

TOWNSHIP OF IRVINGTON



MUNICIPAL COUNCIL MEETING MINUTES NOVEMBER 27, 2023 7:30 PM

Virtual - Zoom Meetings
Administration

Appointments

1. PLEDGE OF ALLEGIANCE

2. MOMENT OF SILENCE

3. ROLL CALL

ROLL CALL	PRESENT	ABSENT	LATE ARRIVAL	EARLY DEPARTURE
Brown	X			
Cox	X			
Evans	X			
Frederic	X			
Dr. Hudley	X			
Vick	X			
Beasley, President	X			

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

4. HEARING OF CITIZENS ON AGENDA ITEMS ONLY

- Limited to (3) three minutes per person and (30) thirty minutes total (MUST SIGN UP IN ADVANCE OF MEETING)

Elousie McDaniel, 214 Nesbit Terrace

5. HEARING OF COUNCIL MEMBERS

6. REPORTS & RECOMMENDATIONS OF TOWNSHIP OFFICERS, BOARDS & COMMISSIONS

A. Reports

1. Municipal Court - Weekly Summary Report for the Week of November 6, 2023 to November 10, 2023

2. Municipal Court - Weekly Summary Report for the Week of November 13, 2023 to November 17, 2023
3. Irvington Counseling Center – Payment of \$1.00 for Thirteenth Year Lease from November 2023 to October 2024 and Annual Report

7. REPORTS OF COMMITTEES

- A. Bid Results – Re-Bid of Rehabilitation for Camp Project - November 1, 2023
- B. Request for Proposals - Various Professional Services – November 8, 2023

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

8. ORDINANCES, BILLS & CLAIMS

A. Ordinances on First Reading

None

B. Ordinances on Second Reading

See Page 3

C. Bills & Claims

C. Bills & Claims

Vick – Beasley 1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD NOVEMBER 27, 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	\$3,387,150.58
TOTAL	\$3,387,150.58

Adopted

Brown – Frederic 2. Payrolls

Payroll Date: November 3, 2023

TOTAL \$2,581,554.80

Adopted

9. RESOLUTIONS AND MOTIONS

A. Resolutions

Vick – Beasley 1. Resolution of Sorrow – William Clemons

RESOLUTION OF SORROW WILLIAM CLEMONS

WHEREAS, the Municipal Council of the Township of Irvington wishes to express their deepest sorrow on the passing of William Clemons on October 31, 2023; and

WHEREAS, William Clemons was born January 21, 1939 to the late Maciel Clemons and Mernervia Gainer Clemons of Marianna, Florida, the second of eleven children; and

WHEREAS, William was born and raised in Marianna, Florida where he attended Jackson County Training School. Shortly thereafter, he met and wed Edith (Vandora) Clemons and raised four beautiful children. He relocated to New Jersey in the 1960's and settled in Newark, New Jersey. Years later, William met and wed Jessie Clemons and they resided in Irvington, New Jersey and had one beautiful daughter; and

WHEREAS, he was a mechanic by trade. He worked at Galen Buick, Newark Buick, owned and managed his own mechanic shop out of a 4-car garage and later retired from General Motors in 1991. William was a caring and fun-loving person who enjoyed helping people save money by fixing their cars and cutting their grass. He was also known as the "Handyman" around the neighborhood where he resided for almost 40 years; and

WHEREAS, William was the Matriarch of his family and loved spending time with them all. He looked forward to family reunions and holidays. In his leisure time, he enjoyed being outdoors, gardening, tending to his yard, working on his cars, fishing and hunting with family and friends. He loved to dance and could "get low" or "kick high" well into his 80's. He enjoyed watching his favorite team, the New York Mets and occasionally took his grandson Malik Teel to see them play. He was a great cook, and on the weekends, you could always find him in the kitchen listening to his gospel music; and

WHEREAS, William was a long-time member of Greater Abyssinian Baptist Church under the leadership of Reverend Matthew Augustus Zimmerman Sr. where he devoted his life to serving God. He faithfully served as the 2nd Vice President on the Senior Usher Board, served on the Men's Ministry, and sang in the Men's Choir; and

WHEREAS, he is preceded in death by his parents Maciel and Mernervia Clemons; 3 brothers; Nathaniel Clemons, Johnnie Clemons and Edward Clemons; and

WHEREAS, he leaves to cherish fond memories, 5 children; Larry Clemons, Jacqueline Clemons, Peggy Clemons-Hunter (Dave) all of Irvington, NJ; Antrone Clemons (Denise) of Union, NJ; and T'prene Clemons of Maplewood, NJ; 11 grandchildren; 12 great-grandchildren, 2 great-great grandchildren. He also leaves to mourn 3 brothers Vanester (Mary) of Hillside, NJ; Morris (Tondelayo) and Gale of Marianna, FL; 4 sisters, Earnestine Drummond of Greenville, SC; Silvia Carr, Erma Menchion (Raleigh) and Annie Mae Clemons all of Marianna, FL; Melody Clemons his niece raised as his sister of Marianna, FL and a host of nieces, nephews, cousins, other relatives, and many close friends:

