

TOWNSHIP OF IRVINGTON



MUNICIPAL COUNCIL MEETING MINUTES MAY 18, 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)

Mr. Darryl Gatewood, 107 Washington 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. Recreation Assistant Director Natalie Julien – Report of the April 23, 2026 Recreation Committee Meeting
2. Community Development Executive Assistant Attiya Pennix - Report of the May 6, 2026 Redevelopment, Housing & Rent Control Committee Meeting
3. Business Administrator Musa Malik - Report of the May 7, 2026 Finance Committee Meeting
4. Police Division Account Clerk Kristen Johnson – Report of the April May 7, 2026 Parking Committee Meeting
5. Township Attorney Ramon Rivera, Esq. – Report of the May 11, 2026 Legal Committee Meeting

7. REPORTS OF COMMITTEES

- A. May 6, 2026 ~ Bid - Pothole Repair, Request for Proposals - Special Legal Counsel, Bid - Solar Powered Trailers

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

8. ORDINANCES, BILLS & CLAIMS

A. Ordinances on First Reading

- Vick – Vauss, Jr.
1. Ordinance Amending and Supplementing Chapter 650, Titled “Zoning”, to Amend 650-11 Titled “Restrictions” and Article VIII Titled “Off-Street Parking and Loading”
[ZONING ORDINANCE AMENDMENTS MUST BE REFERRED TO THE PLANNING BOARD FOR REVIEW – MEETING ON JUNE 25, 2026. PUBLIC HEARING AND FINAL ADOPTION – JULY 13, 2026 MUNICIPAL COUNCIL MEETING]

AN ORDINANCE OF THE TOWNSHIP OF IRVINGTON
ESSEX COUNTY, NEW JERSEY
ORDINANCE NO. _____

AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF IRVINGTON, COUNTY OF ESSEX, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 650, TITLED “ZONING”, TO AMEND §650-11. TITLED “RESTRICTIONS.” AND ARTICLE VIII TITLED “OFF-STREET PARKING AND LOADING” TO UPDATE SAME

WHEREAS, the State of New Jersey, by enacting the Municipal Land Use Law (N.J.S.A. 40: 55d-1 et seq. ~ “MLUL”), permits municipalities to adopt and subsequently amend a zoning ordinance governing the nature and extent of the uses of land, buildings and structures within a municipality (N.J.S.A. 40:55d-62); and

WHEREAS, section 62 of the MLUL requires that a zoning ordinance be drawn “with reasonable consideration to the character of each district and its peculiar suitability for particular uses and to encourage the most appropriate use of land”; and

WHEREAS, the Township of Irvington (“Township”) first adopted a comprehensive zone plan in or about 1986; and

WHEREAS, Chapter 650, which as has been amended from time to time, is the current zone plan for the Township; and

WHEREAS, the Township Council via Resolution No. UEZ 15-0714-11, on July 14, 2015 has designated the entirety of the Township as an area in need of rehabilitation;

WHEREAS, the 2022 Master Plan Update further has the goal of improving the overall appearance of the Township;

WHEREAS, the 2022 Master Plan Update recommends maintaining housing that is affordable to all income levels;

WHEREAS, fences and private detached garages are not included in the zoning requirements therefore creating the need for variances;

WHEREAS, the variance process creates additional costs and slows down the development process for one and two-family residential dwellings;

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Irvington, County of Essex, State of New Jersey, that Chapter 650 titled “Zoning” of the Township Code be and is hereby amended to revise the following §650-11. Titled “Restrictions.” and Article VIII Titled “Off-Street Parking And Loading”:

Additions to this Chapter shall be designated by underlined text. Deletions shall be designated by ~~strikethrough text~~.

§ 650-11. Restrictions.

- A. No yard or other open space provided about any building for the purpose of complying with the provisions of this chapter shall be considered to provide a yard or open space for any other building.
- B. An accessory building attached to a principal building shall comply in all respects with the yard requirements of this chapter for the principal building. Detached accessory buildings shall be

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located to the rear of the front building line of the principal building and, if located in the side yard area, shall conform to side yard requirements of the schedule. In rear yards, common accessory buildings may be constructed to straddle the side lot between any two contiguous residential lots, in which case the remaining side yard dimension shall not be less than the total required for both accessory building side yards in that zone.

- C. Every principal building shall be built upon a lot with frontage upon an approved public street.
- D. At the intersection of two or more streets, no hedge, fence or wall (other than a single post or tree) which is higher than three feet above the curb level, nor any obstruction to vision, shall be permitted in the triangular area formed by the intersecting street lines and a line joining each street line 10 feet distant from said intersection.
- E. All yards facing on a public street shall be considered front yards. Corner lots shall meet the minimum front yard requirements for the respective zone for both streets for both principal and accessory buildings.
- F. Where a building lot fronts on a street which is proposed for right-of-way widening, the required front yard area shall be measured from such proposed right-of-way line.
- G. ~~No front yard shall be used for open storage. or parking, except that parking on residential properties shall be permitted on designated parking areas, in a front yard with a Zoning Permit or Planning/Zoning Board approval~~ All open storage areas shall be screened from view of residential districts by appropriate landscaping, which shall be maintained.
- H. Business structures or uses shall not display goods for sale or place coin-operated vending machines of any type on the sidewalk or in the entranceway in the front of the structure in which business activity is conducted.
- I. Off-street parking shall be provided with all new construction in accordance with Article VIII of this chapter. In the event of enlargement or extensive alteration of any building, off-street parking shall be provided in accordance with Article VIII to the extent possible.
- J. Essential services and utilities shall be permitted as authorized and regulated by law and other ordinances of the Township in any district. It is the intent of this chapter to exempt such erection, construction, alterations and maintenance from the application of this chapter.
- K. Whenever any street, alley or other public way is vacated by the Municipal Council, the zone district shall be extended automatically to the center of such vacated way.
- L. For the purpose of regulating the locations of accessory buildings on corner lots, all portions of a corner lot or a through lot which fronts on a public street shall be subject to the front yard requirements of the zone district in which said corner lot or through lot is located. No accessory building shall be permitted in any required front yard.
- M. No residential lot shall be less than 75 feet in depth.
- N. Any use not specifically permitted in a zoning district established by this chapter is hereby specifically prohibited in that district. The following uses and activities shall be specifically prohibited in the Township of Irvington:
 - (1) The keeping or raising of any animals other than domestic pets.

