

REGULAR COUNCIL MEETING  
MAY 8, 2023

Virtual Zoom Meeting  
Irvington, N.J. – Monday Evening  
May 8, 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,  
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

1. Municipal Court - Weekly Summary Report For The Week Of April 17, 2023 to April 21, 2023
2. Municipal Court – Mayor’s Report for March 2023
3. Municipal Court - Weekly Summary Report For The Week Of April 24, 2023 to April 28, 2023

7. Reports of Committees

- A. Bid Results – Revaluation of Real Properties – April 26, 2023 (Includes Bidder’s Letter Description)

8. Ordinances, Bills & Claims

A. Ordinances on First Reading

Vick - Cox

1. Allow Parking on the West Side of Washington Avenue, Between Madison Avenue and Springfield Avenue From a Point 510 Feet North of Springfield

Avenue Thursdays from 12 PM to 2 PM

**AN ORDINANCE AMENDING SECTION 620-97, OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF IRVINGTON ENTITLED "PARKING TIME LIMITED"**

Adopted

Vick – Hudley

**2. Regulate Short Term Rental Properties**

**AN ORDINANCE TITLED “SHORT-TERM RENTAL PROPERTY REGULATIONS” CREATING CHAPTER 46 UNDER ARTICLE II- SHORT-TERM RENTAL PROPERTY REGULATION, SO AS TO REGULATE THE SHORT-TERM RENTAL OR LETTING OF ANY RESIDENTIAL PREMISES OR PARTS THEREOF EXCEPT CERTAIN LICENSED HOTELS OR MOTELS**

Adopted

**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 MAY 8, 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**

	\$5,208,210.06
SUPPLEMENTAL	\$ 23,126.80
TOTAL	\$5,231,336.86

Adopted

Cox - Brown

2. Payrolls

April 21, 2023

TOTAL

\$2,036,462.56

Adopted

9. Resolutions and Motions

A. Resolutions

Brown – Cox

1. Authorize \$2,873.54 Reimbursement to Municipal Employee For Payment Of Zoom Meeting Account

**RESOLUTION TO REIMBURSE MUNICIPAL EMPLOYEE \$2,873.54 FOR PAYMENT OF ZOOM MEETING ACCOUNT**

WHEREAS, all purchases of goods and services must be procured using a purchase order; and

WHEREAS, N.J.S.A 40A:5A-1 et eq, requires that all purchases of goods and services must be encumbered prior to the issuance of said service; and

WHEREAS, N.J.S.A. 40A:11-5(5)(a)(i) requires that all purchases must be procured in a fair, open and competitive manner; and

WHEREAS, N.J.S.A. 54A:7-1.2. requires all vendors that are paid with taxpayers funds are required to have a New Jersey Business Registration Certificate and W-9 form on file with the Municipality for tax and audit purposes; and

WHEREAS, on April 03, 2022-April 03, 2023, Honorable Mayor Anthony Vauss opted to pay for Zoom meeting software; and

WHEREAS, Honorable Mayor Anthony Vauss has submitted a request to be reimbursed for this service, which he paid with a credit card for an amount of \$2,873.54; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON authorize the Qualified Purchasing Agent to reimburse, Honorable Mayor Anthony Vauss the total sum of \$2,873.54 for Zoom Meeting software; and

BE IT RESOLVED that the required certification of availability of funds C23-0071 in the amount of \$2,873.54 from account number 3-01-20-110-110-299 has been obtained from the Chief Financial Officer.

Adopted

Cox – Frederic

2. Authorizes Purchase Of Proprietary Software for Service Contract for to Visual Computers Inc for Scheduling System for Time and Attendance for all Police Personnel for the Total Sum of \$8,158.21

**RESOLUTION TO PURCHASE PROPRIETARY SOFTWARE TECHNOLOGY FOR  
THE PUBLIC SAFETY DEPARTMENT**

WHEREAS, the Public Safety Department is required to use a scheduling system for time and attendance for all Police Personnel; and

WHEREAS, the technology and maintenance are proprietary software for Visual Computers Inc; and

WHEREAS, the total cost of this software will exceed the quote threshold; and

WHEREAS, under New Jersey Local Public Contract (NJSA 40A:11-5dd), the Township may award a contract for proprietary software in lieu of bidding; and

WHEREAS, the Township would like to take advantage of provisions of NJSA 40:11-5 (dd) and award a service contract to Visual Computers Inc of 4400 US Hwy 9 South, suite 3500, Freehold, NJ 07728

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON hereby authorizes a service contract to Visual Computers Inc of 4400 US Hwy 9 South, suite 3500, Freehold, NJ 07728 under provisions of NJSA 40:11-5dd to purchase proprietary software for the total sum of \$8,158.21; 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 availability of funds C23-0080 in the amount of \$8158.21 has been obtained from the Chief Financial Officer, charged to budget account number 3-01-25-240-240-299.

