

REGULAR COUNCIL MEETING  
DECEMBER 27, 2021

Virtual Zoom Meeting  
Irvington, N.J. – Monday Evening  
December 27, 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,

Absent: Renee C. Burgess, President

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

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

There were no requests to be heard.

5. Hearing of Council Members

There were no requests to be heard.

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

A. Reports

1. St. Hubert's Animal Welfare Centers – Monthly Intake, Outcome, and Case (Dispatch) Reports for November, 2021
2. Municipal Court – Weekly Summary Report – December 6, 2021 To December 10, 2021
3. Municipal Court – Weekly Summary Report – December 13, 2021 To December 17, 2021

7. Reports of Committees

None

ALL ITEMS LISTED ON THE CONSENT AGENDA ARE CONSIDERED ROUTINE BY THE MUNICIPAL COUNCIL AND HAVE BEEN LISTED FOR ONE ROLL CALL VOTE FOR ADOPTION OF ALL ITEMS

8. Ordinances, Bills & Claims

A. Ordinances on First Reading

None

**B. Ordinances on Second Reading**

None

**C. Bills & Claims**

Hudley - Frederic

**1. Bill Lists**

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD DECEMBER 27, 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 THEADMINISTRATION, 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	\$13,978,670.98
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Adopted  
Absent: Burgess

Evans - Frederic

**2. Payrolls**

December 17, 2021

REGULAR	OVERTIME	OTHER	TOTAL
\$1,604,372.00	\$183,245.89	\$109,879.30	\$1,897,497.19

Adopted  
Absent: Burgess

**9. Resolutions and Motions**

**A. Resolutions**

Beasley – Frederic

1. Authorize Contract With State Contract Vendor Gold Type Business Machines For Purchase Of Mobile Computer Equipment For Police Cars – \$19,187.50

**RESOLUTION AUTHORIZING A CONTRACT WITH STATE CONTRACT VENDOR**

**GOLD TYPE BUSINESS MACHINES FOR PURCHASE OF MOBILE COMPUTER EQUIPMENT  
FOR POLICE CARS**

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 Police Department wishes to purchase mobile computer equipment from Gold Type Business Machines of PO Box 305, East Rutherford, NJ 07073 under State contract number 89980 for a total amount not to exceed \$250,000.00; and

WHEREAS, in compliance with NJSA 19:44A-20.13 ET Seq., this contract will exceed the Pay to Play threshold of \$17,500.00; and

NOW, THEREFORE, BE IT RESLOVED, that the Municipal Council of the Township of Irvington hereby authorizes the Qualified Purchasing Agent to enter into a contract with Gold Type Business Machines of PO Box 305, East Rutherford, NJ 07073 for calendar year 2021 for an amount not to exceed \$250,000.000 under the New Jersey State Contract number 89980; and

BE IT FUTHER RESLOVED that the required certification of availability of funds C2100142 in the amount of \$19,187.50 has been obtained from the Chief Financial Officer, charged to account number 1-01-25-240-240-299 and the remaining balance of \$230,812.50 will be certified upon the adoption of the 2022 budget; and

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

Adopted  
Absent: Burgess

Cox – Beasley                      2. Authorizing Purchases Over The Pay To Play Threshold Of  
\$17,500.00 But Under The Bid Threshold Of \$44,000.00 For  
Temporary Emergency Relocation Housing - W Green Hotel  
Group LLC DBA Wynham Garden Hotel - Newark Airport

**AUTHORIZING PURCHASES OVER THE PAY TO PLAY THRESHOLD OF \$17,500.00 BUT UNDER  
THE BID THRESHOLD OF \$44,000.00 FOR TEMPORARY EMERGENCY RELOCATION HOUSING**

WHEREAS, the Township is in need of providing temporary emergency relocation housing and the total purchase will exceed the pay to play threshold; and

WHEREAS, the Township has obtained two quotes from Parkway Hospitality LLC and W Green Hotel Group LLC DBA Wynham Garden Hotel-Newark Airport herein attached; and

WHEREAS, W Green Hotel Group LLC DBA Wynham Garden Hotel-Newark Airport has provided the lowest quote for this service; and

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WHEREAS, in compliance with 19:44a-20.13 et, seq., W Green Hotel Group LLC DBA Wynham Garden Hotel-Newark Airport will exceed the Pay-to-Play threshold of \$17,500.00 for calendar year 2021; and,

