

REGULAR COUNCIL MEETING
MARCH 22, 2021

Virtual Zoom Meeting
Irvington, N.J. – Monday Evening
March 22, 2021 - 7:30 P.M.

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

Present: Jamillah Z. Beasley, Sean C. Evans, Charnette Frederic, October Hudley, Orlander G. Vick,
Renee C. Burgess, President

Absent: Vernal C. Cox

President Burgess 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 – March 1, 2021 to March 5, 2021
2. Calendar Year 2019 Annual Audit Report for the Township of Irvington
3. Municipal Court - Weekly Summary Report – March 8, 2021 to March 13, 2021

7. Reports of Committees

None

8. Ordinances, Bills & Claims

A. Ordinances on First Reading

Frederic - Hudley 1. Calendar Year 2021 CAP Ordinance

**TOWNSHIP OF IRVINGTON
CALENDAR YEAR 2021
MODEL ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND
TO ESTABLISH A CAP BANK**

Adopted
Absent: Cox

C. Bills & Claims

Burgess - Evans

1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD MARCH 22, 2021 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 \$1,719,548.20

Adopted
Absent: Cox

Burgess - Hudley

2. Payrolls

March 12, 2021

REGULAR	OVERTIME	OTHER	TOTAL
\$1,575,705.46	\$77,610.72	\$153,297.97	\$1,806,614.15

Adopted
Absent: Cox

9. Resolutions and Motion

A. Resolutions

Hudley – Vick

1. Resolution of Sorrow – Former Publics Works Employee Tarik Robert Ellis

RESOLUTION OF SORROW
TARIK ROBERT ELLIS

WHEREAS, the Municipal Council of the Township of Irvington wishes to express their deepest sorrow on the passing of Tarik Robert Ellis; and

WHEREAS, Tarik Robert Ellis was born on February 27, 1969 to Robert Ellis and Erselle (Hayes) Ellis in Newark, New Jersey. Tarik walked into the loving arms of his Lord and Savior, Jesus Christ, on February 23, 2021, at the age of 51; and

WHEREAS, Tarik received his academics through the Newark Public School system, graduating in 1987 from Eastside High School. He began his employment for over 20 years at FedEx as a Team Leader, resigning in 2015, to then pursue and obtain employment with the Township of Irvington, Department of Public Works as a Laborer. Over the years, he established meaningful relationships with his colleagues, as they worked as a team to support each other and complete assignments; and

WHEREAS, Tarik was raised in Newark, New Jersey, spending most of his adult life on 20th Street, where childhood friends surrounded him, of whom he grew a loving family bond with. Tarik dedicated himself to his community as he played the role of a friend, a leader, an advisor, a confidant, and a protector. If Tarik considered you family, there was nothing that he would not do for you. He did not ask much of others, as he was a very modest and humble man. He accepted people as they were, and only wanted the best for others. He was truly, a deserving man; and

WHEREAS, Tarik's pride and joy were his children. There was not a moment that went by that he did not speak highly of them, from his daughter writing a book, to Tarik getting his HVAC license, to Nyrik graduating; all were joyful moments for him, as he was undoubtedly proud of his children. He also took great admiration in watching Ahbreaha and Agionna grow from early elementary years into their junior high and high school years, noting often, how he enjoyed their conversations on their walks to and from school. Many days he was still baffled at witnessing Azaih navigate through young adulthood as he reminisced on being at her birth. These are only a glimpse of his proudest moments, and the love he had for his children was truly over-flowing; and

WHEREAS, he was not a man of many words; however, his body expressions spoke volumes. For first impressions, one would assumed he was unsociable; however, he was a gentle giant. His personality was magnified in times of comfort, when surrounded by authentic people, when watching his Pittsburgh Steelers playing, and when listening to his club music. His comfort zone allowed him to be free spiritually, and two-step his way around smiling ear to ear; and

WHEREAS, those that knew Tarik certainly are proud to call him husband, father, son, brother, uncle, nephew, cousin, and friend. He will be greatly missed by everyone that knew him. He has left a lasting impression, in which they will continue to feel his spirit, and be filled with the joy he has embedded in their hearts and thoughts; and

WHEREAS, Tarik is survived by his wife, Shomnik Gayles-Ellis; his one daughter and his two sons Tarik Mack, and Nyrik Ellis; step-children, Azaih Connell, Ahbreaha Gayles, and Agionna Gayles; parents, Robert and Erselle Ellis; sister, Lynn Ellis-Turner; a nephew; two nieces; a uncle; four aunts; cousins; and friends:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington hereby mourns the passing of Tarik Robert Ellis and sends condolences to his family and many friends during this period of bereavement; and

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of the Municipal Council as a lasting tribute to the memory of Tarik Robert Ellis.

Adopted
Absent: Cox

Burgess - Hudley

2. Authorize Springfield Avenue Business Improvement District's
(SACBID) 2020 – 2021 Budget to be Read by Title

WHEREAS, N.J.S.A. 40:56-84(f) provides that a Special Improvement District budget as advertised shall be read in full at the public hearing, or that it may be read by its title only if:

1. At least one week prior to the date of the hearing a complete copy of the approved Special Improvement District budget, as advertised,

(b) shall be posted in a public place where public notices are customarily posted in the principal public building; and

(b) copies are made available to each person requesting same during said week and during the public hearing:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that it is hereby declares that the conditions of N.J.S.A. 40:56-84(f), 1 (a) and 1 (b), have been met and therefore the 2020 - 2021 Springfield Avenue Center Special Improvement District Budget shall be read by title only.

Adopted
Absent: Cox

3. Ratify Calendar Year 2019 Annual Audit Report

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the Calendar Year 2019 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirement of N.J.S. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the Annual Audit entitled: GENERAL COMMENTS AND RECOMMENDATIONS

WHEREAS, such resolution of certification shall be Adopted by the governing body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 - to wit:

R.S. 52:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE, BE IT RESOLVED THAT THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON MARCH 22, 2021.

