

REGULAR COUNCIL MEETING
NOVEMBER 8, 2021

Virtual Zoom Meeting
Irvington, N.J. – Monday Evening
November 8, 2021 - 7:30 P.M.

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

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

Absent: None

President Burgess read the Statement of Proper Notice pursuant to the Sunshine Law.

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

There were no requests to be heard.

5. Hearing of Council Members

There were no requests to be heard.

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

A. Reports

1. Municipal Court – Weekly Summary Report - October 4, 2021 To October 8, 2021
2. Municipal Court – Weekly Summary Report – October 18, 2021 To October 22, 2021
3. Municipal Court – Weekly Summary Report – October 25, 2021 To October 29, 2021
4. Joint Meeting – Minutes – August 19, 2021

8. Ordinances, Bills & Claims

A. Ordinances on First Reading

None

C. Bills & Claims

Evans – Burgess

1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE
TOWNSHIP OF IRVINGTON FOR A PERIOD NOVEMBER 8, 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 \$2,542,966.96

Adopted

Cox - Evans

2. Payrolls

October 22, 2021

REGULAR	OVERTIME	OTHER	TOTAL
\$1,589,050.94	\$191,536.87	\$128,945.95	\$1,909,533.76

Adopted

9. Resolutions and Motions

A. Resolutions

Hudley - Cox

1. Accept Grant Funding in the Amount of \$575,417.00 from The State Health Department's Childhood Lead Exposure Prevention (CLEP) Program

WHEREAS, in February 2017, P.I. 2017, c7 required the New Jersey Department of Health (NJDOH) regulations regarding elevated blood levels in children, and appropriate responses, to be consistent with the Centers for Disease Control and Prevention (CDC) recommendations;

WHEREAS, the New Jersey Department of Health, Office of Local Public Health, Childhood Lead Program has made available to the Township of Irvington Department of Health assistance to implement screening, case management, environmental interventions, and documentation of services for children with elevated blood lead levels, in accordance with N.J.A.C. 8:51;

WHEREAS, said assistance is from July 1, 2021 through June 30, 2022 and is designated for the Irvington Health Department of Health's Childhood Lead Exposure Prevention (CLEP) program targeting children younger than 17 years of age with blood levels greater than or equal to 5 ug/dL.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Mayor be hereby authorized to accept the funding from the New Jersey Department

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of Health, Office of Local Public Health; Childhood Lead Program in the amount of \$575,417 from July 1, 2021 through June 30, 2022.

Adopted

2. Ratify Best Practices Checklist for CY 2021

WHEREAS, Local Finance Notice 2021-17 requires that the governing body of each municipality receiving ETR or CMPTRA state aid discuss the CY 2021 Best Practice Inventory as prepared by the Chief Financial Officer at a public meeting; and

WHEREAS, the Chief Financial Officer has submitted the CY 2021 Best Practices Inventory to the Municipal Council for the review and discussion; and

WHEREAS, the Municipal Council has reviewed and discussed the CY 2019 Best Practice Inventory at their October 25, 2021 public meeting:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Municipal Clerk is hereby authorized and directed to execute the CY 2021 Best Practice Public Meeting Certification Plan and forward same to the Director of the Division of Local Government Services along with a certified copy of this resolution as evidence that the governing body has complied with the provisions of Local Finance Notice 2021-17.

OFF – REMANDED TO FINANCE COMMITTEE TO VET THE CHECKLIST

Frederic – Beasley

3. Relax 2021 Holiday Parking Restrictions

WHEREAS, N.J.S.A 39:4-8 c (1) provides that a municipality may, by resolution prohibit general parking; and

WHEREAS, the Municipal Council is desirous of relaxing metered parking restrictions and in municipal lots during the holiday season in an effort to promote the economic well being of the community and the help offset any down turn that may occur in the nation's economic climate:

NOW, THEREFORE BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that metered parking restrictions shall be relaxed during the holiday season from November 19, 2021 through January 2, 2022; and

BE IT FURTHER RESOLVED that the Clerk is hereby authorized and directed to forward a copy of this resolution to the Public Safety Director and that the Public Safety Director is hereby authorized and directed to enforce the provisions of this resolution with the full force and effect of law.

Adopted

Cox – Frederic

4. Authorize Agreement to Procure Parts Repair of Sole Source Sewer Jet - Sewer Equipment – Not To Exceed \$10,000.00 – November 8, 2021 – December 31, 2021

AUTHORIZE SERVICE AGREEMENT TO REPAIR SOLE SOURCE SEWER JET

WHEREAS, Public Works is in need of repairs and parts of sewer jet; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5(1)(d)(d), parts and services can only be purchased from Sewer Equipment of 1590 Dutch Road, Dixon, IL 61021.

WHEREAS, the Administration would like to request a sole source exemption for parts and services of the sewer jet; and

WHEREAS, the Administration will like to award a contract to Sewer Equipment of 1590 Dutch Road, Dixon, IL 61021 for an amount not to exceed \$10,000.00

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Irvington in the County of Essex, and State of New Jersey, that Public Works is authorized to purchase parts and service from Sewer Equipment of 1590 Dutch Road, Dixon, IL 61021 starting on November 08, 2021 until December 31, 2021 for an amount not to exceed \$10,000.00.

BE IT FURTHER RESOLVED that the required certification of availability of funds C2100134 in the amount of \$10,000.00 from account number 1-01-26-290-290-299 has been obtained from the Chief Financial Officer.

