

REGULAR COUNCIL MEETING
OCTOBER 11, 2022

Virtual Zoom Meeting
Irvington, N.J. – Tuesday Evening
October 11, 2022 - 7:30 P.M.

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

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

Absent: None

President Beasley 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

A. Reports

1. Municipal Court – Weekly Summary Report for the Week Of September 19, 2022 to September 23, 2022
2. Municipal Court – Weekly Summary Report for the Week Of September 26, 2022 to September 30, 2022
3. Joint Meeting – Fourth Quarter Assessment
4. St. Hubert's Animal Welfare Centers – Monthly Intake, Outcome, and Case (Dispatch) Reports for September, 2022

7. Reports of Committees

A. RFQ Results - for October 2022 Various Professional Service - September 15, 2022

8. Ordinances, Bills & Claims

1. Ordinances on First Reading

~~1. An Ordinance Establishing License Requirements and Regulations For
Mobile Retail Food Trucks~~ [REMANDED TO LEGAL COMMITTEE]

~~AN ORDINANCE ESTABLISHING LICENSE REQUIREMENTS AND REGULATIONS FOR
MOBILE RETAIL FOOD TRUCKS~~

[REMOVED AT CAUCUS MEETING]

Vick – Cox

2. Re-Adopting the Sixth Amendment to the Redevelopment Plan for
the Urban Enterprise Zone Rehabilitation Area

**AN ORDINANCE OF THE TOWNSHIP OF IRVINGTON, IN THE COUNTY OF
ESSEX, STATE OF NEW JERSEY RESCINDING AND REPLACING ORDINANCE
MC 3800 AND ADOPTING THE SIXTH AMENDMENT TO THE
REDEVELOPMENT PLAN FOR THE URBAN ENTERPRISE ZONE
REHABILITATION AREA**

Adopted

C. Bills & Claims

Cox – Frederic

1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE
TOWNSHIP OF IRVINGTON FOR A PERIOD OCTOBER 11,
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

CALENDAR YEAR 2022	\$2,848,191.80
SUPPLEMENTAL	\$ 69,083.32
TOTAL	\$2,917,275.12

Adopted

Cox – Frederic

1. Payrolls

September 23 2022

REGULAR	OVERTIME	OTHER	TOTAL
\$1,657,789.08	\$247,343.62	\$276,063.47	\$2,181,196.17

Adopted

9. Resolutions and Motions

A. Resolutions

Beasley - Frederic

1. Resolution of Sorrow –Andrea C. McElroy

**RESOLUTION OF SORROW
ANDREA CELESTE MCELROY**

WHEREAS, the Municipal Council of the Township of Irvington wishes to express their deepest sorrow on the passing of Andrea Celeste McElroy, the beloved daughter of Minnye McElroy; and

WHEREAS, Andrea Celeste McElroy was born on October 16, 1963, to Minnye Busby McElroy and the late William McElroy. Andrea spent her early years in the Newark public schools, then attended and graduated from Benedictine Academy in Elizabeth, New Jersey. During her high school experience Andrea was always one to volunteer for service, and she became involved in the life of the school community; and

WHEREAS, Andrea attended Stockton State College in Pomona, New Jersey. While at Stockton State, Andrea completed an internship at the City of Newark Business Administrator's Office, under the late Elton Hill, Business Administrator. That experience marked the beginning of Andrea's interest in civic and political engagement. Andrea graduated from Stockton State obtaining a Bachelor of Arts degree, with a major in political science; and

WHEREAS, While at Stockton, Andrea also became a loyal, steadfast and committed member of Sigma Gamma Rho Sorority, Incorporated. After college, Andrea was among the leadership, which, in 2006, reactivated the Iota Alpha Sigma, Northern New Jersey Chapter and in 2008 held/hosted the Sigma Gamma Rho Sorority's Northeastern regional conference. Andrea was also a Basileus of the chapter; and

WHEREAS, Andrea would eventually move to Irvington, where her passion for civic and political engagement was nurtured by the late D. Bilal Beasley, then a District Leader in Irvington's South Ward. She became a District Leader in the South Ward in 1995. She was elected to office in 1997, where she served the citizens of Irvington admirably until 2014. She served on the Board of Education for six years, with five as Board President. Andrea was elected At-Large to the Irvington Municipal Council, including serving as a Council Vice President. Andrea truly believed in education and recognizing the achievement of Irvington's students. During her tenure on the School Board and as a Councilwoman, Andrea recognized the students during her Honor Roll Breakfast initiative; and