Harold E. Wiener, R.M.C. #C-0327, M.M.C., Municipal Clerk

[REMOVED AT CAUCUS MEETING]

Frederic – Besley

4. Authorize Appointment of Special Law Enforcement Officer Class II
– Michael Mangual-Marquez

Resolution for the Appointment of Special Law Enforcement Officer Class II & Police Officer Training

WHEREAS, under Township Ordinance **7-143 POWERS AND DUTIES OF THE PUBLIC SAFETY DIRECTOR**, subsection L. The Director may employ Special Law Enforcement Officers in accordance with N.J.S.A. 40A:14-146.8 et. seq. Special Law Enforcement Officers' Act. The Public Safety Director recommends the appointment of Special Law Enforcement Officer Class II for a one year term commencing **July 1, 2019 and ending June 30, 2020.**

BE IT RESOLVED, the Township Of Irvington in accordance with N.J.S.A 40A:14-146.8 et. Seq shall appoint the listed SLEO II Police Officers for a one year term commencing July 1, 2020 and ending June 30, 2021:

Special Law Enforcement Officer Class II Michael J. Mangual-Marquez

WHEREAS, in February 2021 the Township of Irvington under Police Certification# OL210060 of the New Jersey Civil Service Commission appointed SLEO Class II Michael J. Mangual-Marquez to the title of Police Officer pending the completion of any training with the New Jersey Police Training Commission.

WHEREAS, in December 2020 SLEO Class II Michael Mangual-Marquez completed his one-year requirement as a Certified Special Law Enforcement Class II Officer.

WHEREAS, upon completion of required curriculum set forth by the New Jersey Police Training Commission Michael Mangual-Marquez shall be appointed to the title of Police Officer with the Township of Irvington.

BE IT FURTHER RESOLVED, Michael J. Mangual-Marquez shall complete any required training no later than June 30, 2022. Until the completion of any required training for the title of Police Officer SLEO Class II Michael J. Mangual-Marquez shall continue his duties under his current title.

Adopted
Absent: Cox

Hudley – Beasley

5. Waive 20 Day Time Period for Effective Date of an Ordinance
Providing Resident Permit Parking on Rutgers Street and Osborne
Terrace

WHEREAS, an ordinance entitled “AN ORDINANCE PROVIDING FOR RESIDENTIAL PARKING PERMITS ON PORTIONS OF RUTGERS STREET AND OSBORNE TERRACE” was duly passed on first reading by the Municipal Council on March 8, 2021 and duly Adopted by the Municipal Council on second reading after public hearing on March 22, 2021; and

WHEREAS, pursuant to N.J.S.A. 40:69A-181 (a) and Section 7-32 (d) of the Revised Code of the Township of Irvington, an ordinance shall take effect twenty (20) days after final passage by the Municipal Council and approval by the Mayor; and

WHEREAS, pursuant to N.J.S.A. 40:69A-181 (b) and Section 7-32 (d) of the Revised Code of the Township of Irvington, two-thirds (2/3) of the full membership of the Municipal Council may declare an emergency, by written resolution, to reduce this twenty (20) day period:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON (not less than 2/3 of the full membership thereof affirmatively concurring) that pursuant to the provisions of N.J.S.A. 40:69A-181 (b) and Section 7-32 (d) of the Revised Code of the Township of Irvington, it does hereby declare that an emergency exists that an ordinance entitled " AN ORDINANCE PROVIDING FOR RESIDENTIAL PARKING PERMITS ON PORTIONS OF RUTGERS STREET AND OSBORNE TERRACE” shall become effective immediately upon its approval by the Mayor.

Adopted
Absent: Cox

Frederic – Burgess

6. Authorize \$60.00 Refund of Application Fee for a Raffle Licensed
Cancelled Due to the Covid19 Pandemic – Good Shepherd Parish

WHEREAS, Good Shepherd Parish, 954 Stuyvesant, Irvington, New Jersey, had previously been granted Raffle License Number RL 1629, to four conduct raffle games in the Township of Irvington on March 22, 2020, June 21, 2020, September 27, 2020 and December 13, 2020; and

WHEREAS, the March 22, 2020 raffle was rescheduled to September 13, 2020 and was held on that date, and the June 21, 2020, September 27, 2020 and December 13, 2020 raffles were cancelled altogether, through no fault of the organization, due to the Covid-19 pandemic; and

WHEREAS, the application filing fee paid to the Township of Irvington for these four raffle dates was \$20.00 for each occurrence, totaling \$80.00; and

WHEREAS, Good Shepherd Parish has subsequently filed an amendment to Raffle License RL1629 cancelling the raffles scheduled for June 21, 2020, September 27, 2020 and December 13, 2020; and

WHEREAS, as a result of the amendment to Raffle License RL 1629, Good Shepherd Parish, 954 Stuyvesant, Irvington, New Jersey, License Number RL 1629, wishes to be refunded that portion of the filing fee amounting to \$60.00 for the aforesaid three cancelled raffle dates, previously paid to the Township of Irvington, at the discretion of the governing body:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Director of Revenue and Finance is hereby authorized and directed to refund the above referenced balance of the initial filing fee for Raffle License Number 1629 in the amount of \$60.00 to said organization; and

BE IT FURTHER RESOLVED that the refund check for said organizations be marked for deposit only; and

BE IT FURTHER RESOLVED that the Director of Revenue and Finance is hereby authorized and directed to mail said refund check to the organization at the address listed above.

Adopted
Absent: Cox

Frederic - Vick

7. Authorize Shared Services Agreement With Essex County to Furnish the Resurfacing of Clinton Avenue Between Springfield Avenue and the Newark City Line

SHARED SERVICES AGREEMENT BETWEEN THE COUNTY OF ESSEX & THE TOWNSHIP OF IRVINGTON FOR THE RESURFACING OF CLINTON AVENUE

WHEREAS, the Township of Irvington ("Township") having its principal offices at One Civic Square, Irvington, NJ 07111 and the County of Essex ("County") having its principal offices at 465 Dr. Martin Luther King, Jr. Boulevard, Newark, NJ 07102, are desirous of entering into a Shared Services Agreement whereby the County will no longer plow and salt Clinton Avenue, a County road, section in Irvington during snow event; and

WHEREAS, the Township of Irvington is in need of resurfacing the portion of Clinton Avenue between Springfield Avenue and the Newark city line which is under its municipal jurisdiction; and

WHEREAS, the County of Essex desires the portion of Clinton Avenue between Springfield Avenue and the Maplewood town line, which is under the County's jurisdiction, to be plowed and salted during winter snow and/or ice events; and