Adopted

Cox - Burgess

5. Authorize Non-Fair And Open Contract For An Asbestos Consultant - EnviroVision Consultant - November 09, 2021 Through November 10, 2022- Not To Exceed \$16,900.00

A RESOLUTION AUTHORIZING A NON-FAIR AND OPEN CONTRACT FOR AN ASBESTOS CONSULTANT

WHEREAS, the Township of Irvington, in the County of Essex and State of New Jersey, is the need of an Asbestos Consultant; and

WHEREAS, the Township would like to retain the service of a certified Asbestos Consultant to provide service that includes air and safety control monitoring pertaining to an occupied asbestos abatement project located at I Civic Square, Irvington, NJ 07111; and

WHEREAS, EnviroVision Consultant has provided a proposal to complete the required work for the total estimate of \$11,594.00-\$16,940.00 and the Administration has reviewed and accepted the same; 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 C-271 Political Contribution Disclosure forms were on file in the Office of the Municipal Clerk and Purchasing Agent on October 18, 2021; and,

WHEREAS, the Township would like to award a Non Fair and Open contract to EnviroVision

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Consultant of 20-21 Wagaraw Road, Bldg. 35E, Fair Lawn, NJ 07410; and,

WHEREAS, this contract is one year starting on November 09, 2021 through November 10, 2022; and

WHEREAS, EnviroVision Consultant has completed and submitted a Business Entity Disclosure Certification which certifies that EnviroVision Consultant has not made any reportable contributions to a political or candidate committee in the Township of Irvington in the previous one year, and that the contract will prohibit EnviroVision Consultant from making any reportable contributions through the term of the contract, and

NOW THEREFORE, BE IT RESOLVED that the Municipal Council of the Township of Irvington authorizes the award of a Non-fair and open contract to EnviroVision Consultant of 20-21 Wagaraw Road, Bldg. 35E, Fair Lawn, NJ 07410; and,

BE IT FURTHER RESOLVED, EnviroVision Consultant of 20-21 Wagaraw Road, Bldg. 35E, Fair Lawn, NJ 07410 is hereby retained as an Asbestos Safety Consultant for the Township of Irvington; and

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

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

BE IT RESOLVED that the required certification of availability of funds C2100057 in the amount of \$16,900.00 from account number 1-01-32-465-465-299 has been obtained from the Chief Financial Officer.

Adopted

Hudley – Cox

6. Authorizing Purchases Over The Pay To Play Threshold Of \$17,500.00 But Under The Bid Threshold Of \$44,000.00 For Certified Lead Abatement Contractor - Lew Corporation

**AUTHORIZING PURCHASES OVER THE PAY TO PLAY THRESHOLD OF \$17,500.00 BUT
UNDER THE BID THRESHOLD OF \$44,000.00 FOR CERTIFIED
LEAD-ABATEMENT CONTRACTOR**

WHEREAS, the Township wishes to have a certified lead-abatement contractor to abate various properties in the Township; and

WHEREAS, the Township has obtained two quotes from Absolute JM Services LLC and Lew Corporation herein attached; and

WHEREAS, Lew Corporation has provided the lowest quote for this service; and

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

WHEREAS, Lew Corporation 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 certified lead-abatement service from Lew Corporation 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

Beasley – Hudley

7. Authorize Assignment of Tax Sale Certificate – 30 Arverne Terrace,
Block 117, Lot 13

RESOLUTION AUTHORIZING ASSIGNMENT

WHEREAS, N.J.S.A. 54:5-112 and 54:5-113, provide the Mayor and Council with the authority to sell real estate tax liens held by the municipality at a private sale for sums not less than the amount of municipal liens charged against same, and,

WHEREAS, the Tax Collector has notified the owner of record as appearing on the most recent Tax Duplicate at least five days prior to the affirmation of this resolution and a public notice of the pending sale was posted in three (3) public places within the Township of Irvington, and advertised once in the Irvington Herald.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Mayor and Council hereby assign municipal held liens recorded as:

Block/Lot 2021	Owner Property Address	Cert No.	Sale Date	Amount of Sale	Amount As of November 30,
117 / 13	Patel, Sureshbhai 30 Arverne Terr.	16-00505	12/20/2016	\$144.08	\$10,778.40

together with subsequent liens thereon, at private sale to:

Lienholder info:

Arverne Terr LLC
Shahid Chaudhry
215 Ege Ave
Jersey City, NJ 07304

Adopted

Evans - Hudley

8. Resolution of Sorrow - Reverend Dr. Leroy Hodges Sr.

RESOLUTION OF SORROW

REVEREND DR. LEROY HODGES, SR.

WHEREAS, Reverend Dr. Leroy Hodges Sr. was born on July 22, 1935 to the late Willie Hodges and Evelyn Hodges-Harris (nee Netter) in Belzoni, Mississippi and was the sixth child born; and

WHEREAS, Reverend Dr. Leroy Hodges Sr. was predeceased by siblings Leola Hodges, Cleveland Hodges, Lorene Liggins, Lucille Littlepage, Ora Lee Boone, Dorothy Reed, Rev. John Harris and Deacon Willie Hodges Jr; and sons Leroy Hodges Jr., William Ross Hodges and Steven Hodges, whom he was a great step-father to, and he was also predeceased by the mothers of his children: Wealtha Lee Hodges, Diane Daniels, Agnes E. Haynes, Louvenia Williams, Emma Goodman and wife, Elizabeth Hodges; and

WHEREAS, Reverend Dr. Leroy Hodges Sr. started his education in the Mississippi school systems and continued throughout life as he was a firm believer that there were always lessons to learn while living each day; and

WHEREAS, from childhood, Leroy showed fortitude and drive as he begin working to assist in the household desiring to ensure he helped carry the load with his father and despite the struggles, he mentally equipped himself with motivation to become a business owner one day which came about after Leroy and family moved to NJ seeking more opportunities; and

WHEREAS, Reverend Dr. Leroy Hodges Sr. worked in many fields from building superintendent, restaurant employee, truck delivery for stores to faithful Rebco employee for 20 years, honing his skills to provide the best customer service possible; and

WHEREAS, Reverend Dr. Leroy Hodges Sr. learned many trades, but nothing would speak to him like glass and mirror, and after working for others, in 1979 he founded the Hodges Glass and Mirror Corporation in the city of Newark, taking pride in providing the best material and work performance for each customer while building a rapport with many companies and businesses including a long-standing relationship with NJIT; and

