

REGULAR COUNCIL MEETING

APRIL 24, 2023

Virtual Zoom Meeting
Irvington, N.J. – Monday Evening
April 24, 2023 - 7:30 P.M.

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

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

Absent: Vernal Cox

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)

Elouise McDaniel, 214 Nesbit Terrace

5. Hearing of Council Members

President Beasley addressed the issues raised by the above referenced citizens.

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

A. Reports

1. Municipal Court - Weekly Summary Report For The Week Of April 3, 2023 to April 7, 2023
2. Municipal Court - Weekly Summary Report For The Week Of April 10, 2023 to April 14, 2023
3. Municipal Court – Electronic Collections Report – March, 2023

7. Reports of Committees

None

8. Ordinances, Bills & Claims

A. Ordinances on First Reading

None

A. Ordinances on Second Reading

None

C. Bills & Claims

Frederic – Evans

1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD APRIL 24, 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

	\$4,018,554.06
TOTAL	\$4,018,554.06

Adopted
Absent: Cox

Frederic – Evans

2. Payrolls

April 6, 2023

REGULAR	OVERTIME	OTHER	TOTAL
\$1,728,032.97	\$216,031.12	\$ 175,511.65	\$2,119,575.74

Adopted
Absent: Cox

9. Resolutions and Motions

A. Resolutions

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Frederic - Beasley

1. Resolution of Commendation - Joseph Makhandal Champagne, Jr., Esq.

**RESOLUTION OF COMMENDATION
JOSEPH MAKHANDAL CHAMPAGNE, JR. ESQ.
50TH BIRTHDAY - APRIL 27, 2023**

WHEREAS, Joseph Makhandal Champagne, Jr., Esq. is celebrating his 50th birth anniversary and his 30th year of service in various communities both at home and in the diaspora; and

WHEREAS Joseph Makhandal Champagne, Jr. Esquire is married with three wonderful children who are on high honor rolls in their respective schools; and

WHEREAS Joseph Makhandal Champagne, Jr. Esquire is committed and passionate about raising his nuclear family. He is equally devoted and dedicated to serving the human family; and

WHEREAS Joseph Makhandal is the Coordinator of the Respect for Life Foundation and Konbit Ranpli Tet Bati Moun, English for Operation Self Improvement for Community Development. He is also the Student Representative of the Nation of Islam for Haiti and the Vice President of the Haitian Diaspora United for Haiti. He is the founding member and senior advisor of the National Haitian-American Elected Officials Network Inc. (NHAEON.) He is the past president of the Haitian American Lawyers Associations of New Jersey (HALA-NJ); and

WHEREAS, Joseph Makhandal is currently on the medical Board of Trustee of the Sherman College of Chiropractic in South Carolina; and

WHEREAS Joseph Makhandal Champagne, Jr. Esquire graduated high school as the valedictorian of his class at Sarah J. Hale H.S. He holds a Bachelor of Arts in Psychology with a concentration on pre-medical science studies from Columbia University (based on a full academic scholarship). While a student at Columbia University, he established the Black Student Leadership Collective; and

WHEREAS, soon after graduating from Columbia, Joseph Makhandal was so desirous to serve his community that he returned to his former High School, Sarah J. Hale H.S. to teach Environmental, Earth Science and Mathematics for one year. He then attended Georgetown University, Law Center's Charles Hamilton Houston Pre-law Institute program, where he won the Best Respondent Advocate award, class of 1999; and

WHEREAS Joseph Makhandal earned his Juris Doctor degree from Vermont Law School (VLS). While at VLS, he made the Deans' List and founded The Vermont Law Student Leadership Collective for Human Rights, a campus wide student group missioned to cultivate and promote student leadership talents. While at VLS, Mr. Champagne participated at the Study Abroad Program to study European Union Law in Italy at the Universidad Di Trento, School of Law; and

WHEREAS Joseph Makhandal served as a Judicial Law Clerk to the Honorable Wendell E. Daniels, J.S.C., of the Superior Court of New Jersey, Ocean County. Soon thereafter, Mr. Champagne opened his own practice in New Jersey focusing primarily on Immigration, Criminal, Personal Injury, Worker's Compensation and Family laws; and

WHEREAS Joseph Makhandal is a member of the Ocean County Bar Association, the New Jersey Bar Association, The Third and Fourth Circuit Court of Appeals Bar Association as well as the American

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Immigration Lawyers. He is admitted to practice law in New Jersey Supreme Court, The United States District Court of New Jersey, The Third Circuit Court of Appeals and The Fourth Circuit Court of Appeals of the United States of America; and

WHEREAS Joseph Makhandal has a unique experience in politics. On November 2, 2008, He was elected as councilman to the Borough of South Toms River and became the first Haitian-American elected council in the State of New Jersey. Before finishing his three-year term, on November 2, 2010, he became the first popularly elected black mayor in Ocean County and the first Haitian-American elected mayor in the State of New Jersey's history. He was the assistant to the Public Policy Counsel and Executive Director of the Lawyers' Committee for Civil Rights Under Law in Washington, D.C.; and

WHEREAS Joseph Makhandal has achieved all of this prior to he's 50th birthday on April 27, 2023; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington joins in the celebration of the Honorable Joseph Makhandal Champagne Jr.'s 30 years of service and 50 years of life and the Township wishes him many, many more years of life and active work with good health and happiness as he continues to his remarkable journey in this world; and

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of this governing body as a sustaining and lasting tribute to Joseph Makhandal Champagne, Jr., Esq.'s contributions to all those that have been fortunate enough to cross his life's path and to his community minded and family oriented spirit.

