

REGULAR COUNCIL MEETING  
SEPTEMBER 13, 2021

Virtual Zoom Meeting  
Irvington, N.J. – Monday Evening  
September 13, 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,

Absent: Vernal C. Cox, Orlander G. Vick, Renee C. Burgess, President

Acting President Dr. Hudley 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 – August 2, 2021 to August 6, 2021
2. Municipal Court - Weekly Summary Report – August 9, 2021 to August 13, 2021
3. Municipal Court – Electronic Collections Report for July, 2021
4. Municipal Court – Monthly Report for July, 2021
5. Municipal Court - Weekly Summary Report - August 16, 2021 to August 20, 2021
6. Municipal Court - Weekly Summary Report - August 23, 2021 to August 27, 2021
7. Municipal Court - Weekly Summary Report - August 30, 2021 to September 3, 2021

7. Reports of Committees

A. Bid Results – 2020 Capital Road Resurfacing Project – August 16, 2021

B. Request for Proposals/Qualification – Online Tax Sale Hosting Services – August 16, 2021

8. Ordinances, Bills & Claims

A. Ordinances on First Reading

Hudley – Beasley

1. Amend Ordinance Prohibiting Prohibit Parking Too Close To Driveways – Remove Argyle Terrace

**AN ORDINANCE AMENDING SECTION 620-19.1 OF THE REVISED CODE REGARDING PARKING TOO CLOSE TO A DRIVEWAY BY REMOVING THEREFROM ARGLE TERRACE IN ITS ENTIRETY.**

Adopted

Absent: Burgess, Cox, Vick

Beasley – Hudley

2. Amend Ordinance Regulating Cannabis To Include Planning Board's Recommendations

**AN ORDINANCE TO REGULATE CANNABIS IN THE TOWNSHIP OF IRVINGTON**

Adopted

Absent: Burgess, Cox, Vick

Evans – Beasley

3. Authorize Purchase And Sale Agreement With The New Jersey Schools Development Authority, Providing For The Acquisition Of Property Located At Block 144, Lots 5, 6, 10, 11 & 12; Block 145, Lots 3, 6, 8 & 11; Block 146, Lots 1, 3, 4, 6, 11 & 12; Block 147, Lots 1, 2, 3, 6, 7, 8, 9, 10, 16, 18, 19, 24, 27, 28, 29, 30, 34 & 40 In Furtherance Of The East Ward / East Springfield Avenue Redevelopment Plan

**ORDINANCE OF THE TOWNSHIP OF IRVINGTON IN THE COUNTY OF ESSEX, STATE OF NEW JERSEY, AUTHORIZING THE TOWNSHIP TO ENTER INTO A PURCHASE AND SALE AGREEMENT WITH THE NEW JERSEY SCHOOLS DEVELOPMENT AUTHORITY, PROVIDING FOR THE ACQUISITION OF PROPERTY LOCATED IN THE EAST WARD/EAST SPRINGFIELD AVENUE REDEVELOPMENT AREA IDENTIFIED IN THE TOWNSHIP TAX RECORDS AS BLOCK 144, LOTS 5, 6, 10, 11 & 12; BLOCK 145, LOTS 3, 6, 8 & 11; BLOCK 146, LOTS 1, 3, 4, 6, 11 & 12; BLOCK 147, LOTS 1, 2, 3, 6, 7, 8, 9, 10, 16, 18, 19, 24, 27, 28, 29, 30, 34 & 40 IN FURTHERANCE OF THE EAST WARD / EAST SPRINGFIELD AVENUE REDEVELOPMENT PLAN**

Adopted

Absent: Burgess, Cox, Vick

Frederic – Evans

C. Bills & Claims

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD SEPTEMBER 13, 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                      \$3,958,122.33

Adopted  
Absent: Burgess, Cox, Vick

Evans – Frederic                      2. Payrolls

July 30, 2021

REGULAR	OVERTIME	OTHER	TOTAL
\$1,632,222.16	\$162,216.88	\$82,419.50	\$1,876,858.54

August 13, 2021

REGULAR	OVERTIME	OTHER	TOTAL
\$1,605,606.71	\$131,571.98	\$83,949.00	\$1,821,127.69

August 27, 2021

REGULAR	OVERTIME	OTHER	TOTAL
\$1,597,858.87	\$186,489.49	\$181,567.83	\$1,965,916.19

Adopted  
Absent: Burgess, Cox, Vick

9. Resolutions and Motions

A. Resolutions

Hudley – Frederic                      1. Waive 20 Day Time Period For An Ordinance Providing For  
Residential Permit Parking On Ellery Avenue Between Clinton Avenue  
And Laurel Avenue, 24 Hours Per Day, Seven Days A Week

WHEREAS, an ordinance entitled “AN ORDINANCE PROVIDING FOR RESIDENTIAL PARKING PERMITS ON THE ELLERY AVENUE FROM CLINTON AVENUE TO LAUREL AVENUE 24 HOUR PER DAY, SEVEN DAYS A WEEK” was duly passed on first reading by the Municipal Council on August 9, 2021 and duly adopted by the Municipal Council on second reading after public hearing on September 13, 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 THE ELLERY AVENUE FROM CLINTON AVENUE TO LAUREL AVENUE 24 HOUR PER DAY, SEVEN DAYS A WEEK" shall become effective immediately upon its approval by the Mayor.

Adopted

Absent: Burgess, Cox, Vick

Beasley – Hudley

2. Waive 20 Day Time Period For An Ordinance Providing For Residential Permit Parking on Welland Avenue from Normandy Place to Chester Avenue From 6 PM to 3 AM

WHEREAS, an ordinance entitled "AN ORDINANCE PROVIDING FOR RESIDENTIAL PARKING PERMITS ON WELLAND AVENUE FROM NORMANDY PLACE TO CHESTER AVENUE FROM 6:00 P.M. to 3:00 A.M." was duly passed on first reading by the Municipal Council on August 9, 2021 and duly adopted by the Municipal Council on second reading after public hearing on September 13, 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 WELLAND AVENUE FROM NORMANDY PLACE TO CHESTER AVENUE FROM 6:00 P.M. to 3:00 A.M." shall become effective immediately upon its approval by the Mayor.

Adopted

Absent: Burgess, Cox, Vick

Hudley – Beasley

3. Award CDBG CARES Act (COVID-19) Business Economic Relief Grant to International Liquors - \$10,000.00

**Resolution to Award CDBG CARES Act (COVID-19) Business Economic Relief Grant to International Liquors**

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 International Liquors 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 **International Liquors** Liability Limited Company under the laws of the State of New Jersey with a principal business located at **1070 Springfield Ave. 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 International Liquors**; 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 **International Liquors 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. **C2100100** 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, Cox, Vick

Evans – Frederic

4. Award CDBG CARES Act (COVID-19) Business Economic Relief Grant to Irvington Adult Day Care - \$10,000.00

**Resolution to Award CDBG CARES Act (COVID-19) Business Economic Relief Grant to Irvington Adult Day Care**

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 Irvington Adult Day Care 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 **Irvington Adult Day Care Liability Limited Company** under the laws of the State of New Jersey with a principal business located at **60-72 Howard St. 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 Irvington Adult Day Care;** 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 **Irvington Adult Day Care 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. **C2100101** 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, Cox, Vick

Frederic – Beasley

5. Approve Amendment to Springfield Avenue Special Improvement District's 2021 Sidewalk Sale Due To Inclement Weather

WHEREAS, the Springfield Avenue Center Business Improvement District's Annual Summer 2021 Sidewalk Sale and Activities was approved by the Municipal Council on April 26, 2021; and

WHEREAS, the Springfield Avenue Center Business Improvement District has notified the Municipal Council that due to inclement weather, they would like to conduct an additional three-day outdoor Sidewalk Sale along Springfield Avenue and Clinton Avenue on the following dates:

Thursday, Friday, Saturday

September 30, October 1 and October 2, 2021

Rain Date: Saturday, October 9, 2021

WHEREAS, Section 171-11 of the Revised Code of the Township of Irvington provides that the provisions shall not prevent the placement of booths or showcases for the display of merchandise, foods and other material along the route of any parade or at the site of any cultural event duly licensed by the Township:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that it declares that the provisions of Section 171-11 are hereby met and the Springfield Avenue Center Business Improvement District's schedule of the additional three-day outdoor Sidewalk Sale along Springfield Avenue and Clinton Avenue on the following dates:  
is hereby approved as set forth herein:

Thursday, Friday, Saturday

September 30, October 1 and October 2, 2021

**MINUTES - REGULAR COUNCIL MEETING – SEPTEMBER 13, 2021 – PAGE 8**

Rain Date: Saturday, October 9, 2021

Adopted  
Absent: Burgess, Cox, Vick

Evans – Frederic                      6. Authorize Purchase of Meat And Groceries For INIC Over The Pay To Play Threshold Of \$17,500.00 But Under The Bid Threshold Of \$44,000.00 For Meat And Groceries For INIC - Bizzare Foods Inc./DBA Trooper Foods

**AUTHORIZING PURCHASES OVER THE PAY TO PLAY THRESHOLD OF \$17,500.00 BUT UNDER THE BID THRESHOLD OF \$44,000.00 FOR MEAT AND GROCERIES FOR INIC**

WHEREAS, the Township wishes to purchase meat and groceries for the Food pantry, Soup Kitchen and Grab and Go Meals and the total purchase will exceed the pay to play threshold; and

WHEREAS, the Township has obtained two quotes from Metropolitan Foods DBA Driscoll Foods and Bizzare Foods Inc./DBA Trooper Foods herein attached; and

WHEREAS, Bizzare Foods Inc./DBA Trooper Foods has provided the lowest quote for this service; and

WHEREAS, in compliance with 19:44a-20.13 et, seq., Bizzare Foods Inc./DBA Trooper Foods will exceed the Pay-to-Play threshold of \$17,500.00 for calendar year 2021; and,

WHEREAS, Bizzare Foods Inc./DBA Trooper Foods has completed and submitted the Township C-271, elect reports and political disclosure forms. These forms are on file in the Division of Purchasing Office and the Municipal Clerk; and

WHEREAS, all purchases to the above vendor will not exceed the bid threshold of \$44,000.00; and NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Irvington hereby authorizes the Qualified Purchasing Agent to purchase meat and groceries from Bizzare Foods Inc./DBA Trooper Foods in excess of pay to play threshold \$17,500.00 but under the bid threshold of \$44,000.00; and

BE IT FURTHER RESOLVED that the duration of this authorization shall be until December 31, 2021

BE IT FURTHER RESOLVED a separate resolution will be submitted to the Municipal Council for all addition vendors exceeding the bid threshold of \$17,500.00.

Adopted  
Absent: Burgess, Cox, Vick

Frederic – Evans                      7. Introduction Of The Camptown Business Improvement District's 2021 Annual Budget

**INTRODUCTION OF THE CAMPTOWN BUSINESS IMPROVEMENT DISTRICT  
2021 ANNUAL BUDGET**



WHEREAS, NJSA 40:56-48 requires that the budget for Camptown Business Improvement District be introduced in writing at a meeting of the Municipal Council for approval; and

WHEREAS, the Camptown Business Improvement District introduced its FY 2021:

NOW, BE IT THEREFORE RESOLVED THAT THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, NEW JERSEY does hereby approved the detail annual budget for the Camptown Business Improvement District for 2021 and that this approval is subject to all requirements of NJSA 40:56-48, which includes notice and hearing

Adopted

Absent: Burgess, Cox, Vick

Frederic – Evans

8. Authorized - 2021 Summer Foods Program Services By Increasing The Total Contract To \$164,116.40, An Overall Increase Of \$45,000.00 – Karson Food Service Inc.

**A RESOLUTION AUTHORIZING A CHANGE ORDER FOR 2021 SUMMER FOODS PROGRAM SERVICES**

WHEREAS, a contract was awarded to Karson Food Service, by resolution number DPR 21-0614-5, in the amount of \$119,116.40 for 2021 summer foods program service; and,

WHEREAS, the Recreation Director and Summer Foods Service Director would like to increase this service contract as a result of additional sites being added to the summer foods schedule, Grab and Go program extended and additional days and hours were added to the summer food program; and,

WHEREAS, this additional request will increase the service contract by \$45,000.00; and,

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that an additional \$45,000.00 will be paid to Karson Food Service Inc., 3409 Rose Ave, Ocean, NJ 07712 for Summer Foods Program Service; and,

THEREFORE, BE IT RESOLVED, that the Mayor be and is hereby authorized to execute Change Order #1 with Karson Food Service Inc., 3409 Rose Ave, Ocean, NJ 07712 for Summer Foods Program Service, increasing the total contract to \$164,116.40. An overall increase of \$45,000.00; and,

BE IT RESOLVED, that the required certification of availability of funds C2100079 in the amount of \$45,000.00 from account number G-02-xx-714-21A-299 has been obtained from the Chief Financial Officer.

Adopted

Absent: Burgess, Cox, Vick

Hudley – Frederic

9. Accept The Award State-Funded Amount Totaling \$101,900.00 To The Irvington Police Department From The Office Of The Attorney General Under The SFY21 Body - Worn Camera Program

**RESOLUTION TO “ACCEPT” THE AWARD STATE-FUNDED AMOUNT TOTALING \$101,900.00. TO THE IRVINGTON POLICE DEPARTMENT FROM THE OFFICE OF THE ATTORNEY GENERAL UNDER THE SFY21 BODY-WORN CAMERA PROGRAM. AWARD NUMBER 21-BWC-210 FROM AWARD PERIOD JANUARY 1, 2021-DECEMBER 32, 2025. THE NJ STATE ATTORNEY GENERAL REQUIRES NOMATCHING FUNDS.**

**WHEREAS**, body-worn cameras also help to resolve officer-involved incidents quickly and debunk frivolous complaints about officer misconduct; and

**WHEREAS**, the Township wishes to promote accountability and transparency for citizens and officers, thereby enhancing community relationships and overall public safety; and

**WHEREAS**, this award is subject to all administrative and financial requirements; and

**WHEREAS**, the Township finds the policy to be in the best interest of the township, its residents, and the general public to approve the policy.

**NOW, THEREFORE, BE IT RESOLVED, BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON**, that the Irvington Township Council accepts the notice of award totaling \$101,900.00 from the New Jersey Department of Law and Public Safety, Office of the Attorney General, Award Contract.