Adopted

Frederic - Hudley

3. Award An Emergency Road Collapse Contract For 140 Prospect Avenue –  
Diamond Mason Contractors LLC - Lowest Quote - \$37,700.00

**RESOLUTION TO AWARD AN EMERGENCY ROAD COLLAPSE CONTRACT FOR 140  
PROSPECT AVE**

WHEREAS, a portion of the road collapse at 140 Prospect Ave on March 28, 2023; and

WHEREAS, the work needed to repair this street was beyond the current capabilities of the Department of Public Works and it is not practical for the Department of Public Works, and

WHEREAS, this situation constitutes a threat to public health, safety and welfare and the Director of Public Works has declared an emergency, and

WHEREAS, two vendors were contacted to provided quotes for this service, herein attached, and

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WHEREAS, Diamond Mason Contractors LLC provided the lowest quote to completed the requested repairs in the amount of \$37,700.00, and

WHEREAS, the Mayor has concurred with the amount and recommends that an emergency contract be awarded to Diamond Mason Contractors LLC \$37,700.00, and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that it ratifies the decision of the Director of Public Works and the Mayor to authorize an emergency contract in the amount of \$37,700.00 to Diamond Mason Contractors LLC., 280 Springfield Ave, Springfield, NJ 07081 to repair the road located at 140 Prospect Ave

BE IT FURTHER RESOLVED that the required certification of availability of funds C23-0077 in the amount of \$37,700.00 from account number 3-01-26-290-290-118 has been obtained from the Chief Financial Officer.

Adopted

Frederic - Hudley

4. Commemoration - Haitian Flag Day, 2023

### RESOLUTION OF COMMEMORATION HAITIAN FLAG DAY

WHEREAS, HAITI's history dates back to thousands of years. The western half of the island of Hispaniola, it was first inhabited by the Taino natives. Christopher Columbus was the first European to visit the island, doing so in 1492, founding the settlement of La Navidad. France and Spain divided Hispaniola between them in 1697, France receiving the western half, importing African slaves and imposing racial codes; and

WHEREAS, HAITIAN natives fought for their independence, under former slave Toussaint L'Ouverture, in the late 1700s and early 1800s. On January 1, 1804, HAITI proclaimed its independence from France, and withstood French and other nations' attempts to conquer them. HAITI is the second-oldest independent nation in the Americas; and

WHEREAS, For a country's citizens, the national flag is indisputably a symbol of general pride. They would consider any offense to their flag to be an offense to their country. Beyond being an icon though, a flag's origin can often say a lot about a nation's social makeup or history. Haitians feel no different and even reserve a special day to honor it, that day is May 14, 2023 and

WHEREAS, In Haiti, Flag Day is a major national holiday celebrated with great fanfare on the grounds of the national palace. Flag Day is also observed by Haitians in the Diaspora. In the United States Haitians give homage to the blue and red by carrying it around. Haiti's flag's origin is tightly linked to a history of struggle for freedom; and

WHEREAS, Toussaint Louverture and the army of revolted slaves fought successively for the Spanish against the French (1793-1794), for the French against Spain and England (1794-1802) and ultimately against France; and

WHEREAS, The leaders of the free slaves and the men of color had decided to fight for the creation of an independent nation. On May 18, 1803, in the city of Arcahaie, not far from Port-au-Prince, the newly

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appointed revolutionary leader Jean-Jacques Dessalines created the flag by taking a French tricolor and ripping out the white center. He then asked Catherine Flon to sew the remaining bands together; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that it hereby recognizes May 14, 2023 as Haitian Flag Day and honors this country's citizens and their ancestors who so bravely fought for their freedom from slavery.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of this governing body in lasting tribute to Haitian Flag Day.

