

TOWNSHIP OF IRVINGTON



MUNICIPAL COUNCIL MEETING MINUTES AUGUST 10, 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)

No members of the public requested to be heard.

5. HEARING OF COUNCIL MEMBERS

No Council Members requested to be heard.

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

A. Reports

1. Township Attorney Ramon Rivera, Esq. – Report of the July 6, 2026 Legal Committee Meeting
2. IT Supervisor Brittnay Hayes – Report of the July 7, 2026 Technology Committee Meeting
3. Recreation Director Donald Malloy - Report of the July 9, 2026 Recreation Committee Meeting
4. Business Administrator Musa Malik – Report of the July 16, 2026 Finance Committee Meeting
5. Recreation Director Donald Malloy - Report of the July 23, 2026 Recreation Committee Meeting
6. Township Attorney Ramon Rivera, Esq. – Report of the July 20, 2026 Legal Committee Meeting
7. HR Manager Machere Johnson - Report of the July 28, 2026 Human Resources Committee Meeting
8. Business Administrator Musa Malik – Report of the July 30, 2026 Special Finance Committee Meeting
9. Qualified Purchasing Agent Althea Headley – Resolution Accepting the 2025 Irvington Public Library Audit
10. Planning Board Secretary Dorinda Francis-McKenzie – Planning Board Resolution Recommending That Block 112, Lots 1 and 4, Block 113, Lots 7 Through 16, and Block 160, Lots 1 Through 21 be Designated a Non-Condemnation Area in Need of Redevelopment
11. Township Attorney Ramon Rivera, Esq. – Report of the August 3, 2026 Legal Committee Meeting
12. Keyboarding Clerk II Jenilee Jean-Pierre – Report of the July 17, 2026 Sanitation Committee Meeting
13. 2024 Municipal Audit Report

7. REPORTS OF COMMITTEES

- A. July 15, 2026 ~ Request for Proposals – Independent Hearing Officer and Special Assessment
- B. July 29, 2026 ~ Bid – Solid Waste and Recyclable

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 – Brown 1. An Ordinance Amending and Supplementing Chapter 428 Entitled Parks and

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 428 OF THE REVISED
CODE ENTITLED PARKS AND RECREATION**

ARTICLE I

General Regulations

[Adopted 9-25-1984 by Ord. No. MC 2747 (Ch. 136, Art. II, of the 1981 Revised Code)]

§ 428-1. Purpose.

The purpose of this article is to provide rules and regulations for the use of and conduct in the parks and recreation areas of the Township of Irvington.

§ 428-2. Applicability; designation of approving agency.

This article shall apply to and in all parks and recreation areas under the jurisdiction of the Township, unless expressly exempted. For the issuance of permits, temporary designations, authorizations, granting of approval and other actions, the approving agency shall be the Department of Parks and Recreation.

§ 428-3. Construal of provisions.

In the interpretation of this article, the provisions shall be construed as follows:

- A. Any requirement or prohibition of any act shall respectively extend to and include the causing and procuring, directly or indirectly, of such act.
- B. No provision hereof shall make unlawful any act necessarily performed by any officer or employee of the Township in the line of duty or work as such, or by any person, his agent or employees in the proper and necessary execution of the terms of any agreement with the Township.
- C. Any act otherwise prohibited by this article shall be lawful if performed under, by virtue of and strictly within the provisions of a permit so to do and to the extent authorized thereby.

§ 428-4. Definitions.

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

ANIMAL — Includes cats, dogs, horses, any fowl or birds and any living creatures within the jurisdiction of the park and recreation area.

DIRECTOR — The Director of the Department of Parks and Recreation.

PARK ATTENDANT — Any person employed by the Township as a park attendant to perform duties or tasks within the park and recreation areas.

PERMIT — Any written license issued by or under the authority of the Director permitting a special event or activity on park facilities.

PERSON — Any natural person, corporation, company, association, firm or partnership.

VEHICLE — Any conveyance (except baby carriages), including motor vehicles, trailers of all types, campers, tricycles, bicycles, motorized or not, sleds, sleighs, pushcarts or vehicles propelled by other than muscular power.

§ 428-5. Structures, plants, trees, earth and rubbish.