Adopted

Absent: Burgess, Cox, Vick

Frederic – Beasley

10. Award Contract For Online Tax Sale Hosting Service Based on Requests For Proposals - Realauction.Com LLC, - \$15.00 Per Property For All Properties That Are Sold At The Annual Tax Sale

**AWARDING A CONTRACT FOR ONLINE TAX SALE HOSTING SERVICE**

**WHEREAS**, sealed RFP were received on August 18, 2021 for Online Tax Sale Hosting in response to published advertisement for bids in the New Jersey Star Ledger on August 04, 2021; and

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

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

**WHEREAS**, the Tax Collector and the CFO has recommended that the award should be made to Realauction.com LLC, 861 SW 78<sup>th</sup> 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 78<sup>th</sup> 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 C21000095 in the amount of \$10,000.00 from account numbers 1-01-20-130-130-256 and 1-01-20-145-145-256 has been obtained from the Chief Financial Officer.

Adopted

Absent: Burgess, Cox, Vick

Hudley – Beasley

11. Determine Form And Other Details Of Not To Exceed \$37,000,000 Principal Amount Of General Obligation Refunding Bonds Of The Township Of Irvington And Providing For The Sale And The Delivery Of Such Bonds To RBC Capital Markets, LLC

**RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF NOT TO EXCEED \$37,000,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS (FEDERALLY TAXABLE), CONSISTING OF NOT TO EXCEED \$25,400,000 FISCAL YEAR ADJUSTMENT REFUNDING BONDS (FEDERALLY TAXABLE) AND NOT TO EXCEED \$11,600,000 GENERAL IMPROVEMENT REFUNDING BONDS (FEDERALLY TAXABLE), OF THE TOWNSHIP OF IRVINGTON, IN THE COUNTY OF ESSEX, NEW JERSEY, AND PROVIDING FOR THE SALE AND THE DELIVERY OF SUCH BONDS TO RBC CAPITAL MARKETS, LLC**

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF IRVINGTON, IN THE COUNTY OF ESSEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. An amount not to exceed \$37,000,000 General Obligation Refunding Bonds (Federally Taxable), consisting of not to exceed \$25,400,000 Fiscal Year Adjustment Refunding Bonds (Federally Taxable) (the "*Fiscal Year Adjustment Refunding Bonds*") and not to exceed \$11,600,000 General Improvement Refunding Bonds (Federally Taxable) (the "*General Improvement Refunding Bonds*"; and together with the Fiscal Year Adjustment Refunding Bonds, the "*Bonds*") of the Township of Irvington, in the County of Essex, New Jersey (the "*Township*"), in specific amounts to be determined as provided herein and as more fully described in a refunding bond ordinance finally adopted by the Township pursuant to the Local Bond Law, N.J.S.A. 40A:2-1 *et seq.* on February 22, 2021, and entitled, "Refunding Bond Ordinance of the Township of Irvington, in the County of Essex, New Jersey, Providing for the Refunding of All or a Portion of Certain General Improvement Refunding Bonds and Certain Fiscal Year Adjustment Refunding Bonds of the Township, Appropriating \$37,000,000 Therefor and Authorizing the Issuance by the Township of Refunding Bonds in the Aggregate Principal Amount of Not

Exceeding \$37,000,000 for Financing the Cost Thereof", shall be issued in one or more series as designated above (the "*Bonds*").

Section 2. The Bonds are hereby authorized to be sold to RBC Capital Markets, LLC (the "*Underwriter*") at a purchase price determined by the parameters set forth below and otherwise consistent with the parameters set by the Local Finance Board in the Division of Local Government Services, Department of Community Affairs, pursuant to N.J.A.C. 5:30-2.5 (the "*LFB Refunding Parameters*"):

- (a) the principal amount of the Bonds does not exceed \$37,000,000;
- (b) the net present value savings is at least three percent of the par amount of the Refunded Bonds (as defined herein);
- (c) the debt service on the Bonds shall be structured such that no annual debt service payment is more than the annual debt service payment on the Refunded Bonds in the same year;
- (d) the final year of maturity of the Bonds does not exceed the final year of maturity of the Refunded Bonds;
- (e) the debt service savings are substantially level in each year across the life of the refunding;
- (f) the true interest cost of the Bonds does not exceed an interest rate that would enable the Township to complete the refunding within the LFB Refunding Parameters; and
- (g) the Underwriter's discount does not exceed \$5.00 per \$1,000 of Bonds issued.

Section 3. The Mayor and/or the Director of Revenue and Finance (each, an "*Authorized Officer*") are each hereby authorized and directed, without further authorization, to enter into and execute a bond purchase contract (the "*Purchase Contract*") on behalf of the Township with the Underwriter in the form satisfactory to Bond Counsel (as defined herein) and upon terms consistent with the LFB Refunding Parameters. Upon execution of the Purchase Contract, the signature of such Authorized Officer shall be conclusively presumed to evidence any necessary approvals for the sale of the Bonds. If the Director of Revenue and Finance, after consultation with the Underwriter, determines that the LFB Refunding Parameters cannot be satisfied in the present market, the Bonds shall not be sold until such time as said parameters may be amended, in whole or in part, or a sale on different terms is otherwise approved by resolution of this Township Council.

Section 4. (a) The Bonds shall be issued in the par amounts consistent with the parameters set forth in Section 2 hereof and determined by the Director of Revenue and Finance to be necessary to pay the costs of issuance of the Bonds and to provide an escrow fund that, when invested, will be sufficient to provide for the timely payment of the principal of and redemption premium, if any, and interest on the following:

(i) \$21,095,000 outstanding principal amount of the Township's Fiscal Year Adjustment Refunding Bonds, Series 2014A-1 (Qualified Pursuant to the Provisions of the Municipal Qualified Bond Act, P.L. 1976, c.38, as amended), originally issued in the aggregate principal amount of \$21,095,000 on September 10, 2014, which outstanding principal amount matures on July 15 in each of the years 2029 to 2033, inclusive (the "*Fiscal Year Adjustment Refunded Bonds*"); and

(ii) \$9,720,000 outstanding principal amount of the Township's General Improvement Refunding Bonds, Series 2014A-2 (Qualified Pursuant to the Provisions of the Municipal Qualified Bond Act, P.L. 1976, c.38, as amended), originally issued in the aggregate principal amount of \$9,720,000 on September 10, 2014, which outstanding principal amount matures on July 15 in each of the years 2029 to 2033, inclusive (the "*General Improvement Refunded Bonds*"; and together with the Fiscal Year Adjustment Refunded Bonds, the "*Refunded Bonds*"); and

(b) The Bonds shall be dated and shall bear interest at the interest rates per annum as the Director of Revenue and Finance shall determine.

(c) The Bonds shall be numbered and have such prefix or prefixes as determined necessary by the Director of Revenue and Finance and be sold and issued with such serial maturities or with such term bond maturities payable from mandatory sinking fund payments made by the Township as determined in the Purchase Contract.

(d) The Bonds shall mature in each of the years 2022 to 2033, inclusive, or in such other years and in the principal amounts as may be determined by the Director of Revenue and Finance and shall bear interest on the dates as may be determined by the Director of Revenue and Finance.

(e) The Bonds may be subject to optional redemption prior to their stated maturities as determined by the Director of Revenue and Finance and set forth in the Purchase Contract.

(f) The Bonds will be issued in fully registered form. One certificate shall be issued for the aggregate principal amount of each series of Bonds maturing in each year. Both principal of and interest on the Bonds will be payable in lawful money of the United States of America. Each certificate will be registered in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York, which will act as securities depository (the "*Securities Depository*"). The certificates will be on deposit with the Securities Depository. The Securities Depository will be responsible for maintaining a book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The participants will be responsible for maintaining records recording the beneficial ownership interests in the Bonds on behalf of individual purchasers. Individual purchases may be made in the principal amount of \$5,000 each or any integral multiple thereof through book-entries made on the books and records of the Securities Depository and its participants, except that an amount maturing in any one year in excess of the largest principal amount thereof equaling a multiple of \$5,000 will be in the denomination of \$1,000 or any integral multiple thereof.

(g) The principal of and interest due on the Bonds will be paid to the Securities Depository by the Township on the respective principal and interest payment dates and will be credited on the respective principal and interest payment dates to the participants of the Securities Depository as listed on the records of the Securities Depository 15 days prior to such principal and interest payment dates (the "*Record Dates*" for the Bonds). The Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Director of Revenue and Finance under the official seal of the Township (or facsimile thereof) affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Township Clerk.

Section 5. The Mayor and/or the Director of Revenue and Finance are each hereby authorized and directed to pay all costs of issuance in connection with the sale of the Bonds pursuant to a certificate of the Mayor and/or the Director of Revenue and Finance to be executed upon delivery of the Bonds, each such cost in an amount not to exceed the amount set forth in Exhibit A attached hereto or, if in any greater amount, only upon the prior approval of the Township in accordance with the customary procedure for approval and payment of bills.

Section 6. The Bonds shall be substantially in the following form with such additions, deletions and omissions as may be necessary for the Township to market the Bonds:

[FORM OF BOND]

REGISTERED  
NUMBER R. - \_\_\_\_\_

REGISTERED  
\$ \_\_\_\_\_

UNITED STATES OF AMERICA  
STATE OF NEW JERSEY  
COUNTY OF ESSEX

TOWNSHIP OF IRVINGTON

\_\_\_\_\_  
REFUNDING BONDS

PRINCIPAL AMOUNT:  
DATED DATE:  
MATURITY DATE:  
INTEREST PAYMENT DATES:  
INITIAL INTEREST PAYMENT DATE:  
RATE OF INTEREST PER ANNUM:  
CUSIP NUMBER:

TOWNSHIP OF IRVINGTON, in the County of Essex, New Jersey (the "*Township*"), hereby acknowledges itself indebted and for value received promises to pay to Cede & Co., as nominee for The Depository Trust Company, which will act as Securities Depository, on the MATURITY DATE, the PRINCIPAL AMOUNT and to pay interest on such sum from the DATED DATE of this bond until the MATURITY DATE at the RATE OF INTEREST PER ANNUM semiannually on the INTEREST PAYMENT DATES in each year until maturity, commencing on the INITIAL INTEREST PAYMENT DATE. Interest on this bond will be paid to the Securities Depository by the Township and will be credited to the participants of The Depository Trust Company as listed on the records of The Depository Trust Company as of the 1st day of the month immediately preceding each INTEREST PAYMENT DATE (the "*Record Dates*" for such payments). Principal of this bond, upon presentation and surrender to the Township, will be paid to the Securities Depository by the Township and will be credited to the participants of The Depository Trust Company.

This bond is not transferable as to principal or interest. The participants are responsible for maintaining the records regarding the beneficial ownership interest in the bonds on behalf of the individual purchasers except to an authorized nominee of The Depository Trust Company. The Depository Trust Company shall be responsible for maintaining the book-entry system for recording the interests of its participants or the transfers of the interests among its participants.

[Insert redemption provisions of Bonds].

This bond is one of an authorized issue of bonds and is issued pursuant to the Local Bond Law of the State of New Jersey, a refunding bond ordinance of the Township finally adopted on February 22, 2021, and entitled, "Refunding Bond Ordinance of the Township of Irvington, in the County of Essex, New Jersey, Providing for the Refunding of All or a Portion of Certain General Improvement Refunding Bonds and Certain Fiscal Year Adjustment Refunding Bonds of the Township, Appropriating \$37,000,000 Therefor and Authorizing the Issuance by the Township of Refunding Bonds in the Aggregate Principal Amount of Not Exceeding \$37,000,000 for Financing the Cost Thereof", and a resolution of the Township duly adopted on September 13, 2021.

The full faith and credit of the Township are hereby irrevocably pledged for the punctual payment of the principal of and the interest on this bond according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or the statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or in the issuance of this bond exist, have happened and have been performed, and that the issue of bonds

of which this is one, together with all other indebtedness of the Township, is within every debt and other limit prescribed by such Constitution or statutes.

IN WITNESS WHEREOF, the Township of Irvington has caused this bond to be executed in its name by the manual or facsimile signatures of its Mayor and its Director of Revenue and Finance, its corporate seal to be hereunto imprinted or affixed, this bond and the seal to be attested by the manual signature of its Township Clerk and this bond to be dated the Dated Date specified above.

ATTEST:

TOWNSHIP OF IRVINGTON

By: [executed at delivery of bonds]  
Township Clerk

By: [executed at delivery of bonds]  
Mayor

By: [executed at delivery of bonds]  
Director of Revenue and Finance

[END OF FORM OF BOND]

Section 7. The law firm of McManimon, Scotland & Baumann, LLC ("*Bond Counsel*") is hereby authorized to arrange for the printing of the Bonds. The proper officials of the Township are hereby authorized and directed to execute the Bonds and to deliver them to the Underwriter upon receipt of payment therefor.

Section 8. The Bonds shall have printed thereon a copy of the written opinion with respect to the Bonds that is to be rendered by Bond Counsel, complete except for omission of its date. The Township Clerk is hereby authorized and directed to certify the truth and correctness of the copy of such opinion by executing on each of the Bonds by facsimile signature a certificate in form satisfactory to that law firm and to file a signed duplicate of such written opinion in the Township Clerk's office. Alternatively, each Bond may be accompanied by the signed legal opinion or copy thereof.

Section 9. The Bonds are being issued to refund the Refunded Bonds. The Director of Revenue and Finance shall take all steps necessary to redeem the Refunded Bonds on the first available redemption date at the applicable redemption price, deposit the proceeds of the Bonds with a bank for the purpose of defeasing the Refunded Bonds, invest the proceeds of the Bonds for this purpose and assist with the redemption of the Refunded Bonds. The Director of Revenue and Finance is hereby authorized to enter into an escrow deposit agreement with a bank to effectuate the purpose of this Section 9.

Section 10. The Township hereby approves the preparation and distribution of the Official Statement on behalf of the Township in the form approved or to be approved by the Director of Revenue and Finance. Such Official Statement may be distributed in preliminary form and deemed final for purposes of Rule 15c2-12 of the Securities and Exchange Commission on behalf of the Township by the Mayor or the Director of Revenue and Finance. The Official Statement shall be prepared in final form in connection with the issuance of the Bonds and the Authorized Officers are authorized to execute any certificates necessary in connection with the distribution of the Official Statement. Final Official Statements shall be delivered to the Underwriter of the Bonds within the earlier of seven business days

following the sale of the Bonds or to accompany the Underwriter's confirmations that request payment for the Bonds.

Section 11. The Director of Revenue and Finance is hereby authorized to make representations and warranties, to enter into agreements and to make all arrangements with the Securities Depository, as may be necessary in order to provide that the Bonds will be eligible for deposit with the Securities Depository and to satisfy any obligation undertaken in connection therewith.