WHEREAS, W Green Hotel Group LLC DBA Wynham Garden Hotel-Newark Airport 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 pay W Green Hotel Group LLC DBA Wynham Garden Hotel-Newark Airport for temporary emergency relocation housing in excess of pay to play threshold \$17,500.00 but under the bid threshold of \$44,000.00; and

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

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

Adopted  
Absent: Burgess

Cox – Frederic

3. Authorize Fair And Open Professional Service Contract For  
IDIS Consultant Services - Ron Allen Consulting - December 29,  
2021 until December 28, 2022 - \$25,000.000

**RESOLUTION AUTHORIZING FAIR AND OPEN PROFESSIONAL SERVICE CONTRACT FOR  
IDIS CONSULTANT SERVICES**

WHEREAS, the Request for Proposals for IDIS Consultant service was publicly advertised in the New Jersey Star Ledger and on website on November 08, 2021 with a deadline for qualifications to be submitted on December 01, 2021 ; and

WHEREAS, one qualification was received and publicly opened; and

WHEREAS, said qualification was referred to the Economic Development Director; and

WHEREAS, the qualification satisfied the RFP requirement and;

WHEREAS, the Economic Development Director has recommended award should be made to the following firm:

RONALD L. ALLEN
RON ALLEN CONSULTING
18804 IMPUSE LANE GAITHERSBURG, MD 20879

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for IDIS Consultant service be awarded to Ron Allen Consulting, 18804

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Impuse Lane, Gaithersburg, MD 20879 on the basis of their response to the request for proposal meeting the selection criteria and qualifications.

BE IT FURTHER RESOLVED, that the total cost for this service will be \$25,000.000 for one year, starting on December 29, 2021 until December 28, 2022; 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 RESOLVED, that the required certification of availability of funds C2100159 in the amount of \$25,000.00 from account number T-21-41-850-15E-801, T-21-41-850-17F-801 and T-21-41-850-16E-801 has been obtained from the Chief Financial Officer.

Adopted  
Absent: Burgess

Frederic - Cox                      4. Authorizing Purchases Over The Pay To Play Threshold Of  
\$17,500.00 But Under The Bid Threshold Of \$44,000.00 For  
Swimming Pool Supplies - Deep Run Aquatic Services

**AUTHORIZING PURCHASES OVER THE PAY TO PLAY THRESHOLD OF \$17,500.00 BUT UNDER  
THE BID THRESHOLD OF \$44,000.00 FOR SWIMMING POOL SUPPLIES**

WHEREAS, the Township is in need of swimming pool supplies and the total purchase will exceed the pay to play threshold; and

WHEREAS, the Township has obtained two quotes from Deep Run Aquatic Services and ABC Pools herein attached; and

WHEREAS, Deep Run Aquatic Services has provided the lowest quote for this service; and

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

WHEREAS, Deep Run Aquatic Services 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 pay Deep Run Aquatic Services for pool supplies in excess of pay to play threshold \$17,500.00 but under the bid threshold of \$44,000.00; and  
BE IT FURTHER RESOLVED that the duration of this authorization shall be until December 31, 2021

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

Adopted

Absent: Burgess

Cox - Beasley

5. Authorizing Cancellation of Property Tax Credits from  
2010-2019

**RESOLUTION AUTHORIZING TRANSFER OF PROPERTY TAX CREDITS FROM 2010-2019  
TO RESERVES**

WHEREAS, the Township of Irvington, County of Essex, State of New Jersey, has been informed by the Tax Collector there are property tax credits from 2010 through 2019 on various accounts which cannot be verified as accurate; and

WHEREAS, as a corrective action plan to reconcile overpayments that exists in previous tax years and improve the financial integrity of the Township, the Tax Collector requests to Transfer said credits to surplus (See Exhibit A attached for listing of tax credits); and

WHEREAS, all credits proven to be viable will be transferred against current billings at the Tax Collector's discretion and direction; and

NOW, THEREFORE BE IT RESOLVED by the Township of Irvington, County of Essex, State of New Jersey, that the Tax Collector be authorized to transfer said credits, listed on Exhibit A, to surplus and adjust the property tax credits off of accounts.