WHEREAS, the Township of Irvington is willing to plow and salt portion the portion of Clinton Avenue between Springfield Avenue and the Maplewood town line, which is under the County's jurisdiction, during winter snow and/or ice events; and

WHEREAS, it has been determined that the most expeditious way to proceed with the desired resurfacing of Clinton Avenue would be as a joint venture ("Shared Services Agreement"), is with the County being responsible for the design, construction and inspection of the construction, and all costs related thereto; and

WHEREAS, it is the purpose of this Agreement to set forth the various duties, responsibilities and obligations of the parties thereto; and

WHEREAS, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1. et seq.) authorizes and empowers the County and the Township to enter into this Agreement for the purposes of sharing services contemplated by this Agreement;

NOW, THEREFORE, BE IT RESOLVED in consideration of the mutual and joint obligations set for herein and other valuable considerations, the County of Essex and the Township of Irvington do hereby mutually agree as follows:

1. In order to implement this Agreement, the County of Essex agrees to furnish, supply, and/or undertake the resurfacing of Clinton Avenue between Springfield Avenue and the Newark city line, including but not limited to the following:
 - a. Paying for all the costs of construction and any and all other costs relating to the resurfacing project.
 - b. Upon the completion of the resurfacing project, the Township of Irvington shall bear all responsibility for the continued ownership, maintenance and control of the subject roadway.
2. The parties further mutually agree as follows:
 - a. The Township of Irvington will be responsible to plow and salt the portion of Clinton Avenue, between Springfield Avenue and the Maplewood town line, which is owned by the County, as required during winter snow and/or ice events.
 - b. This agreement shall become effective upon the passage of an authorizing Resolution by the Township and a Resolution by the County along with execution of the Agreement by both parties.
 - c. This Agreement may not be assigned to one part without the written consent of the other.
 - d. This Agreement set for the entire understanding of the parties hereto with respect to the transactions contemplated herein. No change of modification of this Agreement shall be valid unless the same be in writing and signed by all of the parties hereto.
 - e. It is the responsibility of each Party to:
 1. Be solely responsible to its own Personnel for the payment of wages and other compensation and for Workers' Compensation coverage; and
 2. Be responsible for its own equipment and personnel and bear the risk of any loss or damage to its equipment or injury to its personnel occurring as a result of the performance of the terms of this Agreement; and
 3. Maintain at all times in accordance with the law of the State of New Jersey under the Tort Claims Act for tort claims liability coverage in an amount not less than the minimum required for every policy or contract of insurance or comprehensive liability plan permitted under the act.

4. Each Party shall be solely responsible for third party liability for those acts which are under their direction and control under the terms of this Agreement.

f. The Township shall indemnify and hold harmless the County, its elected and appointed officers, its council members, boards, commissions, employees, and agents from any and all injury, claim, demand, judgment, liability, or damage arising out of or resulting from the County's negligence in the repaving project or otherwise in the performance of this Agreement.

g. . If any clause, sentence, paragraph, section or part of this Agreement shall be adjudged to invalid by any court of competent jurisdiction, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined on its operation to the clause, sentence, paragraph, section or part thereof, directly involved to the controversy in which such judgment shall have been rendered.

BE IT FURTHER RESOLVED that the Mayor and the Township Clerk are hereby authorized to enter into a Clinton Avenue Resurfacing Shared Services Agreement between the Township of Irvington and the County of Essex and are authorized to execute any and all documents necessary to effectuate the adoption and compliance with same.

Adopted
Absent: Cox

Hudley - Beasley

8. Waive Interest in the Amounts of \$1.07 and \$105.56 on 46 Cordier Street and 58 Cordier Street, Block 186.02, Lot 4 and Lot 5 – Payment of Full Taxes Due Received before Tax Due Date in Mail Room But After Tax Due Date in Tax Collector's Office

Resolution to Waive Interest on Late Payments

WHEREAS, the 2021 1st quarter taxes were due February 1, 2021 and taxpayers had to remit payment by February 10, 2021 to avoid interest; and

WHEREAS, the taxpayer City Barrel Inc of 46 Cordier Street and 58 Cordier Street, Block 186.02, Lot 4 and Lot 5 mailed payment of the 1st quarter bill before the grace period ended; and

WHEREAS, the taxpayer contacted the tax office multiple times to inquire about tax payments and checks that were not received in the tax office prior to grace period for interest charges due after February 10th; and

WHEREAS, the taxpayer City Barrel appeared in person on March 4, 2021 to pay the 2021 1st quarter taxes; and

WHEREAS, the taxpayer was charged interest in the amount of \$1.07 on Lot 4 and \$105.56 on Lot 5; and

WHEREAS, the tax office received from the township mail room the original lost tax payments on March 10, 2021

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Tax Collector is authorized to waive the interest charged in the amount of \$1.07 on Lot 4 and \$105.56 on Lot 5 on the above named properties and bring the tax accounts current.

Adopted
Absent: Cox

Burgess - Evans

9. Authorize and Direct the Planning Board to Prepare an Amendment for the East Ward/East Springfield Avenue Redevelopment Plan for Property Identified on the Tax Maps of the Township as 941-951 Grove Street, Block 210, Lots 48 – 52

RESOLUTION OF THE TOWNSHIP OF IRVINGTON, IN THE COUNTY OF ESSEX, NEW JERSEY DIRECTING THE PLANNING BOARD TO PREPARE AN AMENDMENT FOR THE EAST WARD/EAST SPRINGFIELD AVENUE REDEVELOPMENT PLAN FOR PROPERTY IDENTIFIED ON THE TAX MAPS OF THE TOWNSHIP AS 941-951 GROVE STREET (BLOCK 210, LOTS 48-52)

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 within the municipality constitute an area in need of redevelopment and/or an area in need of rehabilitation, as defined in the Redevelopment Law; and

WHEREAS, in accordance with the Redevelopment Law, the Municipal Council (the “**Township Council**”) of the Township of Irvington (the “**Township**”), has previously identified certain areas within the Township as in need of redevelopment and in need of rehabilitation, and wishes to develop and adopt plans for the redevelopment of such areas, all as part of an overall comprehensive redevelopment initiative; and