Section 12. In the event that the Securities Depository may determine to discontinue providing its service with respect to the Bonds or is removed by the Township and if no successor securities depository is appointed, the Bonds that were previously issued in book-entry form shall be converted to registered bonds (the "*Registered Bonds*") in denominations of \$5,000. The beneficial owner under the book-entry system, upon registration of the Bonds held in such beneficial owner's name, will become the registered owner of such Registered Bonds. The Township shall be obligated to provide for the execution and delivery of the Registered Bonds in certificate form.

Section 13. (a) Solely for purposes of complying with Rule 15c2-12 of the Securities and Exchange Commission, as amended and interpreted from time to time (the "*Rule*"), and provided that the Bonds are not exempt from the Rule and provided that the Bonds are not exempt from the following requirements in accordance with paragraph (d) of the Rule, for so long as the Bonds remain outstanding (unless the Bonds have been wholly defeased), the Township shall provide for the benefit of the holders of the Bonds and the beneficial owners thereof:

(i) on or prior to September 30 of each year, beginning September 30, 2022, electronically to the Municipal Securities Rulemaking Board's Electronic Municipal Market Access ("*EMMA*") system or such other repository designated by the Securities and Exchange Commission to be an authorized repository for filing secondary market disclosure information, if any, annual financial information with respect to the Township consisting of the audited financial statements (or unaudited financial statements if audited financial statements are not then available, which audited financial statements will be delivered when and if available) of the Township and certain financial information and operating data consisting of (i) the Township and overlapping indebtedness including a schedule of outstanding debt issued by the Township, (ii) property valuation information and (iii) tax rate, levy and collection data. The audited financial information will be prepared in accordance with generally accepted accounting principles as modified by governmental accounting standards as may be required by New Jersey law.

(b) If any of the following events occur regarding the Bonds, a timely notice not in excess of ten business days after the occurrence of such event sent to EMMA:

- (1) Principal and interest payment delinquencies;
- (2) Non-payment related defaults, if material;
- (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) Substitution of credit or liquidity providers, or their failure to perform;
- (6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;
- (7) Modifications to the rights of holders of the Bonds, if material;
- (8) Bond calls, if material, and tender offers;
- (9) Defeasances;



- (10) Release, substitution or sale of property securing repayment of the Bonds, if material;
- (11) Rating changes;
- (12) Bankruptcy, insolvency, receivership or similar event of the Township;
- (13) The consummation of a merger, consolidation or acquisition involving the Township or the sale of all or substantially all of the assets of the Township, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
- (14) Appointment of a successor or additional trustee or the change of name of a trustee, if material;
- (15) Incurrence of a Financial Obligation of the Township, if material, or agreement to covenants, events of default, remedies, priority rights or other similar terms of a Financial Obligation, any of which affect holders of the Bonds, if material; and
- (16) Default, event of acceleration, termination event, modification of terms or other similar events under a Financial Obligation of the Township, if any such event reflects financial difficulties.

The term "Financial Obligation" as used in subparagraphs (b)(15) and (b)(16) above means a (i) debt obligation, (ii) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation or (iii) guarantee of (i) or (ii); *provided, however*, that the term "Financial Obligation" shall not include municipal securities as to which a final official statement has been provided to the Municipal Securities Rulemaking Board consistent with the Rule.

(c) Notice of failure of the Township to provide required annual financial information on or before the date specified in this resolution shall be sent in a timely manner to EMMA.

(d) If all or any part of the Rule ceases to be in effect for any reason, then the information required to be provided under this resolution, insofar as the provisions of the Rule no longer in effect required the provision of such information, shall no longer be required to be provided.

(e) The Director of Revenue and Finance shall determine, in consultation with Bond Counsel, the application of the Rule or the exemption from the Rule for each issue of obligations of the Township prior to their offering. Such Director of Revenue and Finance is hereby authorized to enter into additional written contracts or undertakings to implement the Rule and is further authorized to amend such contracts or undertakings or the undertakings set forth in this resolution, provided such amendment is, in the opinion of nationally recognized bond counsel, in compliance with the Rule.

(f) In the event that the Township fails to comply with the Rule requirements or the written contracts or undertakings specified in this resolution, the Township shall not be liable for monetary damages. The sole remedy is hereby specifically limited to specific performance of the Rule requirements or the written contracts or undertakings therefor.

Section 14. The Mayor, the Township Administrator, the Director of Revenue and Finance, the Township Clerk and other appropriate representatives of the Township are hereby authorized to take all steps necessary to provide for the issuance of the Bonds and the refunding of the Refunded Bonds, including preparing and executing such agreements and documents on behalf of the Township, satisfying in full the requirements of notice of redemption of the Refunded Bonds and taking all steps necessary or desirable to implement this resolution and such agreements and documents as may be necessary and appropriate for the transactions contemplated hereby and thereby.

Section 15. This resolution shall take effect immediately.

**EXHIBIT A**  
**FEES IN CONNECTION WITH THE ISSUANCE OF THE BONDS**

McManimon, Scotland & Baumann, LLC, as Bond Counsel	\$65,000.00
Samuel Klein & Co., as Auditor	\$14,750.00
Samuel Klein & Co., as Verification Agent	\$5,000.00
NW Financial Group, as Municipal Advisor	\$46,500.00
Escrow Agent (To Be Determined)	\$6,000.00
McElwee & Quinn, as Printer	\$2,500.00
Rating Agencies (S&P and Moody's)	\$48,250.00
DAC	\$5,000.00
Miscellaneous	\$5,000.00

To the extent that there are other fees or fees in excess of the amounts referenced above, they shall be approved by separate action of the Township Council before such payment is made.

Adopted  
Absent: Burgess, Cox, Vick

Hudley – Burgess

12. Resolution of Sorrow – Wanda M. Payne, Sister of  
Congressman Donald Payne, Jr.

**Resolution of Sorrow**  
**Wanda M. Payne**

WHEREAS, Wanda M. Payne, sister of Congressman Donald Payne, Jr. Passionate was ab educator, devoted mother, community advocate, and lover of the people; and

WHEREAS, Wanda M. Payne was born to the late Congressman Donald M. Payne Sr. and Hazel (nee Johnson) Payne on October 28, 1960 and was a life-long resident of Newark's prominent South Ward; and

WHEREAS, Wanda went home to be with our Lord on August 19, 2021; and.

WHEREAS, Wanda always had an infectious love for children and at the tender age of twelve, she volunteered at the Chen School, Inc. and in the following year, she secured a summer employment position at Chen and continued to work there for the next ten summers; and

WHEREAS, Wanda, a graduate of Hillside Public Schools, went on to graduate from Kean University where she received a degree in Early Childhood Education and, after college, she was hired as a Head Teacher at the Chen School; and

WHEREAS, Wanda, in the following year, was hired as an Educational Supervisor for Kiddie Academy Day Care in East Orange; and

**MINUTES - REGULAR COUNCIL MEETING – SEPTEMBER 13, 2021 – PAGE 19**

WHEREAS, in 1986, Wanda was employed with the Newark Public Schools and taught for a total of thirty-two (32) years, the bulk of which she taught at Camden Street School in grades Kindergarten and Pre-K and later taught Kindergarten and First Grade at Hawthorne Avenue School; and

WHEREAS, Wanda, during her tenure at Camden Street, was actively involved with the PTA, served as Girl Scout Daisy Leader for several years, and published a magazine “Time For Kids”, and finally, in 2018, she stepped into a well-deserved retirement; and

WHEREAS, during her career as a teacher, Wanda presented workshops at Newark Day Center for employees seeking their Child Development Associate Credentials (CDA) and worked at the Newark Fresh Air Fund Campership Program for twenty-five years during the summer months; and

WHEREAS, Wanda credited her love of education and community involvement to her father, the late Congressman Donald M. Payne, Sr., a legendary leader and community servant; and

WHEREAS, Wanda, as an active member of the community, had been a South Ward district leader for thirty-two years, served as a member of the National Association of Negro Business and Professional Women’s Clubs (NANBPWC), the NAACP, Delta Sigma Theta Sorority, Inc., Board Member of the New Jersey Association of Kindergarten Educators, and the Donald M. Payne Sr. Global Foundation; and

WHEREAS, as an ardent advocate for youth, Wanda was a former advisor for Youth and Government and the Model United Nations, sponsored by the YMCA. Wanda was a Youth Leader for the North Jersey Youth Club under the auspices of the NANBPWC where the young people in the group got involved in community service, life-skills development and college preparation courses; and

WHEREAS, Wanda served many years as the Co-Chair for the “Toys For Tots” Program through the G.N.A.S.B.E and, as a servant of the community, Wanda was a participant in the “Determined to Feed the Hungry” sponsored by Masjid Darul Islam, in Elizabeth, served on the Elizabeth Juneteenth Committee, the Friends of East Orange Public Library, and the Union Chapel Community Development Corp.; and

WHEREAS, Wanda was a creative spirit who shared her gifts, talents, and love for people. She could always be found planning events and parties, had an eye for decor, crocheting (especially with the Elizabeth Crochet and Knitting Group) perfecting her culinary skills, was the “Master Fundraiser”, World Traveler, the life of the party, avid reader, a habitual helper and loved by many; and

WHEREAS, Wanda was predeceased by her mother Hazel and her father Congressman Donald M. Payne Sr., left to mourn her are her son Shakir Johnson, grandchildren Samir, Max, Maya and Zac, brother Congressman Donald M. Payne Jr., sister, Nicole Y. Payne, “bonus daughter” Sheena Johnson, uncles, former Assemblyman William D. Payne, Langston Johnson, Kendall Johnson, aunts, Kathleen Hayes, Annette Wilbanks, niece Yvonne and nephews Donald III and Jack; godson Jamiyl Peters; and special friend Dr. Jacqueline Young, a host of cousins, friends and those she touched; and

WHEREAS, she will be deeply missed and surely never forgotten:

NOW. THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington joins with the family members, friends and colleague of Wanda M. Payne in mourning her passing; an

BE IT FURTHER RESOLVED, that a copy of this resolution be spread upon the minutes of this governing body in lasting tribute and remembrance of Wanda M. Payne.

Adopted

Absent: Burgess, Cox, Vick

Frederic – Evans

**13. Provide for Fees for Tax Sale Certificate Redemption Calculations**

Resolution Providing for Fees for Tax Sale Certificate Redemption Calculations

**WHEREAS**, the Tax office receives requests for tax sale redemption calculations for the payoff of liens against a property; and

**WHEREAS**, after the requesting party proving their legal interest in the property and their right of redemption;

**NOW, THEREFORE, BE IT RESOLVED**, by the Municipal Council of the Township of Irvington; hereby authorize that the following fees for Tax Sale Certificate redemption calculations shall be charged:

- ☐ In accordance with N.J.S.A. 54:5-54, the Tax Collector shall provide to any party entitled to redeem a certificate pursuant to this section (N.J.S.A. 54:5- 54) two calculations of the amount required for redemption within a calendar year at no cost. For each subsequent calculation requested from the Tax Collector there shall be a \$50.00 fee. A request for a redemption calculation shall be made in writing to the Tax Collector.
- ☐ In accordance with N.J.S.A. 54:5-97.1, the Tax Collector may charge a lien holder of a tax lien \$50.00 for the calculation of the amount due to redeem the tax lien as required pursuant to N.J.S.A. 54:5-97.1. Any request for a redemption calculation shall specify the date to be used for the calculation, which shall be the date of the notice. Neither the Tax Collector nor the municipality shall be liable for an incorrect calculation. The fee paid to the municipality shall not become part of the lien and shall not be passed on to any party entitled to redeem pursuant to N.J.S.A. 54:5-54.

Adopted

Absent: Burgess, Cox, Vick

Frederic – Evans

**14. Resolution To Establish \$30.00 Fee For Cancellation of Redeemed Certificate of Sale**

**RESOLUTION TO ESTABLISH FEE FOR CANCELLATION OF REDEEMED  
CERTIFICATE OF SALE**

**WHEREAS**, the Office of the Tax Collector provides redemption figures for unpaid tax liens to the redeeming party and;

**WHEREAS**, upon receipt of the lien redemption payment of a tax sale certificate, the Office of the Tax Collector shall send the certificate of sale duly endorsed for cancellation or certificate of redemption to the Essex County Register and;

**WHEREAS**, the Office of the Tax Collector desires to impose a fee of thirty dollars (\$30.00) on the lien redemption to have the certificate of sale cancelled of record and;

**WHEREAS**, the CFO of the Finance Department shall set up a trust account for the collection of the cancellation charge for the purpose of payments to the Essex County Register

**NOW, THEREFORE, BE IT RESOLVED**, by the Municipal Council of the Township of Irvington, County of Essex, State of New Jersey, that the Office of the Tax Collector is hereby authorized to charge thirty dollars (\$30.00) to the redeeming party of any unpaid tax lien and have the lien certificate cancelled of record with the Essex County Register.

Adopted

Absent: Burgess, Cox, Vick

Frederic – Beasley

15. Award Non Fair and Open Professional Services Contract for the Design and Construction of Repairs of the Coit Street Garage Roof – Lysaght Associates - \$75,000.00

**RESOLUTION TO AWARD A NON FAIR AND OPEN PROFESSIONAL SERVICES CONTRACT FOR THE DESIGN OF THE REPAIRS FOR THE COIT STREET GARAGE ROOF**

**WHEREAS**, the one of the wooden trusses that comprise the roofing system of the Coit Street Garage failed and an emergency contract was awarded by the Municipal Council as Resolution DPW 21-0510-15 to stabilize the building and prevent further damage; and

**WHEREAS**, the building has been stabilized and it is necessary to retain a professional structural engineer with expertise in wooden truss design to prepare plans and specifications to public bid the repairs that are necessary to restore the building to a workable condition and close in the building; and

**WHEREAS**, the Township Engineer has received a proposal in an amount not to exceed \$75,000.00 from Lysaght Associates to prepare the plans and specifications for this project as well as provide construction inspection services during the construction of the project; and

**WHEREAS**, this service will exceed the Pay to Play threshold and pursuant to the provisions of N.J.S.A. 19:44A-20.4 the vendor has completed the required pay to plays forms; and,

**WHEREAS**, the Township Engineer has reviewed this proposal and recommends that a Non Fair and Open professional services contract for the design and construction administration for this project be awarded to Lysaght Associates, Raleigh, N.C. based on their expertise at their quoted price not to exceed \$75,000.00; and

**NOW, THEREFORE, BE IT RESOLVED BY MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON** that a Non fair and open professional services contract for the design and construction

administration for the Repairs of the Coit Street Garage Roof be awarded to Lysaght Associates, Raleigh, NC at their quoted price of \$ 75,000.00; and

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:34-5.2, the required Certificate of Availability of Funds No. C2100106 for the above project has been obtained from the Chief Financial Officer of the Township of Irvington and the appropriation to be charged for this expenditure is in the amount of \$ 75,000.00 is Account No. C-04-56-852-0019-903.

