

TOWNSHIP OF IRVINGTON



MUNICIPAL COUNCIL MEETING MINUTES FEBRUARY 23, 2026 7:30 PM

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Appointments

Virtual - Zoom Meetings
Administration

1. PLEDGE OF ALLEGIANCE

2. MOMENT OF SILENCE

3. ROLL CALL

ROLL CALL	PRESENT	ABSENT	LATE ARRIVAL	EARLY DEPARTURE
Antilus	X			
Brown		X		
Dr. Frederic	X			
Dr. Hudley	X			
Vauss, Jr.		X		
Vick	X			
Beasley, President	X			

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

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

4. HEARING OF CITIZENS ON AGENDA ITEMS ONLY

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

Terence Wilson, 357 Myrtle Avenue

5. HEARING OF COUNCIL MEMBERS

Council President Beasley addressed the concerns and questions raised by the above citizenry.

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

A. Reports

1. Community Development Director Kyana Woolridge - Report of the February 4, 2026 Grants Committee Meeting
2. Community Development Executive Assistant Attiya Pennix - Report of the February 4, 2026 Redevelopment, Housing & Rent Control Committee Meeting
3. Business Administrator Musa Malik, Esq. – Report of the February 5, 2026 Cannabis Committee Meeting
4. Keyboarding Clerk II Jenilee Jean-Pierre – Report of the February 6, 2026 Sanitation/Quality of Life Committee Meeting
5. Keyboarding Clerk II Jenilee Jean-Pierre – Report of the February 5, 2026 Parking Committee Meeting
6. Business Administrator Musa Malik, Esq. – Report of the February 5, 2026 Finance Committee Meeting
7. A/INIC Director Josie Monel - Report of the February 4, 2026 Grants Committee Meeting
8. Business Administrator Musa Malik, Esq. - Report of the February 10, 2026 Human Resources Committee Meeting

7. REPORTS OF COMMITTEES

None

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

8. ORDINANCES, BILLS & CLAIMS

A. Ordinances on First Reading

Hudley – Frederic 1. An Ordinance Amending and Supplementing Chapter 472, Entitled Rent Control

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 472
OF THE REVISED CODE ENTITLED RENT CONTROL**

§ 472-1. Establishment of rents.

From and after the effective date of this chapter, no landlord in the Township of Irvington shall charge any rent in excess of that which he was charging as of the effective date hereof, except for such increases as are provided herein. Establishment of rents charged on dwelling units to which this chapter is applicable shall hereafter be determined by this chapter. At the expiration of a lease or at the termination of the lease of a periodic tenant, no landlord may request, charge or receive an increase in rent greater than that allowed by Subsection A of this section. A periodic tenant whose lease term is less than one year shall not be caused to pay any increase in any twelve-month period which exceeds that allowed by Subsection A of this section. No tenant shall be caused to pay more than one increase in any twelve-month period.

- A. The increase in rents permitted under this section shall be as follows:
 - (1) Where the landlord supplies heat to the dwelling unit, the increase in rent shall not exceed 4% of the prior year's rent.
 - (2) Where the landlord does not supply heat to the dwelling unit, the increase in rent shall not exceed 3% of the prior year's rent.
 - (3) An individual age 65 or older who is a sole tenant or living with other adults all aged 65 or older within the unit shall be limited to a 2% increase annually regardless of whether the landlord provides heat to the unit.
- B. The increase permitted under Subsection A herein shall be computed upon the base rent charged the tenant and not upon the base rent plus any hardship or capital surcharge granted under § 472-4 of this chapter and collected for any specified period of time.
- C. A landlord shall not be entitled to request, charge or receive any tax surcharge by reason of increase in municipal property taxes.
- D. Tenants of any residential properties may present a written petition signed by a majority of the tenants and consented to by the landlord of the property, agreeing to a specific rent surcharge for a specific purpose or project, and providing for the landlord's permission to permit the tenant's representative to review the expenditures involved for the particular purpose or project surcharge. Each dwelling unit shall be considered a single tenant for the purposes of this subsection. If the aforementioned surcharge is approved by the Rent Leveling Officer, the surcharges shall run for a maximum of two years, if so provided. If there are in existence joint agreements that have been in existence for more than two years, they shall expire within 60 days after the effective passage of this amendment.
- E. Unbundling.
 - (1) A landlord shall not be allowed to unbundle service in order to defeat the intent of this chapter.
 - (a) "Unbundling" shall include, but not be limited to, subcontracting or providing for a separate charge for parking. Unbundling shall also include changing the term(s) of any previously received security deposit by increasing the amount to be deposited with the landlord beyond the amount agreed to in the original lease or in the event of valid rent increases requiring a tenant to deposit more than the proportional increase of deposit which would make the security deposit consistent with the terms of the original lease.

- (b) Any person or persons residing as a tenant on the effective date of said unbundling shall be entitled to remain in their then-existing status as long as they shall remain as a tenant.
 - (2) Fines may be levied on a daily basis for anyone found to be in violation of this section. Each day the violation continues to exist can be treated as a separate violation subject to a daily fine. Fines shall be issued by the Rent Leveling Officer and/or designee.
- F. Fees for late payment of rent and bounced checks. Prospectively, upon renewal of a lease or upon entering a new lease, the landlord shall include a provision in the lease agreement limiting fees for payment of rent by the tenant more than seven days late to a maximum of \$50 and limiting fees for bounced checks to a maximum of \$35.

§ 472-2. Notification of rental increase.

- A. Any landlord who shall increase rents as provided in § 472-1 hereof shall give 60 days' written notice to his/her tenants by any reasonable means of said increase; provided, however, that when said notice is not mailed to the tenant's residence, delivery is not considered to have been accomplished unless a signed receipt is obtained from the tenant or his/her representative. If a tenant is notified by mail other than certified or registered mail, the landlord or the landlord's representative shall certify in writing that the landlord mailed the notice to the tenant. Said certification shall be retained for a period of three years.
- B. Rent increases for any unit in the entire property shall be prohibited in any calendar year in which the landlord failed to timely file a rent registration for the property where the landlord seeks to increase any rent.

§ 472-3. Exceptions.

The provisions of this chapter shall not apply to:

- A. Motels, hotels and similar dwellings.
- B. Dwellings of two units or less.
- C. Dwellings of three and four units, at least one of which is occupied by one or more of the owners thereof.
- D. Dwellings subject to rent control or stabilization under any state or federal law.¹
- E. With respect to the unbundling provisions set forth in § 472-1E only, dwellings developed pursuant to a general development plan approved by the Planning Board and subject to a redevelopment agreement with the Township.

§ 472-4. Hardship or capital improvement relief.