WHEREAS, Reverend Dr. Leroy Hodges Sr..also became the first black owned True Value Hardware Store in Newark where he served his community with dignity and commitment; and

WHEREAS, these businesses paved the way to him co-founding the Newark Coalition of Small Business Association, where they were able to secure \$12 million in federal funds for businesses and forming the Clinton Avenue Merchants Association of Newark and later he became a member of the Newark Chamber of Commerce, Newark Urban Zone Advisory Committee, and received numerous awards and citations that included Board of Trustees United Community Corporation Award, Sharpe James Civic Award for Outstanding Service to Newark, Black History Award for Community Service and Certificate of Outstanding Involvement in Education Award for dedicated service to the Clinton Avenue School community; and

WHEREAS, after more than 25 years of operating businesses, he retired to rest and concentrate on health matters when, in 1980, he felt the calling of the Lord to ministry and was ordained a Licensed Minister in the Church of God In Christ organization under Bishop Chandler Owens at Wells Cathedral Church of God In Christ and through faithful dedication at Wells Cathedral, he also became an ordained Elder and continued to serve until 1991 when he founded and incorporated Strangers Home Church of God In Christ, the first Church of God In Christ congregation in Irvington; and

WHEREAS, ii was here that he pastored many and created services and events that helped to impart support and hope to the community members as well as founding the Irvington-Newark District of Church of God In Christ to bridge various churches to convene annually; and

WHEREAS, Reverend Dr. Leroy Hodges Sr. was appointed Chaplain to the Police Department of Newark and Chaplain to the Police Department, Fire Department and Department of Public Works of Irvington, which he served each assignment with fervor and support; and

WHEREAS, as a result if these multiple endeavors, Reverend Hodges received many accolades including the NAACP Outstanding Citizen Award, Mayor's Award for Outstanding Citizen and numerous others; and

WHEREAS, Reverend Hodges, desiring to become well fit for his pastoral role, sought sound doctrine and foundational course work and, after years of studies, he gained substantive training and was granted a Doctor of Philosophy degree from New Jersey Bible Institute: Lighthouse Christian College in 2001 where the teaching allowed him to become a mentor and resource for many; and

WHEREAS, it was through his congregation that he sought to bring even more support to the members and community and the Strangers Home Day Care Centers and the Strangers Home Community Development Corporation were created and it was through these ventures that he was able to connect to people and provide effective planning while being a reliable ally to all those who were in need; and

WHEREAS, Reverend Dr. Leroy Hodges Sr., after more than 25 years of active pastoring, retired and relocated to Princeton, NJ; and

WHEREAS, family meant the world to him and he always wanted his family members to gather and support one another, he wanted love to always be a priority and it was the only thing he desired the family to embrace because as he said, "when you love one another, nothing is impossible" and he also loved to recollect on memories of Mississippi and music, which were always in his heart; and

WHEREAS, wherever he went, it was always noted that he would bring smiles to all whether through a joke, life experience recollection or an encouraging word and his warm smile and jovial nature were always a welcome sight that will be missed by all; and

WHEREAS, left to cherish his memory are Sister, Patricia Belle of NJ; Sister-in-law, Jacqueline Hodges of NJ; Children, Willie B. Williams (Eleanor) of IL, Anitenette Hodges of NJ, Phylliss Hodges-Hayden of MO, Annette Lewis (Gary) of MA, Anthony Hodges Sr. of MO, Belinda Brown (Charles) of FL, Michael Haynes (Alicia) of FL, Denise Hodges of MO, Dwaine Haynes of NJ and Royce Hodges (Trina) of NJ. 29 grandchildren, 52 great-grandchildren, many nieces and nephews, a host of cousins, church members and supporters, and cherished friends that include Pastor Arthur Cook and Missionary Annie Brown and family:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington hereby mourns the passing of Reverend Dr. Leroy Hodges Sr. extends our most sincerest condolences to his family and friends during this period of bereavement; and

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of the Municipal Council as a lasting tribute to the memory of Reverend Dr. Leroy Hodges Sr.

Adopted

Hudley – Evans

9. Authorize The Cancellation and Refund of Tax Sale Certificate #19-00526 due to Invalid Tax Sale Certificate on Block 135 Lot 22 167 Ellis Avenue

**Resolution Authorizing Cancellation and Refund of Tax Sale Certificate #19-00526
due to Invalid Tax Sale Certificate on Block 135 Lot 22 167 Ellis Avenue**

WHEREAS, Certificate of Sale #19-00526 was issued to US Bank Cust for Pro Cap 8 for delinquent sewer charges on Block 135 Lot 22 commonly known as 167 Ellis Avenue, at a Tax Sale held on December 27, 2019; and

WHEREAS, by the way of evidence received after the date of sale, said property is demolished lot with a capped sewer line and erroneously billed for annual sewer charges; and

WHEREAS, due to the erroneous tax lien cert sold, Certificate of Sale #19-00526 shall be canceled and refunded with legal interest; and

WHEREAS, Tax Collector requests to cancel Certificate of Sale #19-00526 that was issued to US Bank Cust for Pro Cap 8 for delinquent sewer charges on said parcel due to erroneous delinquency amount of said tax sale certificate; and

WHEREAS, Tax Collector requests to cancel future sewer billing on said parcel due to it being a demolished lot with a capped sewer line; and

WHEREAS, the refund shall be the certificate and subsequent amounts at the interest rate pursuant to R4:42-11 (a) (ii); and

WHEREAS, the Lien Holder is entitled to legal interest as follows;

US Bank Cust for Pro Cap 8C

\$448.68	Paid 12/27/2019 – Cert Amount
12.81 (1.5%)	R 4:42-11(a)(ii)
\$368.00	Paid 6/11/2020 – 2020 Sewer
13.31 (2.5%)	R.4-42-11(a)(ii)
\$367.92	Paid 6/10/2021 – 2021 Sewer
2.48 (1.5%)	R.4-42-11(a)(ii)
53.00	Recording fee
12.00	Search fee
\$1,278.20	Total Refund

WHEREAS, Tax Collector requests to refund tax sale certificate #19-00526 in the amount of \$1,278.20 to US Bank Cust for Pro Cap 8, upon receipt of duly endorsed tax sale certificate for cancellation, and change lien account status to canceled; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Irvington; hereby authorized the Tax Collector to cancel and refund tax sale certificate #19-00526 in the amount of \$1,278.20 to US Bank Cust for Pro Cap 8 and change lien account status to canceled.