- (2) Trailer courts, trailer coaches, campers, vans, mobile homes and house trailers used as a dwelling and commercial activities related to the outdoor storage or display of trailer coaches; provided, however, that nothing in this subsection shall be deemed to prohibit the placement on a lot of one trailer coach for the sole purpose of providing temporary living accommodations for persons whose dwelling unit located on said lot has been damaged by fire. Placement of said trailer coach shall be by permit of the Township Engineer, valid for 60 days and renewable for not more than two additional thirty-day periods.
- (3) The use of a building or premises in such a manner as to endanger the health, morals, safety or welfare of the community.
- (4) Any use which emits excessive and objectionable amounts of dust, fumes, noise, odor, smoke, vibration, glare or waste products.⁶
- (5) Junkyards, hazardous or toxic waste disposal or treatment facilities, solid waste transfer stations and liquid gas or gasoline storage tanks.
- O. All exterior lighting shall be shielded, directed or buffered so that glare or direct lighting or reflection will not be a nuisance to surrounding properties.
- P. No materials or wastes shall be deposited upon a lot in such form or manner that they may be transferred off the lot by natural causes or forces, nor shall any substance be deposited which can contaminate an underground aquifer or otherwise render such underground aquifer undesirable as a source of water supply or recreation or which will destroy aquatic life. All materials or wastes which might cause fumes or dust or which constitute a fire hazard or which may be edible or otherwise attractive to rodents or insects shall be stored indoors or enclosed in appropriate containers adequate to eliminate such hazards. Containers shall not be stored or placed in any front yard.
- Q. The storage or manufacture of liquefied petroleum gases, hydrogen gas or other material, whether in liquid or gaseous phase, which is flammable or explosive when mixed with air in sufficient proportions or which may be toxic or poisonous if inhaled by any person is prohibited in all zoning districts; provided, however, that nothing in this subsection shall be deemed to prohibit the use as fuel for domestic purposes of liquefied petroleum gases when stored in cylinders constructed in accordance with regulations of the Interstate Commerce Commission and located on the exterior of the building supplied; and provided, further, that the systems in connection with said cylinders are listed by the Underwriters Laboratories. The existing storage and use of anhydrous ammonia as of the effective date of this chapter may continue.
- R. Upon the effective date of this subsection, new "dollar stores" within the boundaries of the Township of Irvington are hereby limited within a one-thousand-foot radius of any existing "dollar store."
[Added 6-14-2016 by Ord. No. MC 3576]
- S. All fences shall be setback 6 inches off the property line and comply with Chapter 294.
- T. All development shall comply with Chapter 550 Stormwater Management.

ARTICLE VIII
Off-Street Parking and Loading

§ 650-32. Off-street parking regulations.

- A. Every use or activity constructed or created within the Township of Irvington subsequent to the passage of this chapter shall be accompanied by off-street parking space as defined within this chapter according to the requirements set forth below and shall be furnished with all necessary passageways and driveways.
- (1) All such space shall be deemed to be required space on the lot on which it is situated and shall not be encroached upon or reduced in any manner. Such space may be considered as yard area in meeting the requirements of the schedule.
 - (2) In the CBD Zoning District, for lots fronting on Springfield Avenue, Clinton Avenue, New Street, Nye Avenue (east of Lincoln Place), Union Avenue, and Washington Avenue, the following provisions shall apply:
 - (a) Any change of use and any renovation or reconstruction of an existing building that does not involve any increase in building footprint or floor area may be permitted, and no additional on-site parking spaces will be required.
 - (b) Any new development or any expansion of the building footprint or floor area of an existing building shall not be permitted unless the applicant can demonstrate that there are adequate, available parking spaces on the street, in public parking lots or garages, or in publicly accessible private lots within a walking distance of the main building entrance of 1,500 linear feet. The applicant must take into account the competing demand for available spaces from adjacent uses. The applicant must demonstrate that an adequate number of spaces will be available to serve all the proposed uses within the building on an average weekday between the hours of 12:00 noon and 2:00 p.m. and between the hours of 4:00 p.m. and 8:00 p.m., and on an average Saturday between the hours of 12:00 noon and 2:00 p.m.
 - (c) To the greatest extent practicable, no private garage doors, driveways, or parking lots shall front on these streets, in order to promote pedestrian safety and maintain the pedestrian activity that the retail businesses in those locations rely upon.
 - (3) All parking areas, passageways and driveways, except when provided in connection with one- or two-family residences, shall be surfaced with a concrete or bituminous concrete surface, clearly marked for car spaces, shall be adequately drained and maintained free of obstruction and snow, all subject to the approval of the Township Engineer.
- B. Additional off-street parking as required by this chapter shall not be required for any existing building or use unless said building shall be enlarged or extensively altered or if the use is changed, in which case off-street parking shall be provided up to the requirements of this section.
- C. ~~Parking areas may be located in any yard, space for uses in the industrial or residential districts and in any yard except the front yard for other uses.~~
- D. The collective provisions of off-street parking areas by two or more buildings or uses located on adjacent lots is permitted, provided that the total of such facilities shall not be less than the sum required of the various buildings or uses computed separately, and further provided that the land upon which the collective facilities are located is owned or is leased for a minimum period of 10 years by one or more of the collective owners.

- E. All parking areas and appurtenant passageways and driveways serving commercial or industrial uses shall be illuminated during the hours between sunset and sunrise when the use is in operation. [See Ordinance No. MC 2492, Article X, Section 2C(7).⁴¹]
- F. All parking spaces shall have a slope of less than 15%.
- G. Where more than one use or activity is present within a single building or on a single parcel, off-street parking shall be provided for each of the uses or activities according to § 650-33.
- H. Access lanes shall be provided to allow for ingress and egress and maneuverability, with no parking on any aisles, driveways or access lanes, based on the degree of angle parking: 90° shall be 25 feet in depth, 60° and 45° shall be 22 feet in depth.
- I. Exemption. Municipal garages and multistory parking garages maintained and operated by the Township of Irvington are exempted and excluded from the requirements of this article.

J. Parking surfaces, regardless of material, shall be counted as impervious coverage and shall be in conformance with the maximum impervious coverage permitted per §650-8.

§ 650-32.1 Private Detached Garages and Driveways.

- A. A private detached garage accessory to a single- or two-family dwelling is permitted in any zoning district.
- B. Private detached garage space must provide an adequate and accessible driveway of at least ten feet in width, in compliance with the parking requirements of this chapter.
- C. No garage shall be higher than 1 1/2 stories and 12 feet in height, such that the half-story above shall not be habitable and for storage only. Bathroom facilities (i.e. toilet, shower, tub, sink) are not permitted in a garage.
- D. Maximum permitted garage size is 550 square feet.
- E. Minimum side and rear yard setback shall be 3 feet or the required principal building setback if less.
- F. Detached garages are not permitted in a front yard.
- G. The exterior finish of all detached garages in residential zones shall be substantially similar to that of the principal dwelling with regards to color. Fabric or corrugated metal siding or roofing shall be prohibited.
- H. A zoning permit is required prior to the installation of a driveway or parking surface.

§ 650-33. Off-street parking standards.

