

REGULAR COUNCIL MEETING
NOVEMBER 9, 2020

Virtual Zoom Meeting
Irvington, N.J. – Monday Evening
November 9, 2020 - 7:30 P.M.

1. Pledge of Allegiance
2. Moment of Silence
3. Roll Call

Present: Jamillah Z. Beasley, Vernal Cox, Sean C. Evans, Charnette Frederic, October Hudley, Orlander G. Vick

Absent: Renee C. Burgess, President

Acting President Hudley had the Municipal Clerk read the Statement of Proper Notice pursuant to the Sunshine Law.

4. Hearing of Citizens on Agenda Items Only limited to three minutes per person and thirty minutes total

There were no requests to be heard.

5. Hearing of Council Members

There were no requests to be heard.

6. Reports & Recommendations of Township Officers, Boards & Commissions

A. Reports

1. Municipal Court – Weekly Summary Report – October 12, 2020 to October 16, 2020
2. Municipal Court – Weekly Summary Report – October 19, 2020 to October 23, 2020

7. Reports of Committees

- A. Bid Results - Printing and Marketing of Materials - October 21, 2020
- B. Bid and Request for Proposals Results - Online Tax Sale, Asbestos Abatement and Marketing Recycling Products - October 28, 2020

8. Ordinances, Bills & Claims

A. Ordinances on First Reading

- | | |
|-----------------|---|
| Vick – Frederic | 1. Amend and Supplement Sidewalk Ordinance – Cleaning of Sidewalks 18 “From The Curb/Gutter |
|-----------------|---|

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 555, ARTICLE III, SECTION 68 OF THE REVISED CODE OF THE TOWNSHIP OF IRVINGTON BY ADDING THE ADDITION OF A NEW PARAGRAPH PERTAINING TO MAINTENANCE OF SIDEWALKS.

Adopted
Absent: Burgess

Beasley - Vick 2. Prohibit Vehicles Over 6 Tons On Wolf Place, Quabeck Avenue, Sager Place and Fairchild Place

AN ORDINANCE AMENDING CHAPTER 620, SECTION 29 ENTITLED “TRUCKS OVER CERTAIN WEIGHT EXCLUDED” AND CHAPTER 620, SECTION 100 ENTITLED “SCHEDULE VI: TRUCKS OVER CERTAIN WEIGHTS EXCLUDED” TO PROVIDE FOR TRUCK WEIGHT LIMITS ON SAGER PLACE, QUABECK AVENUE, WOLF PLACE AND FAIRCHILD PLACE.

Adopted
Absent: Burgess

Vick - Beasley 3. Provide for Residential Permit Parking on Willis Place Between Orange Avenue and Melrose Place From 6 PM and 6 AM Seven Days A Week

AN ORDINANCE PROVIDING FOR RESIDENTIAL PARKING PERMITS ON WILLIS PLACE BETWEEN ORANGE AVENUE AND MELROSE PLACE FROM 6 PM TO 6 AM SEVEN DAYS A WEEK.

Adopted
Absent: Burgess

Frederic - Vick 4. Provide for Residential Permit Parking on Sunset Terrace from Stuyvesant Avenue to the Cul-De-Sac

AN ORDINANCE PROVIDING FOR RESIDENTIAL PARKING PERMITS ON SUNSET TERRACE FROM STUYVESANT AVENUE TO THE END OF THE CUL-DE-SAC, SEVEN DAYS A WEEK, 24 HOURS PER DAY.

Adopted
Absent: Burgess

Frederic – Vick 5. Amend Chapter 167 of Revised Code Entitled “Animals” to Provide For Certain Fine and Penalties Pertaining Keeping of Fowl, Live Stock And Exotic Animals And For The Releasing Or Abandoning of Live Animals

AN ORDINANCE AMENDING CHAPTER 167 ENTITLED ‘ANIMALS’ OF THE REVISED CODE OF THE TOWNSHIP OF IRVINGTON.

Adopted
Absent: Burgess

Hudley - Frederic

6. Mural Ordinance

MURAL AND PUBLIC ART ORDINANCE OF THE TOWNSHIP OF IRVINGTON

Adopted

Absent: Burgess

C. Bills & Claims

Vick – Hudley 1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD NOVEMBER 9, 2020 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 \$3,502. 940.76

1.

Adopted

Absent: Burgess

Vick – Evans 2. Payrolls

November 6, 2020

REGULAR	OVERTIME	OTHER	TOTAL
\$1,564,748.20	\$34,483.93	\$86,535.45	\$1,685,769.58

Adopted

Absent: Burgess

9. Resolutions & Motions

A. Resolutions

Frederic – Vick

1. Authorize The Sale of Old/Unused Vehicles At A Public Auction

AUTHORIZE DISPOSAL OF OLD/UNUSED VEHICLES

WHEREAS, the Township of Irvington is the owner of two Emergency One 1500 GPM Pumpers and one Emergency One “Squirt” vehicles that is no longer being used; and

WHEREAS, the Assistant Director of Public Safety would like to rendered these vehicles obsolete and trade them in to Apparatus LLC, 34 Wilson Drive, Sparta, NJ 07871 for a credit of \$10, 0000.00 which will be used to purchase additional equipment that will be mounted on two new Ferrara Fire Apparatus.

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

- (1) The Township shall not sell the old/unused equipment.
- (2) The Township shall trade-in these vehicles to the Apparatus LLC, 34 Wilson Drive, Sparta, NJ 07871 and receive a credit of \$10,000.00. The credit shall be used to purchase additional equipment that will be mounted on two new Ferrara Fire Apparatus.
- (3) A complete list of the old/used vehicles is attached to this resolution, herein apart of the record.
- (4) The vehicles on the attached list shall be trade in an "as is" condition without express or implied warranties.