NOW THEREFORE BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington hereby mourns the passing of William Clemons and extends our most sincerest condolences to his family and friends during this period of bereavement; and

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

Adopted

Cox – Frederic 2. Grant Agreement with the Essex County Division of Community Action as Sub-Recipient of Community Service Block Grant – \$105,000.00

WHEREAS, The County of Essex, acting through its Department of Citizens Services, Division of Community Action through the Community Services Block Grant (CSBG) proposes to enter into a sub grant agreement with Irvington Neighborhood Improvement Corporation to service the low-income poverty constituents of Essex County for the contract price of \$105,000.00 during the 2024 program year of January 1, 2024–December 31, 2024; and

WHEREAS, said grant agreement has been negotiated and approved by the County Executive of Essex County and to the Board of Chosen Freeholders; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington be and hereby authorized to execute a Grant Agreement with the Essex County Division of Community Action as sub-recipient of Community Services Block Grant funds in the amount of \$105,000.00.

BE IT FURTHER RESOLVED that the Township of Irvington does hereby accept the award of \$105,000.00 for such activities.

Adopted

Hudley – Brown 3. Ratify and Approve the Provision of Lead Safe Irvington Funds in the Amount Not to Exceed \$9,200.00 for 160 Berkshire Place, 2nd Floor – Absolute JM Services LLC

RESOLUTION FOR LEAD SAFE IRVINGTON PROGRAM

WHEREAS, the Township of Irvington has been awarded Office of Lead Hazard Control and Healthy Homes (OLHCHH) funds by the Department of Housing and Urban Development (HUD) and it has obligated funds

for the purpose of financing its LEAD SAFE Irvington Program administered by the Department of Economic Development and Grants Oversight; and

WHEREAS, the Township of Irvington, Department of Economic Development and Grants Oversight has identified that the applicant, who is the owner of 160 Berkshire Place, 2nd FL. Irvington, New Jersey, 07111 is eligible to receive assistance through the LEAD SAFE Irvington Program per the Township's policies and procedures; and

WHEREAS the Contractor was selected through a competitive BID to perform the Remediation work is Absolute JM Services LLC and shall be disbursed to the Contractor for the benefit of the applicant; and,

WHEREAS, the Department of Economic Development and Grants Oversight has contacted all the contractors on resolution number EDGO 23-0710-21 and (3) three contractors EnviroScience Solutions LLC, Optimum Environmental Solutions and Absolute JM Services LLC provided quotes for the required work and one contractor (1) one A-Arcalenz did not provide any bid submission before the deadline because this company has no interest in performing Lead Abatements and A-Arcalenz has submitted an email stating that the A-Arcalenz LLC is only interested in performing Lead Wipes Clearance services for the Lead Safe Irvington Program; and,

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington does ratify and approve the provision of LEAD SAFE Irvington funds to the applicant(s) in the amount not to exceed \$9,200.00 for a period of affordability of five (5) years; and

BE IT FURTHER RESOLVED that the aforesaid funds of \$9,200.00 will be disbursed in one (1) installment in the amount of \$9,200.00 each installment after review of work performed and proof of funds expended to facilitate the remediation; and

BE IT FURTHER RESOLVED that the aforesaid funds are to be used for the remediation of the subject property and related soft cost associated with the remediation of the subject property as set forth in Absolute JM Services LLC (Scope of Work), attached hereto for the premises known as, 160 Berkshire Pl. 2nd Fl., Irvington, New Jersey 07111, two family unit(s) and owned by homeowner; and

BE IT FURTHER RESOLVED that any such funds not expended in the remediation and related soft cost associated with the remediation of the subject property in accordance with adopted policy and procedures shall be recaptured by the TOWNSHIP OF IRVINGTON for use in assisting other HUD/OLHCHH Program applicant(s); and

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:34-5.2, the required Certificate of Fund Req. No. C23-0173 in the amount of \$9,200.00 for the above has been obtained from the Chief Financial Officer of the Township of Irvington. The appropriation to be charged for this expenditure is Account No. G-02-XX-716-19A-250 in the amount of \$9,200.00.

