

TOWNSHIP OF IRVINGTON



MUNICIPAL COUNCIL MEETING MINUTES SEPTEMBER 22, 2025 7:30 PM

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Virtual - Zoom Meetings

Appointments
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 (7:32 PM)	(7:50 PM)
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. Licensing Clerk Marcius Hopkins – Report of the September 3, 2025 Licensing Committee Meeting
2. Keyboarding Clerk Jenilee Jean-Pierre – Report of the September 5, 2025 Sanitation/Quality of Life Committee Meeting

7. REPORTS OF COMMITTEES

- A. September 10, 2025 - Request for Proposals – ADA Ramp 2025
- B. September 10, 2025 - Request for Proposals – Towing and Impoundment Services 2025
- C. September 10, 2025 - Request for Proposals – Licensed Site Remediation Professional (LSRP), Traffic Engineer and Consulting Engineer
- D. September 10, 2025 - Request for Proposals – Special Conflict Counsel, Labor Counsel, Litigation and Defense Attorney and Tax Appeals

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

- Frederic – Antilus 1. Amend and Supplement Section 620-107 of the Revised Code of the Township of Irvington Entitled “Schedule XIII: Taxi Stands”

AMEND AND SUPPLEMENT SECTION 582-23 OF THE REVISED CODE OF THE TOWNSHIP OF IRVINGTON ENTITLED “RATES; DISPLAY OF RATE SCHEDULE” FOR TAXICABS

§ 582-23. Rates; display of rate schedule.

- A. It shall be unlawful for the owner holder or for a driver of a taxicab to charge or cause to be charged for the use of a taxicab a sum greater than the following rates:
- (1) Between points within the Township. For conveying the first one or more passengers between any two points within the corporate limits of the Township, the rates shall be computed by use of an approved taximeter as follows:
 - (a) For the first 1/8 of a mile or any fraction thereof: \$3.15.
 - (b) For each additional 1/8 of a mile or any fraction thereof: \$0.75.
 - (c) For each minute of waiting time: \$0.75.
 - (d) Notwithstanding the foregoing rates, there shall be a minimum charge of \$5.50.
 - (2) For transporting one or more passengers from any point in the Township of Irvington to any other point within the State of New Jersey outside the Township of Irvington, there shall be an additional charge of \$3 above the amount computed by the use of an approved taximeter.
 - (3) For conveying one or more passengers to any point outside the State of New Jersey, the charge shall be 1 1/2 times the meter reading.
- B. If one or more passengers is a senior citizen 65 years or older, a discount of 10% of the final meter charge shall be granted upon proof of age.
- C. A legible printed schedule of the aforementioned meter rates shall be conspicuously posted within the taxicab so that it is visible to the passengers, which printed schedule shall be provided by the Director. Said schedule shall also be conspicuously posted in the office of the Director and at the principal place of business of each taxicab company operating within the Township of Irvington.

Adopted

Brown – Vick 3. Amend and Supplement Section 620-57 Entitled “Zones Designated; Hours, Rates and Time Limits and Section 620-74 Entitled “Parking Spaces Not Reserved”

AN ORDINANCE AMENDING AND SUPPLEMENTING SECTION 620-57 ENTITLED “ZONES DESIGNATED; HOURS, RATES AND TIME LIMITS AND SECTION 620-74 ENTITLED “PARKING SPACES NOT RESERVED”

§ 620-57. Zones designated; hours, rates and time limits.

- A. On-street parking meter zones. Parking or standing a vehicle in a parking meter space in the on-street parking meter zones described below shall be lawful during the hours specified only upon the deposit of such amount as is indicated for each specified period of time.

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Name of Street	Side	Time Limit/Hours	Location
Ball Street Avenue	East	2 hours; 8:00 a.m. to 9:00 p.m., except Sunday	From Nye Avenue to Clinton
Becker Terrace	Both	2 hours; 8:00 a.m. to 9:00 p.m., except Sunday	From 35 feet north of Springfield Avenue north for 145 feet
Chancellor Avenue Street	Both	1 hour; 8:00 a.m. to 9:00 p.m., except Sunday	From Cornell Street to Sheridan
Civic Square [Repealed 1-12-1988 by Ord. No. MC 2845]			
Civic Square [Added 1-12-1988 by Ord. No. MC 2845]	East	3 hours; 8:00 a.m. to 12:00 midnight, except Sunday	From Clinton Avenue to 289 feet south of Clinton Avenue
Civic Square [Added 1-12-1988 by Ord. No. MC 2845]	East	3 hours; 8:00 a.m. to 12:00 midnight, except Sunday	From 589 feet south of Clinton Avenue to Springfield Avenue
Civic Square 273 feet south of Clinton Avenue	West	3 hours; 8:00 a.m. to 12:00 midnight, except Sunday	From Clinton Avenue to
Civic Square	West	3 hours; 8:00 a.m. to 12:00 midnight, except Sunday	From Springfield Avenue north for 613 feet
Clinton Avenue	Both	1 hour; 8:00 a.m. to 9:00 p.m., except Sunday	From Washington Avenue to Orange Avenue
Clinton Avenue	Both	2 hours; 8:00 a.m. to 9:00 p.m., except Sunday	From Washington Avenue to the Newark line
Clinton Avenue	North	1 hour; 8:00 a.m. to 9:00 p.m., except Sunday	From 35 feet west of Stuyvesant Avenue west for 66 feet
Clinton Avenue	South	1 hour; 8:00 a.m. to	

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		9:00 p.m., except Sunday	From Stuyvesant Avenue to Grant Place
Elmwood Avenue	North	2 hours; 8:00 a.m. to 9:00 p.m., except Sunday	From Grant Place to Sherman Place
Forty-Third Street	West	2 hours; 8:00 a.m. to 9:00 p.m., except Sunday	From 35 feet south of Springfield Avenue south for 150 feet
Franklin Terrace	Both	2 hours; 8:00 a.m. to 9:00 p.m., except Sunday	From 35 feet north of Springfield Avenue north for 100 feet
Frederick Terrace	West	2 hours; 8:00 a.m. to 9:00 p.m., except Sunday	From 50 feet north of Springfield Avenue north for 95 feet
Linden Avenue [Repealed 9-26-2000 by Ord. No. MC 3155]			
Myrtle Avenue [Amended 4-26-1988 by Res. No. DP 88-0426-11; repealed 9-26-2000 by Ord. No. MC 3155]			
New Street	Both	1 hour; 8:00 a.m. to 9:00 p.m., except Sunday	From Springfield Avenue to Clinton Avenue
Nye Avenue	North	2 hours; 8:00 a.m. to 9:00 p.m., except Sunday	From New Street to Nesbit Terrace
Orange Avenue	Both	1 hour; 8:00 a.m. to 9:00 p.m., except Sunday	From Springfield Avenue to Clinton Avenue
Prospect Avenue [Repealed 12-27-2000 by Ord. No. 3161]			
Sharon Avenue	East	2 hours; 8:00 a.m. to 9:00 p.m., except Sunday	From Springfield Avenue to Clinton Avenue
Smith Street	East	1 hour; 8:00 a.m. to 9:00 p.m., except Sunday	From Springfield Avenue to Clinton Avenue
Springfield Avenue	North	2 hours; 8:00 a.m. to 9:00 p.m., except Sunday	From Civic Square to the Maplewood line

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Springfield Avenue	North	2 hours; 8:00 a.m. to 9:00 p.m., except Sunday	From Eastern Parkway to the Newark line
Springfield Avenue [Amended 10-22-1985 by Ord. No. MC 2797; 12-27-2000 by Ord. No. MC 3160]	South	2 hours; 8:00 a.m. to 9:00 p.m., except Sunday	From Lincoln Place to the Maplewood line, except in front of 1211 Springfield Avenue
Springfield Avenue	South	2 hours; 8:00 a.m. to 9:00 p.m., except Sunday	From Sharon Avenue to the Newark line
Springfield Avenue [Added 8-10-2004 by Ord. No. MC 3270]	South	2 hours; 8:00 a.m. to 9:00 p.m., except Sunday	In front of 1387 Springfield Avenue
Springfield Avenue [Added 8-10-2004 by Ord. No. MC 3270]	South	2 hours; 8:00 a.m. to 9:00 p.m., except Sunday	In front of 1393 Springfield Avenue
Stuyvesant Avenue	East	1 hour; 8:00 a.m. to 9:00 p.m., except Sunday	From 45 feet north of Clinton Avenue north for 66 feet
Thirty-Eighth Street	Both	2 hours; 8:00 a.m. to 9:00 p.m., except Sunday	From 35 feet south of Springfield Avenue south for 100 feet
Union Avenue	Both	1 hour; 8:00 a.m. to 9:00 p.m., except Sunday	From Nye Avenue to Springfield Avenue
Union Avenue [Added 5-24-1988 by Res. No. DP-88-0524-19]	East	2 hours; 8:00 a.m. to 9:00 p.m., except Sunday	From Chancellor Avenue to Berkshire Place
Union Avenue [Added 5-24-1988 by Res. No. DP 88-0524-19]	East	1 hour; 8:00 a.m. to 9:00 p.m., except Sunday	From Paine Avenue to Chancellor Avenue

Name of Street	Side	Time Limit/Hours	Location
Washington Avenue [Amended 4-26-1988 by Res. No. DP 88-0426-11]	West	2 hours; 8:00 a.m. 9:00 p.m., except Sunday	From 184 feet north of Springfield Avenue north for 78 feet

- B. Off-street parking meter zones. Parking or standing a vehicle in a parking meter space in the off-street parking meter zones described below shall be lawful only when not in excess of the maximum parking time indicated during the hours of operation specified, on each entire day, and only upon the deposit of such amount as is indicated for each specified period of time. No allowance shall be made for payments of lesser amounts for lesser amounts of time.
[Amended 12-12-1995 by Ord. No. MC 3027; 12-14-1999 by Ord. No. MC 3134; 11-9-2000 by Ord. No. MC 3158; 8-8-2022 by Ord. No. MC 3795]

Name of Lot (Location)	Hours	Time Limit/Rate
Plaza No. 3, Civic Square Plaza; adjacent to northwest corner of Springfield Avenue and Civic Square	All	12 hours; \$0.75/30 mins.
Plaza No. 4, Lehigh Place Plaza; Union Avenue between Chancellor Avenue and Lehigh Place	All	10 hours; \$0.75/30 mins.
Plaza No. 5, Washington Avenue Plaza; bounded by Irvington Terminal, Clinton Avenue, Springfield Avenue and Washington Avenue	All	3 hours between 8:00 a.m. and 6:00 p.m.; \$0.75/30 mins.
Plaza No. 6, Orange Avenue Plaza; between Smith Street and Orange Avenue, except that portions of this plaza are limited to two-hour metered parking	All	10 hours; \$0.75/30 mins.
Plaza No. 6, Orange Avenue Plaza, shall also include two-hour limit	All	2 hours; \$0.75/30 mins.
Plaza No. 7, Union Avenue, shall also include a two hour limit	9:00a-5:00p Mon.-Sat.	2 hours; \$0.75/30 mins

§ 620-74. Parking spaces not reserved.

- A. Except as herein provided for parking on Parking Plaza No. 6, Orange Avenue Plaza, a vehicle parking under the authority of a monthly parking permit may be parked upon any available portion of the designated municipal parking plaza, and no area shall be reserved for such vehicle nor shall any parking space be guaranteed for the use of such monthly permit vehicle.
- B. On Parking Plaza No. 6, Orange Avenue Plaza, any vehicle parking under the authority of a

monthly permit shall be limited to parking only in those spaces specifically set aside and metered for ten-hour parking.

- C. Except as herein provided for, parking in Plaza No. 7, Union Avenue Plaza, a vehicle parking under the authority of a residential parking permit may be parked upon any available portion of the designated municipal parking plaza between the hours of 5:00pm - 9:00am Monday through Sunday, and no area shall be reserved for such vehicle nor shall any parking space be guaranteed for the use of such residential parking permit vehicle

Adopted

~~4. Amend and Supplement Chapter 472 of the Revised Code of the Township of Irvington Entitled “Rent Control”~~ **[REMOVED BY BUSINESS ADMINISTRATOR 9/18/25] – NEVER RECEIVED ITEM**

~~5. Amend and Supplement Section 620-46 of the Revised Code of the Township of Irvington Entitled “Regular Vehicles With Commercial Plates or Markings; Permit Required; Fee”~~ **[REFERRED TO LEGAL FOR AMENDMENTS]**

C. Bills & Claims

Frederic – Hudley 1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD **SEPTEMBER 22, 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	\$3,575,864.60
TOTAL	\$3,575,864.60

Adopted

Frederic – Hudley 2. Payrolls

Payroll Date: September 5, 2025

TOTAL	\$2,214,921.61
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Adopted

9. RESOLUTIONS AND MOTIONS

A. Resolutions

Frederic – Vick 1. Prepay for Hotel Accommodations for Seven Municipal Council Members to Attend the New Jersey League of Municipalities Conference Seminars – Ocean Resort Casino AC– Not to Exceed \$3,717.00

RESOLUTION TO PREPAY FOR HOTEL ACCOMMODATIONS FOR MUNICIPAL COUNCIL MEMBERS TO ATTEND THE NEW JERSEY LEAGUE OF MUNICIPALITIES CONFERENCE SEMINARS

WHEREAS, funds were added to the Municipal Council budget to pay for hotel accommodations for Council members; and

WHEREAS, N.J.S.A 40A:5A-16(b) requires that service must be received prior to processing an invoice for payment unless duly authorized by resolution; and

WHEREAS, seven rooms for seven Council Members from November 17, 2025 until November 20, 2025 are hereby authorized and approved for payment for an amount not to exceed \$3,717.00 to AC Ocean Walk LLC, 500 Boardwalk, Atlantic City, NJ 08401; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON authorize the Township to process payment for seven rooms for seven Council Members from November 17, 2025 until November 20, 2025 is hereby authorized and approved for payment for an amount not to exceed \$3,717.00 to AC Ocean Walk LLC, 500 Boardwalk, Atlantic City, NJ 08401.