Adopted

Absent: Burgess

6. Insertion of Revenue (Chapter 159) - Housing for  
Persons with HIV/AIDS (HOPWA) Program \$413,164.00

**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 \$413,164.00 from the United States Department of Housing and Urban Development (HUD) - Housing for Persons with HIV/AIDS (HOPWA) program through the City of Newark and wishes to amend its 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 \$413,164.00  
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:

United States Department of Housing and Urban Development (HUD)  
Housing for Persons with HIV/AIDS (HOPWA) Program

BE IT FURTHER RESOLVED that the like sum of \$413,164.00 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:

United States Department of Housing and Urban Development (HUD)  
Housing for Persons with HIV/AIDS (HOPWA) Program

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

**[OFF- ITEM OF REVENUE TO BE OUT INTO  
CY 2022 TEMPORARY MUNICIPAL BUDGET]**

Frederic - Beasley

7. Tax Repayment Plan – 56 Rutgers Street, Block 299, Lot 9

**Municipal Payment Plan  
Prior to Tax Sale**

**WHEREAS**, the Township of Irvington is scheduled to have an Accelerated Tax Sale on  
December 16, 2021 on lands known on the Tax Map of the Township of Irvington aforesaid as **Block  
299 Lot 9** owned by **Esther L. Hinds**, and that said Tax Sale advertised amount and subsequent  
municipal liens on said premises remain unpaid; and

**WHEREAS**, said Taxpayer **Esther L. Hinds**, has applied to the Municipal Council of the Township  
of Irvington for a leave to redeem the aforesaid property from the said Accelerated Tax Sale and subsequent  
municipal liens by equal monthly installment payments in accordance with and pursuant to the provisions of  
N.J.S.A. 54:5-19:

**NOW, THEREFORE, BE IT RESOLVED, BY THE MUNICIPAL COUNCIL OF THE  
TOWNSHIP OF IRVINGTON, COUNTY OF ESSEX, STATE OF NEW JERSEY**, that the Irvington  
Tax Collector be and is hereby authorized to enter into the following agreement mentioned for the payment  
of tax arrears and current taxes on the premises **56 Rutgers Street, Block 299 Lot 9** on the Irvington Tax  
Map:

1. 2021 Taxes                      \$1,728.40

2. That beginning **February 1, 2022** and on or before the 1<sup>st</sup> day of each succeeding month thereafter, the Taxpayer **Esther L Hinds** shall pay to the Irvington Tax Collector the sum of **\$86.29** each month to be applied by said Tax Collector on account of said municipal liens in the manner most convenient as provided by N.J.S.A. 54:5-74. In addition, the Taxpayer shall pay to the Tax Collector the current taxes as they become due on February 1<sup>st</sup>, May 1<sup>st</sup>, August 1<sup>st</sup>, and November 1<sup>st</sup> of each year. The foregoing payments shall continue until all taxes and interest on tax arrears and current taxes as provided herein shall have been paid in full; all tax arrears and interest thereon must be paid with **24 months**.
  - a. The Tax Collector shall provide a form of receipt or statement showing the dates of payments and the application thereof as to interest, expenses, charges, etc.
3. That should said Taxpayer **Esther L Hinds** default in the payment of any one said monthly installment payments, or in the payment of any current municipal taxes which may fall due against the aforementioned property, and should said default in any case continue for thirty (30) days from the time that such payment is due and payable then said agreement between said Taxpayer and the Township shall be terminated and void all said municipal liens and taxes shall become immediately due and payable subject to enforcement by the Tax Collector of the Township of Irvington and sale according to law or by employment of any remedy available to the Township of Irvington according to law.
- 4.

Adopted  
Absent: Burgess

Beasley – Hudley

8. Resolution of Sorrow - Gwendolyn Elizabeth Simpson

WHEREAS, Gwendolyn Elizabeth Simpson (nee Nelson) entered into eternal life on Friday, December 10, 2021 after a brief illness; and

WHEREAS, Gwen (as she was lovingly known) the first child born to Madeline Nelson and Freeman McRae, was born on December 28, 1945 in Washington, DC. And she was the first grandchild of doting grandparents Jennie M. and Ernest Graham.