Adopted

Hudley – Cox

4. Amend EDGO 23-0911-25 - Use Of Home Rehabilitation Funds for 95 Lenox Avenue in the Amount Of \$5,000.00

AMEND RESOLUTION EDGO 23-0911- 25 FOR HOME REHABILITATION PROGRAM

WHEREAS, the Township of Irvington has been awarded HOME Partnership Funds by the by the Department of Housing and Urban Development (HUD) and it has obligated funds for the purpose of financing its HOMEOWNER Housing Rehabilitation Program administered by the Department of Economic Development and Grants Oversight; and

WHEREAS, the Township of Irvington, Department of Economic Development and Grants Oversight has identified that the applicant, Caroline Miller who is the owner of 95 Lennox Ave, Irvington, New Jersey, 07111 is eligible to receive assistance through the HOMEOWNER Housing Rehabilitation Program per the Township's policies and procedures; and

WHEREAS, the reimbursement for the Home Rehabilitation work performed at 95 Lennox Ave, Irvington New Jersey by the A-ARCALENZ, LLC to be dispersed for the benefit for repairing the property located at 95 Lennox Ave and the Department of Economic Development and Grants Oversight certifies that A-ARCALENZ LLC meets the requirement to be eligible recipient for the Home Partnership Funds program by the Department of Housing Urban Development.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington does ratify and approve the provision of HOMEOWNER Housing Rehabilitation Funds to the applicant(s) in the amount not to exceed \$5,000.00 for a period of affordability of five (5) years; and

BE IT FURTHER RESOLVED that the aforesaid funds of \$5,000.00 will be disbursed in (1) installment of \$5,000 after review of work performed and proof of funds expended to facilitate the Rehabilitation; and

BE IT FURTHER RESOLVED that the aforesaid funds are to be used for the rehabilitation of the subject property and related soft cost associated with the rehabilitation of the subject property known as, 95 Lennox Ave, Irvington, New Jersey 07111, single family unit(s) and owned by homeowner Caroline Miller; and

BE IT FURTHER RESOLVED that any such funds not expended in the rehabilitation and related soft cost associated with the rehabilitation of the subject property in accordance with adopted policy and procedures shall be recaptured by the TOWNSHIP OF IRVINGTON for use in assisting other HUD/HOME Program applicant(s); and

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:34-5.2, the required Certificate of Fund Req. No. C23-0131 in the amount of \$5,000.00 for the above has been obtained from the Chief Financial Officer of the Township of Irvington. The appropriation to be charged for this expenditure is Account No. T-21-41-850-20B-802 in the amount of \$5,000.00.

Adopted

Vick – Cox
2022 LLC

5. Authorize Assignment of Multiple Tax Sale Certificates to Irvington Redevelopment

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 November 30, 2023
32/8	Wright, Aziz R. 20 Tremont St.	20-00144	12/29/2010	\$599.67	\$4,596.24
122/22	Hicks, Willie 9 Highland Terr.	18-00558	12/27/2018	\$1,053.52	\$34,192.84
139/10	Parrish, Daniel L. 746 Grove St.	100859	7/12/2010	\$2,192.82	\$31,388.80
142/22	Fairbanks Capital As Servicing 309 21 st St.	18-00648	12/27/2018	\$1,826.98	\$9,899.88
218/18	Warren, Oznie & Joan E. 11 May St.	18-00918	12/27/2018	\$1,036.18	\$49,997.02
339/8	Walker, Nadine 26 Durand Pl.	18-01390	12/27/2018	\$2,727.04	\$ 49,075.15

together with subsequent liens thereon, at private sale to:

Irvington Redevelopment 2022 LLC
4921 Bay Parkway
Brooklyn, NY 11230

Adopted

Vick – Frederic 6. Authorizing the Transfer of Real Estate Tax Overpayment from 2023 to 2024
Block 265.01 Lot 3, 1 Cleremont Avenue

**Resolution Authorizing the Transfer of Real Estate Tax Overpayment from 2023 to 2024 Block 265.01 Lot 3 1
Cleremont Avenue**

WHEREAS, the Tax Collector was notified by Carolyn Edmundo, the property owner of Block 265.01 Lot 3 also known as 1 Cleremont Avenue that an overpayment was made on the 4th quarter of 2022 on August 2, 2022; and

WHEREAS, on October 31, 2023, the Tax Collector received a letter requesting the overpayment in the amount of \$378.76 on the 4th quarter of 2022 be applied to the 4th quarter of 2023; and

WHEREAS, the Tax Collector requests to transfer the overpayment in the amount of \$378.76 from the 4th quarter of 2022 and be applied to the 4th quarter of 2023; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Irvington, County of Essex, State of New Jersey, as follows:

1.) That the Tax Collector is authorized to transfer the overpayment in the amount of \$378.76 from the 4th quarter of 2022 and be applied to the 4th quarter of 2023

Adopted

Vick – Beasley 7. Authorize Cancellation and Refund of Tax Sale Certificates for 449 21st Street, 453 21st Street, 458 21st Street and 454 21st Street

