

TOWNSHIP OF IRVINGTON



MUNICIPAL COUNCIL MEETING MINUTES DECEMBER 9, 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			
Dr. Frederic	X			
Dr. Hudley	X			
Vauss, Jr.			X (7:33 PM)	
Vick	X			
Beasley, President	X			

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

In accordance with the Open Public Meetings Act, adequate notice of this virtual meeting has been provided to the Irvington Herald and Star Ledger, posted on the Municipal Bulletin Board, the township's website, and filed 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)

5. HEARING OF COUNCIL MEMBERS

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

A. Reports

1. A/Municipal Court Director Dolly Johnson – Municipal Court Collection Report Tracker for October 2024
2. Municipal Court Administrator Deshanaye Alexander-Sanders - Weekly Summary Report for the Week of November 18, 2024 to November 22, 2024
3. Municipal Court Administrator Deshanaye Alexander-Sanders - Weekly Summary Report for the Week of November 25, 2024 to November 26, 2024
4. Business Administrator Musa Malik, Esq. – Report of the December 3, 2024 Technology Committee

7. REPORTS OF COMMITTEES

- A. Request for Proposals – Planner Services – November 26, 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

None

B. Ordinances on Second Reading

None

C. Bills & Claims

Vick – Vauss, Jr. 1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD **DECEMBER 9, 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	\$3,134,556.44
TOTAL	\$3,134,556.44

Adopted

Vick – Frederic 2. Payrolls

Payroll Date: November 27, 2024

TOTAL	\$2,457,570.38
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Adopted

9. RESOLUTIONS AND MOTIONS

A. Resolutions

Hudley – Frederic 1. Approve 2025 Annual Schedule of Municipal Council Meetings

WHEREAS, N.J.S.A. 40:69A-179 provides that the Municipal Council shall designate the time of holding its regular meetings; and

WHEREAS, the Irvington Municipal Council is desirous of adopting their calendar year 2025 schedule of meetings:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the 2025 calendar year annual schedule of Council meetings, attached hereto and made a part hereof, is hereby approved.

Adopted

Hudley – Vauss, Jr. 2. Designating the Official Newspaper and Alternative Newspaper for the Township of Irvington for 2025

RESOLUTION DESIGNATING THE OFFICIAL NEWSPAPER FOR TOWNSHIP OF IRVINGTON FOR THE YEAR 2025

BE IT RESOLVED, by the Township Council of the Township of Irvington that pursuant to N.J.S.A. 40:53-1, the *Irvington Herald* is hereby designated as the Township's official newspaper for all advertisements and all notices required by law to be published by this municipality and the *Star Ledger* is hereby designated as an alternate official newspaper.

Adopted

Vick – Brown 3. Authorize a Contract With State Contract Vendor Gold Type Business Machines for the Purchase of Mobile Computer Equipment for Police Cars - Total Amount Not to Exceed \$421,108.20

**RESOLUTION AUTHORIZING A CONTRACT WITH STATE CONTRACT VENDOR
GOLD TYPE BUSINESS MACHINES FOR PURCHASE OF MOBILE COMPUTER
EQUIPMENT FOR POLICE CARS**

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 Police Department wishes to purchase mobile computer equipment for the Police vehicles from Gold Type Business Machines of PO Box 305, East Rutherford, NJ 07073 under State contract number 17-Fleet-00716 for a total amount not to exceed \$421,108.20; and

WHEREAS, in compliance with NJSA 19:44A-20.13 ET Seq., this contract will exceed the Pay to Play threshold of \$17,500.00; 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 Gold Type Business Machines of PO Box 305, East Rutherford, NJ 07073 starting on December 01, 2024 until May 13, 2025 for an amount not to exceed \$421,108.20 under the New Jersey State Contract number 17-Fleet-00716; and

BE IT FUTHER RESLOVED that the required certification of availability of funds C24-0147 in the amount of \$17,325.00 has been obtained from the Chief Financial Officer, charged to account number 4-01-25-240-240-118 and the remaining balance of \$403,783.20 will be certified upon the adoption of the 2025 budget; 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

Brown – Vick 4. Authorize a Contract With State Contract Vendor Atlantic Tactical of NJ Inc. for Purchase of Ammunition, Body Armor, Holsters and Other Law Enforcement Firearms Equipment and Supplies - Total Amount Not to Exceed \$30,166.65

