

TOWNSHIP OF IRVINGTON



MUNICIPAL COUNCIL MEETING MINUTES JULY 14, 2025 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 DEPARTURE
Antilus		X		
Brown	X			
Dr. Frederic	X			
Dr. Hudley	X			
Vauss, Jr.	X			
Vick		X		
Beasley, President	X			

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

In accordance with the Open Public Meetings Act, adequate notice of this virtual meeting has been provided to the Irvington Herald and Star Ledger, posted on the Municipal Bulletin Board, the township's website, and filed 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)

No public members requested to be heard.

5. HEARING OF COUNCIL MEMBERS

No Council Members requested to be heard.

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

A. Reports

1. 2023 Audit Report
2. Public Works Keyboarding Clerk II Jenilee Jean-Pierre - Report of the June 6, 2025 Sanitation/Quality of Life Committee Meeting
3. Recreation Director Donald Malloy - Report of the June 12, 2025 Recreation Committee Meeting
4. Township Attorney Ramon Rivera, Esq. – Report of the June 16, 2025 Legal Committee Meeting
5. Business Administrator Musa A. Malik, Esq. – Report of the June 17, 2025 Cannabis Committee Meeting
6. EDGO Deputy Director Tanya Way – Report of the June 18, 2025 Grant Committee Meeting
7. Community Development Executive Assistant Attiya Pennix – Report of the June 18, 2025 Redevelopment Committee Meeting
8. A/Municipal Court Director/Court Administrator Deshanaye Alexander-Sanders - Weekly Summary Report for the Week of June 16, 2025, to June 20, 2025
9. A/Municipal Court Director/Court Administrator Deshanaye Alexander-Sanders - Weekly Summary Report for the Week of June 23, 2025, to June 27, 2025
10. A/INIC Director Josie Monel – Report of the June 18, 2025 Grant Committee Meeting
11. Health Deputy Director Kimberly Pierre - Report of the June 26, 2025 Ad Hoc/Health Committee Meeting
12. Township Attorney Ramon Rivera, Esq. – Report of the July 7, 2025 Legal Committee Meeting
13. Joint Meeting – Third Quarter Assessment, 2025

7. REPORTS OF COMMITTEES

- A. June 25, 2025 - Request for Proposals – Sanitary Sewer, Home/CDBG/Lead Administration and Compliance Management and Animal Control

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

8. ORDINANCES, BILLS & CLAIMS

A. Ordinances on First Reading

- Hudley – Beasley 1. An Ordinance Amending Section 555-16 of the Revised Code of the Township of Irvington Entitled “Fee; Deposits; Replacement of Pavement; Disposition of Deposit”

**AN ORDINANCE AMENDING SECTION 555-16
OF THE REVISED CODE OF THE TOWNSHIP OF IRVINGTON ENTITLED
“FEE; DEPOSITS; REPLACEMENT OF PAVEMENT; DISPOSITION OF DEPOSIT”**

SECTION 1. Section 555-16 of the Revised Code of the Township of Irvington is hereby amended and supplemented as follows:

§ 555-16. “FEE; DEPOSITS; REPLACEMENT OF PAVEMENT; DISPOSITION OF DEPOSIT”

- A. The applicant for a permit referred to in §§ 555-14 and 555-15, for a permit for excavating in a street or sidewalk or tunneling under a street, shall pay the following fees:
- For all streets which were repaved within the last 5 years the fee shall be \$300.00 for residential applicants and \$500.00 for utility companies;
 - For all streets which have been repaved more than 5 years the fee shall be \$200.00 for residential applicants and \$500.00 for utility companies.
- B. To apply for the above permit, all applicants shall complete an application as determined by the Director of Public Works and pay an Application Fee of \$75.
- C. Prior to the closing of the road opening, all applicants must have an inspection completed by the Department of Housing and Building Construction to ensure the work was completed consistent with applicable regulations and prepay a fee of \$150.00 at the time they apply for the road opening.
- D. **Final Inspection Requirement Prior to Road Opening Closure**
1. No road opening or trench associated with underground infrastructure repair, replacement, or installation performed by a utility company or its contractors shall be closed, backfilled, or permanently restored until a final inspection has been conducted and approved by the appropriate licensed Subcode Official(s) and/or the Construction Official, as designated by the municipality.
 2. The utility company or its agent shall notify the Department of Housing and Building Construction at least 24 hours in advance of the requested inspection. The inspection shall confirm that the work complies with applicable construction codes, safety standards, and municipal specifications prior to closure.
 3. Failure to obtain and pass the required inspection prior to backfilling or closure shall constitute a violation of this section and may result in enforcement actions including, but not limited to, fines, permit revocation, deposit or mandatory re-excavation of the trench for reinspection at the utility company’s expense.

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- E. In addition, the applicant shall deposit with the Department of Public Works such sum as the Town Engineer shall deem necessary to cover the cost of replacing such pavement or sidewalk.
[Amended 1-13-1981 by Ord. No. MC 2622; 12-14-1999 by Ord. No. MC 3134; 8-14-2001 by Ord. No. MC 3176; 10-12-2005 by Ord. No. MC 3306; 7-14-2009 by Ord. No. MC 3407; 12-29-2009 by Ord. No. MC 3413; 7-1-2014 by Ord. No. MC 3511]
- F. The Department of Public Works shall, in all cases, replace such defective pavement and retain such deposit as security for the payment of the costs of such replacement by the applicant. After such costs have been determined, the same shall be deducted from the security and the balance of such deposit shall be returned to the person receiving such permit. Should the cost of such replacement exceed the amount of such deposit, such deposit shall be credited upon the amount of the cost of replacement and the person receiving such permit shall pay to the Department of Public Works the balance of such cost.
[Amended 7-14-2009 by Ord. No. MC 3407; 7-1-2014 by Ord. No. MC 3511; 3-13-2018 by Ord. No. MC 3635]
- G. For excavating in sidewalk areas, the applicant shall deposit such sum as the Township Engineer shall determine is necessary. Such deposit shall be returned to the applicant when such excavation has been backfilled and the sidewalk relaid or reconstructed in compliance with the standard specifications for sidewalks of the Town.^[1]

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

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

Adopted
Absent: Antilus and Vick

Vauss, Jr. – Hudley 2. An Ordinance Amending Chapter 290 Licensing Procedure: Article I

AN ORDINANCE AMENDING CHAPTER 290 LICENSING PROCEDURE: ARTICLE I.