Adopted

Frederic - Vick

5. Authorize the Township of Maplewood to Make a Storm Sewer Connection to the Township of Irvington's Storm Sewer System at the Intersection Of Tiffany Place And Franklin Terrace

RESOLUTION TO PERMIT THE TOWNSHIP OF MAPLEWOOD TO MAKE A STORM SEWER CONNECTION TO THE TOWNSHIP OF IRVINGTON'S STORM SEWER SYSTEM AT THE INTERSECTION OF TIFFANY PLACE AND FRANKLIN TERRACE

WHEREAS, during the course of construction of a new residential structure located at 95 Tiffany Place, Maplewood New Jersey (also known as Block 43.01 lot 233), a damaged 30 inch storm sewer was discovered that prevented the further construction of this new residential; and

WHEREAS, the subject property is located adjacent to the Maplewood/Irvington border and the Township Engineers of Irvington and Maplewood have reviewed this situation in the field and agreed that the most efficient way to resolve this problem would be to connect this small portion of Tiffany Place to the existing Irvington storm sewer located at the intersection of Franklin Terrace and Tiffany Place: and

WHEREAS, the Township of Maplewood prepared an engineering report that demonstrates that the Irvington storm sewer has capacity to receive this additional flow without any adverse impacts of the Irvington storm sewer system and the Irvington Township Engineer has reviewed this report and concurs with the results of that report; and

WHEREAS, the Township of Maplewood has agreed that the cost of all work will be borne by the Township of Maplewood and that the Township of Maplewood will provide all necessary insurances to the Township of Irvington as well as maintain this portion of new sewer line in perpetuity.

NOW, THEREFORE, BE IT RESOLVED BY MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Maplewood be permitted to connect a portion of storm sewer on Tiffany Place, connecting to the existing storm sewer manhole at the intersection of Tiffany Place and Franklin Terrace at no cost to the Township of Irvington. Further, an agreement memorializing this relationship be prepared and executed by both townships prior to the start of any work and the Township of Irvington agrees to waive any permit fees for the Township of Maplewood to complete this work.

Adopted

Cox – Vick

6. Resolution Superseding Resolution OCDP 21-0322-4 and Authorizing the Extension of the Conditional Designation of

Redevelopment Capital Partners LLC As Redeveloper For Certain  
Property Within the Township

**RESOLUTION OF THE TOWNSHIP OF IRVINGTON, IN THE COUNTY OF ESSEX,  
NEW JERSEY, SUPERSEDING RESOLUTION OCDP 21-0322-4 AND  
AUTHORIZING THE EXTENSION OF THE CONDITIONAL DESIGNATION OF  
REDEVELOPMENT CAPITAL PARTNERS LLC AS REDEVELOPER FOR  
CERTAIN PROPERTY WITHIN THE TOWNSHIP**

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

**WHEREAS**, in accordance with the requirements of the Redevelopment Law, on July 14, 2015, by resolution No. UEZ 15-0714-11, the Municipal Council (the “**Township Council**”) of the Township of Irvington (the “**Township**”) designated the entirety of the 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 the Redevelopment Law, including Section 8 thereof (*N.J.S.A. 40A:12A-8*), a municipality is permitted to contract with a redeveloper to undertake redevelopment projects pursuant to a redevelopment plan within the area designated in that plan; and

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

**WHEREAS**, the Township is the owner of certain properties located within the Rehabilitation Area, which properties are identified on the official tax maps and in the Township tax records as follows:

BLOCK	LOT	ADDRESS	PHASE
42	8	125 W. Allen Street	Phase 9
80	35	649 Nye Avenue	
83	3	1158 Clinton Avenue	Phase 8
88	4	94 Washington Avenue	Phase 8
88	12	110 Washington Avenue	Phase 8
98	12	134 Brookside Avenue	Phase 8
116	22	579-583 Grove Street	Phase 1
116	35	28 Grove Terrace	Phase 1
159	5	152 21st Street	Phase 1
162	16	761 Springfield Avenue	Phase 3
162	17	759 Springfield Avenue	Phase 3

162	23	413 21st Street	Phase 3
165	24	531 21st Street	Phase 5
168	7	120 Montgomery Avenue	Phase 5
200	36	47 Coit Street	Phase 5
210	8	68 Maple Avenue	Phase 4
210	48	941 Grove Street	Phase 4
210	49	943-947 Grove Street	Phase 4
210	50	949 Grove Street	Phase 4
210	51, 52	951 Grove Street	Phase 4
215	36	1061 Grove Street	Phase 5
216	20	1091 Grove Street	Phase 6
219	2	118 Grace Street	Phase 6
219	22	462 Nye Avenue	Phase 6
255	1	300 Union Avenue	Phase 7
256	4	10 Mt. Vernon Avenue	Phase 7
258	19	100-104 Melville Place	Phase 7
266	4	18 Cleremont Avenue	Phase 6
285	7	763 Lyons Avenue	Phase 7
300	7	43 Rutgers Street	Phase 7
303.01	1/C0005	539 Union Avenue	Phase 7
339	15	1251 Springfield Avenue	Phase 9
149	15	632 Grove St	Phase 2
166	26	475 21st Street	Phase 5
209	24	875 Springfield Avenue	Phase 4
211	18	56 Augusta Street	Phase 6
228	27	97-99 Mt. Vernon Avenue	Phase 7