The following off-street parking spaces are required:

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- A. All residential uses: one parking space per dwelling unit. The standard review may be superseded by the requirements of the New Jersey Residential Site Improvement Standards Act, N.J.A.C. 5:21-4.14, as amended and in effect at the time of the applicant filing their application. [Amended 1-11-2021 by Ord. No. MC 3753]
- B. Motels: one parking space per sleeping or dwelling unit.
- C. Retail establishment, wholesale store and personal service establishment:
- (1) Each retail store, wholesale store and personal service shop in any one building or structure, which building or structure contains not more than 2,500 square feet of floor areas: no parking spaces shall be required.
 - (2) Each retail store, wholesale store or personal service shop in any one building or structure, which building or structure contains more than 2,500 square feet of floor area but not more than 20,000 square feet of floor area: four parking spaces, plus one parking space for each 333 square feet above 2,500 square feet of floor area.
 - (3) Each retail store, wholesale store and personal service shop in any one building or structure, which building or structure contains more than 20,000 square feet of floor area: 62 parking spaces, plus one parking space for each 250 square feet above 20,000 square feet of floor area.
- D. Banks, financial and business offices and professional and commercial offices:
- (1) Banks, financial and business offices and professional and commercial offices: one parking space for every 400 square feet of building area or major fraction thereof.
 - (2) Exceptions.
 - (a) Those premises which lie within the business zone as delineated on the Zoning Map^[1] of the Township of Irvington, fronting on Springfield Avenue, northerly side of the street, between Maple Avenue westerly to Florence Avenue; and those premises which lie in the business zones as delineated on the Zoning Map of the Township of Irvington, fronting on Springfield Avenue, southerly side of street, between Maple Avenue westerly to 40th Street, and which are used and maintained as a commercial or professional office type of enterprise shall be required to maintain two parking spaces for each 1,200 square feet of floor area.
[1] *Editor's Note: The Zoning Map is included as an attachment to this chapter.*
 - (b) Those premises which lie in a business zone as delineated on the Zoning Map of the Township of Irvington and which are used as a commercial or professional office type of enterprise and which lie within 350 feet of a municipal parking lot need not provide off-street parking, provided that they rent space from the municipal parking garage on a yearly basis.

- E. Supermarkets, self-service food stores: one parking space for every 250 square feet of building area.
- F. Automobile service stations: one parking space for each service bay, plus one parking space for every employee present for duty at the time the highest number are present on a daily basis. [See Ord. No. MC 2492, Article X, Section 2C and 2D.^[2]]
[2]Editor's Note: See § 560-50C and D.
- G. Motor vehicle sales and service:
 - (1) Any building or structure containing not more than 2,500 square feet of floor area: two parking spaces shall be required.
 - (2) Any building or structure containing more than 2,500 square feet of floor area but not more than 20,000 square feet of floor area: two parking spaces, plus one parking space for each 333 square feet above 2,500 square feet of floor area.
 - (3) Any building or structure which contains more than 20,000 square feet of floor area: 62 parking spaces, plus one parking space for each 250 square feet above 20,000 square feet of floor area.
- H. Used car sales: five parking spaces, plus one parking space for each employee present for duty at the time the highest number are present, on a daily basis.
- I. Restaurants, cafeterias, taverns and bars, having more than 1,500 square feet of floor area: 10 parking spaces, plus one parking space for each 100 square feet of floor area over 1,500 square feet.
- J. Bowling alleys: four parking spaces for each bowling lane.
- K. Auditoriums, exhibition halls, union halls, community centers, dance halls, churches, theaters, stadiums, assembly halls and similar places of public assembly having fixed seating facilities: one parking space for every 100 square feet of total building area.
- L. Hospitals, nursing homes and similar institutional uses for care of the ill or aged: two parking spaces for every six beds.
- M. Mortuaries and funeral homes: two parking spaces for every 50 square feet of floor area in the slumber rooms, parlors or individual funeral service rooms.

- N. Industrial manufacturing establishments: three parking spaces for every five employees on the largest shift.
- O. Public swim clubs: one parking space for every full-time employee, and one parking space for every four separate memberships.
- P. Within the B-1 Neighborhood Business District, off-street parking space shall be provided for each employee present at the time of the greatest number of employees present.
- Q. Research and office building uses in any district shall provide one off-street parking facility for every 400 square feet of floor space, unless an amount is required under any other ordinance. Said required area shall be permitted in the side and rear yards, but not in the front yard, provided that said permitted area is at no point closer than 25 feet to any property line and not closer than 10 feet to any residential zone.
- R. Off-street parking for schools shall be provided in the following ratio: elementary schools shall provide one parking space for each staff member and/or employee, plus adequate space for buses and delivery vehicles. All other schools shall provide 1 1/2 parking spaces for each member or employee, plus adequate space for buses and delivery vehicles. These requirements may be increased if, in the judgment of the Board of Adjustment and/or the Planning Board, the unavailability of bus services, the particular location or a relatively high percentage of pupils driving or anticipated to be driving cars to school make such increased requirements desirable.
- S. Driveways shall have a minimum width of 10 feet.

§ 650-34. Off-street loading and unloading.

- A. For every building, structure or part thereof having over 3,000 square feet of gross building area erected and occupied for commerce, hospital, laundry, dry cleaning, places of public and quasi-public assembly industry and other similar uses involved in the receipt and distribution by vehicles of materials or merchandise, there shall be provided and permanently maintained adequate space for standing, loading and unloading services in order to avoid undue interference with the public use of streets or alleys. Every use or activity constructed or created within the Township of Irvington subsequent to the passage of this chapter which complies with the above definitions shall be provided with at least one truck standing, loading and unloading space on the premises of not less than 12 feet in width, 55 feet in length and with at least 14 feet overhead clearance. One additional truck space of these dimensions shall be provided for every additional 10,000 square feet or fraction thereof of gross floor area in the building. No zones are excepted from this requirement.
- B. Access to truck standing, loading and unloading space shall be directly from any public street or alley or from any right-of-way that will not interfere with public convenience and will permit the orderly and safe movement of traffic.

- C. Loading space as required under this section shall be provided in addition to off-street parking space and shall not be considered as supplying off-street parking space.
- D. Off-street loading and unloading area shall be surfaced with a concrete or bituminous concrete surface, which shall be adequately drained, all subject to the approval of the Township Engineer.
- E. Whenever an off-street loading and unloading area shall be located adjacent to or across the street from a residential zone, appropriate evergreen planting or attractive noncorrosive fencing shall be provided and maintained, thereby screening the residential zone.
- F. Off-street loading spaces shall be located entirely on the lot, and no truck or trailer truck occupying any such berth shall project into or encroach upon a public sidewalk or upon the roadway of a public street.

§ 650-35. Parking lot layout and landscaping.