WHEREAS, as a young woman, Gwen fell in love with Ralph F. Lucas and they were joined in holy matrimony and two sons were born out their union, Ralph Franklin Lucas, Jr. and Ernest Anthony Lucas, who became the light of Gwen's life, putting in her heart; and

WHEREAS, years after her first marriage ended, and after relocating to NJ, Gwen met the true love of her life, Earl M. Simpson aka Juice as in OJ when she married on April 3, 1999 and they lived happily ever after until Earl's death in 2010; and

WHEREAS, Gwen was educated in the DC Public School system and her learning journey started at Barnard Elementary School, then on to McFarland Jr. High School, and finally to Theodore Roosevelt Sr. High School where she received her high school diploma; and

WHEREAS, during those years, it was discovered that Gwen loved school and she was an above-average student with her intelligence and astuteness, serving her well in life; and



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WHEREAS, during her Jr. and Sr. high school years, it was evident that Gwen's personality drew people to her, as she was very social and loved to dance and have fun with her many friends; and

WHEREAS, Gwen began her work career in Federal Government service and held every level of security clearance required by the Federal agencies where she worked in essential support positions; and

WHEREAS, at the time, the American dream was to get a good Government job and stay on it until you could retire, however, that was not Gwen's dream, as she wasn't going to stay on one job for 30 years because she knew about upward mobility and she wanted more; and

WHEREAS, Gwen was a take-charge person, as evidenced by the fact that once became acclimated with whatever position she held, she and everybody else did things Gwen's way; and

WHEREAS, during her life, she charted her own career path that led her from successful federal government service to continued success in the private sector, as Gwen was very independent; and

WHEREAS, she had an entrepreneurial spirit with a vision, wanting to control her own destiny, and eventually decided that the path to her achieve vision was to work for herself, becoming a certified Billing and Coding Specialist that allowed her to work at her own pace, while most recently working remotely; and

WHEREAS, she retired from PSEG (General Office) in the early 90's but that was only temporary as she returned to work for the State of NJ at Greystone Park Psychiatric Hospital and also was employed by the Essex County College Campus Police as a dispatcher until the pandemic shut down the country; and

WHEREAS, Gwen loved her family and friends and she would do everything within her power for them; and

WHEREAS, she loved being an Eastern Star, dedicated to her Chapter Peace #120 as well as cooking, and football; and

WHEREAS, Gwen is predeceased her husband Earl Simpson, son Ralph F. Lucas, Jr., grandson, Devin Reed, mother Madeline V. Lyons, grandparents Jennie and Ernest Graham, sister Jacquelyn Turner, and her aunts, Sarah Futrell and Pearl Mae Graham; and

WHEREAS, Gwen leaves behind her father Freeman McRae; son Ernest A. Lucas, daughter-in-law Michelle Lucas, granddaughters Tierra Lucas and Cheyna O'Neil, great-grandsons Tristan Caro and Cody Caro, Carson Lucas, and great-granddaughters Savannah O'Neil and Devyn Lucas-Keys; sisters Thelma Nelson, Velma J. Heyward, Sarah Thomas, and brother-in-law Anthony Thomas; cousins Margaret Greene and Johnetta Grimes; nephew Dennis Lyons, nieces Janece Turner, Callece Gresham and nephew-in-law Kevin Gresham, great-nephews Amari Bynum and Amir Lyons, great-niece Cydney Caroline, great-nieces Kallie V. Gresham, Klark V. Gresham, as well as her longtime friend and road dog Marie (Jackie) Searles, goddaughter Kim Ali, extended family members and a host of other relatives, loving friends, coworkers, and neighbors:

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON** that the Township of Irvington hereby mourns the passing of Gwendolyn Elizabeth Simpson 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 Gwendolyn Elizabeth Simpson.