Adopted
Absent: Burgess

Frederic - Vick 2. Authorize Pool Of Eighteen Law Firms For Defense/Litigation
Counsel Services

**RESOLUTION QUALIFYING VENDORS IN FAIR AND OPEN MANNER FOR
LITIGATION/DEFENSE COUNSEL SERVICE**

WHEREAS, the Request for Qualifications for professional Litigation/Defense counsel services was publicly advertised in the New Jersey Star Ledger on September 23, 2020 with a deadline for qualifications to be submitted on October 07, 2020; and

WHEREAS, eighteen qualifications were received and publicly opened; and

WHEREAS, said qualifications were referred to the Township Attorney; and

WHEREAS, the Township Attorney has recommended that all fourteen firms should be added to list of qualified vendors for Litigation/Defense counsel:

Eric M. Bernstein & Associates, L.L.C.
34 Mountain Blvd., Bldg. A,
P.O. Box 4922, Warren, NJ 07059

Lamb Kretzer, LLC
110B Meadowlands Parkway, Suite 201
Secaucus, NJ 07094

Florio Perrucci Steinhardt & Fader
235 Broubalow Way
Phillipsburg, NJ 08865

Ruderman & Roth LLC
150 Morris Avenue, Suite 303
Springfield, NJ 07081

Law Office of Elvin Esteves
26 Park Street, Suite 2050
Montclair NJ 07042

Post Polak

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425 Eagle Rock, suite 200
Roseland, NJ 07068

Michael A. D'Aquanni LLC
1481 Oak Tree Road
Iselin, NJ 08830

Law Office Decotiis
61 South Paramus Road
Paramus, NJ 07652

Law Office of Clarence Barry-Austin PC
76 South Orange Ave, Suite 1101
South Orange, NJ

Murphy Orlando LLC
30 Montgomery Street, 11th Floor
Jersey City, NJ 07302

Law Office of D'Aquanni, LLC
1481 Oak Tree Road
Iselin, NJ 08830

Florio, Kenny and Raval
125 Chubb Ave, Suite 310-N
Lyndhurst, NJ

Kaufman Borgeest & Ryan LLP
9 Campus Drive
Parsippany, NJ 07054

Biancamano & Di Stefano
10 Parsonage Road, Suite 300
Edison, NJ 08837

Chasan Lamparello Mallon & Cappuzzo
300 Lighting Way, Suite 200
Secaucus, NJ 07094

The Law Firm of Hunt, Hamlin, & Ridley
60 Park Place, 16th floor
Newark, NJ 07102

Hoplite Communication
392 Bayberry Court
Englishtown, NJ 07726

Anyanwu & Associates
17 Academy Street, Suite 517
Newark, NJ 07102

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the above eighteen vendors are qualified for the services of professional Litigation/Defense Counsel and the Township Attorney will prepare separate resolutions for all cases assigned to each of the above vendors.

BE IT FURTHER RESOLVED The Township Attorney will provided separate resolution with respect to particular matter to the Municipal Council.

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BE IT FURTHER RESOLVED, that this qualification is for one year starting on November 01, 2020 and ending on October 31, 2021; and

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

Adopted
Absent: Burgess

Hudley - Vick 3. Assign Professional Services Contract for Litigation/Defense Counsel Services in the Matter of Darrell Walker Washington v. Township of Irvington – Lamb Kretzer LLC. - \$150.00 Per Hour - Not to Exceed \$5,500.00

**RESOLUTION RATIFYING PROFESSIONAL SERVICES CONTRACT
FOR LITIGATION/DEFENSE COUNSEL SERVICES**

WHEREAS, resolution number TA 19-1112-39 qualified fourteen firms to provide litigation/defense counsel services for the Township of Irvington from November 01, 2019 until October 31, 2020; and

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

WHEREAS, the Township Attorney has determined that the Law Offices of Lamb Kretzer has the most experience to defend the Township of Irvington, Detective Maurice Taylor and Officer Amiri Ricketts in the matter of Darrell Walker Washington v. Township of Irvington et al, Docket No. 18-004588; and

WHEREAS, the Township Attorney has recommended that a contract be awarded to the Law Offices Lamb Kretzer, LLC, 110B Meadowlands Parkway, Suite 201, Secaucus, New Jersey, 07094; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Litigation/Defense counsel services be awarded to the Law Offices Lamb Kretzer, LLC, 110B Meadowlands Parkway, Suite 201, Secaucus, New Jersey, 07094; for a contract amount not to exceed \$5,500.00. The billing rate for this contract is \$150.00 per hour; and

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

BE IT FURTHER RESOLVED, that funds for this service will paid from the Insurance fund for a contract amount not to exceed \$5,500.00. The billing rate for this contract is \$150.00 per hour.