- A. If, as the result of circumstances which the landlord could not reasonably have foreseen or anticipated or which are beyond his/her control, a landlord is unable to earn a fair rate of return on the landlord's investment, the landlord may apply to the Rent Leveling Officer (hereafter "RLO") for an increase in rent in excess of that permitted under § 472-1 hereof, via an application and pay the fee of \$50 per unit. In connection with any appeal filed hereunder, the landlord shall prove his/her expenses of operation, including but not limited to payment of the purchase money mortgage or mortgages and any subsequent mortgages, the proceeds of which were used for major

capital improvements as defined in Subsection B of this section, fuel, utilities, taxes, sewer user charges, maintenance and repairs, a management fee not to exceed 5% of gross rents, and related charges. Management fees may be allowed as an expense, whether paid to the landlord or a management company. For good cause shown, the RLO may grant either an increase in the rent charged or permit the landlord to receive a surcharge to be collected for a specified period of time only in order to enable the landlord to earn said fair rate of return.

B. Major capital improvement surcharge.

- (1) A major capital improvement consists of a substantial change in the housing accommodations such as would materially increase the rental value in a normal market and will provide tenants with a benefit or service which they had not previously enjoyed. Replacement of facilities, materials or equipment so as to maintain the same level of services as previously provided or bargained for shall not constitute a major capital improvement.
- (2) Major capital improvement adjustment.
 - (a) A landlord may seek a rent surcharge for a major capital improvement. Any landlord seeking a major capital improvement surcharge shall apply to the Rent Leveling Officer and pay the application fee of \$75 per unit, via the above proposed application, which the RLO shall, upon a showing of satisfactory proof, determine if said improvement is a major capital improvement and, if so, shall permit such surcharge. In no event shall any surcharge permitted under this section exceed the annual cost of the capital improvement per room multiplied by the number of rooms occupied by the tenant, or exceed 15% of the tenant's base rent, whichever is the lesser. The surcharge may be granted for the entire premises or the particular units benefited by the improvement.
 - (b) Any major capital improvement surcharge granted by the RLO shall be paid in equal monthly installments over the period set by the RLO.

C. No application filed pursuant to Subsection A or B of this section may be heard by the RLO unless the landlord shall have attached to his/her application proof under oath that he has given notice of same to all affected tenants by posting a copy thereof in the front lobby or entranceway to the premises and by mailing same at least two weeks prior to the first scheduled hearing of the matter by the RLO. Said notice, a copy of which shall be attached to said application, shall clearly set forth the content and basis of the application. Notice of application for relief pursuant to Subsection B of this section shall include the total cost of the completed capital improvement, the number of years of useful life of the improvement as claimed by the landlord for purposes of depreciation for income tax purposes, the actual cost of the improvement, the total number of square feet of the dwelling or unit affected, the total square feet occupied by the tenant, if applicable, and the capital improvement surcharge he is seeking from each tenant.

D. No hardship or capital improvement increase or surcharge may be granted unless the landlord shall have held title to the premises in question for a period of at least one year prior to the date of his/her application for said relief, unless, for good cause shown, the RLO waives this requirement.

§ 472-5. Compliance.

No application made pursuant to § 472-4A of this chapter may be heard by the Board unless attached thereto is an informational certificate or report of inspection issued by the New Jersey Department of Community Affairs or the Department of Housing Services pursuant to § 355-26 of this Code not

more than 18 months prior to the date of said application. No such application may be approved by the Board unless the Board shall have first determined that there are no substantial violations of the health, safety or housing laws, codes or regulations of the Township of Irvington affecting said premises. In the event that said informational certificate or report of inspection discloses substantial violations of said laws, codes or regulations, the Board may approve such application; conditioned, however, upon the submission by the landlord within 180 days of said conditional approval of an informational certificate or report of inspection indicating that all of said violations have been corrected. Failure to submit said supplemental certificate or report within 180 days shall render any conditional approval void as of the date granted, and any hardship rent increase or surcharge collected during said period of time shall be returned forthwith to the tenant.

§ 472-6. Superintendents in dwellings. [Amended 9-11-2023 by Ord. No. MC 3841]

- A. In every dwelling containing five or more dwellings or rooming units, or combination thereof, the owner shall provide and designate a superintendent who shall be licensed by and registered by the State of New Jersey to practice a trade (e.g., electrical, plumbing, building). The licensing and registration requirement shall become effective January 1, 2023. The superintendent information shall be submitted as part of the annual rent registration. Whenever a licensed superintendent is no longer associated with and/or responsible for a dwelling, the owner of the dwelling has 45 days to replace the licensed superintendent with another licensed superintendent as prescribed by this code, including the requirement to be licensed as explained herein and detailed below.
- (1) The superintendent shall be licensed by and registered (on a building-by-building basis) with the Division of Neighborhood Services. Each license and registration shall be renewed annually. The license fee shall be \$150 and payable to the Township of Irvington. The nonrefundable license fee shall be paid prior to the written examination required by Subsection A(2);
 - (2) The Director of the Division of Neighborhood Services, as Public Officer, shall establish reasonable rules and regulations to effectuate the purpose of this chapter. The Public Officer shall provide for a written examination reasonably related to the functions of a superintendent for each applicant for a license who has not held a superintendent license issued by the Township of Irvington within the past two calendar years. The purpose of the written examination shall be to determine the qualifications, competence and sense of responsibility of the applicant. Any applicant failing to pass the written examination may request an additional examination, which shall be given within 15 days of the request. No fee shall be required for any subsequent examinations within one calendar year of the initial application. All applicants for a superintendent license must be able to read, write and speak English.
- B. In any premises containing 25 or more dwelling units, rooming units or combination thereof, the superintendent shall be a full-time employee and shall reside on the premises. Where more than one building on adjoining premises or premises in close proximity to each other are in common ownership or under common management or maintenance supervision, the requirements contained in this subsection shall apply separately to each building; provided, however, that if premises are commonly owned or managed and are within 200 feet of each other as measured from door to door along public streets between the two, and if the manager or owner thereof can demonstrate to the satisfaction of the Rent Control Officer or his authorized representative that operation of both premises and all essential services and facilities as required under this chapter or other ordinances can be provided for both of such premises by a single resident superintendent,

janitor, caretaker or housekeeper who shall reside in one of such premises, the Rent Control Officer may, in his discretion, allow one such person to act for both of such premises, which shall not constitute more than two in number.