- A. Except for parking lots serving single-family and two-family dwellings, suitable landscaping shall be provided, as required pursuant to Articles VI and IX, along the periphery of parking lots and within parking lots.
- B. All parking lots and loading spaces shall be curbed, screened, and landscaped with appropriate trees, shrubs, hedges, ground cover, and other plant materials along the periphery of parking lots and within parking lots to assure the establishment of a safe, convenient, and attractive facility. Parking lots serving single-family and two-family dwellings and parking lots with less than 10 spaces shall be exempt from this requirement.
- C. Such landscaping as required under Subsection B above shall be planted and maintained in accordance with the following standards. For certain uses, Article IX requires alternate landscaping standards. In case of any discrepancy between the following provisions and those in Article IX, the more stringent shall be required.
 - (1) The entire perimeter of the parking lot shall be surrounded by a landscaped area having a minimum width of five feet.
 - (2) Not including landscaped areas along the periphery of the parking, at least 6% of the total parking lot shall be landscaped.
 - (3) There shall be a minimum of one landscaped island the size of a single normal-sized parking space for every 15 parking spaces. The islands shall be evenly distributed throughout the parking lot. Each landscaped island shall be planted with at least one evergreen or deciduous tree of not less than three inches caliper.
 - (4) All landscaped areas shall be protected from adjacent parking and loading areas by curbs or concrete, metal, or wood bumpers at least six inches in height and securely anchored to the ground.
 - (5) Raised planting islands shall be provided in appropriate locations in order to guide vehicle movement, to provide adequate space for plant growth, and to accommodate pedestrian

circulation or vehicle overhang. Such raised planting islands and the landscaping within them shall be designed and arranged so as to provide vertical definition to major traffic circulation aisles, entrances, and exits, to channel internal traffic flow, to prevent indiscriminate diagonal movement of vehicles, and to provide cooling shade and visual relief from the visual monotony and summer heat of a large paved parking lot. Curbs of such islands shall be designed so as to facilitate surface drainage and prevent vehicles from overhanging sidewalks and damaging landscaping materials.

- D. The selection, amount, and location of all landscaping materials shall be subject to approval by the Planning Board, based upon considerations of the adequacy of the proposed landscaping to serve its intended purpose with minimal maintenance problems, including plant care, snowplowing, and lead removal.
- E. All landscaped areas shall be attractively planted, and all landscaping shall be maintained in a manner satisfactory to the Township at all times.
- F. The placement of landscaping shall not obstruct a driver's vision at traffic intersections or driveway openings.
- G. Except for parking lots serving single-family and two-family dwellings, aAll off-street parking lots shall be designed in accordance with the following standards:
 - (1) Unobstructed access from a parking or loading area to and from a street shall be designed so as to not require the backing of any vehicle across a sidewalk or into a street except for permitted single-family and two-family homes.
 - (2) In order to provide maximum efficiency, minimum curb cuts, and encourage safe and convenient traffic circulation, an applicant may request, as part of the site plan application, an interconnection of parking lots via access drives within and between adjacent lots, provided that the applicant has obtained the written consent of the owners of those adjacent lots. The Planning Board may require deed restrictions to be adopted in order to bind the owner of the properties to maintain the interconnection permanently.
 - (3) Off-street parking areas shall be designed to prevent the maneuvering of vehicles into or out of parking spaces or the parking or storage of vehicles within any portion of an entrance driveway or driveways that is within 10 feet of the right-of-way line of any road.
 - (4) No required off-street parking space, including adjacent parking access lanes or maneuvering space, shall be located within an existing or proposed right-of-way of any road, nor within 10 feet of any existing or proposed right-of-way line or any public street or highway. Fire lanes shall be provided to give access to buildings for firefighting, as required.
 - (5) Parking spaces shall be usable without requiring excessive maneuvering when all other spaces are occupied by vehicles. The Planning Board shall make a determination of whether a parking space is usable. Parking spaces that are not usable shall not count toward satisfying any parking requirement and shall not be approved.
 - (6) In order to provide visibility and definition at the ends of parking aisles, a planted area enclosed by concrete curbing shall be provided. Such planted islands may be used to partially satisfy the landscaping requirements of this section.
 - (7) Dead-end parking aisles shall not be permitted except where unavoidable, as determined by

the Planning Board.

- (8) Concrete wheel stops or raised curbing shall be provided as required by the Planning Board and shall be so located as to prevent the overhang of any vehicle into any pedestrian sidewalk or landscaped area or required buffer strip.
 - (9) Each parking space shall not be less than nine feet wide and 18 feet long, except that where a parking space is bounded by a curb or the wall of a building, each space shall be a minimum of 10 feet wide. Parallel parking spaces shall be minimum of 10 feet wide and 22 feet long. Handicapped parking spaces shall be designed in accordance with the Americans with Disabilities Act.⁴⁴
 - (10) The side perimeter of each parking space shall be delineated by painted lines on the pavement.
 - (11) The facilities provided in any parking lot and their arrangement shall not be changed without due consideration and approval by the Planning Board. Furthermore, any modification of fire lanes in a parking lot shall be reviewed and approved by the Township.
- H. Appropriate signs shall be provided in parking lots to direct internal traffic flow. Such signs shall generally not exceed one square foot in area.
- I. Lighting.
- (1) Mounting heights shall not exceed 20 feet above grade. Lower heights shall be used for walkways.
 - (2) All luminaires shall be shielded to eliminate glare, especially on any other property and public streets off the site, to the greatest extent possible. Lamps shall be recessed in the luminaire.
 - (3) All wires and cables shall be underground.
 - (4) At least 50% of all lighting shall be turned off after business hours, when only lights necessary for security purposes shall be left on.
 - (5) Luminaires shall be manufactured by a major manufacturer of illumination equipment.
 - (6) The lighting plan shall be designed by an experienced lighting designer who shall certify that the lighting plan conforms with these standards.

J. Any person(s) found guilty of violating any section in this chapter shall be required at his or her expense to remove, demolish or otherwise abate the violation and return the property to its previous condition.

Adopted

Vick – Beasley 2. Ordinance to Establish Guidelines for the Assessment of Certain Income-Restricted Properties for Conveyance to Qualified Irvington Residents

**AN ORDINANCE TO ESTABLISH GUIDELINES FOR THE ASSESSMENT OF
CERTAIN INCOME-RESTRICTED PROPERTIES FOR CONVEYANCE TO
QUALIFIED IRVINGTON RESIDENTS**

WHEREAS, the Township of Irvington (the “**Township**”) is commencing a program to make available to qualified residents of the Township certain residential properties for sale and owner-occupancy; and

WHEREAS, the properties in question are identified in the Township’s tax assessment records as Block 145, Lot 9, located at 354 21st Street; Block 145, Lot 10, located at 352 21st Street; Block 147, Lot 20, located at 127 19th Avenue; Block 147, Lot 21, located at 125 19th Avenue; and Block 147, Lot 31.01, located at 11 Standard Place (collectively, the “**Properties**,” each a “**Property**”); and

WHEREAS, The Township intends to offer the Properties on an income-restricted basis, and the Township intends to convey the Properties to the qualified purchasers by title deed, by which terms each Property shall continue to be subject to such income restrictions (the “**Income Restrictions**”) for a period of thirty (30) years from their respective dates of purchase; and

WHEREAS, pursuant to applicable laws, particularly as held by the Superior Court of New Jersey, Appellate Division in Prowitz v. Ridgefield Park Village, 237 N.J. Super 435 (App. Div. 1989), such income-based deed restrictions serve as value-depreciating governmental regulations, effectively reducing their market value based on the deed restricted price; and

WHEREAS, the Township desires to set forth a process by which the tax assessment function will reflect the Income Restrictions on each Property for the entire duration of the Income Restrictions on each property.