AN ORDINANCE AMENDING CHAPTER 290 LICENSING Procedure: Article I

BE IT ORDAINED by the Municipal Council of the Township of Irvington as follows: Chapter 290 Licensing Procedure: Article I is hereby amended to read as follows:

Article I Licensing Procedure

§ 290-1Applications.

Except as otherwise expressly provided by the Revised Code or other ordinances of the Town, all types of licenses required by the various provisions of the Revised Code and other ordinances of the Town shall be applied for by proper application to the Division of Licensing of the Department of Revenue and Finance of the Town.

§ 290-2Issuance of licenses.

Except as otherwise expressly provided by the Revised Code or other ordinances of the Town, all licenses of every type and kind as regulated by the provisions of the Revised Code and the various other ordinances of the Town shall be issued, after proper application as set forth in § 290-1, through the Division of Licensing.

§ 290-3Applicability to certain licenses.

This article shall not apply to the various types of licenses which are specifically delegated to be applied for, issued and regulated by any municipal department or municipal agency pursuant to the direction of any law or statute of the state.

§ 290-4Prerequisite for issuance and continuation of licenses and permits. Prerequisites include but are not limited to Business Registration Certification, Certificate of Continued Occupancy, Fire Certification, Drivers' License; along with any specific prerequisites related to the license that you are seeking.

[Added 8-13-1991 by Ord. No. MC 2929^{II}; amended 12-18-2012 by Ord. No. MC 3476; 4-8-2019 by Ord. No. MC 3696; 9-23-2019 by Ord. No. MC 3712]

A.

Definitions. As used in this section, the following term(s) shall have the meanings as indicated:

BUSINESS

Any individual, partnership or corporation who is conducting a commercial activity within the physical boundary of the Township of Irvington.

B.

Display of license or permit.

(1)

All license(s) or permit(s) issued to an individual, partnership or corporation to conduct business in the Township of Irvington must be current and displayed on such premises, always and in a conspicuous manner, within five feet of the front entrance of said business. Failure to properly display a license required to operate the business shall constitute a violation of this section subjecting the property and/or business owner to penalties as indicated by this section.

(2)

This subsection shall not apply to those businesses regulated by the Alcoholic Beverage Control Act.

(3)

Failure to obtain a license covering the type of commercial activity for which the property and/or business owner is engaged in shall constitute a violation of this section and subject both the property and/or business owner to a penalty as indicated by this section.

(4)

Failure to obtain a Township license covering the commercial activity for which the property and/or business owner is engaged shall subject the property and/or business owner to the following penalties:

[Amended 9-9-2024 by Ord. No. MC 3876]

(a)

The business/entity may be issued a "Cease and Desist" order to close and stop all operations until such time it is properly licensed by the Township.

(b)

A Code Violation Summons will be issued with a minimum fine of \$2000 and a mandatory court appearance; a continuing violation of this ordinance shall constitute a subsequent offense and subject the offender to a mandatory court appearance and a maximum fine \$2,000 for each day that the unlawful conduct continues.

(5)

Failure to display a license covering the commercial activity for which the property and/or business owner is engaged shall subject the property and/or business owner to the following ~~penalties~~: penalty of \$250 fine, this is a payable offense.

(a)

Fines:

~~[1]~~

~~First offense: \$50.~~

~~[2]~~

~~Second offense: \$150.~~

~~[3]~~

~~Third offense: \$250.~~

~~[4]~~

~~Fourth offense: mandatory court hearing with a fine up to \$500 and prohibition on conducting any commercial activity within the Township for one year by the business entity and/or owner.~~

6

A second or subsequent offense may subject the business and/or property owner to a mandatory court hearing with a fine up to \$1000.00 per day; and a prohibition on conducting any commercial activity within.

DENIAL OF LICENSE

290-4C.

C.

1.

No license or permit shall be issued to any applicant who is the owner of property unless and until any delinquent property taxes, or assessments on such property are paid and current. This subsection shall not apply to licenses issued pursuant to the Alcoholic Beverage Control Act of the State of New Jersey.

2.

No License or permit shall be issued or renewed to an applicant who is convicted of a crime, or convicted of violation of Township ordinance, or a disorderly persons offense involving gambling; or conducting activity(ies) outside scope of license.

3.

If the Director and/or designee have reasonable cause to believe licensee is conducting activities outside the scope for which an approved license was issued, the Director or designee may suspend or revoke the license. Prior to any license revocation, the Director and / or designee shall conduct a hearing where the burden is on the licensee to show why the license should not be suspended or revoked. After the hearing, the Director and/or designee shall issue a written report (Final Determination Report) to the licensee and all effected departments as to findings, if any. The licensee may challenge the suspension or revocation in the Superior Court of New Jersey within the time provided by the New Jersey Court Rules.

4.

The Final Determination Report shall be forwarded to the licensee, within ten (10) business days of the date of the hearing, if any the Director and/or designee shall issue a final report to the licensee and all affected departments as to any findings. Within (3) business days of the receipt of the Final Determination Report the licensee must cease all operation. Failure to cease all operations within (3) business days of the Final Determination Report shall result in the padlocking of the premises.

The Licensee may challenge the revocation in the NJ Superior Court within the time prescribed by the New Jersey Court Rules; and shall serve notice of such appeal to the Director who conducted the hearing.

Businesses that fail to file an appeal within the time prescribed by the Court and have their license suspended or revoked but which continue to operate in violation of the revocation shall be padlocked after 45 days and upon notice to the occupant and owner; same shall remain padlocked by the Township for the full duration of the appeal period. Upon expiration of the appeal period the Licensee can make written arrangements to remove items from property within (30) calendar days if the appeal is unsuccessful.