WHEREAS, Above all, Andrea was a dedicated public servant, working on behalf of the citizens of the County of Essex as a Recruitment Training Specialist; and

WHEREAS, Andrea's love and passion will be missed by her mother Minnye McElroy, sister Sharon Price-Cates, Esq., aunt, Ora Jimelle Ross, uncle Chris Ross, niece Tiffany Jewel Cates, cousins Cidneye Busby, Danielle Cratice, Chinyere Anokwute. Special friends, Linette Caroselli, Dawn Martinez-Brooks and Helen Terri Smith, along with extended family, political family and a host of colleagues 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 Andrea Celeste McElroy and extends our most sincerest condolences to Minnye, her 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 Andrea Celeste McElroy.

Adopted

Frederic - Beasley

2. Resolution of Sorrow – Rebecca Akweley Neequaye

**RESOLUTION OF SORROW
REBECCA AKWELEY NEEQUAYE**

WHEREAS, the Municipal Council of the Township of Irvington wishes to express their deepest sorrow on the passing of Rebecca Akweley Neequaye; and

WHEREAS, Rebecca Akweley Neequaye was born on January 24, 1931, in Accra to parents Joshua Kotey Neequayae and Akua Akweefeo; and

WHEREAS, she was the third of four children to her parents. During her early years, she helped her mother who was a retail trader. The lessons she learned from her mother proved valuable later on in her life; and

WHEREAS, in 1949, she met and married a charming young dude by name Benedeict Quarshie Aryee. The union produced ten (10) children, 5 boys and 5 girls. Rebecca had only semi-education, but she toiled hard to make sure all her children achieved the highest level of education that they could. Today, her children include engineers, doctors and entrepreneurs; and

WHEREAS, Rebecca was an entrepreneur herself. She started as a retail trader at Ankaful, in Cape Coast, then to Maamobi and Achimota in Accra; and

WHEREAS, In the 1970s, she and her sister, Mamfio of blessed memory, established their own wholesale store at Mokola #1 Market in Accra, where they traded in goods like rice, flour, sugar, etc.; and

WHEREAS, in 1976, she completed her family dream house at Dansoman and moved in with her children, nieces and nephews. At her house, you could not differentiate between her children, nieces and nephews. All were treated as her children; and

WHEREAS, at Dansoman, she established the famous Beccaquaye Bakery. Bread from Beccaquaye Bakery was a very hot item. You had to pre-order with a down payment in order to get supplies; and

WHEREAS, between 2000 and 2009, she travelled often to the US to visit her children, nieces and nephews; and

WHEREAS, in 2010, after much pleading from her children, she decided to migrate to the United States where most of her children, nieces, nephews and grandchildren were living. She enjoyed the time she spent with all of them. From 2017, her health started to deteriorate, but she held on until July 31, 2022, when the Lord decided to call her home:

NOW THEREFORE BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington hereby mourns the passing of Rebecca Akweley Neequaye and extends our most sincerest condolences to her 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 Rebecca Akweley Neequaye.

Adopted

Hudley - Evans

3. Resolution To Award A Professional Services Contract For Architectural Services For The Enclosure Of The Orange Park Pool - Arcari + Iovino - Not To Exceed \$ 5,000.00

RESOLUTION TO AWARD A PROFESSIONAL SERVICES CONTRACT FOR ARCHITECTURAL SERVICES FOR THE ENCLOSURE OF THE ORANGE PARK POOL

WHEREAS, the Township owns and operates the Orange Park Pool, which is located within Orange Park, said pool being an outdoor facility that operates during the summer month, weather permitting and whereas it is desired to explore the possibility to enclose this pool with a structure so that the pool may operate on a year-round basis; and

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

WHEREAS, of the two firms that were contacted, only one firm, that of the Arcari + Iovino of Little Ferry, NJ submitted a fee proposal in the amount of \$5, 000.00 to complete this work within the time frame requested; and