Adopted
Absent: Burgess

Hudley - Vick 4. Assign Professional Services Contract for Litigation/Defense Counsel Services in the Matter of Yojancy and David Reyes v. Open Keiser, MD et als.. – Murphy Orlando, LLC - \$150.00 Per Hour - Not to Exceed \$5,500.00

RESOLUTION RATIFYING PROFESSIONAL SERVICES CONTRACT

FOR LITIGATION/DEFENSE COUNSEL SERVICES

WHEREAS, resolution number TA 19-1112-39 qualified fourteen firms to provide litigation/defense counsel services for the Township of Irvington from November 01, 2019 until October 31, 2020; and

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

WHEREAS, the Township Attorney has determined that Murphy Orlando LLC has the most experience to defend the Township in the matter of Yojancy and David Reyes v. Open Keiser, MD, et als., Docket No. ESX-L-6094-18; and

WHEREAS, the Township Attorney has recommended that a contract be awarded to Murphy Orlando LLC, 30 Montgomery Street, 11th Floor, Jersey City, NJ, 07302; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Litigation/Defense counsel services be awarded to Murphy Orlando LLC, 30 Montgomery Street, 11th Floor, Jersey City, NJ, 07302 for a contract amount not to exceed \$5,500.00. The billing rate for this contract is \$150.00 per hour; and

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

BE IT FURTHER RESOLVED, that funds for this service will paid from the Insurance fund for a contract amount not to exceed \$5,500.00. The billing rate for this contract is \$150.00 per hour.

Adopted
Absent: Burgess

Vick - Hudley

5. Authorize Settlement of Tax Appeals dated November 9, 2020.

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE TOWNSHIP OF IRVINGTON IN THE COUNTY OF ESSEX AUTHORIZING SETTLEMENT OF THE TAX APPEALS ON THE ATTACHED LIST DATED NOVEMBER 9, 2020, WHICH WERE TAKEN FROM ASSESSMENTS OF PROPERTIES LOCATED WITHIN THE TOWNSHIP OF IRVINGTON, ESSEX COUNTY, NEW JERSEY.

WHEREAS, appeals of the real property tax assessments on the attached list dated November 9, 2020 have been challenged by the respective taxpayers; and

WHEREAS, each Block and Lot identified on the list dated November 9, 2020 was assessed at the amount stated therein for the noted tax year(s); and

WHEREAS, the Township's Special Counsel for Tax Appeals assigned to these specific matters, Antonelli Kantor P.C., has completed discovery/inquiry with respect to these matters and has consulted with the City Tax Assessor, Silvia Forbes, CTA, and has conducted extensive negotiations with counsel for the taxpayer; and

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WHEREAS, the taxpayers have agreed to waive statutory interest, pursuant to N.J.S.A. 54:3-27.2, provided any refund resulting from settlement of these matters is paid within 180 days of judgment entered by the Tax Court; and

WHEREAS, the settlement of these matters on the list dated November 9, 2020 are in the best interest of the Township of Irvington; and

NOW, THEREFORE, BE IT RESOLVED, by the Township of Irvington, New Jersey:

1. The Township's Special Counsel for Tax Appeals, Antonelli Kantor, P.C., is authorized to execute Stipulations of Settlement on behalf of the Township of Irvington with respect to the tax appeals on the attached list which are currently pending in the Tax Court of New Jersey for the tax year(s) listed therein and the assessments stated therein.
2. All municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of this Resolution.

Adopted
Absent: Burgess

Vick - Frederic

6. Authorize Handicapped Parking Spaces in Front of 826 Lyons Avenue, 471 Stuyvesant Avenue, 85 Linden Avenue, 25 Leslie Place, and 156– 19th Avenue

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 **826 Lyons Avenue, 471 Stuyvesant Avenue, 85 Linden Avenue, 25 Leslie Place, 156 19th Avenue**:

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 **826 Lyons Avenue, 471 Stuyvesant Avenue, 85 Linden Avenue, 25 Leslie Place, 156 19th Avenue**; and

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

Adopted
Absent: Burgess

Beasley - Vick

7. Assign Professional Services Contract for Litigation/Defense Counsel Services in the Matter of William Johnson v. Keyziah Little et al – Michael A. D'Aquanni, LLC - \$150.00 Per Hour - Not to Exceed \$5,500.00

**RESOLUTION RATIFYING PROFESSIONAL SERVICES CONTRACT
FOR LITIGATION/DEFENSE COUNSEL SERVICES**

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WHEREAS, resolution number TA 19-1112-39 qualified fourteen firms to provide litigation/defense counsel services for the Township of Irvington from November 01, 2019 until October 31, 2020; and

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

WHEREAS, the Township Attorney has determined that Law Office of Michael A. D'Aquanni, LLC has the most experience to defend the Township in the matter of William Johnson v. Keyziah Little et al, Docket No. L-002565-20; and

WHEREAS, the Township Attorney has recommended that a contract be awarded to Law Office of Michael A. D'Aquanni, LLC, 1481 Oak Tree Rd, Iselin, New Jersey, 08830; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Litigation/Defense counsel services be awarded to Law Office of Michael A. D'Aquanni, LLC, 1481 Oak Tree Rd, Iselin, New Jersey, 08830 for a contract amount not to exceed \$5,500.00. The billing rate for this contract is \$150.00 per hour; and

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

BE IT FURTHER RESOLVED, that funds for this service will paid from the Insurance fund for a contract amount not to exceed \$5,500.00. The billing rate for this contract is \$150.00 per hour.

Adopted
Absent: Burgess

Hudley – Vick

8. Assign Professional Services Contract for Litigation/Defense Counsel Services in the Matter of Leah Payne–Figaro v. Selwyn Perry et als. - Ruderman & Roth, LLC - \$150.00 Per Hour - Not to Exceed \$3,500.00

**RESOLUTION RATIFYING PROFESSIONAL SERVICES CONTRACT
FOR LITIGATION/DEFENSE COUNSEL SERVICES**

WHEREAS, resolution number TA 19-1112-39 qualified fourteen firms to provide litigation/defense counsel services for the Township of Irvington from November 01, 2019 until October 31, 2020; and

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

WHEREAS, the Township Attorney has determined that Ruderman & Roth, LLC has the most experience to defend the Township and Officer James T. Dorval in the matter of Leah Payne–Figaro v. Selwyn Perry et als., Docket No. ESX-L-5386-20; and

WHEREAS, the Township Attorney has recommended that a contract be awarded to Ruderman & Roth, LLC, 150 Morris Avenue, Suite 303 , Springfield, NJ, 07081; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Litigation/Defense counsel services be awarded to Ruderman & Roth, LLC,

150 Morris Avenue, Suite 303, Springfield, NJ, 07081 for a contract amount not to exceed \$3,500.00. The billing rate for this contract is \$150.00 per hour; and

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

BE IT FURTHER RESOLVED, that funds for this service will be paid from the Insurance fund for a contract amount not to exceed \$3,500.00. The billing rate for this contract is \$150.00 per hour.