5.

Destruction or Removal of Township lock may result in charges of criminal mischief in violation of N.J.S.A. 2C:17-3 (2024).

[2]

Editor's Note: See N.J.S.A. 33:1-1 et seq.

D.

The applicant shall supply a certificate from the Township Tax Collector that all property taxes and assessments are paid and current on the subject property.

E.

A license issued pursuant to this chapter shall not be renewed who has a municipal lean or who has failed to pay the taxes due on the property.

[1]

Editor's Note: Section 4 of this ordinance provided as follows: "The issuance or maintenance of licenses or permits under any provision of this ordinance will not be withheld or denied if such action will jeopardize the health and safety of the citizens of Irvington."

Adopted

Absent: Antilus and Vick

Hudley – Beasley 3. An Ordinance Regarding Private Parking Lots

AN ORDINANCE AMENDING CHAPTER 604 TOWING: ARTICLE IV. TOW FROM PRIVATE PROPERTY; REGISTRATION OF TOWING COMPANIES; TOWING LOTS

AN ORDINANCE AMENDING CHAPTER 604 Towing: Article IV. Tow From Private Property; Registration of Towing Companies; Towing Lots of the Township of Irvington.

BE IT ORDAINED by the Municipal Council of the Township of Irvington as follows: Chapter 604 Towing: Article IV Tow From Private Property; Registration of Towing Companies; Towing Lots: is hereby amended to read as follows:

604-14 FEES FOR TOWING FROM PRIVATE PROPERTY

The fee for a tow (car) from private property shall be as set forth in this chapter. Such fee shall include any winching that the tow truck may have to perform. There shall be no additional charge for winching.

JUSTIFICATION FOR TOW

No vehicle can be towed from private property unless it is at the request of the property owner, and/or it violates existing parking regulations, i.e., fire lane, parked blocking driveway or the vehicle is abandoned, etc.

604-15 Any company conducting towing operations within the Township must have a valid license, issued by the Township of Irvington, and be registered to conduct tow operations within the Township. Each vehicle used for towing shall be assessed a charge as set forth in this chapter. Said vehicle must display a decal provided by the Township of Irvington. The above fees are mandatory and without exception. Any company who fails to register and attempts to operate without proper registration credentials shall be subjected to a fine as set forth in Chapter 1, General Provisions, Article III, Penalties of the Township Code.

604-16 TOWING LOTS

- a. All vehicles towed from the Township of Irvington must be towed to a lot/facility within a four-mile radius of the Township.
- b. All vehicles towed must be brought to the Irvington Police Department at located at Civic Square for inspection and to be logged in on police records.

- c. Tow lot/facility must have adequate signage with ordinance fee(s) schedule visible at each entrance and exit of the respective lot. Signage must be a minimum 36 inches by 24 inches high with a minimum letter height of two inches.

The signage shall list the following information:

1. Name of Tow Company
2. Address of company lot(s)
3. Telephone number to tow lot
4. The time of parking on property for residents or visitors.
5. The Tow Company must be the record owner or lessee of the storage facility/lot.
- d. The tow company must provide 24-hour access to its lot for retrieval of vehicles.

NEW SECTION: 604-17 OUTSIDE SECURED STORAGE FACILITY

Vehicles stored at an outside storage facility/lot, must meet the following requirements:

1. The outside storage facility/lot must provide a minimum of 15,000 square feet to storage space.
2. The entire land area shall be enclosed by a fence of sturdy construction, a wall or other man-made barrier that is at least 6 feet in height, with a minimum of one lockable gate for ingress and egress.
3. All entry points shall have a locking device.
4. The storage area must be stoned or paved.
5. The storage facility/lot area shall be properly lighted from dusk to dawn and must be properly safeguarded from vandalism and/or theft.
6. No towed vehicle(s) shall be parked on a public or private street or sidewalk.
7. A written and or printed receipt must be provided for all payments for towed vehicles. Such written and or printed receipt must have the name/logo of the towing company as well as the address and contact information for the towing company.

PENALITIES

Any violation of Chapter 604 Article IV Tow From Private Property; Registration of Towing Companies; Towing Lots, shall result in the following penalties: Companies;

First Offense \$500.00
Subsequent Offense: \$1000.00

All other provisions of Chapter 604 remain in full force and effect.

All ordinances or parts of ordinances inconsistent herewith are hereby accordingly repealed to the extent of any such inconsistency

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

Adopted
Absent: Antilus and Vick

C. Bills & Claims

Frederic – Vauss, Jr. 1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD **JULY 14, 2025** 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	\$1,105,852.82
TOTAL	\$1,105,852.82

Adopted
Absent: Antilus and Vick

Vauss, Jr. – Beasley 2. Payrolls

Payroll Date: June 27, 2025

TOTAL	\$2,545,046.24
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Adopted
Absent: Antilus and Vick

9. RESOLUTIONS AND MOTIONS

A. Resolutions

Brown – Frederic 1. Purchase Proprietary Software Technology for the Public Safety Department - Visual Computers Inc. - Total Sum of \$9,721.25

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

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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 \$9,721.25; 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 C25-0120 in the amount of \$9,721.25 has been obtained from the Chief Financial Officer, charged to budget account number 5-01-25-240-240-118.

Adopted
Absent: Antilus and Vick

Brown – Vauss, Jr. 2. Approve Payment to Non-Profit Organization (501 C3-211) for Entertainment for 2025 Unity Day - 211 Community Impact - \$15,000.00

RESOLUTION APPROVING PAYMENT TO NON PROFIT ORGANIZATION (501 C3-211) FOR ENTERTAINMENT FOR 2025 UNITY DAY

WHEREAS, 211 Community Impact, a New Jersey Non-Profit Corporation with its office located at 211 Halsey Street, Newark, NJ 0710 provides entertainment services; and

WHEREAS, the Township wishes to provide a subsidy payment to the organization for entertainment for the 2025 Unity Day celebration; and

WHEREAS, the Township will provide this organization with an annual subsidy payment of \$15,000.00; and

NOW THEREFORE BE, IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, that the Township of Irvington will remit payment in the amount of \$15,000.00 to 211 Community Impact, a New Jersey Non-Profit Corporation located 211 Halsey Street, Newark, NJ 0710 for entertaining services for 2025 Unity Day celebration.

