

TOWNSHIP OF IRVINGTON



MUNICIPAL COUNCIL MEETING MINUTES JANUARY 22, 2024 7:30 PM

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Appointments

Virtual - Zoom Meetings
Administration

1. PLEDGE OF ALLEGIANCE
2. MOMENT OF SILENCE
3. ROLL CALL

ROLL CALL	PRESENT	ABSENT	LATE ARRIVAL	EARLY DEPARTUR E
Brown	X			
Cox	X			
Evans	X			
Frederic	X			
Dr. Hudley			X (7:38 PM)	
Vick	X			
Beasley, President	X			

President Beasley reads the following Statement of Proper Notice Pursuant to the Sunshine Law.

Pursuant to Chapter 231, Public Laws of 1975 and Public Laws of 2020, Chapter 11, this is to state for the record that adequate notice of this virtual meeting has been provided to the public by posting a notice on the Municipal Bulletin Board, township's website, by mailing, emailing and faxing a notice of the meeting to the Irvington Herald and the Star Ledger on December 22, 2023, and by filing said notice in the office of the Municipal Clerk.

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)

5. HEARING OF COUNCIL MEMBERS

There were no requests to be heard.

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

A. Reports

1. Business Administrator Musa Malik Esq. – Report of January 1, 2024 Cannabis Committee Meeting
2. Business Administrator Musa Malik Esq. – Report of January 4, 2024 Finance Committee Meeting
3. Public Works Director Cassandra Chatman – Report of January 5, 2024 Sanitation Committee Meeting
4. Municipal Court - Weekly Summary Report for the Week of January 1, 2024 to January 5, 2024
5. Planning Board Attorney Eric Bernstein Esq. – Planning Board Resolution Recommending That 9, 11, and 13 Madison Avenue, Block, Lots 20-22 Be Designated a Non-Condemnation Area In Need of Redevelopment, Pursuant to the New Jersey Local Redevelopment and Housing Law (NJSA 40A:12A-1 et. seq.)
6. Municipal Court – Mayor’s Monthly Report, December 2023
7. Municipal Court - Weekly Summary Report for the Week of January 8, 2024 to January 12, 2024

7. REPORTS OF COMMITTEES

None

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

Vick - Hudley 1. An Ordinance Amending MC 3848 Providing For Residential Parking Permits On Oakland Street Between Orange Avenue and Lenox Avenue

AN ORDINANCE AMENDING MC 3848 PROVIDING FOR RESIDENTIAL PARKING PERMITS ON OAKLAND STREET BETWEEN ORANGE AVENUE AND LENOX AVENUE

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

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SECTION 1. Ordinance MC 3848 providing for resident permit parking on Oakland Avenue between Orange Avenue and Lenox Avenue is hereby amended and supplemented as follows:

The 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 from MONDAY to FRIDAY. 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

SECTION 2. All ordinances or parts thereof that are inconsistent herewith are hereby repealed; and

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

Adopted

B. Ordinances on Second Reading

Note: See Page 14

C. Bills & Claims

Evans - Brown 1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD JANUARY 22, 2024 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	\$2,971,407.26
TOTAL	\$2,971,407.26

Adopted

Brown - Evans 2. Payrolls

Payroll Date: January 12, 2024

TOTAL	\$2,496,154.19
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Adopted

9. RESOLUTIONS AND MOTIONS

A. Resolutions

Vick – Evans 1. Authorize Assignment of Tax Sale Certificates for 814 18th Avenue and 836-842 Springfield Avenue to Nalini Funding LLC

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 January 22, 2024
60/22	Solo Service Station, LLC. 814 18 th Ave.	23-00172	12/18/2023	\$12,842.84	\$13,869.89
135/1	HNH Real Estate LLC 836-842 Springfield Ave	23-00408	12/18/2023	\$4,370.17	\$4,469.46

together with subsequent liens thereon, at private sale to:

Nalini Funding LLC
8 Villa Farms Cr.
Monroe, NJ 08831

Adopted

Frederic – Hudley 2. Authorize Grant Agreement with the Essex County Division of Community Action as Sub-recipient of Social Services for the Homeless Funds in the Amount of \$178,000.00 - January 1, 2024 – December 31, 2024

WHEREAS, The County of Essex, acting through its Department of Citizens Services, Division of Community Action proposes to enter into a sub grant agreement with Irvington Neighborhood Improvement Corporation to provide Rental Assistance, Security Deposit, Utility Assistance, and Case Management under the Social Services for the Homeless (SSH/TANF) Program at a contract price of \$178,000.00 for the period of January 1, 2024 – December 31, 2024; and

WHEREAS, said grant agreement has been negotiated by the County Executive of Essex County and presented to the Board of County Commissioners for Its approval: and

BE IT FURTHER RESOLVED that the Mayor of the Township of Irvington be and hereby is authorized to execute a Grant Agreement with the Essex County Division of Community Action as sub-recipient of Social Services for the Homeless funds in the amount of \$178,000.00

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington does hereby accept the award of \$178,000.00 for such activities.

Adopted

Vick – Brown 3. Resolution of the Township of Irvington Designating Certain Property Identified in the Township Tax Maps As Block 166, Lots 20-22 and Identified in the Township Tax Records As 9, 11 and 13 Madison Avenue, As A Non-Condensation Redevelopment Area

RESOLUTION OF THE TOWNSHIP OF IRVINGTON DESIGNATING CERTAIN PROPERTY IDENTIFIED IN THE TOWNSHIP TAX MAPS AS BLOCK 166, LOTS 20-22 AND IDENTIFIED IN THE TOWNSHIP TAX RECORDS AS 9, 11 AND 13 MADISON AVENUE, AS A NON-CONDEMNATION REDEVELOPMENT AREA PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “**Redevelopment Law**”), authorizes a municipality to determine whether certain parcels of land in the municipality constitute an “area in need of redevelopment”; and

WHEREAS, to determine whether certain parcels of land constitute areas in need of redevelopment under the Redevelopment Law the Municipal council (“**Township Council**”) of the Township of Irvington (the “**Township**”) must authorize the planning board of the Township (the “**Planning Board**”) to conduct a preliminary investigation of the area and make recommendations to the Township Council; and

WHEREAS, on June 12, 2023, pursuant to Resolution OCDP 23-0612-13, the Township Council authorized and directed the Planning Board to conduct an investigation of certain parcels identified on the Tax Maps of the Township as Block 166, Lots 20, 21 and 22 (9, 11 and 13 Madison Avenue), along with all streets and rights of way appurtenant thereto (hereinafter, the “**Study Area**”) to determine whether the Study Area meets the criteria set forth in the Redevelopment Law, specifically N.J.S.A. 40A:12A-5, and should be designated as an area in need of redevelopment, which designation would permit the Township to utilize all available powers under the Redevelopment Law, except the power of eminent domain; and

WHEREAS, the Planning Board caused its consultant, ARH Associates (the “**Planning Consultant**”), to conduct a preliminary investigation of the Study Area in accordance with the Redevelopment Law; and

WHEREAS, the Planning Consultant conducted a preliminary investigation of the Study Area to determine whether the Study Area should be designated an area in need of redevelopment, and prepared a

preliminary investigation report of the above-referenced Study Area in accordance with the Redevelopment Law, dated December 12, 2023 (the “**Study**”); and

WHEREAS, the Study sets forth the basis for the investigation of the Study Area and a map depicting the Study Area, and concludes that the Study Area qualifies as an area in need of redevelopment pursuant to the Redevelopment Law, as set forth in the Study; and

WHEREAS, the Redevelopment Law requires the Planning Board to conduct a public hearing prior to making its determination whether the Study Area should be designated as an area in need of redevelopment, at which hearing the Planning Board shall hear all persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment; and