Adopted  
Absent: Burgess

Cox - Frederic

9. Authorize Contract For Lead Abatement Services at 147 Linden Avenue - EnviroScience Solutions, LLC - \$18,500.00

**RESOLUTION FOR LEAD SAFE IRVINGTON PROGRAM**

**WHEREAS**, the Township of Irvington has been awarded Office of Lead Hazard Control and Healthy Homes (OLHCHH) funds by the Department of Housing and Urban Development (HUD) and it has obligated funds for the purpose of financing its LEAD SAFE Irvington Program administered by the Department of Economic Development and Grants Oversight; and

**WHEREAS**, the Township of Irvington, Department of Economic Development and Grants Oversight has identified that the applicant, who is the owner of 147 Linden Avenue, Irvington, New Jersey, 07111 is eligible to receive assistance through the LEAD SAFE Irvington Program per the Township's policies and procedures; and

**WHEREAS** the contractor selected through a competitive bid to perform the remediation work is EnviroScience Solutions, LLC. , and said funds shall be disbursed to the contractor for the benefit of the applicant; and,

**WHEREAS**, the Department of Economic Development and Grants Oversight has contacted all the contractors on Resolution Number EDGO 20-1228-53; three contractors provided quotes for the required work; and the other one contractor did not provide a submission before the deadline; and,

**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 LEAD SAFE Irvington funds to the applicant(s) in the amount not to exceed \$18,580.00 for a period of affordability of five (5) years; and

**BE IT FURTHER RESOLVED**, that the aforesaid funds of \$18,580.00 will be disbursed in three (3) installments in the amount of \$6,193.33 each installment after review of work performed, the issuance of a lead clearance certificate and proof of funds expended to facilitate the remediation; and

**BE IT FURTHER RESOLVED**, that the aforesaid funds are to be used for the remediation of the subject property and related soft costs associated with the remediation of the subject property as set forth in Exhibit A (Scope of Work), attached hereto for the premises known as, 147 Linden Avenue, Irvington, New Jersey 07111, single family unit(s) and owned by homeowner; and

**BE IT FURTHER RESOLVED**, that any such funds not expended in the remediation and related soft costs associated with the remediation 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/OLHCHH Program applicant(s); and

**BE IT FURTHER RESOLVED** that pursuant to N.J.A.C. 5:34-5.2, the required Certificate of Fund Req. No. C2100147 in the amount of \$18,580.00 for the above has been obtained from the Chief Financial Officer of the Township of Irvington. The appropriation to be charged for this expenditure is Account No. G-02-XX-716-19A-251 in the amount of \$18,580.00.

Adopted  
Absent: Burgess

Beasley - Frederic

10. Authorize Contract For Lead Abatement Services at 686 Lyons Avenue - Optimum Environmental Solutions, LLC- \$17,650.00

**RESOLUTION FOR LEAD SAFE IRVINGTON PROGRAM**

**WHEREAS**, the Township of Irvington has been awarded funds by the New Jersey Department of Community Affairs (DCA) Municipal Lead Abatement Program and it has obligated funds for the purpose of financing its LEAD SAFE Irvington Program administered by the Department of Economic Development and Grants Oversight; and

**WHEREAS**, the Township of Irvington, Department of Economic Development and Grants Oversight has identified that the applicant, who is the owner of 686 Lyons Avenue, Irvington, New Jersey, 07111 is eligible to receive assistance through the LEAD SAFE Irvington Program per the Township's policies and procedures; and

**WHEREAS**, the contractor selected through a competitive bid to perform the remediation work is Optimum Environmental Solutions, LLC. , and said funds shall be disbursed to the contractor for the benefit of the applicant; and

**WHEREAS**, the Department of Economic Development and Grants Oversight has contacted all the contractors on Resolution Number EDGO 20-1228-53; three contractors provided quotes for the required work; and the other one contractor did not provide a submission before the deadline; and

**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 LEAD SAFE Irvington funds to the applicant(s) in the amount not to exceed \$17,650.00 for a period of affordability of five (5) years; and

**BE IT FURTHER RESOLVED**, that the aforesaid funds of \$17,650.00 will be disbursed in three (3) installments in the amount of \$5,883.33 each installment after review of work performed and proof of funds expended to facilitate the remediation; and

**BE IT FURTHER RESOLVED**, that the aforesaid funds are to be used for the remediation of the subject property and related soft costs associated with the remediation of the subject property as set forth in Exhibit A (Scope of Work), attached hereto for the premises known as, 686 Lyons Avenue, 2<sup>nd</sup> Floor Irvington, New Jersey 07111, 2 family unit(s) and owned by homeowner; and

**BE IT FURTHER RESOLVED**, that any such funds not expended in the remediation and related soft costs associated with the remediation 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/OLHCHH Program applicant(s); and

**BE IT FURTHER RESOLVED** that pursuant to N.J.A.C. 5:34-5.2, the required Certificate of Fund Req. No. C2100132 in the amount of \$17,650.00 for the above has been obtained from the Chief Financial Officer of the Township of Irvington. The appropriation to be charged for this expenditure is Account No. G-02-XX-716-20A-188 in the amount of \$17,650.00.