BE IT FUTHER RESLOVED, that the required certification of availability of funds C25-0122 in the amount of \$15,000.00 from account number T-13-56-860-000-835 has been obtained from the Chief Financial Officer

Adopted
Absent: Antilus and Vick

Brown – Vauss, Jr. 3. Apply for a Transportation Trust Grant for the Resurfacing of Lincoln Place for an Amount of \$499,550.00 Under the FY 2026 Transportation Trust Fund Program

RESOLUTION TO APPLY FOR A TRANSPORTATION TRUST GRANT FOR THE RESURFACING OF LINCOLN PLACE

WHEREAS, the New Jersey Department of Transportation (NJDOT) offers a competitive grant program, The Transportation Trust Fund, which allows municipalities to apply for grants for various types of projects, particularly road resurfacing; and

WHEREAS, based on the grant requirements, Lincoln Place meets the criteria for an application under this grant and the Township Engineer has prepared the necessary documents for this application in the amount of \$ 499, 550.00, which will cover the costs of design, construction and administration and testing for this project; and

WHEREAS, the Township Engineer has prepared and submitted an application to NJDOT for this project.

NOW, THEREFORE, BE IT RESOLVED BY MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that an application for a grant in the amount of \$ 499, 550.00 under the FY 2026 Transportation Trust Fund Program, for the Resurfacing of Lincoln Place and that the Mayor is hereby authorized to endorse this application on behalf of the Township.

Be it further resolved that the Municipal Clerk shall forward a certified copy of this resolution to the New Jersey Department of Transportation.

Adopted
Absent: Antilus and Vick

Vauss, Jr. – Beasley 4. Authorize Refund of Annual Sewer Charges on Block 8 Lot 1, 1466 Clinton Avenue in the Amount of \$900.00

Resolution Authorizing Refund of Annual Sewer Charges on Block 8 Lot 1, 1466 Clinton Ave.

RWHEREAS, The Annual Sewer Charge was billed in the amount of \$180.00 per year from 2020 to 2024 on Block 8 Lot 1, commonly known as 1466 Clinton Ave.; and

WHEREAS, the property, by way of evidence of the tax assessor's records, is a 1-family dwelling; and

WHEREAS, the taxpayer, Tai-Anne Linton, has paid the sewer billings from 2020 to 2024 and said taxpayer has requested a refund of same; and

WHEREAS, the property, by way of evidence of the Township of Irvington Tax Collector's records, was being erroneously billed an annual sewer charge in the amount of \$360.00 for 2 units; and

WHEREAS, the payment made for the annual sewer charge from 2020 – 2024 was in the amount of \$1,800.00 for 2 units; and

WHEREAS, an overpayment of the annual sewer charge from 2020 – 2024 exists in the amount of \$900.00 for the 1 unit erroneously billed; and

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WHEREAS, the Tax Collector requests permission to cancel the 2nd unit being currently being billed to reflect 1 unit for 2025; and

WHEREAS, the Tax Collector requests to refund erroneous sewer payments in the amount of \$900.00 to Tai-Anne Linton.

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 to:

1. Cancel and refund sewer overpayments in the amount of \$900.00 to Tai-Anne Linton
2. Change sewer record to reflect 1 unit and remove the additional unit from billing.

Adopted

Absent: Antilus and Vick

Hudley – Frederic 5. Authorize the Submission of The IUEZ Five-Year Plan to the New Jersey Urban Enterprise Zone Authority – Years 2025 to 2029

TOWNSHIP OF IRVINGTON RESOLUTION AUTHORIZING THE SUBMISSION OF THE IUEZ FIVE-YEAR PLAN TO THE NEW JERSEY URBAN ENTERPRISE ZONE AUTHORITY

WHEREAS, the Township of Irvington is designated as an Urban Enterprise Zone (IUEZ) pursuant to the Urban Enterprise Zone Act, Section 9 of P.L. 1983, c.303 (c.52:27H-68); and

WHEREAS, the Township Irvington is required to submit a comprehensive Five-Year Plan outlining strategies committed to revitalizing the community by fostering economic growth and job creation within the NJ Urban Enterprise Zone (UEZ) boundaries; and

WHEREAS, the Township of Irvington has developed said Five-Year Plan through a collaborative process involving community stakeholders, business owners and municipal departments, aligning initiatives with public safety priorities and small business support; and

WHEREAS, the Five-Year Plan includes proposed programs, anticipated outcomes and timelines for implementation, in accordance with the requirements of the NJ Urban Enterprise Zone Authority (UEZ);

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Irvington, that the Council hereby authorizes the IUEZ Coordinator to take all necessary actions to submit the Five-Year Plan, along with any required supporting documentation, to the New Jersey Urban Enterprise Zone (UEZ) Authority for review and approval.

Adopted

Absent: Antilus and Vick

Frederic – Brown 6. Authorize the Exchange of Ownership of Tax Sale Certificates Between King of Groceries, LLC and Irvington Redevelopment 2022 LLC

RESOLUTION OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON AUTHORIZING THE EXCHANGE OF OWNERSHIP OF TAX SALE

**CERTIFICATES BETWEEN KING OF GROCERIES, LLC AND IRVINGTON
REDEVELOPMENT 2022 LLC**

WHEREAS, Irvington Redevelopment 2022 LLC is the owner and holder of a certain certificate of sale for unpaid municipal lien issued by or on behalf of the Township of Irvington (the “Township”) on March 18, 2024, under Essex County Register of Deeds Instrument No. 2024015514, as an interest in the real property identified on the official tax maps and in the Township tax records as Block 151, Lot 3, located at 244 22nd Street within the Township; and

WHEREAS, King of Groceries, LLC (together with Irvington Redevelopment 2022 LLC, the “Respective Lienholders”) is the owner and holder of a certain certificate of sale for unpaid municipal lien issued by or on behalf of the Township of Irvington (the “Township”) on December 10, 2024, under Essex County Register of Deeds Instrument No. 2024072906, as an interest in the real property identified on the official tax maps and in the Township tax records as Block 149, Lot 23, located at 199 22nd Street within the Township; and

WHEREAS, the Respective Lienholders have privately come to an amicable agreement to exchange with one another, via cross-assignments, their respective ownership in the two tax sale certificates; and

WHEREAS, the Township deems the proposed exchange in respective ownership to be beneficial to the goals and aims of the Township, particularly in terms of redevelopment.

