

REGULAR COUNCIL MEETING
FEBRUARY 14, 2022

Virtual Zoom Meeting
Irvington, N.J. – Monday Evening
February 14, 2022 - 7:30 P.M.

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

Present: Jamillah Z. Beasley, Vernal Cox, Sean C. Evans, Charnette Frederic, October Hudley, Orlander G. Vick, 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 – January 10, 2022 To January 14, 2022
2. Municipal Court – Weekly Summary Report – January 17, 2022 To January 21, 2022
3. Joint Meeting – Minutes – September 17, 2021
4. Joint Meeting – October 21, 2021 Reports
5. Joint Meeting – October 21, 2021 Resolutions⁶
6. Joint Meeting – Minutes – November 10, 2022
7. St. Hubert's Animal Welfare Centers – Monthly Intake, Outcome, and Case (Dispatch) Reports for January, 2022

7. Reports of Committees

- A. Bid Results – Renovations to the Senior Citizen Center – January 26, 2022
- B. Bid Results - Telephone Service, Data And Internet Service – 2022

8. Ordinances, Bills & Claims

A. Ordinances on First Reading

- 1. Amend Requirement For Parking Permit Restricted For Residents –
Provide Documentation From 3 Of 5 Categories Rather Than 4 of 5**

AN ORDINANCE AMENDING AND SUPPLEMENTING SECTION 620-17 OF THE REVISED CODE OF THE TOWNSHIP OF IRVINGTON REGARDING REQUIREMENT FOR OBTAINING A RESIDENTIAL PARKING PERMIT

Adopted

- 2. Ordinance Authorizing A Special Emergency Appropriation In The Amount Of \$850,000 For The Preparation And Execution Of A Complete Revaluation Of Real Property**

ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION IN THE AMOUNT OF \$850,000 FOR THE PREPARATION AND EXECUTION OF A COMPLETE REVALUATION OF REAL PROPERTY IN AND BY THE TOWNSHIP OF IRVINGTON, IN THE COUNTY OF ESSEX, NEW JERSEY.

Adopted

- Vick - 3. Ordinance Authorizing Residential Permit Parking on Clement Place Between Sanford Avenue and Chapman Place Between the Hours of 8:00 PM to 8:00 AM, Seven Days A Week**

AN ORDINANCE PROVIDING FOR RESIDENTIAL PARKING PERMITS ON CLEMENTS PLACE BETWEEN SANFORD AVENUE AND CHAPMAN STREET FROM 8:00 P.M. TO 8:00 A.M. SEVEN DAYS A WEEK

Adopted

C. Bills & Claims

- 1. Bill Lists**

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD FEBRUARY 14, 2022 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 \$3,214,401.16

TOTAL \$3,214,401.16

Adopted

2. Payrolls

January 28, 2022

REGULAR	OVERTIME	OTHER	TOTAL
\$1,679,033.03	\$229,397.70	\$107,154.11	\$2,015,584.84

Adopted

9. Resolutions and Motions

A. Resolutions

Beasley – Vick 1. Authorize Change Order For Waste Receptacles - Toter LLC – Additional \$33,770.22 (11%), Increasing the Total Contract \$346,857.89

A RESOLUTION AUTHORIZING A CHANGE ORDER FOR WASTE RECEPTACLES

WHEREAS, a contract was awarded to Toter LLC by resolution number DPW 21-0712-24, in the amount of \$313,087.60 for Waste Receptacles; and,

WHEREAS, the Mayor would like to increase this contract to distribute more waste receptacles to more homeowners; and,

WHEREAS, this additional request will increase the service contract by \$33,770.22; and,

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that an additional \$33,770.22 will be paid to Toter LLC of 841 Meacham Road, Statesville, NC 28677 for additional waste receptacles; and,

THEREFORE, BE IT RESOLVED, that the Mayor be and is hereby authorized to execute Change Order #1 with Toter LLC of 841 Meacham Road, Statesville, NC 28677 for waste receptacles, increasing the total contract to \$346,857.89. An overall increase of \$33,770. 22 (11%); and,

BE IT RESOLVED, that the required certification of availability of funds C220018 in the amount of \$33,770.22 from account number 2-01-32-465-465-299 has been obtained from the Chief Financial Officer.