WHEREAS, the Township Engineer has reviewed this proposal and recommends that a professional services contract in an amount of \$ 5, 000.00 be awarded to the firm of Arcari + Iovino for the preparation of a feasibility study to determine the costs and preliminary design for 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 RA feasibility

WHEREAS, vacancies currently exist in the Irvington Library Board of Trustees due to the expiration of the terms of certain members:

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

Rodney White
41 Durand Place

12-31-27

Adopted

Cox - Evans

7. Authorize Assignment of Tax Sale Certificate – 864 Grove Street

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	Owner Property Address	Cert No.	Sale Date	Amount of Sale	Amount As of October 11, 2022
135 / 2	Jackson, Miriam 864 Grove Street	17-00585	12/20/2017	\$5,556.30	\$53,130.22

together with subsequent liens thereon, at private sale to:

Albert Pedoeem
39 Ferris Drive
West Orange, NJ 07052

Adopted

Hudley – Frederic

8. Authorizing Purchases Over The Pay To Play Threshold Of \$17,500.00 For Portable Toilets For Department Of Public Works - John to Go Inc. - Not To Exceed \$40,000.00

**AUTHORIZING PURCHASES OVER THE PAY TO PLAY THRESHOLD OF \$17,500.00 FOR
PORTABLE TOILETS FOR DEPARTMENT OF PUBLIC WORKS**

WHEREAS, the Township wishes to rent portable toilets and the total purchase will exceed the pay to play threshold; and

WHEREAS, the Township has obtained three quotes from John to go, Royal Flush and United Site Service herein attached; and

WHEREAS, John to Go Inc., has provided the lowest quote for an amount not to exceed \$40,000.00; and

WHEREAS, in compliance with 19:44a-20.13 et, seq., John to Go Inc will exceed the Pay-to-Play threshold of \$17,500.00 for calendar year 2022; and,

WHEREAS, John to Go Inc., 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

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Irvington hereby award a contract to John to Go Inc., for an amount not to exceed \$40,000.00 for the rental of portable toilets.

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 that the required certification of availability of funds C22-0110 in the amount of \$40,000.00 from account number 2-01-21-165-165-299, 2-01-26-310-311-299 and 2-01-28-375-375-299 has been obtained from the Chief Financial Officer.

Adopted

Frederic - Vick

9. Resolution Awarding A Bid For Printing And Marketing Services –
Stuyvesant Press Inc. - November 23, 2022 Until November 22, 2024 For
\$180,000.00 Per Year For A Total Not To Exceed \$360,000.00 For Two
Years

RESOLUTION AWARDING A BID FOR PRINTING AND MARKETING SERVICES

WHEREAS, sealed bids were received on September 15, 2022 for Printing and Marketing to published advertisement for bids in the New Jersey Star Ledger on August 17, 2022; and

WHEREAS, one bid was received and opened by the Purchasing Agent and Municipal Clerk from Stuyvesant Press Inc. and Concept Printing Inc.; and

WHEREAS, the bids were reviewed and found that Stuyvesant Press Inc., is the lowest responsible, responsive bid; and

WHEREAS, it has recommended that the award should be made to Stuyvesant Press Inc of 119 Coit Street, Irvington, NJ 07111 on the basis of their lowest responsible, responsive bid of \$180,000.00 per year; and

BE IT FURTHER RESOLVED, the Municipal Clerk is hereby authorized the return the bid bonds to the unsuccessfully bidders; and

BE IT FURTHER RESOLVED that a two year contract be awarded to Stuyvesant Press Inc of 119 Coit Street, Irvington, NJ 07111 starting on November 23, 2022 until November 22, 2024 for \$180,000.00 per year for a total not to exceed \$360,000.00 for two years.

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

BE IT FURTHER RESOLVED that the required certification of availability of C22-0131 in the amount of \$4,000.00 for the first month bills from account number 2-01-20-110-110-299 has been obtained from the Chief Financial Officer and the remaining balance of \$356,000.00 will be certified upon the adoption of the 2023 and 2024 budget.