Adopted

Cox – Frederic 10. Authorize Change Order No. 2 – Construction of the 2019 Transportation Trust Fund Project – Nesbit Terrae Portion – Additional \$156,330.00, Total Revised Contract - \$1,501,575.97 For a Net Change of 8.2%.

RESOLUTION TO APPROVE CHANGE ORDER NO. 2 FOR THE CONSTRUCTION OF THE 2019 TRANSPORTATION TRUST FUND PROJECT

WHEREAS, the Township of Irvington applied for and received a grant from the New Jersey Department of Transportation (NJDOT) as part of the 2019 Transportation Trust Fund Program; and

WHEREAS, the engineering services required to prepare the plans and specifications and administer the construction of this project were prepared by Keller & Kirkpatrick (now operating as Green men Pedersen, Inc.) and those plans and specifications were publicly advertised and the receipt of bids for this project was scheduled for February 17, 2021; and

WHEREAS, on February 17, four bids for this project were received by the Purchasing Committee with lowest responsible bidder determined to be that of Your Way Construction of Irvington, NJ at their bid price of \$ 1,315,485.97; and

WHEREAS, a contract for this project was awarded by the Municipal Council to Your Way Construction on March 8, 2021 as Resolution DPW -21-0308-10; and

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WHEREAS, an additional area of Nesbit Ter, has deteriorated and can be quickly repaired by this contract and, in order to do this additional work, the contractor has proposed a price of \$ 156,330.00; and

WHEREAS, the Township Engineer has reviewed this price and found it to be consistent with the pricing on the original base contract and therefore acceptable and recommends that this additional work be approved.

NOW, THEREFORE, BE IT RESOLVED BY MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a change order, Change Order No. 2, to the contract for the construction of the 2019 Transportation Trust Fund Resurfacing Project be awarded to Your Way Construction and their proposed price of \$156,330.00, amending their original contract to a new total \$ 1,501,575.97 for a net change of 8.2%.

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:34-5.2, the required Certificate of Availability of Funds No. C2100139 for the above additional work has been obtained from the Chief Financial Officer of the Township of Irvington and the appropriation to be charged for this expenditure is in the amount of \$156,330.00 is Account No. G-02-XX-912-21A-299.

Adopted

Cox – Frederic 11. Ratify Mayor's Nomination of Lindal Scott-Foster as Municipal Court Judge, Effective December 1, 2021

BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Mayor's nomination of Lindal Scott-Foster, Esq. as Acting Chief Judge of the Irvington Municipal Court, effective December 1, 2021, is hereby confirmed by the Municipal Council.

Adopted

Cox - Beasley 12. . Award a Professional Services Contract for Architectural Services for Renovations at the Irvington Senior Center – Musial Group - \$59,424.00

RESOLUTION TO AWARD A PROFESSIONAL SERVICES CONTRACT FOR ARCHITECTURAL SERVICES FOR RENOVATIONS AT THE IRVINGTON SENIOR CENTER, 1077 SPRINGFIELD AVENUE

WHEREAS, the Township owns and operates the Irvington Senior Citizen Center located at 1077 Springfield Avenue which has been closed during the pandemic and, in an effort to reopen this facility it is necessary to perform certain renovations at this structure including roof replacement, renovations to the sanitary facilities, renovation to the kitchen area as well as certain other renovations; and

WHEREAS, the Township prepared and distributed a Request for Quotes (RFQ) for architectural services to complete this work and this RFQ was distributed to the four architectural firms that are currently under contract with the Township; and

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WHEREAS, of the four firms that were contacted, only one firm, that of the Musial Group of Mountainside, NJ submitted a fee proposal in the amount of \$59, 424.00 to complete this work within the timeframe requested; and

WHEREAS, the Township Engineer has reviewed this proposal and recommends that a professional services contract in an amount of \$ 59, 424.00 be awarded to The Musial Group for the preparation of plans and specifications as well as contract administration as the most cost efficient proposal to complete the work on this project.

NOW, THEREFORE, BE IT RESOLVED BY MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for professional services for the architectural survives for the Renovations at the Senior Citizen Center, 1077 Springfield Avenue, Irvington, NJ is awarded to The Musial Group, Mountainside, NJ at their proposed price not to exceed \$59,424.00.

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:34-5.2, the required Certificate of Availability of Funds No. 2100141 for the above work has been obtained from the Chief Financial Officer of the Township of Irvington and the appropriation to be charged for this expenditure is in the amount of \$59,424.00 is Account G-02-XX-912-21A-299.

Adopted

Burgess - Cox 13. Authorize Insertion of Revenue – American Rescue Act -
\$8,438,190.00

RESOLUTION

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Township of Irvington has received notice of an award of \$8,308,190.00 from the Federal Government, American Rescue Funds Act and wishes to amend is 2021 Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Irvington, in the County of Essex, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2021 in the sum of... \$8,438,190.00

Which is now available as a revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with Prior
Written Consent of the Director of the Division of Local

Government Services:

State and Federal Revenues Off-set with

Appropriations:

Federal Government – American Rescue Funds Act

BE IT FURTHER RESOLVED that the like sum of...\$8,438,190.00
be and the same is hereby appropriated under the caption of: General
Appropriations:

(a) Operations Excluded from CAPS

State and Federal Programs Off-Set by

Revenues:

Federal Government – American Rescue Funds Act

Other Expenses

BE IT FURTHER RESOLVED, that the Township Clerk forward two certified copies of this
resolution to the Director of Local Government Services for approval.