WHEREAS, on July 11, 2006, by Resolution No. UEZ 06-0711-12, the Township Council designated certain properties identified on the tax maps of the Township as 943-949 Grove Street (Block 210, Lots 49 & 50) as an area in need of redevelopment; and

WHEREAS, in accordance with the requirements of the Redevelopment Law, on July 14, 2015, by resolution No. UEZ 15-0714-11, the Township Council designated the entirety of the Township, including certain properties identified on the tax maps of the Township as 941 Grove Street (Block 210, Lot 48) and 951 Grove Street (Block 210, Lots 51 & 52) as an area in need of rehabilitation; and

WHEREAS, the Township wishes to provide for the uniform redevelopment of the properties known in the Township tax records as 941-951 Grove Street, and identified as Block 210, Lots 48-52 on the tax maps of the Township (collectively, the “**Plan Area**”); and

WHEREAS, the Plan Area is adjacent to the existing East Ward/Springfield Avenue Redevelopment Area, which is subject to the East Ward/East Springfield Avenue Redevelopment Plan (as amended, the “**Redevelopment Plan**”); and

WHEREAS, to provide for the uniform redevelopment of the Plan Area, the Township Council wishes to utilize the Planning Board’s knowledge and expertise to amend the Redevelopment Plan by incorporating the Plan Area,

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. Preparation of Redevelopment Plan. The Planning Board is hereby authorized and directed to prepare an amendment to the Redevelopment Plan by incorporating the Plan Area, in accordance with the requirements of the Redevelopment Law.

Section 3. Severability. If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

Section 4. Availability of the Resolution. A copy of this Resolution shall be available for public inspection at the offices of the Township Clerk.

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

Adopted
Absent: Cox

Vick - Beasley

10. Authorize Extension of the Conditional Designation of Redevelopment Capital Partners LLC as Redeveloper for Various Properties Within the Township of Irvington

RESOLUTION OF THE TOWNSHIP OF IRVINGTON, IN THE COUNTY OF ESSEX, NEW JERSEY, EXTENDING THE CONDITIONAL DESIGNATION OF REDEVELOPMENT CAPITAL PARTNERS LLC AS REDEVELOPER FOR 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 requirements of 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**”) designated the entirety of the 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 Redevelopment Law and in accordance with the procedures set forth therein; 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 properties located within the Rehabilitation Area, which properties are identified on the official tax maps and in the Township tax records as follows:

Block	Lot	Address	Phase
110	1.02	100-102 Eastern Pkwy	1
116	22	579-583 Grove St	1
116	35	28 Grove Terr	1
156	7	526 Grove St	1
156	25	147-149 21st St	1
158	10	80 21st St	1
159	5	152 21st St	1
159	24	537 20th St	1
125	17	25 Tichenor Terr	1
125	18	23 Tichenor Terr	2
125	20	19 Tichenor Terr	2
125	27	637 Grove St	2
125	28	639 Grove St	2
126	16	23 Montrose Terr	2
126	18	19 Montrose Terr	2
126	20	15 Montrose Terr	2
126	26	621 Grove St	2
127	23	597 Grove St	2
127	24	599 Grove St	2
127	26	603 Grove St	2
142	11	142 22nd St	2
149	3	662 Grove St	2
149	4	660 Grove St	2
149	12	640-642 Grove St	2
149	15	632 Grove St	2
149	25	193 22nd St	2

152	12	194 21st St	2
152	21	599-601 20th St	2
153	8	252 21st St	2
154	9	190 22nd St	2
154	25	239 21st St	2
131	24	715 Grove St	2
162	16	761 Springfield Ave	3
162	17	759 Springfield Ave	3
162	23	413 21st St	3
207	31	103 Ellis Ave	3
204	17	81 Harrison Pl	3
209	24	875 Springfield Ave	4
210	8	68 Maple Ave	4
210	40	923 Grove St	4
210	48	941 Grove St	4
210	49	943-947 Grove St	4
210	50	949 Grove St	4
210	51, 52	951 Grove St	4
213	5	28 Howard St	4
165	24	531 21st St	4
166	24	469 21st St	5
166	24.01	471 21st St	5
166	25	473 21st St	5
166	26	475 21st St	5
167	7	496 21st St	5
168	6	122 Montgomery Ave	5
168	7	120 Montgomery Ave	5

199	10	1080 Grove St	5
199	12	1074 Grove St	5
200	36	47 Coit St	5
205	29	9 Ellis Ave	5
207	32	101 Ellis Ave	5
207	41	77-79 Ellis Ave	5
215	35	1059 Grove St	5
215	36	1061 Grove St	5
211	18	56 Augusta St	5
216	20	1091 Grove St	6
219	2	118 Grace St	6
219	22	462 Nye Ave	6
219	31	177 Maple Ave	6
219	35	191 Maple Ave	6
220	18	486 Nye Ave	6
223	6	563 Lyons Ave	6
223	7	1222 Grove St	6
266	4	18 Cleremont Ave	6
228	27	97-99 Mt. Vernon Ave	6
240	9	168 Paine Ave	7
251	7	76 Osborne Pl	7
253	1	360-366 Union Ave	7
255	1	300 Union Ave	7
255	7	116 Cleremont Ave	7
256	4	10 Mt. Vernon Ave	7
258	19	100-104 Melville Pl	7

269	6	82 Cleremont Ave	7
285	7	763 Lyons Ave	7
300	7	43 Rutgers St	7
303.01	1	539 Union Ave	7
334	19	47-49 Nesbit Terr	7
73	24	79 Delmar Pl	7
79	78	107 Linden Ave	8
80	34	647 Nye Ave	8
83	2	1160 Clinton Ave	8
83	3	1158 Clinton Ave	8
84	24	86 Linden Ave	8
88	4	94 Washington Ave	8
88	12	110 Washington Ave	8
98	12	134 Brookside Ave	8
102	6	119-121 Western Pkwy	8
105.01	3	167 Munn Ave	8
278	10	1110 Clinton Ave	8
24	11	545 Stuyvesant Ave	8
39	1	1215 Clinton Ave	9
40	25	1229 Clinton Ave	9
42	8	125 W. Allen St	9
44	13	15 Lenox Ave	9
316	1	908-14 Stuyvesant Ave	9
339	15	1251 Springfield Ave	9
374	28	16 Headley Terr	9