Adopted
Absent: Cox

Vick – Hudley 2. Support Senate Bill No. 2413 and Assembly Bill No. 4115 which
Requires a Minimum Annual State Appropriation of \$10 Million for Public
Health Priority Funding

**IRVINGTON MUNICIPAL COUNCIL, ACTING AS THE IRVINGTON BOARD OF HEALTH
MUNICIPAL BUILDING, CIVIC SQUARE, IRVINGTON, N.J. 07111**

RESOLUTION

IN SUPPORT OF LEGISLATION REINSTATING PUBLIC HEALTH PRIORITY FUNDING

WHEREAS, the Irvington Municipal Council, acting as the Irvington Local Board of Health, by virtue of Ordinance MC 2100, provides public health services to the Town of Irvington; and

WHEREAS, the Irvington Board of Health has held and continues to hold a position in support of providing increased sustained funding to local public health, and;

WHEREAS, Public Health Priority Funding, although statutorily required, has not been provided to local public health departments since 2011, and;

WHEREAS, on May 9, 2022 the Senate referred Bill No. 2413 requiring minimum annual State appropriation of \$10 million for Public Health Priority Funding to the Senate Health, Human Services and Senior Citizens Committee for consideration, and;

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WHEREAS, on June 2, 2022 the Assembly referred Bill No. 4115 to the Assembly Health Committee for consideration, and;

WHEREAS, the Trust for America's Health recognizes that public health has been chronically underfunded¹, and;

WHEREAS, emergency funding is not sufficient to address system weaknesses created by chronic underfunding, and;

WHEREAS, the Robert Wood Johnson Foundation reports that 71% of the public supports increased funding to public health², and;

WHEREAS, the American Public Health Association states that every 10% increase in funding for public health programs has the potential to reduce deaths due to largely preventable causes by up to 7%³, and;

WHEREAS, it is estimated by America's Health Rankings that there is a savings of \$5.60 for every \$1 invested in public health⁴, and;

WHEREAS, the vast majority of local public health departments in New Jersey are funded almost entirely by local funds, and;

NOW, THEREFORE, BE IT RESOLVED, that the Irvington Municipal Council, acting as the Irvington Local Board of Health, County of Essex, State of New Jersey, fully supports the proposed legislation and urges the legislature to pass the bills promptly.

BE IT FURTHER RESOLVED, that upon passage by the New Jersey State Legislature that the Irvington Municipal Council, acting as the Irvington Local Board of Health urges the Governor to sign the bill into law promptly.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Office of the Governor of the State of New Jersey, the State Legislators representing the Town of Irvington, the Speaker of the New Jersey General Assembly, the President of the New Jersey State Senate, the Senate Health, Human Services and Senior Citizens Committee, the Assembly Health Committee, and the Commissioner of the New Jersey Department of Health.

Adopted
Absent: Cox

Beasley –Brown

3. Designate June 10, 2023 as Nashawn Brooks Day In The Township Of Irvington

**RESOLUTION DESIGNATED JUNE 10TH
NASHAWN NAZIR BROOKS DAY**

WHEREAS, Nashawn Nasir Brooks was a lifelong resident and student of the Irvington, NJ public school system; and

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WHEREAS, Nashawn graduated from Irvington High School with a 3.2 GPA while taking honors classes during a portion of his junior year and all of his senior year; and

WHEREAS, during his years of grammar school, Nashawn received academic honors from the first to the 8th grade and was an outstanding athlete in football and wrestling and a was also a 2018-2019 member of the Irvington Junior Firefighters; and

WHEREAS, Nashawn excelled in wrestling after wrestling for 3 years and in 2019 Nashawn competed and won the Essex County Tournament in the 220 weight class and became the first wrestler from Irvington High School to be awarded Most Outstanding Wrestler award in that tournament; and

WHEREAS, during that 2019 season, he placed first in the district tournament and 4th in the regional tournament, while securing a spot in the wrestling state Playoffs in Atlantic City; and

WHEREAS, Nashawn was a standout on the Blue Knights varsity football team helping the team to a 31-13 record over his four year span he was also a team captain in 2018 and 2019, nominated by the coaches and players; ad

WHEREAS, the team won three consecutive conference championship, along with three state playoffs appearances during his time with the team and he was the team's defensive player of the year and overall team MVP: and

WHEREAS, Nashawn was a Maxwell Award nominee for player of the year in New Jersey and he was also voted 2019 Male Athlete of the Year by the coaches of Irvington High School; and

WHEREAS, Nashawn Nasir Brooks graduated from Irvington High School in 2019 and went on to Wagner College on a full Athletic Scholarship in football he was majoring in Engineering; and

WHEREAS, both the staff at Irvington High School and Wagner College loved him; and

WHEREAS, this year, in May of 2023 would have been his graduation with Wagner College inviting his family to the graduation ceremony to present them with his degree in engineering; and

WHEREAS, Nashawn Nasir Brooks' life was taken on June 10, 2020 in a tragic car accident:

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP OF IRVINGTON that June 10, 2023 is hereby designated as Nashawn Brooks Day in the Township of Irvington as a tribute to his many athletic and scholarly achievements throughout these past several years.

Adopted
Absent: Cox

Hudley – Vick

4. Authorize Non-Fair and Open Contract for Litigation Service – O'Connor v. Irvington et. al - Critchley, Kinum & Luria LLC - \$290.00 Per Hour For An Amount Not To Exceed \$50,000.00 For One Year, Effective April 24,

2023

A RESOLUTION AUTHORIZING A NON-FAIR AND OPEN CONTRACT FOR LITIGATION SERVICE IN THE MATTER OF RYAN O’CONNOR V TOWNSHIP OF IRVINGTON ET. AL

WHEREAS, the Township of Irvington, in the County of Essex and State of New Jersey, is in need of Litigation Counsel services; and

WHEREAS, the Township Attorney would like to retain the service of Critchley, Kinum & Luria LLC to provide Litigation counsel service for the Legal Department in the matter of Ryan O’Connor V Township of Irvington; and

WHEREAS, Critchley, Kinum & Luria LLC has provide the Township with a proposal to provide this service for a total sum of \$290.00 per hour for an amount not to exceed \$50,000.00 for one year; and

WHEREAS, pursuant to the provisions of N.J.S.A. 19:44A-20.4 the vendor has completed the required pay to plays forms; and

WHEREAS, the C-271 Political Contribution Disclosure forms were on file in the Office of the Municipal Clerk and Purchasing Agent on March 22, 2023; and

WHEREAS, the Township would like to award a Non Fair and Open contract to , Critchley, Kinum & Luria LLC of 75 Livingston Ave, Suite 303, Roseland, NJ 07068; and

WHEREAS, the term of this contract will expire on April 24, 2024; and

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

NOW THEREFORE, BE IT RESOLVED that the Municipal Council of the Township of Irvington authorizes the award of a non-fair and open contract to Critchley, Kinum & Luria LLC and,

BE IT FUTHER RESLOVED that the required certification of availability of funds C23-0052 in the amount of \$4,166.66 from account number 3-01-20-155-155-256 has been obtained from the Chief Financial Officer and the remaining balance of \$45,833.34 will be certified upon the adoption of the 2023/2024 budget.