- C. The owner or operator of premises required to have a licensed superintendent by Subsection A shall register the name, address and telephone number of the licensed superintendent and shall indicate the premises to which he is assigned as well as the duties which the superintendent is normally required to perform. This information shall be posted at all times in a conspicuous place in a common area on the premises and shall have been made available to all tenants. The name, address and telephone number of an alternative individual who shall be responsible for the superintendent's duties in his absence is also subject to the above requirements. No fee is required for registration.
- D. The superintendent shall have sufficient knowledge, competence and responsibility and shall have authority from the owner or operator to attend to or arrange for continual operation of all essential services and facilities required under this chapter. The superintendent shall, at all times, maintain the premises in compliance with this chapter and shall be regularly available on the premises to perform his duties. The superintendent shall provide adequate and proper janitorial service at all times for the purpose of keeping the premises in a clean and sanitary condition and shall have removed daily, on a regular schedule, at a reasonable time, all garbage, litter, debris and other household refuse from the premises and place the same out for collection. As agent of the property owner, any failure of the superintendent to act in compliance with Township ordinances shall be the responsibility of the property owner.

§ 472-7. Rent Leveling Officer.

In order to administer the provisions of this chapter, the prior authority exercised under the auspices of the Rent Leveling Board within the Town of Irvington shall be exercised by the Rent Leveling Officer.

§ 472-8. Acts to cause tenant to vacate prohibited.

No landlord of dwelling units to which this chapter is applicable shall do, or cause to be done, any act or thing with the intent to cause a tenant to vacate said dwelling unit in order that said dwelling unit shall become vacant and no longer subject to this chapter as provided by § 151-3E hereof.² In any proceeding

instituted by a tenant under this section, the reduction of standards of service, maintenance, health and safety conditions, furniture, furnishings or equipment in and for said dwelling unit shall create a rebuttable presumption that the act or thing done or caused to be done by the landlord was done with the intent to cause said tenant to vacate said dwelling unit.

§ 472-8.1. Displaced persons. [Added 12-26-2023 by Ord. No. MC 3853]

- A. Any tenant who receives a notice of eviction pursuant to Section 3 of P.L. 1974, c .49 (N.J.S.A. 2A:18-61.2), that results from zoning or code enforcement activity for an illegal occupancy, as set forth in Paragraph (3) of Subsection g of Section 2 of P.L. 1974, c. 49 (N.J.S.A. 2A:18-61.1), shall be considered a displaced person and shall be entitled to relocation assistance in an amount equal to six times the monthly rental paid by the displaced person. The owner-landlord of the structure shall be liable for the payment of relocation assistance pursuant to this section.
- B. If the Township must provide relocation assistance to any displaced person who has not received

the required payment from the owner-landlord of the structure at the time of eviction pursuant to Subsection A of this section from a revolving relocation assistance fund established pursuant to Section 2 of P.L. 1987, c. 98 (N.J.S.A. 20:4-4.1a), all relocation assistance costs incurred by a municipality pursuant to this subsection shall be repaid by the owner-landlord of the structure to the municipality in the same manner as relocation costs are billed and collected under Section 1 of P.L. 1983, c. 536 (N.J.S.A. 20:4-4.1) and Section 1 of P.L. 1984, c. 30 (N.J.S.A. 20:4-4.2). These repayments shall be deposited into the municipality's revolving relocation assistance fund.

- C. In addition to requiring the relocation assistance pursuant to Subsection A of this section, the landlord shall also pay an additional fine for zoning or housing code violation for an illegal occupancy, up to an amount equal to six times the monthly rental paid by the displaced person, to be paid to the municipality by the owner-landlord of the structure.
- D. In addition to this penalty, the Township may, after affording the owner-landlord an opportunity for a hearing on the matter, impose upon the owner-landlord, for a second or subsequent violation for an illegal occupancy, a fine equal to the annual tuition cost of any resident of the illegally occupied unit attending a public school, which fine shall be recovered in a civil action by a summary proceeding in the name of the municipality pursuant to the Penalty Enforcement Law of 1999, P.L. 1999, c. 274
(N.J.S.A. 2A:58-10 et seq.). The Municipal Court and the Superior Court shall have jurisdiction of proceedings for the enforcement of the penalty provided by this section. The tuition cost shall be determined in the manner prescribed for nonresident pupils pursuant to N.J.S.A. 18A:38-19, and the payment of the fine shall be remitted to the appropriate school district.
- E. For the purposes of this section, the owner-landlord of a structure shall exclude mortgagees in possession of a structure through foreclosure. For the purposes of this section, a second or subsequent violation for an illegal occupancy shall be limited to those violations that are new and are a result of distinct and separate zoning or code enforcement activities and shall not include any continuing violations for which citations are issued by a zoning or code enforcement agent during the time period required for summary dispossession proceedings to conclude if the owner has initiated eviction proceedings in a court of proper jurisdiction.

§ 472-9. Powers of Rent Leveling Officer.

The Rent Leveling Officer shall have the following powers:

- A. To promulgate such rules and regulations as he/she deems necessary to implement the purposes of this act, which rules and regulations shall be approved by the Township of Irvington Council and have the force of law until revised, repealed or amended from time to time by the resolution of the Township of Irvington Council, in the exercise of his/her discretion.
- B. To supply information and assistance to landlords and tenants to enable them to comply with the provisions of this chapter.
- C. To hold hearings and adjudicate applications by landlords for additional rent or surcharges.
- D. To hold hearings and consider complaints by tenants that the premises is not in substantial compliance with the health, safety and housing laws, codes and regulations of the Township of Irvington. In the event that the Board determines that substantial violations of said laws, codes and regulations exist, it may order the return to the tenant of all or any portion of the increase provided for in § 472-1A and B hereof; provided, however, that before ordering any such return of rent, the Board shall afford the landlord 90 days within which to abate such violations.