Resolution Authorizing Cancellation and Refund of Tax Sale Certificates

WHEREAS, the following Certificates of Sale were issued to PRO CAP 8 FBO FIRSTRUST BANK for delinquent taxes at a Tax Sale held on December 15, 2022:

<u>Certificate Number</u>	<u>Block</u>	<u>Lot</u>	<u>Property Address</u>
22-00652	162	35.02	449 21 st Street
22-00653	162	35.03	453 21 st Street
22-00654	163	2.01	458 21 st Street
22-00655	163	2.02	454 21 st Street ; and

WHEREAS, by the way of evidence, PRO CAP 8 FBO FIRSTRUST BANK has paid the following amounts that should be canceled and refunded due to prior lien cancellation agreement:

<u>Certificate Number</u>	<u>Block</u>	<u>Lot</u>	<u>Property Address</u>	<u>Paid TSC</u>	<u>Paid Subsequent</u>	<u>Paid Recording Fees</u>	<u>Total Paid by Pro Cap 8 FBO Firstrust Bank</u>
22-00652	162	35.02	449 21 st Street	\$ 3,133.15	\$ 10,515.03	\$ 67.00	\$ 13,715.18
22-00653	162	35.03	453 21 st Street	\$ 3,133.15	\$ 7,112.17	\$ 67.00	\$ 10,312.32
22-00654	163	2.01	458 21 st Street	\$ 3,133.15	\$ 7,112.17	\$ 67.00	\$ 10,312.32
22-00655	163	2.02	454 21 st Street	\$ 3,133.15	\$ 7,112.17	\$ 67.00	\$ 10,312.32
21st Street				\$ 12,532.60	\$ 31,851.54	\$ 268.00	\$ 44,652.14

; and

WHEREAS, by the way of evidence, PRO CAP 8 FBO FIRSTRUST BANK has paid premiums in the amount of \$10,800.00 per tax lien certificate totaling \$43,200.00; and

WHEREAS, the Tax Collector requests permission to cancel the aforementioned Certificates of Sale and cancel the following charges in the amount of \$41,219.33 for 2022 – 2023:

<u>Block</u>	<u>Lot</u>	<u>Property Address</u>	<u>Taxes to Cancel</u>
162	35.02	449 21 st Street	\$12,747.08
162	35.03	453 21 st Street	\$ 9,490.75
163	2.01	458 21 st Street	\$ 9,490.75
163	2.02	454 21 st Street	\$ 9,490.75 ; and

WHEREAS, the Tax Collector request to refund the lienholder, PRO CAP 8 FBO FIRSTRUST BANK, the charges paid, along with 18 percent interest on subsequent taxes on liens in the amount of \$44,652.14 and refund the lienholder premiums paid in the amount of \$43,200.00.

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 cancel the aforementioned Certificates of Sale and refund the lienholder, PRO CAP 8 FBO FIRSTRUST BANK, the charges paid for the purchase of liens in the amount of \$44,652.14 and refund the lienholder premiums paid in the amount of \$43,200.00.

Adopted

Cox – Vick 8. Refund Overpayment on Property Taxes on Block 226 Lot 2, 22-24 Chester Avenue – 100% Disable Veteran Tax Exemption - \$727.14

RESOLUTION TO CANCEL AND REFUND PROPERTY TAXES

WHEREAS, Paul M. Leno is the owner of 22-24 Chester Avenue, Block 226 Lot 2 and Paul M. Leno is a 100% disabled veteran and;

WHEREAS, the owner of 22-24 Chester Avenue has been receiving an annual \$250.00 veterans deduction on his property and;

WHEREAS, Paul M. Leno has filed an application for 100% tax exemption and the tax assessor Silvia Forbes has approved the property tax exemption on November 1, 2023 and;

WHEREAS, the 2023 taxes on 22-24 Chester Avenue were billed and paid in the amount of \$4,590.18 by the taxpayer and;

WHEREAS, the property owner is entitled to a refund in the amount of \$767.38, less the prorated veterans deduction in the amount of \$40.24 from the date of application approved by the tax assessor on November 1, 2023.

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 cancel the exempt portion of taxes in the amount of \$727.14 and issue a refund in the amount of **\$727.14** to Paul M. Leno as a 100% Disabled Veteran at 22-24 Chester Avenue, Block 226 Lot 2.