Adopted

Vick - Frederic 2. Award Professional Services Contract for Licensed Sanitary Sewer Collection System Operator Services C-4 Based On Requests For

Qualifications - MVC Unlimited - \$900.00 Per Month – Annual Amount –
\$10,800.00 For Calendar Year 2022

**AWARD OF ANNUAL CONTRACTOR FOR LICENSED SANITARY SEWER
COLLECTION SYSTEM OPERATOR SERVICES C-4**

WHEREAS, the Township of Irvington owns and operates a sanitary sewer collection system that regulated by the New Jersey Department of Environmental Protection; and

WHEREAS, based on these regulations, it is required that the Township retain the service of a licensed sewer collection system operator, level C-4, and the Township does not have an individual possessing this license within its current staff; and

WHEREAS, a Request for Qualifications for firms or individual that possess the necessary license was publicly advertised and proposals were received on December 01, 2021 with only one firm, that of MVC Unlimited, LLC, supplying a proposal at an annual cost of \$ 10, 800.00; and

WHEREAS, RFQ expired on February 01, 2022 but the vendor agree to extend the proposal for sixty days; and

WHEREAS, the Township Engineer has reviewed the proposal of MVC Unlimited, LLC who currently provides this service to the township and is competent to perform the work and recommends that this firm be retained to perform these services.

NOW, THEREOFRE BE IT RESOVLED BY THE MUNICIPLC COUNCIL OF THE TWONSHIP OF IRVINGTON THAT a professional services contract for a Licensed Sanitary Sewer Collection Operator, C-4, be awarded to MVC Unlimited, LLC of Springfield, NJ at their quoted annual price of \$ 900.00 per month for an annual contract amount of \$ 10,800.00 for calendar year 2022.

BE IT FURTHER RESOLVED, that pursuant to N.J.A.C. 5:34-5-2, the required Certificate of Availability of Funds No. C 2100160 for the above has been obtained from the Chief Financial Officer for the Township of Irvington and the appropriation to be charged for this expenditure is in the amount of \$ 10,800.00 is Account 1-01-26-290-290-299.

Adopted

Burgess - Frederic

3. Establish Sewer Unit Charge for 2022 - \$180.00 Per Unit

RESOLUTION TO BILL ANNUAL SEWER CHARGE

WHEREAS, the Joint Meeting of Essex and Union County Sewer Commission has forwarded a schedule of assessments to the Chief Financial Officer covering domestic and industrial unit sewer user charges; and

WHEREAS, the Chief Financial Officer has analyzed the said schedule and costs of collection attached thereto; and

WHEREAS, the Chief Financial Officer has recommended that the domestic unit user charge be \$180.00 for 2022; and

WHEREAS, the due date for the annual sewer charge is March 1.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Tax Collector, Supervisor of Sewer User Charges be and is hereby authorized to charge and bill for 2022 at the unit rate of **\$180.00**.

Adopted

Burgess – Hudley

4. Resolution of Sorrow – Matthew Solon Exil

RESOLUTION OF SORROW
MATTHEW SOLON EXIL

WHEREAS, in the peace of night, God called home Matthew Solon Exil at only 19 years old on January 17, 2022; and

WHEREAS, it is an understatement to say that Matthew was a good kid. He was selfless, humble, caring, and incredibly intelligent; and

WHEREAS, born and raised in Somerville the middle child of Ernest and Venise (Frazilus), he graduated from Somerville High School in 2020. His knowledge and natural understanding of technology and engineering made him a born leader. Matthew played Saxophone and was in the Marching Band for his entire high school career. He was President of Pioneer TV, Electrical Lead & Director of Media for FIRST Robotics Team 102 where he enjoyed time spent competing and putting his skills to the test. He was Secretary of the SHS Esports Team, on Student Leadership Council and Students Against Destructive Decisions, and was a member of the National Honors Society. Matthew did not have to strive hard to achieve great things. He took course loads both at Somerville High School and Raritan Valley Community College graduating from the Somerville Academy of Liberal Arts where he received his Associates Degree. He was a member of the National Society of Leadership and Success and the Robotics Club during his time at RVCC; and