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

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

Adopted
Absent: Cox

Hudley – Frederic

5. Authorizing Purchases Over The Pay To Play Threshold Of \$17,500.00 But Under The Bid Threshold Of \$44,000.00 For Office Furniture – National Business Furniture - \$19,638.51

AUTHORIZING PURCHASES OVER THE PAY TO PLAY THRESHOLD OF \$17,500.00 BUT UNDER THE BID THRESHOLD OF \$44,000.00 FOR OFFICE FURNITURE

WHEREAS, the various departments are in need of office furniture; and

WHEREAS, the Township has obtained three quotes for this service from National Business Furniture, Office Furniture 2go.com and Staple Business Furniture herein attached; and

WHEREAS, National Business Furniture of 770 S 70th Street, Milwaukee, WI 53214 has provided the lowest quote for this service in the amount of \$19,638.51; and

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

WHEREAS, National Business Furniture 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 National Business Furniture in excess of the 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, 2023

BE IT FURTHER RESOLVED that the required certification of availability of funds C23-0065 in the amount of \$19,638.51 from account number T-21-41-850-21D-804 has been obtained from the Chief Financial Officer.

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

Adopted
Absent: Cox

Frederic - Evans

6. Request Reimbursement And Acceptance Certificate For Essex County Improvement Authority Lease Program

RESOLUTION REQUESTING FOR REIMBURSEMENT AND ACCEPTANCE CERTIFICATE FOR ESSEX COUNTY IMPROVEMENT AUTHORITY LEASE PROGRAM

BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON:

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The Assistant Business Administrator and Chief Financial Officer, do hereby certify pursuant to the terms of the Lease and Agreement between The Essex County Improvement Authority (the “Authority”) and Township of Irvington, dated as of November 1, 2019 (the “Lease Agreement”), as follows:

The Township of Irvington, on behalf of the Authority, has acquired the Item of Equipment described in Exhibit A to the Lease Agreement, the general description of which is: automobiles and copiers,

Attached hereto is all necessary legal documentation to evidence ownership and purchase of such Item of Equipment.

Such Item of Equipment meets the Township’s specifications therefor, and will be delivered in compliance with the Township’s satisfaction and signed contracts on file. All equipment will be inspected to ensure that it is in good repair and working order. This certificate constitutes the Acceptance Certificate for such Item of Equipment.

The amount of progress payment for the Items of Equipment is \$218,596.16. Such amount is authorized by the Lease Agreement to be withdrawn from the Acquisition Fund and such amount is the correct amount as specified in the manufacturer’s contract.

Terms defined in the Lease Agreement and used in this certificate have the same meanings in this certificate as are ascribed to such terms in the Lease Agreement.

The Mayor and Municipal Clerk is hereby authorized and directed to sign and execute this acceptance certificate.

Township of Irvington Representative

Date:

Name: Anthony Vauss
Title: Honorable Mayor

Attest by _____
Harold Wiener
Township Clerk

Adopted
Absent: Cox

Brown - Vick

7. Award An Emergency Contract For The Collection Of Recycling Waste To Integrity Recycling And Waste Solutions, Inc. For An Amount Not To Exceed \$100,000.00

RESOLUTION TO AWARD AN EMERGENCY CONTRACT FOR COLLECTION OF RECYCLING WASTE

WHEREAS, on January 03, 2023, DPW needed to dispose of recyclable waste and;

WHEREAS, DPW contacted Integrity Recycling and Waste to dispose of said waste, and;

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WHEREAS, the Public Works Director declared an emergency on February 27, 2023 to provide an emergency contract to dispose of recycling waste and;

WHEREAS, Integrity Recycling and Waste Solution of 111 Route 31, suite 223, Flemington, NJ 08822 was called and services were rendered and;

WHEREAS, this situation constitutes a threat to public health, safety, welfare, and the Public Works Director declared an Emergency to dispose of the recycling waste immediately. Integrity Recycling and Waste had the necessary machinery to dispose of the recycling waste and was available immediately to perform the work on an emergency basis, and;

WHEREAS, the Mayor concurred with the Public Works Director and approved said emergency, and;

WHEREAS, the total cost to provide emergency service to the Township was \$100,000.00

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that it ratifies the decision of the Administration to authorize an emergency contract to Integrity Recycling and Waste Solutions Inc of 111 Route 31, suite 223, Flemington, NJ 08822, for an amount not to exceed \$100,000.00

BE IT FUTHER RESLOVED, that the required certification of availability of funds C23-0044 in the amount of \$100,000.00 from account number 3-01-32-465-465-118 has been obtained from the Chief Financial Officer.

Adopted
Absent: Cox

Frederic – Vick

8. To Refund Property Taxes on 124 Berkshire Place, Block 257, Lot 20 In The Amount Of \$7,371.75 Due To Bankruptcy Issue

**RESOLUTION TO REFUND PROPERTY TAXES
124 Berkshire Pl, Block 257 Lot 20**

WHEREAS, an accelerated tax sale was held on December 21, 2015 for unpaid municipal charges; and

WHEREAS, a lien was placed on 124 Berkshire Pl, Block 257 Lot 20 for delinquent 2015 taxes and sewer charges; and

WHEREAS, the lienholder of TSC# 15-01378, Pro Cap 6, LLC has paid subsequent taxes and sewer charges for subsequent delinquent municipal charges; and

WHEREAS, the owner of 124 Berkshire Pl has filed Chapter 13 bankruptcy on September 21, 2018 and is currently in a bankruptcy plan to pay delinquent municipal charges; and

WHEREAS, the lienholder Pro Cap 6, LLC remitted subsequent tax payment in the amount of \$7,371.75 on February 23, 2023 and payment was posted to the 2022 and 2023 delinquent taxes; and

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WHEREAS, the Tax Collector request to refund the lienholder, Pro Cap 6, the charges paid on 124 Berkshire Pl in the amount of \$7,371.75 as well as re-open the taxes originally paid by the lienholder.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Tax Collector's office is authorized and directed to refund the lienholder, Pro Cap 6, the charges paid in the amount of **\$7,371.75** as well as re-open the taxes originally paid by the lienholder.

