14,663.58
Judgments	-
Total Deferred Charges & Statutory Exp	300,397.95
Total Appropriations Within "CAPS"	11,176,568.60
<u>APPROPRIATIONS EXCLUDED FROM "CAPS"</u>	-
<u>OTHER OPERATIONS</u>	-
Joint Sewer Maintenance	562,017.25
Maintenance of Free Public Library	153,175.00
911 Dispatch Services	46,875.00
	-
Total Other Operations	762,067.25
<u>APPROPRIATIONS EXCLUDED from "CAPS"(continue)</u>	-
State Summer Food Program	-
Total Grants	-
Total Operations Excluded from "CAPS"	762,067.25
<u>MUNICIPAL DEBT SERVICE</u>	-
Down Payment on Capital Improvements	-
Total Municipal Debt Service	-
Total Appropriations Excluded from "CAPS"	-
for Municipal Purposes	762,067.25
<u>TYPE ONE SCHOOL DEBT</u>	-
Payment of Bond Principal	-

Total Type One School Debt	-
Total Appropriations Excluded from "CAPS"	762,067.25
Reserve for Uncollected Taxes	-
Total General Appropriations	<u>11,938,635.85</u>

Adopted
Absent: Frederic

10. COMMUNICATION AND PETITIONS

A. Communications

None

11. PENDING BUSINESS

None

NON-CONSENT AGENDA

9. RESOLUTIONS AND MOTIONS

A. Resolutions

Vick– Cox 13. Introduction of Calendar Year 2024 Municipal Budget
(Vote Required: Majority of Full Membership)
***Public Hearing Date: JULY 29, 2024 at 5:30 PM (28 days after Introduction)**

Introduction of Calendar Year 2024 Municipal Budget

BE IT RESOLVED that the following statements of revenues and appropriations shall constitute the Calendar Year 2024 municipal budget:

Total General Revenues:	\$126,014,848.74
Total General Appropriations:	\$126,014,848.74

BE IT FURTHER RESOLVED that a hearing on the budget and tax resolution will be held virtually utilizing Zoom, on **JULY 29, 2024 at 5:30 o'clock PM** at which time and place objections to the Budget and Tax Resolution for the year 2024 may be presented by taxpayers or other interested persons. Please monitor the township's website at www.irvingtonnj.gov or e-mail the Municipal Clerk's Office at townclerk@irvingtonnj.gov for instructions on how to access the meeting.

Adopted
Absent: Frederic

Cox – Vick 14. Authorize Contract Extension for Lease of Office Space at 660 Stuyvesant Avenue - BSR Group - Not to Exceed \$24,000.00 From July 1, 2024 through December 31, 2024

CONTRACT EXTENSION FOR THE LEASE OF OFFICE SPACE

WHEREAS, resolution number DA 23-0612-16 authorized a contract for Lease of Office Space which expires on June 30, 2024; and

WHEREAS, the Township issued a request for proposal for service on April 01, 2024 and May 16, 2024 with no submittal; and

WHEREAS, the Township would like to extend this service contract for six months to determine a suitable plan; and

WHEREAS, the vendor has agreed to extend the existing agreement for six months; and

WHEREAS, it would be in the Township's best interest to extend the existing agreement for six months as recommended by the Administration; and

NOW, BE IT HEREBY RESOLVED by the Township of Irvington, Essex County, New Jersey that the following contract be extended for six months, starting on July 01, 2024 until December 31, 2024 with The BSR Group LLC of 660 Stuyvesant Ave, Irvington, NJ 07111 for \$4000.00 per month for an amount not to exceed \$24,000.00; and

BE IT FUTHER RESLOVED, that the required certification of availability of funds C23-0107 in the amount of \$8000.00 from account number 4-01-20-100-100-256 has been obtained from the Chief Financial Officer and the remaining balance of \$16,000.00 will be certified upon the adoption of the 2024 budget; and

BE IT FURTHER RESOLVED that the Township Attorney is directed to prepare the appropriate contracts and the Mayor and the Township Clerk be and the same are hereby authorized to execute said contract with the above listed company.

Adopted
Absent: Frederic

8. ORDINANCES, BILLS & CLAIMS (Continued)

B. Ordinances on Second Reading

1. **President Beasley:** An Ordinance Amending and Supplementing Section 620-19.1 Entitled Parking too Close to Driveway by Adding Various Streets will be heard at this time. The Clerk will read the notice of hearing.