(collectively, 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, certain parcels identified above are located both within the Rehabilitation Area and within a redevelopment area designated by the Township in accordance with the Redevelopment Law, as the East Ward/Springfield Ave Redevelopment Area. These lots, identified on the Township tax maps as: Block 142, Lot 11; Block 162, Lots 16, 17 & 23; Block 209, Lot 24; and Block 210, Lot 40, is subject to the superseding zoning of the *East Ward/East Springfield Ave Redevelopment Plan* (as amended, the “**East Ward Redevelopment Plan**”); and

WHEREAS, certain parcels identified above are located both within the Rehabilitation Area and within a redevelopment area designated by the Township in accordance with the Redevelopment Law, as the Scattered Sites Redevelopment Area. These lots, identified on the Township tax maps as: Block 127, Lot 26; Block 162, Lot 23; Block 166, Lot 26; and Block 210, Lots 49 & 50, is subject to the overlay zoning of the *Scattered Sites Redevelopment Plan* (as amended, the “**Scattered Sites Redevelopment Plan**”); and

WHEREAS, certain parcels identified above are located both within the Rehabilitation Area and within a rehabilitation area designated by the Township in accordance with the Redevelopment Law, as the Urban Enterprise Zone Rehabilitation Area. These lots, specifically: Block 127, Lots 23 & 24; Block 149, Lots 4 & 15; Block 162, Lots 16 & 17; Block 209, Lot 24; Block 253, Lot 1; Block 266, Lot 4; Block 278, Lot 10; Block 316, Lot 1; and Block 339, Lot 15 are subject to the overlay zoning of the Urban Enterprise Zone Redevelopment Plan (as amended, the “**UEZ Redevelopment Plan**”, together with the Township-Wide Redevelopment Plan, the East Ward Redevelopment Plan and the Scattered Sites Redevelopment Plan, the “**Redevelopment Plan**”); and

WHEREAS, by Resolution dated March 11, 2019, the Township Council conditionally designated Redevelopment Capital Partners 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, Redevelopment Capital Partners 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 St Redevelopment LLC (the “**Redeveloper**”) as successor redeveloper; and

WHEREAS, the Township deems it appropriate to extend the designation until March 11, 2023, 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. Extension of Conditional Designation of Redeveloper; Negotiation of a Redevelopment Agreement.

(a) The conditional designation as redeveloper of the Property previously granted to Redevelopment Capital Partners LLC is hereby extended until March 11, 2023, 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, within which time Redevelopment Capital Partners, LLC, shall be required to secure Planning Board approval within a year after receiving title to foreclosed properties and a certificate of completion for site within two years consistent with the Plans stated in the Resolution.

(b) 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 Redevelopment Capital Partners LLC during that time.

(c) If, at the expiration of this extension, the Township shall not have authorized the execution of the redevelopment agreement, then the designation of Redevelopment Capital Partners LLC C 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: Cox

Vick – Hudley

11. Resolution of the Township of Irvington Rescinding and Replacing Resolution OCDP 21-0222-2 and Authorizing the Execution of a Redevelopment and Land Disposition Agreement by and Between the Township and Redevelopment Capital Partners, LLC In Connection With the Transfer and Redevelopment Of Various Properties Within The Township of Irvington

RESOLUTION OF THE TOWNSHIP OF IRVINGTON RESCINDING AND REPLACING RESOLUTION OCDP 21-0222-2 AND AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AND LAND DISPOSITION AGREEMENT BY AND BETWEEN THE TOWNSHIP AND REDEVELOPMENT CAPITAL PARTNERS, LLC IN CONNECTION WITH THE TRANSFER AND REDEVELOPMENT 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 requirements of 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**”) designated the entirety of the 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 Redevelopment Law and in accordance with the procedures set forth therein; and

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

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

WHEREAS, the Township Council previously Adopted Resolution OCDP 21-0222-2, authorizing the execution of a Redevelopment and Land Disposition Agreement between the Township and Redevelopment Capital Partners, LLC in connection with the transfer and redevelopment of twenty-seven (27) properties within the Township; and

WHEREAS, the Township Council now desires to rescind and replace Resolution 21-0222-2 and to authorize authorizing the execution of a Redevelopment and Land Disposition Agreement between the Township and Redevelopment Capital Partners, LLC in connection with the transfer and redevelopment of the properties listed below; and

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

Block	Lot	Location
24	11	545 Stuyvesant Avenue
39	1	1215 Clinton Avenue
52	10	275 Orange Avenue
56	23	220 Vermont Avenue
59	27	194 Columbia Avenue
77	23	379 Isabella Avenue

78	4	78-80 Orange Avenue
166	13	92 Ellis Avenue
166	14	94 Ellis Avenue
166	15	96 Ellis Avenue
167	13	476 21st Street
197	42	40-42 Berkshire Place
199	14	69 Coit Street
209	46	69 Maple Avenue
210	16	42-44 Maple Avenue
210	25	22 Maple Avenue
211	17	58 Augusta Street
213	3	36 Howard Street
214	17	12 Grace Street
219	18	62-64 Grace Street
222	19	1150 Grove Street
226	9	624 Lyons Avenue
267	11	117 Welland Avenue
335	13	39 Park Place
337	1	36 Park Place

(collectively, 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, one of the parcels identified above is located both within the Rehabilitation Area and within a redevelopment area designated by the Township in accordance with the Redevelopment Law, as the East Ward/Springfield Avenue Redevelopment Area. This lot, identified on the Township tax maps as Block 210, Lot 25, is subject to the superseding zoning of the *East Ward/East Springfield Avenue Redevelopment Plan* (as amended, the “**East Ward Redevelopment Plan**”); and

WHEREAS, certain parcels identified above are located both within the Rehabilitation Area and within a rehabilitation area designated by the Township in accordance with the Redevelopment Law, as the Urban Enterprise Zone Rehabilitation Area. These lots, specifically: Block 199, Lot 4; Block 222, Lot

19; and Block 223, Lots 6 & 7 are subject to the overlay zoning of the Urban Enterprise Zone Redevelopment Plan (as amended, the “**UEZ Redevelopment Plan**”, together with the Township-Wide Redevelopment Plan and the East Ward Redevelopment Plan, the “**Redevelopment Plan**”); and