**RESOLUTION AUTHORIZING A CONTRACT WITH STATE CONTRACT VENDOR
ATLANTIC TACTICAL OF NJ INC FOR PURCHASE OF AMMUNITION, BODY ARMOR,
HOLSTERS AND OTHER LAW ENFORCEMENT FIREARMS EQUIPMENT AND
SUPPLIES**

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

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WHEREAS, the Police Department wishes to purchase ammunition, body armor, holsters and other law enforcement firearms equipment and supplies from Atlantic Tactical of NJ Inc., 17 Worlds Fair Drive Unit H, Somerset, NJ 08873 under State contract number 17-Fleet-00732 for a total amount not to exceed \$30,166.65; and

WHEREAS, in compliance with NJSA 19:44A-20.13 ET Seq., this contract will exceed the Pay to Play threshold of \$17,500.00; 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 Atlantic Tactical of NJ Inc., 17 Worlds Fair Drive Unit H, Somerset, NJ 08873 starting on December 01, 2024 until May 13, 2025 for an amount not to exceed \$30,166.65 under the New Jersey State Contract number 17-Fleet-00732; and

BE IT FUTHER RESLOVED that the required certification of availability of funds C24-0149 in the amount of \$20,166.65 has been obtained from the Chief Financial Officer, charged to account number 4-01-25-240-240-264 and the remaining balance of \$10,000.00 will be certified upon the adoption of the 2025 budget; 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

Hudley – Frederic 5. Authorize Execution of Memorandum of Agreement (MOA) With the Essex County Division of Community Action as Sub-recipient of the Code Blue Program - Not to Exceed \$35,000.00

WHEREAS, The County of Essex, acting through the Division of Community Action through the Code Blue Program proposes to enter into a Memorandum of Agreement (MOA) with the Township of Irvington/Irvington Neighborhood Improvement Corporation to provide emergency sheltering for persons experiencing homelessness in Essex County during official designated Code Blue Declaration alerts at the cost of \$400.00 per night/day not to exceed \$35,000.00 for a term of four months beginning December 1, 2024– March 31, 2025; and

WHEREAS, said the Memorandum of Agreement (MOA) has been negotiated and approved by the County Executive of Essex County and to the Board of County Commissioners; 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 the Memorandum of Agreement (MOA) with the Essex County Division of Community Action as sub-recipient of the Code Blue Program which shall not exceed \$35,000.00.

BE IT FURTHER RESOLVED that the Township of Irvington does hereby accept the Memorandum of Agreement (MOA) of \$35,000.00 for such program.

Adopted

Brown – Hudley 6. Award A Professional Services Contract for Licensed Site Remediation

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Professional (LSRP) Services for Air Quality Permits for Various Township Facilities
- D & B Engineers and Architects of New Jersey - Not to Exceed \$10,500.00

RESOLUTION TO AWARD A PROFESSIONAL SERVICES CONTRACT FOR LSRP SERVICES FOR AIR QUALITY PERMITS FOR VARIOUS TOWNSHIP FACILITIES

WHEREAS, recent changes in the regulations of the New Jersey Department of Environmental Protection (NJDEP) now require that certain fuel dispensing and related facilities now require an annual air quality permit that needs to be prepared by a Licensed Site Remediation Professional (LSRP); and

WHEREAS, there is a need to obtain air quality permits for 5 different township facilities that are impacted by these new regulations and the Township does not have an LSRP on existing staff but does maintain an annual list of firms that provide these services; and

WHEREAS, the Township Engineer prepared a Request for Quotes that was distributed to the 5 firms that are currently on the Township's list of LSRP firms and received three Quotes to provide these services, with the quote of D & B Engineers and Architects of New Jersey being the most cost efficient proposal at their quoted fee of \$ 10,500; and

WHEREAS, the Township Engineer has reviewed this proposal and recommends that a professional services contract in an amount not to exceed \$ 10,500.00 be awarded to of D & B Engineers and Architects of New Jersey for the preparation of the required NJDEP air quality permits.

NOW, THEREFORE, BE IT RESOLVED BY MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Licensed Site Remediation Professional (LSRP) services for the Air Quality permits for various Township facilities is awarded to D & B Engineers and Architects of New Jersey, Somerset, New Jersey at their quoted fee not to exceed \$ 10,500.00.

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:34-5.2, the required Certificate of Availability of Funds No. C 24-0150 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 \$ 10,500.00 is Account 4-01-21-165-165-299.