WHEREAS, Matthew followed his passion for engineering and technology and was currently attending New Jersey Institute of Technology for Computer Engineering. Here he continued with their robotics team and dedicated time to ACM, Solar Car Team, and Google DSD. He was the NJIT IEEE Store Component Manager, and part time assistant to the office of the president. Matthew would dedicate his time to making sure the labs were clean and focusing his energy to helping others achieve. He was involved in a total of thirteen projects and organizations. He shared his love of Mike and Ikes with his other students, and always was known to have some on him. Matthew joined comities to support his fellow students he had an incredible impact in such a short time there and will be greatly missed; and

WHEREAS, Matthew volunteered his time to back-end development for the Up Cancer charity assisting other interns to deploy calendar and contact data base; and

WHEREAS, he received his sacraments from The Church of the Immaculate Conception in Somerville where he was a devout parishioner with his family. Matthew enjoyed traveling but hated flying. He and his family took many trips, his favorite spot in the U.S. being Key West and enjoyed taking Cruises above all. Their vacations to tropical places allowed them to spend quality time together where they built incredible memories. Matthew was a kind soul who loved his brother Elrad and little sister Vanessa and would do anything for his

family and friends. He was the family's go to IT guy and knew how to fix and repair all their electronics easily. Matthew loved his family and God and served both with his whole heart; and

WHEREAS, he was a humble soul, never boisterous or bothered. He was considerate of those around him and observed before he spoke. Matthew was well respected for his demeanor and genuine personality. Everyone who met him was his friend and it is hard to put into words how deeply he will be missed; and

WHEREAS, he is survived by his parents, Ernest and Venise, his siblings Elrad and Vanessa, as well as many aunts, uncles, cousins, extended family, and friends; and

NOW THEREFORE BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington hereby mourns the passing of Matthew Solon Exil and 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 this governing body in lasting tribute to Matthew Solon Exil.

Adopted

Hudley – Beasley

5. Resolution of Sorrow - Irvington Police Officer Darryl Ewell

**RESOLUTION OF SORROW
IRVINGTON POLICE OFFICER DARRYL EWELL**

WHEREAS, on January 24, 2022 Irvington Police Officer Darryl Ewell departed this life to enter into eternal glory; and

WHEREAS, Officer Ewell was born on December 31, 1970, and was a graduate of Essex Catholic Boys High School and Kean College; and

WHEREAS, Officer Ewell went on to marry Regina Cross and raised a son and daughter from that union; and

WHEREAS, in the mid 2000's, Darryl Ewell chose to enter the noble career of law enforcement with the Township of Irvington Police Department as a Police Officer where he proudly served his hometown; and

WHEREAS, during his free time, Darryl enjoyed fishing, watching football, and spending time with family and friends; and

WHEREAS, Darryl leaves, to cherish his memory, his wife, Regina, his mother Patricia, his daughter Amber, his son, Kevin, his grandson Ayah Joseph, his step-sons Darrell and Lamar Cross, his three step-daughters Tyler, London and Lauren his brother Kevin Jermaine, his sister-in-law San-ya Cross, along with a host of other relatives and friends.

NOW THEREFORE BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington hereby mourns the passing of Irvington Police Officer Darryl Ewell and 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 this governing body in lasting tribute to Irvington Police Officer Darryl Ewell.

Adopted

Hudley - Beasley 6. Authorize Purchase Of Body Worn Cameras By State Contract - Axon Enterprises – Not To Exceed \$109,000.00

RESOLUTION AUTHORIZING THE PURCHASE OF BODY WORN CAMERAS, ANCILLARY ACCESSORIES AND EQUIPMENT STORAGE FROM STATE CONTRACT VENDOR AXON ENTERPRISE INC FOR AN AMOUNT NOT TO EXCEED \$109,000.00 FOR THE POLICE DEPARTMENT

WHEREAS, the Township of Irvington, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program; and

WHEREAS, the Township wishes to purchase a body worn cameras, ancillary accessories and Equipment storage from Axon Enterprises, State of New Jersey Contract number 17-FLEET-00738; and