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

Section 1. The aforementioned recitals are hereby incorporated by reference as if fully set forth herein.

Section 2. Subject to all applicable laws, the properties currently reflected on the Township’s tax assessment records as Block 145, Lot 9, located at 354 21st Street; Block 145, Lot 10, located at 352 21st Street; Block 147, Lot 20, located at 127 19th Avenue; Block 147, Lot 21, located at 125 19th Avenue; and Block 147, Lot 31.01, located at 11 Standard Place shall be assessed in accordance with the holding set forth in Prowitz v. Ridgefield Park Village, 237 N.J. Super 435 (App. Div. 1989), with the Income Restrictions being tantamount to a value depreciating governmental regulation influencing the assessable value.

Section 3. Each tax year, for each Property, the Assessor shall calculate the deed restricted price on or before December 15 of the pretax year using an electronic edition of the affordable housing price calculator (the “**COAH Calculator**”), a copy of the form of which is attached hereto as **Exhibit A**.

Section 4. The Assessor shall maintain the up-to-date deed restriction calculation on the COAH Calculator by attaching a copy of same on the assessment record for each respective property on the BRT Power CAMA assessment records system or such other assessment records system as may then be in effect.

Section 5. Each year, for each Property, the Assessor shall enter the assessment as per the deed restriction calculation derived from the COAH Calculator for that year on the records using the manual override function within the BRT Power CAMA assessment records system, or such other function on such other assessment records system as may then be in effect.

Section 6. Upon completion of the above process, the Assessor shall report same in writing to the Director of Community, Planning and Economic Development, or any successor department, of the completion of the process and of the assessed value derived thereby. In the event that the Department of Community, Planning and Economic Development has been abolished during the period of the Income

Restrictions and no successor department has been established, such reporting shall be transmitted to the Business Administrator and the Mayor's Office.

Section 7. If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

Section 8. This Ordinance shall take effect upon final passage and publication according to law.

EXHIBIT A

EXAMPLE FORM OF COAH CALCULATOR

Adopted

C. Bills & Claims

Vick – Hudley 1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD MAY 18, 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	\$4,412,490.14
SUPPLEMENTAL	\$ 48,215.98
TOTAL	\$4,460,706.12

Adopted

Hudley – Vick 2. Payrolls

Payroll Date: May 1, 2026

TOTAL	\$2,280,840.84
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Payroll Date: May 15, 2026

TOTAL	\$2,261,697.02
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Adopted

9. RESOLUTIONS AND MOTIONS

A. Resolutions

Vick – Antilus 1. Authorize the Purchase of Proprietary Equipment from Lexipol LLC for the Irvington Public Safety Department - Not to Exceed \$13,307.18

RESOLUTION AUTHORIZING THE PURCHASE OF PROPRIETARY EQUIPMENT FROM LEXIPOL LLC FOR THE IRVINGTON PUBLIC SAFETY DEPARTMENT

WHEREAS, Irvington Public Safety Department is in need of policy management system for Public Safety Personnel; and

WHEREAS, Lexipol LLC of 2611 Internet Blvd, Suite 100, Fisco, TX 75034 has the required software and system; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5(1)(d)(d), the Township may purchase goods and services without bidding for sole source goods or services; and

WHEREAS, the Public Safety Department would like to request a sole source exemption for this software and system; and

WHEREAS, the Administration would like to award a sole source contract to Lexipol LLC of 2611 Internet Blvd, Suite 100, Fisco, TX 75034 for an amount not to exceed \$13,307.18

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Irvington in the County of Essex, and State of New Jersey, that the Public Safety Department is authorized to purchase the required software and system from Lexipol LLC for an amount not to exceed \$13,307.18

BE IT FUTHER RESLOVED that the required certification of availability of funds C26-0051 in the amount of \$13,307.18 from account numbers 6-01-25-240-240-118 has been obtained from the Chief Financial Officer.

Adopted

Frederic – Antilus 2. Authorize Change Order Number One (1) For Professional Services Contract for Improvements at Fire Station 2 and 4 - Pennoni Associates - Increase the Total Contract to \$45,000.00

A RESOLUTION AUTHORIZING CHANGE ORDER NUMBER ONE (1) FOR PROFESSIONAL SERVICES CONTRACT FOR IMPROVEMENTS AT FIRE STATION 2 AND 4

WHEREAS, a contract was awarded to Pennoni Associates by resolution number TA 25-1014-44 in the amount of \$40,000.00 for day-to day Engineering Service; and

WHEREAS, the improvements at Fire Station 2 and 4 are near completion and it's best for Pennoni Associates to continue to oversee the project; and

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WHEREAS, the additional line items caused an overall increase in the contract; and,

WHEREAS, Pennoni Associates has provided an estimated that the additional work should not exceed \$5,000.00; and,

WHEREAS, the Administration has agreed with said recommendation.

THEREFORE, BE IT RESOLVED, that the Mayor be and is hereby authorized to execute Change Order #1 with Pennoni Associates Inc. 1 Drexel Plaza, 3001 Market Street, Philadelphia, PA 19104 increasing the total contract to \$45,000.00

BE IT RESOLVED, that the required certification of availability of funds C26-0063 in the amount of \$5,000.00 from account number C-04-56-853-b24-906 has been obtained from the Chief Financial Officer.

Adopted

Antilus – Vick. 3. Accept Funding from the US Department of Homeland Security FEMA to Enhance the Fire Division - \$48,327.27

WHEREAS, the U.S. Department of Homeland Security FEMA has made funding available through the Township of Irvington, Fire Department UEI-EFT: DF4WNEACSAM7, award number: EMW-2024-FG-07828; and

WHEREAS, the Township of Irvington Fire Department has agreed in accordance with grant award, FY24 Assistance to Firefighters (FG) Grant has been approved in the amount of \$48,327.27 in Federal funding. As a condition of this grant, the Township of Irvington is required to contribute non-Federal funds equal to or greater than 10.0% of the Federal funds awarded or \$4,832.73 for a total approved budget of \$53,160.00

WHEREAS, grant EMW-2024-FG-07828 is designated for the purpose of purchasing Natural Gas/Carbon Monoxide meters.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Mayor be and is hereby authorized to accept funding from the U.S. Department of Homeland Security FEMA to enhance the Irvington Fire Department and;

BE IT FURTHER RESOLVED that it is understood that the award has a required non-Federal contribution equal to or greater than 10% of the Federal funds awarded, or \$4,832.73 to meet the cost share requirement.