WHEREAS, Redevelopment Capital Partners, LLC (the “**Redeveloper**”) proposes to acquire the Property, and to redevelop same by undertaking the design, development, financing, maintenance and rehabilitation (or construction as needed) of two-family, three-family and multi-family dwellings with a goal of creating approximately forty (40) residential rental units containing a mix of one, two and three bedroom units, the renovation of one (1) mixed use property and the renovation of two (2) commercial warehouse buildings, and certain other on-site and offsite improvements on the Property (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

**[FORM OF REDEVELOPMENT AGREEMENT ON FILE IN OFFICE OF THE
MUNICIPAL CLERK]**

Adopted
Absent: Cox

12. Anticipate Miscellaneous Revenues In The 2021 Budget Using The
Three-Year Average Of Realized Revenues From The Prior Three Years
(TO BE FORTHCOMING)

[NEVER SUBMITTED BY THE ADMINISTRATION]

Beasley – Frederic

13. Resolution for the Appointment of SLEO Class II Antonio
Rizzolo full time Police Officer Upon Completion Of Required
Curriculum Set Forth By The New Jersey Police Training

Resolution for the Appointment of Special Law Enforcement Officer Class II & Police Officer Training

WHEREAS, under Township Ordinance **7-143 POWERS AND DUTIES OF THE PUBLIC SAFETY DIRECTOR**, subsection L. The Director may employ Special Law Enforcement Officers in accordance with N.J.S.A. 40A:14-146.8 et. seq. Special Law Enforcement Officers' Act. The Public Safety Director recommends the appointment of Special Law Enforcement Officer Class II for a one year term commencing **July 1, 2019 and ending June 30, 2020.**

BE IT RESOLVED, the Township Of Irvington in accordance with N.J.S.A 40A:14-146.8 et. Seq shall appoint the listed SLEO II Police Officers for a one year term commencing July 1, 2020 and ending June 30, 2021:

Special Law Enforcement Officer Class II Antonio Rizzolo

WHEREAS, in February 2021 the Township of Irvington under Police Certification# OL210060 of the New Jersey Civil Service Commission appointed SLEO Class II Antonio Rizzolo to the title of Police Officer pending the completion of any training with the New Jersey Police Training Commission.

WHEREAS, SLEO Class II Antonio Rizzolo has been a SLEO Class II since, December 2016 completed his one-year requirement as a Certified Special Law Enforcement Class II Officer, with the Irvington Police Department.

WHEREAS, upon completion of required curriculum set forth by the New Jersey Police Training Commission SLEO Class II Antonio Rizzolo shall be appointed to the title of Police Officer with the Township of Irvington.

BE IT FURTHER RESOLVED, Antonio Rizzolo shall complete any required training no later than June 30, 2022. Until the completion of any required training for the title of Police Officer SLEO Class II Antonio Rizzolo shall continue his duties under his current title.

Adopted
Absent: Cox

10. Communication and Petitions

A. Communications

1. Essex County Board of Commissioners – Bond Ordinances
2. Essex County Board of Commissioners – Salary Ordinance – Board Commissioner Employees
3. Essex County Board of County Commissioners - Ordinance Amending the Essex County Solid Waste Management Plan
4. Essex County Board of County Commissioners – Ordinance .Establishing NJ County Option Hospital Fee Pilot Program for County of Essex

11. Pending Business

None

NON-CONSENT AGENDA ITEMS

9. Resolutions and Motions (Continued)

A. Resolutions

14. President Burgess: The Springfield Avenue Center Business Improvement District's budget for 2020-2021 was introduced on February 8, 2021, published in the Irvington Herald on February 18, 2021 and March 1, 2021 public hearing set for this date, time and place. The Clerk will read the notice of hearing.

The Clerk read the notice of hearing.

The Clerk will read the budget by title

BE IT RESOLVED THAT THE FOLLOWING STATEMENTS OF REVENUES AND APPROPRIATIONS SHALL CONSTITUTE THE SPRINGFIELD AVENUE CENTER BUSINESS IMPROVEMENT DISTRICT'S (SACBID) 2020-2021 BUDGET.

TOTAL GENERAL REVENUES	\$569,040.00
TOTAL GENERAL APROPRIATIONS	\$569,040.00

Springfield Avenue Center Business Improvement District's (SACBID) 2020-2021 District Budget

2020-21 BUDGET OF THE IRVINGTON SPRINGFIELD AVENUE BUSINESS IMPROVEMENT DISTRICT

The membership and Board of Directors of the Irvington Springfield Avenue Business Improvement District (ISABID) duly approved the following 2020-21 budget at its Annual Membership Meeting on Wednesday, January 13, 2021. A mid-year ISABID Annual Report was also presented at the meeting and is attached herein to further expand upon the budget narratives below.

REVENUES	Budget	Narrative
Cash on Hand: 7/1/20	272,912	7/1/20 Cash on Hand: \$272,911.64
BID Tax: 4%	295,728	4% annually since 2018
Misc: Interest, CCEF event	400	Interest in 2019-20: 202.97; CCEF ballgame in 2021?
TOTALS	569,040	
EXPENSES	Budget	
*BEAUTIFICATION: Holiday Decorations	33,000	DD: 60 garland wraps, skyline, 30 banners; Raleigh: 100 candy canes/bells (rent)
Electrification of PSEG Poles		awaiting # poles & Twp support @ \$425.26/outlet
Township Clock	2,500	Gateway Clock electricity & repair; mulching