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. Exchange of Tax Sale Certificates Authorized. The Township approves and authorizes the parties to enter into the assignment agreements each has bargained for with the other, to effectuate the exchange of the interests held by Irvington Redevelopment 2022 LLC in Tax Sale Certificate No. 2024015514 to King of Groceries, LLC; and to effectuate the exchange of the interests held by King of Groceries, LLC in Tax Sale Certificate No. 2024072906 to Irvington Redevelopment 2022 LLC.

Section 3. Tax Collector to be Notified. A copy of this Resolution shall be provided to the Tax Collector, to act upon to the extent required or necessary. To the extent necessary, the Tax

Section 4. Parties directed to Execute and Record the Respective Assignment Agreements. The Respective Lienholders are authorized to execute and record the necessary agreements along with copies of this Resolution.

Section 5. 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 6. Availability of the Resolution. A copy of this resolution shall be available for public inspection at the office of the Municipal Clerk.

Section 7. Effective Date. This resolution shall take effect immediately.

Exhibit A

PROPERTY CONVEYANCE AND SETTLEMENT AGREEMENT

Adopted

Absent: Antilus and Vick

Brown – Beasley 7. Resolution of Need in Support for a Redevelopment Project of Twenty First Redevelopment LLC and its Subsidiary Sankofa III, LLC for the New Jersey Housing and Mortgage Finance Agency

RESOLUTION OF NEED IN SUPPORT FOR A REDEVELOPMENT PROJECT OF TWENTY FIRST REDEVELOPMENT LLC AND ITS SUBSIDIARY SANKOFA III, LLC FOR THE NEW JERSEY HOUSING AND MORTGAGE FINANCE AGENCY

WHEREAS, SANKOFA III, LLC (hereinafter referred to as the “**Sponsor**”) proposes to construct a five (5) story multi-family building consisting of approximately seventy-two (72) units of affordable workforce residential rental housing project (hereinafter referred to as the “**Sankofa Enclave III Project or Project**”) pursuant to the provisions of the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended (N.J.S.A. 55:14K-1 et seq.), the rules promulgated thereunder at N.J.A.C. 5:80-1.1 et seq., and all applicable guidelines promulgated thereunder (the foregoing hereinafter collectively referred to as the “**HMFA Requirements**”) within the Township of Irvington, in the County of Essex, New Jersey (hereinafter referred to as the “**Municipality**”) on a site described as proposed consolidated Lot(s) 2-12 Block 144 and Lot(s) 11 and 12 Block 145 as shown on the Official Assessment Map of Municipality and commonly known as 113,115,119,121 and 123 19th Avenue, 2-4,6,8,10,12 and 14 Nelson Place and 350 21st Street and 1-7 Nelson Place, New Jersey; and

WHEREAS, in furtherance of the Project, the Municipality and Twenty First Redevelopment LLC, the Sponsor's sole member, entered into a Redevelopment and Purchase and Sale Agreement with respect to the Project on October 20, 2023, by a resolution adopted by the Municipality on September 11, 2023; and

WHEREAS, the Project will be subject to the HMFA Requirements and the mortgage and other loan documents executed between the Sponsor and the New Jersey Housing and Mortgage Finance Agency (hereinafter referred to as the “**Agency**”); and

WHEREAS, pursuant to the HMFA Requirements, the governing body of the Municipality hereby determines that there is a need for this housing project in the Municipality.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Irvington (the “Council”) that:

(1) The Council finds and determines that the Sankofa Enclave III Project proposed by the Sponsor meets or will meet an existing housing need;

(2) The Council does hereby adopt the within Resolution and makes the determination and findings herein contained by virtue of, pursuant to, and in conformity with the provisions of the HMFA Law to enable the Agency to process the Sponsor’s application for Agency funding to finance the Sankofa Enclave III Project.

Adopted

Absent: Antilus and Vick

Hudley – Beasley 8. Approve the Final Disposition of Hinton v. Township of Irvington Worker's Compensation – Not To Exceed \$45,261.00

RESOLUTION APPROVING THE FINAL DISPOSITION OF

**HINTON V. TOWNSHIP OF IRVINGTON
WORKER'S COMPENSATION CASE NO: 2016-29621**

WHEREAS, the matter of Daphine Hinton v. Township of Irvington, was filed in the Department of Labor and Workforce Development, Workers Compensation Division under Case Nos: 2016-29621; and

WHEREAS, the Township of Irvington Administration and the Municipal Council deem it in the best interest to bring this matter to a resolution, thus saving the Township further expense in the defense thereof and curtailing any excessive liability that could result from this litigation; and

WHEREAS, the Office of the Township Attorney has reviewed, monitored and consulted with counsel and all relevant municipal officials and pursuant thereto recommend that this matter be concluded:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that it hereby agrees to a settlement for a total amount not to exceed **Forty-Five Thousand Two Hundred and Sixty One dollars (\$45,261.00)** pursuant to the terms of the Settlement Order to be executed by the Judge of the Division of Workers' Compensation; and

BE IT FURTHER RESOLVED that this matter is hereby concluded with absolutely no admission of liability on behalf of the Township of Irvington, its Police Department or any agents, officers or personnel; and

BE IT FURTHER RESOLVED that the settlement funds will be processed through D&H Alternative Risk Solutions, the Township's third-party liability administrator.