Adopted

Vick – Vauss, Jr. 4. Refund Tax Overpayment on Block 149, Lot 27, 187 22nd Street in the Amount of \$3,387.03

**Resolution to Refund Tax Overpayment
on Block 149 Lot 27, 187 22nd St.**

WHEREAS, Peshy Gips, remitted a payment for the 2026 Q1 property taxes in the amount of \$3,387.03 on January 26, 2026 for Block 149 Lot 27; and

WHEREAS, Corelogic, remitted a payment on February 6, 2026, resulting in an overpayment, in the amount of \$3,387.03 for Block 149 Lot 27; and

WHEREAS, Peshy Gips has requested to be refunded the tax overpayment in the amount of \$3,387.03 for 187 22nd St., Block 149 Lot 27; and

WHEREAS, the Tax Collector desires to refund the 2026 property tax overpayment in the amount of \$3,387.09 to Peshy Gips.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, COUNTY OF ESSEX, STATE OF NEW JERSEY that the Township of Irvington Tax Collector is authorized to issue a refund of the 2026 property tax payment in the amount of \$3,387.03 to Peshy Gips.

Adopted

Vick – Frederic 5. Refund Tax Overpayment on Block 154, Lot 20, 227 21st Street in the Amount of \$844.81

**Resolution to Refund Tax Overpayment
on Block 154 Lot 20, 227 21st St.**

WHEREAS, Ultima Abstract, remitted a payment for the 2026 Q2 property taxes in the amount of \$824.61 on March 18, 2026 for Block 154 Lot 20; and

WHEREAS, Ultima Abstract erroneously remitted an additional payment on March 18, 2026, resulting in an overpayment, in the amount of \$844.81 for Block 154 Lot 20; and

WHEREAS, Ultima Abstract has requested to be refunded the tax overpayment in the amount of \$844.81 for 227 21st St., Block 154 Lot 20; and

WHEREAS, the Tax Collector desires to refund the 2026 property tax overpayment in the amount of \$844.81 to Ultima Abstract.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, COUNTY OF ESSEX, STATE OF NEW JERSEY that the Township of Irvington Tax Collector is authorized to issue a refund of the 2026 property tax payment in the amount of \$844.81 to Ultima Abstract.

Adopted

Vick – Frederic 6. Reverse Escheated Funds and Refund Premium on Block 270, Lot 14, 65 Cleremont Avenue in the Amount of \$18,300.00

Resolution to Reverse Escheated Funds and Refund Premium

on Block 270 Lot 14, 65 Cleremont Ave.

WHEREAS, a premium in the amount of \$18,300.00 on TSC# 21-00761 was previously identified as escheated funds associated with account reference (4-007); and

WHEREAS, said funds have been reviewed and determined to be attributable to FIG 20, LLC/MARY ROSE 22, LLC in connection with Certified Resolution DRF 24-0325-23; and

WHEREAS, MARY ROSE 22, LLC obtained final judgment November 7, 2022 and judgment was vacated by Court Order on February 12, 2026; and

WHEREAS, it is necessary to correct the allocation of these funds and ensure proper reimbursement; and

WHEREAS, that the escheated amount of \$18,300.00 shall be transferred back to the Premium Account (4-007); and

WHEREAS, the Tax Collector desires to issue a refund in the amount of \$18,300.00 to MARY ROSE 22, LLC from the Premium Account (4-007).

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, COUNTY OF ESSEX, STATE OF NEW JERSEY that the Township of Irvington CFO is authorized to transfer back escheated funds to the Premium Account (4-007) and the Tax Collector is authorized to issue a refund in the amount of \$18,300.00 to MARY ROSE 22, LLC.

Adopted

Vick – Vauss, Jr. 7. Establish Handicapped Parking Spaces in Front of 14 22nd Street, 87 Augusta Street, 178 19th Avenue, 376-378 Union Avenue and 2 Chapman Place

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

WHEREAS, request(s) have been made for restricted parking space(s) in front of
14 22nd Street, 87 Augusta Street, 178 19th Avenue, 376-378 Union Avenue, 2 Chapman Place:

NOW, THEREFORE BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a parking space restricted for use by any person who has been issued a special vehicle identification card pursuant to the provisions of N.J.S.A. 39:4-205, when using a motor vehicle on which is displayed a certificate, for which a special vehicle identification card has been issued pursuant to N.J.S.A. 39:4-206, be established in front of
14 22nd Street, 87 Augusta Street, 178 19th Avenue, 376-378 Union Avenue, 2 Chapman Place:

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

Adopted

Vick – Vauss, Jr. 8. Grant Appeals and Rescind Application Denials Establish Handicapped Parking Spaces in Front 438 Union Avenue, 186 Carolina Avenue, 24 Brighton Terrace, 76 Hillside Terrace, 103 Howard Street, 276 Vermont Avenue, 179 Myrtle Avenue and 176 Hillside 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:
438 Union Avenue, 186 Carolina Avenue, 24 Brighton Terrace, 76 Hillside Terrace, 103 Howard Street, 276 Vermont Avenue, 179 Myrtle Avenue, 176 Hillside 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:
438 Union Avenue, 186 Carolina Avenue, 24 Brighton Terrace, 76 Hillside Terrace, 103 Howard Street, 276 Vermont Avenue, 179 Myrtle Avenue, 176 Hillside Terrace

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

Adopted

Hudley – Vick 9. Remove Handicapped Parking Spaces in Front 83 Harper Avenue, 1012 Sanford Avenue, 83 Orange Avenue, 29 Berkshire Place, 82 Norwood Avenue, 50 Breckenridge Terrace, 33 Olympic Terrace, 108 Washington Avenue, 97 Cummings Street, 92 Headley Terrace, 320 Vermont Avenue, 23 Orange Avenue, 25 Orange Avenue, 51 Breckenridge Terrace, 6 Liberty Street, 147 Hillside Terrace and 118 Cummings Street

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 **83 Harper Avenue, 1012 Sanford Avenue, 83 Orange Avenue, 29 Berkshire Place, 82 Norwood Avenue, 50 Breckenridge Terrace, 33 Olympic Terrace, 108 Washington Avenue, 97 Cummings Street, 92 Headley Terrace, 320 Vermont Avenue, 23 Orange Avenue, 25 Orange Avenue, 51 Breckenridge Terrace, 6 Liberty Street, 147 Hillside Terrace, 118 Cummings Street** and

WHEREAS, it has been determined that the handicapped resident for which the restricted handicap parking space in front of **83 Harper Avenue, 1012 Sanford Avenue, 83 Orange Avenue, 29 Berkshire Place, 82**