WHEREAS, on December 14, 2023, the Planning Board, after providing due notice, conducted a public hearing in accordance with the Redevelopment Law, considered the Study, heard the comments of the Planning Consultant, opened the meetings for public comments, deliberated on the matter using the criteria set forth in the Redevelopment Law, and determined that the Study Area qualified as an area in need of redevelopment for the reasons set forth in the Study and further recommended such designation pursuant to N.J.S.A. 40A:12A-5 of the Redevelopment Law; and

WHEREAS, after the conclusion of the public hearings described above, the Planning Board, by resolution, formally recommended that the Township Council designate the Study Area as a non-condemnation area in need of redevelopment pursuant to the Redevelopment Law; and

WHEREAS, the Township Council has determined that, based upon the recommendations of the Planning Board set forth herein, the Study Area should be designated a non-condemnation area in need of redevelopment under the Redevelopment Law, with such designation authorizing the Township to use all those powers provided by the Redevelopment Law for use in a redevelopment area, except the power of eminent domain.

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

1. **Generally.** The aforementioned recitals are incorporated herein as though fully set forth at length.
2. **Acceptance of Planning Board’s Findings.** The recommendations and conclusions of the Planning Board as set forth herein are hereby accepted by the Township Council.
3. **Non-Condensation Redevelopment Area Designated.** Based upon the findings and recommendations of the Planning Board, the Study Area is hereby designated an area in need of redevelopment without the power of eminent domain, pursuant to the Redevelopment Law (the “**Non-Condensation Redevelopment Area**”).
4. **Transmission of Resolution.** The Township Clerk is hereby directed to transmit a copy of this Resolution to the Commissioner of the New Jersey Department of Community Affairs pursuant to N.J.S.A. 40A:12A-6b(5)(c) of the Redevelopment Law.
5. **Mailing of Notice.** The Township Clerk is hereby directed to serve, within ten days hereof, a copy of this resolution upon (i) all record owners of the Study Area, as reflected on the Tax Assessor’s records,

and (ii) any person who filed a written objection with respect to the designation of the Study Area as an area in need of redevelopment.

6. **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.

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

8. **Effective Date.** This Resolution shall take effect immediately.

Adopted

Vick – Evans 4. Resolution of the Township of Irvington Authorizing the Execution of an Escrow Agreement With D&S Housing LLC for the Redevelopment of Property Identified As Block 166, Lot 24.01; on the Tax Maps of the Township and Identified in the Township Tax Records as 471 21st Street

RESOLUTION OF THE TOWNSHIP OF IRVINGTON AUTHORIZING THE EXECUTION OF AN ESCROW AGREEMENT WITH D&S HOUSING LLC FOR THE REDEVELOPMENT OF PROPERTY IDENTIFIED AS BLOCK 166, LOT 24.01; ON THE TAX MAPS OF THE TOWNSHIP AND IDENTIFIED IN THE TOWNSHIP TAX RECORDS AS 471 21ST 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, 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, Lot 24.01 and identified in the Township tax records as 471 21st Street (the “**Project Area**”); and

WHEREAS, D&S Housing LLC (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

Adopted

Vick – Brown 5. Resolution of the Township of Irvington Authorizing the Execution of a Redevelopment and Land Disposition Agreement by and Between the Township and Eclat Way LLC in Connection With the Transfer and Redevelopment of Certain Property Within the Township Defined as Block 168, Lot 18 on the Official Tax Maps of the Township and Identified in the Township Tax Records as 905 20th Street (Rear)

**RESOLUTION OF THE TOWNSHIP OF IRVINGTON AUTHORIZING THE
EXECUTION OF A REDEVELOPMENT AND LAND DISPOSITION AGREEMENT
BY AND BETWEEN THE TOWNSHIP AND ECLAT WAY LLC IN CONNECTION
WITH THE TRANSFER AND REDEVELOPMENT OF 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 “**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 property located within the Rehabilitation Area, which property is defined as Block 168, Lot 18 on the official tax maps of the Township and identified in the Township tax records as 905 20th Street (Rear) (the “**Property**”); and