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- E. To hold hearings and consider complaints that a landlord has violated § 472-8 of this chapter. For good cause shown, the Board may order that said dwelling unit shall remain or again become, as the case may be, subject to the provisions of this chapter for such period of time as the Board considers just, the provisions of § 151-3E notwithstanding.³
- F. To employ an attorney to attend meetings and advise and represent the RLO, and such other consultants, including a certified or public accountant, as the RLO may deem necessary or advisable upon approval of the Rent Leveling Board.
- G. To issue fines for any violations of Township Code, to rescind a certificate of habitability, certificate of occupancy and/or take any other action permitted under applicable code enforcement/housing/ building construction state or local laws, rules and regulations. In such instances where the RLO shall pursue fines against a landlord for violations and/or noncompliance with a ruling of the RLO, the RLO shall seek restitution damages for the Township for any cost(s) incurred outside the normal operations of the RLO and/or any additional staff of the Township of Irvington to address the violation(s) and/or noncompliance.
- H. To afford both landlords and tenants reasonable opportunity to be heard before making any determination.
- I. Landlord property/unit registration.
 - (1) Between the first Monday in January and the first Friday in March of each calendar year, all owners and/or landlords of dwellings shall file with the Township of Irvington Department of Housing and Building Construction a new landlord registration statement for each dwelling unit owned. An owner and/or landlord who purchases a dwelling on or after April 1 of any year shall file a landlord registration statement within 30 days of purchase. Owner(s) and/or landlords(s) entitled to an increase in the base rent as a result of improving vacant housing spaces shall immediately file an amended landlord registration statement.
 - (2) Every owner and/or landlord shall, within 90 days following the effective date of this subsection or the creation of the first tenancy in any dwelling containing five or more housing spaces, whether or not subject to the restriction of rent increases in this chapter, file a landlord registration statement with the Department of Housing and Building Construction containing the following information.
 - (a) The name and address of the record owner or owners of the dwelling and the record owner or owners of the rental business if not the same person.
 - (b) If the record owner is a corporation, the name and address of the registered agent and corporate officers of the corporation.
 - (c) If the address of any record owner or owners is not located in the County of Essex, the name and address of a person who resides in the County of Essex or has an office in the County of Essex and is authorized to accept notices from tenants and to issue receipts for notices from tenants to accept services of process on behalf of the record owner or owners.
 - (d) The name and address of the managing agent of the dwelling, if any.
 - (e) The name and address, including the dwelling unit, apartment or room number of the superintendent, janitor, custodian or any other individual employed by the record owner

or managing agent to provide regular maintenance service if any.

- (f) The name, address and telephone number of any individual representative of the record owner or managing agent who may be called at any time in case of an emergency affecting the dwelling or any housing space within the dwelling, including such emergencies as the failure of any essential service or system, and who has the authority to make emergency decisions concerning the building and any repair to the building or expenditure in connection with the building.
- (g) A list of the base monthly rents of each housing space, by apartment or room number, within the dwelling as of the date of registration.

(h) Each rent registration application MUST include a Certificate of Housing Compliance for the property and Certificate of Habitability for each rental unit that reflects the tenant(s) listed on the rent roll submitted for the current year rent registration application. A copy of the landlord/agent's government-issued ID. All documents must be submitted for the application to be complete.

(i) If a rent registration application remains incomplete for the previous year, the current year application will not be accepted.

(j) Owner-occupied 3 and 4-family properties must complete a rent registration waiver and provide all supportive documents within the enrollment period for rent registration yearly.

(k) Supportive documents include the following:

Copy of the owner's government -issued photo ID (matching address and apt#)
Certification of Habitability-COH for each rental unit reflects the current tenant listed on the rent roll.
Certificate of Housing Compliance- CO for the property.
Copy of the Tax bill for the property.
Copy of the most recent utility bill. (PSE&G) matching the address and apt# listed on the ID.

- (l) Provided the owner/landlord files the required rent registration between the dates provided in Subsection I(1) there shall be no charge.
- (m) If the owner/landlord fails to file the required rent registration on or before the first Friday in March of each calendar year, he/she shall be subject to a registration fee of \$300 per property to register the rent(s) for the property. If the owner/landlord fails to file the required rent registration on or before the first Monday in July of each calendar year, a registration fee of \$500 per property shall be charged to file the rent registration.
- (n) Landlords are required to conspicuously post the rent registration license for each property in a common area(s) of each building. Landlords who fail to conspicuously post the rent registration license are subject to a fine of \$100 for failing to post the notice.

J. Nonregistration penalty.

(1) Special charge fees:

- (a) The Tax Collector shall add a special charge to the annual tax bill as a penalty to any property subject to this chapter if the owner/landlord fails to file a rent registration for their property on or before the first Friday in March. Failure to pay such special charge(s) shall result in the property being listed on the annual tax sale and a possible lien being attached to the property.

April 1- June 30	Special Penalties	July 1 – December 31	Special Penalties
4 Units – 9 Units	\$1000.00	4 Units – 9 Units	\$1500.00
10 Units – 24 Units	\$2500.00	10 Units – 24 Units	\$3000.00
25 Units +	\$5500.00	25 Units +	\$6000.00

§ 472-10. Appeals.

Decisions of the RLO may be appealed to the Rent Leveling Board, which shall consist of the seven-member Township of Irvington Municipal Council. Any appeal(s) of the RLO must be filed, in writing, with the Council Clerk within 30 days of the date of the written decision. Any appeal upon a decision by the Municipal Council shall be appealable to the New Jersey Superior Court in Essex County, within 45 days of the date of the Council's written determination, pursuant to its rules governing administrative appeals.

§ 472-11. Fees.

Upon the filing of an application for relief to the Rent Leveling Board, the applicant shall pay the following fees:

- A. For hardship or capital improvement relief, the fee shall be \$5 per dwelling unit, but not less than \$25 nor more than \$200.
- B. For all other applications or complaints, the fee shall be \$10.
- C. The fee for a copy of this chapter shall be \$2.50.
- D. The fee for a copy of the hardship application forms shall be \$2.

§ 472-12. Violations and penalties.

A willful violation of any provision of this chapter, including but not limited to the willful filing with the RLO of any material misstatement of fact, shall be punishable as provided in Chapter 1, Article III. A violation affecting more than one dwelling unit shall be considered a separate violation as to each such dwelling unit. If a landlord has been in violation of the chapter, then the tenants shall have a remedy to receive a refund for an overcharge retroactive to two years from the date of the complaint. The RLO (or any designee) shall have the authority to issue all penalties outlined in this chapter for any violation or noncompliance with this chapter.

§ 472-13. Construal.

This chapter, being necessary for the welfare of the inhabitants of the Township of Irvington, shall be liberally construed to effectuate the purposes thereof.

§ 472-14. Complaints.

Any complaint by a tenant respecting a violation of this chapter shall be in writing and filed with the Rent Leveling Board within one year from the date of the violation; provided, however, that complaints filed pursuant to § 472-8 shall be filed within 60 days of the date of the last act or thing alleged to violate said section. Failure to file within the aforesaid periods shall bar the acceptance of the complaint by the Board.

§ 472-15. Repealer.

Ordinance No. MC 2597 is hereby repealed.

Adopted
Absent: Brown and Vauss, Jr.

C. Bills & Claims

Frederic – Antilus 1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD **FEBRUARY 23, 2026** 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	\$3,807,828.15
TOTAL	\$3,807,828.15

Adopted
Absent: Brown and Vauss, Jr.

Frederic – Hudley 2. Payrolls

Payroll Date: February 6, 2026

TOTAL	\$2,631,160.07
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Adopted
Absent: Brown and Vauss, Jr.