Adopted
Absent: Burgess

Frederic - Beasley 9. Authorize Pool Of Nine Law Firms For Special Conflict Counsel Services

**RESOLUTION QUALIFYING VENDORS IN FAIR AND OPEN MANNER FOR SPECIAL
CONFLICT COUNSEL SERVICE**

WHEREAS, the Request for Qualifications for professional Special Conflict counsel services was publicly advertised in the New Jersey Star Ledger on September 23, 2020 with a deadline for qualifications to be submitted on October 07, 2020; and

WHEREAS, nine qualifications were received and publicly opened; and

WHEREAS, said qualifications were referred to the Township Attorney; and

WHEREAS, the Township Attorney has recommended that all nine firms should be added to list of qualified vendors for Special Conflict counsel:

Ruderman & Roth
150 Morris Avenue, Suite 303,
Springfield, NJ 07081

425 Eagle Rock, suite 200
Roseland, NJ 07068

Brenda Coppola Cuba
1164 Springfield Ave
Mountainside, NJ 07092

Chasan Lamparello Mallon & Cappuzzo
300 Lighting Way, Suite 200
Secaucus, NJ 07094

Florio, Kenny and Raval
125 Chubb Ave, suite 310-N
Lyndhurst, NJ

Lamb Kretzer, LLC
110B Meadowlands Parkway, Suite 201
Secaucus, NJ 07094

Murphy Orlando LLC
30 Montgomery Street, 11th Floor
Jersey City, NJ 07302

Eric M. Bernstein & Associates, L.L.C.
34 Mountain Blvd., Bldg. A, P.O. Box 4922
Warren, NJ 07059

Michael A. D'Aquanni LLC
1481 Oak Tree Road
Iselin, NJ 08830

Post Polak

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the above nine vendors are qualified for the services of professional Special Conflict Counsel and the Township Attorney will prepare separate resolutions for all cases assigned to each of the above vendors.

BE IT FURTHER RESOLVED The Township Attorney will provided separate resolution with respect to particular matter to the Municipal Council.

BE IT FURTHER RESOLVED, that this qualification is for one year starting on November 01, 2020 and ending on October 31, 2021; and

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

Adopted
Absent: Burgess

Beasley – Vick 10. Designate Re-Developer And Authorize Redevelopment And Land Use Agreement – Mecca Property Development, LLC – 69 Maple Avenue, Block 209, Lot 46 and 54 Laurel Avenue, Block 20, Lot 13

RESOLUTION OF THE TOWNSHIP OF IRVINGTON DESIGNATING MECCA PROPERTY DEVELOPMENT, LLC AS REDEVELOPER FOR THE REDEVELOPMENT OF CERTAIN PROPERTIES IDENTIFIED AS BLOCK 209, LOT 46 AND BLOCK 20, LOT 13 ON THE OFFICIAL TAX MAPS OF THE TOWNSHIP AND IDENTIFIED IN THE TOWNSHIP TAX RECORDS, RESPECTIVELY, AS 69 MAPLE AVENUE AND 54 LAUREL AVENUE, AND AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AND LAND DISPOSITION AGREEMENT AND THE TRANSFER OF 69 MAPLE AVENUE AND 54 LAUREL AVENUE IN CONNECTION THEREWITH

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

WHEREAS, in accordance with the requirements of the Redevelopment Law, by Resolution dated July 14, 2015 the Township Council designated the entire Township as an area in need of rehabilitation (the “**Rehabilitation Area**”); and

Absent: Burgess

WHEREAS, by Ordinance MC No. 3549 dated August 11, 2015, the Township Council duly adopted a redevelopment plan to govern the redevelopment of the Rehabilitation Area, entitled the *Township-Wide Area in need of Rehabilitation Redevelopment Plan* (the “**Redevelopment Plan**”); 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 Rehabilitation Area, the Township determined to exercise the powers of redevelopment and serve as the “redevelopment entity” responsible for carrying out redevelopment projects in accordance with the Redevelopment Law; and

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WHEREAS, the Township is the owner of certain property located within the Rehabilitation Area identified as Block 209, Lot 46 and Block 20, Lot 13 on the tax maps of the Township and identified, respectively, in the Township tax records as 69 Maple Avenue and 54 Laurel Avenue (the “**Property**”); and

WHEREAS, the Township hereby determines that the Property is no longer needed for public use, and that the redevelopment thereof in accordance with applicable provisions of the Redevelopment Plan will contribute to the rehabilitation and reinvigoration of the Township and to the social and economic improvement of the Township in accordance with the objectives of the Redevelopment Law; and

WHEREAS, Mecca Property Development, LLC (the “**Redeveloper**”) proposes the acquisition of the Property, and the design, development, financing, rehabilitation and maintenance thereon of the existing single family home on each lot, each comprised of 3 bedrooms and one bathroom and certain other on-site and offsite improvements (collectively, the “**Project**”); and