Adopted

10. Communication and Petitions

1. Mayor Vauss - Appointment - Acting Chief Municipal Court Judge –
Lindal Scott Foster - Effective December 31, 2021

None

11. Pending Business

None

NON-CONSENT AGENDA ITEMS

8. Ordinances, Bills & Claims (Continued)

A. Ordinances on Second Reading

B. Ordinances on Second Reading

1. President Burgess: An ordinance repealing ordinance MC 3608
regarding Constable Regulations will be heard at this time. The Clerk
will read the notice of hearing.

The Clerk read the notice of hearing.

The Clerk will read the ordinance by title.

AN ORDINANCE REPEALING ORDINANCE MC 3608, REGARDING “AN ORDINANCE
REGULATING CONSTABLES”, IN ITS ENTIRETY

WHEREAS, Ordinance MC 3608 established local regulations pertaining to “Constables”; and

WHEREAS, the Township of Irvington is desirous of repealing said Ordinance.

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

SECTION 1. Ordinance MC 3608 is hereby repealed in its entirety.

SECTION 2. All ordinances or parts of Ordinances inconsistent or in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. This ordinance shall take effect upon final passage and publication according to law.

The public hearing on this Ordinance is now open

There were no requests to be heard.

Burgess - Beasley Motion to close public hearing

Adopted

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

Adopted

2. President Burgess: An ordinance amending and supplementing Chapter 472 of the Revised Code regarding rent control will be heard at this time. For the record, this notice is identical to the prior notice. The Clerk will read the ordinance by title.

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 472 OF THE REVISED CODE OF THE TOWNSHIP OF IRVINGTON ENTITLED RENT CONTROL

Chapter 472: Rent Control

[HISTORY: Adopted by the Municipal Council of the Town (now Township) of Irvington 7-14-1981 by Ord. No. MC 2635 (Ch. 151 of the 1981 Revised Code). Amendments noted where applicable.]

§ 472-1. Establishment of rents.

[Amended 10-27-1981 by Ord. No. MC 2644; 10-12-1982 by Ord. No. MC 2672; 2-22-1983 by Ord. No. 2687]

From and after the effective date of this chapter, no landlord in the Township of Irvington shall charge any rent in excess of that which he was charging as of the effective date hereof, except for such increases as are provided herein. Establishment of rents charged on dwelling units to which this chapter is applicable shall hereafter be determined by this chapter. At the expiration of a lease or at the termination of the lease of a periodic tenant, no landlord may request, charge or receive an increase in rent greater than that allowed

by Subsection A of this section. A periodic tenant whose lease term is less than one year shall not be caused to pay any increase in any twelve-month period which exceeds that allowed by Subsection A of this section. No tenant shall be caused to pay more than one increase in any twelve-month period.

- A. The increase in rents permitted under this section shall be as follows: [Amended 4-9-1985 by Ord. No. MC 2777]
 - (1) Where the landlord supplies heat to the dwelling unit, the increase in rent shall not exceed 4% of the prior year's rent.
 - (2) Where the landlord does not supply heat to the dwelling unit, the increase in rent shall not exceed 3% of the prior year's rent.
 - (3) An individual age 65 or older who is a sole tenant or living with others adults all aged 65 or older within the unit shall be limited to a 2% increase annually regardless of whether the landlord provides heat to the unit.
- B. The increase permitted under Subsection A herein shall be computed upon the base rent charged the tenant and not upon the base rent plus any hardship or capital surcharge granted under § 472-4 of this chapter and collected for any specified period of time.
- C. A landlord shall not be entitled to request, charge or receive any tax surcharge by reason of increase in municipal property taxes.
- D. Tenants of any residential properties may present a written petition signed by a majority of the tenants and consented to by the landlord of the property agreeing to a specific rent surcharge for a specific purpose or project, and providing for the landlord's permission to permit the tenant's representative to review the expenditures involved for the particular purpose or project surcharge. Each dwelling unit shall be considered a single tenant for the purposes of this subsection. If the aforementioned surcharge is approved by the Rent Leveling Officer, the surcharges shall run for maximum of two years, if so provided. If there are in existence joint agreements which have been in existence for more than two years, they shall expire within 60 days after the effective passage of this amendment. [Amended 2-24-1994 by Ord. No. MC 2991]
- E. Limitations on increases between tenants:
 - a. The rental of all units and parking spaces for the first time to a new tenant shall be limited to an increase not to exceed 5% over the last rent paid by the former tenant.
 - b. The last rent paid by the former tenant and as registered by the landlord pursuant to this chapter shall serve as the base rent upon which the 5% calculation is based. If such a calculation was prohibited due to the landlord's failure to register rent pursuant to this chapter, the new tenant shall be entitled to a rent that does not exceed 5% of the last registered rent for the property or in the alternative 5% of the lowest charged rent for the building, whichever is less.
 - c. The landlord at the time of leasing shall provide to each new tenant, in writing, the amount charged to the previous tenant, the amount charged to the new tenant adjusted for the 5% increase and that the tenant should contact the Township of Irvington Rent Leveling Office in order to confirm this information.
 - d. The landlord shall be entitled to raise the rent beyond the 5% limit provided landlord apply for a Certificate of Habitability between tenants through the Department of Housing and have a valid Certificate of Occupancy at the time of application. Said increase shall be limited to the current, published fair market rent rates of the U.S. Department of Housing and Urban Development for a unit of similar size.
- F. Unbundling. [Added 4-26-1994 by Ord. No. MC 2997]
 - (1) A landlord shall not be allowed to unbundle service in order to defeat the intent of this chapter.