Adopted
Absent: Cox

Vick - Brown

9. Authorize the Execution of an Escrow Agreement With MMD Investment LLC For The Redevelopment Of Property Identified As Block 203, Lots 3, 5 And 6 On The Tax Maps Of The Township And Identified In The Township Tax Records Respectively, As 84 Coit Street, 68 Coit Street And 390 Nye Avenue

RESOLUTION OF THE TOWNSHIP OF IRVINGTON AUTHORIZING THE EXECUTION OF AN ESCROW AGREEMENT WITH MMD INVESTMENT LLC FOR THE REDEVELOPMENT OF PROPERTY IDENTIFIED AS BLOCK 203, LOTS 3, 5 AND 6 ON THE TAX MAPS OF THE TOWNSHIP AND IDENTIFIED IN THE TOWNSHIP TAX RECORDS RESPECTIVELY, AS 84 COIT STREET, 68 COIT STREET AND 390 NYE AVENUE

WHEREAS, the Municipal Council (the “**Township Council**”) of 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.* (the “**Redevelopment Law**”), 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, the Township Council, by Resolution 94-0809-5 dated August 9, 1994, created the Township Urban Enterprise Zone (the “**UEZ**”) pursuant to the New Jersey Urban Enterprise Zones Act, *N.J.S.A. 52:27H-60 et seq.*; and

WHEREAS, the Township Council designated certain properties within and contiguous to the UEZ as an area in need of rehabilitation (the “**Rehabilitation Area**”) by Resolution UEZ 07-0227-5, dated February 27, 2007 in accordance with the requirements of *N.J.S.A. 40A:12A-14*; and

WHEREAS, the Township Council duly adopted a redevelopment plan by Ordinance MC No. 3351 dated September 11, 2007, to govern the redevelopment of the UEZ Rehabilitation Area (as amended, the “**Redevelopment Plan**”) in accordance with *N.J.S.A. 40A:12A-7*; 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, MMD Investment LLC, and its Affiliates, (the “**Proposed Redeveloper**”) are the owner of certain property within the Rehabilitation Area identified as Block 203, Lots 3, 5 and 6 on the tax maps of the

Township and identified in the Township tax records, respectively, 84 Coit Street, 68 Coit Street and 390 Nye Avenue (the “**Project Area**”); and

WHEREAS, the Proposed Redeveloper proposes to acquire certain property adjacent to the Project Area and to redevelop same by improving and expanding the existing commercial structure (the “**Project**”); and

WHEREAS, the Proposed Redeveloper has requested that the Township, in its capacity as redevelopment entity, enter into negotiations for a Redevelopment Agreement and/or Financial Agreement, as may be applicable or appropriate for the redevelopment of the Project Area (each, an “**Agreement**”); and

WHEREAS, the Proposed Redeveloper has agreed to defray certain costs incurred by or on behalf of the Township arising out of or in connection with the redevelopment of the Project Area; and

WHEREAS, the Township and the Proposed Redeveloper wish to enter into an escrow and funding agreement establishing the mechanism for the deposit and disposition of funds to cover the Township’s costs,

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. Execution of Agreement. The Township Council hereby authorizes the Mayor to execute the escrow and funding agreement substantially in the form attached hereto as Exhibit A, with such changes, deletions, and modifications in consultation with counsel as may be necessary or desirable to effect the transaction contemplated by this resolution. However, neither the adoption of this resolution, nor the execution of the escrow and funding agreement authorized hereby, shall be construed in any way to bind the Township to execute one or more definitive agreements with respect to the Project.

Section 3. 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 4. Availability of the Resolution. A copy of this resolution shall be available for public inspection at the office of the Municipal Clerk.

Section 5. Effective Date. This resolution shall take effect immediately.

Exhibit A

ESCROW AGREEMENT

[ON FILE IN OFFICE OF COMMUNITY DEVELOPMENT]

Adopted
Absent: Cox

Vick - Evans

10 Authorize The Execution Of An Escrow Agreement With ZM 75
22 Street LTD Liability Company For The Redevelopment Of Property
Identified As Block 148, Lots 23-24; On The Tax Maps Of The

Township And Identified In The Township Tax Records, Respectively,
As 95 22nd Street And 89 22nd Street

**RESOLUTION OF THE TOWNSHIP OF IRVINGTON AUTHORIZING THE
EXECUTION OF AN ESCROW AGREEMENT WITH ZM 75 22 STREET LTD
LIABILITY COMPANY FOR THE REDEVELOPMENT OF PROPERTY
IDENTIFIED AS BLOCK 148, LOTS 23-24; ON THE TAX MAPS OF THE
TOWNSHIP AND IDENTIFIED IN THE TOWNSHIP TAX RECORDS,
RESPECTIVELY, AS 95 22nd STREET AND 89 22nd STREET**

WHEREAS, the Municipal Council (the “**Township Council**”) of 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.* (the “**Redevelopment Law**”), 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, on August 13, 2002, the Township Council, by Resolution No. UEZ 02-0813-14, the Township Council adopted a resolution designating certain properties within the east ward of the Township as an area in need of redevelopment (the “**Redevelopment Area**”); and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7 of the Redevelopment Law and in accordance with the procedures set forth therein, the Township Council duly adopted the East Ward/East Springfield Avenue Redevelopment Plan (the “**Redevelopment Plan**”) for the Redevelopment Area; and

WHEREAS, to realize the redevelopment of Redevelopment 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 a certain property within the Redevelopment Area designated as Block 148, Lot 24 and identified in the Township tax records as 89 22nd Street (the “**Township Parcel**”); and

WHEREAS, ZM 75 22 Street Ltd Liability Company (the “**Proposed Redeveloper**”) proposes to acquire the Township Parcel and to enter into an agreement for the acquisition of the adjacent lot, designated as Block 148, Lot 23 and identified in the Township tax records as 95 22nd Street (together with the Township Parcel, the “**Project Area**”) and to redevelop same by constructing thereon a multi-family residential building (the “**Project**”) and

