

RESOLUTION OF THE TOWNSHIP OF IRVINGTON, NJ

No. **EDGO17-0711-21**

Date of Adoption **JULY 11, 2017**

APPROVED AS TO FORM AND LEGALITY ON THE BASIS OF FACTS SET FORTH BY

[Signature]
Legislative Research Officer

PRESENTED BY COUNCIL MEMBER **LYONS**

SECONDED BY **COX**

RESCINDING 2016-17 CDBG FUNDS AWARDED TO FAMICARE, INC.

WHEREAS, the Township of Irvington is a recipient of 2016-2017 Community Development Block Grant (CDBG) Program funds administered by the U.S. Department of Housing and Urban Development; and

WHEREAS, by resolution number **EDGO 17-0110-5** adopted on **January 10, 2017**, the Township of Irvington awarded CDBG grant funds in the amount **\$19,000.00** for the 2016-2017 program year to **FAMICARE, INC.** a private Non-Profit corporation of the State of New Jersey with principal offices at **883 SANFORD AVENUE, IRVINGTON NEW JERSEY 07111** for the provision of public services, which constitute an eligible CDBG activity; and,

WHEREAS, the Township of Irvington has allocated sufficient CDBG funds to fund a proposed grant agreement in the amount of **\$19,000.00** with the **FAMICARE, INC.**, a private Non-Profit Corporation of the State of New Jersey to provide educational services; and

WHEREAS, the U.S. Department of Housing and Urban Development has issued federal regulations which revise 24 CFR 570 Sub-Part J, requiring all CDBG recipients to enter into formal legal agreements with private non-profit organizations, called "CDBG sub-recipients", in order for these organizations to receive CDBG funding from the Township of Irvington; and

WHEREAS, the Township of Irvington is also subject to the provisions of federal OMB Circular A-102 Attachment 0, "Procurement Standards" applied the Township's procurement of services, supplies and property with CDBG funds; and

WHEREAS, OMB Circular A-102 also requires the Township to conform to all applicable state and local laws relating to formal legal agreements by municipal government procurement of goods and services; and

WHEREAS, the governing body of the Township of Irvington is required under state law (N.J.S.A. 40A:11-1 et seq.) to authorize the execution of formal grant agreements and procurement contracts (in excess of \$8,500.00) with private contractors such as Famicare, Inc.;

WHEREAS, in addition to the above referenced requirements, as a condition to receipt of grant funds, and pursuant to the above adopted resolution, the sub-grantee was required to execute a grant agreement agreeing to program requirements and grant terms; to submit quarterly reports; and, payment request vouchers with all supporting documentation documenting provision of services and expenditures;

WHEREAS, the sub-grantee Famicare, Inc., has failed to meet one or more of the requirements as a condition to receipt of grant funds and as a result, the Department of Economic Development and Grants Oversight has requested the recession of the grant award to Famicare, Inc., for non-compliance with program rules, policies and requirements;

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

1. The 2016-17 grant award in the amount of **\$19,000.00** to **FAMICARE, INC.**, whose address is **883 SANFORD AVENUE, IRVINGTON, NEW JERSEY 07111**, is rescinded to ensure that the Township of Irvington is compliant with HUD's rules, regulations and policies and to enable the Department of Economic Development and Grants Oversight to re-allocate such funds for other eligible CDBG activities.

RECORD OF COUNCIL VOTE

X = Indicates Vote N.V. = No Vote A.B. = Absent

COUNCIL MEMBER	YES	NO	N.V.	A.B.	COUNCIL MEMBER	YES	NO	N.V.	A.B.
BURGESS, 1ST VICE PRESIDENT	X				INMAN	X			
COX	X				JONES, 2ND VICEPRESIDENT	X			
FREDERIC				X	LYONS, PRESIDENT	X			
DR. HUDLEY	X								

PRESIDENT OF COUNCIL *[Signature: Lyons]* MUNICIPAL CLERK *[Signature: Hudley]* DATE **JULY 11, 2017**

I hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Municipal Council. In witness whereof I have hereunto set my hand and the Corporate Seal of the Township of Irvington.

MUNICIPAL CLERK *[Signature]*

DATE **7/11/17**

ADMINISTRATOR ☐ ASSESSOR ☐ BLDG ☐ CFO ☒ COLLECTOR ☐ COURT ☐ EDGO ☒ ENGINEER ☐ FIRE ☐ CF ☐ HEALTH ☐ HOUSING ☐ INIC ☐ JUDGE ☐ LEGAL ☐ LIBR ☐ LICEN ☐ MAYOR ☐ NPP ☐ OCDP ☒ PARKS ☐ PAYROLL ☐ PUBLIC SAFETY ☐ DIR ☐ PUBLIC WORKS ☐ PURCHASING ☐ SEC ☐ PB/ZBA ☐ TRAFFIC ☐ ZONING ☐ OFF ☐ DLGS ☐ GNCD ☐ OTHER(S): _____