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; and

BE IT FURTHER RESOLVED, notice of this action shall be published in newspapers as required by law by the Municipal Clerk.

Adopted

Absent: Burgess, Cox, Vick

Hudley – Beasley

16. Resolution of Sorrow - Jeffrey Myers

**RESOLUTION OF SORROW  
JEFFREY MEYERS**

**WHEREAS, Missionary Jeffrey Lewis Myers** was born to the Late Lewis Myers and the Late Corine Yates Myers on August 22, 1955 in the city of Elizabeth, New Jersey; AND

**WHEREAS,** on September 1, 2021 he transitioned to be with our Lord and Savior Jesus, Christ in Newark Beth Israel Medical Center, Newark, New Jersey; and

**WHEREAS, Jeffrey** attended the following Newark New Jersey Public Schools; Miller Street, Newton Street and Shabazz High School; and

**WHEREAS,** he furthered his education at a trade school for roofing. He worked as a contractor for different companies, Taxi driver, Counselor for the Integrity House, Counselor for the Northern State Prison in Newark, New Jersey; and

**WHEREAS,** for about 20 years **Jeffrey** was a Leader in the East Ward District in Irvington, New Jersey until his health declined; and

**WHEREAS, Jeffrey** as we know **Skippy**, enjoyed karate, boxing, joking, laughing was his way of meeting and getting to know people; and

**WHEREAS, Jeffrey** leaves his precious memories to his wife Anna Aaron Myers, **two** sons, Jihad and Asmar, **One** daughter Teneesha Lashayy, one future son-in-law, David Brown; **Five** grandsons, Yasir Aaron, Kazir Brown, Zyair Brown, Aiden Myers, Azar David; **Two** granddaughters Ja'Miyah Aaron and Jaziyah Brown. Father-in-law, Robert Matthew; **Five** godchildren, Tashanda Morman, Bernis Boyd, Jr., Tahjon Hobbs, Jahmori and Jacinay Jackson; **Three** brothers, Charles {Ann} Myers, Hamin Shabazz, John {Chrylyn} Myers; **Four** sisters, Barbara Cheeks, Vera {Bobby} Benefield, Trudy Myers and Jean

{Melvin} Hobbs; **Sixteen** Nieces Angie {Lloyd}, Gregg, Jackie Johnson, Sheila Hamilton, Keisha Wells, Jawanda Hobbs, Felicia Miles, Alnisa Shane, Tonya and Latoya Cheeks, Mataya Williams, Junita {Cory} Jackson, Aniyah Tyson, Chantea Myers, Tieu Myers; **Fourteen** Nephews James Myers Jr., Ernest Hamilton, Jr., Darrin Cheeks, Robert Hamilton, Anthony Myers, Richard Hobbs, Tremayne Myers, Ronald Hobbs, Dawuan Myers, Travis {Montica} Hobbs, Jeremy {Emily} Myers, Garret Myers; **One** nephew-in-law Archie Stokes; **Two** brothers-in-law, Robert Aaron, Jr.; **Two** Sisters-in-law Susan Myers, Helena Price {Harold}; his **Late** grandson Josiah Aaron, Brother James Myers, Sister Denise Myers; **Two** Brothers-in-law, LeVern Cheeks, Ernest Hamilton, Sr.; **Three** Nieces Shanda Stokes, Kim and Shanique Hamilton; **One** nephew, Shannon Hamilton; **One** great nephew, Joshua Hobbs; and a host of great, great great, nieces and nephews and other relative's family and friends; and.

**WHEREAS**, his Mother-in-law, Annie Aaron preceded him in death:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington joins with the family members, friends and colleague of **Missionary Jeffrey Lewis Myers** and join in mourning his passing; and  
BE IT FURTHER RESOLVED, that a copy of this resolution be spread upon the minutes of this governing body in lasting tribute and remembrance of **Missionary Jeffrey Lewis Myers**.

Adopted  
Absent: Burgess, Cox, Vick

Evans – Beasley

17. Designate 124-130 Ellis Avenue Urban Renewal LLC As Redeveloper For The Redevelopment Of 124-130 Ellis Avenue, Block 162, Lots 5, 6 & 7 And Authorizing The Execution Of A Redevelopment And Land Disposition Agreement And The Transfer Of The Property In Connection Therewith

**RESOLUTION OF THE TOWNSHIP OF IRVINGTON DESIGNATING 124-130 ELLIS AVENUE URBAN RENEWAL LLC AS REDEVELOPER FOR THE REDEVELOPMENT OF CERTAIN PROPERTY IDENTIFIED AS BLOCK 162, LOTS 5, 6 & 7 ON THE OFFICIAL TAX MAPS OF THE TOWNSHIP AND IDENTIFIED IN THE TOWNSHIP TAX RECORDS AS 124-130 ELLIS AVENUE; AND AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AND LAND DISPOSITION AGREEMENT AND THE TRANSFER OF THE PROPERTY IN CONNECTION THEREWITH**

**WHEREAS**, 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., as amended and supplemented (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

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

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

**WHEREAS**, pursuant to N.J.S.A. 40A:12A-4, the Township has determined to act as the “redevelopment entity”, as such term is defined at N.J.S.A. 40A:12A-3, responsible for carrying out redevelopment projects in the Redevelopment Area in accordance with the Redevelopment Plan, pursuant to N.J.S.A. 40A:12A-4(c); and

**WHEREAS**, the Redeveloper is the owner of certain property within the Redevelopment Area identified on the official tax map of the Township as Block 162, Lot 5; and identified in the Township tax records as 124 Ellis Avenue (the “**Redeveloper Parcel**”); and

**WHEREAS**, on or about April 12, 2017, the Township entered into a redevelopment agreement with Golden Sun Management, (the “**Lot 6 Agreement**”) for the development of certain property, including but not limited to, the property identified on the official tax map of the Township as Block 162, Lot 6 and identified in the Township tax records as 126-128 Ellis Avenue (the “**Lot 6 Parcel**”), in accordance with which agreement, the Lot 6 Parcel is subject to reverter to the Township; and

**WHEREAS**, Golden Sun Management has failed to satisfy its obligations under the Lot 6 Agreement as to the Lot 6 Parcel, and the Township wishes to terminate the Lot 6 Agreement with regards to same and to designate the redevelopment rights of the Lot 6 Parcel to Redeveloper pursuant to the terms set forth herein; and

**WHEREAS**, the Township is the owner of certain real property within the Redevelopment Area identified as Block 162, Lot 7 on the official tax maps of the Township and identified in the Township tax records as 130 Ellis Avenue (the “**Township Parcel**”); and

**WHEREAS**, 124-130 Ellis Avenue Urban Renewal LLC (the “**Redeveloper**”) proposes the acquisition and assemblage of the Redeveloper Parcel, the Lot 6 Parcel and the Township Parcel, (collectively, the “**Property**”); and to develop, finance, construct, implement, and cohesively redevelop the Property with a five (5) story residential building with thirty-three (33) market-rate residential units and four (4) affordable residential units (comprised of 3 three-bedroom units, 16 two-bedroom units 13 one- bedroom units and 5 studio apartments) and 32 parking spaces, together with certain other on-site and off-site improvements (the “**Project**”);

**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 hereby determines that the Property is not 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**, 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 Township Parcel and the Lot 6 Parcel 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 Township Parcel and the Lot 6 Parcel,

**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 Authorized.

(a)     The Township Council hereby approves the conveyance of the Township Parcel and the Lot 6 Parcel, 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 Township Parcel and the Lot 6 Parcel 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 Township Parcel and the Lot 6 Parcel and any and all associated documents required to effectuate the conveyance of the Township Parcel and the Lot 6 Parcel.

(b)     The Mayor and other necessary city officials and professionals are each hereby authorized and directed to execute and deliver such documents as are necessary to facilitate the transactions contemplated hereby and in the Redevelopment Agreement, and to take such actions or refrain from such actions as are necessary to facilitate the transactions contemplated hereby, in consultation with, as applicable, counsel to the Township, and any and all actions taken heretofore with respect to the transactions contemplated hereby are hereby ratified and confirmed.

(c) Upon the execution of the deed, together with any other necessary documents and/or agreements between the Redeveloper and the Township, in accordance with the terms of Section 3(a), the Municipal Clerk is hereby authorized and directed to attest to the signature of the Mayor upon such documents and is hereby further authorized and directed to affix the corporate seal of the Township upon such documents.

**Section 4.** Severability. If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

**Section 5.** Availability of the Resolution. A copy of this resolution shall be available for public inspection at the office of the Municipal Clerk.

**Section 6.** Effective Date. This resolution shall take effect immediately.

**Exhibit A**

FORM OF REDEVELOPMENT AGREEMENT

[ON FILE IN OFFICE OF COMMUNITY DEVELOPMENT]

Adopted

Absent: Burgess, Cox, Vick

Beasley – Evans

18. Designate 947 Holdings, LLC As Redeveloper For The Redevelopment Of 947 Clinton Avenue, Block 205, Lot 31 And Authorizing The Execution Of A Redevelopment And Land Disposition Agreement And The Transfer Of The Property In Connection Therewith

**RESOLUTION OF THE TOWNSHIP OF IRVINGTON DESIGNATING 947 HOLDINGS LLC AS REDEVELOPER FOR THE REDEVELOPMENT OF CERTAIN PROPERTY IDENTIFIED AS BLOCK 205, LOT 31 ON THE OFFICIAL TAX MAPS OF THE TOWNSHIP AND IDENTIFIED IN THE TOWNSHIP TAX RECORDS AS 947 CLINTON AVENUE; AND AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AND LAND DISPOSITION AGREEMENT AND THE TRANSFER OF THE PROPERTY IN CONNECTION THEREWITH**

**WHEREAS**, 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., as amended and supplemented (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

**WHEREAS**, the Municipal Council of the Township (the “**Township Council**”), by Resolution 94-0809-5 dated August 9, 1994, created the Township Urban Enterprise Zone (the “**UEZ**”) pursuant to the New Jersey Urban Enterprise Zones Act, N.J.S.A. 52:27H-60 et seq. (the “**UEZ Act**”); and

**WHEREAS**, the Township Council designated certain properties within and contiguous to the UEZ as an area in need of rehabilitation (the “**Rehabilitation Area**”) by Resolution UEZ 07-0227-5, dated February 27, 2007 in accordance with the requirements of *N.J.S.A. 40A:12A-14*; and

**WHEREAS**, the Township Council duly adopted a redevelopment plan by Ordinance MC No. 3351 dated September 11, 2007, to govern the redevelopment of the Rehabilitation Area, (as amended and supplemented from time to time, the “**Redevelopment Plan**”) in accordance with *N.J.S.A. 40A:12A-7*; and

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

**WHEREAS**, to realize the redevelopment of the Rehabilitation Area, the Township Council determined to exercise the powers of redevelopment and serve as the “redevelopment entity”, as such term is defined at *N.J.S.A. 40A:12A-3*, responsible for carrying out redevelopment projects in accordance with the Redevelopment Plan, pursuant to *N.J.S.A. 40A:12A-4(c)*; and

**WHEREAS**, the Township is the owner of certain property located within the Rehabilitation Area, which property is designated on the tax maps of the Township as Block 205, Lot 31 and identified in the Township tax records as 947 Clinton 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**, 947 Holdings LLC (the “**Redeveloper**”) proposes the acquisition of the Property, and the design, development, financing, rehabilitation and maintenance of the existing mixed use building, consisting of 7 residential and 2 commercial units and certain other on-site and offsite improvements on the Property (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, together with any other necessary documents and/or agreements between the Redeveloper and the Township, in accordance with the terms of Section 3(a), the Municipal Clerk is hereby authorized and directed to attest to the signature of the Mayor upon such documents and is hereby further authorized and directed to affix the corporate seal of the Township upon such documents.

**Section 4.     Severability.** If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

**Section 5.     Availability of the Resolution.** A copy of this resolution shall be available for public inspection at the office of the Municipal Clerk.