BE IT RESOLVED that the required certification of availability of funds C25-0119 in the amount of \$3,717.00 from account number 5-01-20-110-113-116 has been obtained from the Chief Financial Officer.

Adopted

Vick – Beasley 2. Request an Extension from the NJ Department of Transportation for the 2024 Trust Fund Project - LA-2024 MA Irvington Township Yale Avenue, Mountainview Place, Rutgers Street Improvements Project

RESOLUTION REQUESTING AN EXTENSION FOR THE MA-2024-YALE AVENUE, MOUNTAINVIEW PLACE, RUTGERS STREET IMPROVEMENTS

WHEREAS, the Township was awarded a grant from the New Jersey Department of Transportation to resurface Yale Avenue, Mountainview Place and Rutgers Street; and

WHEREAS, the Township Engineer retired from the Township; and

WHEREAS, the Township is in the process of seeking qualified personnel to fill the vacancy; and

WHEREAS, the Township will need additional time to complete the project and hereby request an extension to complete the project.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON requests additional time to complete this project and thanks the NJDOT for considering our request.

Adopted

Hudley – Vick 3. Reject Proposals for Animal Control Services

REJECTING PROPOSALS FOR ANIMAL CONTROL SERVICES

WHEREAS, on August 13, 2025, the Township of Irvington accepted and opened proposals for animal control services; and

WHEREAS, the Township received one proposal for this service; and

WHEREAS, Health Director wishes to reject all proposals on the basis vendor is nonresponsive as required documents were not submitted; and

WHEREAS, the Local Public Contract Law, 40A:11-13.2.(e) provides that a municipality may reject all proposal for purposes or provisions or both of P.L.1971, c.198 (C.40A:11-1 et seq.) are being violated; and

NOW THEREFORE BE IT RESOLVED by the Council of Township of Irvington, in the County of Essex, that all proposals received for animal control is hereby rejected in accordance with the Local Public Contracts Law, NJSA40A:11-13.2.(e); and

Adopted

Hudley – Vick 4. Establish Handicapped Parking Spaces in Front of 720 18th Avenue, 14 Momm Court, 40 Harding Terrace

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 **720 18th AVENUE, 14 MOMM COURT, 40 HARDING TERRACE:**

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 **720 18th AVENUE, 14 MOMM COURT, 40 HARDING TERRACE** :

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

Adopted

Hudley – Frederic 5. Award 2024-2025 Community Development Block Grant (CDBG) Program Funds to The ARC of Essex County in the Amount of \$19,000.00

The ARC of Essex County

WHEREAS, the Township of Irvington is a recipient of 2024-2025 Community Development Block Grant (CDBG) Program funds administered by the U.S. Department of Housing and Urban Development; and

WHEREAS, the Township of Irvington wishes to award CDBG grant funds in the amount **\$19,000.00** to **The ARC of Essex County**, a private non-profit corporation of the State of New Jersey with principal offices located at **123 Naylor Avenue Livingston, New Jersey 07039** for the provision of public services, which constitute an eligible CDBG activity; and,

WHEREAS, the Township of Irvington has allocated sufficient CDBG funds to fund a proposed grant agreement in the amount of **\$19,000.00** with **The ARC of Essex County**, the private Non-Profit Corporation of the State of New Jersey; and

WHEREAS, the U.S. Department of Housing and Urban Development has issued federal regulations which revise 24 CFR 570 Sub-Part J, requiring all CDBG recipients to enter into formal legal agreements with private non-profit organizations, called "CDBG sub-recipients", in order for these organizations to receive CDBG funding from the Township of Irvington; and

WHEREAS, the Township of Irvington is also subject to the provisions of federal OMB Circular A-102 Attachment 0, "Procurement Standards" which apply the Township's procurement of services, supplies and property with CDBG funds; and

WHEREAS, OMB Circular A-102 also requires the Township to conform to all applicable state and local laws relating to formal legal agreements by municipal government procurement of goods and services; and

WHEREAS, the governing body of the Township of Irvington is required under state law (N.J.S.A. 40A:11-1 et seq.) to authorize the execution of formal grant agreements and procurement contracts (in excess of \$8,500.00) with private contractors:

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

1. The Mayor and the Township Clerk are hereby authorized and directed to execute an agreement with **The ARC of Essex County** to *operate Camp Hope, a specialized summer day camp program designed for 16 children and adults from Irvington with intellectual and developmental disabilities.*

2. Pursuant to N.J.A.C. 5:34-5.2, the required certificate of Availability of Funds No. **C23-0187** in the amount of **\$19,000.00** 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-21-41-850-24E-802.

Adopted

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Hudley – Frederic 6. Award 2024-2025 Community Development Block Grant (CDBG) Program Funds to C.O.M.B.A.T.T. (Community Organization Making Better Alternatives Today for Tomorrow, Inc.) in the Amount of \$15,000.00

C.O.M.B.A.T.T.

(Community Organization Making Better Alternatives Today for Tomorrow, Inc)

WHEREAS, the Township of Irvington is a recipient of 2024-2025 Community Development Block Grant (CDBG) Program funds administered by the U.S. Department of Housing and Urban Development; and

WHEREAS, the Township of Irvington wishes to award CDBG grant funds in the amount **\$15,000.00** to **C.O.M.B.A.T.T. (Community Organization Making Better Alternatives Today for Tomorrow, Inc)**, a private non-profit corporation of the State of New Jersey with principal offices located at **1763 Sixth Street Ewing, New Jersey 08638** for the provision of public services, which constitute an eligible CDBG activity; and,

WHEREAS, the Township of Irvington has allocated sufficient CDBG funds to fund a proposed grant agreement in the amount of **\$15,000.00** with **C.O.M.B.A.T.T. (Community Organization Making Better Alternatives Today for Tomorrow, Inc)**, the a private Non-Profit Corporation of the State of New Jersey; and

WHEREAS, the U.S. Department of Housing and Urban Development has issued federal regulations which revise 24 CFR 570 Sub-Part J, requiring all CDBG recipients to enter into formal legal agreements with private non-profit organizations, called "CDBG sub-recipients", in order for these organizations to receive CDBG funding from the Township of Irvington; and

WHEREAS, the Township of Irvington is also subject to the provisions of federal OMB Circular A-102 Attachment 0, "Procurement Standards" which apply the Township's procurement of services, supplies and property with CDBG funds; and

WHEREAS, OMB Circular A-102 also requires the Township to conform to all applicable state and local laws relating to formal legal agreements by municipal government procurement of goods and services; and

WHEREAS, the governing body of the Township of Irvington is required under state law (N.J.S.A. 40A:11-1 et seq.) to authorize the execution of formal grant agreements and procurement contracts (in excess of \$8,500.00) with private contractors:

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

1. The Mayor and the Township Clerk are hereby authorized and directed to execute an agreement with **C.O.M.B.A.T.T. (Community Organization Making Better Alternatives Today for Tomorrow, Inc)** to *will provide structured afterschool programming for a minimum of 25 unduplicated youth, ages 8 to 18, who reside in the Township of Irvington.*

2. Pursuant to N.J.A.C. 5:34-5.2, the required certificate of Availability of Funds No. **C23-0187** in the amount of **\$15,000.00** 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-21-41-850-24E-802.

Adopted

Antilus – Hudley 7. Award 2024-2025 Community Development Block Grant (CDBG) Program Funds to Irvington Golden Knights Mentor Program in the Amount of \$15,000.00

Irvington Golden Knights Mentor Program

WHEREAS, the Township of Irvington is a recipient of 2024-2025 Community Development Block Grant (CDBG) Program funds administered by the U.S. Department of Housing and Urban Development; and

WHEREAS, the Township of Irvington wishes to award CDBG grant funds in the amount **\$15,000.00** to the **Irvington Golden Knights Mentor Program** a private non-profit corporation of the State of New Jersey with principal offices located at **33 43rd Street Irvington, New Jersey 07111** for the provision of public services, which constitute an eligible CDBG activity; and,

WHEREAS, the Township of Irvington has allocated sufficient CDBG funds to fund a proposed grant agreement in the amount of **\$15,000.00** with **Irvington Golden Knights Mentor Program**, the private Non-Profit Corporation of the State of New Jersey; and

WHEREAS, the U.S. Department of Housing and Urban Development has issued federal regulations which revise 24 CFR 570 Sub-Part J, requiring all CDBG recipients to enter into formal legal agreements with private non-profit organizations, called "CDBG sub-recipients", in order for these organizations to receive CDBG funding from the Township of Irvington; and

WHEREAS, the Township of Irvington is also subject to the provisions of federal OMB Circular A-102 Attachment 0, "Procurement Standards" which apply the Township's procurement of services, supplies and property with CDBG funds; and

WHEREAS, OMB Circular A-102 also requires the Township to conform to all applicable state and local laws relating to formal legal agreements by municipal government procurement of goods and services; and

WHEREAS, the governing body of the Township of Irvington is required under state law (N.J.S.A. 40A:11-1 et seq.) to authorize the execution of formal grant agreements and procurement contracts (in excess of \$8,500.00) with private contractors:

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

1. The Mayor and the Township Clerk are hereby authorized and directed to execute an agreement with **Irvington Golden Knights Mentor Program** to ***provide training and instruction in football, wrestling, cheerleading, dance, and coaching, while also fostering the development of life skills such as self-discipline, teamwork, leadership, and sportsmanship for Irvington residents.***

2. Pursuant to N.J.A.C. 5:34-5.2, the required certificate of Availability of Funds No. **C23-0187** in the amount of **\$15,000.00** 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-21-41-850-24E-802.

Adopted

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Vick – Hudley 8. Award 2024-2025 Community Development Block Grant (CDBG) Program Funds to Irvington Counseling Center in the Amount of \$19,000.00

Irvington Counseling Center

WHEREAS, the Township of Irvington is a recipient of 2024-2025 Community Development Block Grant (CDBG) Program funds administered by the U.S. Department of Housing and Urban Development; and

WHEREAS, the Township of Irvington wishes to award CDBG grant funds in the amount **\$19,000.00** to **The Irvington Counseling Center**, a private non-profit corporation of the State of New Jersey with principal offices located at **21-29 Wagner Avenue, Irvington, New Jersey 07111** for the provision of public services, which constitute an eligible CDBG activity; and,

WHEREAS, the Township of Irvington has allocated sufficient CDBG funds to fund a proposed grant agreement in the amount of **\$19,000.00** with the **Irvington Counseling Center** the private Non-Profit Corporation of the State of New Jersey; and

WHEREAS, the U.S. Department of Housing and Urban Development has issued federal regulations which revise 24 CFR 570 Sub-Part J, requiring all CDBG recipients to enter into formal legal agreements with private non-profit organizations, called "CDBG sub-recipients", in order for these organizations to receive CDBG funding from the Township of Irvington; and

WHEREAS, the Township of Irvington is also subject to the provisions of federal OMB Circular A-102 Attachment 0, "Procurement Standards" which apply the Township's procurement of services, supplies and property with CDBG funds; and

WHEREAS, OMB Circular A-102 also requires the Township to conform to all applicable state and local laws relating to formal legal agreements by municipal government procurement of goods and services; and

WHEREAS, the governing body of the Township of Irvington is required under state law (N.J.S.A. 40A:11-1 et seq.) to authorize the execution of formal grant agreements and procurement contracts (in excess of \$8,500.00) with private contractors:

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

1. The Mayor and the Township Clerk are hereby authorized and directed to execute an agreement with the **Irvington Counseling Center** to ***provide mental health services to seniors in the Township of Irvington who are experiencing mental illness and require professional behavioral health support.***

2. Pursuant to N.J.A.C. 5:34-5.2, the required certificate of Availability of Funds No. **C23-0187** in the amount of **\$19,000.00** 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-21-41-850-24E-802.