(collectively, the “**Property**”); and

**WHEREAS**, the Township hereby determines that the Property is no longer needed for public use, and that the redevelopment thereof in accordance with applicable provisions of the Redevelopment Plan will contribute to the rehabilitation and reinvigoration of the Township and to the social and economic improvement of the Township in accordance with the objectives of the Redevelopment Law; and

**WHEREAS**, by Resolution dated March 11, 2019, the Township Council conditionally designated Redevelopment Capital Partners LLC as redeveloper of the Property, for a period of two (2) years to allow time for the parties to negotiate and enter into redevelopment agreements for the redevelopment of the Property; and

**WHEREAS**, the Township Council previously adopted a resolution extending the conditional designation until March 11, 2023; and

**WHEREAS**, Redevelopment Capital Partners LLC requested an extension of the designation so that it might finalize negotiation of the terms of the redevelopment agreements; and



**WHEREAS**, the Township Council now desires to extend the designation of Redevelopment Capital Partners LLC on the Property for a period of eighteen (18) months, which period may be extended, if necessary, in the sole discretion of the Director of Community Development for an additional period of thirty (30) days so that the Township may complete the negotiation of a redevelopment agreement with the Redeveloper for the redevelopment of the Property,

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

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

**Section 2.**     Extension of Conditional Designation of Redeveloper; Negotiation of a Redevelopment Agreement.

(a) The conditional designation as redeveloper of the Property previously granted to Redevelopment Capital Partners LLC is hereby extended for a period of eighteen (18) months, which period may be extended, if necessary, in the sole discretion of the Director of Community Development for an additional period of thirty (30) days, to allow the Township to complete the negotiation of a redevelopment agreement for the redevelopment of the Property.

(b) The Township hereby further directs and authorizes the Director of Community Development, in consultation with counsel, and with such other Township officials as may be necessary, to negotiate a redevelopment agreement with Redevelopment Capital Partners LLC during that time.

(c) If, at the expiration of this extension, the Township shall not have authorized the execution of the redevelopment agreement, then the designation of Redevelopment Capital Partners LLC C as redeveloper of the Property shall terminate without the need for any other action by the Township to evidence same.

**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.**     Resolution on File. A copy of this resolution shall be available for public inspection at the offices of the Township Clerk.

**Section 5.**     Effective Date. This Resolution shall take effect immediately.

Adopted

Hudley - Cox

7. Ratify Professional Services Contract for Litigation/Defense Counsel Services in the Matter of Kaheem James v. Tempest A. Bess, et als. - Lamb Kretzer, LLC - Not to Exceed \$5,000.00

**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 Lamb Kretzer, LLC has the most experience to defend the Township of Irvington in the matter of Kaheem James v. Tempest A. Bess, et als. Docket no: L-007303-22; and

WHEREAS, the Township Attorney has recommended that a contract be awarded to Lamb Kretzer, LLC, 110B Meadowlands Parkway, Suite 201, Secaucus, New Jersey 07094; 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 Lamb Kretzer, LLC, 110B Meadowlands Parkway, Suite 201, Secaucus, New Jersey 07094 for a contract amount not to exceed \$5,000.00. 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 \$5,000.00. The billing rate for this contract is \$150.00 per hour.

Adopted

Hudley - Brown

8. Amend Contract for Towing and Impoundment Service Within the Township of Irvington to Have the Vendor Complete the Abandoned Motor Vehicle Auction, Without Any Additional Fees to the Township, a Service That Was Previously Done In House

**RESOLUTION AMENDING CONTRACT FOR TOWING AND IMPOUNDMENT SERVICE  
WITHIN THE TOWNSHIP OF IRVINGTON**

WHEREAS, the Township awarded a contract for Towing and Impoundment service on May 31, 2022 to MTS Towing, 480 Chancellor Ave, Irvington, NJ 07111; and

WHEREAS, this contract expires on June 18, 2025; and

WHEREAS, the Township would like to amend the scope of service for this contract to have the vendor complete the abandoned motor vehicle auction, a service that was previously done in house. The Township will not be charged any additional fees, and