**Section 6.     Effective Date.** This resolution shall take effect immediately.

**Exhibit A**

FORM OF REDEVELOPMENT AGREEMENT

[ON FILE IN OFFICE OF COMMUNITY DEVELOPMENT]

Adopted

Absent: Burgess, Cox, Vick

Beasley – Evans

19. Authorize The First Amendment Of The Amended And Restated Redevelopment Agreement By And Between The Township Of Irvington And Hilltop Partners Redeveloper, LLC

**RESOLUTION OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, COUNTY OF ESSEX, NEW JERSEY AUTHORIZING THE FIRST AMENDMENT OF THE AMENDED AND RESTATED REDEVELOPMENT AGREEMENT BY AND BETWEEN THE TOWNSHIP OF IRVINGTON AND HILLTOP PARTNERS REDEVELOPER, LLC**

**WHEREAS**, 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.*, as amended and supplemented (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

**WHEREAS**, the Municipal Council of the Township (the “**Township Council**”), by Resolution 94-0809-5 dated August 9, 1994, created the Township Urban Enterprise Zone (the “**UEZ**”) pursuant to the New Jersey Urban Enterprise Zones Act, *N.J.S.A. 52:27H-60 et seq.* (the “**UEZ Act**”); and

**WHEREAS**, the Township Council designated certain properties within and contiguous to the UEZ as an area in need of rehabilitation (the “**UEZ Rehabilitation Area**”) by Resolution UEZ 07-0227-5, dated February 27, 2007 in accordance with the requirements of *N.J.S.A. 40A:12A-14*; and

**WHEREAS**, the Township Council duly adopted a redevelopment plan by Ordinance MC No. 3351 dated September 11, 2007, to govern the redevelopment of the UEZ Rehabilitation Area, (as amended and supplemented from time to time, the “**Redevelopment Plan**”) in accordance with *N.J.S.A. 40A:12A-7*; and

**WHEREAS**, to realize the redevelopment of the UEZ Rehabilitation Area, the Township Council determined to exercise the powers of redevelopment and serve as the “redevelopment entity”, as such term is defined at *N.J.S.A. 40A:12A-3*, responsible for carrying out redevelopment projects in accordance with the Redevelopment Plan, pursuant to *N.J.S.A. 40A:12A-4(c)*; and

**WHEREAS**, Hilltop Partners Redeveloper, LLC (the “**Redeveloper**”) proposed to acquire certain property within the UEZ Rehabilitation Area now identified on the tax maps of the Township as Block 324, Lots 1.01, 1.02, 1.03, 1.04, 1.05, 1.06, and 1.07 (created through the subdivision of the parcel previously identified as Block 324, Lot 1) and commonly referred to as the Irvington General Hospital Site (the “**Property**”) and to develop thereon a multi-phase, mixed-use development; and

**WHEREAS**, the Township Council, by Resolution No. OCDP 19-0909-20 authorized the execution of that certain Amended and Restated Redevelopment Agreement, dated as of \_\_\_\_\_ (the “**Existing RDA**”), setting forth the rights and responsibilities of the Township and the Redeveloper with respect to the Property and the multi-phase, mixed-use development project as more fully described in the Existing RDA (the “**Original Project**”); and

**WHEREAS**, the Redeveloper has proposed certain modifications to the Original Project, and has submitted to the Township for its review and consideration a concept plan (the “**Concept Plan**”, attached hereto as Exhibit A) for the revised “**Project**” (as defined herein) to be undertaken on the Property; and

**WHEREAS**, the Township and Redeveloper desire to make the necessary amendments to the Existing RDA in order to effectuate the redevelopment of the Property by authorizing the execution of the First Amendment to the Existing RDA (the “**Amendment Agreement**”) substantially in the form attached hereto,

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

**SECTION 1.** Generally. The aforementioned recitals are incorporated herein as though fully set forth at length.

**SECTION 2.** Execution of the Amendment Agreement Authorized.

a. The Mayor is hereby authorized to execute the First Amendment to the Existing RDA, substantially in the form attached hereto as Exhibit A, subject to modification or revision deemed necessary and appropriate in consultation with counsel, and to take all other necessary and appropriate action to effectuate the Agreement, as amended.

b. The Municipal Clerk is hereby authorized and directed, upon the execution of the Amendment Agreement, to attest to the signature of the Mayor upon each such document and is hereby further authorized and directed to affix the corporate seal of the Township upon each such document.

**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.

**SECTION 5.** Effective Date. This Resolution shall take effect immediately.

**EXHIBIT A**

Form of First Amendment to the Amended and Restated Redevelopment Agreement

**[ON FILE IN OFFICE OF COMMUNITY DEVELOPMENT]**

Adopted

Absent: Burgess, Cox, Vick

Frederic – Beasley

20. Ratify the 2019 Corrective Action Plan

**RESOLUTION OF THE TOWNSHIP OF IRVINGTON**

**Corrective Action Plan**

**Audit Report Year: December 31, 2019**

WHEREAS, in accordance with the requirements of the Single Audit Act and the regulations of the Division of Local Government Services, all municipalities are required to prepare and file a Corrective Action Plan; and

WHEREAS, this plan must be filed with the Division of Local Government Services in accordance with regulations established by the Division; and

WHEREAS, such a plan was prepared by the Chief Financial Officer and reviewed by the members of the governing body of the Township of Irvington;

NOW THEREFORE BE IT RESOLVED, that the CY 2019 Corrective Action Plan, attached hereto, be approved by the governing body of the Township of Irvington and filed with the Division of Local Government Services.

**TOWNSHIP OF IRVINGTON**

**Corrective Action Plan**

**Audit Report Year: December 31, 2019**

**A. Single Audit:**

**1. Finding:**

The Township maintains a computerized general ledger for all funds. As of December 31, 2019, the General Ledger for all funds did not agree with various subsidiary ledgers. Cash receipts as posted contained numerous errors and did not agree with the Collector's reports, department turnovers or bank reconciliations. In addition, cash disbursements were not recorded and/or incorrectly posted.

**Recommendations:**

That General Ledgers be properly maintained for all funds and reconciled monthly to detailed subsidiary ledgers.

That consideration should also be given to documenting all procedures in the Finance Office to enhance the operations.

**Corrective Actions:**

The CFO will create a monthly closing checklist that will include the reconciliation of all the detailed subsidiary ledgers each month as part of the monthly closing process.

The Tax Collector, Comptroller and CFO will write-up all procedures for all of the critical functions in the Tax, and Finance Department, including workflow and checklist for monthly and annual procedures.

**Implementation:**

Workflows, checklist in the critical functions have been completed as of 08/31/2021. The completion of a complete police and procedure will be compiled and submitted to council for approval by November 15<sup>th</sup>, 2021.

**2. Finding:**

Our review of cash reconciliations noted the following:

Cash reconciliations for various accounts contained numerous reconciling items which were carried forward each month without change.

Cash reconciliations were not in agreement with general ledger balances.

Outstanding check listings contained numerous errors.

It appears that the bank reconciliations were not prepared on a timely basis.

In our judgment, this finding is considered to be a significant deficiency.

**Recommendations:**

That more care be exercised in the preparation of Township cash reconciliations. That cash reconciliations be prepared on a timely basis.

**Corrective Action:**

All staff will be trained in reconciling all cash account, and will prepare journal entries for any difference to the general upon review and approval by the Comptroller.

The bank reconciliation will be completed by within 30 - 60 days of the end of the month.

**Implementation:**



All staff have been trained on reconciling cash accounts and are being timely completed with any adjustments be made, and reviewed by the Comptroller or CFO. This have been completed and maintained as 06/30/2021.

**3. Finding:**

Our review of the Grant Fund General Ledger noted the following:

Individual detailed Budgets for Grants were not recorded.

Expenditures for Salaries and Wages were not recorded on a monthly basis.

Salaries and Wages for individual Grants were posted in December, 2019 and in some cases not identified to an individual Grant.

**Recommendations:**

That detailed Budgets for all individual Grants be recorded.

That Salaries and Wages disbursed be recorded on a monthly basis.

**Corrective Actions:**

All Grants approved by council will be setup in the Grants ledger in detail and will be reported to the State website for chapter 159s immediately after the approval, by the Comptroller.

All Salary and Wages are posted upon completion of payroll on a biweekly bases. The payroll will be allocated to charge directly to each grant budget directly, and posted by the payroll staff. All the grants subsidiary accounts we be reviewed as part of the monthly closing checklist, with any adjustment's that maybe necessary of the end or beginning of various grants which will be completed by the comptroller and/ or CFO.

**Implementation:**

Completed as of April 1<sup>st</sup>, 2021.

**B. Purchasing/Procurement:**

**1. Finding:**

It was noted during our test of expenditures that there were several items and/or services purchased prior to purchase orders being issued.

**Recommendation:**

It is recommended that purchase orders be issued prior to goods and/or services being rendered.

**Corrective action:**

All staff process purchases will be fully trained by the QPA before being setup access in the purchasing system.

Any staff or department will be give a violation from the QPA, and will place in the personnel file of the staff.

**Implementation:**

The QPA have implemented this policy as August 15, 2020, and is currently being maintained.

**C. Tax Collectors:**

**1. Finding:**

A tax sale was conducted on December 27, 2019 for the Year 2019.

During 2019, the Tax Office did not accurately maintain a cash receipts book and/or prepare monthly cash reports. In addition, a list of uncollectible taxes report was not prepared and presented to the Municipal Council, as required by R.S. 54:4-91 and 91-1.

Overpayments for taxes that have been refunded by the Department of Finance were not posted on the records maintained by the Tax Office in a timely manner. As a result there were three (3) instances whereby the Tax Office authorized a tax refund previously paid to the taxpayer. In addition, there were numerous instances where the Tax Office did not correctly record all State Tax Court Judgments and the refund of taxes on a timely basis.

We found that various monthly reports were prepared from the records maintained by the Tax Office, whereby the ending balance of one month was not the beginning balance of the subsequent month. We found that numerous adjustments were posted to the Tax Collector's Records for various clerical errors on the date the clerical errors previously occurred and not recorded on the date discovered. This caused various Tax Reports submitted for audit to be constantly changing.

In addition, a cash report for 2019 was not in agreement with the individual tax reports. We noted that adjustment reports provided for audit were not in agreement with the status audit totals for taxes, tax title liens, sewer charges, sewer lien charges and special charges.

Our review of prior years' ' taxes receivable indicated that the Tax Collector's Office has not reviewed annually all open filings of bankruptcy.

The Tax Office did not generate any reports on a monthly basis which resulted in the amounts collected per the Tax Collector's cash report and agreeing with individual computer reports.

A review of various adjusted reports indicated that adjustments for cash received from one year were combined with multi-entries of several years. In addition, a condensed lien report was prepared

by the Tax Officer that included taxes, special improvements, senior citizens, cost of sale, clean up receivables and special charges. The amounts listed by various properties should be reported in their respective receivable reports.

For 2019, bank reconciliations were not accurately performed.

There were several months whereby all funds collected by the Tax Office were not remitted to the Finance Office on a monthly basis...

It was noted that authorized installment tax payment plans approved by resolutions of the Township's governing body were not reviewed by the Tax Department for compliance.

A resolution approved by Township Council for the cancellation of Tax Overpayments was not recorded on the Tax Collector's Records.

**Recommendation:**

That a complete tax sale be held.

That the Tax Office maintain an accurate cash receipt book and prepare monthly cash reports. That the Tax Office file and present a list of the uncollectible taxes report to the Municipal Council. That the Tax Office record all tax refunds disbursed for the year in a timely manner.

That the Tax Office collect all excess tax overpayments refunded.

That the Tax Office receive additional training for the proper use of the tax software program. That the Tax Office cash receipts report be proven to all receivable reports on a monthly basis.

That the Tax Office prepare adjustment reports to be reconciled to all receivable reports on a monthly basis.

That the Tax Office review all receivable reports for items eligible to be collected. That the Tax Office prepare all receivable reports on a monthly basis.

That the Tax Office properly classify charges to their various receivable reports. That monthly bank reconciliations be accurately performed.

That all resolutions adopted by the Township Council for the Collector's Office be recorded.

That the Tax Office date all adjustments on the date of discovery and not the date when the clerical error occurred.

That all funds collected by the Tax Office be transferred to the Finance Office on a monthly basis.

That authorized installment tax payment plans be reviewed by the Tax Department for compliance with approved resolutions.

That the Tax Office obtain the necessary documents to transfer all the deeded properties to

Township-owned property.

**Corrective Actions:**

A complete list of all property that will appear on the Annual Tax sale will be list and any property that is not on the Annual Sale will be document as to why it not be sold and attached to the Sale List.

All daily cash receipt by cashier/batch will be printed reconciled and deposit slip prepared for all cash and all checks remotely deposit at the end of each day as a closeout routine with the cash deposit made first thing the next morning.

At the end of each month the monthly cash receipt book report be review and reconciled to the daily cash batch and reconciled to the collector's monthly report and submitted to the Council.

The Tax Collector will run a finalized report at the end of the year for Council and present with the year report of collections.

All tax refunds disbursed will be recorded before releasing of the checks and will be reviewed monthly by the Tax Collector and included in his monthly report.

The Tax Collector will review and reconcile all tax overpayments each as part of his monthly closing, and take action to collect all funds due.

The Collector will create a staff development plan for each staff person to be properly trained in their position on all the software via webinars, in house training, conferences and software company workshop ongoing review.

The assistant tax collector will review the daily deposit and reconcile them to the daily cash receipts posted daily.

As part of the Collectors monthly report a summary report of outstanding receivables by year will be list as well as overpayments. Also, as part of the report will include the varication of the adjustments made that month and submitted to the Comptroller to reconcile the general ledger to the adjusted balances.

The Tax Collector will prepare as part of its Monthly report will be a list of all adjustments made during the month and submitted to the CFO, whom will reconcile the subsidiary ledger to the control accounts.

The Tax Collector will prepare as part of his Monthly report, the amount of all open receivable accounts that reconcile to the control account.

The bank reconciliation of the tax collector account will be prepared monthly and submitted to the comptroller for review on a monthly basis within 30 - 60 days of the month ending.

After each month the assistant tax collector will submit to the comptroller the breakdown of the collection at which time the comptroller will transfer the funds to the proper fund account each month.

The tax collector will review each month all the installment tax payment plans for compliance, if any are noncompliance a notice will be mailed with possible termination of the agreement.

All township property transfer or sold, information will be forwarded to the legal, tax assessor and tax collector department for recording at the county and in the tax systems within 30 days of the closing.

**Implementation:**

As of June 30, 2021 all of the above have been corrected and is currently being maintained and adhered to.

**D. Payment in Lieu of Taxes (P.I.L. O.T.)**

**1. Finding:**

A review of the 2019 Valuations of Properties, the Tax Collector's separate billings and collections, and the detailed listings of 2019 Unpaid Taxes Receivable at December 31, 2019 indicated that:

Several Properties were separately billed by the Tax Office and included in the 2019 Tax Levy.

Payments received by the Tax Office for Payments in Lieu of Taxes (P.I.L.O.T.) were recorded in the Tax Collector's cash receipts computerized ledger as Municipal Payment Account (402) and Payment in Lieu of Taxes

**Recommendation:**

That the Tax Collector's Office review its accounting policies and procedures that allows for the accurate billings of the Payment in Lieu of Taxes (P.I.L.O.T.)

That the Tax Collector's Office accurately record the collection of revenue for the Payment in Lieu of Taxes (P.I.L.O.T.)

**Corrective Action:**

The tax collector will review and verify all the township PILOTs are billed in accordance to the agreements on file.

That all collections of the PILOT payments be posted to account 402 and be review as parted of monthly closing checklist by the assistant tax collector with any error adjusted at that time.

**Implementation:**

The PILOT list have been updated and reviewed by the Tax Collector, and correct bulling are currently be made as of June 30 2021.

**E. Revenue Collection Departments**

**1. Finding:**

The following exceptions were noted during the course of our audit of the Township Revenue Departments:

Turnovers of revenue collections in the Fire Department, Police Department, Public Works Department, Housing Department, Licensing Department, Zoning Department and Construction Code Official were not in compliance with the provisions of N.J.S.A. 40A:5-15 *"Deposits of Funds Paid to the Local Unit"*.

Cash Receipts Books for the Taxi Unit, Police Department, Housing Department, Licensing Department and Economic Development Department were not available for audit.

Marriage License fees were not submitted to the State of New Jersey on a timely basis.