Adopted

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Vick – Hudley 9. Award 2024-2025 Community Development Block Grant (CDBG) Program Funds to P & C Veterans Resource Center in the Amount of \$5,000.00

P & C Veterans Resource Center

WHEREAS, the Township of Irvington is a recipient of 2024-2025 Community Development Block Grant (CDBG) Program funds administered by the U.S. Department of Housing and Urban Development; and

WHEREAS, the Township of Irvington wishes to award CDBG grant funds in the amount **\$5,000.00** to **P & C Veterans Resource Center**, a private non-profit corporation of the State of New Jersey with principal offices located at **56-58 Chestnut Avenue, Irvington, New Jersey 07111** for the provision of public services, which constitute an eligible CDBG activity; and,

WHEREAS, the Township of Irvington has allocated sufficient CDBG funds to fund a proposed grant agreement in the amount of **\$5,000.00** with **P & C Veterans Resource Center** the private Non-Profit Corporation of the State of New Jersey; and

WHEREAS, the U.S. Department of Housing and Urban Development has issued federal regulations which revise 24 CFR 570 Sub-Part J, requiring all CDBG recipients to enter into formal legal agreements with private non-profit organizations, called "CDBG sub-recipients", in order for these organizations to receive CDBG funding from the Township of Irvington; and

WHEREAS, the Township of Irvington is also subject to the provisions of federal OMB Circular A-102 Attachment 0, "Procurement Standards" which apply the Township's procurement of services, supplies and property with CDBG funds; and

WHEREAS, OMB Circular A-102 also requires the Township to conform to all applicable state and local laws relating to formal legal agreements by municipal government procurement of goods and services; and

WHEREAS, the governing body of the Township of Irvington is required under state law (N.J.S.A. 40A:11-1 et seq.) to authorize the execution of formal grant agreements and procurement contracts (in excess of \$8,500.00) with private contractors:

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

1. The Mayor and the Township Clerk are hereby authorized and directed to execute an agreement with **P & C Veterans Resource Center** to ***provide a comprehensive range of support services to veterans, active-duty service members, and low-income residents of the Township of Irvington.***

2. Pursuant to N.J.A.C. 5:34-5.2, the required certificate of Availability of Funds No. **C23-0187** 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-21-41-850-24E-802.

Adopted

Frederic – Hudley 10. Award 2024-2025 Community Development Block Grant (CDBG) Program Funds to The Partnership for Maternal and Child Health of Northern New Jersey in the Amount of \$19,000.00

The Partnership for Maternal and Child Health of Northern New Jersey

WHEREAS, the Township of Irvington is a recipient of 2024-2025 Community Development Block Grant (CDBG) Program funds administered by the U.S. Department of Housing and Urban Development; and

WHEREAS, the Township of Irvington wishes to award CDBG grant funds in the amount **\$19,000.00** to **The Partnership for Maternal and Child Health of Northern New Jersey** a private non-profit corporation of the State of New Jersey with principal offices located at **50 Park Place, Suite 700, Newark, New Jersey 07102** for the provision of public services, which constitute an eligible CDBG activity; and,

WHEREAS, the Township of Irvington has allocated sufficient CDBG funds to fund a proposed grant agreement in the amount of **\$19,000.00** with the **The Partnership for Maternal and Child Health of Northern New Jersey**, the private Non-Profit Corporation of the State of New Jersey; and

WHEREAS, the U.S. Department of Housing and Urban Development has issued federal regulations which revise 24 CFR 570 Sub-Part J, requiring all CDBG recipients to enter into formal legal agreements with private non-profit organizations, called "CDBG sub-recipients", in order for these organizations to receive CDBG funding from the Township of Irvington; and

WHEREAS, the Township of Irvington is also subject to the provisions of federal OMB Circular A-102 Attachment 0, "Procurement Standards" which apply the Township's procurement of services, supplies and property with CDBG funds; and

WHEREAS, OMB Circular A-102 also requires the Township to conform to all applicable state and local laws relating to formal legal agreements by municipal government procurement of goods and services; and

WHEREAS, the governing body of the Township of Irvington is required under state law (N.J.S.A. 40A:11-1 et seq.) to authorize the execution of formal grant agreements and procurement contracts (in excess of \$8,500.00) with private contractors:

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

1. The Mayor and the Township Clerk are hereby authorized and directed to execute an agreement with **The Partnership for Maternal and Child Health of Northern New Jersey** to *support the Unity Family Success Center, operated by the Irvington Family Development Center (IFDC). This facility will provide a variety of free, family-centered services to residents of Irvington.*

2. Pursuant to N.J.A.C. 5:34-5.2, the required certificate of Availability of Funds No. **C23-0187** in the amount of **\$19,000.00** 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-21-41-850-24E-802.

Adopted

Hudley – Vick 11. Award 2024-2025 Community Development Block Grant (CDBG) Program Funds to The Bridge, Inc. in the Amount of \$15,000.00

The Bridge, Inc.

WHEREAS, the Township of Irvington is a recipient of 2024-2025 Community Development Block Grant (CDBG) Program funds administered by the U.S. Department of Housing and Urban Development; and

WHEREAS, the Township of Irvington wishes to award CDBG grant funds in the amount **\$15,000.00** to **The Bridge, Inc.**, a private non-profit corporation of the State of New Jersey with principal offices located at **50 Union Avenue, Irvington, New Jersey 07111** for the provision of public services, which constitute an eligible CDBG activity; and,

WHEREAS, the Township of Irvington has allocated sufficient CDBG funds to fund a proposed grant agreement in the amount of **\$15,000.00** with **The Bridge, Inc.** the a private Non-Profit Corporation of the State of New Jersey; and

WHEREAS, the U.S. Department of Housing and Urban Development has issued federal regulations which revise 24 CFR 570 Sub-Part J, requiring all CDBG recipients to enter into formal legal agreements with private non-profit organizations, called "CDBG sub-recipients", in order for these organizations to receive CDBG funding from the Township of Irvington; and

WHEREAS, the Township of Irvington is also subject to the provisions of federal OMB Circular A-102 Attachment 0, "Procurement Standards" which apply the Township's procurement of services, supplies and property with CDBG funds; and

WHEREAS, OMB Circular A-102 also requires the Township to conform to all applicable state and local laws relating to formal legal agreements by municipal government procurement of goods and services; and

WHEREAS, the governing body of the Township of Irvington is required under state law (N.J.S.A. 40A:11-1 et seq.) to authorize the execution of formal grant agreements and procurement contracts (in excess of \$8,500.00) with private contractors:

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

1. The Mayor and the Township Clerk are hereby authorized and directed to execute an agreement with **The Bridge, Inc.** to ***provide a range of behavioral health care services in the Township of Irvington, designed to support families and promote personal growth among children, adolescents, adults, and seniors.***

2. Pursuant to N.J.A.C. 5:34-5.2, the required certificate of Availability of Funds No. **C23-0187** in the amount of **\$15,000.00** 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-21-41-850-24E-802.

Adopted

Hudley – Vick 12. Award 2024-2025 Community Development Block Grant (CDBG) Program Funds to Turning Point Community Services in the Amount of \$23,000.00

Turning Point Community Services

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WHEREAS, the Township of Irvington is a recipient of 2024-2025 Community Development Block Grant (CDBG) Program funds administered by the U.S. Department of Housing and Urban Development; and

WHEREAS, the Township of Irvington wishes to award CDBG grant funds in the amount **\$23,000.00** to **Turning Point Community Services**, a private non-profit corporation of the State of New Jersey with principal offices located at **1011 Grove Street, Irvington, New Jersey 07111** for the provision of public services, which constitute an eligible CDBG activity; and,

WHEREAS, the Township of Irvington has allocated sufficient CDBG funds to fund a proposed grant agreement in the amount of **\$23,000.00** with **Turning Point Community Services** the private Non-Profit Corporation of the State of New Jersey; and

WHEREAS, the U.S. Department of Housing and Urban Development has issued federal regulations which revise 24 CFR 570 Sub-Part J, requiring all CDBG recipients to enter into formal legal agreements with private non-profit organizations, called "CDBG sub-recipients", in order for these organizations to receive CDBG funding from the Township of Irvington; and

WHEREAS, the Township of Irvington is also subject to the provisions of federal OMB Circular A-102 Attachment 0, "Procurement Standards" which apply the Township's procurement of services, supplies and property with CDBG funds; and

WHEREAS, OMB Circular A-102 also requires the Township to conform to all applicable state and local laws relating to formal legal agreements by municipal government procurement of goods and services; and

WHEREAS, the governing body of the Township of Irvington is required under state law (N.J.S.A. 40A:11-1 et seq.) to authorize the execution of formal grant agreements and procurement contracts (in excess of \$8,500.00) with private contractors:

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

1. The Mayor and the Township Clerk are hereby authorized and directed to execute an agreement with **Turning Point Community Services** to *support the implementation of Turning Point Community Services' (TPCS) FirstStep Housing Program and the expansion of its Continued Support Program, both aimed at addressing homelessness among vulnerable residents of the Township of Irvington.*

2. Pursuant to N.J.A.C. 5:34-5.2, the required certificate of Availability of Funds No. **C23-0187** in the amount of **\$23,000.00** 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-21-41-850-24E-802.

Adopted

Vick – Beasley 13. Request Permission for the Dedication By Rider for Developer's Fees-Housing Trust Funds

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

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WHEREAS, The Township of Irvington provides for receipt of Developer's Fees-Housing Trust Funds (PL 1985 c.222 and NJSA 52:27D-320) by the municipality to provide for the operating costs to administer this act; and

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Community Benefits Developer's Trust Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of Irvington of, Essex County, New Jersey as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Township of Irvington Community Benefits Developer's Trust Fund.
2. The Clerk of the Township of Irvington, Essex County, is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

Adopted

Vick – Brown 14. Authorize the Execution of a Redevelopment and Land Disposition Agreement By and Between the Township and RCP Irvington Urban Renewal III, LLC, in Connection With the Transfer and Redevelopment of 539 Union Avenue

RESOLUTION OF THE TOWNSHIP OF IRVINGTON AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AND LAND DISPOSITION AGREEMENT BY AND BETWEEN THE TOWNSHIP AND RCP IRVINGTON URBAN RENEWAL III, LLC IN CONNECTION WITH THE TRANSFER AND REDEVELOPMENT OF CERTAIN PROPERTY WITHIN THE TOWNSHIP

WHEREAS, the Municipal Council (the "**Township Council**") of 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 within the Township constitute an area in need of rehabilitation and/or an area in need of redevelopment and to create redevelopment plans which provide development controls for any area so designated; and

WHEREAS, in accordance with the Redevelopment Law, on July 14, 2015, by resolution No. UEZ 15-0714-11, the Township Council adopted a resolution designating the entire Township as an area in need of rehabilitation (the "**Rehabilitation Area**"); and

WHEREAS, on August 11, 2015, the Township Council duly adopted Ordinance MC. 3549, enacting a redevelopment plan for the Rehabilitation Area entitled the *Township-Wide Area in need of Rehabilitation Redevelopment Plan* (the "**Redevelopment Plan**"), pursuant to the Redevelopment Law and in accordance with the procedures set forth therein; and

WHEREAS, pursuant to *N.J.S.A. 40A:12A-4*, the Township has determined to act as the "redevelopment entity", as such term is defined at *N.J.S.A. 40A:12A-3*, responsible for carrying out redevelopment projects

in the Rehabilitation Area in accordance with the Redevelopment Plan, pursuant to N.J.S.A. 40A:12A-4(c); and

WHEREAS, the Township is the owner of certain property located within the Rehabilitation Area, which property is identified as Block 303.01, Lot 1, Qualifier C0005 on the official tax maps of the Township and identified in the Township tax records as 539 Union Avenue, Unit 5 (the “**Property**”, as further described in Schedule A attached hereto and made a part hereof); and

WHEREAS, RCP Irvington Urban Renewal III, LLC (the “**Redeveloper**”) has submitted to the Township its plans for the acquisition of the Property, including the rehabilitation and maintenance thereon of the existing condominium unit (the “**Project**”, as more fully described in Schedule B attached hereto and made a part hereof); and

WHEREAS, the Township has determined that the Redeveloper possesses the proper qualifications and experience to implement and complete the Project in accordance with the Redevelopment Plan, and all other applicable laws, ordinances and regulations; and

WHEREAS, in order to effectuate the Redevelopment Plan, the Project and the redevelopment of the Property, the Township has determined to enter into this Redevelopment Agreement with the Redeveloper, which Redevelopment Agreement designates the Redeveloper as the “redeveloper” of the Project as that term is defined in the Redevelopment Law, provides for the sale of the Property to the Redeveloper, and specifies the respective rights and responsibilities of the Township and the Redeveloper with respect to the Project; and

WHEREAS, this Resolution seeks to rescind an authorization granted by the Township Council on September 8, 2025 and supersede it herewith, primarily in order to add information concerning reimbursement by the Redeveloper for condominium fees that have been paid by the Township since its acquisition of the Property on July 16, 2020.

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. Previous Authorization Rescinded and Superseded Herewith. Resolution No. OCDP-_____, adopted September 8, 2025, is hereby rescinded and superseded by the adoption of this Resolution.