WHEREAS, the Proposed Redeveloper has requested that the Township, in its capacity as redevelopment entity, enter into negotiations for a Redevelopment Agreement and/or Financial Agreement, as may be applicable or appropriate for the redevelopment of the Project Area (each, an “**Agreement**”); and

WHEREAS, the Proposed Redeveloper has agreed to defray certain costs incurred by or on behalf of the Township arising out of or in connection with the redevelopment of the Project Area; and

WHEREAS, the Township and the Proposed Redeveloper wish to enter into an escrow and funding agreement establishing the mechanism for the deposit and disposition of funds to cover the Township’s costs,

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. Execution of Agreement. The Township Council hereby authorizes the Mayor to execute the escrow and funding agreement substantially in the form attached hereto as Exhibit A, with such changes, deletions, and modifications in consultation with counsel as may be necessary or desirable to effect the transaction contemplated by this resolution. However, neither the adoption of this resolution, nor the execution of the escrow and funding agreement authorized hereby, shall be construed in any way to bind the Township to execute one or more definitive agreements with respect to the Project.

Section 3. 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 4. Availability of the Resolution. A copy of this resolution shall be available for public inspection at the office of the Municipal Clerk.

Section 5. Effective Date. This resolution shall take effect immediately.

Exhibit A

ESCROW AGREEMENT

[ON FILE IN OFFICE OF COMMUNITY DEVELOPMENT]

Adopted
Absent: Cox

Vick – Evans

11. Authorize The Execution Of An Escrow Agreement With ZM 75 22 Street LTD Liability Company For The Redevelopment Of Property Identified As Block 148, Lots 28-35; On The Tax Maps Of The Township And Identified In The Township Tax Records, Respectively, As 77-79 22nd Street, 73-75 22nd Street, 71 22nd Street, 69 22nd Street, 67 22nd Street, 65 22nd Street, 63 22nd Street And 61 22nd Street

RESOLUTION OF THE TOWNSHIP OF IRVINGTON AUTHORIZING THE EXECUTION OF AN ESCROW AGREEMENT WITH ZM 75 22 STREET LTD LIABILITY COMPANY FOR THE REDEVELOPMENT OF PROPERTY IDENTIFIED AS BLOCK 148, LOTS 28-35; ON THE TAX MAPS OF THE TOWNSHIP AND IDENTIFIED IN THE TOWNSHIP TAX RECORDS, RESPECTIVELY, AS 77-79 22nd STREET, 73-75 22nd STREET, 71 22nd STREET, 69 22nd STREET, 67 22nd STREET, 65 22nd STREET, 63 22nd STREET AND 61 22nd STREET

WHEREAS, the Municipal Council (the “**Township Council**”) of 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.* (the “**Redevelopment Law**”), 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, on August 13, 2002, the Township Council, by Resolution No. UEZ 02-0813-14, the Township Council adopted a resolution designating certain properties within the east ward of the Township as an area in need of redevelopment (the “**Redevelopment Area**”); and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7 of the Redevelopment Law and in accordance with the procedures set forth therein, the Township Council duly adopted the East Ward/East Springfield Avenue Redevelopment Plan (the “**Redevelopment Plan**”) for the Redevelopment Area; and

WHEREAS, to realize the redevelopment of Redevelopment 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 properties within the Redevelopment Area designated as Block 148, Lots 30, 31, 33, 34 & 35 and identified in the Township tax records, respectively, as 71 22nd Street, 69 22nd Street, 65 22nd Street, 63 22nd Street and 61 22nd Street (the “**Township Parcels**”); and

WHEREAS, ZM 75 22 Street Ltd Liability Company (the “**Proposed Redeveloper**”), and its Affiliates, are the owners of certain properties within the Redevelopment Area designated as Block 148, Lots 28 & 32 and identified in the Township tax records, respectively, as 77-79 22nd Street and 67 22nd Street; and is the contract purchaser of the property designated as Block 148, Lot 29 and identified in the Township tax records as 73-75 22nd Street (the “**Redeveloper Parcels**”, together with the Township Parcels, the “**Project Area**”); and

WHEREAS, the Proposed Redeveloper proposes to acquire the Township Parcels, to assemble the Project Area and to redevelop same by constructing thereon a 5-story residential building with 68 residential units in accordance with the Redevelopment Plan (the “**Project**”); and

WHEREAS, the Proposed Redeveloper has requested that the Township, in its capacity as redevelopment entity, enter into negotiations for a Redevelopment Agreement and/or Financial Agreement, as may be applicable or appropriate for the redevelopment of the Project Area (each, an “**Agreement**”); and

WHEREAS, the Proposed Redeveloper has agreed to defray certain costs incurred by or on behalf of the Township arising out of or in connection with the redevelopment of the Project Area; and

WHEREAS, the Township and the Proposed Redeveloper wish to enter into an escrow and funding agreement establishing the mechanism for the deposit and disposition of funds to cover the Township’s costs,

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. Execution of Agreement. The Township Council hereby authorizes the Mayor to execute the escrow and funding agreement substantially in the form attached hereto as Exhibit A, with such changes, deletions, and modifications in consultation with counsel as may be necessary or desirable to effect

the transaction contemplated by this resolution. However, neither the adoption of this resolution, nor the execution of the escrow and funding agreement authorized hereby, shall be construed in any way to bind the Township to execute one or more definitive agreements with respect to the Project.

Section 3. 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 4. Availability of the Resolution. A copy of this resolution shall be available for public inspection at the office of the Municipal Clerk.

Section 5. Effective Date. This resolution shall take effect immediately.