Funds collected through on-line system payments for Housing and Licensing Departments were not recorded in their respective cash receipts books.

Comments with respect to the Construction Code Official are detailed as follows:

Quarterly DCA Training Fee Reports were not submitted to the State of New Jersey on a timely basis.

Permit fee logs, monthly reports and turnover slips were not in agreement. Additionally, monthly reports and permit fee logs were not mathematically correct.

Consecutively numbered permits are not issued for fees that are not required to be included on the State Permit Fee Logs.

The Uniform Construction Code Report was filed in 2020 with the State of New Jersey for the Year 2019. The amounts reported on the Uniform Construction Code Report were in agreement with the financial records maintained by the Department of Finance after audit adjustments.

The Public Works Department prepared invoices for violations for lot clearing and maintenance. However, the invoices were neither remitted to various property owners nor recorded by the Tax Office.

**Recommendation:**

That the Fire Department, Police Department, Public Works Department, Housing Department, Licensing Department, Zoning Department and Construction Code Official comply with the provisions of N.J.S.A. 40A:5-15.

That cash receipts books for the Taxi Unit, Police Department, Housing Department, Licensing Department and Economic Development Department be maintained and available for audit.

That marriage license fees be remitted on a timely basis.

That funds collected through on-line system payments for all departments be recorded in their

respective cash receipt books.

That the DCA Training Fees collected by the Construction Code Official be submitted to the State of New Jersey on a timely basis.

That the Construction Permit Report and the Transaction Audit Report prepared by the Construction Code Official be in agreement on a monthly basis.

That more care be exercised by the Construction Code Official in the preparation of Permit Fee Logs, Monthly Reports and Turnover Forms.

That the Construction Code Official issue consecutively numbered permits for all fees collected.

That all invoices issued for lot clearings and maintenance violations be remitted to the various owners and recorded by the Tax Office.

**Corrective Action:**

All the departments follow the standard process to turn over deposits within 48 hrs. To the finance department for deposit along with a copy of the turnover sheet.

All departments are to use pre-numbered receipts for payments received and the copies are kept on file for review.

All departments must keep a manual or computerized cash receipts book. The cash receipts book must reconcile each month to the month's cash turnover sheet.

All marriage license will be submitted to the state in the month following the collections by the health department staff after the monthly reports are completed.

As per of the all department cash book the online payment excel report will be added and code as to the payment was via online. A copy of such will be submitted to finance each month to reconcile to the online payment received by the PT accountant.

At the end of each Quarter along with the quarterly report the Construction code Official will submit training fees to the state of New Jersey that had been collect for that period.

The Construction Code official will reconcile the permit report against the transaction audit report for agreement on a monthly basis.

Monthly reports, turnover logs and permit fee logs will be reconciled each month and corrected before submitted to state or reporting.

All permits will be distributed in numbered order and documented any exception to such on the log.

The department of public works will submit a summary list of all invoice to Tax Collector that have not been paid, with a cover sheet to be placed as a lien, each month.

**Implementation:**

All of above finding corrective actions have been implemented and be monitored on an ongoing base for need changes and updates with the various department heads as part of the audit review monthly meetings. Which began January 2021.

**2. Findings:**

Deposits of Funds collected by the Finance Department were not deposited in accordance with the provisions of N.J.S.A 40A:5-15.

**Outstanding Checks:**

A review of the Township's bank reconciliations revealed numerous checks actually cashed in previous months remained on the Township's outstanding checklist as of December 31, 2019 for the Current Fund and Other Trust Fund.

**Bank Accounts:**

Our review of the cash accounts for the Current, Animal Control, Trust and Capital Funds has indicated that the Township maintains approximately twenty-four (24) bank accounts. There are several bank accounts that have been inactive for a number of years. The Township's administration should review inactive bank accounts.

**Cash Reconciliations:**

Our review of cash reconciliations noted the following:

Cash reconciliations for the various accounts contained numerous reconciling items which were carried forward each month without change.

Cash reconciliations were not in agreement with general ledger balances. Outstanding check listing contained numerous errors.

Postage, bank service charges and rental fees associated with credit card transactions of the Municipal Court were not recorded and classified as expenditures.

Bank reconciliations were not prepared on a monthly and timely basis.

**Recommendation:**

That the Finance Department comply with the provisions of N.J.S.A. 40A:5-15. That more care be exercised in recording and classifying expenditures.

That outstanding checklists be accurately prepared on a monthly basis.

That more care be exercised in the preparation of Township cash reconciliations. That cash reconciliations be prepared on a monthly and timely basis.



**Corrective Actions:**

Deposit currently are made within 24 hours, checks are done each day with remote deposit each day, and the cash is deposit by the next day by remote deposit for all checks and the cash pickup in the tax office.

Posting of expenditures by the staff will reviewed and approved by the comptroller and reviewed as part of the monthly closing check list, by the CFO.

The outstanding check list be review by the comptroller after be prepared by accountant on a monthly basis.

Most bank accounts are reconciled timely and without errors. Any reconciling differences will be review and corrected by the comptroller each month before moving on to the next month.

All the bank reconciliations will be completed within 30 - 60 days from month end, along with any differences address that month.

**Implementation:**

The above have been implemented and be maintain on a timely bases as of June 30, 2021, by applicable staff.

**F. Other Items**

**1. Findings:**

We noted that goods and services were paid by wire transfers. Payment of expenditures by wire transfers are not in conformity with the Payment of Claims Ordinance and not listed on the resolutions approved by Township Council.

We noted that revenues collected through the on-line system for all departments were neither recorded accurately nor on a monthly basis by the Department of Finance.

**Recommendation:**

That the Payment of Claims Ordinance be reviewed as to determine whether the payment of expenditures by wire transfers be allowed.

That the resolution for payment of claims include expenditures by wire transfer.

That all revenue collected through the on-line system be accurately recorded on a monthly basis.

**Corrective Action:**

The payment of Claims Ordinance will be amended by CFO to accept wirer transfers' and will upgrade the Edmunds system to be able to send wirer/ACH from with the system.

All of the online payment will be recorded monthly and reconciled against the department monthly cash report.

**Implementation:**

All online payments are process timely and recorded as such and allocated to the proper departments monthly and reviewed by the comptroller and CFO, fully implemented March 31, 2021.

**G. General Ledger**

**1. Finding:**

Technical Accounting Directive No. 85-3, issued by the State of New Jersey, Division of Local Government Services, requires all municipalities to establish and maintain a general ledger. Provisions of the "Single Audit Act" and Generally Accepted Accounting Procedures also require the use of a general ledger. The general ledger is the official permanent financial record of the local unit and provides a summary of all financial transactions. It supports the "fund" basis of accounting as prescribed by the State of New Jersey.

The Township maintains a computerized general ledger for all funds. As of December 31, 2019, the general ledger did not agree with the various subsidiary ledgers. Cash receipts and disbursements, as posted, contained numerous errors and did not agree with the Collector's reports, department turnovers or bank reconciliations.

Adjustments for the following were not summarized for appropriate general ledger entry:

County and State Board Judgments, Overpayments  
Senior Citizen and Veteran Deductions Municipal Cancellations

When the internal operations do not allow management or employees to prevent or detect a misstatement of the financial statements on a timely basis, a control deficiency exists. Control deficiencies may either be a significant deficiency or a material weakness. By definition, a material weakness "is a combination of control deficiencies that adversely affects the entity's ability to initiate, authorize, record, process or report financial data reliably such that there is more than a remote likelihood that a material misstatement of the financial statements will not be prevented or detected", except for the tax levy, there were no tax adjustments recorded in the general ledger.

During 2019, the Township accepted additional funding for several grants. However, amendments for the additional funding were not prepared and included in the Municipal Budget.

**Recommendation:**

That General Ledgers be properly maintained for all funds and reconciled monthly to detailed subsidiary ledgers.

That consideration be given to documenting all procedures in the Finance Office to enhance the operations.

That additional funding for grants approved by the Township Council be appropriated and recorded in the Municipal Budget.

**Corrective Actions:**

The reconciliation of all subsidiary ledger monthly to the general ledger within 30 days of the closing of the prior month. All adjustments will be posted within 30 days of the current month this will be done by the comptroller and reviewed by the CFO.

The CFO, along with Tax Collector and the Comptroller will write up all of the critical procedures in the department of Revenue and Finance, to include a monthly closing and year closing checklist and workflow process.

All grants will be setup in the system and report to the state website immediately after approval by council as detail budget.

**Implementation:**

Reconciliation of all the subsidiary ledgers are currently being reconciled to the general ledger monthly by the CFO, accepted the Grant Fund which will be completed by September 30, 2021.

The policy and procedures have drafted and will be complied into a policy and procedures manual to be submitted Council for approval by November 15, 2021.

All of the grants have been setup and is included in the current budget.

**H. Grant Fund**

**1. Finding:**

A detail of Federal, State, County and Local grants receivable and appropriations are reflected on Exhibits A-32 and A-33. As of December 31, 2019, there were grants receivable in the sum of \$8,450,880.90 and unexpended grant appropriations in the sum of \$7,104,490.69. In addition, the detail computer report for Grant Fund was not in agreement with the audited balances.

Grant Expenditure Report:

The detailed computer report for Federal and State Grants was not in agreement with the audited.

**Recommended:**

That the detailed computer report for Federal and State Grants be reconciled to master control account.

There are Encumbered funds that are over one (1) year old that should be reviewed and properly liquidated.

It is recommended that all encumbered amounts in the detailed computer report for the Grant Fund be reviewed and properly liquidated.

**Corrective Action:**

The CFO will work with Edmunds to purge all of the back yes older than five years back, after which the CFO will reconciled and make the necessary adjustments top agree with the audit report.

All open encumbered funds open will be reviewed and will be closed and canceled, that is over 1 year old. Including POs, and Contracts by the CFO.

**Implementation:**

The system have been purged of the old accounts thru 2015, and the CFO is currently clearing open POs contracts, of open balance that should be closed or canceled, to be fully completed by September 30, 2021.

**I. Animal Control Trust Fund**

**1. Finding:**

Our examination of Animal Control records indicated the following deficiencies: A cash receipts book was not accurately maintained.

New Jersey State Dog Registration Fees are payable thirty (30) days after collection. Monthly reports were filed by the License Bureau. It was noted that the reports filed were neither accurate nor on a timely basis.

Turnover of revenue collections in the Animal Control were not in compliance with the provisions of N.J.S.A.40A:5-15 "Deposits of Funds Paid to the Local Unit."

Tags were issued out of sequence.

Fees collected for the Cat Licenses were not identified in the cash receipts book maintained.

**Recommendation:**

That a cash receipts book be accurately maintained for animal control fees.

That the monthly State Dog Report be filed accurately and on a timely basis by the License Bureau.

That tags/licenses be issued in numerical sequence.

That fees collected for the Cat Licenses be separately recorded in the cash receipt book.

**Corrective Action:**

Provide a cash receipts book printed out on monthly bases and submitted to finance by the Health department.

The health department will get trained on preparing of State Dog Report and will file monthly.

The health department will maintain a log of all issue tag/license in numerical order, and document any acceptance in the log.

The health department will begin listing the Cat Licenses separately in cash receipt book upon being issued.

**Implementation:**

All of the above have been fully implemented by the Health department and are being maintained as of May 30 2021.

**J. Other Trust Fund**

**1. Due to State of New Jersey**

**Finding:**

Amounts Due to the State of New Jersey for Building Construction, Marriage and Burial Fees, as detailed on Exhibit 8-8 herein, have remained unpaid for several years.

**Recommendation:**

That certain amounts Due to the State of New Jersey be reviewed for propriety and appropriate action taken as to payment or cancellation.

**Corrective Action:**

The Health director will review the outstanding fees due to the state and recommend action to bring balance current.

**Implementation:**

The Health department have reviewed all outstanding fees due state and process of payment where made. Completed as June 30, 2021.

**K. Other Deposits**

**1. Finding:**

Premium on tax sale and lien redemptions, reflected on Exhibit 8-8 herein, do not have detailed supporting documentation.

**Recommendation:**

That a detailed list for premiums on the tax sale and lien redemptions be maintained.

**Corrective Action:**

The Tax Collector will prepare and reconcile a detail list of all premium and lien redemptions of the Tax Sale and kept on file as the result of the Tax Sale.

**Implementation:**

The Tax Collector have reconciled the premium and the lien accounts as July 15, 2021.

**L. Outside Employment of Off-Duty Police Officers**

**1. Finding:**

Collections received by the Police Department and transferred to the Township are not reconciled to the corresponding payroll expenditures.

**Recommendation:**

That collections for Off-Duty Police Fees be reconciled to corresponding payroll expenditures.

**Corrective Action:**

The police department will submit to finance and payroll department the allocation of the payroll by the vendor of hours and wages charge.

**Implementation:**

The police department will submit a breakdown of the each assigned staff with hours for that period to be charge to each vendors account. This will be fully implemented with the first payroll in October 2021.

**M. Escrow Deposits**

**1. Finding:**

A list of escrow deposits was not available for audit.

**Recommendation:**

That the detailed listing supporting the escrow deposits be available for audit.

**Corrective Actions:**

The Comptroller will provide a detail run of the escrow ledger for each escrow made available for audit, and will be reconciled monthly to the master control balance.

**Implementation:**

Finding have been implemented and be followed as December 31, 2020.

**N. CDBG Trust Fund**

**1. Finding:**

A review by HUD officials of certain projects resulted in disallowed costs for six (6) projects. As a result, areceivable in the amount of \$467,612.03 has been established for the disallowed costs.

**Recommendation:**

That the Township review the projects for proper disposition.

**Corrective Action:**

All projects will be reviewed with HUD and proper adjustments will be made by the Director close out the outstanding receivable.

**Implementation:**

The staff are currently review all of the HUD accounts and taken action to be completed by October 31, 2021.

**2. Urban Development Action Grant (Recycled Loan Program):**

**Finding:**

An examination of the activity of the Urban Development Action Grant Loans receivable revealed eight (8) loans currently open of which five (5) are in default. These loans total \$68,325.28 and appear on Exhibit B-3.

**Recommended:**

That certain Urban Development Action Grant Loans be reviewed and appropriate action taken as to collection or cancellation.

**Corrective Action:**

The Township Attorney will prepare a resolution for the Council to cancel the long outstanding

loans as uncollectable.

**Implementation:**

Township Attorney will recommend to council to dispose the old outstanding UDAG loans.