Adopted

Cox – Beasley

10. Resolution Of The Municipal Council Of The Township Of Irvington, In The County Of Essex, State Of New Jersey (The "Township"), Authorizing An Emergency Appropriation Pursuant To N.J.S.A. 40A:4-46 And 40A:4-48 To Appropriate The Township's Allocable Share Of The Unfunded Portion Of Phase I Of The Flood Mitigation Facilities Project Of The Joint Meeting Of Essex And Union Counties In An Amount Not To Exceed \$3,650,529

RESOLUTION OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, IN THE COUNTY OF ESSEX, STATE OF NEW JERSEY (THE "TOWNSHIP"), AUTHORIZING AN EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-46 AND 40A:4-48 TO APPROPRIATE THE TOWNSHIP'S ALLOCABLE SHARE OF THE UNFUNDED PORTION OF PHASE I OF THE FLOOD MITIGATION FACILITIES PROJECT OF THE JOINT MEETING OF ESSEX AND UNION COUNTIES IN AN AMOUNT NOT TO EXCEED \$3,650,529

WHEREAS, the Municipal Council of the Township of Irvington, in the County of Essex, State of New Jersey (the "*Township*"), desires to adopt a resolution providing for an emergency appropriation pursuant to N.J.S.A. 40A:4-46 and 40A:4-48 to appropriate the Township's allocable share of the unfunded portion of Phase 1 of the Project (as hereinafter defined) in an amount not to exceed \$3,650,529; and

WHEREAS, the Joint Meeting of Essex and Union Counties (the "*Joint Meeting*") is organized and exists pursuant to the provisions of N.J.S.A. 40:63-68 *et seq.*, and constitutes a public body corporate and politic of the State of New Jersey authorized to exercise essential public and governmental functions, and having all powers necessary or convenient to carry out and effectuate its corporate purposes; and

WHEREAS, on October 29, 2012, the Joint Meeting experienced floodwaters generated by Superstorm Sandy and high tides of over twelve feet; and

WHEREAS, because of the extraordinary tidal surge during the storm, floodwaters entered and inundated a number of locations within the Joint Meeting's treatment plant; and

WHEREAS, following Superstorm Sandy, the Joint Meeting's General Consulting Engineer, CME Associates, was retained to conduct a Facilities Flood Control Report to assess the damage caused by the flooding, to review possible modifications to be made to structures to prevent damage from future flooding and to review alternative flood measures; and

WHEREAS, CME Associates also performed a Benefit Cost Analysis to determine the benefits of restoration and appropriate mitigation measures; and

WHEREAS, after both studies, CME Associates determined that it would be most beneficial to the Joint Meeting to protect the entire site from future flooding so as to prevent any future damage and to ensure the treatment of wastewater flows during any storm events; and

WHEREAS, the Executive Director, in conjunction with the Joint Meeting's General Consulting Engineer, developed a flood mitigation facilities project for the Joint Meeting that involves, among other work, the construction of a reinforced concrete levee wall, installation of automatic vehicle flood gates, isolation of on-site stormwater collection systems and pumps, an effluent pumping station, cogeneration upgrades, a stormwater pumping station for the Biosolids Facility site and the use of an existing Army Corps of Engineers flood control pump station at the treatment plant (collectively, the "*Project*"); and

WHEREAS, the Federal Emergency Management Agency, an agency of the United States of America, has indicated that it will reimburse approximately 90% of the costs associated with the Project and that only the remaining 10% of the costs will be financed by the member municipalities and the City of Elizabeth (collectively, the "*Members*"); and

WHEREAS, the funding commitment from the Federal Emergency Management Agency may be provided in multiple phases; and

WHEREAS, the Joint Meeting covenanted to the Members that the Project will be financed in phases as each phase is approved by FEMA; and

WHEREAS, in September of 2020, FEMA approved Phase I of the Project consisting of the construction of an effluent pumping station, which will be connected to the existing twin outfall channels to the Arthur Kill ("*Phase I of the Project*"); and

WHEREAS, in October of 2020, the Township issued and sold Construction Loan Financing Program Notes to the New Jersey Infrastructure Bank (the "*I-Bank*") in the aggregate amount of \$3,440,000 to finance its allocable share of Phase I of the Project (the "*2020 I-Bank Note*"); and

