

REGULAR COUNCIL MEETING
MARCH 13, 2023

Virtual Zoom Meeting
Irvington, N.J. – Monday Evening
March 13, 2023 - 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,
Jamillah Z. Beasley, President

Absent: Orlander G. Vick

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

1. Municipal Court - Weekly Summary Report for the Week of February 20, 2023 to February 24, 2023
2. Municipal Court - Weekly Summary Report for the Week of February 27, 2023 to March 3, 2023

7. Reports of Committees

8. Ordinances, Bills & Claims

A. Ordinances on First Reading

Cox - Brown

1. Establish Fee for Beekeeping

An Ordinance for Beekeeping in the Township of Irvington

Adopted

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Absent: Vick

C. Bills & Claims

Frederic - Brown

1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD MARCH 13, 2023 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

	\$6,623,538.24
TOTAL	\$6,623,538.24

Adopted
Absent: Vick

Frederic - Brown

2. Payrolls

February 24, 2023

REGULAR	OVERTIME	OTHER	TOTAL
\$1,723,416.10	\$264,770.57	\$199,420.67	\$2,187,697.34

Adopted
Absent: Vick

9. Resolutions and Motions

A. Resolutions

Hudley – Evans

1. Authorize Refund of \$2,150.00 on Escrow Account
T-18-56-860-100-036 For Conley Realty, LLC, - 477 S. 20th Street

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RESOLUTION REFUNDING \$2,150.00 ON ESCROW T-18-56-860-100-036 FOR CONLEY REALTY, LLC, 477 SOUTH 20TH STREET

WHEREAS, Conley Realty, LLC applied to the Township of Irvington's Zoning Board of Adjustment for a use variance and site plan for the conversion of a two-family house to a three-family at property known and designated as 477 South 20th Street Block 158 Lot 19.

WHEREAS, the Zoning Board Division of the Office of Community Development is seeking a refund of \$2,150.00 on behalf of Conley Realty, LLC. Conley Realty, LLC no longer needs a variance pursuant to Section 650-15 of the Township Zoning Ordinance 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 \$2,150.00 to be refunded to CONLEY REALTY, LLC for payment.

Adopted
Absent: Vick

Cox – Frederic 2. Authorizing Purchases Over The Pay To Play Threshold Of \$17,500.00 For Two Lead Paint Analyzers For The Irvington Lead Safe Program - Viken Detection - \$32,760.00

AUTHORIZING PURCHASES OVER THE PAY TO PLAY THRESHOLD OF \$17,500.00 FOR TWO LEAD PAINT ANALYZERS FOR THE IRVINGTON LEAD SAFE PROGRAM

WHEREAS, the Township wishes to purchase two lead paint analyzers for the Irvington Lead Safe Program; and

WHEREAS, the total purchase will exceed the pay to play threshold; and

WHEREAS, the Township has obtained three quotes from Viken Detection, Thermo Scientific and AAA Testers herein attached; and

WHEREAS, Viken Detection has provided the lowest quote for an amount not to exceed \$32,760.00; and

WHEREAS, in compliance with 19:44a-20.13 et, seq., Viken Detection will exceed the Pay-to-Play threshold of \$17,500.00 for calendar year 2023; and,

WHEREAS, Viken Detection, 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 on February 27, 2023; and

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Irvington hereby award a contract to Viken Detection., for an amount not to exceed \$32,760.00 for the purchase of two lead pain analyzers.

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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 C23-0041 in the amount of \$32,760.00 from account number G-02-xx-716-19A-250 has been obtained from the Chief Financial Officer.

Adopted
Absent: Vick

Hudley - Cox 3. Authorize Acceptance of \$491,464 in Grant Funds from The New Jersey Association Of County And City Health Officials (Njaccho) For Enhancing Local Public Health Infrastructure

RESOLUTION TO ACCEPT GRANT FUNDS FROM THE NEW JERSEY ASSOCIATION OF COUNTY AND CITY HEALTH OFFICIALS (NJACCHO) FOR ENHANCING LOCAL PUBLIC HEALTH INFRASTRUCTURE

WHEREAS, on February 28, 2023, the New Jersey Association of County and City Health Officials (NJACCHO) has made grant funding of \$491,464 available to the Irvington Department of Health and Senior Services, to be utilized toward activities and expenses to enhance public health infrastructure in preparedness for future public health emergencies.