Adopted

Vick – Frederic 9. Authorizing the Transfer of Real Estate Tax Overpayment on Block 137 Lot 1 744-748 Springfield Avenue

Resolution Authorizing the Transfer of Real Estate Tax Overpayment on Block 137 Lot 1 744-748 Springfield Avenue

WHEREAS, the property owner of Block 137 Lot 1 also known as 744-748 Springfield Avenue, filed a county board assessment appeal for tax year 2022; and

WHEREAS, the 2022 tax appeal assessment reduction created a tax overpayment in the amount of \$8,680.99 on the 4th quarter of 2022; and

WHEREAS, the property owner, 399 21 Street Gardens LLC, is requesting the overpayment in the amount of \$8,680.99 on the 4th quarter of 2022 be applied to the 2023 1st quarter - \$3,378.54, 2023 2nd quarter - \$3,378.54, and 2023 3rd quarter - \$1,923.91; and

WHEREAS, the Tax Collector requests to transfer the tax overpayment in the amount of \$8,680.99 from the 4th quarter of 2022 and be applied to the unpaid 2023 taxes; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Irvington, County of Essex, State of New Jersey, as follows:

1.) That the Tax Collector is authorized to transfer the overpayment in the amount of \$8,680.99 on the 4th quarter of 2022 be applied to the 2023 1st quarter - \$3,378.54, 2023 2nd quarter - \$3,378.54, and 2023 3rd quarter - \$1,923.91.

Adopted

Brown – Beasley 10. Resolution of Sorrow – Keonah Keylah Stephens, daughter of Syesha Benbow Dozier

**RESOLUTION OF SORROW
KEONAH KEYLAH STEPHENS**

WHEREAS, Keonah Keylah Stephens was born October 20, 2000 to Syesha Benbow Dozier and Keith Stephens in Newark New Jersey. She departed this life on November 7th 2023; and

WHEREAS, Keonah was educated in the Irvington Public School system, where she was also a member of the cheerleader team. Keonah was a full-time employee for Amazon; and

WHEREAS, Keonah's nickname Ke-Ke was known for dressing, dancing, singing, joking and her beautiful smile. Keonah loved and cared for her three sons. In her spare time, she had a passion for reading, writing, and spending time with her younger siblings who she allowed to do whatever they wanted. She spoiled them while in her care; and

WHEREAS, she was known for being outspoken, she was a kind individual and always a phone call or text away. If you knew her, she always had a nickname for everyone, whether it was baby mother, stink, best friend etc. To know her was to love her; and

WHEREAS, Keonah leaves to cherish her memory three sons, Sy-Kee Stephens, Mark Boyd III, Marquee Boyd, (Mother) Syesha Dozier, (Step Father) Earl Dozier, (Father) Keith Stephens, (Brothers) Quasim Stephens, Ralph Jones III, Syie Dozier, (Sisters) Zy-Lanni Dozier, Azziyah Stephens, (God sister) Sajadah Dawson (Grandfather) Micheal Lockett (Wife) Alice Lockett, (Aunts) Iesha Benbow, Assata Benbow, Mecca Lockett, Medina Lockett and Latasha Stephens, (Uncles) Shakur Benbow, Amadu Benbow. Four cousins Imir Kelly, Imaad Kelly, Ma'zyod Doctor and Noah Benbow of New Jersey. A host of cousins, great aunts, uncles, relatives and friends; and

WHEREAS, She was preceded in death by her (brother) Jah'Que Benbow, (grandmother) Katherine Benbow Lockett, (grandparents) Sherman and Geraldine Stephens.

NOW THEREFORE BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington hereby mourns the passing of Keonah Keylah Stephens and extends our most sincerest condolences to Syehsa Benbow, her family and friends during this period of bereavement; and

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of this Governing Body in lasting tribute to Keonah Keylah Stephens.

Adopted

Cox – Vick 11. Authorize the Purchase of Proprietary Software Technology for the Public Safety Department – Enforsys Police Systems, Inc. – Total Sum of \$56,000.00

RESOLUTION TO PURCHASE PROPRIETARY SOFTWARE TECHNOLOGY FOR THE PUBLIC SAFETY DEPARTMENT

WHEREAS, the Public Safety Department uses Enforsys, Polisys Enterprise Edition Suite to integrate all main functionalities of records managements to aid dispatch with reporting, monthly statistics, internal email and mobile data access; and

WHEREAS, the technology and maintenance are proprietary software for Enforsys, Polisys Enterprise Edition Suite; and

WHEREAS, the total cost of this software will exceed the bid 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 Enforsys Police Systems, Inc, of 27 Bleeker Street, suite 222, Millburn, NJ 07041 for the total sum of \$56,000.00

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON hereby authorizes a service contract to Enforsys Police Systems, Inc, of 27 Bleeker Street, suite 222, Millburn, NJ 07041 under provisions of NJSA 40:11-5dd to purchase proprietary software for the total sum of \$56,000.00; and

BE IT FURTHER RESOLVED, that the Township Attorney is directed to prepare the appropriate contract for such goods and services and the Mayor and Municipal Clerk is authorized to sign the same; and

BE IT FURTHER RESOLVED that Certification of Funds number C23-0166 has been obtained from the Chief Financial Officers for the total sum of \$56,000.00 charged to budget account number 3-01-25-240-240-299.