It shall be unlawful for any person in a public park or recreation area to:

- A. Mark, deface, disfigure, injure, tamper with or displace or remove any buildings, bridges, tables, benches, playground equipment, fireplaces, railings, fences, nets, paving or paving materials, waterlines or other public utilities or parts or appurtenances thereof, signs, notices or placards, whether temporary or permanent, monuments, stakes, posts or other boundary markers or other structures or equipment, facilities or park property or appurtenances whatsoever, whether real or personal.
- B. Fail to cooperate in maintaining rest rooms and washrooms in a neat and sanitary condition.
- C. Dig or remove any soil, rock, sand, stones, trees, shrubs or plants or other wood or materials or make any excavation by tool, equipment or other means or agency.
- D. Construct or erect any building or structure of whatever kind, whether permanent or temporary, or run or string any public service utility into, upon or across such lands, except on special written permit issued hereunder.
- E. Damage, cut, carve, mark or remove any plant or injure the bark or pick flowers of any tree or plant, dig in or otherwise disturb grass areas or in any other way injure the natural beauty or usefulness of any area.
- F. Climb any tree or shrub or climb, stand or sit upon monuments, vases, planters, fountains, railings, fences or upon any other property not designated or customarily used for such purpose.
- G. Attach any rope or cable or other contrivance to any tree, fence, railing, bridge, bench or other structure.
- H. Throw, discharge or otherwise place or cause to be placed in the water in or adjacent to any park or any tributary, stream, storm sewer or drain flowing into such water any substance, matter or thing, liquid or solid, which will or may result in the pollution of said waters.
- I. Take into, carry through or put into any park any rubbish, refuse, garbage or other material. Such refuse and rubbish shall be deposited in receptacles so provided. Where receptacles are not provided, all such rubbish or waste will be carried away from the park by the person responsible for its presence and properly disposed of elsewhere.
- J. Bring any glass container into any park or recreation area.
- K. Cause or permit any animal to run loose.
- L. Tie or hitch any animal to any tree or plant.
- M. Violate any of the provisions of §§ 397-1 through 397-3, inclusive (noise), of the Revised Code regarding prohibited noises.

§ 428-6. Vehicles.

It shall be unlawful for any person in a public park or recreation area to:

- A. Drive any vehicle on any area.
- B. Park a vehicle anywhere except on a designated parking area.
- C. Leave a bicycle in a place other than a bicycle rack when such is provided and there is space available.
- D. Leave a bicycle lying on the ground or paving or set against trees or in any place or position where other persons may trip over or be injured by them.

- E. Wash any vehicle.
- F. Use the parks, park drives, parking places or parkways for the purpose of demonstrating any vehicles or for the purpose of instructing another to drive or operate any vehicle, nor shall any person use any park area, including parking places, for the repairing or cleaning of any vehicle, except in an emergency.
- G. Cause or permit a vehicle in tow of another vehicle to enter the parks or proceed therein, except that in case of a breakdown a disabled vehicle may be towed to the nearest exit; or operate or drive a vehicle containing any person or object projecting or hanging outside of or beyond the sides or the rear thereof.

§ 428-7. Firearms and weapons.

It shall be unlawful for any person other than a law enforcement officer to bring into or have in his possession in any park or recreation area any destructive device or weapon as defined in N.J.S.A. 2C:39-1.

§ 428-8. Explosives and fireworks; smoking.¹

- A. It shall be unlawful for any person to have in his possession, sell, distribute or set off any fireworks or explosives.
- B. No smoking in public parks; penalties. **[Added 3-13-2001 by Ord. No. MC 3165]**
 - (1) The smoking of cigarettes, e-cigarettes, cigars or pipes at Township public parks within the Township of Irvington is hereby prohibited. The appropriate signage of no smoking at all in the Township public parks will be installed by the Recreation Department of the Township. Complaints may be issued by any citizen or enforcement officer. **[Amended 8-6-2013 by Ord. No. MC 3499]**
 - (2) Unless otherwise provided by law, statute or ordinance, any person violating the above prohibition shall, upon conviction thereof, pay a penalty of not less than \$50 nor more than \$100 for each such offense. Any person under the age of 18 convicted of the offense herein shall not be subject to a fine but shall be required to perform community service or attend an educational program, as determined by the Municipal Court Judge.²

§ 428-9. Advertising, assemblages and entertainment.