- a. "Unbundling" shall include, but not be limited to, subcontracting or providing for a separate charge for parking. Unbundling shall also include changing the term(s) of any previously received security deposit by increasing the amount to be deposited with the Landlord beyond the amount agreed to in the original lease or in the event of valid rent increases requiring a tenant to deposit more than the proportional increase of deposit which would make the security deposit consistent with the terms of the original lease.
 - b. Any person or persons residing as a tenant on the effective date of said unbundling shall be entitled to remain in their then-existing status as long as they shall remain as a tenant.
- (2) Fines may be levied on a daily basis for anyone found to be in violation of this section. Each day the violation continues to exist can be treated as a separate violation subject to a daily fine. Fines shall be issued by the Rent Leveling Officer and/or designee.
- G. Fees for Late Payment of Rent and Bounced Checks. Prospectively, upon renewal of a lease or upon entering a new lease, the landlord shall include a provision in the lease agreement limiting fees for payment of rent by the tenant more than seven (7) days late to a maximum of \$50 and limiting fees for bounced checks to a maximum of \$25.

§ 472-2. Notification of rental increase.

[Amended 10-27-1981 by Ord. No. MC 2644; 2-22-1983 by Ord. No. MC 2687]

- A. Any landlord who shall increase rents as provided in § 472-1 hereof shall give 60 days' notice to his/her tenants by any reasonable means of said increase; provided, however, that when said notice is not mailed to the tenant's residence, delivery is not considered to have been accomplished unless a signed receipt is obtained from the tenant or his/her representative. If a tenant is notified by mail other than certified or registered mail, the landlord or the landlord's representative shall certify in writing that the landlord mailed the notice to the tenant. Said certification shall be retained for a period of three years.
- B. Rent increases for any unit in the entire property shall be prohibited in any calendar year in which the landlord failed to timely file a Rent Registration for the property where landlord seeks to increase any rent and/or failed to apply for a Certificate of Habitability for the unit in which there is a challenge to a rent increase.

§ 472-3. Exceptions.

The provisions of this chapter shall not apply to:

- A. Motels, hotels and similar dwellings.
- B. Dwellings of two units or less.
- C. Dwellings of three and four units, at least one of which is occupied by one or more of the owners thereof.
- D. Dwellings subject to rent control or stabilization under any state or federal law.

[¹] Editor's Note: Former § 151-3E of the 1981 Revised Code, pertaining to dwelling units available for occupancy on or after July 1, 1981, which previously followed this subsection, was repealed 4-9-1985 by Ord. No. MC 2777.

- E. With respect to the unbundling provisions set forth in § 472-1E only, dwellings developed pursuant to a general development plan approved by the Planning Board and subject to a redevelopment agreement with the Township.

[Added 5-14-2013 by Ord. No. MC 3492].

§ 472-4. Hardship or capital improvement relief.

- A. If, as the result of circumstances which the landlord could not reasonably have foreseen or anticipated or which are beyond his/her control, a landlord is unable to earn a fair rate of return on the landlord's investment, the landlord may apply to the Rent Leveling Officer (hereafter "RLO") for an increase in rent in excess of that permitted under § 472-1 hereof, via an application and pay the fee of \$50.00 per unit. In connection with any appeal filed hereunder, the landlord shall prove his/her expenses of operation, including but not limited to payment of the purchase money mortgage or mortgages and any subsequent mortgages, the proceeds of which were used for major capital improvements as defined in Subsection B of this section, fuel, utilities, taxes, sewer user charges, maintenance and repairs, a management fee not to exceed 5% of gross rents, and related charges. Management fees may be allowed as an expense, whether paid to the landlord or a management company. For good cause shown, the RLO may grant either an increase in the rent charged or permit the landlord to receive a surcharge to be collected for a specified period of time only in order to enable the landlord to earn said fair rate of return.
- B. Major capital improvement surcharge.
Amended 10-11-1983 by Ord. No. MC 2713]
- (1) A major capital improvement consists of a substantial change in the housing accommodations such as would materially increase the rental value in a normal market and will provide tenants with a benefit or service which they had not previously enjoyed. Replacement of facilities, materials or equipment so as to maintain the same level of services as previously provided or bargained for shall not constitute a major capital improvement.
- (2) Major capital improvement adjustment
- a. A landlord may seek a rent surcharge for a major capital improvement. Any landlord seeking a major capital improvement surcharge shall apply to the Rent Leveling Officer and pay the application fee of \$75.00 per unit, via the above proposed application, which the RLO shall, upon a showing of satisfactory proof, determine if said improvement is a major capital improvement and, if so, shall permit such surcharge. In no event shall any surcharge permitted under this section exceed the annual cost of the capital improvement per room multiplied by the number of rooms occupied by the tenant, or exceed 15% of the tenant's base rent, whichever is the lesser. The surcharge may be granted for the entire premises or the particular units benefited by the improvement.
- b. Any major capital improvement surcharge granted by the RLO shall be paid in equal monthly installments over the period set by the RLO.
- C. No application filed pursuant to Subsection A or B of this section may be heard by the RLO unless the landlord shall have attached to his/her application proof under oath that he has given notice of same to all affected tenants by posting a copy thereof in the front lobby or entranceway to the premises and by mailing same at least two weeks prior to the first scheduled hearing of the matter by the RLO. Said notice, a copy of which shall be attached to said application, shall clearly set forth the content and basis of the application. Notice of application for relief pursuant to Subsection B of this section shall include the total cost of the completed capital improvement, the number of years of useful life of the improvement as claimed by the landlord for purposes of depreciation for income tax purposes, the actual cost of the improvement, the total number of square feet of the

dwelling or unit affected, the total square feet occupied by the tenant, if applicable, and the capital improvement surcharge he is seeking from each tenant.

- D. No hardship or capital improvement increase or surcharge may be granted unless the landlord shall have held title to the premises in question for a period of at least one year prior to the date of his/her application for said relief, unless, for good cause shown, the RLO waives this requirement.

§ 472-5. Compliance.