Section 3. 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

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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 4. 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 under the terms of the Redevelopment Agreement, 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 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

FORM OF REDEVELOPMENT AGREEMENT

Adopted

Vick – Brown	15. Authorize and Direct the Irvington Planning Board to Investigate the Property Identified in the Township Tax Maps as Block 112, Lots 1 and 4; Block 113, Lots 7-16; Block 114, Lots 13-21; Block 115, Lots 13-20; Block 157, Lots 1-31; Block 158, Lots 1-22, 23.01-23.03, and 25-28; and Block 160, Lots 1-21, to Determine Whether Such Property Constitutes a Non-Condensation Area in Need of Redevelopment
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RESOLUTION OF THE TOWNSHIP OF IRVINGTON AUTHORIZING AND DIRECTING THE IRVINGTON PLANNING BOARD TO INVESTIGATE THE PROPERTY IDENTIFIED IN THE TOWNSHIP TAX MAPS AS BLOCK 112, LOTS 1 AND 4; BLOCK 113, LOTS 7-16; BLOCK 114, LOTS 13-21; BLOCK 115, LOTS 13-20; BLOCK 157, LOTS 1-31; BLOCK 158, LOTS 1-22, 23.01-23.03, AND 25-28; AND BLOCK 160, LOTS 1-21, TO DETERMINE WHETHER SUCH PROPERTY CONSTITUTES A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT, 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 areas in need of redevelopment; and

WHEREAS, to make such a determination under the Redevelopment Law, the Municipal Council (the “**Township Council**”) of the Township of Irvington (the “**Township**”) must first authorize the Irvington Planning Board (the “**Planning Board**”) to conduct a preliminary investigation of the area and make recommendations to the Township Council; and

WHEREAS, in accordance with the Redevelopment Law, the Township Council believes it is in the best interest of the Township that such a preliminary investigation occur with respect to that certain area consisting of property described herein within the Township, along with all streets and rights of way appurtenant thereto, and to determine whether all or a portion of such area meets the criteria set forth in the Redevelopment Law to be designated as an area in need of redevelopment; and

WHEREAS, the area to be investigated consists of the following properties, described in terms of their identification on Township tax maps and their locations within the Township:

Block 112, Lots 1, 4
Block 113, Lots 7 – 16
Block 114, Lots 13 – 21
Block 115, Lots 13 – 20
Block 157, Lots 1 – 31
Block 158, Lots 1 – 22
Block 158, Lots 23.01 – 23.03
Block 158, Lots 25 – 30
Block 160, Lots 1 – 21

(together with all streets and rights of way appurtenant thereto, the “**Study Area**”); and

WHEREAS, the Township therefore authorizes and directs the Planning Board to conduct an investigation of the Study Area and to make recommendations to the Township Council, all in accordance with the Redevelopment Law; and

WHEREAS, if the Study Area is designated as an area in need of redevelopment, the Township Council authorizes the Township to use all of those powers provided under the Redevelopment Law for use in

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a redevelopment area, other than the use of the power of eminent domain, pursuant to N.J.S.A. 40A:12A-6(a) (as designated, a “**Non-Condensation Redevelopment Area**”),

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. **Investigation of Study Area Authorized.** The Planning Board is hereby authorized and directed to conduct an investigation pursuant to N.J.S.A. 40A:12A-6 to determine whether the Study Area satisfies the criteria set forth in the Redevelopment Law, including N.J.S.A. 40A:12A-5, to be designated as a “Non-Condensation Redevelopment Area”.
3. **Map to be Prepared.** As part of its investigation, the Planning Board shall prepare a map showing the boundary of the Study Area.
4. **Public Hearing Required.** The Planning Board shall conduct a public hearing, after giving due notice of the proposed boundary of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the Study Area is a Condensation Redevelopment Area.
5. **Planning Board to Make Recommendations.** After conducting its investigation, preparing a map of the proposed redevelopment area, and conducting a public hearing at which all objections to the designation are received considered, and made part of the public record, the Planning Board shall make a recommendation to the Township Council as to whether the Township should designate the Study Area as a Condensation Redevelopment Area.
6. **Redevelopment Plan.** In the event the Planning Board determines to recommend that the governing body designate the Study Area as a Condensation Redevelopment Area, the Planning Board shall commence with the preparation of a redevelopment plan without need of further action by the Township Council.
7. **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.
8. **Availability of the Resolution.** A copy of this Resolution shall be available for public inspection at the offices of the Township Clerk.
9. **Effective Date.** This Resolution shall take effect immediately.

Adopted

Brown – Vick 16. Amend an Emergency Sewer Repair Contract Located at 380-382 21st Street to Messercola Excavating for an Amount of \$27,500.00

**RESOLUTION AMENDING AN EMERGENCY SEWER REPAIR CONTRACT LOCATED AT
380-382 21st Street**

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WHEREAS, on August 11, 2025, resolution number DPW 25-0811-20 awarded an emergency sewer repair contract to Messercola Excavating; and

WHEREAS, on August 26, 2025, DPW determined that the incorrect information was submitted for the emergency resolution; and

WHEREAS, DPW would like to amend the resolution with the correct information; and

WHEREAS a portion of the sewer main located at 380-382 21st Steet collapsed on June 04, 2025; and

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

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

WHEREAS, Your Way Construction Inc and Messercola Excavating were contacted to provide quote for the repairs; and

WHEREAS, Messercola Excavating provided the lowest quote for this emergency; and

WHEREAS, after the start of the project and upon further assessment, additional work was required to complete the project increasing the original quote by \$27,500.00

WHEREAS, the Mayor has concurred with the amount and recommends that an emergency contract be awarded to Messercola Excavating of 549 East Third Street, Plainfield, NJ 07060 for an amount of \$27,500.00, and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that it ratifies the decision of the Director of Public Works and the Mayor to authorize an emergency contract in the amount of \$27,500.00 to Messercola Excavating of 549 East Third Street, Plainfield, NJ 07060 to repair the sewerage main break.

BE IT FURTHER RESOLVED that the required certification of availability of funds C25-0128 in the amount of \$27,500.00 from account number 5-01-26-290-290-118 has been obtained from the Chief Financial Officer.

Adopted

Hudley – Vick 17. Approve Additional Funds in the Matter of Alsheem Emmett v. City Barrel, Inc., et al to Murphy Orlando, LLC in the Amount of \$12,809.45

**RESOLUTION APPROVING ADDITIONAL FUNDS FOR
ALSHEEM EMMETT V. CITY BARREL, INC., ET AL
DOCKET NO. ESX-L-4903-22**

WHEREAS, on August 14, 2023 the law firm of Murphy Orlando, LLC was awarded a contract for Litigation Counsel Services for an amount not to exceed \$16,000.00 by resolution number TA 23-0814-34; and

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WHEREAS, on May 12, 2025, an amended contract for Litigation Counsel Services was awarded for an amount not to exceed \$26,746.84 by resolution number TA 25-0512-16A; and

WHEREAS this matter has now concluded with the complaint being dismissed against the Township of Irvington; and

WHEREAS Murphy Orlando LLC has submitted an amended budget detailing additional costs through closing of this matter in the amount of \$12,809.45; and

WHEREAS, the Township seeks to pay the law firm of Murphy Orlando, LLC for services provided within the scope of the contract, during the contract period but in excess of the contract amount;

WHEREAS, the total contract amount for this matter is hereby increased to an amount not to exceed \$39,556.29.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the services performed by the firm of Murphy Orlando, LLC in excess of the contract amount is hereby ratified and confirmed for an amount not to exceed \$39,556.29; and

BE IT FUTHER RESLOVED, that total contract amount for this matter is hereby increased to an amount not to exceed \$39,556.29; and

BE IT FUTHER RESLOVED, that the Mayor and Municipal Clerk is hereby authorized to sign and execute an amended contract for Litigation Counsel Service; and

BE IT RESOLVED, that funds for this service will be paid from the Insurance Fund for a contract amount not to exceed \$39,556.29.

Adopted

Hudley – Vick 18. Approve Additional Funds in the Matter of Christina Pierre v. Uber Technologies, et. al to the Antoine Law Firm in the Amount of \$5,527.50

**RESOLUTION APPROVING ADDITIONAL FUNDS FOR
CHRISTINA PIERRE V. UBER TECHNOLOGIES, ET. AL.
DOCKET NO. ESX-L-006437-23**

WHEREAS, on December 23, 2024 the Antoine Law Firm was awarded a contract for Litigation Counsel Services for an amount not to exceed \$5,000.00 by resolution number TA 24-1223-42; and

WHEREAS, on May 27, 2025, an amended contract for Litigation Counsel Services was awarded for an amount not to exceed \$10,125.00 by resolution number TA 25-0527-18A; and

WHEREAS this matter has now concluded with the complaint being dismissed against the Township of Irvington; and

WHEREAS the Antoine Law Firm has submitted an amended budget detailing additional costs through closing of this matter in the amount of \$5,527.50; and

WHEREAS, the Township seeks to pay the Antoine Law Firm for services provided within the scope of the contract, during the contract period but in excess of the contract amount;

WHEREAS, the total contract amount for this matter is hereby increased to an amount not to exceed \$15,652.50.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the services performed by the firm of Antoine Law Firm in excess of the contract amount is hereby ratified and confirmed for an amount not to exceed \$15,652.50; and

BE IT FUTHER RESLOVED, that total contract amount for this matter is hereby increased to an amount not to exceed \$15,652.50; and

BE IT FUTHER RESLOVED, that the Mayor and Municipal Clerk is hereby authorized to sign and execute an amended contract for Litigation Counsel Service; and

BE IT RESOLVED, that funds for this service will be paid from the Insurance Fund for a contract amount not to exceed \$15,652.50.

Adopted

Hudley – Vick 19. Approve Additional Funds in the Matter of Raecharise Young v. Irvington Public Library, et al to Michael A. D'Aquanni, LLC in the Amount of \$9,685.00

**RESOLUTION APPROVING ADDITIONAL FUNDS FOR
RAECHARISE YOUNG V. IRVINGTON PUBLIC LIBRARY, et al.
DOCKET NO. L-2584-23**

WHEREAS, on May 22, 2023 the law firm of Michael A. D'Aquanni, LLC was awarded a contract for Litigation Counsel Services for an amount not to exceed \$3,500.00 by resolution number TA 23-0522-24; and

WHEREAS, on June 23, 2025, an amended contract for Litigation Counsel Services was awarded for an amount not to exceed \$19,940.00 by resolution number TA 25-0623-26; and

WHEREAS this matter has now concluded with the complaint being dismissed against the Township of Irvington; and

WHEREAS Michael A. D'Aquanni, LLC has submitted an amended budget detailing additional costs through closing of this matter in the amount of \$9,685.00; and

WHEREAS, the Township seeks to pay the law firm of Michael A. D'Aquanni, LLC. for services provided within the scope of the contract, during the contract period but in excess of the contract amount;

WHEREAS, the total contract amount for this matter is hereby increased to an amount not to exceed \$29,625.00.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the services performed by the firm of Michael A. D'Aquanni, LLC. in excess of the contract amount is hereby ratified and confirmed for an amount not to exceed \$29,625.00; and

BE IT FUTHER RESOLVED, that total contract amount for this matter is hereby increased to an amount not to exceed \$29,625.00; and

BE IT FUTHER RESOLVED, that the Mayor and Municipal Clerk is hereby authorized to sign and execute an amended contract for Litigation Counsel Service; and

BE IT RESOLVED, that funds for this service will be paid from the Insurance Fund for a contract amount not to exceed \$29,625.00.

Adopted

~~20. Grant "The Get Together" to Operate and be Excluded from the Moratorium on Multi-Service Establishments~~ **[REMOVED BY BUSINESS ADMINISTRATOR - REFERRED TO LEGAL FOR REVIEW]**

RESOLUTION TO TEMPORARILY LIFT THE MORATORIUM ON THE ISSUANCE OF MULTI-SERVICE LICENSES TO ALLOW "THE GET TOGETHER" TO APPLY FOR ZONING APPROVAL AND BUSINESS LICENSURE

WHEREAS, the Township of Irvington has previously enacted a moratorium on the issuance of multi-service business licenses to review and revise zoning and licensing regulations to better serve the public interest; and

WHEREAS, the entity known as "The Get Together" has expressed interest in establishing a multi-service business within the Township; and

WHEREAS, the Council finds it appropriate to temporarily lift the moratorium for the limited purpose of allowing "The Get Together" to proceed with the application process, subject to full compliance with all other applicable municipal, county, and state regulations;

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

1. The moratorium on the issuance of multi-service business licenses is hereby temporarily lifted solely for the purpose of allowing the entity known as "The Get Together" to apply for zoning approval and obtain a business license.
2. This temporary lifting shall not be construed as a general repeal of the moratorium, and shall apply only to "The Get Together" for the duration of their application and review process.
3. "The Get Together" shall be required to meet all applicable criteria, including but not limited to zoning compliance, health and safety standards, and business licensing requirements, as determined by the appropriate municipal departments.

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4. This resolution shall take effect immediately upon adoption and shall remain in effect until the conclusion of the application process for "The Get Together," unless otherwise amended or rescinded by the Council.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be forwarded to the Zoning Officer and the Licensing Division for implementation.

Vick – Brown 21. Amend DHS 25-0609-1 Memorandum of Understanding Between the Township of Irvington and International Union of Operating Engineers Local 825 to Demolish 2 Property by Removing 49 Oak Avenue and Adding 9 Herpers Street and Irvington Playground 768 Chancellor Avenue

AMENDING MEMORANDUM OF UNDERSTANDING BETWEEN THE TOWNSHIP OF IRVINGTON AND INTERNATIONAL UNION OF OPERATING ENGINEERS LOCAL 825 TO DEMOLISH PROPERTIES IN THE TOWNSHIP OF IRVINGTON

WHEREAS, on June 9, 2025, the Municipal Council adopted resolution number DHS 25-0609-1 to demolish 49 Oak Avenue and 795-797 Chancellor Avenue; and

WHEREAS, the property located at 49 Oak Ave is no longer in need of demolition because the property was purchased and the new owner plans to renovate the same; and

WHEREAS, the Administration has two properties that is in need of demolishing immediately; and

WHEREAS, the Administration would like to amend the original resolution, removing 49 Oak Avenue from the demolition list and contract and replace it with 9 Herpers Street and Irvington Playground 768 Chancellor Avenue block 300 lot 1; and

WHEREAS, International Union of Operating Engineers Local 825 employ the required employees to operate powered equipment used in demolition, construction and tree removal; and

WHEREAS, the Township shall pay International Union of Operating Engineers Local 835 the salary and wages plus all fringe benefits as per the attached Union agreement plus applicable admin fees; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, that the attached Memorandum of Understanding is hereby amended removing 49 Oak Ave from the resolution and contract and replacing it with 9 Herpers Street and Playground 768 Chancellor Avenue block 300 lot 1; and

BE IT FURTHER RESOLVED, that this resolution hereby authorize the demolition of 795-797 Chancellor Avenue, 9 Herpers Street and Playground 768 Chancellor Avenue block 300 lot 1 and this contract shall terminate upon the demolition of these three properties.