Adopted

10. COMMUNICATION AND PETITIONS

A. Communications

None

11. PENDING BUSINESS

None

NON-CONSENT AGENDA

8. ORDINANCES, BILLS & CLAIMS (Continued)

B. Ordinances on Second Reading

1. President Beasley: An ordinance authorizing the execution of a Financial Agreement with 530 Chancellor Urban Renewal LLC, and granting a tax exemption with respect to certain property identified on the township's tax map as Block 187, Lots 2.01 and 2.02 and identified in the tax records as 508-534 Chancellor Avenue will be heard a time. The Clerk will read the notice of hearing.

The Clerk will read the ordinance by title

MC 2023-_____

ORDINANCE OF THE TOWNSHIP OF IRVINGTON, IN THE COUNTY OF ESSEX, AUTHORIZING THE EXECUTION OF A FINANCIAL AGREEMENT WITH 530 CHANCELLOR URBAN RENEWAL LLC, AND GRANTING A TAX EXEMPTION WITH RESPECT TO CERTAIN PROPERTY IDENTIFIED ON THE TOWNSHIP'S TAX MAP AS BLOCK 187, LOTS 2.01 AND 2.02 AND IDENTIFIED IN THE CITY TAX RECORDS AS 508-534 CHANCELLOR AVENUE, IRVINGTON, NEW JERSEY

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*, as amended and supplemented (the “**Redevelopment Law**”), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of rehabilitation or redevelopment; and

WHEREAS, the Municipal Council (the “**Township Council**”) of the Township of Irvington (the “**Township**”), 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.* (the “**UEZ Act**”); and

WHEREAS, in accordance with *N.J.S.A. 40A:12A-5(g)*, a municipality may grant a long-term tax exemption to property located within an Urban Enterprise Zone; and

WHEREAS, the Township Council duly adopted a redevelopment plan by Ordinance MC No. 3351 dated September 11, 2007, to govern the redevelopment of certain properties within and contiguous to the UEZ (as amended, the “**Redevelopment Plan**”) in accordance with N.J.S.A. 40A:12A-7; and

WHEREAS, 530 Chancellor Urban Renewal LLC (the “**Entity**”) is the owner of certain property located within the UEZ, which property is identified on the official tax map of the Township as Block 187, Lot 2.01 and 2.02 and identified in the Township tax records as 508-534 Chancellor Avenue, Irvington, New Jersey 07111 (the “**Property**”); and

WHEREAS, the Entity propose to undertake the design, development, financing, and construction a four (4) story U-shaped self-storage facility on the property, featuring 1,032 storage units, which will range from 25 square feet to 325 square feet, plus space for parking and loading (the “**Project**”); and

WHEREAS, in order to ensure the financial feasibility of the Project, the Entity made application to the Township requesting a long-term tax exemption and financial agreement pursuant to the Long-Term Tax Exemption Law, N.J.S.A. 40A:20-1 *et seq.*, which application is on file with the Township Clerk (the “**Application**”); and

WHEREAS, the Entity has represented to the Township that the Project would not be feasible in its intended scope but for the provision of financial assistance by the Township; and

WHEREAS, after review of the Application, the Mayor recommended that the Application be approved; and

WHEREAS, after review of the Application, the Township Council now desires to approve the Application and to authorize the execution of the proposed form of financial agreement (the “**Financial Agreement**”) in substantially the form attached hereto as Exhibit A, and by this reference incorporated herein as may be modified in consultation with counsel as set forth herein; and

WHEREAS, the Township hereby determines that the assistance provided to the Project pursuant to the Financial Agreement will be a significant inducement for the Entity to proceed with the Project and that based on information set forth in the Application, the Project would not be feasible without such assistance,

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Irvington, in the County of Essex, New Jersey, as follows:

I. GENERAL

The aforementioned recitals are incorporated herein as though fully set forth at length.

II. APPLICATION FOR EXEMPTION APPROVED

The Application, which is on file with the Township Clerk and which has been recommended for approval to the Township Council by the Mayor, is hereby accepted and approved.

III. EXECUTION OF FINANCIAL AGREEMENT AUTHORIZED

- (a) The Mayor is hereby authorized to execute the Financial Agreement, substantially in the form attached hereto as **Exhibit A**, subject to modification or revision deemed necessary or appropriate by the Township in consultation with counsel, and to take all other necessary or appropriate action to effectuate such Financial Agreement.
- (b) The Township Clerk is hereby authorized and directed, upon the execution of the Financial Agreement in accordance with the terms of Section III(a) hereof, to attest to the signature of the Mayor upon such document and is hereby further authorized and directed to affix the corporate seal of the Township upon such document.
- (c) In accordance with P.L. 2015, c. 247, within ten (10) calendar days following the later of the effective date of this Ordinance or the execution of the Financial Agreement by the Entity, the Township Clerk shall transmit a certified copy of this Ordinance and the Financial Agreement to the chief financial officer of Essex County and to the Essex County Counsel for informational purposes, as well as to the Tax Assessor of the Township.