Exhibit A

ESCROW AGREEMENT

[ON FILE IN OFFICE OF COMMUNITY DEVELOPMENT]

Adopted
Absent: Cox

Vick - Beasley

12. Authorize The Execution Of An Escrow Agreement With ZM 75 22 Street LTD Liability Company For The Redevelopment Of Property Identified As Block 166, Lots 20-22; On The Tax Maps Of The Township And Identified In The Township Tax Records As 9-13 Madison Avenue

RESOLUTION OF THE TOWNSHIP OF IRVINGTON AUTHORIZING THE EXECUTION OF AN ESCROW AGREEMENT WITH ZM 75 22 STREET LTD LIABILITY COMPANY FOR THE REDEVELOPMENT OF PROPERTY IDENTIFIED AS BLOCK 166, LOTS 20-22; ON THE TAX MAPS OF THE TOWNSHIP AND IDENTIFIED IN THE TOWNSHIP TAX RECORDS AS 9-13 MADISON AVENUE

WHEREAS, the Municipal Council (the “**Township Council**”) of 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.* (the “**Redevelopment Law**”), 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 Redevelopment Law, on July 14, 2015, by resolution No. UEZ 15-0714-11, the Township Council 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, 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 within the Rehabilitation Area designated as Block 166, Lots 20-22 and identified in the Township tax records as 9-13 Madison Avenue (the “**Project Area**”); and

WHEREAS, ZM 75 22 Street Ltd Liability Company (the “**Proposed Redeveloper**”) proposes to acquire the Project Area and to redevelop same by constructing thereon a multifamily residential building in accordance with the Redevelopment Plan (the “**Project**”); and

WHEREAS, the Proposed Redeveloper has requested that the Township, in its capacity as redevelopment entity, enter into negotiations for a Redevelopment Agreement and/or Financial Agreement, as may be applicable or appropriate for the redevelopment of the Project Area (each, an “**Agreement**”); and

WHEREAS, the Proposed Redeveloper has agreed to defray certain costs incurred by or on behalf of the Township arising out of or in connection with the redevelopment of the Project Area; and

WHEREAS, the Township and the Proposed Redeveloper wish to enter into an escrow and funding agreement establishing the mechanism for the deposit and disposition of funds to cover the Township’s costs,

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. Execution of Agreement. The Township Council hereby authorizes the Mayor to execute the escrow and funding agreement substantially in the form attached hereto as Exhibit A, with such changes, deletions, and modifications in consultation with counsel as may be necessary or desirable to effect the transaction contemplated by this resolution. However, neither the adoption of this resolution, nor the execution of the escrow and funding agreement authorized hereby, shall be construed in any way to bind the Township to execute one or more definitive agreements with respect to the Project.

Section 3. 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 4. Availability of the Resolution. A copy of this resolution shall be available for public inspection at the office of the Municipal Clerk.

Section 5. Effective Date. This resolution shall take effect immediately.

Exhibit A

ESCROW AGREEMENT

[ON FILE IN OFFICE OF COMMUNITY DEVELOPMENT]

Adopted
Absent: Cox

Vick – Evans

13. Authorize The Execution Of An Escrow Agreement
With Lionheart Development Group, LLC For The Redevelopment Of
Property Identified In The Township Tax Records As 417
21st Street, 421 21st Street, 423 21st Street, 413 21st Street, 759
Springfield Avenue, 757 Springfield Avenue, 755 Springfield Avenue,
753 Springfield Avenue, 751 Springfield Avenue and 749 Springfield
Avenue

**RESOLUTION OF THE TOWNSHIP OF IRVINGTON AUTHORIZING THE
EXECUTION OF AN ESCROW AGREEMENT WITH LIONHEART
DEVELOPMENT GROUP, LLC FOR THE REDEVELOPMENT OF CERTAIN
PROPERTY IN THE TOWNSHIP**

WHEREAS, the Municipal Council (the “**Township Council**”) of 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.* (the “**Redevelopment Law**”), 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 Redevelopment Law, on July 14, 2015, by resolution No. UEZ 15-0714-11, the Township Council 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 “**Township-Wide Redevelopment Plan**”), pursuant to the Redevelopment Law and in accordance with the procedures set forth therein; and

WHEREAS, pursuant to *N.J.S.A. 40A:12A-4*, the Township has determined to act as the “redevelopment entity”, as such term is defined at *N.J.S.A. 40A:12A-3*, responsible for carrying out redevelopment projects in the Rehabilitation Area in accordance with the Redevelopment Plan, pursuant to *N.J.S.A. 40A:12A-4(c)*; and

WHEREAS, Lionheart Development Group, LLC (the “**Company**”) and the Township, in its capacity as redevelopment entity, intend to pursue pre-development activities, including, but not limited to a review of the Company’s proposal, the acquisition and conveyance of certain properties within the Township, and other related actions; and

WHEREAS, the Company has requested that the Township, in its capacity as redevelopment entity, enter into negotiations for a Redevelopment and Land Disposition Agreement and/or Financial Agreement, as may be applicable or appropriate for the redevelopment of the Property; and

WHEREAS, the Company proposes to explore the acquisition of certain properties identified on the official tax maps of the Township and identified in the Township tax records as:

Block	Lot	Address
-------	-----	---------

162	24	417 21 st Street
162	25	421 21 st Street
162	26	423 21 st Street
162	16	761 Springfield Avenue
162	17	759 Springfield Avenue
162	18	757 Springfield Avenue
162	19	755 Springfield Avenue
162	20	753 Springfield Avenue
162	21	751 Springfield Avenue
162	22	749 Springfield Avenue
162	26	423 21 st Street
162	25	421 21 st Street
162	23	413 21 st Street

(collectively, the “**Property**”) and to undertake the rehabilitation or redevelopment of same (the “**Project**”); and

WHEREAS, certain parcels identified above are located both within the Rehabilitation Area and within a redevelopment area designated by the Township in accordance with the Redevelopment Law, as the East Ward/Springfield Avenue Redevelopment Area. These lots identified above on the Township tax maps are subject to the superseding zoning of the *East Ward/East Springfield Avenue Redevelopment Plan* (as amended, the “**East Ward Redevelopment Plan**”, together with the Township-Wide Redevelopment Plan, the “**Redevelopment Plan**”); and

WHEREAS, the Company has agreed to defray certain costs incurred by or on behalf of the Township arising out of or in connection with the proposed Predevelopment Activities and the redevelopment of the Property; and

WHEREAS, the Township and the Company wish to enter into an escrow and funding agreement establishing the mechanism for the deposit and disposition of funds to cover the Township’s costs,

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. Execution of Agreement. The Township Council hereby authorizes the Mayor to execute the escrow and funding agreement substantially in the form attached hereto as Exhibit A, with such changes, deletions, and modifications in consultation with counsel as may be necessary or desirable to effect the transaction contemplated by this resolution. However, neither the adoption of this resolution, nor the

execution of the escrow and funding agreement authorized hereby, shall be construed in any way to bind the Township to execute one or more definitive agreements with respect to the Project.