BE IT FURTHER RESOLVED, the Township Attorney will review and amend the Memorandum of Understanding; and

BE IT FURTHER RESOLVED, that the Municipal Clerk and Mayor is hereby authorized and directed to signed the amended MOU; and

BE IT FUTHER RESLOVED, that the required certification of availability of funds C25-0098 in the amount of \$50,0000.00 from account number C-04-56-850-016-900 has been obtained from the Chief Financial Officer.

BE IT FURTHER RESOLVED, this MOU will become effective upon the adoption of this resolution and if additional properties needs to be demolished, a separate resolution will be prepared for the same.

Adopted

~~22. Memorandum of Understanding Between the Township of Irvington and International Union of Operating Engineers Local 825 to Demolish the Club House at Irvington Park (Chancellor Park), 768 Chancellor Avenue [COMBINED RESOLUTION WITH 9-A-21]~~

Vick – Brown 23. Authorize the Tax Collector to Cancel Tax Sale Certificate Nos. 17-00687, 17-00688, 17-00689 and 17-00690, With Respect to Block 162, Lot 35.02 and 35.03 and Block 163, Lots 2.01 and 2.02 Lot 4

A RESOLUTION AUTHORIZING THE TAX COLLECTOR TO CANCEL TAX SALE CERTIFICATE NOS. 17-00687, 17-00688, 17-00689 AND 17-00690, WITH RESPECT TO BLOCK 162, LOT 35.02 AND 35.03 AND BLOCK 163, LOTS 2.01 AND 2.02 LOT 4 WITHIN THE TOWNSHIP OF IRVINGTON

WHEREAS, Tax Lien Certificate of Sale Nos. 17-00687, 17-00688, 17-00689 and 17-00690 (the “**Certificates**”) was issued to US Bank as Custodian for PC7 Firsttrust on December 20, 2017, due to for delinquent taxes against properties designated on the official tax map of the Township of Irvington (The “**Township**”) as Block 163, Lots 35.02 and 35.03 and Block 163, Lots 2.01 and 2.02 (hereinafter collectively referred to as the “**Properties**”); and

WHEREAS, the Township has determined that, the underlying taxes were invalid, and that it is therefore in the best interests of the Township to cancel the Certificates, pursuant to N.J.S.A. 54:5-43 and pursuant to that certain settlement agreement by and between by and between the Township, **21st STREET HOMES LLC**, , a New Jersey Limited Liability Company, having its offices at 575 North 5th Street, Newark, New Jersey 07107 and **FIG as Custodian for FIG NJ19, LLC**, having its offices at 1000 Riverside Avenue, Suite 400, Jacksonville, Florida 32204, as amended (the “**Settlement Agreement**”).

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

Section 1. Cancellation of Tax Sale Certificate Nos. 17-00687, 17-00688, 17-00689 and 17-00690.
The cancellation of Tax Sale Certificate nos. 17-00687, 17-00688, 17-00689 and 17-00690 is hereby approved.

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Section 2. Actions Authorized. The Tax Collector is hereby authorized and directed to take any and all actions, and execute and deliver such other documents, certificates and instruments necessary, desirable, convenient and in harmony with the terms of the aforementioned Settlement Agreement, to effectuate the cancellation of the subject tax Sale Certificates.

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.

Adopted

Vick – Brown 24. Authorize the Execution of a Second Amended Settlement Agreement Between the Township of Irvington, 21st Street Homes LLC and FIG as Custodian for FIG NJ19, LLC in Connection With the Properties Designated as Block 163, Lots 2.01, 2.02, 9, 10, 11, 12 and 13 And Block 162, Lots 35.01, 35.02, 35.03 on 21st Street

RESOLUTION AUTHORIZING THE EXECUTION OF A SECOND AMENDED SETTLEMENT AGREEMENT BETWEEN THE TOWNSHIP OF IRVINGTON, 21ST STREET HOMES LLC AND FIG AS CUSTODIAN FOR FIG NJ19 LLC IN CONNECTION WITH THE PROPERTIES DESIGNATED ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF IRVINGTON AS BLOCK 163, LOTS 2.01, 2.02, 9, 10, 11, 12 AND 13 AND BLOCK 162, LOTS 35.01, 35.02, 35.03 ON 21ST STREET

WHEREAS, on October 15, 2024, the Township Council, via Resolution No. TA- TA 24-1015-32, the Township adopted a Resolution authorizing the execution of an Original Settlement Agreement with respect to the matter of 21st Street Homes, LLC v. Township of Irvington, in the Superior Court, Chancery Division, under Docket No. ESX-C-000174-23; and

WHEREAS, on consent following a formal request from the Parties, on October 22, 2024 the Hon. Lisa M. Aduato, J.S.C. entered an Order Enforcing the Original Settlement Agreement (a true and accurate copy of the October 22, 2024 Order is attached hereto as Exhibit A); and

WHEREAS, on June 25, 2025, the Parties executed a First Amended Settlement Agreement to provide for 1) the maintenance of the affordable housing restrictions on the Properties for the remainder of the twenty (20) year term; (2) the waiver of any and all outstanding taxes that the Developer may owe on the Properties to date; (3) the cancellation by the Township of the tax lien that is the subject matter of the Foreclosure Action; and (4) the transfer of two (2) properties owned by the Township to the Developer or another entity wholly owned by Carole Dubois as the principal member of the Developer; and

WHEREAS, the Parties now seek to execute a second Amendment to the Settlement Agreement, to adjust the terms relating to the satisfaction of the tax lien that is the subject

of the Foreclosure Action, to clarify that the Tax Collector's discharge of this term is effectuated within the legal regime governing his role and duties.

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 Second Amended Settlement Agreement Authorized.

(a) The Mayor and Township Business Administrator are hereby authorized to execute a Second Amended Settlement Agreement, in a form substantially consistent with the agreement attached hereto as Exhibit A, subject to modification or revision as deemed necessary or desirable in consultation with counsel, and to take all other necessary or appropriate action to effectuate such Settlement Agreement.

(b) The Municipal Clerk is hereby authorized and directed, upon the execution of the Settlement Agreement, to attest to the signature of the Mayor and the Township Business Administrator upon such document and is hereby further authorized and directed to affix the corporate seal of the Township upon such document.

(c) Upon the execution and attestation of the First Amended Settlement Agreement, the Mayor, the Township Business Administrator, the Township Chief Financial Officer, the Township Tax Collector and the Township Tax Assessor upon consultation with counsel to the Township, are hereby further authorized to take any and all actions, and execute and deliver such other documents, certificates and instruments necessary, desirable or convenient to effectuate the terms of the First Amended Settlement Agreement.

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

SECOND AMENDED SETTLEMENT AGREEMENT

Adopted

Vick – Beasley	25. Authorize a Non-Fair and Open for Bond Rating Service - Moody's Investors Service - \$37,000.00
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A RESOLUTION AUTHORIZING A NON-FAIR AND OPEN FOR BOND RATING SERVICE

WHEREAS, the Township of Irvington, in the County of Essex and State of New Jersey, is in need of Bond Rating Service; and

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WHEREAS, the Township would like to retain the service of Moody’s Investors Service to provide bond rating service to the Finance Department; and

WHEREAS, Moody’s Investors Service has provided the Township with a proposal to provide this service for a total sum of \$37,000.00; and

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

WHEREAS, the C-271 Political Contribution Disclosure forms were on file in the Office of the Municipal Clerk and Purchasing Agent on September 05, 2025; and

WHEREAS, the Township would like to award a Non Fair and Open contract to Moody’s Investors Service of 7 WTC At 250 Greenwich Street, 15th Floor, New York, NY 10007; and

WHEREAS, the term of this contract will expire on September 23, 2026; and

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

NOW THEREFORE, BE IT RESOLVED that the Municipal Council of the Township of Irvington authorizes the award of a non-fair and open contract to Moody’s Investors Service and,

BE IT FUTHER RESLOVED that the required certification of availability of funds C25-0159 in the amount of \$37,000.00 from account number C-04-56-853-Z24-901 has been obtained from the Chief Financial Officer.

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

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

Adopted

Vick – Beasley 26. Ratify 2023 Corrective Action Plan

**RESOLUTION OF THE TOWNSHIP OF IRVINGTON
Corrective Action Plan
Audit Report Year: December 31, 2023**

WHEREAS, in accordance with the requirements of the Single Audit Act and the regulations of the Division of Local Government Services, all municipalities are required to prepare and file a Corrective Action Plan; and

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WHEREAS, this plan must be filed with the Division of Local Government Services in accordance with regulations established by the Division; and

WHEREAS, such a plan was prepared by the Chief Financial Officer and reviewed by the members of the governingbody of the Township of Irvington;

NOW THEREFORE BE IT RESOLVED, that the CY 2023 Corrective Action Plan, attached hereto, be approved by the governing body of the Township of Irvington and filed with the Division of Local Government Services.

Adopted

Frederic – Vick 27. Introduction of the Springfield Avenue Center Business Improvement District’s (SACBID) 2025-2026 Annual Budget **[PUBLIC HEARING IS SCHEDULED FOR MONDAY, OCTOBER 27, 2025]**

INTRODUCTION OF THE SPRINGFIELD AVENUE CENTER BUSINESS IMPROVEMENT DISTRICT (SACBID) 2025-2026 ANNUAL BUDGET

WHEREAS, N.J.S.A. 40:56-48 requires that the budget for Springfield Avenue Center Business Improvement District’s (SACBID) 2025-26 budget be introduced in writing at a meeting of the Municipal Council for approval; and

WHEREAS, the Springfield Avenue Center Business Improvement District (SACBID) approved it’s 2024-25 budget on September 11, 2025:

NOW, BE IT THEREFORE RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, NEW JERSEY that it hereby approves the Springfield Avenue Center Business Improvement District’s (SACBID) 2025-26 budget and that this approval is subject to all requirements of NJSA 40:56-48, which includes notice and hearing.

PROPOSED 2025-26 ISABID BUDGET		
	2025-26	
<u>REVENUES</u>	<u>Budget</u>	<u>NARRATIVE</u> compared to 2024-25 budget):
Opening Balance	51,140	less from reserves due to full 4% BID Tax
BID Tax: 4%	295,728	same 4% tax rate as previous yrs (except 2024-25)
Essex County Local Arts Program Grant	3,000	anticipated Essex County LAP grant for wall mural
Misc: bank interest; program fees	<u>18,000</u>	based on earned interest in 2024-25
Total Revenues	367,868	
<u>EXPENSES</u>		
BEAUTIFICATION:		
Holiday Decorations	50,000	adjusted \$4000 less than 2024-25
Graffiti Removal Program	8,000	adjusted \$8000 less than 2024-25
Grant Writing & Administration	12,000	adjusted to reflect \$1000/month x 12 months
Wall Mural @ 980 Springfield Ave	42,000	anticipated cost of wall mural creation, scaffolding, etc.
Gateway Clock Electricity	1,700	adjusted \$400 less than 2024-25; suspended until new clock installed

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Sidewalk & Smith St. Parking Lot Cleaning	95,868	adjusted \$4,132 less than 2024-25
Private Security Cameras	5,000	same as 2024-25
SUBTOTAL	214,568	
MARKETING:		
Business Improvement Matching Grant Program	10,000	same as 2024-25
Website/Social Media/Advertisements	14,000	adjusted \$1600 more than 2024-25
Promotions (general)	5,000	adjusted \$2000 less than 2024-25
Holiday Santa's Photos	3,000	adjusted \$1000 more than 2024-25
Professional/Service Member Events	<u>10,000</u>	same as 2024-25 for 4 quarterly Tri-Community events
SUBTOTAL	42,000	
OPERATIONS:		
Administration	60,000	same as 2024-25
Organizational Expenses	1,800	adjusted \$200 less than 2024-25
Professional Fees/Insurances	10,000	adjusted \$1000 more than 2024-25
Staff/Board Training	<u>500</u>	same as 2024-25
SUBTOTAL	72,300	
RESERVE		
*Capital Improvements, Beautification, etc.	30,000	adjusted \$7,500 less than 2024-25; new gateway clock funding
Donations	<u>9,000</u>	same as 2024-25 (\$3750 to Irvington Touchdown Club)
SUBTOTAL	39,000	
Total Expenditures	367,868	

Adopted

Vick – Beasley 28. Authorize Assignment of Tax Sale Certificate(s) to Irvington Redevelopment 2022 LLC – 28 Howard Street

RESOLUTION AUTHORIZING ASSIGNMENT OF TAX SALE CERTIFICATE(S) TO IRVINGTON REDEVELOPMENT 2022 LLC

WHEREAS, pursuant to N.J.S.A. 54:5-113, the State of New Jersey authorizes assignment by a municipality of municipally-held tax sale certificates by private sale for amounts not less than the assessed value of the underlying real estate as of the date of the last tax sale, when the full amount of the liens exceeds such assessed value; and

WHEREAS, the Township of Irvington (the “**Township**”) is the holder of the following Tax Sale Certificate Nos.:

Tax Cert No.	Tax Cert. Date	Property Address	Block/Lot	Assessed Value	Redemption Total
101286	0712/2010	28 Howard Street	213/ 5	\$284,400	\$798,964.09

WHEREAS, the Township’s Tax Assessor has determined that the total amount listed herein exceeds the assessed value of the property; and

WHEREAS, the Township is in receipt of an offer by **_Irvington Redevelopment 2022 LLC_** (hereafter Purchaser), whose address is **_4921 Bay Parkway, Brooklyn, New York 11230_**, to purchase by assignment the above Tax Sale Certificate(s) for a purchase amount equal to **\$_290,000.00_**, which is not less than the assessed value of the property; and

WHEREAS, the Township Council has determined after due deliberation that the Township’s best interests would be served by proceeding to sell the aforementioned Tax Sale Certificate(s) by assignment at a private sale, for the aforementioned offered payment amount, pursuant to the aforementioned N.J.S.A. 54:5-113; and

WHEREAS, notice of such private sale has been given in accordance with N.J.S.A. 54:5-114,

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

1. The Township is hereby authorized to sell the above Tax Sale Certificate No(s). together with subsequent liens and any accrued penalties, interest and other charges, for the aforementioned payment amount, to Purchaser in accordance with the provisions of N.J.S.A. 54:5-113;
2. Purchaser shall be responsible for executing the attached draft RDA, Power of Attorney and pay the assessed value for each property approved by this resolution; and
3. The requisite Township official is hereby authorized to execute the assignment to effectuate such sale.