The Clerk will read the ordinance by title.

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

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 to this section:

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
Cottage Place	Entire Length
Columbia Avenue	Entire Length
Ellery Avenue	Entire Length, From Newark Border to Laurel Avenue
Gifford Place	Entire Length
Grant Place	Entire Length
Melrose Avenue	Entire Length
Momm Court	Entire Length
Mountainview Place	Entire Length
Orange Place	Entire Length
Smith Street	Between Clinton Avenue and Orange Place
University Place	Entire Length
Wills Place	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.

The Public Hearing on this ordinance is now open.

Vick – Hudley Motion to close Public Hearing.

Adopted
Absent: Frederic

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

Adopted
Absent: Frederic

2. President Beasley: An Ordinance of the Township of Irvington Repealing Chapter 460 Article VIII Entitled Service of Warrants for Property Code Violations by Constables and Eliminating the Title of Constable will be heard at this time. For the record, this notice is identical to the prior notice read.

The Clerk will read the ordinance by title.

**AN ORDINANCE OF THE TOWNSHIP OF IRVINGTON REPEALING CHAPTER 460 ARTICLE VIII -
SERVICE OF WARRANTS FOR PROPERTY CODE VIOLATIONS BY CONSTABLES AND
ELIMINATING THE TITLE OF CONSTABLE AND ALL DUTIES RELATED THERETO**

WHEREAS, Chapter 460 Article VIII established service of warrants by Constables for Property Code Violations; and

WHEREAS, the Senate and General Assembly of the State of New Jersey approved P.L. 2023, CHAPTER 250 on January 8, 2024, eliminating the position of constable, and supplementing P.L.1960, c.169, and amending and repealing various parts of the statutory law; and

WHEREAS a new section was added which eliminated all of the functions, powers, and duties previously awarded to a constable appointed prior to the elimination of the position of constable.

WHEREAS, the Township of Irvington, consistent with state law, is desirous of repealing said Ordinance in accordance with the abolishment of the position of Constable by state statute; and

WHEREAS, pursuant to N.J.S.A. 40:48-2, the governing body of a municipality may make, amend, repeal, and enforce such other ordinances, regulations, rules and by-laws not contrary to the laws of this state or of the United States, as it may deem necessary and proper for the good government, order and protection of person and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any law; and

WHEREAS, the Municipal Council of the Township of Irvington deems it in the best interest of the residents of the Township to repeal Chapter 460 Article VIII established service of warrants by Constables for Property Code Violations along with the title of Constable and all duties related thereto;

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

SECTION 1. Chapter 460 Article VIII of the Revised Code of the Township of Irvington is hereby repealed in its entirety and shall be of no force and effect whatsoever.

SECTION 2. All sections of the Revised Code of the Township of Irvington that are inconsistent or in conflict with the provisions of this Ordinance are hereby repealed to the extent of their inconsistencies.

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

The Public Hearing on this ordinance is now open.

Cox – Beasley

Motion to close Public Hearing.

Adopted
Absent: Frederic

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

Adopted
Absent: Frederic

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
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-	\$95,000	\$90,250	15 years

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
conditioning system at the Police Building, including all work and materials necessary therefore and incidental thereto.			
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 materials necessary therefor and incidental thereto.	\$25,000	\$23,750	10 years
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 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.	\$335,000	\$318,250	15 years

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 work and materials necessary therefor and incidental thereto.	\$110,000	\$104,500	5 years

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

MINUTES – REGULAR COUNCIL MEETING – JUNE 24, 2024 - PAGE 33

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
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 August 12, 2024

Adopted
Absent: Frederic

**ALCOHOLIC BEVERAGE CONTROL BOARD
JUNE 24 2024**

1. Chairman Cox calls the Meeting to Order

Roll Call

2. New Business

Hudley – Beasley A. Renewal of Plenary Retail Consumption Licenses for the 2024-2025 Licensing Year

WHEREAS, the following named individuals, partnerships or corporations, being applicants for Plenary Retail Distribution Licenses for the Year 2024-2025 to sell alcoholic beverages under the provisions of NJSA Title 33, having been investigated as required by said Law, and the Alcoholic Beverage Control Board being satisfied that said applicants in all things have met the requirements of the law and are suitable and proper individuals, partnerships or corporations to whom Plenary Retail Distribution Licenses for the sale of package goods should be issued; and

NOW, THEREFORE BE IT RESOLVED by the Municipal Council, acting as the Alcoholic Beverage Control Board of the Township of Irvington, that a Plenary Retail Distribution Licenses be issued to the following named individuals, partnerships and corporations for the sale of package goods in original containers for consumption on the licensed premises, for the Year 2024-2025 at the address set opposite their respective name.