WHEREAS, the Eclat Way LLC (the “**Redeveloper**”) has submitted to the Township its plans for the acquisition of the Property, and the design, development, financing, rehabilitation and maintenance thereon of the existing garage structure and certain other on-site and offsite improvements (the “**Project**”); and

WHEREAS, the Township has determined that Redeveloper possesses the proper qualifications and experience to implement and complete the Project in accordance with the Redevelopment Plan, and desires to convey the Property to Redeveloper to effect the same; and

WHEREAS, in order to effectuate the Redevelopment Plan and the Project, the Township has determined to enter into a redevelopment and land disposition agreement with the Redeveloper, (the “**Redevelopment Agreement**”), which establishes Redeveloper as the “redeveloper” of the Project, as that term is defined in the Redevelopment Law, and which specifies the respective rights and responsibilities of the Township and the Redeveloper with respect to the Project and the terms and conditions of the conveyance of the Property,

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

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

Section 2. Redeveloper Designated; Execution of Redevelopment Agreement Authorized.

(a) The Mayor is hereby authorized to execute the Redevelopment Agreement, substantially in the form attached hereto as **Exhibit A**, subject to modification or revision deemed necessary or desirable in consultation with counsel, and to take all other necessary or desirable action to effectuate such Redevelopment Agreement.

(b) The Municipal Clerk is hereby authorized and directed, upon the execution of the Redevelopment Agreement in accordance with the terms of Section 2(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) Upon execution of the Redevelopment Agreement, and so long as the Redevelopment Agreement remains in full force and effect, Redeveloper is hereby designated as “redeveloper” for the Project in accordance with the Redevelopment Law.

Section 3. Conveyance of Property Authorized.

(a) The Township Council hereby approves the conveyance of the Property; and authorizes the Mayor, upon the execution of the Redevelopment Agreement, in accordance with the terms of Section 2(a) hereof, to execute a deed conveying the Property to Redeveloper, together with any other necessary documents and/or agreements between the Redeveloper and the Township, subject to modification or revision in consultation with counsel, deemed necessary or desirable to effectuate same. Said authorization includes delivery of the deed to the Property and any and all associated documents required to effectuate the conveyance of the Property.

(b) The Mayor and other necessary city officials and professionals are each hereby authorized and directed to execute and deliver such documents as are necessary to facilitate the transactions contemplated hereby and in the Redevelopment Agreement, and to take such actions or refrain from such actions as are necessary to facilitate the transactions contemplated hereby, in consultation with, as applicable, counsel to the Township, and any and all actions taken heretofore with respect to the transactions contemplated hereby are hereby ratified and confirmed.

(c) Upon the execution of the deed in accordance with the terms of Section 3(a), the Municipal Clerk is hereby authorized and directed to attest to the signature of the Mayor upon such documents and is hereby further authorized and directed to affix the corporate seal of the Township upon such documents.

Section 4. 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 5. Availability of the Resolution. A copy of this resolution shall be available for public inspection at the office of the Municipal Clerk.

Section 6. Effective Date. This resolution shall take effect immediately.

Exhibit A

FORM OF REDEVELOPMENT AGREEMENT

Adopted

Frederic – Vick 6. Refund Overpayment on Property Taxes on 62 Maple Avenue for \$129.78, 16 Naden Avenue for \$5,057.19, 70 Rutgers Street for \$4,285.00 and 79 Coolidge Street for \$2,579.12 – 100% Disable Veterans Tax Exemption

RESOLUTION TO CANCEL AND REFUND PROPERTY TAXES

WHEREAS, the Tax Collector seeks authorization to cancel and refund the municipal charges listed herein for 100% disabled veteran exemptions and;

WHEREAS, the taxpayers of said properties have filed an application for 100% tax exemption and the tax assessor Silvia Forbes has approved the property tax exemption and forwarded said applications to the Tax Collector and;

WHEREAS, the 2023 taxes on said properties were billed and paid by the taxpayer and;

WHEREAS, the taxpayers are is entitled to a refund in the amount as listed herein, from the date of application approved by the tax assessor.