WHEREAS, the Township of Irvington intends to enter into contracts with Axon Enterprises through this resolution and properly executed purchase orders; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON hereby authorizes a service contract with Axon Enterprises of 17800 North 85th Street, Scottsdale, AZ 85255 for an amount not to exceed \$109,000.00 and;

BE IT FURTHER RESOLVED, that the Township Attorney is directed to prepare the appropriate contract for such goods and services and the Mayor and Municipal Clerk is authorized to sign the same; and

BE IT FUTHER RESLOVED that the required certification of availability of funds C22-0024 in the amount of \$109,000.00 from account number G-02-XX-710-21A-299 and T-13-56-860-000-861 has been obtained from the Chief Financial Officer.

Adopted

Beasley – Hudley 7. Authorize Refund of \$13,500.00 to TSL Management, LLC. – Developer No Longer Wishes to Develop Properties Located at 87 Washington Avenue, Block 87, Lot 20; 88 Washington Avenue, Block 88, Lot 1; 91 Washington Avenue, Block 87, Lot 22; 101 Washington Avenue, Block 87, Lot 26; 117 Washington Avenue, Block 87, Lot 33; 126 Brookside Avenue, Block 98, Lot 11; and 134 Brookside Avenue Block 98, Lot12

RESOLUTION REFUNDING \$13,500.00 ON RESOLUTION TA19-1112-36 FOR TSL MANAGEMENT, LLC (7) FORECLOSURE

WHEREAS, the Municipal Council approved Resolution No. TA-19-1112-36 where the Township Attorney has assigned Goldenberg, Mackler, Sayegh, Mintz, Pfeffer, Bonchi & Gill to represent the Township in the seven (7) foreclosure matter; 87 Washington Avenue Block 87, Lot 20; 88 Washington Avenue Block 88,

Lot1; 91 Washington Avenue Block 87, Lot 22; 101 Washington Avenue Block 87, Lot26; 117 Washington Avenue Block 87, Lot33; 126 Brookside Avenue Block 98 lot8, Lot 11; 134 Brookside Avenue Block 98, Lot12 and;

WHEREAS, the Office of Community Developing is seeking a refund of \$13,500.00 on behalf of the TSL Management, LLC. TSL Management, LLC no longer wishes to develop the properties listed above and seeks reimbursement from the Township of Irvington.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a reimbursement of \$13,500.00 to be refunded to TSL Management, LLC for payment of foreclosed properties.

Adopted

Vick - Beasley 8. Authorize Refund of \$1,500.00 to ORH Property B, LLC - Developer
No Longer Wishes to Develop Properties Located at 1441 Clinton Avenue,
Block 13, Lot 1

**RESOLUTION REFUNDING \$1,500.00 ON RESOLUTION TA20-0309-15 FOR ORH Property B, LLC (1)
FORECLOSURE**

WHEREAS, the Municipal Council approved Resolution No. TA-20-0309-15 where the Township Attorney has assigned Goldenberg, Mackler, Sayegh, Mintz, Pfeffer, Bonchi & Gill to represent the Township in the seven (1) foreclosure matter; 1441 Clinton Avenue Block 13 Lot 1 and;

WHEREAS, the Office of Community Developing is seeking a refund of \$1,500.00 on behalf of ORH Property B, LLC. ORH Property B, LLC no longer wishes to develop the properties listed above and seeks reimbursement from the Township of Irvington.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a reimbursement of \$1,500.00 to be refunded to ORH Property B, LLC for payment of a foreclosed property.