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Sidewalk Cleaning	83,100	Arescue: 15 wks @ \$1650; AZ: 37 wks @ \$1576.92; includes Smith St parking lot
Private Security Cameras	<u>3,000</u>	matching grants for members' installations
SUBTOTAL	121,600	
MARKETING:		
Business Improvement Grant Program	25,000	matching grants for interior/exterior upgrades & merchandising seminar
Promotional Mailers	21,000	SWS & Spring tri-fold fliers mailed to >29,000 Irvington residences
Social Media/Advertisements	9,000	website: \$119.76; social media: \$6219; banner cables: \$1800
Promotions (general)	7,000	5 SWS in 2020; 2 SWS thru June 2021 @ \$1000 includes SWS banner @ \$800
Holiday (children's promotion)	2,000	Santa letter campaign; Spring 2021 activity
Professional/Service Member Events	<u>10,000</u>	NEW: quarterly activities thru ICC to benefit non-retail ISABID mbrs (i.e., health
SUBTOTAL	74,000	business expo/job fair; economic/residential development seminar
<u>OPERATIONS</u>		
Administration	60,000	FTM manager & consultant services (third party contractor)
Organizational Expenses	2,000	2019-20 expenses: Telephone-\$516.97, Operations-\$996.49
Professional Fees	9,000	Audit: \$6400; General liability & Directors/Officers insurance policies: \$2500
Staff/Board Training	<u>500</u>	Board meeting breakfasts, seminars, subscriptions (thru June 2021)
SUBTOTAL	71,500	
<u>RESERVE</u>		
*Capital Improvements, Beautification, etc.	291,940	new electric outlet installations on PSEG poles; crew vests, graffiti removal, etc.
Donations	<u>10,000</u>	\$1000 scholarship; ICC Awards Dinner; community requests
SUBTOTAL	301,940	
Total Expenditures	569,040	

The public hearing on the Springfield Avenue Center Business Improvement District's (SACBID) Budget for 2020 – 2021 will be heard at this time.

There were no requests to be heard.

Burgess – Hudley

Motion to close public hearing

Adopted
Absent: Cox

Burgess - Hudley

Motion to adopt Springfield Avenue Center Business Improvement District's (SACBID) Budget for 2020-2021

Adopted
Absent

8. Ordinances, Bills & Claims (Continued)

B. Ordinances on Second Reading

1. President Burgess: An ordinance establishing procedures to assure local candidates for local public office meet statutory residency requirements will be heard at this time. The Clerk will read the notice of hearing.

The Clerk read the notice of hearing.

The Clerk will read the ordinance by title.

TOWNSHIP OF IRVINGTON, NEW JERSEY

VERIFICATION OF RESIDENCY REQUIREMENTS FOR CANDIDATES FOR OFFICE (MAYOR, COUNCIL MEMBER-AT-LARGE, WARD COUNCIL MEMBER)

I. DEFINITION OF LOCAL TOWNSHIP ELECTED OFFICE

The provisions of this ordinance shall apply exclusively to the Offices of Mayor, Council Member-At-Large and Ward Council Member.

II. RESIDENCY REQUIREMENTS FOR NEW CANDIDATES

In addition to being a registered voter in the Township of Irvington at the time petitions of nomination are filed as required by New Jersey statute, candidates for local elected office, as described in this ordinance must complete the Township of Irvington Candidate affidavit form with all required information, as set forth in this Ordinance, to verify their residency in the Township of Irvington and in a particular Ward as applied to candidates for Ward positions, All of the information and requirements set forth in the Township of Irvington Candidate affidavit form must be current and valid as of the date of submission to the Clerk to receive certification to appear on the ballot and through election and in order to assume elected office unless a valid and eligible change of address is submitted to the Clerk:

1. To ensure all new candidates live in the Township and to maintain the integrity of Irvington Municipal elections, there is hereby created the Township of Irvington Candidate Affidavit Form which must be completed by candidates as set forth above and to which must be attached certain documents. Candidate shall provide personal income tax returns for the last calendar preceding the year of the Municipal Election for which the candidate seeks office. The sole purpose of the submission is to serve as a point of proof that the candidate lives in the Township for Mayor and Council-At-Large candidates and proof that the candidate lives in the Ward for . All candidates must submit Township of Irvington Candidate Affidavit Form in a manner and in a form approved by the Township Clerk and Township Attorney under penalty of perjury, signed by the candidate verifying that the address on the documents is the candidate's primary residence.

2. In addition to all other candidate qualifications requirements under New Jersey law, including but not limited to having the candidate's primary residence in the Township of Irvington and in a particular Ward as the case may be, candidates must ~~now~~ provide the following:

- a. The last 12 months prior to the election of bank statements and utility bills, including but not limited to, cable, phone, gas and electric showing the candidate's permanent residence ; if a candidate does not have bank statements or utility bills for their permanent address to submit, the candidate shall set forth that information on the Township of Irvington Candidate Affidavit Form . ; and
- b. Recorded deed or rental or lease agreement for the candidate's permanent residence. If the candidate is not living in the permanent residence under a rental or leasehold agreement, the candidate shall set forth that information on the Township of Irvington Candidate Affidavit Form and attach an affidavit, in a form approved by the Clerk and the Township Attorney, from the homeowner or authorized legal representative of the entity verifying that the candidate is living in the home as his or her primary residence.

3. If the lease or rental agreement expiration date is less than 12 months prior to the date of the election, the candidate shall provide proof of residency covering that period as set forth above.

5. Proof of motor vehicle registration and insurance shall be provided if any motor vehicles are registered to the candidate setting forth the address of the Candidate's permanent residence. In addition, proof of a valid New Jersey driver's license showing his or her address of permanent residence on the license must be consistent with the address shown on the nomination papers. If the residence address on either the driver's license or auto registration is in the process to being changed, the candidate must provide a document from the New Jersey Department of Motor Vehicles (DMV) verifying the change is in process. Only if a candidate does not own an automobile and does not have a New Jersey driver's license, shall the candidate state that information on the Township of Irvington Candidate Affidavit Form and submit another State of New Jersey issued identification showing that the address on the identification document is consistent with the address shown on the nomination papers.

6. The candidate's name and address must be consistent with the information in the candidate's nomination papers. In the event a Utility bill has not been generated, a letter from an authorized representative of the utility provider stating that an account has been opened in the candidate's name will suffice. If there is an agreement with a landlord or other legal entity, as verified by a rental contract or lease contract, that the landlord or other legal entity will pay the bill and/ or the Utility bill, the candidate must submit that information on the Township of Irvington Candidate Affidavit Form. and attach an affidavit signed by the landlord or the other legal entity's authorized legal representative under penalty of perjury, verifying that the landlord or other legal entity, is responsible for paying the Utility bill.

7. Failure to provide any of the above-required documents on or before the closing date to file nomination papers will disqualify a candidate from being certified to appear on the ballot for elected municipal office in the Township of Irvington. . Willfully submitting false, forged, altered documents or coercing or unduly influencing persons providing affidavit documents will also disqualify candidates

and could constitute a criminal law violation in addition to any other legal remedy available to enforce a similar fraudulent act.