Adopted

Beasley – Hudley 7. Resolution of Commendation – Retirement of Donald Abdullah Akhtab From the Zoning Board of Adjustment

**RESOLUTION OF COMMENDATION
DONALD ABDULLAH AKHTAB
RETIREMENT FROM THE ZONING BOARD OF ADJUSTMENT**

WHEREAS, Donald A. Akhtab, son of Dudley and Ora Bess, born in Macon, Georgia and raised in Newark, New Jersey; and

WHEREAS, Donald A. Akhtab is the Co-Founder of Waris Associates Inc., a non-profit organization that renders community services since 1984 and he has volunteered for many years as administrator, treasurer, and executive director; and

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WHEREAS, Donald has operated and/or facilitated the summer day camp, computer class, aerobics class, 2002 U.S. Census, First Time Home Buyers Class, Drama/Poetry for Youth and many more community service activities; and

WHEREAS, Donald received an Associates of Science in Business Administration from Essex County College and shortly after his completion at ECC, he enrolled into a three-year apprentice class for Iron Workers; and

WHEREAS, Donald has been a Journeyman Iron Worker and union member of Local Union # 11 for forty years and from 2002-2003, he served as Union Shop Steward on one of the largest jobs in Northern New Jersey; and

WHEREAS, Donald has dedicated his life to organizing and operating programs that impact the quality of life in our community, keeping his eyes opened for those who will help in this effort; and

WHEREAS, Donald demonstrated continuous civic work when he served as Chairman of Irvington's Brownfield's Development Area Steering Committee and as a member on the Irvington Zoning Board of Adjustment until his retirement in November 2024; and

WHEREAS, Donald attests to all of the characteristics of a dedicated public servant, being a resident of Irvington, since 1980, where he lives with his wife Kim of forty-four years and his son Tajiddin; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington hereby applauds the many civic and community accomplishments of Donald Abdullah Akhtab, wishes him many more distinguished and productive years and thank him for his many years of service on the Zoning Board of Adjustment.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of this governing body as a lasting tribute to Donald Abdullah Akhtab.

Adopted

Vick – Brown 8. Authorize the Execution of an Escrow Agreement With 270-274 Holdings, LLC for the Redevelopment of Property Identified as Block 148, Lot 15, 270-274 Ellis Avenue

RESOLUTION OF THE TOWNSHIP OF IRVINGTON AUTHORIZING THE EXECUTION OF AN ESCROW AGREEMENT WITH 270-274 HOLDINGS, LLC FOR THE REDEVELOPMENT OF PROPERTY IDENTIFIED AS BLOCK 148, LOT 15 ON THE TAX MAPS OF THE TOWNSHIP AND IDENTIFIED IN THE TOWNSHIP TAX RECORDS AS 270-274 ELLIS AVENUE

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

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

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

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

WHEREAS, the Township is the owner of certain property within the Redevelopment Area designated as Block 148, Lot 15 and identified in the Township tax records as 270-274 Ellis Avenue (the “**Project Area**”); and

WHEREAS, the Proposed Redeveloper proposes to redevelop the Project Area by constructing thereon a townhome complex consisting of approximately eight (8) multi-story single family attached townhomes with attached garages, along with certain on-site improvements (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 for the redevelopment of the Project Area (the “**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 Area; 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

Vick – Brown 9. Authorize the Execution of a Property Exchange Agreement With ZM 100 22 Street, LLC Exchanging Township-Owned Property for Privately-Owned Property to Facilitate Redevelopment Projects Within the East Ward/East Springfield Avenue Redevelopment Area

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 TO FACILITATE REDEVELOPMENT PROJECTS WITHIN THE EAST WARD/EAST SPRINGFIELD AVENUE REDEVELOPMENT AREA

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

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

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

WHEREAS, the Township is the owner of certain property located within the Township, which property is designated on the official tax maps of the Township and identified in the Township tax records as Block 152, Lot 1, located at 317-323 17th Avenue within the Township (the “**Township Parcel**”); and

WHEREAS, **ZM 100 22 STREET, LLC** (“**ZM**”) 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 17, located at 135 19th Avenue within the Township (the “**ZM Parcel**,” and together with the Township Parcel, the “**Properties**”); and

WHEREAS, the ZM Parcel is situated upon the site of a proposed redevelopment, the advancement of which would be facilitated by the Township’s acquisition of the ZM Parcel; and

WHEREAS, the swap of the Properties would facilitate redevelopment projects within the Township; and

WHEREAS, the Parties recognize the mutual benefit of a proposed exchange of the Township Parcel for the ZM Parcel;

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.