BE IT FURTHER RESOLVED that the said licenses be issued in the name and under the seal of the Township of Irvington and be signed by the ABC Board Secretary, in order to fulfil the provisions of Chapter 158 of the Irvington Township Code, known as Ordinance MC 3635, which license, after being so signed, shall be released by the ABC Board Secretary to the licensee.

License Number	Name	Address
0709-33-009-008	Funhouse Entertainment LLC DBA/MK 463	463 Styvesant Avenue

MINUTES – REGULAR COUNCIL MEETING – JUNE 24, 2024 - PAGE 38

0709-33-017-007	Antojitos Restaurant Inc. DBA/Antojitos Restaurant	1240 Springfield Avenue
0709-33-027-008	McGuire Kim M	Pocket
0709-33-041-007	Yungas Brothers LLC DBA/Yunga Bar & Restaurant	1383 Springfield Avenue
0709-33-042-004	Cricket Productions Inc. DBA/Cricket Club	415-421 16 th Avenue
0709-33-048-006	Kay LLC DBA/Kay	193-197 Western Parkway
0709-33-064-009	Havam LLC DBA/The Foxes Bar & Lounge	31 Welland Avenue
0709-33-068-007	Nnanna Okoro	Pocket
0709-33-085-005	Trennetha S. Green-Richardson DBA/Touch Lounge & Restaurant	865 Springfield Avenue

Adopted
Absent: Frederic

Hudley – Beasley B. Renewal of Plenary Retail Distribution Licenses for the 2024-2025 Licensing Year

WHEREAS, the following named individuals, partnerships or corporations, being applicants for Plenary Retail Distribution Licenses for the Year 2024-2025 to sell alcoholic beverages under the provisions of NJSA Title 33, having been investigated as required by said Law, and the Alcoholic Beverage Control Board being satisfied that said applicants in all things have met the requirements of the law and are suitable and proper individuals, partnerships or corporations to whom Plenary Retail Distribution Licenses for the sale of package goods should be issued; and

NOW, THEREFORE BE IT RESOLVED by the Municipal Council, acting as the Alcoholic Beverage Control Board of the Township of Irvington, that a Plenary Retail Distribution Licenses be issued to the following named individuals, partnerships and corporations for the sale of package goods in original containers for **consumption off the licensed premises**, for the Year 2024-2025 at the address set opposite their respective name.

BE IT FURTHER RESOLVED that the said licenses be issued in the name and under the seal of the Township of Irvington and be signed by the ABC Board Secretary, in order to fulfil the provisions of Chapter 158 of the Irvington Township Code, known as Ordinance MC 3635, which license, after being so signed, shall be released by the ABC Board Secretary to the licensee.

License Number	Name	Address
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0709-44-001-010	Vighnavinashanaya Corporation DBA/Roseway Liquors and Deli	701 Lyons Avenue
0709-44-012-007	YMH Liquor LLC	Pocket
0709-44-031-009	Prit Inc.	Pocket
0709-44-046-010	Bhargav Liquor Inc. DBA/JRC Liquors Inc.	728 Springfield Avenue
0709-44-066-008	Gajanana Inc. DBA/Madison Superette	378 Stuyvesant Avenue
0709-44-097-006	Maharaj Inc DBA/Krauszer's Food & Wine	649 18 th Avenue

Adopted
Absent: Frederic

3. Adjournment

12. MISCELLANEOUS

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

Elouise McDaniel, 214 Nesbit Terrace
Robert Shaw, 57 Coit Street
Samuel Cherilus, 90 40th Street
Lauren Shears Agnew, Essex County Information Officer

Council Member Brown, Council Member Evans and Council Member Dr. Hudley thanked the attendees for sharing their concerns. Council Member Vick thanked the attendees and addressed the concerns raised by Mr. Shaw.

Council President Beasley addressed the concerns raised by the above referenced citizens and provided closing remarks.

13. ADJOURNMENT (*Roll Call)

There being no further business, the meeting adjourned at 8:09 P.M.

Jamillah Z. Beasley, Council President

Shawna M. Supel, Municipal Clerk