WHEREAS, the Township has determined that Redeveloper possesses the proper qualifications and experience to implement and complete the Project in accordance with the Redevelopment Plan, and desires to convey the Property to Redeveloper to effect the same; 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,

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council 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 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 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

FORM OF REDEVELOPMENT AGREEMENT

Adopted
Absent: Burgess

Beasley - Vick 11. Designate Re-Developer And Authorize Redevelopment And
Land Use Agreement - Black Union LLC 178 Union Avenue,
Block 264, Lot 9

RESOLUTION OF THE TOWNSHIP OF IRVINGTON DESIGNATING BLACK UNION LLC AS REDEVELOPER FOR THE REDEVELOPMENT OF CERTAIN PROPERTY IDENTIFIED AS BLOCK 264, LOT 9 ON THE OFFICIAL TAX MAPS OF THE TOWNSHIP AND IDENTIFIED IN THE TOWNSHIP TAX RECORDS AS 178 UNION AVENUE, AND AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AND LAND DISPOSITION AGREEMENT AND THE TRANSFER OF 178 UNION AVENUE IN CONNECTION THEREWITH

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

WHEREAS, in accordance with the requirements of the Redevelopment Law, by Resolution dated July 14, 2015 the Township Council designated the entire Township as an area in need of rehabilitation (the “**Rehabilitation Area**”); and

WHEREAS, by Ordinance MC No. 3549 dated August 11, 2015, the Township Council duly adopted a redevelopment plan to govern the redevelopment of the Rehabilitation Area, entitled the Township-Wide Area in need of Rehabilitation Redevelopment Plan (the “**Redevelopment Plan**”); 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 Rehabilitation Area, the Township determined to exercise the powers of redevelopment and serve as the “redevelopment entity” responsible for carrying out redevelopment projects in accordance with the Redevelopment Law; and

WHEREAS, the Township is the owner of certain property located within the Rehabilitation Area identified as Block 264, Lot 9 on the tax maps of the Township and identified in the Township tax records as 178 Union Avenue (the “**Property**”); and

WHEREAS, the Township hereby determines that the Property is no longer needed for public use, and that the redevelopment thereof in accordance with applicable provisions of the Redevelopment Plan will contribute to the rehabilitation and reinvigoration of the Township and to the social and economic improvement of the Township in accordance with the objectives of the Redevelopment Law; and

WHEREAS, Black Union LLC (the “**Redeveloper**”) proposes the acquisition of the Property from the Township and the design, development, financing, conversion, rehabilitation and maintenance thereon of a six (6) unit commercial building to be redeveloped to market rate residential units consisting of 2-3 bedrooms and 1-2 bathrooms (with the potential to expand to a seventh residential (7th) unit, depending on final approved designs) as well as certain other on-site and off-site improvements (collectively, the “**Project**”); and

WHEREAS, the Township has determined that Redeveloper possesses the proper qualifications and experience to implement and complete the Project in accordance with the Redevelopment Plan, and desires to convey the Property to Redeveloper to effect the same; 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,

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council 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.

(d) 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.

(e) 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.

(f) 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.

(d) 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.

(e) 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.

(f) Upon the execution of the deed 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

FORM OF REDEVELOPMENT AGREEMENT

Adopted
Absent: Burgess

Beasley - Vick

12. Designate Re-Developer And Authorize Redevelopment And Land Use Agreement – Masjid Waarith Ud Deen, Inc. – 42 – 22nd Street, Block 137, Lot 13 and 21 – 20th Avenue, Block 137, Lot 14

RESOLUTION OF THE TOWNSHIP OF IRVINGTON DESIGNATING MASJID WAARITH UD DEEN, INC AS REDEVELOPER FOR THE REDEVELOPMENT OF CERTAIN PROPERTIES IDENTIFIED AS BLOCK 137, LOTS 13 & 14 ON THE OFFICIAL TAX MAPS OF THE TOWNSHIP AND IDENTIFIED IN THE TOWNSHIP TAX RECORDS, RESPECTIVELY, AS 42 22ND STREET AND 21 20TH AVENUE, AND AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AND LAND DISPOSITION AGREEMENT AND THE TRANSFER OF 42 22ND STREET AND 21 20TH AVENUE 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 August 13, 2002, 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, 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 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 of certain property located within the Redevelopment Area, which properties are identified as Block 137, Lots 13 & 14 on the official tax maps of the Township and identified in the Township tax records, respectively, as 42 22nd Street and 21 20th Avenue (the “**Property**”); and

WHEREAS, the Township hereby determines that the Property is no longer needed for public use, and that the redevelopment thereof in accordance with applicable provisions of the Redevelopment Plan will contribute to the rehabilitation and reinvigoration of the Township and to the social and economic improvement of the Township in accordance with the objectives of the Redevelopment Law; and

WHEREAS, Masjid Waarith ud Deen, Inc (the “**Redeveloper**”) proposes the acquisition of the Property from the Township and the design, development, financing, construction and maintenance of a two-story, approximately 5,500 square foot technologically equipped adult and youth religious center with on-site parking as well as certain other on-site and offsite improvements as well as certain other on-site and off-site improvements (collectively, the “**Project**”) in the Property; and

WHEREAS, the Township has determined that Redeveloper possesses the proper qualifications and experience to implement and complete the Project in accordance with the Redevelopment Plan, and desires to convey the Property to Redeveloper to effect the same; 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,

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council 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.

(g) 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.

(h) 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.

(i) 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.

(g) 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.

(h) 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.