**O. General Capital Fund**

**1. Finding:**

In accordance with regulations of the Local Finance Board, capital ordinances over five years old cannot finance expenditures from cash not provided from its own resources. As of the date of this report, there is one ordinance over five years old that has a deficit in cash. The Township has a plan to fund the unfunded improvement authorization over the next several years.

**Recommendation:**

To raise the cash deficit in the next budget in fund the unfunded improvement authorization.

**Corrective Action:**

The CFO will appropriate the cash deficit in the capital fund in the next budget to correct this finding.

**Implementation:**

The finding was complete and done September 2020, include in the CY2020 budget.

**P. Payroll**

**1. Finding:**

An audit of the service provider's payroll account was not provided to the Township nor did our staff prepare such an audit. We did review certain records provided to the Township. It should be noted however, that we could not verify required payments to Federal and State agencies made by the service vendor.

Comments with respect to the Net Payroll and Payroll Agency accounts are detailed as follows:

Exhibit B-9, Payroll Deductions Payable, reflects other deductions in the sum of \$610,146.43 as of December 31, 2019.

Payroll deposits were not in agreement with the payroll requirements on a monthly basis.

**Recommendation:**



That effort be made to identify the other deductions and appropriate action be taken.

That all payroll reports filed with Federal and State agencies be in agreement with the payroll reports.

**Corrective Action:**

The payroll supervisor along with the P/T account auditor will review the payroll deductions detail and make require adjustment to identify all account balances.

The CFO will login to the Federal & State agencies and print copy of all required reports file and make available for audit.

**Implementation:**

The payroll deduction are being review with action being taken, the correction will be fully implemented and complete by October 31, 2021.

**Q. Budget Expenditures**

**1. Finding:**

Several Council Approved Transfers. Chapter 159 Amendments and Emergency Resolutions for the year 2019 were not recorded in the Budget Account Status/Transaction Audit Trail dated September 2, 2020. In addition, the approved Resolution for Emergencies was not in agreement with amounts recorded by the Finance Report.

There were several expenditures not recorded in the appropriation budgetary reports. This resulted in over expenditures in several budgetary line items.

During 2019, the Finance Department transferred expenditures to the Grant Fund from the 2019 Municipal Budget. It appears that Salaries and Wages in the amount of \$661,354.22 and Other Expenses in the amount of \$127,858.35 have not been charged to any Federal, State or Local Grants.

**Recommendation:**

That all expenditures be recorded in the appropriate budgetary reports.

That the expenditures transferred from the Municipal Budget to the Grant Fund be identified.

That all Council Approved Resolutions that effect Budgetary Line Items be accurately recorded.

**Corrective Action:**

The Comptroller will review accounts monthly to make sure all expenditures are recorded to the correct accounts.

The Grant expenditures will be allocated to the proper grants and posted at to the grant fund at the

time of any adjustments are being made.

The comptroller will post all Council approved budgets action to the system and will be review by the CFO for accuracy.

**Implementation:**

All of the above findings is currently being implemented fully as of May 31, 2021.

**2. Interfunds**

The balance sheets of the various funds as of December 31, 2019 reflect Interfunds Receivable and Payable. Subsequent to year end, efforts should be undertaken to review and liquidate the interfunds that have occurred.

The cause of these interfunds relate to interest earned but not remitted to the corresponding fund, disbursements made by one fund on behalf of another fund, misposting of cash receipts and lack of transferring budget revenue and/or appropriations from one fund to another.

In the case of the Current Fund, the effect of the Interfunds not being liquidated is a charge to operations (Fund Balance) and a decrease in surplus available. In other funds, the Interfunds do not represent charges to operations but should be liquidated regardless since each fund's cash requirements should stand on their own.

**Recommendation:**

That all Interfunds be liquidated on a current basis.

**Corrective Action:**

As part of the monthly review by the CFO the interfunds will reviewed and action will take to liquidate at that time.

**Implementation:**

The CFO is in review and will completed this finding by November 30, 2021.

**R. Municipal Court:**

**1. Finding:**

Comments with respect to the Municipal Court are as follows: Our tests revealed the following exceptions:

The December 2019 Monthly Management Report was examined and the following items were noted:

All tickets that have been assigned must be issued within six (6) months. The Tickets Assigned Not

Issued Report indicated that two thousand thirty (2,030) tickets were not issued within six (6) months.

The Tickets Issued but Not Assigned Report indicated that three hundred ninety-eight (398) tickets were issued but not assigned.

The General Account and Bail Account cash receipts and disbursement books reflected numerous clerical errors, whereby adjustments to the cash receipts and disbursement books are made in subsequent months.

The Township's ending balance for POAA does not agree to the Court's records.

Checks dated by the 15<sup>th</sup> of each month to the Township were not turned over to the Finance Office as required by N.J.S.A 40A:5-15.

The Time Payment Report, Police Bail Log and Receipt Book were not available for audit. Municipal Court personnel surety bonds were not available for audit.

**Recommendation:**

That Tickets Assigned but Not Issued in excess of six (6) months be reviewed for proper disposition. That follow-up procedures be implemented for tickets whether issued or assigned.

That more care be utilized in the posting of the General Account and the Bail Account cash books. That the Finance Office and Municipal Court POAA records be in agreement.

That checks dated by the 15<sup>th</sup> of each month be turned over to the Township as required by N.J.S.A 40A:5-15.

That the Time Payment Report, Police Bail Log and Receipt Book be available for audit.

That Municipal Court personnel surety bonds be available for audit.

**Corrective Action:**

The Court direct along with department heads will implement a policy for all assigned ticket will be reviewed and or disposed of every 6 months, by an update report on issued, assigned or voided.

The Court director will review document and correct errors monthly at the time of closing out each month.

All funds will be turned to the finance department by the Court director before the 15<sup>th</sup> of each month.

The Director will review the Time payment reports and activity monthly and make all available for audit.

The Business Administrator will procure the proper surety bonds for all required staff of the township including the Courts.

**Implementation:**

The Court direct along with applicable departments heads have agreed on a policy, and implemented as of June 1, 2021.

**S. Corrective Action Plan:**

**1. Finding:**

A Corrective Action Plan was prepared and submitted for items found in the 2018 Report on Examination of Accounts. However, the Corrective Action Plan was prepared not adopted within 60 days.

**It is recommended:**

That a Corrective Action Plan be prepared and submitted within 60 days after each yearly Report on Examination of Accounts is received.

**Corrective Action:**

The CFO with assistance of the Business Administrator and department will review the audit findings and compile the corrective actions to be taken into a plan that will be presented to Council for approval within the required 60 days from final receipt and acceptance of the Council.

**Implementation:**

The CFO have prepared the Corrective action report and submitted to Council for Approval at the 09/13/21 meeting. Upon completion of the 2020 Audit the Corrective action will be submitted to council within 60 days of receipt.

Adopted  
Absent: Burgess, Cox, Vick

Frederic – Hudley

21. Introduction of Calendar Year 2021 Budget Amendment

**Township of Irvington  
County of Essex  
Resolution to Amend Budget #1**

Whereas, the local Municipal Budget for the CY 2021 was approved on 28th day of May, 2021, and

WHEREAS, the public hearing on a said Budget has been held as advertised, on August 9, 2021 and

WHEREAS, it is desires to amend said approved Budget, now

THEREFORE BE IT RESOLVED, by the Governing Body of the Township of Irvington, County of Essex, that the following amendments to the approved Budget of CY 2021 be made:

	(				(
	(			Abstained	(
	(	(			(
	(	(			(
RECORDED VOTE	Ayes	(		Nays	(
	(	(		Absent	(
				<u>From</u>	<u>To</u>
<b><u>General Revenues</u></b>					
1. Surplus Anticipated					1
			3,500,000.00		,904,875.93
2. Surplus Anticipated with Prior Written Consent of Director of Local Government Services			-		-
3. Miscellaneous Revenue-Section A: Local Revenue					2
Interest and Cost on Taxes					
			2,200,000.00		,175,483.24
<b>Total Section A: Local Revenue</b>					
			<b>12,164,905.00</b>		<b>12,140,388.24</b>
3. Miscellaneous Revenue-Section B: State Aid Without Offsetting Appropriations					
<b>Total Section B: Local Revenue</b>					
			<b>11,641,170.00</b>		<b>11,641,170.00</b>
3. Miscellaneous Revenue-Sections C: Dedicated Uniform Construction Code Fee					
Offset with Appropriations					
<b>Total Section C: Local Revenue</b>					
			<b>544,000.00</b>		<b>544,000.00</b>
3. Miscellaneous Revenues - Section F: Special Items of General Revenue Anticipated with					
Prior written Consent of Director of Local Government Services- Public and Private					
Revenues Offset with Appropriations: State & Federal Grants					
Body Armor - Unappropriated			-		30,663.71
2020 Census Grant - Unaspirated			-		40,000.00
<b>Total Section F: Special Items of General Revenue Anticipated, Public and Private</b>					

<b>Revenue Offset with Appropriations:</b>		
3. Miscellaneous Revenue - Section G: Special Items of General Revenue	<b>6,299,957.25</b>	<b>6,370,620.96</b>
Anticipated with		
Prior Written Consent of Director of Local Government Services - Other	3,239,443.87	4,790,659.86
Special items              American Rescue Funds Shortfall		
<b>Total Section G: Special Items of General revenue anticipated</b>	<b>6,854,596.10</b>	<b>8,405,812.09</b>
<b>with prior written              consent of the Director of Local</b>		
<b>Government Services</b>	<b>2,878,500.00</b>	<b>2,878,500.00</b>
 4. Receipts from Delinquent Taxes	 3,500,000.00	 1,904,875.93
<b><u>Summary of Revenues</u></b>		
1. Total Surplus Anticipated	-	-
2. Surplus Anticipated with Prior Witten Consent of Director of Local Government Services	12,164,905.00	12,140,388.24
3. Miscellaneous Revenues:		
Total Section A: Local Revenue	11,641,170.00	11,641,170.00
Total Section B: State Aid without Offsetting Appropriations:	544,000.00	544,000.00
Total Section C: Dedicated Uniform Construction Code Fees offset with Appropriations	-	-
Total Section D: Special Items of General Revenue, Inter local Muni. Services	-	-
Total Section E: Special Items of General Revenue, Additional Revenue	6,299,957.25	6,370,620.96
Total Section F: Special Items of General Revenue, Public and Private Revenue	6,854,596.10	8,405,812.09
Total Section G: Special items of General Revenue, Other Special Item      Total Miscellaneous Revenue	37,504,628.35	39,101,991.29
4. Receipts from Delinquent Taxes	2,878,500.00	2,878,500.00
5. Subtotal General Revenues ( Items 1,2,3 and 4)	43,883,128.35	43,885,367.22
6. Amount to be Raised by Taxes for support of Municipal Budget		
a) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes	77,853,000.76	77,853,000.76
b) Addition to Local District School Tax	3,314,468.43	3,336,306.25
c) Minimum Library Tax		
7. <b>TOTAL GENERAL REVENUES</b>	<b>746,286.26</b>	<b>746,286.26</b>
	<b>\$</b>	<b>\$</b>
	<b>125,796,883.80</b>	<b>125,820,960.49</b>

**8. GENERAL APPROPRIATIONS**

**(A) Operations Within "CAPS"**

**Total Operations (Item 8 (A) Within "CAPS"**

**80,233,187.35    80,233,187.35**

**(E) Deferred Charges and Statutory Expenditures - Municipal Within "CAPS"**

**1. Deferred Charges**

Overexpenditures Appropriations 2019

659,135.00    -

Defecit in Health Benefit Trust

602,407.00    -

Overexpenditure of Economic Development CDBG Trust Fund

311.54

Overexpenditures Appropriations 2019

1,206,742.44

Public Employees' Retirement System

1,872,629.00    1,872,903.00

**Total Deferred Charges and Statutory Expenditures - Within "CAPS"**

**14,371,890.95    14,317,676.93**

**(H-1) Total General Appropriations for Municipal Purposes Within "CAPS"**

**94,605,078.30    94,550,864.28**

**8. GENERAL APPROPRIATIONS**

**(A) Operations - Excluded from "CAPS"**

**Municipal Library**

-  
-  
-

**Total Other Operations - Excluded from "CAPS"**

**6,225,628.00    6,225,628.00**

**(A) Operations - Excluded from "CAPS"**

Body Armor - Unappropriated

-  
30,663.71

2020 Census Grant - Unappropriated

-

**Public and Private Programs Offset by Revenues**

40,000.00

**Total Public and Private Program Offset By Revenue**

**6,304,290.25    6,374,953.96**

**Total Operations Excluded from "CAPS"**

**12,529,918.25    12,600,581.96**

**8. General Appropriations**

**(C) Total Capital Improvements - Excluded from "CAPS"**

**Total Capital Improvements - Excluded from "CAPS"**

**50,000.00    50,000.00**

**( D) Municipal Debt Service - Excluded from "CAPS"**

Interest on Notes

-  
-

**MINUTES - REGULAR COUNCIL MEETING – SEPTEMBER 13, 2021 – PAGE 56**

Essex County Capital Lease	562,273.00	569,900.00
<b>Total Municipal Debt Service - Excluded from 'CAPS'</b>	<b>7,148,374.22</b>	<b>7,156,001.22</b>
<b>(E) Deferred Charges - Municipal - Excluded from "CAPS"</b>		
Special Emergency Authorization 5 year		-
		-
<b>Total Deferred Charges - Municipal- Excluded from "CAPS"</b>	<b>487,206.78</b>	<b>487,206.78</b>
<b>(H-2) Total General Appropriations for Municipal Purposes Excluded from "CAPS"</b>	<b>20,215,499.25</b>	<b>20,293,789.96</b>
<b>( I ) Type 1 District School Debt Services</b>		
Interest on Notes		-
		-
<b>Total Local School Purposes</b>	<b>6,026,306.25</b>	<b>6,026,306.25</b>
<b>(O) Total General Appropriations - Excluded from "CAPS"</b>	<b>26,241,805.50</b>	<b>26,320,096.21</b>