<u>BLOCK</u>	<u>LOT</u>	<u>PROPERTY ADDRESS</u>	<u>OWNER</u>	<u>EXEMPTION AMOUNT</u>
210	10	62 MAPLE AVE.	COLEMAN, BOBBY	\$129.78
245	20	16 NADEN AVE.	MARTINEZ, GABRIELLE	\$5,057.19
299	2	70 RUTGERS ST.	SPRUILL, HEATHER	\$4,285.00
356	35	79 COOLIDGE ST.	JACKSON, MICHELE	\$2,579.12
			TOTAL	\$12,051.09

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 and issue refunds in the amount of **\$12,051.09** to said taxpayers as described in this resolution.

Adopted

Vick – Frederic 7. Refund Overpayment Refund Overpayment on Property Taxes on Block 13 Lot 29, 1433-1435 Clinton Avenue – 100% Disable Veterans Tax Exemption - \$4,487.58

**Resolution to Refund Overpayment on Property Taxes
on Block 13 Lot 29, 1433-1435 Clinton Ave.**

WHEREAS, Augusto B. Giron is the owner of 1433-1435 Clinton Ave., Block 13 Lot 29 and is a 100% disabled veteran and;

WHEREAS, Augusto B. Giron has filed an application for 100% tax exemption with the Tax Assessor, Silvia Forbes and said application was approved for the property tax exemption on December 5, 2022 and;

WHEREAS, in continuation of DRF 23-0227-14, the 2023 Q1 taxes on 1433-1435 Clinton Ave. were billed and subsequently paid by the mortgage company in the amount of \$4,358.99, Q2 in the amount of \$42.21 and \$86.38 in interest and;

WHEREAS, the property taxes on 1433-1435 Clinton Ave. were paid in the total amount of \$4,487.58 and the exempt portion is \$4,487.58 and;

WHEREAS, the Tax Collector requests authorization to refund the overpayment of taxes, for the total amount of \$4,487.58.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, COUNTY OF ESSEX, STATE OF NEW JERSEY that the Township of Irvington Tax Collector is authorized and directed to refund the overpaid exempt portion of taxes to CORELOGIC in the amount of \$4,487.58 due to approved 100% Disabled Veteran tax exemption.

Adopted

Vick – Frederic 8. Resolution to Refund Tax Overpayment on Block 17 Lot 76, 1309-1315 Clinton Avenue - \$14,287.32 [**WALK ON ITEM BY THE ADMINISTRATION**]

**Resolution to Refund Tax Overpayment
on Block 17 Lot 76, 1309-1315 Clinton Ave.**

WHEREAS, Lillian Zhang is the lienholder of TSC# 22-00068 on 1309-1315 Clinton Ave., Block 17 Lot 76; and

WHEREAS, Lillian Zhang remitted a subsequent tax payment in the amount of \$14,287.32 for the 2023 Q4 taxes; and

WHEREAS, said payments in the amount of \$14,287.32 were applied to Block 17 Lot 76 2024 Q4 taxes on October 19, 2023; and

WHEREAS, SLK Global also remitted a payment in the amount of \$14,287.29 for the 2023 Q4 taxes on Block 17 Lot 76; and

WHEREAS, said payments in the amount of \$14,287.29 were applied to Block 17 Lot 76 2024 Q1 and partially Q2 taxes on October 30, 2023; and

WHEREAS, Lillian Zhang has requested to be refunded the tax overpayment in the amount of \$14,287.32 for 1309-1315 Clinton Ave., Block 17 Lot 76; and

WHEREAS, the Tax Collector desires to refund the tax overpayment in the amount of \$14,287.32 to Lillian Zhang.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, COUNTY OF ESSEX, STATE OF NEW JERSEY that the Township of Irvington Tax Collector is authorized and directed to refund the overpaid taxes to Lillian Zhang in the amount of \$14,287.32.