9. RESOLUTIONS AND MOTIONS

A. Resolutions

Hudley – Antilus 1. Resolution of Sorrow – Charlie E. Johnson

RESOLUTION OF SORROW CHARLIE E. JOHNSON

WHEREAS, Charlie E. Johnson transitioned this life on Friday, January 23, 2026. He was born on October 8, 1957, to Herbert and Dorothy Mae Johnson at St. Michaels Hospital in Newark, NJ; and

WHEREAS, Charlie was educated in the Newark public school system. He furthered his education by attending a trade school for designing blueprints and began employment with the Paul C. Steck, Co. where he labored for 44 years as a shipping receiving manager. We give thanks to his work family who loved and supported him throughout the years, but especially throughout his sickness; and

WHEREAS, Charlie was a very sharp dresser. He loved shopping and could find the best deals. He loved working on all of his cars; he was a self-made mechanic. At any given time, day or night, in all types of weather you could find him working on his vehicles. Charlie was a jack of all trades, so much so, that he collaborated with the architects and contractors with respect to the development of the family's new home after the fire; and

WHEREAS, Charlie and his brothers loved playing basketball where they ruled the courts, and they destroyed the other bowling league teams year after year; and

WHEREAS, Charlie was a member of the Church of Christ where everyone loved and adored him and whenever anyone needed a ride, he was the "Uber" driver; and

WHEREAS, Charlie was preceded in death by his mother, Dorothy Powell Johnson, sister Ethel Johnson (Bolu), brothers Herbert (June) Johnson, Ernest (Ernie) Johnson. The life of Charlie E. Johnson will be remembered and cherished by his father Herbert J. Johnson, Sr.; son Guyroland T. Johnson (Butch) Rasheedah (Daughter-in-law), Grandsons: N'Kavian, Seth, Justice; siblings: Lillie Dodd (NC), Pattie Johnson (Sister), Dorothy Johnson (Liz), Diane Johnson (Pumpkin), Shironda Johnson (Suwanna); Nephews: Jermahl Stewart wife Ca'Misha, Khaliyf Johnson (Leafy), Darius Lewis, Derrell Wells; Nieces: Carolyn Dodd, Tiffany Johnson (BigMama), Chanel Brunson, Ariyana Wells (Booda), Breeyantae Wells (Baby); Great-Nephews: Benjamin Brunson, Bryce Wilson, Dariyus Lewis, Kirean Wells; Great-Niece: Miata Dodd, Kimora Lewis, Lo'Lani Bibby; Special Friends: Gina Sales, Norma Miller, Alvance Ponder, Willie Lawson, Lewis Griffin (Brolaw), DeWayne Tatum, James Porter; and a host of aunts, uncles, nieces, nephews, cousins, friends and his church family at Central Ave; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that it hereby mourns the passing of Charlie E. Johnson and sends its sincerest condolences to his family and friends. His memory will forever remain a source of comfort and inspiration.

BE IT FURTHER RESOLVED that a copy of this Resolution of Sorrow be spread upon the minutes of the Irvington Township Municipal Council as a lasting tribute to the memory of Charlie E. Johnson.

Adopted
Absent: Brown and Vauss, Jr.

Frederic – Hudley 2. Authorize Purchases Under the Essex County Co-Op of New Jersey Cooperative Purchasing Program Over the Bid Threshold of \$53,000.00 - Advanced Enterprises Recycling DBA Dart – Not to Exceed \$650,000.00

AUTHORIZING PURCHASES UNDER THE ESSEX COUNTY CO-OP OF NEW JERSEY COOPERATIVE PURCHASING PROGRAM OVER THE BID THRESHOLD OF \$53,000.00

WHEREAS, the Township of Irvington, pursuant to N.J.S.A. 40A: 11-12(a) and N.J.A.C. 5:34- 7.29(c) may by resolution and without advertising for bids, purchase any goods or services under the Essex County Cooperative Purchasing Program on behalf of their members; and,

WHEREAS, Essex County Co-op has awarded solid waste transfer fee for type 13 solid waste to Advanced Enterprises Recycling DBA Dart; and,

WHEREAS, Advanced Enterprises Recycling DBA Dart located at 540 Doremus Ave Newark, NJ 07105 will exceed the bid threshold of \$53,000.00 for calendar year 2026; and

WHEREAS, based on the estimated tonnage, the total amount that will be paid to this vendor is an amount not to exceed \$650,000.00 for the year; and

WHEREAS, the Township of Irvington intends to enter into this contract with Advanced Enterprises Recycling DBA Dart over the bid threshold of \$53,000.00 through this resolution and properly executed purchase orders for disposal of type 13 solid waste for an amount not to exceed \$650,000.00.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Irvington authorizes the purchasing agent to pay this vendor over the bid threshold of \$53,000.00 pursuant to all the conditions of Essex County Co-op contract; and

BE IT FURTHER RESOLVED, that the total payments to this vendor for calendar year 2026 shall not exceed \$650,000.00

BE IT FURTHER RESOLVED that the duration of this authorization shall be until December 31, 2026

BE IT FURTHER RESOLVED that the required certification of availability of funds, C25-0207 in the amount of \$100,000.00 was obtained from the Chief Financial Officer from account number 5-01-32-465-465-118 and the remaining balance of \$550,000.00 will be certified upon the adoption of the 2026 budget.

BE IT FURTHER RESOLVED a separate resolution will be submitted to the Municipal Council for all addition vendors exceeding the bid threshold of \$53,000.

Adopted
Absent: Brown and Vauss, Jr.

Hudley – Beasley 3. Authorize and Direct the Irvington Planning Board to Undertake a Preliminary Redevelopment Investigation to Determine Whether the Delineated Area of Block 112, Lots 1 & 4; Block 113, Lots 7-16; and Block 160, Lots 1-21 (North Grove Street)

Satisfies the Criteria for Designation as an Area in Need of Redevelopment for Non-
Condemnation Purposes, Pursuant to the Local Redevelopment And Housing Law

RESOLUTION OF THE TOWNSHIP OF IRVINGTON AUTHORIZING AND DIRECTING THE IRVINGTON PLANNING BOARD TO UNDERTAKE A PRELIMINARY REDEVELOPMENT INVESTIGATION TO DETERMINE WHETHER THE DELINEATED AREA OF BLOCK 112, LOTS 1 & 4; BLOCK 113, LOTS 7-16; AND BLOCK 160, LOTS 1-21 (NORTH GROVE STREET) SATISFIES THE CRITERIA FOR DESIGNATION AS AN AREA IN NEED OF REDEVELOPMENT FOR NON-CONDMENATION PURPOSES, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1, ET SEQ.