NOW THEREFORE BE, IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that our contract for towing and impoundment is hereby amended, authorizing the vendor MTS Towing Company to complete the abandoned motor vehicle auction starting on the adoption of this resolution; and

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

Adopted

Hudley – Brown                      9. Rescind Resolution Number TA 23-0410-18 Awarding Professional Services Contract for Litigation/Defense Counsel Services to Post Polak

**RESOLUTION RESCINDING RESOLUTION NUMBER TA 23-0410-18  
AWARDING PROFESSIONAL SERVICES CONTRACT FOR  
LITIGATION/DEFENSE COUNSEL SERVICES**

**WHEREAS, on** April 10, 2023, the Municipal Council awarded a contract for Litigation Services to Post Polak under Resolution No. TA 23-0410-18; and

**WHEREAS, the** Township of Irvington has determined that the Resolution No. TA 23-0410-18 should be rescinded;

**NOW THEREFORE BE IT RESOLVED** by the Council of Township of Irvington, in the County of Essex, that Resolution No. TA 23-0410-18 approved on April 10, 2023 is hereby rescinded.

Adopted

Hudley - Cox                      10. Ratify Professional Services Contract for Litigation/Defense Counsel Services in the Matter of Benjamin Nduagubu v. Essex County, et als. – Murphy Orlando LLC - 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 Murphy Orlando LLC has the most experience to defend the Township of Irvington in the matter Benjamin Nduagubu v. Essex County, et als. Case No: 2:23-CV-00961-JMV-ESK; and

WHEREAS, the Township Attorney has recommended that a contract be awarded to Murphy Orlando LLC, 30 Montgomery Street, 11th Floor, Jersey City, NJ, 07302; 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 Murphy Orlando LLC, 30 Montgomery Street, 11th Floor, Jersey City, NJ, 07302 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 be 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

Frederic – Vick

11. Award Contract – Revaluation of Real Property - Appraisal Systems, Inc, on the Basis of Their Responsible Response to the Request for Proposal that Meets the Criteria and Qualifications, in an Amount Not to Exceed \$995,765.00

**AWARD OF CONTRACT FOR THE REVALUATION OF REAL PROPERTY IN  
THE TOWNSHIP OF IRVINGTON**

WHEREAS, the Essex County Board of Taxation has directed the Township of Irvington to implement a municipal-wide revaluation of all taxable and exempt real property within the limits of the Township of Irvington; and

WHEREAS, sealed proposals were received on April 26, 2023 for the revaluation of real properties in response to the published advertisement for proposals in the New Jersey Star Ledger on April 06, 2023; and

WHEREAS, one proposal was received and opened by the Township Clerk and Purchasing Agent; and

WHEREAS, the proposals received were reviewed according to the New Jersey Local Public Contract law, and met the terms of the proposal; and

WHEREAS, the Chief Financial Officer has recommended that the award be made to Appraisal Systems, Inc, 264 South Street, Morristown, NJ 07960 on the basis of their responsible response to the request for proposal that meets the criteria and qualifications, in an amount not to exceed \$995,765.00

NOW THEREFORE BE, IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for the revaluation of real properties be awarded to Appraisal Systems, Inc, 264 South Street, Morristown, NJ 07960

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.

BE IT FURTHER RESOLVED that the required Certificate of Availability of Funds, No. C23-0083 for \$500,000.00 has been obtained from the Chief Financial Officer and the appropriation to be charged is C-04-56-858-021-901 and the remaining balance will be certified in 2024 as work is completed, pursuant to the payment schedule, (Appendix 3 of bid proposal).

Adopted

~~12. Authorize Assignment of Assign Municipal Held Liens Recorded on  
9 Highland Terrace~~

## 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 May 8, 2023
122 / 22	Hicks, Willie 9 Highland Terr.	18-00558	12/27/2018	\$1,053.52	\$29,833.53

together with subsequent liens thereon, at private sale to:

The Lords Ventures LLC  
960 Springfield Avenue  
Irvington, NJ 07111

## REMOVED AT REQUEST OF FINANCE COMMITTEE CHAIRMAN VICK

Vick - Cox                      13. Authorize the Amendment of an Escrow Agreement With  
Irvington Redevelopment 2022 LLC for the Redevelopment of  
Certain Property in the Township