Adopted

10. COMMUNICATION AND PETITIONS

A. Communications

None

11. PENDING BUSINESS

None

NON-CONSENT AGENDA

8. ORDINANCES, BILLS & CLAIMS (Cont.)

B. Ordinances on Second Reading

1. **President Beasley:** An ordinance reauthorizing, amending and supplementing Chapter 557 entitled, “Five-Year Tax Exemption” will be heard at this time. The Clerk will read the notice of hearing.

The Clerk will read the ordinance by title.

AN ORDINANCE TO REAUTHORIZE, AMEND AND SUPPLEMENT CHAPTER 557 OF THE MUNICIPAL CODE ENTITLED, “FIVE-YEAR TAX EXEMPTION”

WHEREAS, the Five-Year Tax Exemption Law, N.J.S.A. 40A:21-1 *et seq.* authorizes municipalities to grant exemptions or abatements, or both, for up to five years to promote the construction and rehabilitation of residential and commercial and industrial structures in areas threatened with economic and social decline; and the Township of Irvington (the “**Township**”) is authorized pursuant to

WHEREAS, by Resolution dated July 14, 2015, the Municipal Council (the “**Township Council**”) of the Township of Irvington (the “**Township**”) designated the entire Township as an area in need of rehabilitation (the “**Rehabilitation Area**”), in accordance with the requirements of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.*; and

WHEREAS, by Ordinance No. MC 3549 dated August 11, 2015, the Township Council duly adopted a redevelopment plan to govern the redevelopment of the Rehabilitation Area, entitled the *Township-Wide Area in need of Rehabilitation Redevelopment Plan* (the “**Township Wide Redevelopment Plan**”); and

WHEREAS, to realize the redevelopment of the Property, 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 relevant Redevelopment Plan, pursuant to N.J.S.A. 40A: 12A-4(c); and

WHEREAS, On August 11, 2015, the Municipal Council of the Township (the “**Township Council**”) adopted Ordinance No. MC-3547 implementing the Five-Year Tax Exemption and Abatement pursuant to the aforementioned Five-Year Tax Exemption Law; and

WHEREAS, on November 25, 2024, the Township Council adopted Ordinance No. MC-3885, to amend and supplement Ordinance No. MC-3547 to expand the economic viability of redevelopment and rehabilitation of dwellings, within the limits permitted by the Five-Year Tax Exemption Law, thereby encouraging further development of same within the Township; and

WHEREAS, Ordinance No. MC-3547 contained a provision whereby its provisions granting exemptions and abatements thereunder would expire on _____, 2025, subject to review and possible readoption or extension by the Township; and

WHEREAS, the Township has conducted such review and has determined that it is in the best interests of the Township to readopt, extend and supplement the terms of Ordinance No. MC-3547.

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

1. That Ordinance No. MC-3547, as amended and supplemented by Ordinance No. MC-3885, is readopted for a further ten year period, until the date that occurs ten years to the date from the date of final adoption of this Ordinance.

2. That Ordinance No. MC-3547, as amended and supplemented by Ordinance No. MC-3885, is hereby supplemented as follows, as indicated by highlights and underlining:

§ 577-9. Purpose; intent.

The Legislature of the State of New Jersey has determined that various statutes authorized by Article VIII, Section 1, Paragraph 6 of the New Jersey Constitution permitting municipalities to grant for periods of five years exemptions or abatements, or both, from taxation in areas in need of rehabilitation have proven to be effective in promoting construction and rehabilitation of residential and commercial and industrial structures in areas threatened with economic and social decline. In response, the Legislature adopted Chapter 441 of the Laws of 1991 (N.J.S.A. 40A:21-1 et seq.) (the "Act") to consolidate and make more coherent the most useful features of those statutes. The Township of Irvington makes known its intention to utilize the tax exemption provisions authorized by Article VIII, Section 1, Paragraph 6 of the New Jersey Constitution, as enacted through the provisions of the Act, to authorize five-year exemptions for improvements to dwellings, construction of new dwellings, improvements to or conversion of structures to multiple dwellings and improvements to and construction of commercial and industrial structures.

§ 577-10. Definitions.

As used in this article, the following terms shall have the meanings indicated:

ANNUAL PERIOD — A duration of time comprising 365 days, or 366 days when the included month of February has 29 days, that commences on the date that an exemption for a project becomes effective pursuant to Section 16 of the Act and § 577-21 of this article.

AREA IN NEED OF REHABILITATION — A portion or all of a municipality which has been determined to be an area in need of rehabilitation or redevelopment pursuant to the "Local Redevelopment and Housing Law," P.L. 1992, c.79 (N.J.S.A. 40A:12A-1 et seq.), a blighted area as determined pursuant to the "Blighted Areas Act," P.L. 1949, c.187 (N.J.S.A. 40:55-21.1 et seq.),¹ or which has been determined to be in need of rehabilitation pursuant to P.L. 1975, c.104 (N.J.S.A. 54:4-3.72 et seq.), P.L. 1977, c.12 (N.J.S.A. 54:4-3.95 et seq.) or P.L. 1979, c.233 (N.J.S.A. 54:4-3.121 et seq.).²

ASSESSOR — The officer of the Township charged with the duty of assessing real property for the purpose of general taxation.

BUSINESS ADMINISTRATOR — The business administrator of the Township.

CHIEF FINANCIAL OFFICER — The chief financial or fiscal officer of the Township.

CLERK — The municipal clerk of the Township.

COMMERCIAL OR INDUSTRIAL STRUCTURE — A structure or part thereof used for the manufacturing, processing or assembling of material or manufactured products, or for research, office, industrial, commercial, retail, recreational, hotel or motel facilities, or warehousing purposes, or for any combination thereof, which the Township Council determines will tend to maintain or provide gainful employment within the Township, assist in the economic development of the municipality, maintain or increase the tax base of the municipality and maintain or diversify and expand commerce within the municipality. "Commercial or industrial structures" shall not include any structure or part thereof used or to be used by any business relocated from another qualifying municipality unless: the total square footage of the floor area of the structure or part thereof used or to be used by the business at the new site together with the total square footage of the land used or to be used by the business at the new site exceeds the total

square footage of that utilized by the business at its current site of operations by at least 10%; and the property that the business is relocating to has been the subject of a remedial action plan costing in excess of \$250,000 performed pursuant to an administrative consent order entered into pursuant to authority vested in the Commissioner of Environmental Protection under P.L. 1970, c.33 (N.J.S.A. 13:1D-1 et seq.), the "Water Pollution Control Act," P.L. 1977, c.74 (N.J.S.A. 58:10A-1 et seq.), the "Solid Waste Management Act," P.L. 1970, c.39 (N.J.S.A. 13: 1E-1 et seq.), and the "Spill Compensation and Control Act," P.L. 1976, c.141 (N.J.S.A. 58:10-23.11 et seq.).

COMPLETION — Substantially ready for the intended use for which a building or structure is constructed, improved or converted, as determined by the Assessor.

CONDOMINIUM — A property created or recorded as a condominium pursuant to the "New Jersey Condominium Act," P.L. 1969, c.257 (N.J.S.A. 46:8B-1 et seq.).

CONSTRUCTION — The provision of a new dwelling, multiple dwelling or commercial or industrial structure, or the enlargement of the volume of an existing multiple dwelling or commercial or industrial structure by more than 30%, but shall not mean the conversion of an existing building or structure to another use.

CONVERSION or CONVERSION ALTERATION — The alteration or renovation of a nonresidential building or structure, or hotel, motel, motor hotel or guesthouse, in such manner as to convert the building or structure from its previous use to use as a dwelling or multiple dwelling.

COOPERATIVE — A housing corporation or association, wherein the holder of a share or membership interest thereof is entitled to possess and occupy for dwelling purposes a house, apartment, or other unit of housing owned by the corporation or association, or to purchase a unit of housing owned by the corporation or association.

DEVELOPMENT OFFICER — The person appointed by the Mayor of the Township to serve as the development officer pursuant to this article.

DWELLING — A building or part of a building used, to be used or held for use as a one- or two-family home or residence, including accessory buildings located on the same premises, together with the land upon which such building or buildings are erected and which may be necessary for a fair enjoyment thereof, but shall not mean any building or part of a building, defined as a "multiple dwelling" pursuant to the "Hotel and Multiple Dwelling Law," P.L. 1967, c.76 (N.J.S.A. 55:13A-1 et seq.). A dwelling shall include, as they are separately conveyed to individual owners, individual residences within a cooperative, if purchased separately by the occupants thereof, and individual residences within a horizontal property regime or a condominium, but shall not include "general common elements" or "common elements" of such horizontal property regime or condominium as defined pursuant to the "Horizontal Property Act," P.L. 1963, c.168 (N.J.S.A. 46:8A-1 et seq.), or the "Condominium Act," P.L. 1969, c.257 (N.J.S.A. 46:8B-1 et seq.), or of a cooperative, if the residential units are owned separately.

EXEMPTION — That portion of the Assessor's full and true value of any improvement, conversion alteration, or construction not regarded as increasing the taxable value of a property pursuant to the Act.

HORIZONTAL PROPERTY REGIME — A property submitted to a horizontal property regime pursuant to the "Horizontal Property Act," P.L. 1963, c.168 (N.J.S.A. 46:8A-1 et seq.).

IMPROVEMENT — A modernization, rehabilitation, renovation, alteration or repair which produces physical change in an existing building or structure that improves the safety, sanitation, decency or attractiveness of the building or structure as a place for human habitation or work, and which does not change its permitted use. In the case of a multiple dwelling, it includes only improvements which affect common areas or elements, or three or more dwelling units within the multiple dwelling. In the case of a

multiple dwelling or commercial or industrial structure, it shall not include ordinary painting, repairs and replacement of maintenance items, or an enlargement of the volume of an existing structure by more than 30%. In no case shall it include the repair of fire or other damage to property for which payment of a claim was received by any person from an insurance company at any time during the three-year period immediately preceding the filing of an application for exemption pursuant to the Act.

MULTIPLE DWELLING — A building or structure meeting the definition of "multiple dwelling" set forth in the "Hotel and Multiple Dwelling Law," P.L. 1967. c.76 (N.J.S.A. 55:13A-1 et seq.), and means for the purpose of improvement or construction the "general common elements" and "common elements" of a condominium, a cooperative, or a horizontal property regime.

PROJECT — The construction of commercial and industrial structures and multiple dwellings.

TAX AGREEMENT — An agreement for exemption for projects and the payments to be made in lieu of taxes as required pursuant to the terms of this article.

TAX COLLECTOR — The tax collector of the Township.

TERMINATION DATE — August 31, 2025, except as may be extended under § 577-22.

TOWNSHIP — The Township of Irvington, in the County of Essex, State of New Jersey.

TOWNSHIP ATTORNEY — The legal counsel for the Township.

TOWNSHIP COUNCIL — The municipal council of the Township.

§ 577-11. Criteria for exemption of dwellings.

Improvements to dwellings, newly constructed dwellings, conversion of nonresidential structures to dwellings, including unutilized public buildings to one- and two-family dwellings, cooperatives, if purchased separately by the occupant thereof, and individual residences within a horizontal property regime or a condominium located within the Township are eligible to receive a five-year exemption, as provided in § 577-12, upon meeting the following qualifications:

- A. The dwelling must be 20 years or older;
- B. (Reserved)³
- C. (Reserved)⁴
- D. All real estate taxes must be current;
- E. The applicant must provide a certificate of occupancy or any other permit or approval required by the Township.⁵

§ 577-12. Exemption and abatement for Improvement or Construction of dwellings.

- A.** Exemption for improvements to dwellings. The improvements made to a dwelling shall be granted an exemption from taxation if they meet the criteria established in § 577-11 of this article. In determining the value of the real property, the Township shall regard the first \$25,000 in the Assessor's full and true value of the improvements as not increasing the value of the property for a period of five years, notwithstanding that the value of the property to which the improvements are made is increased as a result of the improvements. The assessment on any property granted an exemption pursuant to this § 577-12 shall not be less than the assessment on the property existing immediately prior to the improvements, except where there is damage to the structure through action of the elements sufficient to warrant a reduction.