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(i) Upon the execution of the deed 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

FORM OF REDEVELOPMENT AGREEMENT

Adopted
Absent: Burgess

Vick - Beasley 13. Designate Conditional Re-Developer of Blocks 144, 145, 146
And 147 And Approving The Transfer of Such Designation To
Twenty First Street Redevelopment, LLC, Successor Redeveloper
to ATG I Holdings, LLC

**RESOLUTION EXTENDING THE CONDITIONAL DESIGNATION OF
REDEVELOPER FOR THE REDEVELOPMENT OF BLOCKS 144, 145, 146 & 147, AND
APPROVING THE TRANSFER OF SUCH DESIGNATION TO TWENTY FIRST
STREET REDEVELOPMENT LLC, SUCCESSOR REDEVELOPER TO ATG I
HOLDINGS LLC**

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “**Redevelopment Law**”), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of rehabilitation and/or redevelopment; and

WHEREAS, the Municipal Council (the “**Township Council**”) of the Township of Irvington (the “**Township**”), pursuant to and in accordance with the requirements of the Redevelopment Law, has designated certain properties within the Township as an area in need of redevelopment, including the properties identified as Blocks 144, 145, 146 and 147 on the Township’s tax maps (the “**Property**”); and

WHEREAS, pursuant to the Redevelopment Law, the Township Council adopted an ordinance enacting the “*Redevelopment Plan for the East Ward/East Springfield Avenue Redevelopment Area*” (the “**Redevelopment Plan**”); and

WHEREAS, by Resolution dated December 18, 2018, the Township Council conditionally designated ATG I Holdings LLC as redeveloper of the Property, for a period of two (2) years to allow time for the parties to negotiate and enter into a redevelopment agreement for the redevelopment of the Property; and

WHEREAS, ATG I Holdings LLC has requested an extension of the designation so that it may continue negotiating the terms of the redevelopment agreement, and the transfer of its designation to affiliate Twenty First Street Redevelopment LLC (the “**Redeveloper**”) as successor redeveloper; and

WHEREAS, the Township deems it appropriate to transfer the designation to the Redeveloper and to extend the designation until November 10, 2022, which period may be extended if necessary in the sole discretion of the Director of Community Development for two (2) additional periods of thirty (30) days so that the Township may complete the negotiation of a redevelopment agreement with the Redeveloper for the redevelopment of the Property,

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

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

Section 2. Transfer and Extension of Conditional Designation of Redeveloper; Negotiation of a Redevelopment Agreement.

(a) The conditional designation as redeveloper of the Property previously granted to ATG I Holdings LLC is hereby extended until November 10, 2022, which period may be extended if necessary in the sole discretion of the Director of Community Development for two (2) additional periods of thirty (30) days, to allow the Township to complete the negotiation of a redevelopment agreement for the redevelopment of the Property;

(b) The Township hereby approves the transfer of the of the conditional designation to Twenty First Street Redevelopment LLC as the successor redeveloper of the Property; and

(c) The Township hereby further directs and authorizes the Director of Community Development, in consultation with counsel, and with such other Township officials as may be necessary, to negotiate a redevelopment agreement with Twenty First Street Redevelopment LLC during that time.

(d) If, at the expiration of this extension, the Township shall not have authorized the execution of the redevelopment agreement, then the designation of Twenty First Street Redevelopment LLC as redeveloper of the Property shall terminate without the need for any other action by the Township to evidence same.

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. Resolution on File. A copy of this resolution shall be available for public inspection at the offices of the Township Clerk.

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

Adopted
Absent: Burgess

Vick - Hudley 14. Designate Escrow And Funding Agreement With Redevelopment
Capital Partners, LLC For The Redevelopment Of Certain Property
Within The Township Of Irvington

**RESOLUTION OF THE TOWNSHIP OF IRVINGTON AUTHORIZING THE
EXECUTION OF AN ESCROW AGREEMENT WITH REDEVELOPMENT CAPITAL**

PARTNERS, LLC FOR THE DEVELOPMENT OF CERTAIN PROPERTY WITHIN THE TOWNSHIP

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

WHEREAS, in accordance with the Redevelopment Law, on July 14, 2015, by resolution No. UEZ 15-0714-11, the Municipal Council (the “**Township Council**”) of the Township of Irvington (the “**Township**”) 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 “**Township-Wide Redevelopment Plan**”) pursuant to the LRHL and in accordance with the procedures set forth therein; and

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

WHEREAS, the Township is the owner of certain property located within the Rehabilitation Area designated on the official tax maps of the Township as Block 116, Lot 22 (including additional Lots 20, 21 and 23), identified in the Township tax records as 579-583 Grove Street (the “**Township Parcel**”)

WHEREAS, the Proposed Redeveloper proposes to purchase the Township Parcel, as well as certain property designated on the official tax maps of the Township as Block 150, Lot 6, identified in the Township tax records as 576-580 Grove Street (the “**Redeveloper Parcel**”); and to undertake construction on the Redeveloper Parcel; and

WHEREAS, the Proposed Redeveloper has requested that the Township, in its capacity as redevelopment entity, enter into negotiations for a redevelopment agreement and other related agreements with respect to the purchase Township Parcel and the redevelopment of the Redeveloper Parcel; 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 acquisition and redevelopment of the Property; 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 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 AND FUNDING AGREEMENT

Adopted
Absent: Burgess

~~15. Award Contract Based On Request For Proposals—On Line Tax
Sale Hosting Services—Realauction.com, LLC—\$15.00 Per Property~~

AWARDING A CONTRACT FOR ONLINE TAX SALE HOSTING SERVICE

WHEREAS, sealed RFP were received on October 28, 2020 for Online Tax Sale Hosting in response to published advertisement for bids in the New Jersey Star Ledger on October 13, 2020; and

WHEREAS, one RFP was received and opened from Realauction.com LLC by the Assistant Municipal Clerk and Purchasing Agent; and

WHEREAS, said bid was referred to the Assistant Tax Collector and the CFO for recommendation to the Municipal Council; and

WHEREAS, the Assistant Tax Collector and the CFO has recommended that the award should be made to Realauction.com LLC, 861 SW 78th Avenue, Suite 102, Plantation, FL 33324 for an amount not to exceed \$15.00 per property for all properties that are sold at the annual tax sale; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for online tax sale hosting service be awarded to Realauction.com LLC, 861 SW 78th Avenue, Suite 102, Plantation, FL 33324 on the basis of their response to the request for proposal for \$15.00 per property for all properties that are sold at the annual tax sale.