Section 3. 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 4. Availability of the Resolution. A copy of this resolution shall be available for public inspection at the office of the Municipal Clerk.

Section 5. Effective Date. This resolution shall take effect immediately.

Exhibit A

ESCROW AGREEMENT

[ON FILE IN THE OFFICE OF COMMUNITY DEVELOPMENT]

Adopted
Absent: Cox

Vick - Evans 14. Authorize Contract for Foreclosure Counsel Services on Five Properties - Goldenberg, Mackler, Sayeh, Mintz, Pfeffer, Bonchi & Gill – Not To Exceed \$7,500.00

RESOLUTION RATIFYING PROFESSIONAL SERVICES CONTRACT FOR FORECLOSURE COUNSEL SERVICES

WHEREAS, resolution number TA 22-0531-6 qualified one firm to provide foreclosure counsel services for the Township of Irvington from July1, 2022 to June 30, 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 assigned Goldenberg, Mackler, Sayegh, Mintz, Pfeffer, Bonchi & Gill to represent the Township in five (5) foreclosure matters; 684-686 Stuyvesant Avenue Block 331 Lot 13; 55 Leslie Place Block 352 Lot 7; 23 Leslie Place Block 352 lot 17; 116 40th Street Block 353 Lot 3; 239 40th Street Block 362 Lot 6; WHEREAS, the Township Attorney has recommended that a contract be awarded to Goldenberg, Mackler, Sayeh, Mintz, Pfeffer, Bonchi & Gill, 660 New Road, Suite 1A, Northfield, NJ 08225; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Foreclosure Counsel services be awarded to Goldenberg, Mackler, Sayeh, Mintz, Pfeffer, Bonchi & Gill, 660 New Road, Suite 1A, Northfield, NJ 08225 for a contract amount not to exceed \$1,500.00. The billings rate shall exceeded \$1,200.00 per foreclosure complaint and \$150.00 per hour for any contested matters, 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;

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BE IT RESOLVED that the required Certification of Availability of Funds, certification number C23-0057 was obtained from the Chief Financial Officer and the appropriation to be charged for this expenditure is T-18-56-860-000-073 in the amount of \$7,500.00.

Adopted
Absent: Cox

Vick - Evans 15. Authorize Contract for Foreclosure Counsel Services on Three Properties - Goldenberg, Mackler, Sayeh, Mintz, Pfeffer, Bonchi & Gill – Not To Exceed \$4,500.00

RESOLUTION RATIFYING PROFESSIONAL SERVICES CONTRACT FOR FORECLOSURE COUNSEL SERVICES

WHEREAS, resolution number TA 22-0531-6 qualified one firm to provide foreclosure counsel services for the Township of Irvington from July1, 2022 to June 30, 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 assigned Goldenberg, Mackler, Sayegh, Mintz, Pfeffer, Bonchi & Gill to represent the Township in three (3) foreclosure matters; 265 21st Street Block 154 Lot 34; 676 18th Avenue Block 149 Lot 32; 303 Ellis Avenue Block 140 Lot 19; WHEREAS, the Township Attorney has recommended that a contract be awarded to Goldenberg, Mackler, Sayeh, Mintz, Pfeffer, Bonchi & Gill, 660 New Road, Suite 1A, Northfield, NJ 08225; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Foreclosure Counsel services be awarded to Goldenberg, Mackler, Sayeh, Mintz, Pfeffer, Bonchi & Gill, 660 New Road, Suite 1A, Northfield, NJ 08225 for a contract amount not to exceed \$1,500.00. The billings rate shall exceed \$1,200.00 per foreclosure complaint and \$150.00 per hour for any contested matters, 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 RESOLVED that the required Certification of Availability of Funds, certification number C23-0060 was obtained from the Chief Financial Officer and the appropriation to be charged for this expenditure is T-18-56-860-000-072 in the amount of \$4,500.00.

Adopted
Absent: Cox

Hudley – Beasley 16. Resolution of Sorrow - Dwight Christopher Love

**Resolution of Sorrow
Dwight Christopher Love**

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WHEREAS, Dwight Christopher Love, affectionately known as “Hasan”, was born on January 7, 1965 in Newark, New Jersey to the late Tommie Lee Love and Margaret Virginia Love. Hasan suddenly transitioned at age 58 on April 13, 2023; and

WHEREAS, Hasan was educated in the Irvington Public School District and graduated from Frank H. Morrell High School in 1983, as an honor roll student and star athlete. Additionally he attended William Paterson University in Wayne, New Jersey; and

WHEREAS, Hasan was a multi-talented two-sport superstar in football and basketball and the captain of both sports. His participation in sports garnered him accolades ranging from All-Metropolitan (NY/NJ State), All-County, and All-Conference honors in both sports. In 1983, He played in the Phil Simms NJ North-South All Star High School Football Classic with the Top 100 players in the state of New Jersey. Hasan received full athletic scholarship opportunities from National Top Ten Powerhouse Programs. He was also selected to play with the NY/NJ Elite AAU Basketball team. This team participated in a national tournament in Virginia in the summer of 1983 where he played with the likes of future professional basketball players. Hasan was inducted into the Irvington High School Athletic Hall of Fame in 2019; and

WHEREAS, Hasan was also a self-educated independent graphic artist, fashion designer, and entrepreneur. He branded Radical Art Design (RadArt) and Hasan Love Designs. He was consumed with perfecting his craft. His passion, creativity, and dreams were manifested through his life’s work. Hasan’s visuals were showcased on displays, shows, runways, canvases, clothing, and walls throughout the NY/NJ Metropolitan Area and other venues nationwide. Hasan received the most gratification from designing formal gowns during high school Prom season, displaying his featured original clothing designs at fashion shows, and illustrating cityscape wall murals; and

WHEREAS, Hasan will always be remembered as a phenomenal uncle. He was kind, patient, and loving. He always encouraged his nieces and nephews to pursue their dreams. He was considered the ‘fun uncle’ and adored by them. Hasan had a special relationship with each and everyone of them. For those reasons, he will be forever in their hearts. Hasan’s iconic legacy will always inspire many to be unapologetically themselves; and

WHEREAS, Left to cherish his memory are siblings, Sheila (David) Teal-Johnson, Doris (Tariq) Guess, Darren (Stacey) Love, Mark (Bernadette Dennis) Love, Wynette (Delina) Love, Satasha, and Eric Love, a host of aunts, uncles, nieces, nephews, wonderful friends and relatives. Hasan was preceded in death by his stepfather Henry Sr., and brothers Henry, Jr. and Michael.