- B.** Abatement for improvements to dwellings. In addition to the exemption as provided in § 577-12(A) above, an abatement for improvements to a dwelling may be granted with respect to that property for a total of up to five years, in an amount not to exceed 30% of the annual amount of the exemption granted hereunder.
- C.** Exemption for construction of new dwellings and conversions. An exemption shall be granted for a portion of the assessed value of the construction of new dwellings and conversions, including unutilized public buildings, to dwelling use if they meet the criteria established in § 577-11 of this article. In determining the value of the real property, the Township shall regard 30% of the Assessor's full and true value of the dwelling constructed, or conversion alterations made, as not increasing the value of the property for a total of five years, notwithstanding that the value of the property upon which the construction or conversion occurs is increased as a result.
- D.** Abatement for construction of new dwellings and conversions. In addition to the exemption as provided in § 577-12(C) above, an abatement for construction of new dwellings and conversions may be granted with respect to the property for a total of up to five years, in an amount not to exceed 30% of the annual amount of the exemption granted hereunder; provided that the total amount of the abatements shall not exceed 30% of the total cost of the construction or conversion alteration.

§ 577-13. Criteria for exemption and abatement for improvements to ~~of~~ multiple dwellings.

Improvements to multiple dwellings and conversions, including unutilized public buildings, to multiple dwelling use, which are included in the area in need of rehabilitation are eligible to receive a five-year exemption as provided in § 577-14 of this article upon meeting the following qualifications:

- A. All real estate taxes must be current;
- B. The applicant must provide a certificate of occupancy or any other permit or approval required by the Township; and
- C. The construction of any improvements to, and the operation of, any multiple dwelling must be in compliance with any and all applicable federal, state and local health and safety codes and regulations.

§ 577-14. Exemption for improvements to ~~of~~ multiple dwellings.

An exemption shall be granted from taxation of improvements made to multiple dwellings and conversions, including unutilized public buildings, to multiple dwelling use, if they meet the criteria established in § 577-13 of this article. In determining the value of the real property, the Township shall regard the Assessor's full and true value of the improvements or conversion alterations as not increasing the value of the property for a period of five years, notwithstanding that the value of the property to which the improvements or conversion alterations are made is increased as a result of the improvements. The assessment on any property granted an exemption pursuant to this § 577-14 shall not be less than the assessment on the property existing immediately prior to the improvements or conversion alterations, except where there is damage to the multiple dwelling through action of the elements sufficient to warrant a reduction.

§ 577-15. Criteria for exemption for ~~of~~ improvements to commercial and industrial structures.

Improvements to commercial and industrial structures that are located within the area in need of rehabilitation are eligible to receive a five-year exemption as provided herein upon meeting the following qualifications:

- A. All real estate taxes must be current;
- B. The applicant must provide a certificate of occupancy or any other permit or approval required by the Township; and
- C. The construction and the operation of the commercial and industrial structure, must be in compliance with any and all applicable federal, state and local health and safety codes and regulations.

§ 577-16. Exemption ~~for~~ of improvements to commercial and industrial structures.

An exemption shall be granted from taxation of improvements made to commercial and industrial structures if they meet the criteria established in § 577-15 of this article. In determining the value of the real property, the Township shall regard the Assessor's full and true value of the improvements as not increasing the value of the property for a period of five years, notwithstanding that the value of the property to which the improvements are made is increased. The assessment on any property granted an exemption pursuant to this § 577-16 shall not be less than the assessment on the property existing immediately prior to the improvements or conversion, except where there is damage to the structure through action of the elements sufficient to warrant a reduction.

§ 577-17. Application submission ~~of this article~~ and approval or denial by the Assessor upon timely and completed application.

No exemption shall be granted pursuant to under §§ 577-12 – Exemption and abatement for Improvement or Construction of dwellings—, 577-14 – Exemption for improvements to multiple dwellings – , and 577-16 – Exemption for improvements to commercial and industrial structures – ~~of this article~~ except upon written application therefor filed with and approved by the Assessor. Every application shall be on a form prescribed by the Director of the Division of Taxation in the Department of the Treasury, and provided for the use of parties seeking exemptions, or exemptions by the governing body of the Township. All applications pursuant to §§ 577-12, 577-14, and 577-16 of this article shall be filed with the Assessor within 30 days, including Saturdays and Sundays, following the completion of the improvement, conversion alteration or construction. Every such application for exemption which is filed within the time specified and prior to the termination date shall be approved and allowed by the Assessor provided that the application is consistent with the provisions of this article, as applicable, and provided that the improvement, conversion alteration or construction for which the application is made qualifies as an improvement, a conversion alteration or construction pursuant to the provisions of Act and this article.

- A. The Assessor shall approve or deny applications for exemptions pursuant to §§ 577-12, 577-14, and 577-16 of this article within 45 days of receipt of a timely and completed application. Incomplete applications shall be returned to the applicant with notice of any deficiencies and/or missing information or documentation. Any such application that is returned to the applicant for correction or the provision of further information must be resubmitted to the Assessor within 20 days of receipt by the applicant. Returned applications are deemed to be received by the applicant within three days of mailing. Any returned application that is not resubmitted to the Assessor within the required period shall be deemed denied.

§ 577-18. Criteria for tax agreements for exemptions for certain projects.

For those projects qualifying for exemption from taxation under §§ 577-19, 577-20, and 577-21 – specifically, those pertaining to new construction of commercial and industrial structures and multiple dwellings – ~~t~~The Township Council may approve and enter into tax agreements for such the

exemption from taxation for projects that are located in the area in need of rehabilitation, pursuant to §§ 577-19, 577-20, and 577-21 upon **provided they meet** meeting the following qualifications:

- A. All real estate taxes must be current;
- B. The applicant must provide permits or approvals required by the Township;
- C. The construction and the operation of the project must be in compliance with any and all applicable federal, state and local health and safety codes and regulations; and
- D. An approved redevelopment agreement between the property owner and the Township. § 577-

19. Application for tax agreements for exemptions of projects.

In addition to the application form provided by the Director of the Division of Taxation, applications for tax exemptions for projects shall include the following:

- A. A general description of the project for which an exemption is sought;
- B. A legal description of all real estate necessary for the project;
- C. Plans, drawings and other documents to demonstrate the structure and design of the project;
- D. A description of the number, classes and type of employees to be employed at the project site within two years of completion of the project;
- E. A statement of the reasons for seeking tax exemption on the project, and a description of the benefits to be realized by the applicant if an exemption is granted;
- F. Estimates of the cost of constructing the project;

- G. A statement indicating which of the formulas the applicant proposes to be used to calculate the payments in lieu of full property taxes, as authorized by Section 10 of the Act (N.J.S.A. 40A:21-10);
- H. A statement showing 1) the real property taxes currently being assessed at the project site; 2) estimated payments that would be made annually by the applicant on the project during the period of the tax agreement, and 3) estimated tax payments that would be made by the applicant on the project during the first full year following the termination of the tax agreement;
- I. If the project is a commercial or industrial structure, a description of any and all lease agreements between the applicant and proposed users of the project, and a history and description of the users' businesses;
- J. If the project is a multiple dwelling, a description of the number and types of dwelling units to be provided, a description of the common elements or general common elements, and a statement of the proposed initial rentals or sales prices of the dwelling units according to type and of any rental lease or resale restrictions to apply to any dwelling units respecting low- or moderate-income housing;
- K. A schedule of the estimated completion date of the project; and
- L. Such other pertinent information as may be required by the Township;

§ 577-20. Available formula to calculate the payments in lieu of full property taxes.

A tax agreement approved under this section shall provide for the applicant to pay to the municipality in lieu of full property tax payments an amount annually to be computed by one, but in no case a combination, of the following formulas:

- a. **Cost basis: the agreement may provide for the applicant to pay to the municipality in lieu of full property tax payments an amount equal to 2% of the cost of the project. For the purposes of the agreement, "the cost of the project" means only the cost or fair market value of direct labor and all materials used in the construction, expansion, or rehabilitation of all buildings, structures, and facilities at the project site, including the costs, if any, of land acquisition and land preparation, provision of access roads, utilities, drainage facilities, and parking facilities, together with architectural, engineering, legal, surveying, testing, and contractors' fees associated with the project; which the applicant shall cause to be certified and verified to the governing body by an independent and qualified architect, following the completion of the project.**
- b. **Gross revenue basis: the agreement may provide for the applicant to pay to the municipality in lieu of full property tax payments an amount annually equal to 15% of the annual gross revenues from the project. For the purposes of the agreement, "annual gross revenues" means the total annual gross rental and other income payable to the owner of the project from the project. If in any leasing, any real estate taxes or assessments on property included in the project, any premiums for fire or other insurance on or concerning property included in the project, or any operating or maintenance expenses ordinarily paid by the landlord, are to be paid by the tenant, then those payments shall be computed and deemed to be part of the rent and shall**

be included in the annual gross revenue. The tax agreement shall establish the method of computing the revenues and may establish a method of arbitration by which either the landlord or tenant may dispute the amount of payments so included in the annual gross revenue.

- c. Tax phase-in basis: the agreement may provide for the applicant to pay to the municipality in lieu of full property tax payments an amount equal to a percentage of taxes otherwise due, according to the following schedule:

- (1) In the first full year after completion, no payment in lieu of taxes otherwise due;
- (2) In the second full year after completion, an amount not less than 20% of taxes otherwise due;
- (3) In the third full year after completion, an amount not less than 40% of taxes otherwise due;
- (4) In the fourth full year after completion, an amount not less than 60% of taxes otherwise due;
- (5) In the fifth full year after completion, an amount not less than 80% of taxes otherwise due.

§ ~~577-21~~. 577-20. Approval of tax agreements for exemptions of projects; new construction of commercial and industrial structures and multiple dwellings.

Applications for tax agreements for exemption of projects shall be filed prior to commencement of the project and prior to the termination date and shall be approved or denied by ordinance of the Township Council. Prior to consideration by the Township Council for approval, all applications shall be reviewed by the following Township officials:

- A. Development review. Upon receipt of an application, the Development Officer shall conduct a complete review of the proposed project and/or subject property. The review shall take into consideration the property and appropriateness and adequacy of the description(s), plan(s) and estimate(s) submitted, and the degree to which the project and/or property complies with the Township's development goals as expressed in the master plan, zoning ordinance, redevelopment plans and rehabilitation plans, as applicable. Upon completion of the review, the Development Officer shall submit a recommendation for approval or disapproval of the application to the Township Attorney. The recommendation shall include any changes to the project and/or subject property that may be deemed necessary by the Development Officer, as well as any analysis performed or relied upon.
- B. Financial review.

- (1) Upon receipt of an application, the Chief Financial Officer shall conduct a financial review of the application including a cost and benefit analysis of the proposed project and/or improvements subject to the application.
- (2) Upon completion of the review, the Chief Financial Officer shall submit a recommendation for approval or disapproval of the application to the Township Attorney. The recommendation shall include any analysis performed or relied upon by the Chief Financial Officer.

C. Legal review.

- (1) Upon receipt of an application, the Township Attorney or other designated counsel shall conduct a review as to the form and legality of the application. In addition, the Township Attorney shall obtain written certifications from Township officials as necessary to substantiate the information contained in an application.
- (2) The Township Attorney shall make a determination as to the propriety of all application. Applications shall be deemed proper in those cases where they are presented in the proper form, satisfy the requirements of this article and all other applicable statutes and ordinances, and for which no delinquency has been reported regarding any payments due to the Township as certified by the Tax Collector or other municipal officials.
- (3) Where an application is deemed to be complete and conforming pursuant to the requirements of this article, the Township Attorney shall prepare an ordinance in the form necessary to authorize the exemption and shall prepare the form of the tax agreement. All tax agreements shall be in the form filed with the Clerk at the time of adoption of this article. The ordinance shall be signed by the Township Attorney as to form and legality and submitted, together with the form of the tax agreement, the full application, and the recommendation of the Chief Financial Officer and the Development Officer, to the Business Administrator for his/her consideration.
- (4) In those cases where an application is deemed improper, the Township Attorney shall prepare correspondence outlining those aspects of the application found to be deficient and shall forward that correspondence, together with the application and the recommendations of the Chief Financial Officer and the Development Officer to the Business Administrator for consideration.

D. Business Administrator review.

- (1) Upon receipt of an application and the recommendation of the Township Attorney, the Business Administrator shall determine the action to be taken with regard to the application. When the application has been deemed proper by the Township Attorney, the Business Administrator shall determine whether to recommend the adoption of the authorizing ordinance and its attachments by the Township Council, or to recommend the denial of the application as not being in the best interests of the Township. Where the application has been deemed improper by the Township Attorney, the Business Administrator shall determine whether the deficiencies can be corrected, and if so may direct the applicant and/or the appropriate municipal official as to the actions required. If the deficiencies cannot be corrected or if the application is deemed not in the best interests of the Township, the Business Administrator may recommend the denial of the application.
- (2) In those cases where the Business Administrator affords the applicant the opportunity to correct certain deficiencies, the application may be reconsidered after submission of the

corrected application to the Assessor, after which the process outlined in this § 577-20D shall be conducted again.

- (3) In those cases where the Business Administrator has recommended the denial of an application without condition and where such formal action to deny an application has been taken by the Township Council, the application may only be reconsidered by re-application to the Assessor, which application shall be treated in its entirety as a new application.
- (4) Notwithstanding any provision to the contrary herein, the recommendation of the Business Administrator to the Township Council, whether for approval or denial, shall occur within 120 calendar days after the date of the receipt of a complete application.