Adopted

Beasley – Vick 9. Designate Satchimo Development, LLC Redeveloper Of 175 Ellis
Avenue, Block135, Lot 19 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 SATCHIMO
DEVELOPMENT LLC AS REDEVELOPER FOR THE REDEVELOPMENT OF
CERTAIN PROPERTY IDENTIFIED AS BLOCK 135, LOT 19 ON THE OFFICIAL TAX
MAPS OF THE TOWNSHIP AND IDENTIFIED IN THE TOWNSHIP TAX RECORDS AS
175 ELLIS AVENUE, AND AUTHORIZING THE EXECUTION OF A
REDEVELOPMENT AND LAND DISPOSITION AGREEMENT AND THE
TRANSFER OF 175 ELLIS AVENUE IN CONNECTION THEREWITH**

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

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

WHEREAS, by Ordinance MC No. 3549 dated August 11, 2015, the Township Council duly adopted a redevelopment plan to govern the redevelopment of the Rehabilitation Area, entitled the *Township-Wide Area in need of Rehabilitation Redevelopment Plan* (the “**Redevelopment Plan**”); and

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

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

WHEREAS, the Township is the owner of certain property located within the Rehabilitation Area identified as Block 135, Lot 19 on the tax maps of the Township and identified in the Township tax records as 175 Ellis 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, Satchimo Development LLC (the “**Redeveloper**”) proposes the acquisition of the Property, and the design, development, financing, rehabilitation and maintenance of the existing three-family residential structure, comprised 3 bedrooms and 1 bathroom in each residential unit, as well as certain other on-site and off-site improvements (collectively, the “**Project**”); and

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

WHEREAS, in order to effectuate the Redevelopment Plan and the Project, the Township has determined to enter into a redevelopment and land disposition agreement with the Redeveloper, (the “**Redevelopment Agreement**”), which establishes Redeveloper as the “redeveloper” of the Project, as that term is defined in the Redevelopment Law, and which specifies the respective rights and responsibilities of the Township and the Redeveloper with respect to the Project and the terms and conditions of the conveyance of the Property,

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

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

Section 2. Redeveloper Designated; Execution of Redevelopment Agreement Authorized.

(a) The Mayor is hereby authorized to execute the Redevelopment Agreement, substantially in the form attached hereto as **Exhibit A**, subject to modification or revision deemed necessary or desirable in consultation with counsel, and to take all other necessary or desirable action to effectuate such Redevelopment Agreement.

(b) The Municipal Clerk is hereby authorized and directed, upon the execution of the Redevelopment Agreement in accordance with the terms of Section 2(a) hereof, to attest to the signature of the Mayor upon such document and is hereby further authorized and directed to affix the corporate seal of the Township upon such document.

(c) Upon execution of the Redevelopment Agreement, and so long as the Redevelopment Agreement remains in full force and effect, Redeveloper is hereby designated as “redeveloper” for the Project in accordance with the Redevelopment Law.

Section 3. Conveyance of Property Authorized.

(a) The Township Council hereby approves the conveyance of the Property; and authorizes the Mayor, upon the execution of the Redevelopment Agreement, in accordance with the terms of Section 2(a) hereof, to execute a deed conveying the Property to Redeveloper, together with any other necessary documents and/or agreements between the Redeveloper and the Township, subject to modification or revision in consultation with counsel, deemed necessary or desirable to effectuate same. Said authorization includes delivery of the deed to the Property and any and all associated documents required to effectuate the conveyance of the Property.

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

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

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

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

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

Exhibit A

FORM OF REDEVELOPMENT AGREEMENT

Adopted

Beasley - Hudley 10. Designate Euro Properties, LLC Redeveloper Of 52 Cummings Street, Block 79, Lot 20 And Authorizing The Execution Of A Redevelopment And Land Disposition Agreement And The Transfer Of The Property In Connection Therewith

RESOLUTION OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON IN THE COUNTY OF ESSEX, NEW JERSEY, DESIGNATING EURO PROPERTIES LLC AS REDEVELOPER FOR THE REDEVELOPMENT OF CERTAIN PROPERTY IDENTIFIED AS BLOCK 79, LOT 20 ON THE OFFICIAL TAX MAPS OF THE TOWNSHIP AND IDENTIFIED IN THE TOWNSHIP TAX RECORDS AS 52 CUMMINGS STREET; 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 No. UEZ 15-0714-1 dated July 14, 2015, adopted a resolution designating the entire Township as an area in need of rehabilitation (the “**Rehabilitation Area**”); and

WHEREAS, on August 11, 2015, the Township Council duly adopted Ordinance MC. 3549, enacting a redevelopment plan for the Rehabilitation Area entitled the *Township-Wide Area in need of Rehabilitation Redevelopment Plan* (the “**Redevelopment Plan**”), pursuant to the Redevelopment Law and in accordance with the procedures set forth therein; and