WHEREAS, Phase I of the Project has experienced delays due to many factors, including, but not limited to, delays in receiving approval from the New Jersey Department of Environmental Protection, the financing process and, primarily, as a result of the COVID-19 pandemic; and

WHEREAS, due to these delays, the Joint Meeting did not solicit and receive bids on Phase I of the Project until July of 2022; and

WHEREAS, the bids received for Phase I of the Project were substantially more than originally projected and more than the \$21,392,365 amount that was financed through the I-Bank by the each of the Members through their respective 2020 I-Bank Notes; and

WHEREAS, in order to execute a contract with the lowest responsible bidder and lock in construction costs for Phase I of the Project, the Joint Meeting will need to have access to an additional \$31,361,958; and

WHEREAS, N.J.S.A. 40A:4-46 permits local governments to make emergency appropriations, after adoption of the annual budget, for purposes unforeseen at the time of adoption thereof; and

WHEREAS, the emergency appropriation shall be provided in full as a deferred charge in the Township's 2023 budget, except to the extent that provision for paying, funding or refunding the emergency appropriation or the financing of the expenditures pursuant thereto shall previously have been made by the authorization of bonds pursuant to N.J.S.A. 40A:2-3; and

WHEREAS, the Township will finance the emergency appropriation via the adoption of a bond ordinance prior to the adoption of the Township's 2023 budget; and

WHEREAS, the emergency appropriation is being made to meet a pressing need for public expenditure to protect or promote the public health, safety, morals or welfare of the residents of the Township and is necessary for the protection and efficient operation of the Joint Meeting's wastewater system; and

WHEREAS, the total amount of the emergency appropriations created in calendar year 2022, including the appropriation to be created by this resolution, is \$3,650,529 and three percent (3%) of the total current and utility operating appropriations in the budget for the year ending December 31, 2022 is \$3,686,459.72; and

WHEREAS, the foregoing emergency appropriation, together with prior emergency appropriations, does not exceed three percent (3%) of the total current and utility operating appropriations in the budget adopted for the year ending December 31, 2022.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Township (by not less than 2/3 of all governing body members affirmatively concurring), in accordance with N.J.S.A. 40A:4-48, **AS FOLLOWS:**

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

Section 2. The Township hereby declares that an emergency exists requiring a supplemental appropriation.

Section 3. An emergency appropriation in the amount of \$3,650,529 is hereby authorized and made for the purpose of appropriating the Township's allocable share of the unfunded portion of Phase 1 of the Project, which was not a known or foreseen amount at the time of the adoption of the Township's 2022 budget and, thus, an adequate provision for such cost was not made in said budget. The emergency

appropriation is being made to meet a pressing need for public expenditure to protect or promote the public health, safety, morals or welfare of residents of the Township and is necessary for the protection and efficient operation of the Joint Meeting's wastewater system. Due to the fact that no adequate provision was made in the budget for the year ended December 31, 2022 for the aforesaid purpose, N.J.S.A. 40A:4-46 provides for the creation of an emergency appropriation for the above referenced purpose.

Section 4. The emergency appropriation shall be paid or funded by the Township as a deferred charge in the budget for the fiscal year ending December 31, 2023, except to the extent, if any, said emergency appropriation is paid or funded through the authorization of bonds or notes as an appropriation authorized by law pursuant to N.J.S.A. 40A:2-3. The Township shall finance the emergency appropriation via the adoption of a bond ordinance prior to the adoption of the Township's 2023 budget. The Township hereby requests, if necessary, the emergency appropriation to be excluded from CAPS pursuant to N.J.S.A. 40A:4-45.4(c)(1).

Section 5. Two certified copies of this resolution shall be filed with the Director of the Division of Local Government Services and a certified copy of this resolution shall be filed with the Clerk of the Township and with Everett M. Johnson, Esq., Wilentz, Goldman & Spitzer, P.A., bond counsel to the Joint Meeting.

Section 6. This resolution shall take effect immediately.