WHEREAS, the Local Redevelopment and Housing Law, *NJS.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 Block 112, Lots 1 & 4; Block 113, Lots 7-16; and Block 160, Lots 1-21 (North Grove Street) 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 160, Lots 1 - 21

(together with all streets and rights of way appurtenant thereto, the "**North Grove Street Study Area**" or "**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 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 a preliminary 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 Non-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 Non-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 Non-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
Absent: Brown and Vauss, Jr.

Hudley – Frederic	4. Remove Handicapped Parking Spaces in Front of 133 Lenox Avenue, 75 Coolidge Street and 85 Linden Avenue
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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, a restricted handicapped parking space has been previously established restricted at **133 Lenox Avenue, 75 Coolidge Street, 85 Linden Avenue** and

WHEREAS, it has been determined that the handicapped resident for which the restricted handicap parking space in front of **133 Lenox Avenue, 75 Coolidge Street, 85 Linden Avenue** no longer lives at that location:

NOW, THEREFORE BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the restricted handicapped parking space heretofore established in front **133 Lenox Avenue, 75 Coolidge Street, 85 Linden Avenue** be and the same is hereby rescinded; and

BE IT FURTHER RESOLVED that the Department of Public Works is directed to remove the restricted handicapped parking sign located in front of **133 Lenox Avenue, 75 Coolidge Street, 85 Linden Avenue.**

Adopted
Absent: Brown and Vauss, Jr.

Hudley – Frederic 5. Grant Appeals and Rescind Denial Applications – Establish Handicapped Parking Spaces in Front of 115 Lincoln Place, 116 Linden Avenue, 176 Park Place and 152 Melrose Avenue

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:
115 Lincoln Place, 116 Linden Avenue, 176 Park Place, 152 Melrose Avenue

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:

115 Lincoln Place, 116 Linden Avenue, 176 Park Place, 152 Melrose Avenue

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

Adopted
Absent: Brown and Vauss, Jr.

Beasley – Frederic 6. Authorize the Rescission of the Designation of 13 Chestnut Avenue LLC, Assignee of Legendary Property Solutions, LLC as Redeveloper of Property Located at 13 Chestnut Avenue, Block 233, Lot 6.02

RESOLUTION OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON AUTHORIZING THE RESCISSION OF THE DESIGNATION OF 13 CHESTNUT AVENUE LLC, ASSIGNEE OF LEGENDARY PROPERTY SOLUTIONS, LLC AS REDEVELOPER OF PROPERTY LOCATED ON BLOCK 233, LOT 6.02 AND LOCATED AT 13 CHESTNUT AVENUE WITHIN THE TOWNSHIP

WHEREAS, the Township of Irvington (the “**Township**”) is authorized pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., as amended and supplemented (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

WHEREAS, in accordance with the requirements of the Redevelopment Law, by Resolution dated July 14, 2015, the Municipal Council of the Township (the “**Township Council**”) designated the entire Township as an area in need of rehabilitation (the “**Rehabilitation Area**”); 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 June 28, 2021, in furtherance of the redevelopment of certain properties located within the Rehabilitation Area, the Township Council adopted Resolution No. OCDP 21-0628-15 which authorized the designation of Legendary Property Solutions, LLC (the “**Partnership Entity**”) as redeveloper for properties identified as Block 233, Lots 6.02 (“**13 Chestnut Avenue**” and 6.03 (“**15 Chestnut Avenue**”) on the official tax maps of the Township, each located, respectively, at 13 Chestnut Avenue and 15 Chestnut Avenue within the Township, and which authorized the execution of a redevelopment agreement with the Partnership Entity for the redevelopment of the two parcels; and

WHEREAS, pursuant to the said Resolution No. OCDP 21-0628-15, the Township entered into a redevelopment agreement with the Partnership Entity; and

WHEREAS, on or about July 20, 2022, the Partnership Entity, by such time in the process of dissolution, executed assignment agreements (the “**Assignment Agreements**,” each an “**Assignment Agreement**”) assigning 13 Chestnut Avenue to 13 Chestnut Avenue, LLC (the “**13 Chestnut Entity**”) and assigning 15 Chestnut Avenue to 15 Chestnut Avenue LLC (the “**15 Chestnut Entity**,” and with the 13 Chestnut Entity, the “**New Entities**”), in resolution of litigation between and among the two members of the Partnership Entity, each now becoming the sole member of his respective New Entity; and

WHEREAS, the 13 Chestnut Entity, having assumed the rights and responsibilities of the Partnership Entity as to the redevelopment of 13 Chestnut Avenue, has defaulted on its responsibilities under the Redevelopment Agreement, specifically under the provisions of Section 6.01(d), respecting the failure to adhere to the Redevelopment Timeline, in fact having abandoned the project in violation of the same section, as well as under Section 6.01(e), having failed to pay real property taxes and/or assessments, as evidenced by Tax Sale Certificate Nos. 22-00864 and 23-00671, dated December 15, 2022 and December 18, 2023, respectively; and

WHEREAS, on December 8, 2025, the Township issued a notice of default under the Redevelopment Agreement to counsel for the 13 Chestnut Entity, since which time the 13 Chestnut Entity has failed to cure the defaults; and

WHEREAS, Pursuant to the Township’s rights under the Redevelopment Agreement and pursuant to the Redevelopment Law, it now seeks to rescind the designation, as assigned to the 13 Chestnut Entity, among other actions it is empowered to take under the Redevelopment Agreement.

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. The Township Council hereby rescinds its designation as to Block 233, Lot 6.02, to the 13 Chestnut Entity as assigned thereto by the original designee, Legendary Property Solutions, LLC.

SECTION 3. The Township’s designation as to Block 233, Lot 6.03, to the 15 Chestnut Entity as assigned thereto by the original designee, remains in force.

SECTION 4. Effective Date. This Resolution shall take effect immediately.

Adopted
Absent: Brown and Vauss, Jr.