IV. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

V. AVAILABILITY OF THE ORDINANCE

A copy of this Ordinance shall be available for public inspection at the offices of the Township.

VI. EFFECTIVE DATE

This Ordinance shall take effect according to law.

EXHIBIT A

Form of Financial Agreement

The Public Hearing on this ordinance is now open

Hudley – Frederic Motion to close Public Hearing

Adopted

Hudley – Frederic Motion to adopt this ordinance on second reading after Public Hearing

Adopted

2. President Beasley: An ordinance authorizing the execution of a financial agreement with Coit Development Urban Renewal LLC, and granting a tax exemption with respect to certain property identified on the township's tax map as Block 187, Lot 3 and Block 189, Lot 1 and identified in the tax records as 428-470 Coit Street will be heard a time. For the record, this notice is identical to the prior notice read. The Clerk will read the ordinance by title.

MC 2023-_____

**ORDINANCE OF THE TOWNSHIP OF IRVINGTON, IN THE COUNTY OF ESSEX,
AUTHORIZING THE EXECUTION OF A FINANCIAL AGREEMENT WITH COIT
DEVELOPMENT URBAN RENEWAL LLC, AND GRANTING A TAX EXEMPTION
WITH RESPECT TO CERTAIN PROPERTY IDENTIFIED ON THE TOWNSHIP'S
TAX MAP AS BLOCK 187, LOT 3 AND BLOCK 189, LOT 1 AND IDENTIFIED IN
THE CITY TAX RECORDS AS 428-470 COIT STREET, IRVINGTON, NEW JERSEY**

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*, as amended and supplemented (the “**Redevelopment Law**”), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of rehabilitation or redevelopment; and

WHEREAS, the Municipal Council (the “**Township Council**”) of the Township of Irvington (the “**Township**”), 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.* (the “**UEZ Act**”); and

WHEREAS, in accordance with *N.J.S.A. 40A:12A-5(g)*, a municipality may grant a long-term tax exemption to property located within an Urban Enterprise Zone; and

WHEREAS, the Township Council duly adopted a redevelopment plan by Ordinance MC No. 3351 dated September 11, 2007, to govern the redevelopment of certain properties within and contiguous to the UEZ (as amended, the “**Redevelopment Plan**”) in accordance with *N.J.S.A. 40A:12A-7*; and

WHEREAS, Coit Development Urban Renewal LLC (the “**Entity**”) is the owner of certain property located within the UEZ, which property is identified on the official tax map of the Township as Block 187,

Lot 3 and 189, Lot 1 and identified in the Township tax records as 428-470 Coit Street, Irvington, New Jersey 07111 (the “**Property**”); and

WHEREAS, the Entity propose to undertake the design, development, financing, rehabilitation and maintenance of the existing four-story masonry building into a 75,272 square foot industrial warehouse with associated off-street parking, loading docks and trailer storage (the “**Project**”); and

WHEREAS, in order to ensure the financial feasibility of the Project, the Entity made application to the Township requesting a long-term tax exemption and financial agreement pursuant to the Long-Term Tax Exemption Law, *N.J.S.A. 40A:20-1 et seq.*, which application is on file with the Township Clerk (the “**Application**”); and

WHEREAS, the Entity has represented to the Township that the Project would not be feasible in its intended scope but for the provision of financial assistance by the Township; and

WHEREAS, after review of the Application, the Mayor recommended that the Application be approved; and

WHEREAS, after review of the Application, the Township Council now desires to approve the Application and to authorize the execution of the proposed form of financial agreement (the “**Financial Agreement**”) in substantially the form attached hereto as Exhibit A, and by this reference incorporated herein as may be modified in consultation with counsel as set forth herein; and

WHEREAS, the Township hereby determines that the assistance provided to the Project pursuant to the Financial Agreement will be a significant inducement for the Entity to proceed with the Project and that based on information set forth in the Application, the Project would not be feasible without such assistance,

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Irvington, in the County of Essex, New Jersey, as follows:

I. GENERAL

The aforementioned recitals are incorporated herein as though fully set forth at length.

II. APPLICATION FOR EXEMPTION APPROVED

The Application, which is on file with the Township Clerk and which has been recommended for approval to the Township Council by the Mayor, is hereby accepted and approved.

III. EXECUTION OF FINANCIAL AGREEMENT AUTHORIZED

- (d) The Mayor is hereby authorized to execute the Financial Agreement, substantially in the form attached hereto as Exhibit A, subject to modification or revision deemed necessary or appropriate by the Township in consultation with counsel, and to take all other necessary or appropriate action to effectuate such Financial Agreement.
- (e) The Township Clerk is hereby authorized and directed, upon the execution of the Financial Agreement in accordance with the terms of Section III(a) hereof, to attest to the signature of the

Mayor upon such document and is hereby further authorized and directed to affix the corporate seal of the Township upon such document.