Adopted  
Absent: Burgess

Cox – Frederic

11. Authorize Contract For Lead Abatement Services at 115 Brookside Avenue - EnviroScience Solutions, LLC - \$19,340.00

**RESOLUTION FOR LEAD SAFE IRVINGTON PROGRAM**

**WHEREAS**, the Township of Irvington has been awarded funds by the New Jersey Department of Community Affairs (DCA) Municipal Lead Abatement Program and it has obligated funds for the purpose of financing its LEAD SAFE Irvington Program administered by the Department of Economic Development and Grants Oversight; and

**WHEREAS**, the Township of Irvington, Department of Economic Development and Grants Oversight has identified that the applicant, who is the owner of 115 Brookside Avenue, Irvington, New Jersey, 07111 is eligible to receive assistance through the LEAD SAFE Irvington Program per the Township's policies and procedures; and

**WHEREAS**, the contractor selected through a competitive bid to perform the remediation work is EnviroScience Solutions, LLC., and said funds shall be disbursed to the contractor for the benefit of the applicant; and

**WHEREAS**, the Department of Economic Development and Grants Oversight has contacted all the contractors on Resolution Number EDGO 20-1228-53; three contractors provided quotes for the required work; and the other one contractor did not provide a submission before the deadline; and

**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 LEAD SAFE Irvington funds to the applicant(s) in the amount not to exceed \$19,340.00 for a period of affordability of five (5) years; and

**BE IT FURTHER RESOLVED**, that the aforesaid funds of \$19,340.00 will be disbursed in three (3) installments in the amount of \$6,446.67 each installment after review of work performed and proof of funds expended to facilitate the remediation; and

**BE IT FURTHER RESOLVED**, that the aforesaid funds are to be used for the remediation of the subject property and related soft costs associated with the remediation of the subject property as set forth in Exhibit A (Scope of Work), attached hereto for the premises known as, 115 Brookside Avenue, Irvington, New Jersey 07111, single family unit(s) and owned by homeowner; and

**BE IT FURTHER RESOLVED**, that any such funds not expended in the remediation and related soft costs associated with the remediation 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/OLHCHH Program applicant(s); and

**BE IT FURTHER RESOLVED**, that pursuant to N.J.A.C. 5:34-5.2, the required Certificate of Fund Req. No. C2100148 in the amount of \$19,340.00 for the above has been obtained from the Chief Financial Officer of the Township of Irvington. The appropriation to be charged for this expenditure is Account No. G-02-XX-716-20A-188 in the amount of \$19,340.00.

Adopted  
Absent: Burgess

Frederic - Beasley

12. Authorize Participation In The Nationwide Settlement Agreements With Johnson & Johnson, McKesson, Cardinal Health, And Amerisourcebergen To Resolve Claims Involving Their Roles In The Country's Opioid Crisis

**RESOLUTION RE: AUTHORIZING THE TOWNSHIP OF IRVINGTON TO PARTICIPATE IN THE NATIONWIDE SETTLEMENT AGREEMENTS WITH JOHNSON & JOHNSON, MCKESSON, CARDINAL HEALTH, AND AMERISOURCEBERGEN TO RESOLVE CLAIMS INVOLVING THEIR ROLES IN THE COUNTRY'S OPIOID CRISIS**

WHEREAS, the ongoing opioid crisis in America has had a devastating effect on individuals and communities, including many here in Sussex County; and

WHEREAS, the Township of Irvington is a party to a class action lawsuit filed by state, local, and tribal governments, hospitals, individuals, and insurers, seeking damages against opioid manufacturers, distributors, and retailers in In re National Prescription Opiate Litigation, Case No. 17-md-02804, MDL No. 2804, in the District Court for the Northern District of Ohio; and

WHEREAS, on August 20, 2021, Acting Attorney General Andrew J. Bruck announced that New Jersey intends to join nationwide settlement agreements with New Jersey based pharmaceutical company Johnson & Johnson and the United States' three largest pharmaceutical distributors, McKesson, Cardinal Health and AmerisourceBergen, to resolve claims involving their roles in fomenting the country's opioid crisis; and