[Amended 9-28-1982 by Ord. No. MC 2668; 6-14-1988 by Ord. No. MC 2858; 7-14-2009 by Ord. No. MC 3407; 7-1-2014 by Ord. No. MC 3511]

No application made pursuant to § 472-4A of this chapter may be heard by the Board unless attached thereto is an informational certificate or report of inspection issued by the New Jersey Department of Community Affairs or the Department of Housing Services pursuant to § 355-26 of this Code not more than 18 months prior to the date of said application. No such application may be approved by the Board unless the Board shall have first determined that there are no substantial violations of the health, safety or housing laws, codes or regulations of the Township of Irvington affecting said premises. In the event that said informational certificate or report of inspection discloses substantial violations of said laws, codes or regulations, the Board may approve such application; conditioned, however, upon the submission by the landlord within 180 days of said conditional approval of an informational certificate or report of inspection indicating that all of said violations have been corrected. Failure to submit said supplemental certificate or report within 180 days shall render any conditional approval void as of the date granted, and any hardship rent increase or surcharge collected during said period of time shall be returned forthwith to the tenant.

§ 472-6. Rent Leveling Officer.

In order to administer the provisions of this chapter, the prior authority exercised under the auspices of the Rent Leveling Board within the Town of Irvington shall be exercised by the Rent Leveling Officer.

§ 472-7. Acts to cause tenant to vacate prohibited.

No landlord of dwelling units to which this chapter is applicable shall do, or cause to be done, any act or thing with the intent to cause a tenant to vacate said dwelling unit in order that said dwelling unit shall become vacant and no longer subject to this chapter as provided by § 151-3E hereof. 2 In any proceeding instituted by a tenant under this section, the reduction of standards of service, maintenance, health and safety conditions, furniture, furnishings or equipment in and for said dwelling unit shall create a rebuttable presumption that the act or thing done or caused to be done by the landlord was done with the intent to cause said tenant to vacate said dwelling unit.

§ 472-8. Powers of Rent Leveling Board.

The Rent Leveling Officer shall have the following powers:

- A. To promulgate such rules and regulations as he/she deems necessary to implement the purposes of this act, which rules and regulations shall be approved by the Township of Irvington Council and have the force of law until revised, repealed or amended from time to time by the resolution of the Township of Irvington Council, in the exercise of his/her discretion

- B. To supply information and assistance to landlords and tenants to enable them to comply with the provisions of this chapter.
- C. To hold hearings and adjudicate applications by landlords for additional rent or surcharges.
- D. To hold hearings and consider complaints by tenants that the premises is not in substantial compliance with the health, safety and housing laws, codes and regulations of the Town of Irvington. In the event that the Board determines that substantial violations of said laws, codes and regulations exist, it may order the return to the tenant of all or any portion of the increase provided for in § 472-1A and B hereof; provided, however, that before ordering any such return of rent, the Board shall afford the landlord 90 days within which to abate such violations.
- E. To hold hearings and consider complaints that a landlord has violated § 472-7 of this chapter. For good cause shown, the Board may order that said dwelling unit shall remain or again become, as the case may be, subject to the provisions of this chapter for such period of time as the Board considers just, the provisions of § 151-3E notwithstanding.^[1]

[1] Editor's Note: Former § 151-3E, pertaining to dwelling units available for occupancy on or after July 1, 1981, was repealed 4-9-1985 by Ord. No. MC 2777

- F. To employ an attorney to attend meetings and advise and represent the RLO, and such other consultants, including a certified or public accountant, as the RLO may deem necessary or advisable **upon approval of the Rent Leveling Board.**
- G. To issue fines for any violations of Township code, to rescind a Certificate of Habitability, Certificate of Occupancy and/or take any other action permitted under applicable Code Enforcement/Housing/Building Construction State or local laws, rules and regulations. In such instances where the RLO shall pursue fines against a Landlord for violations and/or non-compliance with a ruling of the RLO, the RLO shall seek restitution damages for the Township for any cost(s) incurred outside the normal operations of the RLO and/or any additional staff of the Township of Irvington to address the violation(s) and/or non-compliance.
- H. To afford both landlords and tenants reasonable opportunity to be heard before making any determination.
- I. Landlord Property/Unit Registration
 - (1) Between the first Monday in January and the first Friday in March of each calendar year, all owners and/or landlords of dwellings shall file with the Township of Irvington Department of Housing and Building Construction a new landlord registration statement for each dwelling unit owned. An owner and/or landlord who purchases a dwelling on or after April 1 of any year shall file a landlord registration statement within thirty (30) days of purchase. Owner(s) and/or landlords(s) entitled to an increase in the base rent as a result of improving vacant housing spaces shall immediately file an amended landlord registration statement.
 - (2) Every owner and/or landlord shall, within 90 days following the effective date of this subsection or the creation of the first tenancy in any dwelling containing five (5) or more housing spaces, whether or not subject to the restriction of *rent* increases in this chapter, file a landlord registration statement with the Department of Housing and Building Construction containing the following information.
 - a. The name and address of the record owner or owners of the dwelling and the record owner or owners of the rental business if not the same person.

- b. If the record owner is a corporation, the name and address of the registered agent and corporate officers of the corporation.
- c. If the address of any record owner of owners is not located in the County of Essex, the name and address of a person who resides in the County of Essex or has an office in the County of Essex and is authorized to accept notices from tenants and to issue receipts for notices from tenants to accept services of process on behalf of the record owner or owners.
- d. The name and address of the managing agent of the dwelling, if any.
- e. The name and address, including the dwelling unit, apartment or room number of the superintendent, janitor, custodian or any other individual employed by the record owner or managing agent to provide regular maintenance service if any.
- f. The name, address and telephone number of any individual representative of the record owner or managing agent who may be called at any time in case of an emergency affecting the dwelling or any housing space within the dwelling, including such emergencies as the failure of any essential service or system, and who has the authority to make emergency decisions concerning the building and any repair to the building or expenditure in connection with the building.
- g. A list of the base monthly rents of each housing space, by apartment or room number, within the dwelling as of the date of registration.
- h. Provided the owner/landlord file the required rent registration between the dates provided in Paragraph II there shall be no charge.
- i. If the owner/landlord fails to file the required rent registration on or before the first Friday in March of each calendar year he/she shall be subject to a registration fee of \$300.00 per property to register the rent(s) for the property. If the owner/landlord fails to file the required rent registration on or before the first Monday in July of each calendar year a registration fee of \$500.00 per property shall be charged to file the rent registration.
- j. Landlords are required to conspicuously post the Rent Registration License for each property in a common area(s) of each building. Landlords who fail to conspicuously post the Rent Registration License are subject to a fine of \$100.00 for failing to post the notice.