- (f) In accordance with P.L. 2015, c. 247, within ten (10) calendar days following the later of the effective date of this Ordinance or the execution of the Financial Agreement by the Entity, the Township Clerk shall transmit a certified copy of this Ordinance and the Financial Agreement to the chief financial officer of Essex County and to the Essex County Counsel for informational purposes, as well as to the Tax Assessor of the Township.

IV. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

V. AVAILABILITY OF THE ORDINANCE

A copy of this Ordinance shall be available for public inspection at the offices of the Township.

VI. EFFECTIVE DATE

This Ordinance shall take effect according to law.

EXHIBIT A

Form of Financial Agreement

The Public Hearing on this ordinance is now open

Brown - Hudley Motion to close Public Hearing

Adopted

Brown - Hudley Motion to adopt this ordinance on second reading after Public Hearing

Adopted

3. President Beasley: An ordinance amend Sections 620-103 Schedule IX - Through Streets and 620-104 Schedule X – Stop Intersections will be heard a time. For the record, this notice is identical to the prior notice read. The Clerk will read the ordinance by title.

AN ORDINANCE AMENDING SECTIONS 620-103 SCHEDULE IX-THROUGH STREETS AND 620-104 SCHEDULE X - STOP INTERSECTIONS OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF IRVINGTON

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON as follows

SECTION 1. Sections 620-103 and 620-104 are hereby amended to include the following:

Section 620-103 Schedule IX - Through Streets

<u>Name of Street</u>	<u>Limits</u>
Fern Avenue	Claremont Avenue to Chester Avenue
Mt. Vernon Avenue	Claremont Avenue to Chester Avenue

Section 620-104 Schedule X - Stop Intersections

<u>Intersection</u>	<u>Stop Sign On</u>
Medbourne Avenue and Fern Avenue	Medbourne Avenue
Medbourne Avenue and Mt. Vernon Avenue	Medbourne Avenue

SECTION 2. All Ordinance or parts of Ordinance inconsistent or in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. This Ordinance shall take effect upon final passage and publication according to law.

The Public Hearing on this ordinance is now open

Hudley – Frederic Motion to close Public Hearing

Adopted

Hudley – Frederic Motion to adopt this ordinance on second reading after Public Hearing

Adopted

4. President Beasley: An ordinance providing for residential parking permits on Oakland Street Between Orange Avenue and Lenox Avenue will be heard a time. For the record, this notice is identical to the prior notice read. The Clerk will read the ordinance by title.

AN ORDINANCE PROVIDING FOR RESIDENTIAL PARKING PERMITS ON OAKLAND STREET BETWEEN ORANGE AVENUE AND LENOX AVENUE

WHEREAS, the Township of Irvington has received concerns from its residents concerning the availability of resident parking on Oakland Street between Orange Avenue and Lenox Avenue, from 6:00 PM to 6:00 AM; and

WHEREAS, the difficulty of the residents in these area to locate parking at or near their homes has caused undue hardship on the residents of this area.

NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that parking shall be restricted and a parking permit required for residents of Oakland Street between Orange Avenue and Lenox Avenue, from 6:00 PM to 6:00 AM.

Resident's vehicles must receive and display a valid parking permit provided by the Township of Irvington; and

Vehicles parked in violation of this ordinance will be subject to towing and the vehicle owners shall be subject to a fine as set forth in Chapter 1, General Provisions, Article III; and

All ordinances or parts thereof that are inconsistent herewith are hereby repealed; and

This ordinance shall take effect upon final passage and publication according to law.

The Public Hearing on this ordinance is now open

Hudley – Frederic Motion to close Public Hearing

Adopted

Hudley – Frederic Motion to adopt this ordinance on second reading after Public Hearing

Adopted

12. MISCELLANEOUS

Public Hearing - Resilient Communities Program

A. President Beasley: The public hearing, which has been properly advertised, on the Township's request to apply for the Resilient Communities Program, will be heard at this time. The Clerk will read the notice of hearing.

The Public Hearing is now open. Is there anyone that would like to be heard on this matter?

No Public Members present requested to speak

Hudley – Brown Motion to close Public Hearing

Adopt

B. 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
Robert Shaw, 57 Coit Street
Lauren Shears, Office of the Essex County Executive

Council President Beasley advised the residents that their concerns will be forwarded to the Administration and will be addressed.

13. ADJOURNMENT (*Roll Call)

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

Jamillah Z. Beasley, Council President

Shawna M. Supel, Municipal Clerk