Adopted

Vick – Frederic 9. Resolution to Refund Tax Overpayment on Block 351 Lot 42, 30 Harding Terrace– \$2,620.04 **[WALK ON ITEM BY THE ADMINISTRATION]**

**Resolution to Refund Tax Overpayment
on Block 351 Lot 42, 30 Harding Terr.**

WHEREAS, Corelogic remitted a duplicate payment in the amount of \$2,620.04 for the 2022 Q4 taxes on Block 351 Lot 42; and

WHEREAS, said payments in the amount of \$2,620.04 were applied to Block 351 Lot 42 2022 Q4 taxes on October 13, 2022 and November 1, 2022; and

WHEREAS, Corelogic has requested to be refunded the tax overpayment in the amount of \$2,620.04 for 30 Harding Terr., Block 351 Lot 42; and

WHEREAS, the Tax Collector desires to refund the tax overpayment in the amount of \$2,620.04 to Corelogic.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, COUNTY OF ESSEX, STATE OF NEW JERSEY that the Township of Irvington Tax Collector is authorized and directed to refund the overpaid taxes to Corelogic in the amount of \$2,620.04.

Adopted

Vick – Hudley 10. Confirm Mayor's Nomination of Lionel Leach as Member of Library Board of Trustees Replacing Andre Lockhart for a Five Year Term Expiring on January 1, 2029 **[WALK ON ITEM BY THE ADMINISTRATION]**

WHEREAS, N.J.S.A. 40:54-9 requires that nominations by the Mayor to the Library Board of Trustees be confirmed by the Municipal Council; and

WHEREAS, a vacancy currently exist in the Irvington Library Board of Trustees due to the expiration of the term of Andre Lockhart on December 31, 2023.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the following nomination by the Mayor to the Irvington Library Board of Trustees is hereby confirmed:

NAME AND ADDRESS	TERM TO EXPIRE
Lionel Leach	1-1-2029

Adopted

10. COMMUNICATION AND PETITIONS

A. Communications

1. Mayor Vauss - Executive Order 2024-01 Prohibiting the Use of Immobilization Devices (Tire Boots)
2. Mayor Vauss- Reappointment of Engineer John Wiggins to the Planning Board
3. Worrall Community Newspaper - Affidavit of Circulation for the Irvington Herald

11. PENDING BUSINESS

None

NON-CONSENT AGENDA

8. ORDINANCES, BILLS & CLAIMS (Continued)

B. Ordinances on Second Reading

1. President Beasley: An ordinance amending Section 620-19.1 regarding parking too close to a driveway by adding Bachman Place will be heard a time. The Clerk will read the notice of hearing.

The Clerk will read the ordinance by title

AN ORDINANCE AMENDING SECTION 620-19.1 OF THE REVISED CODE REGARDING PARKING TOO CLOSE TO A DRIVEWAY BY ADDING BACHMAN PLACE

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON AS FOLLOWS:

SECTION 1. Section 620-19.1 of the Revised Code of the Township of Irvington is hereby supplemented by adding the following street and location:

Parking too close to driveway.

No person shall park or cause to be parked any type of motor vehicle within four linear feet of the crossover width of a driveway where the driveway meets the carriage way (i.e. the lower section of the driveway,

which abuts the street or other public right of way) upon any of the following described streets or parts of streets:

Name of Street	Location
Bachman Place	Entire Length

SECTION 2. All ordinances or parts thereof that are inconsistent herewith 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

Vick – Hudley Motion to close Public Hearing

Adopted

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

Adopted

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

Samuel Cherlius, 90 40th Street

Council President Beasley addressed the concern raised by the above referenced citizen.

13. ADJOURNMENT (*Roll Call)

There being no further business, the meeting adjourned at 7:42 P.M.

Jamillah Z. Beasley, Council President

Shawna M. Supel, Municipal Clerk