Dwight Christopher Love, affectionately known as “Hasan”, was born on January 7, 1965 in Newark, New Jersey to the late Tommie Lee Love and Margaret Virginia Love. Hasan suddenly transitioned at age 58 on April 13, 2023; and

WHEREAS, Hasan was educated in the Irvington Public School District and graduated from Frank H. Morrell High School in 1983, as an honor roll student and star athlete. Additionally he attended William Paterson University in Wayne, New Jersey; and

WHEREAS, Hasan was a multi-talented two-sport superstar in football and basketball and the captain of both sports. His participation in sports garnered him accolades ranging from All-Metropolitan (NY/NJ State), All-County, and All-Conference honors in both sports. In 1983, He played in the Phil Simms NJ North-South All Star High School Football Classic with the Top 100 players in the state of New Jersey. Hasan received full athletic scholarship opportunities from National Top Ten Powerhouse Programs. He was also selected to play with the NY/NJ Elite AAU Basketball team. This team participated in a national tournament in Virginia

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in the summer of 1983 where he played with the likes of future professional basketball players. Hasan was inducted into the Irvington High School Athletic Hall of Fame in 2019; and

WHEREAS, Hasan was also a self-educated independent graphic artist, fashion designer, and entrepreneur. He branded Radical Art Design (RadArt) and Hasan Love Designs. He was consumed with perfecting his craft. His passion, creativity, and dreams were manifested through his life's work. Hasan's visuals were showcased on displays, shows, runways, canvases, clothing, and walls throughout the NY/NJ Metropolitan Area and other venues nationwide. Hasan received the most gratification from designing formal gowns during high school Prom season, displaying his featured original clothing designs at fashion shows, and illustrating cityscape wall murals; and

WHEREAS, Hasan will always be remembered as a phenomenal uncle. He was kind, patient, and loving. He always encouraged his nieces and nephews to pursue their dreams. He was considered the 'fun uncle' and adored by them. Hasan had a special relationship with each and everyone of them. For those reasons, he will be forever in their hearts. Hasan's iconic legacy will always inspire many to be unapologetically themselves; and

WHEREAS, Hasan was preceded in death by his stepfather Henry Sr., and brothers Henry, Jr. and Michael:

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP OF IRVINGTON that the Township of Irvington joins with the friends and family of Dwight Christopher Love in mourning his loss; and

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of this governing body in lasting tribute to Dwight Christopher Love.

Adopted
Absent: Cox

Hudley - Brown

17. Authorize Purchase of Eye Exams and Glasses for Township Residents - Optical Academy LLC - Not to Exceed \$39,500.00

AUTHORIZING PURCHASES OVER THE PAY TO PLAY THRESHOLD OF \$17,500.00 FOR EYE EXAMS AND GLASSES FOR TOWNSHIP RESIDENTS

WHEREAS, the Township wishes to purchase eye exams and glasses for Township residents; and

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

WHEREAS, the Township has obtained three quotes from Lens Crafters, Optical Academy LLC and Glasses USA herein attached; and

WHEREAS, Optical Academy LLC has provided the lowest quote for an amount not to exceed \$39,500.00; and

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

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WHEREAS, Optical Academy LLC., 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 April 10, 2023; and

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Irvington hereby award a contract to Optical Academy LLC., for an amount not to exceed \$39,500.00 for the purchase of eye exams and eye glasses.

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 C23-0063 in the amount of \$39,500.00 from account number G-02-xx-747-23A-012 has been obtained from the Chief Financial Officer.

Adopted
Absent: Cox

Frederic – Vick

18. Completion and Closeout Certificate For Essex County
Improvement Authority Lease Program for the Township of Irvington

COMPLETION AND CLOSE OUT CERTIFICATE FOR THE TOWNSHIP OF IRVINGTON

The Assistant Business Administrator and Chief Financial Officer do hereby certify pursuant to the terms of the Lease and Agreement between The Essex County Improvement Authority (the “Authority”) and the Township of Irvington dated as of November 1, 2019 (the “Lease Agreement”), as follows:

- A. The Board is filing this certificate pursuant to Section 2.5 of the Lease Agreement and Section 403(4) of the Bond Resolution.
- B. The acquisition and installation of all Items of Equipment has been completed substantially in accordance with the specifications applicable thereto and that such Equipment is ready for use;
- C. The date of completion was April 01, 2023;
- D. The amount for the payment of any remaining part of the Cost thereof is \$218,596.16;
- E. The Township would like to amend original list of Equipment to remove some equipment and add additional equipment, exhibit C herein attached.
- F. This is fifth and final request and no additional funds remains on this lease program after this balance is paid.
- G. The Authorized Board Representative is hereby authorized to close this Lease Agreement.
- H. The Certificate is given without prejudice to any rights against third parties which exist as of the date of this certificate or which may subsequently come into being;
- I. The undersigned is an Authorized Board Representative

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J. Terms defined in the Lease Agreement and used in this certificate have the same meanings in this certificate as are ascribed to such terms in the Lease Agreement.

K. The Mayor and Municipal Clerk is hereby authorized and directed to sign and execute this acceptance certificate

L.
Township of Irvington Representative

Date: _____

Name: Anthony Vauss

Title: Honorable Mayor

Attest by _____

Harold Wiener
Township Clerk

Adopted

10. Communication and Petitions

A. Communications

1. Essex County Board of Taxation – Resolution Establishing the Percentage of 100% Ratio as the Ratio of Assessed to True Value of Real Property as the Ratio to be Used within the County of Essex for the Purpose of Assessing the Taxable Values to be Used in Levying Taxes for the Calendar Year 2023 and Thereafter Until Changed in Accordance With Law

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
Samuel Cherilus, 90 – 40th Street
Vincent Randolph, 394 Coit Street

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

At this point, various Council Members announced upcoming programs in the Township over the next several months.

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

Jamillah Z. Beasley, Council President

Harold E. Wiener, Municipal Clerk