(a) 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.

(b) 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.

(c) 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.

(d) 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

Brown – Vick 10. Authorize the Execution of a Property Conveyance and Settlement Agreement With Global Houz LLC Exchanging Township-Owned Property for Rights to Municipally Owned Tax Sale Certificates

RESOLUTION OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON AUTHORIZING THE EXECUTION OF PROPERTY CONVEYANCE AND SETTLEMENT AGREEMENT EXCHANGING TOWNSHIP-OWNED PROPERTY FOR RIGHTS TO MUNICIPALLY-OWNED TAX SALE CERTIFICATES

WHEREAS, on October 28, 2024, the Township Council, via Resolution No. DRF 24-1125-97, authorized the private sale of certain municipally-held tax sale certificates for sale to Global, in exchange for a promise and commitment by the potential redevelopers to timely foreclose the right of redemption to the Property, use diligent efforts to seek and obtain approvals for a project to redevelop the Property, and to commence said Project in accordance with all applicable laws, ordinances and regulations and with the terms of this Agreement; and

WHEREAS, Resolution No. specifically authorized the private sale to Global of Tax Sale Certificate Nos. 100976 and 100977 (the “**Subject Liens**”), held by the Township against certain parcels of real property identified on the official tax maps and in the Township tax records as Block 152, Lots 2 and 3, respectively, located, respectively, at 220 21st Street and 218 21st Street within the Township (the “**Underlying Properties**”); and

WHEREAS, prior to the date of the aforementioned offer and pursuant to its authority under the statutory framework outlined in the recitals contained herein below, the Township had commenced an unrelated effort connected to a potential redevelopment project involving the Underlying Properties; and

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

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

WHEREAS, pursuant to *N.J.S.A. 40A:12A-7* of the Redevelopment Law and in accordance with the procedures set forth therein, the Township Council duly adopted the *East Ward/East Springfield Avenue Redevelopment Plan* (as amended, the “**Redevelopment Plan**”) for the Redevelopment Area; 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, to realize the redevelopment of the Redevelopment 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 in fee simple of additional property identified on the official tax maps and in the Township tax records as Block 207, Lot 41 and located at 77-79 Ellis Avenue (the “**Ellis Parcel**”), situated within the area covered by the Redevelopment Plan; and

WHEREAS, the Township hereby agrees to convey to Global the Township’s fee simple ownership of the Ellis Parcel, in exchange for 1) the Purchase Price as defined below; 2) Global’s agreement to surrender its rights with respect to the Subject Liens; and 3) for Global’s further agreement to use diligent efforts to seek and obtain approvals for a project to redevelop the Property (the “**Project**”), and to commence said Project in

accordance with all applicable laws, ordinances and regulations, including the terms of the Redevelopment Plan; and

WHEREAS, while there is no formal adversarial proceeding filed and pending in a court or other tribunal of the State, the Parties deem it in their best interests to enter into this Agreement so as to amicably resolve the potential dispute described herein,

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. Designation as Redeveloper. Global Houz LLC is hereby designated Redeveloper of the property identified on the official tax maps and in the Township tax records as Block 207, Lot 41 and located at 77-79 Ellis Avenue, situated within the area covered by the East Ward/East Springfield Redevelopment Plan.

Section 3. Execution of Property Conveyance and Settlement Agreement Authorized.

(e) The Mayor is hereby authorized to execute the Property Conveyance and Settlement 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 the terms of the said Property Conveyance and Settlement Agreement.

(f) The Municipal Clerk is hereby authorized and directed, upon the execution of the Property Conveyance and Settlement 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 Property Conveyance and Settlement 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.

(h) Upon execution of the Property Conveyance and Settlement Agreement, the Township is authorized to duly pursue the transaction contemplated therein for the purposes recited herein.