Adopted

Absent: Antilus and Vick

Hudley – Vauss, Jr. 9. Authorize the Township of Irvington to Accept Escheated Funds for Unclaimed Bail in the Amount of \$550.00

**RESOLUTION AUTHORIZING THE TOWNSHIP OF IRVINGTON
TO ACCEPT ESCHEATED FUNDS FOR UNCLAIMED BAIL**

WHEREAS, the Municipal Court of Irvington has in its possession unclaimed bail in the amount of **\$550.00** related to the case of **Gregory E. Brown** (surety/defendant), with the last known address at **280 Park Place, Irvington, NJ 07111**.

WHEREAS, the Municipal Court of Irvington has been unsuccessfully in locating Gregory E. Brown to refund said bail; and

WHEREAS, the bail has remained unclaimed since **September 2024**; and

WHEREAS, pursuant to directive from the Administrative Office of the Courts regarding unclaimed bail under Bulletin Letter #170, if a case has been concluded and refund of bail is in order and the court cannot locate the person who posted the bail in order, the court should pay the bail to the Municipal Treasurer by a separate check with an accompanying letter of explanation, keeping a copy of the letter in the court file. If the person who posted the bail is subsequently located, the court may then order the municipality to make refund; and

WHEREAS, a request has been made by the Municipal Court Director in accordance with the directive from the Administrative Office of the Courts cited herein to have the escheated funds transferred to the Township; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that:

- (1) The Municipal Court Director is hereby authorized to issue a check in the amount of \$550.00 to the Township of Irvington, together with a letter of explanation.
- (2) The Municipal Court Director is also directed to keep a copy of the letter of explanation in the court file. Should the person who posted the bail be located, the court may then order the municipality to make a refund.

Adopted
Absent: Antilus and Vick

Hudley – Beasley 10. Authorize the Increase of the Bid Threshold to an Amount Not to Exceed
\$53,000.00

RESOLUTION INCREASING BID THRESHOLD TO AN AMOUNT NOT TO EXCEED
\$53,000.00

WHEREAS, the recent changes to the Local Public Contracts Law gave local Contracting units the ability to increase their bid threshold up to \$53,000; and

WHEREAS, N.J.S.A. 40A:11-3a permits an increase in the bid threshold if a Qualified Purchasing Agent is appointed as well as granted the authorization to negotiate and award such contracts below the bid threshold; and

WHEREAS, N.J.A.C. 5:34-5 et. Seq. establishes the criteria for qualifying as a Qualified Purchasing Agent; and

WHEREAS, Althea Y. Headley possesses the designation of Qualified Purchasing Agent as issued by the Director of the Division of Local Government Services in accordance with N.J.A.C. 5:34-5 et. Seq.; and

WHEREAS, the Township of Irvington wishes to take advantage of the increased bid threshold:

NOW, THEREFORE, BE IT RESOLVED, that the governing body of Township of Irvington in the County of Essex, in the State of New Jersey hereby increases its bid threshold to \$53,000; and

BE IT FURTHER RESOLVED, that the governing body hereby authorizes the Purchasing Agent to award all window contracts to vendors above the Pay to Play Threshold up to the Bid threshold; and

BE IT FURTHER RESOLVED, that in accordance with N.J.A.C. 5:34-5.2, the Township of Irvington Clerk is authorized and directed to forward a certified copy of this resolution to the Director of the Division of Local Government Services.

Adopted
Absent: Antilus and Vick

Hudley – Vauss, Jr. 11. Authorize Extension of Moratorium on Multi-Purpose Businesses Until December 31, 2025

**RESOLUTION TO EXTEND MORATORIUM ON MULTI-SERVICE BUSINESSES
TO DECEMBER 31, 2025**

WHEREAS, the Township of Irvington has seen an increase in multi-service businesses within its jurisdiction, providing various overlapping services, resulting in redundancy, community disruption and operational issues within the Township; and

WHEREAS, certain multi-service businesses have led to an over-concentration of similar business types, contributing to increased traffic, noise and public nuisances affecting the quality of life for residents; and

WHEREAS, the Township has the authority to regulate business activities within its borders to protect the health, safety, and welfare of its residents under New Jersey municipal and zoning laws; and

WHEREAS, the Township approved Ordinance No MC 3891, that enacted a moratorium on the issuance of new licenses and/or permits for multi-service businesses that would expire on August 4, 2025; and

NOW, BE IT HEREBY RESOLVED, by the Township of Irvington, Essex County, New Jersey that the multi-service businesses Moratorium Ordinance be extended until December 31, 2025 or until further action of the Municipal Council.

Adopted
Absent: Antilus and Vick

Hudley – Vauss, Jr. 12. Authorize Extension of Moratorium on Smoke Shop Businesses Until December 31, 2025

**RESOLUTION TO EXTEND MORATORIUM ON SMOKE SHOPS
TO DECEMBER 31, 2025**

WHEREAS, the Township of Irvington, NJ, has seen an increase in smoke shops within its jurisdiction, resulting in significant public safety concerns and a rise in nuisance complaints from community members; and

WHEREAS, there have been documented instances of smoke shops engaging in the sale of controlled substances without proper state licenses, in violation of New Jersey state law, potentially contributing to illegal activity and increased community risks; and

WHEREAS, the Township has the authority to regulate business activities within its borders to protect the health, safety, and welfare of its residents under New Jersey municipal and zoning laws; and

WHEREAS, the Township approved Ordinance MC 3890, that enacted a moratorium on the issuance of new licenses and/or permits for Smoke Shops that would expire on August 4, 2025; and

NOW, BE IT HEREBY RESOLVED, by the Township of Irvington, Essex County, New Jersey that the Smoke Shop Moratorium Ordinance be extended until December 31, 2025 or until further action of the Municipal Council.