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

WHEREAS, to realize the redevelopment of 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 79, Lot 20 and identified in the Township tax records as 52 Cummings Street (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, Euro Properties LLC (the “**Redeveloper**”) proposes the acquisition of the Property and the design, financing, development and maintenance of the Property as follows: the full rehabilitation of the existing one-family residential structure (comprised of three (3) bedrooms and one (1) bathroom) as well as certain other on-site and offsite improvements (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 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. 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

Adopted

Hudley – Frederic 11 . Awarding Contract For The Bridge For Irvington Municipal Alliance Activity - Keys to Innervisions” to Provide Prevention Strategies And Self-Esteem Building Activities That Seek To Prevent Tobacco, Alcohol And Substance Abuse And/Or Abuse - \$10,000.00

AWARDING CONTRACT FOR THE BRIDGE, FOR IRVINGTON MUNICIPAL ALLIANCE ACTIVITY

WHEREAS, the Irvington Municipal Alliance is a recipient of grant funding from the Governor’s Council on Alcoholism and Drug Abuse to provide Alcoholism/Drugs Services for prevention, education and intervention for preschoolers through Senior Citizens; and

WHEREAS, the Irvington Municipal Alliance wishes to award grant in the amount of \$10,000.00 for the year 2022-2023 to The Bridge, 860 Bloomfield Avenue Caldwell, NJ 07006, for the provision of through an initiative called “Keys to Innervisions”, said program provides prevention strategies and self-esteem building activities that seek to prevent tobacco, alcohol and substance abuse and/or abuse which constitutes an eligible Irvington Municipal Alliance activity; 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

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WHEREAS, the Sub-grantee has agreed that funds for services provided under this grant will not be used for any other purpose other than those listed in this contract:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWSHIP OF IRVINGTON that a Municipal Alliance grant in the amount of \$10,000.00 for the year 2022-2023 be awarded to The Bridge, 860 Bloomfield Avenue Caldwell, NJ 07006, for the provision of through an initiative called “Keys to Innervations”, said program provides prevention strategies and self-esteem building activities that seek to prevent tobacco, alcohol and substance abuse and/or abuse which constitutes an eligible Irvington Municipal Alliance activity; and

BE IT FURTHER RESOLVED, the Chief Financial Officer will paid The Bridge for services in the total amount \$10,000.00 for the said year of 2022-2023 which will be charged to Account Number G-02-XX-703-22A-299; and

IT IS FURTHER RESOLVED that the Mayor is authorized to execute any required agreements to comply with said grant year 2022-2023 to provide for education and assistance to those suffering for drug and alcohol abuse.

Adopted

Burgess - Hudley	12. Authorize Acceptance of \$124,000.00 Grant For Rental Assistance, Security Deposit, Utility Assistance and Case Management Under The Social Services for the Homeless (SSH/TANF) Program - January 1, 2022 – December 31, 2022
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WHEREAS, The County of Essex, acting through its Department of Citizens Services, Division of Community Action proposes to enter into a sub grant agreement with Irvington Neighborhood Improvement Corporation to provide Rental Assistance, Security Deposit, Utility Assistance and Case Management under the Social Services for the Homeless (SSH/TANF) Program at a contract price of \$124,000 for the period of January 1, 2022 – December 31, 2022; and

WHEREAS, said grant agreement has been negotiated by the County Executive of Essex County and presented to the Board of Chosen Freeholders for Its approval: and

BE IT FURTHER RESOLVED that the Mayor of the Township of Irvington be and hereby is authorized to execute a Grant Agreement with the Essex County Division of Community Action as sub-recipient of Social Services for the Homeless funds in the amount of \$124,000.00

NOW, THEREFORE, BE IT RESOLVED BY THE MUNUCIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington does hereby accept the award of \$124,000.00 for such activities.