E. Tax agreements.

- (1) Form of tax agreement.
 - (a) The tax agreement shall include the identification of the affected property by the tax map designation and street address, the nature and scope of the structure to be constructed thereon, the formula for computing payments in lieu of taxes, the duration of the agreement and the grounds for termination. The tax agreement shall require timely payment of any and all municipal taxes, fees and charges arising from or related to a property granted an exemption.
 - (b) The tax agreement shall in all cases further provide that any change made in the ownership of the project or which would materially change the terms of the tax agreement shall be deemed a material breach of the agreement, which shall be cause for termination of the tax agreement. The tax agreement shall provide that the failure to make payments in lieu of taxes as required or to comply with any provision, term or condition of the agreement shall be grounds for the Township to terminate the tax agreement, and/or to exercise such other remedies as may be provided by statute, this article or the tax agreement.
- (2) Payment in lieu of taxes. All owners of projects subject to exemption pursuant to the approval and execution of a tax agreement shall be charged and obligated to make payments in lieu of full property taxes of an annual amount computed by one of the formulas authorized by Section 10 of the Act (N.J.S.A. 40A:21-10).
- (3) Execution of tax agreement. Upon adoption of an ordinance by the Township Council authorizing the Township to enter into a tax agreement, the Tax Collector shall insure that the tax agreement is circulated to the appropriate persons or entities for execution. No tax agreement shall be considered to be in force and effect unless and until it has been signed by the applicant and the Mayor of the Township, after which it shall be dated and certified by the Clerk by her/his signature and the affixing of the Township seal. **Within 30 days after the execution of a tax agreement, the Township shall forward a copy of the agreement to the Director of the Division of Local Government Services in the Department of Community Affairs.**
- (4) Distribution of executed agreements. Once a tax agreement has been fully executed, the Tax Collector shall distribute executed copies thereof to the applicant, the Assessor, the construction code official, the Business Administrator and the Township Attorney. The Tax Collector shall retain one executed copy which shall be placed on permanent file

within her/his office and made available for examination pursuant to the Open Public Records Act (N.J.S.A. 47:1A-1 et seq.).

§ ~~577-22.~~ 577-24. Duration and termination of tax agreements; conformance with other laws; filing tax agreement.

A. Duration of tax agreement; termination.

- (1) All tax agreements authorized pursuant to this article shall be in effect for five full years next following the date of completion of the project.
- (2) If the owner of a property that is subject to a tax agreement pursuant to this article ceases to operate or disposes of the property without prior approval of the Township Council, or fails to meet the conditions for qualifying for exemption, then the taxes which would have otherwise been assessed and payable for each year during which the tax agreement was in effect shall become due and payable as if no exemption had been granted. In the event a property owner fails to meet the qualifications and conditions for exemption, the Assessor, on behalf of the Township, shall provide notice of such act or omission to the property owner and the Tax Collector. Within 15 days of the notice from the Assessor the Tax Collector shall provide notice to the property owner of the amount of the real estate taxes that are due.
- (3) Where it is determined that a new owner of a project or property will continue to use the project or property pursuant to the conditions which qualified the project or property for exemption, no tax shall be due, the exemption shall continue, and the tax agreement shall remain in effect in accordance with its terms .
- (4) Upon the termination of a tax agreement, a project shall be subject to all applicable real property taxes, as provided by general laws.

B. Conformance with other laws. All projects subject to tax agreements as provided herein shall be subject to all applicable federal, state and local laws and regulations on pollution control, worker safety, discrimination in employment, housing provision, zoning, planning and building code requirements.

C. Filing of Tax Agreement. Within 30 days after the execution of a tax agreement the Clerk shall file a copy with the Director of the Division of Local Government Services within the New Jersey Department of Community Affairs.

§ ~~577-23.~~ 577-22. Term.

This article shall go into effect upon approval by the Township Council in accordance with applicable law and shall remain in effect until the termination date. Notwithstanding the foregoing, the Township Council may, in its discretion, renew this article for an additional term not to exceed 10 years. All applications for exemptions under this article must be submitted by the termination date. Any applications received after the termination date shall not be eligible for exemption.

§ 577-24. ~~577-23.~~ Commencement date of exemption.

The effective date of an exemption granted pursuant to this article shall relate back to, and take effect as of, the date of completion of the improvement, conversion alteration or construction of property for which the exemption is granted, and shall continue for five annual periods from that date. The grant of the exemption or tax agreement shall be recorded and made a permanent part of the official tax records of the Township, which record shall contain a notice of the termination date thereof.

§ 577-25. ~~577-24.~~ Assessment of property.

The Assessor shall determine, on October 1 of the year following the date of the completion of an improvement, conversion or construction, the true taxable value thereof. Except for projects subject to tax agreements pursuant to this article, the amount of the taxes to be paid for the tax year in which the improvement, conversion or construction of a property is completed shall be based on the assessed valuation of the property for the current tax year, and prorated, plus any portion of the assessed valuation of the improvement, conversion or construction not allowed an exemption pursuant to this article, also prorated. Except as otherwise provided, the property shall continue to be treated in the appropriate manner for each of the four tax years subsequent to the original determination by the assessor and shall be prorated for the final tax year in which the exemption expires. **Projects subject to tax agreements pursuant to this article shall be assessed, and payments in lieu of taxes imposed, in the same manner in which such payments are imposed under the Long-Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq.**

§ 577-26. ~~577-25.~~ Ineligible property.

No exemption shall be granted, or tax agreement entered into, pursuant to the Act with respect to any property for which property taxes are delinquent or remain unpaid, or for which penalties for nonpayment of taxes are due.

§ 577-27. ~~577-26.~~ Applicability of exemption to taxes.

The exemption of real property taxes provided by the Township pursuant to this article shall apply to property taxes levied for municipal purposes, school purposes, county government purposes and for the purposes of funding any other property tax exemptions.

§ 577-28. ~~577-27.~~ Notice to property owners.

The Township shall include a notice in the mailing of the annual property tax bills to each owner of the properties where exemptions are authorized pursuant to this article, advising such property owners of same before the end of the first year following adoption of this article.

§ 577-29. ~~577-28.~~ Inspection.

Any property granted an exemption pursuant to this article shall be subject to an inspection by the Township on an annual basis to ensure that the property is in compliance with all applicable ordinances, regulations and codes of the Township. Any property which is determined to be in violation of any ordinance, regulation or code governing health and safety standards, shall be subject to penalties and fines, as applicable, or any other remedial action permitted by state statute, including termination of any exemption.

§ 577-30. ~~577-29.~~ Severability.

If any provision of this article is legally invalid or is hereafter found to be legally invalid, the remainder of the article shall remain in full force and effect.

§ 577-31. ~~577-30.~~ Nonlimitation.

Nothing contained in this article shall be so construed as to limit or deprive the Township of any rights or privileges which are now or in the future conferred on the Township by state statute or federal laws.

§ 577-32. ~~577-31.~~ Repeal

All prior ordinances or parts of prior ordinances inconsistent herewith are hereby repealed.

The Public Hearing on this ordinance is now open.

Brown – Vauss, Jr. Motion to close Public Hearing.

Adopted

Brown – Vauss, Jr. Motion to Adopt this ordinance on second reading.

Adopted

2. **President Beasley:** An ordinance amending and supplementing Chapter 620 Article XIII entitled Overnight Parking of Certain Vehicle removing Section 620-46 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 CHAPTER 620 ARTICLE XIII
ENTITLED
OVERNIGHT PARKING OF CERTAIN VEHICLE TO REMOVE SECTION 620-46 IN ITS
ENTIRETY
ARTICLE XIII
Overnight Parking of Certain Vehicles**

§ 620-45. Parking trucks, trailers, recreational vehicles and similar vehicles on streets overnight; parking trucks on residential driveways. [Amended 4-26-1988 by Ord. No. MC 2853; 4-24-2001 by Ord. No. MC 3170; 4-21-2004 by Ord. No. MC 3260; 11-10-2016 by Ord. No. MC 3587]

A. Definitions. As used in this section, the following terms shall have the meanings indicated:

COMMERCIAL VEHICLE — Includes, but is not limited to, vehicles with the following types of registrations: commercial, contractor, and bus. For the purposes of this chapter, any vehicle containing advertising matter intending to promote the interest of any business, or any vehicle used in connection

with the business, whether or not said vehicle is registered as a commercial vehicle with the New Jersey State Division of Motor Vehicles, is considered a commercial vehicle.

PARK or PARKING — The standing, idling or waiting on a street, road or highway of a vehicle not actually engaged in receiving or discharging passengers or merchandise, unless for the purpose of complying with traffic regulations or traffic signs or signals.

PERSON — Natural persons, firms, associations, partnerships and corporations.

- B. Overnight parking of commercial vehicles is prohibited.
- C. Overnight parking of trucks and/or buses. No person shall park the following vehicles overnight on any public street in the Township of Irvington:
 - (1) Any tractor truck cabs with or without trailers attached; or any trailer or combination of trailers incapable of being moved on its or their own power.
 - (2) Pickup trucks, vans or trucks or any type of commercial markings. Trucks or any type loaded or equipped in a manner that would lead a reasonable observer to believe that same was being used for commercial or industrial purposes.
 - (3) Buses of any type. Jitneys and taxicabs.
- D. No person, firm or corporation who owns or operates a commercial vehicle, excluding emergency vehicles, or those permitted pursuant to § 620-46, shall park or let stand said vehicle on any public roadway or street in the Township between the hours of 9:00 p.m. and 6:00 a.m. If any such vehicle should be disabled, that shall not be grounds for any changes to the effect of this section, and any such vehicle so disabled shall be promptly removed by the owner or operator so as not to constitute a violation as herein set forth.
- E. Exceptions. Nothing herein shall be deemed to prohibit the parking or storing of commercial vehicles, or equipment related thereto, on a residential street while it is being used in the transaction of business with the owner or occupant of residential property in the area. The provisions of this section shall not apply to vehicles owned by a public utility, as defined in N.J.S.A. 48:2-13, when such vehicles are being used for work in connection with the furnishing or supplying of the commodity which by law the public utility is authorized to furnish or supply.
- F. 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.
- G. Penalties. Any person convicted of violating this section shall be liable to a fine of \$150 for each such violation, and each day in which such violation continues shall constitute a separate violation or offense.
- H. Any vehicle in violation of this section is subject to being towed with the owner of such vehicle being responsible for all costs.
- I. It shall be unlawful to park any commercial truck, tractor, trailer or omnibus in residential driveways in the Township of Irvington. Parking of such vehicles inside an attached or detached garage shall not be considered a violation of this chapter. The definition of the above vehicles shall be those as described in the Irvington Municipal Code. The same penalties as outlined in Subsection G of this section shall apply to this provision. **[Amended 3-13-2018 by Ord. No. MC 3635]**

- J. No person shall park a recreational vehicle, motor home, trailer or camper on any municipal street in the Township of Irvington between the hours of 9:00 p.m. and 6:00 a.m. of any day. Signs shall be posted on all highways and streets at the Township limits to such effect. 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. **[Amended 11-8-2018 by Ord. No. MC 3673]**

§ 620-46. Regular vehicles with commercial plates or markings; permit required; fee.

[Added 9-25-2001 by Ord. No. MC 3179; amended 5-7-2002 by Ord. No. MC 3192]

A. Any individual shall be permitted to park one regular vehicle (car) with commercial plates or markings overnight upon the receipt of a permit from the Irvington Public Safety Department and submission of an annual fee to the Township of \$50. Trucks, buses of any sort, vans and stretch limousines are not included in this provision and are subject to the restrictions previously set forth in § **620-45**. A transfer fee of \$1 shall be assessed to an applicant desiring to use his or her permit on another or substitute vehicle.

[Amended 10-14-2015 by Ord. No. MC 3553]

B. No more than one household member shall be granted parking permission for a vehicle as described in Subsection A.

The Public Hearing on this ordinance is now open.

Robert Shaw, Sr., 57 Coit Street

Hudley – Vauss, Jr. Motion to close Public Hearing.

Adopted

Hudley – Vauss, Jr. Motion to Table this ordinance.

Adopted

3. President Beasley: An ordinance providing residential parking permits on Grace Street between Nye Avenue and May Street, Seven Days a Week, 6:00 PM TO 6:00 AM 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 GRACE STREET BETWEEN NYE AVENUE AND MAY STREET, SEVEN DAYS A WEEK, 6:00 PM TO 6:00 AM.

WHEREAS, the Township of Irvington has received concerns from its residents concerning the availability of resident parking on Grace Street Between Nye Avenue and May Street, seven days a week, 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 on Grace Street Between Nye Avenue and May Street, seven days a week, 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.

Vauss, Jr. – Brown Motion to close Public Hearing.

Adopted

Vauss, Jr. – Brown Motion to Adopt this ordinance on second reading after Public Hearing.

Adopted

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

Council Member Antilus, Council Member Brown Council Member Vick thanked the residents for participating in the meeting. Council President Beasley closed the meeting by sharing upcoming events. She addressed some of Mr. Shaw Sr.'s concerns and advised that the remainder of his concerns will be forwarded to the appropriate administrative office for action.

13. ADJOURNMENT (*Roll Call)

There being no further business, the meeting adjourned at 7:56 P.M.

Jamillah Z. Beasley, Council President

Shawna M. Supel, Municipal Clerk