Frederic – Hudley 7. Authorize the Execution of a Redevelopment and Land Disposition Agreement Between the Township of Irvington and Irvington Redevelopment 2022, LLC and the Transfer of the Property

**A RESOLUTION AUTHORIZING THE EXECUTION OF A REDEVELOPMENT
AND LAND DISPOSITION AGREEMENT BETWEEN THE TOWNSHIP OF
IRVINGTON AND IRVINGTON REDEVELOPMENT 2022, LLC AND THE
TRANSFER OF THE PROPERTY IN CONNECTION THEREWITH**

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, on August 13, 2002, the Township Council, by Resolution No. UEZ 02-0813-14, the Township Council adopted a resolution designating certain properties within the east ward of the Township as an area in need of redevelopment (the “**Redevelopment Area**”); and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7 of the Redevelopment Law and in accordance with the procedures set forth therein, the Township Council duly adopted the East Ward/East Springfield Avenue Redevelopment Plan (the “**Redevelopment Plan**”), as subsequently amended, for the Redevelopment Area, as subsequently expanded; and

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WHEREAS, in accordance with the requirements of the Redevelopment Law, on July 14, 2015, by resolution No. UEZ 15-0714-11, the Township Council designated the entirety of the Township as an area in need of rehabilitation (the “**Rehabilitation Area**”); and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7 of the Redevelopment Law and in accordance with the procedures set forth therein, the Township Council duly adopted the Township-Wide Redevelopment Plan (as amended, the “**Township-Wide Redevelopment Plan**” and, together with the Redevelopment Area, the “**Redevelopment Plans**”) for the Rehabilitation Area; 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 Redevelopment Area and the Rehabilitation Area in accordance with both Redevelopment Areas, pursuant to N.J.S.A. 40A:12A-4(c); and

WHEREAS, pursuant to the Redevelopment Law, including Section 8 thereof (N.J.S.A. 40A:12A-8), a municipality is permitted to contract with a redeveloper to undertake redevelopment projects pursuant to a redevelopment plan within the area designated in that plan; and

WHEREAS, the Township is or soon will be the owner of certain property located within the Rehabilitation Area, which property is identified on the official tax maps and tax assessment records of the Township as follows:

<u>Block</u>	<u>Lot</u>	<u>Property Location</u>
99	2	134 Myrtle Avenue
151	7	258 22 nd Street
151	8	260 22 nd Street
151	10	266 22 nd Street
151	27	211 21 st Street

(collectively, the “**Township-Wide Properties**,” each being a “**Township-Wide Parcel**,” as further described in Schedule A attached hereto and made a part hereof); and

WHEREAS, the Township is or soon will be the owner of certain property located within the Redevelopment Area, which property is identified on the official tax maps and tax assessment records of the Township as follows:

<u>Block</u>	<u>Lot</u>	<u>Property Location</u>
142	8	132-134 22 nd Street
142	9	136 22 nd Street
149	21	205 22 nd Street
149	22	201 22 nd Street

(collectively, the “**East Ward Properties**,” each being an “**East Ward Parcel**,” as further described in Schedule A attached hereto and made a part hereof), and together with the Township-Wide Parcels, the “**Redevelopment Properties**”; and

WHEREAS, Irvington Redevelopment 2022, LLC (the “**Redeveloper**”) has submitted to the Township its plans for the acquisition of the Redevelopment Properties and, except as to Block 99, Lot 2 (134 Myrtle Avenue), the design, development, financing, construction and maintenance of several multifamily dwelling homes; and as to the said Block 99, Lot 2 (134 Myrtle Avenue), the design, development, financing, rehabilitation and maintenance thereon of the existing vacant and dilapidated mixed use residential and commercial structure (collectively, 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 implement the development, financing, construction, operation and management of the Project, the Township has determined to enter into this Agreement with Redeveloper, which specifies the rights and responsibilities of the Township, and specifies the rights and responsibilities of Redeveloper with respect to the Project,

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. Redeveloper Designated; Execution of Redevelopment Agreement Authorized.

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

(b) The Municipal Clerk is hereby authorized and directed, upon the execution of the Redevelopment Agreement in accordance with the terms of Section 2(a) hereof, to attest to the signature of the Mayor upon such document and is hereby further authorized and directed to affix the corporate seal of the Township upon such document.

(c) Upon the execution and attestation of the Redevelopment Agreement, the Mayor, upon consultation with counsel to the Township, is 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 Redevelopment Agreement.

(d) Upon execution of the Redevelopment Agreement, and so long as the Redevelopment Agreement remains in full force and effect, Redeveloper is hereby designated as “redeveloper” for the Project in accordance with the Redevelopment Law.

Section 3. Conveyance of Property Authorized.

(a) The Township Council hereby approves the conveyance of the Property; and authorizes the Mayor, upon the execution of the Redevelopment Agreement, in accordance with the terms of Section 2(a)

hereof, to execute a deed conveying the Property to Redeveloper, together with any other necessary documents and/or agreements between the Redeveloper and the Township, subject to modification or revision in consultation with counsel, deemed necessary or desirable to effectuate same. Said authorization includes delivery of the deed to the Property and any and all associated documents required to effectuate the conveyance of the Property.

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

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

Section 4. Severability. If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

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

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

Exhibit A

REDEVELOPMENT AND LAND DISPOSITION AGREEMENT

Adopted

Absent: Brown and Vauss, Jr.

~~8. Authorize the Submission of a Funding Request to the State of New Jersey Department of Community Affairs Urban Enterprise Authority for the Irvington Urban Enterprise Zone Administration Budget for FY2026 – Not to Exceed \$1,237,569.00~~
[REMOVED BY UEZ COODINATOR J. WILLIAMS]

Hudley – Frederic 9. Authorize the Implementation of a Promotion and Marketing Strategy to Support the Irvington Urban Enterprise Zone Programs – Not to Exceed \$144,800.00

RESOLUTION AUTHORIZING THE IMPLEMENTATION OF A PROMOTION AND MARKETING STRATEGY TO SUPPORT THE IRVINGTON URBAN ENTERPRISE ZONE PROGRAMS

WHEREAS, the Irvington Urban Enterprise Zone (UEZ) is committed to supporting local businesses, attracting investment, and increasing public awareness of UEZ benefits; and

WHEREAS, a targeted promotion and marketing strategy is essential to achieving these goals through outreach, branding, and engagement efforts; and

WHEREAS, the strategy will include digital marketing, printed materials, business spotlights, community events, and media partnerships to promote UEZ programs and services; Authorizing the Implementation of a Promotion and Marketing Strategy and Requesting UEZ Program Funding and

WHEREAS, the implementation of this initiative is to help strengthen relationships with local businesses, encourage participation in UEZ programs, and enhance the visibility of Irvington’s economic development efforts; and

WHEREAS, the Township intends to request funding from the UEZ Program not to exceed the amount of \$144,800 to support the implementation of this initiative;

NOW, THEREFORE, BE IT RESOLVED, That the UEZ Coordinator is authorized to manage the implementation of the strategy, engage necessary vendors, and report progress to the Administration and Municipal Council

Adopted
Absent: Brown and Vauss, Jr.