Adopted

Frederic - Burgess	13. Confirm Mayor's Nomination of Alexander Bandras as Member of Library Board of Trustees
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WHEREAS, N.J.S.A. 40:54-9 requires that nominations by the Mayor to the Library Board of Trustees be confirmed by the Municipal Council; and

WHEREAS, vacancies currently exist in the Irvington Library Board of Trustees due to the expiration of the term of Alexander Bandras

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the following nomination by the Mayor to the Irvington Library Board of Trustees is hereby confirmed:

NAME AND ADDRESS	TERM TO EXPIRE
Alexander Bandras 1280 Clinton Avenue, Apt. # 5C	12-31-26

Adopted

Hudley - Beasley	14. Home Ownership Program Grant Award – 95 Hopkins Place – Alana Simpkins in the Amount of \$10,000.00
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HOME OWNERSHIP PROGRAM GRANT AWARD

WHEREAS, the Township of Irvington has obligated funds for the purpose of financing its HUD/HOME Irvington Homebuyer Assistance Program; and

WHEREAS, the Township of Irvington has committed funds for its HUD/HOME Irvington Homebuyer Assistance Program in accordance with its "Policy and Procedural Manual for the Homebuyer Program" per application to the Township's HUD/HOME Program; and

WHEREAS, the Township of Irvington's Department of Economic Development and Grants Oversight Director has certified that the applicant(s) identified herein are eligible for the HUD/HOME Irvington Homebuyer Assistance Program benefits in accordance with HUDs and the Township's adopted policies and procedures; and

WHEREAS, the Mayor has previously authorized the provision of the requested HUD/HOME Irvington Homebuyer Assistance Program benefits in accordance with the provisions of said policy.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington does ratify and approve the provision of the HUD/HOME Irvington Homebuyer Assistance Program funds to the applicant(s) below in the amount set forth in the Irvington Homebuyers Assistance Program Agreement - **Case No. HB-2021-13**, in the amount of **\$10,000**; and

BE IT FURTHER RESOLVED that the aforesaid funds are to be used toward Closing Cost for the process of purchasing the premises known as, **95 Hopkins Place**, IRVINGTON, NEW JERSEY 07111, Sales Contract, Exhibit A; and

BE IT FURTHER RESOLVED that the aforesaid funds are to use Irvington Homebuyer Assistance Program funds and are to be paid to **Investment Title LLC** on behalf of **Alana Simpkins** subject to having provided the Department of Economic Development and Grants Oversight with a true copy of their contract

of sale, mortgage commitment and appraisal, and whose attorney and title company is properly licensed to practice law and transfer title by the State of New Jersey and the Homebuyer Assistance Program Agreement between the applicant(s); and

BE IT FURTHER RESOLVED that any such funds not expended in the Purchase of the subject property in accordance with adopted policy and procedures shall be recaptured by the TOWNSHIP of IRVINGTON for use in assisting other HUD/HOME Irvington Homebuyer Assistance Program applicant(s); and

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:34-5.2, the required Certification of Funds Req. No. **(22-0029)** for the above have been obtained from the Chief Financial Officer of the Township and the appropriation to be charged for the expenditure is Account No. **T-21-41-850-18A-805** in the amount of **\$10,000.00**

Adopted

Beasley - Burgess 15. Library Board of Trustees Replacement Appointment – Rev.
Vincent P. Taylor Replacing Norma Carty

WHEREAS, N.J.S.A. 40:54-9 requires that nominations by the Mayor to the Library Board of Trustees be confirmed by the Municipal Council; and

WHEREAS, a vacancy currently exist in the Irvington Library Board of Trustees due to the retirement of Norma Carty on January 27, 2022:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the following nomination by the Mayor to the Irvington Library Board of Trustees is hereby confirmed to fill the unexpired term of Norma Carty:

NAME AND ADDRESS	TERM TO EXPIRE
Rev. Vincent P. Taylor	12-31-24

Adopted

Hudley - Beasley 16. Authorize Use of \$10,000.00 In Homeowner Assistance Funds For
177 Carolina Avenue

HOME OWNERSHIP PROGRAM GRANT AWARD

WHEREAS, the Township of Irvington has obligated funds for the purpose of financing its HUD/HOME Irvington Homebuyer Assistance Program; and