WHEREAS, participation in the nationwide settlements will not only hold the companies financially accountable by requiring payments of as much as \$26 billion, the settlements will provide funding to support programs that address the opioid epidemic in New Jersey and across the country, and will require significant changes in the pharmaceutical industry aimed at preventing similar crises in the future; and

WHEREAS, the proposed settlements provide:

“the Distributors to pay up to \$21 billion over 18 years and Janssen to pay up to \$5 billion over no more than 9 years, for a total of \$26 billion (the “Settlement Amount”). Of the Settlement Amount, approximately \$22.7 billion is earmarked for use by participating states and subdivisions to remediate and abate the impacts of the opioid crisis. The Settlements also contain injunctive relief provisions governing the opioid marketing,

sale and distribution practices at the heart of the states’ and subdivisions’ lawsuits and further require the Distributors to implement additional safeguards to prevent diversion of prescription opioids;” and

WHEREAS, participation by a significant number of states, county, and municipal governments nationwide must agree to the proposed terms in order for the settlements to take effect; and

WHEREAS, provided enough states opt to participate in the settlements, their subdivisions will have through January 2, 2022 to join; and

WHEREAS, the Township’s share in the settlement funds will ultimately depend on the number of counties and municipalities that opt-in, population of each participating county and municipality, and effects of the opioid epidemic on each participating community; and

WHEREAS, it is in the best interests of the Township and its residents to participate and join in the settlement agreements in order to hold these companies financially accountable for the ongoing opioid crisis and to implement the necessary changes to prevent such a crisis from happening again in the near future.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Irvington that Township Administrator, Musa A. Malik is authorized to sign any documents necessary in order to join the settlement agreements with Johnson & Johnson, McKesson, Cardinal Health and AmerisourceBergen to resolve claims involving their participation in the opioid crisis.

BE IT FURTHER RESOLOVED that upon effectuation of the settlement agreement, the Township of Irvington agrees to dismiss its claims against the settling parties.

BE IT FURTHER RESOLVED that the Clerk of the Township of Irvington shall forward a copy of this Resolution to the Office of the Attorney General of New Jersey.

Adopted  
Absent: Burgess

Beasley – Hudley                      13. Authorize Submission of Strategic Plan for Irvington Municipal Alliance Grant for Fiscal Year 2022 - 2023 – DEDR \$17,332.00, Cash Match \$4,333.00, In Kind \$12,999.00

Governor’s Council on Alcoholism and Drug Abuse  
Fiscal Grant Cycle July 1, 2022-June 30, 2023

**WHEREAS**, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

**WHEREAS**, Irvington Municipal Council of the Township of Irvington of, County of Essex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and,

**WHEREAS**, the Irvington Municipal Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

**WHEREAS**, the Irvington Municipal Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Essex;

**NOW, THEREFORE, BE IT RESOLVED** by the Township of Irvington, County of Essex, State of New Jersey hereby recognizes the following:

1. The Township of Irvington Council does hereby authorize submission of a strategic plan for the Irvington Municipal Alliance grant for fiscal year 2022-2023 in the amount of:

DEDR	\$17,332.00
Cash Match	\$4,333.00
In-Kind	\$12,999.00

2. The Township of Irvington Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

Adopted  
Absent: Burgess

10. Communication and Petitions

A. Communications

1. Mayor Vauss-Re-Appointment John Wiggins – Planning Board
2. Mayor Vauss – Re-Appointment Darlene Brown – Irvington Housing Authority Commissioner
3. Mayor Vauss – Re-Appointment – Jean F. Thomas – Alternate #1 Member of the Planning Board
4. Mayor Vauss – Re-Appointment – Alexander Bandras – Member of the Irvington Pubic Library Board of Trustees
5. Township of Hillside - Cannabis Ordinance

11. Pending Business

None

12. Miscellaneous

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

No citizen requested to be heard.

Council Members Frederic, Cox, Beasley and Acting President Dr. Hudley spoke.

The Council wished everyone a happy and healthy New Year.

13. Adjournment

There being no further business, the meeting was adjourned at 7:38 P.M.

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Dr. October Hudley, Acting Council President

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Harold E Wiener, Municipal Clerk