WHEREAS, the timeframe for which this grant funding is authorized from October 1, 2022 until June 30, 2023.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Mayor, Business Administrator and Chief Financial Officer are hereby authorized to accept and utilize funding from (NJACCHO) New Jersey Association of County and City Health Officials to enhance public health infrastructure in preparedness for future public health emergencies.

Adopted
Absent: Vick

Hudley - Cox 4. Rescind Resolution Number Ta 23-0214-9 Awarding Professional Services Contract for Litigation/Defense Counsel Services to Lamb Kretzer, LLC

**RESOLUTION RESCINDING RESOLUTION NUMBER TA 23-0214-9
AWARDING PROFESSIONAL SERVICES CONTRACT FOR
LITIGATION/DEFENSE COUNSEL SERVICES**

WHEREAS, on February 14, 2023, the Municipal Council awarded a contract for Litigation Services to Lamb Kretzer, LLC under Resolution No. TA 23-0214-9; and

WHEREAS, the Township of Irvington has determined that the Resolution No. TA 23-0214-9 should be rescinded;

NOW THEREFORE BE IT RESOLVED by the Council of Township of Irvington, in the County of Essex, that Resolution No. TA-23-0214-9 approved on February 14, 2023 is hereby rescinded.

Adopted
Absent: Vick

Cox – Hudley 5. Ratify Professional Services Contract For Litigation/Defense Counsel Services Eric M. Bernstein & Associates, LLC, in the Matter of Masters Makit Home Realty, LLC v. Eugene Granberry, et als. - Not To Exceed \$3,500.00

RESOLUTION RATIFYING PROFESSIONAL SERVICES CONTRACT FOR LITIGATION/DEFENSE COUNSEL SERVICES

WHEREAS, resolution number TA 22-1024-32 qualified six firms to provide litigation/defense counsel services for the Township of Irvington from November 01,2022 until October 31, 2023; and

WHEREAS, the resolution requires that all cases assigned to counsel for this purpose must be approved by the Municipal Council; and

WHEREAS, the Township Attorney has determined that Eric M. Bernstein & Associates, LLC has the most experience to defend the Township of Irvington in the matter of Masters Makit Home Realty, LLC v. Eugene Granberry, et als. Docket No. F-01544-19; and

WHEREAS, the Township Attorney has recommended that a contract be awarded to Eric M. Bernstein & Associates, LLC, 34 Mountain Blvd., Bldg. A, P.O. Box 4922, Warren, NJ, 07059; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Litigation/Defense counsel services be awarded to Eric M. Bernstein & Associates, LLC, 34 Mountain Blvd., Bldg. A, P.O. Box 4922, Warren, NJ, 07059 for a contract amount not to exceed \$3,500.00. The billing rate for this contract is \$150.00 per hour; and

BE IT FURTHER RESOLVED that the Township Attorney is hereby authorized and directed to prepare the necessary contracts for this case and the Mayor and Township Clerk are authorized and directed to sign the same; and

BE IT FURTHER RESOLVED, that funds for this service will paid from the Insurance fund for a contract amount not to exceed \$3,500.00. The billing rate for this contract is \$150.00 per hour.

Adopted
Absent: Vick

10. Communication and Petitions

A. Communications

None

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)

Elouise McDaniel
214 Nesbit Terrace

Michael Chase
64 Myrtle Avenue

Nekia Williams
147 Paine Avenue

Kathleen Witcher
14 Garwood Place

Vincent Randolph
394 Coit Street

Samuel Cherilus
90 – 40th Street

Council President Beasley addressed the concerns raised by the above referenced citizens on behalf of the Council.

There being no further business, the meeting adjourned at 7:59 P.M.

Jamillah Z. Beasley, Council President

Harold E. Wiener, Municipal Clerk