Adopted

Cox - Vick 11. Resolution Authorizing The Refund Of Property Registration Fees To
Stripe - \$148,361.12

RESOLUTION AUTHORIZING THE REFUND OF PROPERTY REGISTRATION FEES

WHEREAS, Masjid Waarith ud Deen, processed payment for the property registration fee via Stripe the online processing firm for the Township; and

WHEREAS, Stripe erroneously processed the payment in the amount of \$49,964.50 four times for a total of \$198,416.64 that was deposited into the township's Current Fund account. Stripe reversed \$50,055.56 from the township account leaving a balance of \$148,361.12 overpayment; and

WHEREAS, N.J.S.A 40A:5-17 requires governing body approach to refund the outstanding balance to Stripe in the amount of \$148,361.12; and

NOW BE IT RESOLVED by the Township Council of the Township of Irvington, and that a refund be issued to Stripe in the amount of \$148,361.12 for the erroneous property registration fee, deposited into the township's Current Fund.

Adopted

Cox - Frederic 12. Organization of the Municipal Clerk's Office - Satava Williams

WHEREAS, the New Jersey Civil Service Commission recognizes the classified title of Keyboarding Clerk I; and

WHEREAS, the Irvington Municipal Council wishes to appoint a current employee from their provisional title of Keyboarding Clerk II to the permanent title of Keyboarding Clerk I in the Municipal Clerk's Office; and

WHEREAS, the Irvington Municipal Council further wants to assign the responsibilities of handling Open Public Records Act requests, including but not limited to assigning matters to the municipal sub-custodian(s), answering Denial of Access Complaint file with the New Jersey Government Records Council through formulating Government Records Council Statements of Information and filing and retrieving vital information necessary in transmitting records to the requesters and providing detail in the Statements of Information; and

WHEREAS, the Irvington Municipal Council recognizes the need for competent professionals in the Municipal Clerk's Office to effectively carry out the people's business: and

WHEREAS, the Irvington Municipal Council also recognizes the need to have an additional competent employee in the Office of the Municipal Clerk to assist in the carrying out of the statutory duties of that Office in order to do so; and

WHEREAS, as a result of this reorganization in the Municipal Clerk's Office, Satava Williams will be overseeing the operations of the Municipal Clerk's Office's Open Public Records Act (OPRA) responsibilities:

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

1. Satava Williams is hereby appointed to the position of Keyboarding Clerk I in the Office of the Municipal Clerk at a salary of \$43,308.00, effective September 13, 2022 at the following salary range:

	Minimum	Maximum
Keyboarding Clerk I	\$43,308.00	\$50,695.00

2. Satava Williams will be paid an additional annual stipend of \$10,000.00 for overseeing the above referenced duties and responsibilities in the Municipal Clerk's Office referenced above relative to the New Jersey Open Public Records Act (OPRA).

Adopted

Cox – Vick

13. Resolution Authorizing Fair And Open Professional Service Contracts For Licensed Site Remediation Professionals (LSRP) For One Year Starting On November 01, 2022 And Ending On October 31, 2023

RESOLUTION AUTHORIZING FAIR AND OPEN PROFESSIONAL SERVICE CONTRACTS FOR LICENSED SITE REMEDIATION PROFESSIONALS (LSRP)

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WHEREAS, the Request for Proposals for Licensed Site Remediation Professional (LSRP) services was publicly advertised in the New Jersey Star Ledger on August 17, 2022 with a deadline for qualifications to be submitted on September 15, 2022; and

WHEREAS, three qualifications were received and publicly opened by the Purchasing Agent and Municipal Clerk; and

WHEREAS, said qualifications were referred to the Township Engineer; and

WHEREAS, the Township Engineer has recommended award of contracts to the following firms, based on their project history and credentials:

T &M Associates
11 Tindall Road, Middletown, NJ 07748

Pennoni
1900 Market Street, Suite 300, Philadelphia, PA 19103

Suburban Consulting Engineers
96 US Highway 206, Suite 101, Flanders, NJ 07836

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that contracts for Licensed Site Remediation Professional (LSRP) services be awarded to the aforementioned vendors and the Township Engineer will solicit quotes from the above vendors for each project and submit a resolution to the Municipal Council for all projects before retaining their services to determined prices.

BE IT FURTHER RESOLVED that appointment is for one year starting on November 01, 2022 And ending on October 31, 2023; 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 will be obtained from the Chief Financial Officer when quotes are submitted to the Municipal Council for each individual project.