Adopted
Absent: Antilus and Vick

Hudley – Brown 13. Establish Handicapped Parking Spaces in Front of 15 Chester Avenue, 27 West Denman Place, 14 Fern Avenue and 26 Temple Place

WHEREAS, N.J.S.A. 39:4-197.5 provides that a Municipality may by resolution provide for restricted parking space(s) in front of residence(s) for use by any person who has been issued a special vehicle identification card pursuant to the provisions of N.J.S.A. 39:4-205, when using a motor vehicle on which is displayed a certificate, for which a special vehicle identification card has been issued pursuant to N.J.S.A. 39:4-206; and

WHEREAS, request(s) have been made for restricted parking space(s) in front of **15 CHESTER AVENUE, 27 WEST DENMAN PLACE, 14 FERN AVENUE, 26 TEMPPLE PLACE:**

NOW, THEREFORE BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a parking space restricted for use by any person who has been issued a special vehicle identification card pursuant to the provisions of N.J.S.A. 39:4-205, when using a motor vehicle on which is displayed a certificate, for which a special vehicle identification card has been issued pursuant to N.J.S.A. 39:4-206, be established in front of **15 CHESTER AVENUE, 27 WEST DENMAN PLACE, 14 FERN AVENUE, and 26 TEMPLE PLACE**

BE IT FURTHER RESOLVED that the Department of Public Works is directed to place signs designating said handicapped parking spaces.

Adopted
Absent: Antilus and Vick

10. COMMUNICATION AND PETITIONS

A. Communications

None

11. PENDING BUSINESS

None

8. ORDINANCES, BILLS & CLAIMS (Cont.)

B. Ordinances on Second Reading

1. **President Beasley:** An ordinance amending and supplementing Section 620-11(C) Entitled Parking Prohibited at All Times will be heard at this time. The Clerk will read the notice of hearing.

The Clerk will read the ordinance by title.

AN ORDINANCE AMENDING AND SUPPLEMENTING SECTION 620-11(C) ENTITLED PARKING PROHIBITED AT ALL TIMES

Current Code (Section C)

~~No person shall park or cause to be parked any type of bus vehicles in the Township of Irvington.~~

Proposed Revised Code (Section C)

No Person shall park or cause to be parked any type of Bus, Van, RV, Boat, Camper, Tow Truck, Flatbed, Box Truck, Trailer, Commercial Equipment, etc. or any other type of commercial vehicle or equipment on any municipal or county roadways in the Township of Irvington during any time of the day.

Vehicles or equipment found in violation of this Municipal Code shall be issued a summons, in addition to being towed and impounded. This code does not apply to vehicles making deliveries or providing services.

The Public Hearing on this ordinance is now open.

Hudley – Beasley Motion to close Public Hearing.

Adopted
Absent: Antilus and Vick

Hudley – Beasley Motion to adopt this ordinance on second reading.

Adopted
Absent: Antilus and Vick

2. **President Beasley:** An ordinance amending and supplementing the Revised Code of the Township of Irvington by adding Section 620-79.1 Entitled Repair Work will be heard at this time. For the record, this notice is identical to the prior notice read.

The Clerk will read the ordinance by title.

AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED CODE OF THE TOWNSHIP OF IRVINGTON BY ADDING SECTION 620-79.1 ENTITLED REPAIR WORK

New Section 620-79.1 Repair Work

It shall be unlawful for any person, company or entity to perform any type of “Repair Work” i.e. repair, service or dismantle, any type of motor vehicle, RV, boat, trailer or equipment on any public street, parking lot, vacant lot or vacant property in the township of Irvington. It is further unlawful to wash, repair, service or dismantle any type of motor vehicle, RV, boat, trailer or equipment outside the confines of a building. All repair and body work shall be conducted in a fully enclosed building.

As used in this section repair work shall mean any nature of work upon such vehicles, including, but not being limited to, motor repairs, body repairs and greasing such vehicles, but such term, as used in this chapter, shall not include such emergency repair work as may be necessary to allow a damaged or stalled vehicle to be moved to a place other than a prohibited location in the township of Irvington.

The Public Hearing on this ordinance is now open.

Robert Shaw, Sr., 57 Coit Street

Hudley – Brown Motion to close Public Hearing.

Adopted
Absent: Antilus and Vick

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

Adopted
Absent: Antilus and Vick

3. President Beasley: An ordinance amending Section 620-19.1 of the Revised Code of the Township of Irvington Entitled "Parking Too Close to Driveway" will be heard at this time. For the record, this notice is identical to the prior notice read.

The Clerk will read the ordinance by title.

**AN ORDINANCE AMENDING SECTION 620-19.1
OF THE REVISED CODE OF THE TOWNSHIP OF IRVINGTON ENTITLED
"PARKING TOO CLOSE TO DRIVEWAY"**

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

SECTION 1. Section 620-19.1 of the Revised Code of the Township of Irvington is hereby amended and supplemented as follows:

§ 620-19. Parking too close to driveway

- A. 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:

- B. Enforcement. Enforcement of this section shall be the responsibility of the Irvington Department of Public Safety. After the issuance of a summons, such vehicle may be towed or otherwise removed from the public street, with the owner of such vehicle being responsible for the cost of such removal.
- C. Penalties. Any person convicted of violating this section shall be liable to a payable fine of \$150 for each such violation, and each day in which such violation continues shall constitute a separate violation or offense. A court appearance is not mandatory.
- D. Failure to pay the fine may result in the suspension of your driver's license and/or vehicle registration.

SECTION 2. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of the within 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.

Brown – Hudley Motion to close Public Hearing.

Adopted
Absent: Antilus and Vick

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

Adopted
Absent: Antilus and Vick

4. President Beasley: An ordinance providing residential parking permits on Wilson Place between Bross Place and Wagner Place, seven days a week, 5:00 p.m. to 7:00 a.m. will be heard at this time. For the record, this notice is identical to the prior notice read.

The Clerk will read the ordinance by title.

AN ORDINANCE PROVIDING RESIDENTIAL PARKING PERMITS ON WILSON PLACE BETWEEN BROSS PLACE AND WAGNER PLACE, SEVEN DAYS A WEEK, 5:00 PM TO 7:00 AM.