II. VERIFYING RESIDENCY AND CERTIFICATION FOR CANDIDATES FOR MUNICIPAL ELECTED OFFICE

No earlier than the initial filing date for documents related to a candidate running for a Township elective office and no later than the closing date to file nomination papers, candidates are required to file all of the documents specified in this ordinance to the Irvington Township Clerk's Office for verification. The Township Clerk will review and verify that all required information is correct and meets the requirements of the Uniform Non-Partisan Election Law and the provisions of this ordinance. The Township Clerk will diligently work to review and verify all residency documents submitted. No later than three (3) calendar from the last day to file petitions of nomination, the Township Clerk's Office shall complete the review and verification of the documents. The Township Clerk will then do one of the following:

1. If any deficiencies are discovered in the documents provided or certain documents are missing, the Township Clerk's Office will provide a letter to the candidate showing the specific deficiency(s) or missing document(s). The candidate will have three (3) calendar days from the last day to file petitions of nomination, to correct the deficiencies and re-submit the required documents for verification to the Township Clerk; or
2. If the candidate either fails to complete verification of all of the requirements of this ordinance within the prescribed time limits, or the re-submitted documents do not meet the requirements of the ordinance, the Township Clerk's Office will provide a letter to candidate advising him or her of the failure to meet the requirements of this ordinance and will not certify the candidate to appear on the ballot; or
- ~~4.~~ 3. If the re-submitted documents by the candidate meet all the residency requirements of this ordinance, the Township Clerk's Office will certify that the Candidates residency requirements have been met and provide a letter to the candidate indicating that they have done so.

III. VERIFYING RESIDENCY FOR TOWNSHIP INCUMBENT ELECTED OFFICIALS

The Township Local Elected Mayor and Council Members-At-Large are required to live in the Township during their entire term in office. Ward Council Members are required to live in the Ward they represent they represent during their entire term in office. To ensure that the Mayor and Council Members-At-Large live in the Township, and Ward Council Members continue to live in the Ward they represent, each Elected Official may be requested to submit the following documents to the Township Clerk during any given year in office:

1. In the event that an Local Elected Official, as described in this ordinance, moved to a new residence in the district after the filing of the previous affidavit, the Local Elected Official, as described in this ordinance, may confirm the new district address within 90 days of moving, by providing the documents to the Township Clerk.
2. Incumbent Local Elected Officials, as described in this ordinance, who have not relocated since the information required by this ordinance was last provided, may comply with this ordinance by supplying

an Township of Irvington Candidate Affidavit Form indicating that they have not relocated, and all previously supplied information remains true and correct.

IV. INVESTIGATION AND ENFORCEMENT

Willfully submitting false, forged, altered documents or coercing or unduly influencing persons providing affidavit documents shall disqualify a candidate and constitute a criminal law violation in addition to any other legal remedy available to enforce a similar fraudulent act. If there is a material failure to meet the required conditions, the candidate shall not be permitted to take office.

Any fraudulent residency complaints shall be submitted to the Township Attorney. The Township Attorney will review and refer all complaints to the Essex County Prosecutor as appropriate. The Township Clerk and Township Attorney shall have the discretion to hire outside Attorney's and/or investigators to investigate residency complaints and if sufficient evidence of fraud is found during the investigation submit information to be used in a determination to disqualify the candidate and elect to prosecute.

The public hearing on this ordinance is now open.

There were no requests to be heard.

Vick – Burgess

Motion to close public hearing.

Adopted
Absent: Cox

Vick – Burgess

Motion to adopt this ordinance on second reading after public hearing.

Adopted
Absent: Cox

2. President Burgess: An ordinance establishing residential permit parking on portions of Osborne Place and Rutgers Street will be heard at this time. For the record, this notice is identical to the first notice that was read. The Clerk will the ordinance by title.

AN ORDINANCE PROVIDING FOR RESIDENTIAL PARKING PERMITS ON PORTIONS OF RUTGERS STREET AND OSBORNE PLACE

WHEREAS, the Township of Irvington has received concerns from its residents concerning the availability of resident parking between the hours of 5:00 P.M. and 5:00 A.M. on Osborne Place between Berkshire Place and Paine Avenue; and

WHEREAS, the Township of Irvington has received concerns from its residents concerning the availability of resident parking between the hours of 5:00 P.M. and 5:00 A.M. on Rutgers Street between Lehigh Place and Union Avenue; and

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WHEREAS, the difficulty of the residents in these area to locate parking at or near their homes has caused undue hardship on the residents of this area.

NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that parking shall be restricted and a parking permit required for residents between the hours of 5:00 P.M. and 5:00 A.M. on Osborne Place between Berkshire Place and Paine Avenue; and

BE IT FURTHER ORDAINED that parking shall be restricted and a parking permit required for residents between the hours of 5:00 P.M. and 5:00 A.M. on Rutgers Street between Lehigh Place and Union Avenue; and

BE IT FURTHER ORDAINED that resident's vehicles must receive and display a valid parking permit provided by the Township of Irvington; and

BE IT FURTHER ORDAINED that vehicles parked in violation of this ordinance will be subject to towing and the vehicle owners shall be subject to a fine as set forth in Chapter 1, General Provisions, Article III; and

BE IT FURTHER ORDAINED that all ordinances or parts thereof that are inconsistent herewith are hereby repealed; and

BE IT FURTHER ORDAINED that this ordinance shall take effect upon final passage and publication according to law.

The public hearing on this ordinance is now open.

There were no requests to be heard.

Hudley – Beasley Motion to close public hearing.

Adopted
Absent: Cox

Hudley – Beasley Motion to adopt this ordinance on second reading after public hearing.

Adopted
Absent: Cox

12. Miscellaneous

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

Avis and Bobby Supel, 20 Maple Avenue
S,M, Tanner, 122-128 Myrtle Avenue
Doris Sherrill, 35 Augusta Street

President Burgess addressed the issues raised by the above referenced citizens.

13. Adjournment

There being no further business, the meeting was adjourned at 7:58 P.M.

Renee C. Burgess, Council President

Harold E Wiener, Municipal Clerk