## RESOLUTION OF THE TOWNSHIP OF IRVINGTON RESCINDING AND REPLACING RESOLUTION OCDP 22-1227-34 AUTHORIZING THE AMENDMENT OF AN ESCROW AGREEMENT WITH IRVINGTON REDEVELOPMENT 2022 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 “**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**, Irvington Redevelopment 2022 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 Township Council previously adopted Resolution OCDP 22-0926-27, authorizing the execution of an Escrow Agreement between the Township and the Company (which was not executed by the parties) in connection with the conveyance and redevelopment of fourteen (14) properties within the Township, which was subsequently replaced and rescinded by Resolution OCDP 22-1227-34; and

**WHEREAS**, the Township Council now desires to rescind and replace Resolution OCDP 22-1227-34 and to authorize the execution of an Escrow Agreement between the Township and Company in connection with the transfer and redevelopment of the properties listed below; 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
99	2	134 Myrtle Avenue
123	23	16 Highland Terrace
137	19	9 20 <sup>th</sup> Avenue
142	8	132-134 22 <sup>nd</sup> Street
142	9	136 22 <sup>nd</sup> Street
149	21	205 22 <sup>nd</sup> Street (REAR)
149	22	201 22 <sup>nd</sup> Street

149	23	199 22 <sup>nd</sup> Street
151	3	244 22 <sup>nd</sup> Street
151	7	258 22 <sup>nd</sup> Street
151	8	260 22 <sup>nd</sup> Street
151	10	266 22 <sup>nd</sup> Street
151	27	211 21 <sup>st</sup> 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 Scattered Sites Redevelopment Area. These lots identified on the Township tax maps as Block 149, Lots 21-23 and Block 151, Lot 10 are subject to the superseding zoning of the *Scattered Sites Redevelopment Plan* (as amended, the “**Scattered Sites Redevelopment Plan**”); 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 on the Township tax maps as Block 137, Lot 19; Block 142, Lot 8-9; and Block 149, Lots 21-23 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 and the Scattered Sites 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**

**[AVAILABLE IN OFFICE OF COMMUNITY DEVELOPMENT AND PLANNING]**

Adopted

Frederic - Hudley

14. Commendation – Marie Fernande Nazaire in Connection With Haitian Flag Day Celebration

**COMMENDATION IN CONNECTION WITH HAITIAN FLAG RAISING CEREMONY, 2023**

**MARIE FERNANDE NAZAIRE**

**WHEREAS,** Marie Fernande Nazaire is a well-respected and beloved figure within the Haitian community of New Jersey. Born on July 8, 1952, in Port-au-Prince, Haiti, she came to the United States at the age of 21 in search of better opportunities. After settling in New Jersey, she began working as an Early Childhood Education Teacher, a role that she excelled in and remained in for many years; and

**WHEREAS,** Marie Fernande Nazaire is the proud mother of two sons, Claude Bernard and Donald Felix Semexant, who she raised with love and care. Her dedication to her family is evident in the values and principles she has instilled in her children, who have grown up to be successful and responsible adults; and

**WHEREAS,** despite living in the United States for many years, Marie Fernande Nazaire has never forgotten her roots. She has remained deeply connected to her Haitian heritage and culture, and is known as the Doyenne of the Haitian Community of New Jersey since 1991 for her community engagement and support for the community; and

**WHEREAS,** Marie Fernande Nazaire's passion for her community is rooted in her love for Haiti. Although she left her home country many years ago, Haiti has never left her heart and soul. She has always been committed to supporting and uplifting the Haitian community in any way she can, whether through advocacy, volunteering, or mentoring; and

**WHEREAS,** in addition to her community work, Marie Fernande Nazaire also has a passion for cooking and gardening. She enjoys spending time in the kitchen, creating delicious Haitian dishes that she shares with friends and family. She also has a green thumb and loves spending time tending to her garden, which is filled with a variety of fruits, vegetables, and flowers.

Overall, Marie Fernande Nazaire is a remarkable woman who has made a significant impact on the Haitian community of New Jersey. Her dedication, passion, and love for her culture and community are an inspiration to all who know her:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that it hereby applauds the many achievements of Marie Fernande Nazaire and celebrates



Haitian Flag Day to honor this country's citizens and their ancestors who so bravely fought for their freedom from slavery; and

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of this Governing Body in lasting tribute to Marie Fernande Nazaire.

Adopted

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  
Vincent Randolph, 394 Coit Street

Council President Beasley and Council Member Cox responded to the issues raised by the above referenced citizens.

There being no further business, the meeting adjourned at 7:50 P.M.

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Jamillah Z. Beasley, Council President

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Harold E. Wiener, Municipal Clerk