Hudley – Frederic 10. Authorize a Shared Services Agreement with the City of Plainfield for Health Officer Services

RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE CITY OF PLAINFIELD PURSUANT TO THE UNIFORM SHARED SERVICES AND CONSOLIDATION ACT, N.J.S.A. 40A:65-1 ET SEQ. FOR THE CITY OF PLAINFIELD TO PROVIDE THE TOWNSHIP OF IRVINGTON WITH THE SERVICES OF A HEALTH OFFICER

WHEREAS the Township of Irvington is required by N.J.S.A, 26A:3A2-10 to provide a program of public health services; and

WHEREAS the State of New Jersey requires each municipality to maintain a health department; and

WHEREAS, the City of Plainfield, in furtherance of the obligation set forth in N.J.S.A. 26A:3A2-10 et seq., has employed and shall continue to employ a licensed Health Officer to serve as full-time Health Officer and Chief Executive Officer for all public health services and activities ("Public Health Services"); and

WHEREAS the Township of Irvington needs a licensed Health Officer to provide Public Health Services commencing February 23, 2026 and ending February 24, 2027; and

WHEREAS. N.J.S.A. 40A:65-I et seq. allows municipalities to enter into shared service agreements; and

NOW, THEREFORE BE IT RESOLVED, the City of Plainfield is agreeable to provide its licensed Health Officer to perform said Public Health Services to the Township of Irvington for said period commencing February 23, 2026 and ending February 24, 2027 at cost of \$100,000.00 to the Township of Irvington; and **BE IT FURTHER RESOLVED**, that the required certification of availability of funds C26-0016 in the amount of \$10,000.00 from account number 6-01-27-330-330-118 has been obtained from the Chief

Financial Officer and the remaining balance of \$90,000.00 will be certified upon the adoption of the 2026 and 2027 budget years.

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

Adopted
Absent: Brown and Vauss, Jr.

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 amending and supplementing Sections 460-69 and 460-70 of the Revised Code will be heard at this time.

The Clerk will read the notice of hearing.

The Clerk will read the ordinance by title.

AN ORDINANCE AMENDING AND SUPPLEMENTING SECTIONS 460-69 REGISTRATION REQUIRED; FEE AND 460-70 SECURING OF VACANT PROPERTY AND VACANT LOTS OF THE REVISED CODE

[Article VII Vacant Properties](#)

460-69 Definitions

VACANT REAL PROPERTY – Any parcel of land located within the Township, whether improved or unimproved, including but not limited to:

1. Any building or structure which is not legally occupied or at which all lawful business operations have ceased.
2. Any vacant lot or parcel of land has no permanent structures.
3. Any property showing "Evidence of Vacancy" as defined by the presence of overgrown vegetation, accumulation of debris, or lack of occupancy.

4. A parcel of land that has no structure, a partially built structure (Construction was initiated on the property and was discontinued prior to completion, leaving the building unsuitable for occupancy, and no construction has taken place in accordance with the permits issued.), a partial structure or a partially demolished structure leaving the partial structure unsuitable for occupancy.

A. Any person, company, corporation, or beneficiary whose **Vacant Real Property** (as defined herein) becomes vacant or shows evidence of vacancy shall be considered a Vacant Property subject to regulation under this Article. Said owner shall, within **10 days** of receiving notice of a declaration of vacancy, register said property—**whether a structure or a vacant lot**—with either the Public Officer, Director of Housing, Director of Neighborhood Services, Director of Neighborhood Preservation, or Business Administrator.

B. The registration shall contain the name of any owner, including any beneficiary, the direct street address of the owner (no P.O. boxes), a direct contact name and number and in the case of a corporation or LLC, provide a copy of the certificate of formation and a copy of valid driver's license or identification for the owner or principal with physical address, the name, address and number for the local property manager, the person responsible for security, maintenance and marketing of the property, if applicable.

C. An annual registration fee of \$500 shall accompany the registration form submitted. The fee will be required by August 31 of each year, and must be received no later than September 10 of the year due. Any property that has been validly registered for at least three years shall pay a fee of \$750. If the same property remains on the list for five years, then the fee will be increased to \$1,000 and, after 10 years, the fee will be increased to \$2,000. Any bank that registers a vacant property or vacant lot shall designate a registered agent listed in the State of New Jersey. In the event that a bank fails to comply with this section, a fine of \$2,500 per day shall be imposed.

§ 460-70 Securing of vacant property and vacant lots.

A. It is the responsibility of the owner to secure the property registered under this article. "Secure" means, but is not limited to, the closure and locking of windows, doors (including garage) and any other opening. In the case of windows, such shall be secured by means of reglazing or boarding of same. The owner should also be responsible for notifying the Township by written notice to the public officer of any change in ownership. For vacant lots see Subsections **C** and **D** below.

B. If the property is owned by a corporation or out-of-area owner, a local property management company shall be contracted to perform weekly inspections to verify compliance with this article. "Out of the area" shall mean any owner located at least 50 miles away from subject property. The property, if vacant, shall be posted with a name and twenty-four-hour contact number of the local property management company or a twenty-four-hour number for the owner. The posting shall be no less than 18 inches by 24 inches with words in a prominent font and legible. The words, "Property Managed By" and "To Report Problems or Concerns Call. . . ." shall appear on the posted sign. The posting shall be on the inside of an interior window facing the street or on at least one boarded window facing the street or secured on the exterior of the building facing the street where such can be read from the street. The posting of such on a visible stake in front of the property is acceptable.

C. All vacant lots and property which has been determined to be a nuisance by the public officer in the Township as defined by Municipal Code § **460-69** shall be completely fenced along the front yard (and side yards if it is a corner property) of the property with a six-foot-high solid wood fence (that cannot be seen through) with support posts spaced a maximum of eight feet, zero inches, apart. The posts shall be installed at a minimum of 24 inches into the ground and secured with concrete. The fence shall have a six-foot-to-

eight-foot-wide gate/door to access the lot for maintenance. The fence must remain structurally sound and in good repair at all times. Property owners or their designee must apply for a permit from the Department of Housing, Division of Buildings, prior to installing a fence.

The Public Hearing on this ordinance is now open.

Beasley – Hudley Motion to close Public Hearing.

Adopted
Absent: Brown and Vauss, Jr.

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

Adopted
Absent: Brown and Vauss, Jr.

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
Terence Wilson, 357 Myrtle Avenue

Council Member Antilus and Council Member Dr. Frederic addressed the concerns raised by the above-mentioned speakers. Council Member Dr. Hudley thanked the attendees for their participation. Council Member Vick encouraged the residents to visit the township's website at Irvingtonnj.gov to view the snow plan. Council President Beasley addressed the concerns raised by Mr. Shaw Sr. and Mr. Wilson. She indicated that the Administration did a wonderful job plowing the streets during the recent blizzard.

13. ADJOURNMENT (*Roll Call)

There being no further business, the meeting adjourned at 7:53 P.M.

Jamillah Z. Beasley, Council President

Shawna M. Supel, Municipal Clerk