Norwood Avenue, 50 Breakenridge Terrace, 33 Olympic Terrace, 108 Washington Avenue, 97 Cummings Street, 92 Headley Terrace, 320 Vermont Avenue, 23 Orange Avenue, 25 Orange Avenue, 51 Breckenridge Terrace, 6 Liberty Street, 147 Hillside Terrace, 118 Cummings Street 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 **83 Harper Avenue, 1012 Sanford Avenue, 83 Orange Avenue, 29 Berkshire Place, 82 Norwood Avenue, 50 Breakenridge Terrace, 33 Olympic Terrace, 108 Washington Avenue, 97 Cummings Street, 92 Headley Terrace, 320 Vermont Avenue, 23 Orange Avenue, 25 Orange Avenue, 51 Breckenridge Terrace, 6 Liberty Street, 147 Hillside Terrace, 118 Cummings Street** 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 **83 Harper Avenue, 1012 Sanford Avenue, 83 Orange Avenue, 29 Berkshire Place, 82 Norwood Avenue, 50 Breakenridge Terrace, 33 Olympic Terrace, 108 Washington Avenue, 97 Cummings Street, 92 Headley Terrace, 320 Vermont Avenue, 23 Orange Avenue, 25 Orange Avenue, 51 Breckenridge Terrace, 6 Liberty Street, 147 Hillside Terrace, 118 Cummings Street.**

Adopted

Vick – Vauss, Jr. 10. Authorize a Service Agreement to Repair Sole Source Ravo Street Sweeper - Northeast Sweepers - Not to Exceed \$50,000.00

AUTHORIZE SERVICE AGREEMENT TO REPAIR SOLE SOURCE RAVO STREET SWEEPER

WHEREAS, Public Works leased two Ravo Street Sweepers to clean various streets in the Township; and

WHEREAS, the maintenance and repair agreement does not include routine repairs and collusion damage; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5(1)(d)(d), parts and services can only be purchased from Northeast Sweepers, 20 Montesano Road, Fairfield, NJ 07004

WHEREAS, the Administration would like to request a sole source exemption for parts and service of the two Ravo Street Sweepers; and

WHEREAS, the Administration would like to award a contract to Northeast Sweepers, 20 Montesano Road, Fairfield, NJ 07004 for an amount not to exceed \$50,000.00

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Irvington in the County of Essex, and State of New Jersey, that Public Works is authorized to purchase parts and service from Northeast Sweepers, 20 Montesano Road, Fairfield, NJ 07004 starting on May 18, 2026 until December 31, 2026 for an amount not to exceed \$50,000.00.

BE IT FUTHER RESLOVED that the required certification of availability of funds C26-0039 in the amount of \$50,000.00 from account number 6-01-26-290-290-118 has been obtained from the Chief Financial Officer.

Adopted

Vick – Vauss, Jr. 11. Authorize a Service Agreement to Repair Sole Source Elgin Pelican Street Sweeper - W.E. Timmerman Co. Inc. - Not to Exceed \$60,000.00

RESOLUTION AUTHORIZING A SERVICE AGREEMENT TO REPAIR SOLE SOURCE ELGIN PELICAN STREET SWEEPER

WHEREAS, Public Works has an Elgin Pelican Street sweepers to clean various streets in the Township; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5(1)(d)(d), parts and services can only be purchased from W.E. Timmerman Co. Inc., P.O Box 71, Whitehouse, NJ 08888; and

WHEREAS, the Administration would like to request a sole source exemption for parts and service for the street sweepers; and

WHEREAS, the Administration would like to award a sole source contract to W.E. Timmerman Co. Inc., P.O Box 71, Whitehouse, NJ 08888 for an amount not to exceed \$60,000.00

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Irvington in the County of Essex, and State of New Jersey, Public Works is authorized to purchase parts and services from to W.E. Timmerman Co. Inc., P.O Box 71, Whitehouse, NJ 08888 for an amount not to exceed \$60,000.00 starting on May 18, 2026 until December 31, 2026.

BE IT FUTHER RESLOVED that the required certification of availability of funds C26-0038 in the amount of \$60,000.00 from account number 6-01-26-290-292-118 has been obtained from the Chief Financial Officer.

Adopted

Hudley – Vick 12. Amend Contract for Lease of Office Space at 50 Union Avenue - Change Lease Period to July 01, 2025 until June 30, 2026

RESOLUTION AMENDING CONTRACT FOR LEASE OF OFFICE SPACE

WHEREAS, the Township awarded a contract for lease of office space on March 10, 2025, to Novus Union LLC, 50 Union Ave, Irvington, NJ 07111; and

WHEREAS, the landlord had to make some renovation to the office space; and

WHEREAS, due to the renovation, the Township did not start the lease until July 01, 2025; and

WHEREAS, the Township would like to adjust the resolution, changing the lease period to July 01, 2025, until June 30, 2026

NOW THEREFORE BE, IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that our contract for lease of office space is hereby amended to July 01, 2025, until June 30, 2026

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

Adopted

Hudley – Vick 13. Approve the Final Disposition of Diaz v. Township of Irvington Worker's Compensation in the Amount of \$19,372.50

**RESOLUTION APPROVING THE FINAL DISPOSITION OF
DIAZ V. TOWNSHIP OF IRVINGTON
WORKER'S COMPENSATION CASE NO: 2019-17824**

WHEREAS, the matter of Edwin Diaz v. Township of Irvington, was filed in the Department of Labor and Workforce Development, Workers Compensation Division under Case Nos: 2019-17824; and

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

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

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that it hereby agrees to a settlement of **Nineteen Thousand Three Hundred Seventy Two and Fifty Cents plus fees (\$19,372.50)** pursuant to the terms of the Settlement Order to be executed by the Judge of the Division of Workers' Compensation; and

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

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

Adopted

Vick – Vauss, Jr. 14. Award a Contract for the 2025 Capital Resurfacing Project Various Road Resurfacing Improvements to JA Alexander Inc. in the Amount of \$545,659.23

**RESOLUTION TO AWARD A CONTRACT FOR THE 2025 CAPITAL RESURFACING
PROJECT VARIOUS ROAD RESURFACING IMPROVEMENTS**

WHEREAS, the Township of Irvington prepared bid documents and publicly bid a project entitled "2025 Capital Road Resurfacing Project"; and

WHEREAS, public bids were advertised in the New Jersey Star Ledger and Municipal website on March 11, 2026

WHEREAS, eight bids were received and opened by the Purchasing Agent and Municipal Clerk on April 01, 2026; and

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WHEREAS, the Consultant Engineer has reviewed all bids and found that the bid of JA Alexander Inc., of 130 John F. Kennedy Drive, North, Bloomfield, NJ 07003 in the amount of \$545,659.23 to be the lowest responsive bid for this project and therefore, recommends the award of this contract to JA Alexander Inc.,

NOW, THEREFORE, BE IT RESOLVED BY MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract in the amount of \$545,659.23 be awarded to JA Alexander Inc., of 130 John F. Kennedy Drive, North, Bloomfield, NJ 07003 for the project “2025 Capital Road Resurfacing Project”

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:34-5.2, the required Certificate of Availability of Funds Number C26-0076 for the above has been obtained from the Chief Financial Officer of the Township of Irvington for the total amount of \$545, 659.23 charged to account number C-04-56-853-D24-904 has been obtained from the Chief Financial Officer.