Adopted

Vick - Cox

14. Resolution Authorizing The Purchase Of Live Scan Finger Printing And Mugshot Systems From State Contract Vendor Idemia Identity & Security USA LLC For The Police Division - Not To Exceed \$26,436.00

RESOLUTION AUTHORIZING THE PURCHASE OF LIVE SCAN FINGER PRINTING AND MUGSHOT SYSTEMS FROM STATE CONTRACT VENDOR IDEMIA IDENTITY & SECURITY USA LLC FOR AN AMOUNT NOT TO EXCEED \$26,436.00 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 live scan finger printing and mugshot system from Idemia Identity & Security USA LLC, State of New Jersey Contract number T3083; and

WHEREAS, the Township of Irvington intends to enter into contracts with Idemia Identity & Security USA LLC 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 Idemia Identity & Security USA of 5515 E. LaPalma Ave., Suite 100, Anaheim, CA 92807 for an amount not to exceed \$26,436.00 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 FURTHER RESOLVED that the required certification of availability of funds C22-0121 in the amount of \$26,436.00 from account number 2-01-25-240-240-299 has been obtained from the Chief Financial Officer.

Adopted

~~15. Resolution For Lead Safe Irvington Program – Pow R Save, Inc. – 42
Breakenridge Terrace – \$11,950.00~~

~~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 42 Breakenridge Terrace, 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 Pow R Save, Inc. 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 22-0314-3 and three contractors provided quotes for the required work and the other one contractor did not provide any 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 \$11,950.00 for a period of affordability of five (5) years; and~~

~~**BE IT FURTHER RESOLVED** that the aforesaid funds of \$11,950.00 will be disbursed in three (3) installments in the amount of \$3,983.33 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 cost associated with the remediation of the subject property as set forth in Exhibit A (Scope of Work), attached hereto for the premises known as, 42 Breakenridge Terrace 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 cost 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. C22-0111 in the amount of \$11,950.00 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-250 in the amount of \$11,950.00.~~

[REMOVED AT CAUCUS MEETING]

Cox - Hudley 16. Resolution Qualifying Engineering Firms Pursuant To A Fair And Open Process For Engineering Services For One Year From November 01, 2022 Until October 31, 2023

RESOLUTION QUALIFYING ENGINEERING FIRMS PURSUANT TO A FAIR AND OPEN PROCESS FOR ENGINEERING SERVICES

WHEREAS, the Request for Qualifications for professional Engineering services was publicly advertised in the New Jersey Star Ledger on August 17, 2022 with a deadline for qualifications to be submitted on September 15, 2022; and

WHEREAS, six qualifications were received and publicly opened by the Municipal Clerk and the Purchasing Agent; and

WHEREAS, said qualifications were referred to the Township Engineer; and

WHEREAS, the Township Engineer has recommended that the vendors below be added to the list of qualified vendors for Engineering Consulting Service for one year; and

Pennoni
1900 Market Street, Suite 300, Philadelphia, PA 19103

Neglia Engineering Associates
34 Park Ave, Lyndhurst, NJ 07071

TM Associates
1455 Broad Street, Suite 250, Bloomfield, NJ 07003

Greenman-Pedersen Inc.,
301 Gibraltar Drive, Suite, Morris Plain NJ 07950

Harbor Consultants
320 North Ave East, Cranford, NJ 07016

Suburban Consulting Engineers
96 US Highway 206, Suite 101, Flanders, NJ 07836

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

1. Township Engineer will solicit sealed quotes from the above vendors for each project and submit a resolution to the Municipal Council for all projects before retaining their services to determined prices.
2. The Township Attorney will prepare the appropriate contract for this service.
3. The above vendors are qualified for one year from November 01, 2022 until October 31, 2022.