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

PROPERTY CONVEYANCE AND SETTLEMENT AGREEMENT

Adopted

Frederic – Vauss, Jr. 11. Authorize the Submission of a UEZ Funding Request to the State of NJ, DCA Urban Enterprise Zone Authority for Irvington UEZ FY 2025 Administrative Budget

**RESOLUTION AUTHORIZING THE SUBMISSION OF A UEZ FUNDING REQUEST
TO THE STATE OF NJ, DCA URBAN ENTERPRISE ZONE AUTHORITY FOR
IRVINGTON UEZ FY 2025 ADMINISTRATIVE BUDGET**

WHEREAS the Township of Irvington UEZ Program desires to submit for and obtain a grant from the New Jersey Department of Community Affairs, Urban Enterprise Zone Authority in the amount of 157,694 to be used to fund administrative expenses for the administration of Irvington Urban Enterprise Zone Program for the period July 1st, 2024 through June 30th, 2025. The entire Irvington UEZ Administrative Budget for FY 2025 is \$329,694 of which 172,000 is the township contribution and \$157,694 is the UEZ Authority portion of the total budget; and

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Irvington does hereby authorize the application for such funding; and, recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the funding agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such funding agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Township of Irvington UEZ Program and the New Jersey Department of Community Affairs, Division of Urban Enterprise Zone's Zone Assistance Fund; and

BE IT FURTHER RESOLVED by the Municipal Council of the Township of Irvington that the council consents to the submission of the FY 2025 Administrative Budget as proposed by the Irvington UEZ.

Adopted

Vick – Hudley 12. Resolution to Award an Emergency Sewer Repair Contract Located at the Corner of Isabella Avenue and Delmar Place - Messercola Excavating - \$36,100.00

**RESOLUTION TO AWARD AN EMERGENCY SEWER REPAIR CONTRACT LOCATED AT
THE CORNER OF ISABELLA AVENUE AND DELMAR PLACE**

WHEREAS, a portion of the sanitary sewer located at the Corner of Isabella Avenue and Delmar Place on September 30, 2024; and

WHEREAS, the work needed to repair this sewer is beyond the current capabilities of the Department of Public Works and it is not practical for the Department of Public Works; and

WHEREAS, this situation constitutes a threat to public health, safety and welfare and the Director of Public Works has declared an emergency; and

WHEREAS, Shauger Property Services, Messercola Excavating, Montana Construction and Your Way Construction were contacted to provide a quote for the repairs; and

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WHEREAS, Messercola Excavating and Your Way Construction provided quotes for this project; and

WHEREAS, Messercola Excavating provided the lowest quote of \$36,100.00 for said emergency; and

WHEREAS, the Mayor has concurred with the amount and recommends that an emergency contract be awarded to Messercola Excavating Inc of 549 East Third Street, Plainfield, NJ 07060 for an amount of \$36,100.00, and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that it ratifies the decision of the Director of Public Works and the Mayor to authorize an emergency contract in the amount of \$36,100.00 to Messercola Excavating of 549 East Third Street, Plainfield, NJ 07060 to repair the sanitary sewer located at Isabella Ave and Delmar.

BE IT FURTHER RESOLVED that the required certification of availability of funds C24-0129 in the amount of \$36,100.00 from account number G-02-xx-912-21A-299 has been obtained from the Chief Financial Officer.

Adopted

Brown – Hudley 13. Resolution to Award an Emergency Sewer Repair Contract Located on Wilson Place - Messercola Excavating - \$102,500.00

RESOLUTION TO AWARD AN EMERGENCY SEWER REPAIR CONTRACT LOCATED ON WILSON PLACE

WHEREAS, a portion of the sanitary sewer located on Wilson Place collapse on October 16, 2024; and

WHEREAS, the work needed to repair this sewer is beyond the current capabilities of the Department of Public Works and it is not practical for the Department of Public Works, and

WHEREAS, this situation constitutes a threat to public health, safety and welfare and the Director of Public Works has declared an emergency, and

WHEREAS, Shauger Property Services, Messercola Excavating and Your Way Construction was contacted to provide a quote for the repairs, and

WHEREAS, Messercola Excavating and Your Way Construction responded, and

WHEREAS, Messercola Excavating provided the lowest quote of \$87,000.00

WHEREAS, after the start of the repair and further assessment an additional \$15,500.00 was needed to complete the emergency because the placement of water and gas lines placed on top of the Township's Sewer lines, and

WHEREAS, the Mayor has concurred with the amount and recommends that an emergency contract be awarded to Messercola Excavating Inc of 549 East Third Street, Plainfield, NJ 07060 for a total amount of \$102,500.00, and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that it ratifies the decision of the Director of Public Works and the Mayor to authorize an emergency contract in the amount of \$102,500.00.00 to Messercola Excavating of 549 East Third Street, Plainfield, NJ 07060 to repair the sanitary sewer located at Wilson Place

BE IT FURTHER RESOLVED that the required certification of availability of funds C24-0156 in the amount of \$102,500.00 from account number G-02-xx-912-21A-299 has been obtained from the Chief Financial Officer.