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

BE IT FURTHER RESOLVED that the required certification of availability of funds C2-000140 in the amount of \$10,000.00 from account number 0-01-20-145-145-256 has been obtained from the Chief Financial Officer.

[REMOVED FROM AGENDA UPON REQUEST OF THE CHIEF FINANCIAL OFFICER]

Frederic – Hudley 16. Reject Bids – Asbestos Abatement Of Heating Pipe – Need To
Revise Specifications

REJECTING BIDS FOR ASBESTOS ABATEMENT OF HEATING SYSTEM PIPE

WHEREAS, on October 13, 2020, the Township of Irvington accepted and opened bids
For asbestos abatement of Heating System Pipe; and

WHEREAS, the Township received ten bids for this service; and

WHEREAS, Public Works Director wishes to reject all bids on the basis to revise the bid specification; and

WHEREAS, the Local Public Contract Law, 40A:11-13.2.(d) provides that a municipality may reject all bids to
revise the specifications for goods or services; and

NOW THEREFORE BE IT RESOVED by the Council of Township of Irvington, in the County of Essex, that all
bids received for the asbestos abatement of heating system pipe is hereby rejected in accordance with the Local
Public Contracts Law, NJSA40A:11-13.2(d).

Adopted
Absent: Burgess

Frederic - Vick 17. Award Emergency Contract For Repair Of Case 621/G Wheel
Loader

RESOLUTION TO AWARD AN EMERGENCY CONTRACT FOR CASE 621/G WHEEL LOADER

WHEREAS, on October 23, 2020, DPW is in need of repairing Case 632/G Wheel loader and;

WHEREAS, DPW contacted Groff Tractor of New Jersey to repair said machine, and;

WHEREAS, the Public Works Director declared an emergency on October 23, 2020 to provide an emergency
contract to repair the Case 632/G Wheel loader and;

WHEREAS, Groff Tractor New Jersey LLC of 551 N. Harding Highway, Vineland, NJ 08360 was called and
services were rendered and;

WHEREAS, this situation constitutes a threat to public health, safety, welfare, and the Public Works Director
declared an emergency to repair the machine on an emergency basis, and;

WHEREAS, the Mayor concurred with the Public Works Director and approved said emergency, and;

WHEREAS, the total cost to provide emergency service to the Township was \$12,000.00

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF
IRVINGTON that it ratifies the decision of the Administration to authorize an emergency contract to Groff
Tractor New Jersey LLC of 551 N. Harding Highway, Vineland, NJ 08360 for an amount not to exceed
\$12,000.00

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BE IT FUTHER RESLOVED, that the required certification of availability of funds C2000152 in the amount of \$12,000.00 from account number 0-01-21-165-165-299 has been obtained from the Chief Financial Officer.

Adopted
Absent: Burgess

Hudley – Vick 18. Authorize Execution of Transportation Services Agreement and Ratification Of The Memorandum Of Understanding Between The Township of Irvington And Hilltop Partners Senior Urban Renewal, LLC For Transportation Services At 280 Hilltop Park Place

RESOLUTION AUTHORIZING EXECUTION OF TRANSPORTATION SERVICES AGREEMENT AND RATIFICATION OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE TOWNSHIP OF IRVINGTON AND HILLTOP PARTNERS SENIOR URBAN RENEWAL LLC FOR TRANSPORATION SERVICES AT 280 HILLTOP PARK PLACE, IRVINGTON, NJ

WHEREAS, pursuant to the terms of the Memorandum of Understanding (“MOU”) and Contract between Hilltop Partners Senior Urban Renewal LLC (“Hilltop”) and the Township of Irvington (“Township”), the parties tentatively agreed that the Township would provide transportation services for the low income and senior housing project to be located at 280 Park Place, Building 2, Irvington, NJ 07111;

WHEREAS, the terms of the MOU and the Transportation Services contract have been reviewed and approved by the Township’s Legal Committee;

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON to ratify the MOU and to approve the execution of the Transportation Services Contract by the Mayor.