WHEREAS, the Township of Irvington has received concerns from its residents concerning the availability of resident parking on Wilson Place Between Bross Place and Wagner Place, seven days a week, from 5:00 PM TO 7:00 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 Wilson Place Between Bross Place and Wagner Place, seven days a week, from 5:00 PM TO 7:00 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 – Vauss, Jr. Motion to close Public Hearing.

Adopted
Absent: Antilus and Vick

Hudley – Vauss, Jr. Motion to adopt this ordinance on second reading after Public Hearing.

Adopted
Absent: Antilus and Vick

ALCOHOLIC BEVERAGE CONTROL BOARD
July 14, 2025

1. Chairwoman Beasley calls the Meeting to Order

Roll Call

2. New Business

Vauss, Jr. – Beasley A. Authorize Person-to-Person Transfer of Plenary Retail Distribution License – YMH Liquor LLC (Pocket License) to Liquor Legend LLC (Pocket License)

WHEREAS, an application has been filed for a Person-to-Person Transfer of Plenary Retail Distribution License 0709-44-012-007, heretofore issued to YMH Liquor LLC (Pocket License); and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the license business.

NOW, THEREFORE BE IT REOLVED the Municipal Council Acting as the Alcoholic Beverage Control Board of the Township of Irvington, New Jersey does hereby approve, effective July 14, 2025, the transfer of the aforesaid Plenary Retail Distribution License to Liquor Legend LLC, and does hereby direct the Township Clerk/ABC Board Secretary to endorse the license certificate to the new ownership as follows: “This license, subject to all its terms and conditions, is hereby transferred to Liquor Legend LLC, effective July 14, 2025.”

Liquor Legend LLC (Pocket License)
1288 Clinton Avenue
Apt. 8
Irvington, NJ 07111
New License Number – 0709-44-012-008

Adopted
Absent: Antilus and Vick

Vauss, Jr. – Beasley B. Support Renewal of an Inactive Plenary Consumption License Expiring on August 1, 2025 - Chatelain Pierre (Pocket License)

RESOLUTION SUPPORTING RENEWAL OF AN INACTIVE LICENSE

WHEREAS, on January 16, 2024, Governor Murphy signed a liquor license reform law that, among other things, amended NJSA 33:1-12.39, the section of the law addressing the renewal of inactive licenses (Pocket Licenses); and

WHEREAS, under the amended law, inactive license holders no longer apply to the Director of Alcoholic Beverage Control (Division or ABC) for “12.39 relief” before a municipal issuing authority is authorized to renew a license. Authority over the renewal of inactive licenses now falls squarely on municipalities; and

WHEREAS, NJSA 33:1-12.39(a) applies to Class C licenses – plenary and seasonal retail **consumption** licenses and plenary and limited distribution licenses. The division interprets this section to mean that, after August 1, 2024, a Class C license that has not been “Actively used” for two consecutive years, which **cannot** be renewed, shall expire, unless the municipality, in the exercise of its discretion, renews the license for an additional year; and

WHEREAS, a different standard applies to inactive plenary retail consumption licenses existing on the date of this Act, which have been placed into “Quartiles,” pursuant to amended NJSA 33:1-12.39(d); and

WHEREAS, the quartile that has been inactive for the longest period of time shall be transferred within one year of the effective date of P.L. 2023, c. 290 (August 1, 2025); and

WHEREAS, the Township of Irvington has an inactive Plenary Consumption liquor license expiring August 1, 2025 - **Chatelain Pierre, Pocket License Number 0709-33-013-004**; and

WHEREAS, Mr. Pierre has paid all required fees, received a Tax Clearance Certificate, and is constantly looking for a location and has also applied with the Zoning Official.

NOW THEREFORE BE IT RESOLVED, that the Township of Irvington has no objection in renewing this inactive license – 0709-33-013-004 (Chatelain Pierre), for another license term of 2025-2026.

Adopted
Absent: Antilus and Vick

Vauss, Jr. – Beasley C. Renewal of Plenary Retail Consumption Licenses for the 2025-2026 Licensing Year

WHEREAS, the following named individuals, partnerships or corporations, being applicants for Plenary Retail Consumption Licenses for the year **2025-2026**, to sell alcoholic beverages under the provisions of N.J.S.A. Title 33 having been investigated as required by said Law, and the Alcoholic Beverage Control Board being satisfied that said applicants in all things have met the requirements of the law and are suitable and proper individuals, partnerships or corporation to whom Plenary Retail Consumption Licenses for the sale of alcoholic beverages should be issued.

NOW THEREFORE BE IT RESOLVED BY THE MUNICIPAL COUNCIL ACTING AS THE ALCOHOLIC BEVERAGE CONTROL BOARD OF THE TOWNSHIP OF IRVINGTON that permanent Plenary Retail Consumption Licenses be issued to the following named individual, partnerships and corporations for the sale of alcoholic beverages by the glass or original containers for **consumption on the licensed premises** for the year **2025-2026** at the address set opposite their respective name, viz:

LICENSE NUMBER	NAME	ADDRESS
0709-33-009-008	Funhouse Entertainment LLC t/a MK 463	1162 Stuyvesant Avenue
0709-33-021-006	Embers Tavern LLC t/a The View	872-874 Clinton Avenue
0709-33-041-007	Yungas Brothers LLC t/a Yunga Bar & Restaurant	1383 Springfield Avenue

Adopted
Absent: Antilus and Vick

3. Adjournment

12. MISCELLANEOUS

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

Robert Shaw, Sr., 57 Coit Street
Doris Sherrill, 35 Augusta Street
Ronnie Hickman, 58 Melville Place

Council Member Brown, Council Member Dr. Frederic, Council Member Dr. Hudley and Council Member Vauss Jr. thanked the residents for participating in the meeting. Council President Beasley indicated that she

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would send Mr. Shaw's inquiries to the Township Attorney and Business Administrator. She advised Ms. Sherrill that she will visit the location the take pictures of the broken speed bump.

13. ADJOURNMENT (*Roll Call)

There being no further business, the meeting adjourned at 8:04 P.M.

Jamillah Z. Beasley, Council President

Shawna M. Supel, Municipal Clerk