Adopted

Vick – Brown 14. Resolution to Award an Emergency Sink Hole and Storm Drain Repair
Located at Coolidge Street - Messercola Excavating - \$58,900.00

**RESOLUTION TO AWARD AN EMERGENCY SINK HOLE AND STROM DRAIN REPAIR
LOCATED AT COOLIDGE STREET**

WHEREAS, an emergency sinkhole and storm drain located on Coolidge Street collapsed on October 03, 2024; and

WHEREAS, the work needed to repair this sewer is beyond the current capabilities of the Department of Public Works and it is not practical for the Department of Public Works; and

WHEREAS, this situation constitutes a threat to public health, safety and welfare and the Director of Public Works has declared an emergency; and

WHEREAS, Shauger Property Services, Messercola Excavating, Montana Construction and Your Way Construction were contacted to provide a quote for the repairs; and

WHEREAS, Messercola Excavating was the only vendor responded to the request and provided a quote of \$58,900.00 for said emergency; and

WHEREAS, the Mayor has concurred with the amount and recommends that an emergency contract be awarded to Messercola Excavating Inc of 549 East Third Street, Plainfield, NJ 07060 for an amount of \$58,900.00, and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that it ratifies the decision of the Director of Public Works and the Mayor to authorize an emergency contract in the amount of \$58,900.00 to Messercola Excavating of 549 East Third Street, Plainfield, NJ 07060 to repair the sanitary sewer located at Coolidge Street

BE IT FURTHER RESOLVED that the required certification of availability of funds C24-0131 in the amount of \$58,900.00 from account number G-02-xx-912-21A-299 has been obtained from the Chief Financial Officer.

Adopted

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Brown – Hudley 15. Establish Handicapped Parking Spaces in Front of 92 Headley Terrace, 7 Berkeley Terrace, 314 Vermont Avenue, 31 Frederick Terrace, 29 Normandy Place, 51 Coit Street

WHEREAS, N.J.S.A. 39:4-197.5 provides that a Municipality may by resolution provide for restricted parking space(s) in front of residence(s) for use by any person who has been issued a special vehicle identification card pursuant to the provisions of N.J.S.A. 39:4-205, when using a motor vehicle on which is displayed a certificate, for which a special vehicle identification card has been issued pursuant to N.J.S.A. 39:4-206; and

WHEREAS, request(s) have been made for restricted parking space(s) in front of **92 HEALDEY TERRACE, 7 BERKELY TERRACE, 314 VERMONT, 31 FREDERICK TERRACE, 29 NORMANDY PLACE, 51 COIT STREET:**

NOW, THEREFORE BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a parking space restricted for use by any person who has been issued a special vehicle identification card pursuant to the provisions of N.J.S.A. 39:4-205, when using a motor vehicle on which is displayed a certificate, for which a special vehicle identification card has been issued pursuant to N.J.S.A. 39:4-206, be established in front of **92 HEALDEY TERRACE, 7 BERKELY TERRACE, 314 VERMONT, 31 FREDERICK TERRACE, 29 NORMANDY PLACE, 51 COIT STREET:**
and

BE IT FURTHER RESOLVED that the Department of Public Works is directed to place signs designating said handicapped parking spaces.

Adopted

Vick – Vauss, Jr. 16. Calendar Year 2025 Cash Management Plan

RESOLUTION

BE IT RESOLVED by the Council of the Township of Irvington, County of Essex that for the year 2025, the following shall serve as the cash management plan of the Township of Irvington.

The Chief Financial Officer is directed to use this cash management plan as the guide in depositing, disbursing and investing the Township of Irvington's funds.

The following Government Unit Deposit Protection Act (GUDPA) approved banks are authorized depositories for deposit of funds:

WELLS FARGO BANK
CITIZENS BANK
VALLEY NATIONAL
BANK

NJ STATE CASH MANAGEMENT PNC
BANK
INDUSTRIAL BANK

All warrants, checks or wires for the disbursement of money shall be made by any two (2) of the following officials and facsimile signatures may be used:

MAYOR

CHIEF FINANCIAL OFFICER

COMPTROLLER

Whereas the use of the Township P-Card will be allowed and used by the Chief Financial Officer, Chief Administrative Officer, and the Qualified Purchasing Agent. The P-Card will adhere to the Townships approved program Policies and Procedures.