(L) Subtotal General Appropriations {items (H-1) and (O)}		
(M) Reserve for Uncollected Taxes	120,846,883.80	120,870,960.49
<b>9. Total General Appropriation</b>		
	<b>4,950,000.00</b>	<b>4,950,000.00</b>
<b>Summary of Appropriations:</b>		
(H-1) Total General Appropriations for	\$	\$
Municipal Purposes within "CAPS"	<b>125,796,883.80</b>	<b>125,820,960.49</b>
(a) Operations - Excluded from "CAPS"		
Other Operations	94,605,078.30	94,550,864.28
Public & Private Progs Offset by Revenues	-	-
( C ) Capital Improvement		
(D) Municipal Debt Service	6,225,628.00	6,225,628.00
(E) Total Deferred & Statutory Charges - Excluded from "CAPS"		
(F) Judgments	6,304,290.25	6,374,953.96
(G) Cash Deficit - With Prior Consent of LFB		
(K) Local District School Purpose	50,000.00	50,000.00
(N) Transferred to Board of Education	7,148,374.22	7,156,001.22
(M) Reserve for Uncollected Taxes	487,206.78	487,206.78
<b>9. Total General Appropriation</b>		-
	-	-
BE IT FURTHER RESOLVED, that three certified copies of this resolution be filed in the Office of the Director of the Division of Local Government Services for his certification of the 2021 Local Municipal Budget so amended	6,026,306.25	6,026,306.25
		-
BE IT FURTHER RESOLVED, that this complete amendment, in accordance with the provisions of N.J.S 40A:4-9, be published in the Irvington Herald in the issue of _09/23/2021 and the said publication contain notice of public hearing on said amendment to be held at Town Hall on September 27, 2021 at 1 Civic Square, Irvington, NJ at 7:30 P.M, virtually via Zoom. Please monitor the township's website at <a href="http://www.irvington.net">www.irvington.net</a> or e-mail the Township Clerk's Office at townclerk@irvingtonnj.org for instructions on how to access the meeting.	4,950,000.00	4,950,000.00
	\$	\$
	<b>125,796,883.80</b>	<b>125,820,960.49</b>

It is hereby certified that this is a true copy of resolution  
amending the budget, adopted by the Governing Body on 27th  
day of September, 2021

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Harold Weiner, Municipal Clerk

It is hereby certified that all changes are in proof and the budget remains in balance

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Faheem J. Ra' Oof, CPA, Director of Revenue & Finance

Adopted  
Absent: Burgess, Cox, Vick

10. Communication and Petitions

A. Communications

1. Mayor Vauss – Appointment – Acting Director of Neighborhood Preservation – Willie Williams

11. Pending Business

None

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NON-CONSENT AGENDA ITEMS

8. Ordinances, Bills & Claims (continued)

B. Ordinances on 2<sup>nd</sup> Reading

1. Acting President Dr. Hudley: An ordinance providing for residential permit parking on Ellery Avenue between Clinton Avenue and Laurel Avenue, 24 hours per day, seven days a week will be heard at this time. The Clerk will read the notice of hearing.

The Clerk will read the ordinance by title.

AN ORDINANCE PROVIDING FOR RESIDENTIAL PARKING PERMITS ON THE ELLERY AVENUE FROM CLINTON AVENUE TO LAUREL AVENUE 24 HOUR PER DAY, SEVEN DAYS A WEEK

WHEREAS, the Township of Irvington in response to the complaints of its residents concerning the availability of resident parking on Ellery Avenue between Clinton Avenue and Laurel Avenue, 24 hours per day, seven days a week; and

WHEREAS, the difficulty of the residents in this 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 parking on Ellery Avenue between Clinton Avenue and Laurel Avenue, 24 hours per day, seven days a week

Resident's vehicles must receive and display a valid parking permit provided by the Township of Irvington.

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.

All ordinances or parts thereof that are inconsistent herewith are hereby repealed.

This ordinance shall take effect upon final passage and publication according to law.

The public hearing on this ordinance is now open.

Hudley – Frederic                      Motion to close public hearing

Adopted  
Absent: Burgess, Cox, Vick

Hudley- Frederic                      Motion to adopt this ordinance on second reading after public hearing

Adopted  
Absent: Burgess, Cox, Vick

2. Acting President Dr. Hudley: An ordinance providing for residential permit parking on Welland Avenue from Normandy Place to Chester Avenue, From 6 PM to 3 AM will be heard at this time. For the record, this notice is identical to the first notice that was read.

The Clerk will read the ordinance by title.

**AN ORDINANCE PROVIDING FOR RESIDENTIAL PARKING PERMITS ON WELLAND AVENUE FROM NORMANDY PLACE TO CHESTER AVENUE FROM 6:00 P.M. to 3:00 A.M.**

WHEREAS, the Township of Irvington in response to the complaints of its residents concerning the availability of resident parking between the hours of 6:00 P.M. and 3:00 A.M. on Welland Avenue from Normandy Place to Chester Avenue; and

WHEREAS, the difficulty of the residents in this 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 parking

between the hours of 6:00 P.M. and 3:00 A.M. on Welland Avenue from Normandy Place to Chester Avenue.

Resident's vehicles must receive and display a valid parking permit provided by the Township of Irvington.

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.

All ordinances or parts thereof that are inconsistent herewith are hereby repealed.

This ordinance shall take effect upon final passage and publication according to law.

The public hearing on this ordinance is now open.

Beasley – Hudley                      Motion to close public hearing

Adopted  
Absent: Burgess, Cox, Vick

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

Adopted  
Absent: Burgess, Cox, Vick

3. Acting President Dr. Hudley: A \$500,000.00 redevelopment bond ordinance for the 21<sup>st</sup> Street project will be heard at this time. The Clerk will read the notice of hearing.

The Clerk will read the ordinance by title.

**BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF PROPERTY LOCATED IN THE EAST WARD/EAST SPRINGFIELD AVENUE REDEVELOPMENT AREA IN FURTHERANCE OF THE EAST WARD/EAST SPRINGFIELD AVENUE REDEVELOPMENT PLAN IN AND BY THE TOWNSHIP OF IRVINGTON, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$500,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE COST THEREOF.**

WHEREAS, in 2002, the Township Council of the Township of Irvington, in the County of Essex, New Jersey (the "Township"), designated certain properties within the Township, consisting of Blocks 132-137, Block 138, Lots 1 through 13, Block 139, Lots 1 through 38, Block 140, Lots 1 through 10 and Lots 12 through 26, Block 141, Lots 1 through 25, Block 142, Lots 1 through 30, Block 143, Lots 1 through 17, Block 144, Lots 1 through 12, Block 145, Lots 1 through 12, Block 146, Lots 1 through 12, Block 147, Lots 1 through 40, Blocks 148, Lots 1 through 40, Block 162, Lots 7 through 32, Block 164, Lots 1 through 8, Block 206, Lots 6 through 25, Block 207, Lots 12 through 28, Block 208, Lots 8 through 24, Block 209, Lots 14 through 34 and Block 210, Lots 23 through 42 as an area in need of redevelopment

(the "Original Redevelopment Area"), in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., as amended and supplemented (the "Redevelopment Law"); and

WHEREAS, by Resolution No. OCDP 20-1123-30 adopted on November 23, 2020, the Township Council of the Township designated certain properties within the Township, consisting of Block 162, Lots 1 through 6, Block 166, Lots 1 through 19 and Lot 39.01, Block 165, Lots 15 and 16, Block 149, Lots 1 through 37, Block 207, Lots 21, 22, 23.01, 23.02 and Lots 24 through 48 on the official Tax Maps of the Township, as a non-condemnation area in need of redevelopment (the "Additional Redevelopment Area" and, together with the Original Redevelopment Area, the "Redevelopment Area") in accordance with the Redevelopment Law; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7, by Ordinance No. MC3766 adopted on May 18, 2021, the Township Council of the Township has duly adopted, as amended from time to time, the "East Ward/East Springfield Avenue Redevelopment Plan" (collectively, and as the same may be further amended, the "Redevelopment Plan"), which sets forth the Township's plan for the redevelopment of the Redevelopment Area; and

WHEREAS, pursuant to the Redevelopment Law, the Township has elected to act as redevelopment entity (the "Redevelopment Entity") to implement the Redevelopment Plan and carry out the hereinafter defined Redevelopment Project described therein, within the Redevelopment Area.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF IRVINGTON, IN THE COUNTY OF ESSEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The recitals to this bond ordinance are hereby incorporated as if set forth in full herein.

Section 2. The improvements described in Section 4 of this bond ordinance are hereby authorized to be undertaken by the Township as general improvements. For the improvements or purposes described in Section 4, there is hereby appropriated the sum of \$500,000. No down payment is required pursuant to N.J.S.A. 40A:12A-37(c) as this bond ordinance authorizes obligations for the purpose of aiding the Redevelopment Entity with respect to the Redevelopment Project within the Township.

Section 3. In order to finance the cost of the improvements or purposes, negotiable bonds are hereby authorized to be issued in the principal amount of \$500,000 pursuant to the Redevelopment Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Redevelopment Law.

Section 4. (a) The improvements hereby authorized and the purposes for which the bonds are to be issued is to aid in the redevelopment project described in the Redevelopment Plan, including, but not limited to, acquisition of land within the Redevelopment Area, including the properties identified on the official Tax Maps of the Township as Block 144, Lots 5, 6 and 10 through 12, Block 145, Lots 3, 6, 8 and 11, Block 146, Lots 1, 3, 4, 6, 11 and 12 and Block 147, Lots 1 through 3, 6 through 10, 16, 18, 19, 24, 27 through 30, 34 and 40, including all costs and expenses necessary therefor and incidental thereto (collectively, and as further described in the Redevelopment Plan, the "Redevelopment Project").

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 3 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Township's chief financial officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Redevelopment Law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 4 of this bond ordinance are not current expenses. They are improvements or purposes that the Township may lawfully undertake as general improvements described in the Redevelopment Plan, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) Pursuant to N.J.S.A. 40A:12A-37(c), the obligations authorized herein shall mature in annual installments ending not more than forty years from the date of issuance.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and bond anticipation notes provided in this bond ordinance by \$500,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An amount not exceeding \$50,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

(e) The obligations of the Township authorized by this bond ordinance shall bear interest at a maximum rate of not to exceed six (6.00%) per centum per annum.

Section 8. Any grant moneys received for the purposes described in Section 4 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued

pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The Township hereby declares the intent of the Township to issue the bonds or bond anticipation notes in the amount authorized in Section 3 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 4 of this bond ordinance. This Section 9 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

Section 10. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 11. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 12. The Mayor, Deputy Mayor, Township Administrator, Township Clerk and Township Attorney of the Township, as the case may be, are each authorized pursuant to the Redevelopment Law, N.J.S.A. 40A:12-1 *et seq.*, and any other applicable law, to negotiate, prepare, execute and deliver any and all necessary documentation to effectuate the acquisition of the properties described in Section 4 hereof, including, but not limited to, a purchase and sale agreement and any other contracts or amendments thereto and all closing documents necessary to effectuate the purposes of this bond ordinance.

Section 13. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption.

The public hearing on this ordinance is now open.

Frederic – Hudley

Motion to close public hearing

Adopted

Absent: Burgess, Cox, Vick

Frederic – Hudley

Motion to adopt this ordinance on second reading after public hearing

Adopted

Absent: Burgess, Cox, Vick

4. Acting President Dr. Hudley: an ordinance amending fees for annual alcoholic beverage plenary retail consumption and distribution licenses and for alcoholic beverage license certificates will be heard at this time. For the record, this notice is identical to the first notice that was read.

The Clerk will read the ordinance by title.

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 158 (ALCOHOL BEVERAGE CONTROL) OF THE CODE OF THE TOWNSHIP OF IRVINGTON**

**WHEREAS**, the Irvington Municipal Council serves as the local issuing authority for all ABC licenses; and

**WHEREAS**, the Municipal Council in its capacity as the Alcoholic Control Board for the Township finds it prudent and in the public in interest to increase the fees for a Plenary Retail Distribution License and a Plenary Retail Consumption License. The license fees to be paid hereunder shall be as follows:

- A. For each and every plenary consumption license: the sum of \$1,899 per annum, effective upon final passage of this amendment. Said license fee shall increase by 20% per annum until the license fee is \$2,500 per annum as follows:

Effective 1-1-22	\$2,278
Effective 1-1-23	\$2,500 (maximum)

- B. For each and every plenary retail distribution license: the sum of \$1,330 per annum, effective upon the final passage of this amendment. Said license fee shall increase by 20% per annum until the license fee is \$2,500 per annum.

Effective 1-1-22	\$1,596
Effective 1-1-23	\$1,905
Effective 1-1-24	\$2,286
Effective 1-1-25	\$2,500 (maximum)

- C. For each license certificate printed (Plenary Consumption, Plenary Retail Distribution and Club) there will be a \$3 fee.

**BE IT ORDAINED** that all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed.

**BE IT FURTHER ORDAINED**, that the effective date of this ordinance shall be twenty (20) days after its final passage by the Municipal Council and approved by the Mayor at the time and in the manlier provided by law.



The public hearing on this ordinance is now open.

Frederic – Hudley

## Motion to close public hearing

Adopted

Absent: Burgess, Cox, Vick

Frederic – Hudley

Motion to adopt this ordinance on second reading after public hearing

## ALCOHOLIC BEVERAGE CONTROL BOARD

SEPTEMBER 13, 2021

1. Acting Chair Dr. Hudley calls the Meeting to Order

- ## 2. Roll Call

Present: Jamillah Z. Beasley, Sean C. Evans, Charnette Frederic, October Hudley,

Absent: Orlander G. Vick, Renee C. Burgess, Vernal C. Cox, Chairman

- ### 3. New Business

Frederic – Beasley     A. Rescind ABC Distribution License Issued for the 2021-2022 Licensing Year  
– Dhanshree, Inc. - Need For A Special State ABC 12-39 Ruling

WHEREAS, on June 28, 2021, the ABC Board renewed the following Plenary Retail Distribution License for the 2021-2022 licensing year.

0709-44-012-005

Dhanshree, Inc.      Pocket License  
170 Hayes Mill Road  
Atco, NJ 08004

;and

WHEREAS, the State Division of Alcoholic Beverage Control has informed the Township that the license holder must obtain a special 12:39 ruling from the State ABC; and

WHEREAS, as a result, the State ABC has requested that the renewal of the Plenary Retail Distributions License 0709-44-012-005, issued to Dhanshree, Inc. for the 2021-2022 licensing year be rescinded.

NOW THEREFORE BE IT RESOLVED BY THE MUNICIPAL COUNCIL ACTING AS THE ALCOHOLIC BEVERAGE CONTROL BOARD OF THE TOWNSHIP OF IRVINGTON that the renewal of Plenary Distribution License 0709-44-012-005, issued to Dhanshree, Inc., for the 2021-2022licensing year be rescinded; and



There being no further business, the meeting was adjourned at 7:50 P.M.

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Renee C. Burgess, Council President

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Harold E Wiener, Municipal Clerk