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

Vick – Antilus 15. Accept FY 2026 Municipal Aid Grant Funds From the New Jersey Department of Transportation (NJDOT) for the Resurfacing of Lincoln Place Project in the Amount of \$447,800.00

A RESOLUTION AUTHORIZING ACCEPTANCE OF FY2026 MUNICIPAL AID GRANT FUNDS FOR THE RESURFACING OF LINCOLN PLACE PROJECT

WHEREAS, the Township of Irvington has been awarded a Fiscal Year 2026 Municipal Aid Grant in the amount of \$447,800 from the New Jersey Department of Transportation (NJDOT) for roadway improvements along Lincoln Place, under grant reference LA-2026 MA Irvington Township Resurfacing of Lincoln Place 07; and

WHEREAS, the project scope includes milling, resurfacing, installation of handicapped compliance ramps, updating of inlets and manholes, curb and sidewalk where directed, installation of street trees and related improvements; and

WHEREAS, NJDOT regulations require that all Fiscal Year 2026 Municipal Aid projects be awarded within two years of the grant notification date, or by October 31, 2028, to avoid forfeiture of funds; and

WHEREAS, the Township Engineer and municipal officials are actively working to advance the project; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Irvington, County of Essex, State of New Jersey, that the Township formally accepts the grant funds from the New Jersey Department of Transportation for the Fiscal Year 2026 Municipal Aid funding for the Resurfacing of Lincoln Place Project.

BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to the following Township of Irvington Departments: Administration, Clerk, Finance, Public Works, Engineering as well as New Jersey Department of Transportation, Division of Local Aid, along with any additional documentation required to support the project.

Adopted

Brown – Vauss, Jr. 16. Authorize A Non-Fair and Open Contract for Engineering Services for the Reading Camp Project - Bayer Risse Engineering Inc. - \$45,000.00

**A RESOLUTION AUTHORIZING A NON-FAIR AND OPEN FOR ENGINEERING SERVICES
FOR THE READING CAMP PROJECT**

WHEREAS, the Township of Irvington, in the County of Essex and State of New Jersey, is in need of Engineering services because the Township Engineer retired; and

WHEREAS, the Township would like to retain the service of Bayer Risse Engineering Inc., to provide Engineering services to Township for the Reading Camp Project; and

WHEREAS, Bayer Risse Engineering Inc has provided the Township with a proposal to provide this service for a total sum of \$45,000.00; 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 May 05, 2026; and

WHEREAS, the Township would like to award a Non Fair and Open contract to Bayer Risse Engineering Inc of 78 Route 173 W Suite 6, Hampton, NJ 08827; and

WHEREAS, the term of this contract will expire on June 09, 2027; and

WHEREAS, , Bayer Risse Engineering Inc 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 , Bayer Risse Engineering Inc 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 Bayer Risse Engineering Inc and,

BE IT FUTHER RESLOVED that the required certification of availability of funds C26-0077 in the amount of \$45,000.00 from account number G-02-xx-869-22A-299 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

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 Section 460-69 Entitled Vacant Properties will be heard at this time. The Clerk will read the notice of hearing.

The Clerk will read the ordinance by title.

AN ORDINANCE AMENDING AND SUPPLEMENTING SECTION 460-69 OF THE REVISED CODE ENTITLED VACANT PROPERTIES

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.

STATUTORY AUTHORITY: This Article is adopted pursuant to N.J.S.A. 40:48-2.12s, which authorizes municipalities to regulate and register vacant and abandoned properties and to impose municipal liens for unpaid registration fees.

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. Annual registration; fees; municipal charge; lien.

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.~~

Any registration fees, or portions thereof, that remain unpaid after the due date shall be considered a municipal charge and shall constitute a municipal lien against the property. Such unpaid fees shall accrue interest at the same rate and in the same manner as unpaid property taxes, and the Township may enforce the collection of such liens, including interest and penalties, through the tax sale process in accordance with the Tax Sale Law, N.J.S.A. 54:5-1 et seq.

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.

D. Notice, contest, certification, and collection.

1. Notice of delinquency.

Before any charge becomes a lien under subsection C, the Township shall mail written notice of delinquency by certified mail and regular mail to the Owner at the last address shown on the municipal tax records and any additional address reasonably known to the Township. The notice shall state:

- (a) The amount due;**
- (b) The basis for the charge;**
- (c) The date on which the charge will become a lien if not paid or successfully contested;**
- (d) The right to contest the charge under this subsection;**
- (e) The name and contact information of the Township official designated to receive appeals.**

2. Opportunity to contest.

The Owner shall have 10 days from the date the notice is mailed to either:

- (a) Pay the amount due in full; or**
- (b) File a written appeal with the Public Officer or designee.**

Failure to timely contest the charge shall constitute a waiver of the right to contest the amount or validity of the charge, except to the extent otherwise required by law.

3. Review of appeal.

The Public Officer or designee shall review the appeal and issue a written determination affirming, modifying, or vacating the charge. The determination shall be mailed to the Owner at the address used for notice.

4. Certification of lien.

If the charge remains unpaid after expiration of the notice period, or after an adverse final determination on appeal, the Public Officer, Director of Housing, or designee shall certify the unpaid amount to the Tax Collector. The certification shall include:

- (a) The block and lot number and other property identification;
- (b) The name and address of the Owner;
- (c) The amount due, including any authorized interest, penalties, or costs;
- (d) A copy of the notice of delinquency and proof of mailing;
- (e) The disposition of any appeal.

5. Recording and enforcement.

Upon receipt of a valid certification, the Tax Collector shall enter the unpaid amount as a municipal lien on the tax records and shall enforce the lien in the same manner as other municipal charges collectible under the tax sale law.

6. Prima facie evidence.

A certification executed by the Public Officer, Director of Housing, or designee, together with the records of the Tax Collector, shall constitute prima facie evidence of the existence, amount, and validity of the lien, subject to any defenses available under applicable law.

The Public Hearing on this ordinance is now open.

No public member requested to be heard.

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

Adopted

Vick – Vauss, Jr. Motion to Adopt this ordinance on Second Reading.

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 Members Antilus, Brown, Dr. Frederic, Dr. Hudley, Vauss Jr., and Vick thanked all participants for attending the meeting. Council Member Vick indicated that he is working on an ordinance amending leaf pick-up. Council President Beasley addressed the concerned presented by Mr. Shaw Sr. and Mr. Gatewood, and she concluded the meeting by thanking her Council Colleagues and residents that participated in the meeting.

13. ADJOURNMENT (*Roll Call)

There being no further business, the meeting adjourned at 7:45 P.M.

Jamillah Z. Beasley, Council President

Shawna M. Supel, Municipal Clerk