The Township's, Chief Financial Officer and or Comptroller are empowered to invest cash funds as bank balances will allow from time to time to realize a revenue. The above-mentioned officers are authorized to transfer funds electronically for the purpose of investments and payroll only.

Whereas the use of the Township P-card will be allowed and used by the Chief Financial Officer, Chief Administrative Officer, and the Qualified Purchasing Agent. The P-Card will adhere to the Townships program Approved Policies and Procedures.

The Townships, Chief Financial Officer and/or Comptroller are empowered to invest cash funds as bank balances will allow from time to time to realize revenue. The above-mentioned officers are authorized to transfer funds electronically for the purpose of investments and payroll only. The following are authorized as suitable investments:

- Interest-bearing bank accounts in banks as authorized above for deposit of local unit funds (GUDPA approved).
 - Certificates of deposit in GUDPA approved banking institutions.
 - Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America. This includes instruments such as Treasury Bills, Notes and Bonds.
 - Government money market mutual funds that comply with N.J.S.A. 40A:5- 15.1(e).
 - Any federal agency or instrumentality obligation authorized by Congress that matures within 397 days from the date of purchase, and has a fixed rate of interest not dependent on any index or external factors.
 - Bonds or other obligations of the local unit or school district of which the Town is a part.
 - Any other obligations with maturities not exceeding 397 days, as permitted by the State Division of Investments.
 - Local government investment pools which comply with N.J.S.A. 40A:5- 15.1(e) and conditions set by the Division of Local Government Services.
 - New Jersey Cash Management Fund.
 - Repurchase agreements (repos) of fully collateralized securities which comply with N.J.S.A. 40A:5-15.1(e).
 - New Jersey Asset & Rebate Management Program.
 - New Jersey CLASS

There are no approved security broker/dealers. In the event that a security broker/dealer should be approved during the year, the registered principal of said brokerage firm so approved shall be provided with and sign an acknowledgment that they have seen and reviewed the cash management plan.

Each quarter, the Chief Financial Officer shall prepare a report for the Mayor and/or the Business Administrator that consists of the following:

- A summary of all investments made or redeemed for the month.
- A listing of any and all financial institutions holding local unit funds.
- The class or type of securities purchased or funds deposited.
- Income earned on deposits and investments.
- Market value of investments and disclosure as to how the value was determined, if applicable.
- A listing of accounts or deposits that do not earn interest.

This document shall constitute the cash management policy of the Township.

Any official involved with the selection of depositories, investments, broker/dealers shall disclose any material business or personal relationship to the Township Attorney and to the Local Finance Board or Local Ethics Board as applicable.

Any official who, in the course of his or her duties, deposits or invests in accordance with this plan shall be relieved of any liability for loss.

Adopted

Brown – Vick 17. Resolution Adopting Amended Township Policies and Procedures
For the Use of Procurement Cards (P-Card)

**Resolution Adopting Amended Township Policies and Procedures
For the Use of Procurement Cards (P-Card)**

WHEREAS, N.J.S.A 40A-5-16(c): N.J.A.C. 5:30-9A et seq, authorizing the establishment of a P-Card electronic procurement system by the Township Of Irvington and

WHEREAS, the said policy and procedures adopted by the Municipal Council on May 24th 2021, be amended as outlined in the attached P-card program policy and procedures.

NOW THEREFORE BE IT RESOLVED, that the Township of Irvington Municipal Council hereby adopts the Township of Irvington P-Card policy and procedures therein shall remain in full effect until such time as the Township of Irvington Municipal Council adopts another P-Card Policy and Procedures manual.

Adopted

10. COMMUNICATION AND PETITIONS

A. Communications

None

11. PENDING BUSINESS

None

12. MISCELLANEOUS

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

Robert Shaw Sr., 57 Coit Street
Elouise McDaniel, 214 Nesbit Terrace
Robert Shaw Jr., 57 Coit Street

Council Member Brown and Council Member Dr. Frederic thanked the residents for presenting their concerns. Council Member Vauss Jr. and Council Member Vick thanked the participants and wished the residents a Happy Holiday. Council President Beasley advised Mr. Shaw Sr. she will follow up with Business Administrator Malik regarding his request, she 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 7:52 P.M.

Jamillah Z. Beasley, Council President

Shawna M. Supel, Municipal Clerk