J. Non-Registration Penalty

A. Failure to Register Fee:

- a. The Tax Collector shall add a special charge of \$1,000.00 to the annual tax bill as a penalty to any property subject to this ordinance if the owner/landlord fails to file a rent registration for their property on or before the first Friday in March. Failure to pay such special charge(s) shall result in the property being listed on the annual tax sale and a possible lien being attached to the property.
- b. The Tax Collector shall add a special charge of \$1,500.00 to the annual tax bill as a penalty to any property subject to this ordinance if the owner/landlord who fails to file a rent registration for their property on or before the first Friday in July. Failure to pay

such special charge(s) shall result in the property being listed on the annual tax sale and a possible lien being attached to the property

§ 472-9. Appeals.

Decisions of the RLO may be appealed to the Rent Leveling Board, which shall consist of the seven member Township of Irvington Municipal Council. Any appeal(s) of the RLO must be filed, in writing, with the Council Clerk within 30 days of the date of the written decision. Any appeal upon a decision by the Municipal Council shall be appealable to the New Jersey Superior Court in Essex County, within 45 days of the date of the Council's written determination, pursuant to its rules governing administrative appeals.

§ 472-10. Fees.

[Amended 8-11-1987 by Ord. No. MC 2834]

Upon the filing of an application for relief to the Rent Leveling Board, the applicant shall pay the following fees:

- A. For hardship or capital improvement relief, the fee shall be \$5 per dwelling unit, but not less than \$25 nor more than \$200.
- B. For all other applications or complaints, the fee shall be \$10.
- C. The fee for a copy of this chapter shall be \$2.50.
- D. The fee for a copy of the hardship application forms shall be \$2.

§ 472-11. Violations and penalties.

[Amended 9-8-1987 by Ord. No. MC 28355]

A willful violation of any provision of this chapter, including but not limited to the willful filing with the RLO of any material misstatement of fact, shall be punishable as provided in Chapter 1, Article III. A violation affecting more than one dwelling unit shall be considered a separate violation as to each such dwelling unit. If a landlord has been in violation of the chapter, then the tenants shall have a remedy to receive a refund for an over charge retroactive to two years from the date of the complaint. The RLO (or any designee) shall have the authority to issue all penalties outlined in this chapter for any violation or non-compliance with this chapter.

§ 472-12. Construal.

This chapter, being necessary for the welfare of the inhabitants of the Town of Irvington, shall be liberally construed to effectuate the purposes thereof.

§ 472-13. Complaints.

Any complaint by a tenant respecting a violation of this chapter shall be in writing and filed with the Rent Leveling Board within one year from the date of the violation; provided, however, that complaints filed pursuant to § 472-7 shall be filed within 60 days of the date of the last act or thing alleged to violate said section. Failure to file within the aforesaid periods shall bar the acceptance of the complaint by the Board.

§ 472-14. Repealer.

Ordinance No. MC 2597 is hereby repealed.^[1]

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[1] *Editor's Note: Ordinance No. MC 2597 comprised former Ch. 151, Rent Control, of the 1981 Revised Ordinances of the Township of Irvington.*

The public hearing on this Ordinance is now open

There were no requests to be heard.

Beasley- Burgess Motion to close public hearing

Adopted

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

Adopted

ALCOHOLIC BEVERAGE CONTROL BOARD

NOVEMBER 8, 2021

1. Chair Cox calls the Meeting to Order

Roll Call

Present: Commissioners Beasley, Burgess, Evans, Frederic, Hudley, Vick, Chairman Cox

Absent: None

2. New Business

Burgess – Vick A. Transfer of Plenary Retail Consumption License From 239 Corp., trading as Bottoms Up to Nuevo Centenario for Premises Located at 1180 Springfield Avenue

WHEREAS, a person to person application has been made by Nuevo Centenario, Inc., a Corporation, 1080 Springfield Avenue, Irvington, NJ for the transfer of Plenary Retail Consumption License # 0709-33-0062-007, heretofore issued to 239 Kearny Corp., a Corporation, trading as Bottoms Up for the premises located at 1180 Springfield Avenue, Irvington, N.J and

WHEREAS, the applicant has complied with all applicable state statutes and regulations and Chapter 59 Section 21 of the Revised Code:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL ACTING AS THE ALCOHOLIC BEVERAGE CONTROL BOARD OF THE TOWNSHIP OF IRVINGTON, NEW JERSEY that the application be and the same is hereby granted; that Plenary Retail Consumption License # 0709-33-062-007 heretofore issued to 239 Kearny Corp., a Corporation, trading as Bottoms Up be transferred over and to Nuevo Centenario, Inc. for the premises located at 1180 Springfield Avenue, Irvington, N.J; and

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BE IT FURTHER RESOLVED that the Chief License Clerk is hereby authorized to endorse the aforesaid license over and to Nuevo Centenario, Inc., for the premises located at 1180 Springfield Avenue, Irvington, N.J. in accordance with N.J.A.C. 13:2-7.21.

FEE PAID \$380.00

NEW LICENSE NUMBER 0709-33-062-008

EFFECTIVE DATE OF TRANSFER: 11-8-21

Adopted

3. Adjournment

12. Miscellaneous

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

Doris Sherrill, 35 Augusta Street

Council Members Cox, Beasley and President Burgess thanked Ms. Sherrill for her continued civic participation in the community.

13. Adjournment

There being no further business, the meeting was adjourned at 7:45 P.M.

Renee C. Burgess, Council President

Harold E Wiener, Municipal Clerk