Adopted
Absent: Burgess

Frederic – Hudley 19. Authorize CDBG Grant Award of \$10,000.00 to Arescue Staffing Agency, LLC

Resolution to Award CDBG CARES Act (COVID-19) Business Economic Relief Grant to ARESCUE STAFFING AGENCY, LLC

WHEREAS, the Township of Irvington, Department of Economic Development and Grants Oversight (DEDGO) is a recipient of Cares Act CDBG COVID-19 Grant Funds awarded by the U.S. Department of Housing and Urban Development to use said funds to prepare, for, prevent, and respond to the COVID-19 Pandemic; and

WHEREAS, numerous businesses in the Township of Irvington were closed for extended periods of time and/or were otherwise negatively impacted by the COVID-19 Pandemic requiring them to seek financial assistance to remain open, reopen and/or make necessary expenditures to put in place and maintain appropriate social distancing and sanitary measures;

WHEREAS, the DEDGO has determined that Arescue Staffing Agency, LLC upon review meets the requirements to receive CDBG CARES Act COVID-19 Grant Funds and that the use of such funds will further and enhance the economic development activities of the Township;

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WHEREAS, the Township of Irvington wishes to award Business Economic Relief Grant Funds in the amount **\$10,000.00** to **Arescue Staffing Agency** a Liability Limited Company under the laws of the State of New Jersey with a principal business located at **1405 Clinton Avenue, NJ**;

WHEREAS, the DEDGO has allocated sufficient CDBG Cares Act funds to fund a proposed grant agreement in the amount of **\$10,000.00** with the **Arescue Staffing Agency**; 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 businesses 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" which apply 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:

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

1. The Mayor and the Township Clerk are hereby authorized and directed to execute an agreement with **Arescue Staffing Agency, LLC** awarded **COVID-19 Small Business Economic Relief Grant in the amount of \$10,000.00**.

2. Pursuant to N.J.A.C. 5:34-5.2, the required certificate of Availability of Funds No. **C2000163** in the amount of **\$10,000.00** for the above has been obtained from the Chief Financial Officer of the Township of Irvington. The appropriation to be charged for this expenditure is Account No. **T-21-41-850-20G-801**

Adopted
Absent: Burgess

Vick - Beasley 20. Authorize Amendment – HOPWA Covid-19 Grant - \$208,000.00

WHEREAS, The City of Newark, acting through its Housing Opportunities for Persons with AIDS (HOPWA) COVID-19 2020 CARES ACT Award proposes to enter into a sub grant agreement with Irvington Neighborhood Improvement Corporation to prevent, prepare for, and respond to the Coronavirus pandemic for HOPWA and individuals and families within the Newark Eligible Metropolitan Statistical Area (NEMSA) for the contract amount of \$208,000.00 during the contract period of July 31, 2020 – July 30, 2023 and

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WHEREAS, said grant agreement is part of the COVID-19 2020 CARES ACT Award a federal grant award made possible by the United States Department of Housing and Urban Development (HUD); and

BE IT FURTHER RESOLVED that the Mayor of the Township of Irvington be and hereby is authorized to execute a Grant Agreement with the City of Newark as sub-recipient of H.O.P.W.A Funds in the amount of \$208,000.00.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington does hereby accept the award of \$208,000.00 for such activities.

Adopted
Absent: Burgess

10. Communication and Petitions

A. Communications

1. Planning Board – Resolution on Irvington’s Proposed Small Cell Wireless Ordinance
2. Frelinghuysen Resolution - Support High Speed Internet Accessibility

11. Pending Business

None

COUNCIL MEETING (RESUMED)

NON-CONSENT AGENDA ITEMS

9. Resolutions & Motions

A. Resolutions

Hudley – Frederic 21. Authorize CDBG Grant Award of \$10,000.00 to Watch Me Grow Academy, LLC

Resolution to Award CDBG CARES Act (COVID-19) Business Economic Relief Grant to WATCH ME GROW ACADEMY, LLP

WHEREAS, the Township of Irvington, Department of Economic Development and Grants Oversight (DEDGO) is a recipient of Cares Act CDBG COVID-19 Grant Funds awarded by the U.S. Department of Housing and Urban Development to use said funds to prepare, for, prevent, and respond to the COVID-19 Pandemic; and

WHEREAS, numerous businesses in the Township of Irvington were closed for extended periods of time and/or were otherwise negatively impacted by the COVID-19 Pandemic requiring them to seek financial assistance to remain open, reopen and/or make necessary expenditures to put in place and maintain appropriate social distancing and sanitary measures;

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WHEREAS, the DEDGO has determined that Watch Me Grow Academy, LLP upon review meets the requirements to receive CDBG CARES Act COVID-19 Grant Funds and that the use of such funds will further and enhance the economic development activities of the Township;

WHEREAS, the Township of Irvington wishes to award Business Economic Relief Grant Funds in the amount **\$10,000.00** to Watch Me Grow Academy, LLP a Liability Limited Company under the laws of the State of New Jersey with a principal business located at **918 Clinton Avenue Irvington, NJ**;

WHEREAS, the DEDGO has allocated sufficient CDBG Cares Act funds to fund a proposed grant agreement in the amount of **\$10,000.00** with the Watch Me Grow Academy, LLP; 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 businesses 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" which apply 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:

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

1. The Mayor and the Township Clerk are hereby authorized and directed to execute an agreement with **Watch Me Grow Academy, LLP awarded COVID-19 Small Business Economic Relief Grant in the amount of \$10,000.00.**

2. Pursuant to N.J.A.C. 5:34-5.2, the required certificate of Availability of Funds No. **C2000162** in the amount of **\$10,000.00** for the above has been obtained from the Chief Financial Officer of the Township of Irvington. The appropriation to be charged for this expenditure is Account No. **T-21-41-850-20G-801**

Adopted
Abstain: Beasley
Absent: Burgess

12. Miscellaneous

A. General Hearing of Citizens and Council Members limited to three minutes per person

Doris Sherill, 35 Augusta Street
Samuel Cherilus, 90 – 40th Street
Lauren Upshaw, 82 West Rich Street

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Acting President Hudley informed the citizens that their issues and concerns would be forwarded to the Administration who provide them with a reply.

13. Adjournment

There being no further business, the meeting was adjourned at 7:47 P.M.

Dr. October Hudley, Acting Council President

Harold E Wiener, Municipal Clerk