WHEREAS, the Township of Irvington has committed funds for its HUD/HOME Irvington Homebuyer Assistance Program in accordance with its "Policy and Procedural Manual for the Homebuyer Program" per application to the Township's HUD/HOME Program; and

WHEREAS, the Township of Irvington's Department of Economic Development and Grants Oversight Director has certified that the applicant(s) identified herein are eligible for the HUD/HOME Irvington

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Homebuyer Assistance Program benefits in accordance with HUDs and the Township's adopted policies and procedures; and

WHEREAS, the Mayor has previously authorized the provision of the requested HUD/HOME Irvington Homebuyer Assistance Program benefits in accordance with the provisions of said policy.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that

the Township of Irvington does ratify and approve the provision of the HUD/HOME Irvington Homebuyer Assistance Program funds to the applicant(s) below in the amount set forth in the Irvington Homebuyers Assistance Program Agreement - Case No. HB-2021-20, in the amount of \$10,000; and

BE IT FURTHER RESOLVED that the aforesaid funds are to be used toward Closing Cost for the process of purchasing the premises known as, 177 Carolina Avenue, IRVINGTON, NEW JERSEY 07111, Sales Contract, Exhibit A; and

BE IT FURTHER RESOLVED that the aforesaid funds are to use Irvington Homebuyer Assistance Program funds and are to be paid to Foundation Title LLC on behalf of Yasmin Jones subject to having provided the Department of Economic Development and Grants Oversight with a true copy of their contract of sale, mortgage commitment and appraisal, and whose attorney and title company is properly licensed to practice law and transfer title by the State of New Jersey and the Homebuyer Assistance Program Agreement between the applicant(s); and

BE IT FURTHER RESOLVED that any such funds not expended in the Purchase of the subject property in accordance with adopted policy and procedures shall be recaptured by the TOWNSHIP of IRVINGTON for use in assisting other HUD/HOME Irvington Homebuyer Assistance Program applicant(s); and

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:34-5.2, the required Certification of Funds Req. No. (22-0035) for the above have been obtained from the Chief Financial Officer of the Township and the appropriation to be charged for the expenditure is Account No. T-21-41-850-18A-805 in the amount of \$10,000.00.

Adopted

10. Communication and Petitions

A. Communications

A. Township of Maplewood -Notice of Planning Board Hearing - 1459
Springfield Avenue

11. Pending Business

None

ALCOHOLIC BEVERAGE CONTROL BOARD

FEBRUARY 14, 2022

1. Chair Cox calls the Meeting to Order

Roll Call

2. New Business

Cox - Burgess A. Authorize LVJ Planning Consumption License for 2021-2022 Licensing Year With Special 12:18 Ruling From State ABC

WHEREAS, the following named license holder did not completely file their renewal application for the renewal term of 2021-2022 as of the last day for filing and The Township of Irvington can no longer accept their application, since the license has lapsed; and

WHEREAS, the license holder has filed a verified petition to the New Jersey Division of ABC requesting the issuance of a new license; and

WHEREAS, The Director of the New Jersey Division of Alcoholic Beverage Control has granted a special ruling authorizing the governing body to consider the issuance of a "new license" in the place of its old license pursuant to N.J.S.A. 33:1-12.18.

NOW, THEREFORE, BE IT RESOVED BY THE MUNICIPAL COUNCIL, ACTING AS THE ALCOHOLIC BEVERAGE CONTROL BOARD OF THE TOWNSHIP OF IRVINGTON, NEW JERSEY that the Local ABC Board hereby authorizes the issuance of a "New License" pursuant to a special ruling issued by the Director of the New Jersey State Division of Alcoholic Beverage Control, pursuant to N.J.S.A. 33:1-12.18 for the following applicant:

LVJ Planning, Inc. - 0709-33-075-005
t/a D'Lorice

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)

Roscoe Coleman, 1379 Springfield Avenue
Doris Sherrill, 35 Augusta Street

Council Member Cox, Frederic, Vick and Council President Buress addressed the above

citizens and wished all a happy Valentine's Day.

13. Adjournment

There being no further business, the meeting was adjourned at 7:48 P.M.

Renee C. Burgess, Council President

Harold E. Wiener, Municipal Clerk