Adopted

Cox - Vick

17. Resolution Qualifying Traffic Engineering Firms Pursuant To A Fair And Open Process For Traffic Engineering Services For One Year From November 01, 2022 Until October 31, 2023

RESOLUTION QUALIFYING TRAFFIC ENGINEERING FIRMS PURSUANT TO A FAIR AND OPEN PROCESS FOR TRAFFIC ENGINEERING SERVICES

WHEREAS, the Request for Qualifications for professional Traffic Engineering services was publicly advertised in the New Jersey Star Ledger on August 17, 2022 with a deadline for qualifications to be submitted on September 15, 2022; and

WHEREAS, two qualifications were received and publicly opened by the Municipal Clerk and the Purchasing Agent; and

WHEREAS, said qualifications were referred to the Township Engineer; and

WHEREAS, the Township Engineer has recommended that the vendors below be added to the list of qualified vendors for Traffic Engineering Consulting Service for one year; and

TM Associates
1455 Broad Street, Suite 250, Bloomfield, NJ 07003

Neglia Engineering Associates
34 Park Ave, Lyndhurst, NJ 07071

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

1. Township Engineer will solicit sealed quotes from the above vendors for each project and submit a resolution to the Municipal Council for all projects before retaining their services to determined prices.
2. The Township Attorney will prepare the appropriate contract for this service.
3. The above vendors are qualified for one year from November 01, 2022 until October 31, 2023

Adopted

Hudley - Evans

18. Amendment To DA 22-0214-10 Resolution Accepting Funding From Division Of Community Action Social Services For The Homeless (SSH-STATE/TANF) – Amount Amended To \$136,400.00

AMENDMENT TO RESOLUTION DA 22-0214-10 ADOPTED ON February 14, 2022.
RESOLUTION ACCEPTING FUNDING FROM DIVISION OF COMMUNITY ACTION
SOCIAL SERVICES FOR THE HOMELESS (SSH-STATE/TANF)

WHEREAS, Irvington Neighborhood Improvement Corporation seeks to amend resolution number DA 22-0214-10 due to an increase in funding.

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 has been amended to \$136,400.00

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 \$136,400.00

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 \$136,400.00 for such activities.

Adopted

Cox - Vick

19. Change Order # 3 And Final For The 2019 Capital Resurfacing Project - Your Way Construction - \$ 2,912.20 - Net Change Of 14.37%- Final Amount Of Contract \$1,504,488.17

RESOLUTION TO APPROVE CHANGE ORDER NUMBER 3 (AND FINAL) FOR THE 2019 TRUST FUND RESURFACING PROJECT

WHEREAS, a contract for 2019 Trust Resurfacing Project was awarded to Your Way Construction of Irvington, NJ on February 17, 2021 as Resolution DPW 21-0308-10 in the amount of \$ 1,315, 485.97; and

WHEREAS, a Change Order, Change Order No. 1, was approved for this contract in the amount of \$ 29,760.00 for additional work on Yale Avenue as Resolution DPW 21-0614-18, and

WHEREAS, a Change Order, Change Order No. 2 was approved for this contract in the amount of \$ 165,330.00 for additional work on Yale Avenue as Resolution DPW 21-1108-50, and

WHEREAS, this project is now complete as the project has been inspected by the New Jersey Department of Transportation (NJDOT) and the Township's engineering consultant, Greenman-Pedersen, Inc. and all the necessary corrections have been made to the project so that it is now complete; and

WHEREAS, subsequent to Change Order No. 2, certain minor additional field changes were necessary resulting in a total net change to the contract in the amount of \$ 2,912.20, so that the final total amount of the contract is \$1,504,488.17 for a net change of + 14.37%.

NOW, THEREFORE, BE IT RESOLVED BY MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a change order, Change Order No. 3 and Final to the contract for the 2019 Trust Resurfacing Project is granted in the amount of \$ 2, 912.20 to Your Way Construction of Irvington, NJ so that the final amount of the contract is \$1,504,488.17 for a net change of + 14.37% and that the Mayor is authorized to sign the necessary NJDOT Change Order form on behalf of the Township.

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:34-5.2, the required Certificate of Availability of Funds No. C22-0091 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 \$ 2,912.20 is Account C-04-56-848-014-902.

Adopted

10. Communication and Petitions

A. Communications

1. Mayor Vauss – Re-Appointment – Rodney White to Library Board of Trustees

11. Pending Business

None

NON-CONSENT AGENDA ITEMS

8. Ordinances, Bills & Claims

A. Ordinances on Second Reading

None

12. Miscellaneous

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

There were no requests to be heard.

There being no further business, the meeting adjourned at 7:37 P.M.

Jamillah Z. Beasley, Council President

Harold E. Wiener, Municipal Clerk