- A. No person shall post, paint, affix, distribute, deliver, place, cast or leave about any bill, billboard, placard, ticket, handbill, circular or advertisement.
- B. No person shall do any of the following without a permit, provided that no permit shall be required for any action or event sponsored by the Township:
 - (1) Display any advertising signs or other advertising matter, provided that a sign attached to a vehicle to identify the vehicle or a sign lawfully on a taxi or bus is not prohibited.
 - (2) Operate for advertising purposes any musical instrument, soundtrack or drum.
 - (3) Hold public assemblages.
 - (4) Conduct exhibitions.

- (5) Hold a parade.

§ 428-10. Sale of merchandise.

No person shall expose or offer for sale any article in any park or recreation area without a license.

§ 428-11. Fires and lighted materials.

No person shall kindle, build, maintain or use a fire except in places provided for such purposes. Any fire shall be continuously under the care and direction of a competent person from the time it is kindled until it is extinguished. No person shall throw away or discard any lighted match, cigar, cigarette, tobacco, paper or other material within or against any building, boat or vehicle or under any tree or in underbrush.

§ 428-12. Alcoholic beverages, alms and gambling.

While in a public park or recreation area, no person shall:

- A. Bring alcoholic beverages or drink or use the same at any time, nor shall any person be under the influence of intoxicating liquor.
- B. Solicit contributions for any purpose, whether public or private.
- C. Play any game of chance or have possession of any instrument or device for gambling.
- D. Play, engage or take part in any game or competitive sport for money or other valuable thing without a written permit.

§ 428-13. Additional prohibited acts.

It shall be unlawful for any person in a park or recreation area to:

- A. Camp or stay overnight.
- B. Utilize any outlet, fixture or other power source to charge or power any device without written authorization from the Township of Irvington.
- C. Take part in the playing of any games involving thrown or otherwise propelled objects except in those areas designated for such forms of recreation.
- D. Play football, baseball, basketball, soccer or lacrosse, except in areas designed for such games.
- E. Roller-skate or use skateboards except in those areas specifically designated for such pastimes.
- F. Enter an area posted as "closed to the public."
- G. Sit on, stand on or otherwise physically occupy any memorial, statue or monument and maintain a distance of less than 10 feet from any such object.
- H. Fail to produce and exhibit any permit he claims to have, upon request of any authorized person who shall desire to inspect the same for the purpose of enforcing compliance with any ordinance or rule.
- I. Disturb or interfere unreasonably with any person or party occupying any area or participating in any activity under the authority of a permit.
- J. Erect or occupy any tent, stand or other structure in any park or playground or sell or give away from any such tent, stand or other structure any food, drink or other thing without a permit.

§ 428-14. Picnics.

It shall be unlawful for any person or group of persons to hold a picnic in any park, except in areas set aside or specifically designated as picnic areas. A permit must be secured for any picnic with more than 10 participants. The consumption of drinks and/or food shall be prohibited in Military Park (Springfield Avenue).

§ 428-15. Closing hours. [Amended 11-13-1996 by Ord. No. MC 3045; 12-26-1996 by Ord. No. MC 3052; 3-15-2011 by Ord. No. MC 3434]

A. No person shall be in any park after the closing hours of parks as follows:

- (1) During eastern standard time, November through February, 7:30 a.m. to 6:00 p.m.
- (2) During daylight saving time, March, April, May, 7:30 a.m. to 9:00 p.m.
- (3) During June through October, 7:30 a.m. to 9:00 p.m.
- (4) Military Park (Springfield Avenue) hours shall be from 9:00am to 5:00pm all year.

B. All supervised Township of Irvington organized recreational teams are hereby exempt from the park closing hours as included in this chapter.

§ 428-16. Regulated activities.

The following activities are permitted only at times and in areas so designated for that purpose and are prohibited elsewhere within the parks:

- A. Baseball.
- B. Horseshoe pitching.
- C. Tennis.
- D. Picnicking.
- E. Football and track.
- F. Basketball.
- G. Soccer.
- H. Roller-skating.

§ 428-17. Permits.

A. Permits for special events in parks and recreation areas shall be obtained by application to the Director or his designee in accordance with the following procedure:

- (1) A person seeking issuance of a permit hereunder shall file an application stating:
 - (a) The name and address of the applicant.
 - (b) The name and address of the person, persons, corporation or association sponsoring the activity, if any.
 - (c) The day and hours for which the permit is desired.
 - (d) The park or portion thereof for which the permit is desired.

- (e) Any other information reasonably necessary to make a determination as to whether a permit should be issued hereunder.
 - (f) Variances required from park rules and regulations.
- (2) Standards for issuance of a use permit shall include the following findings:
 - (a) That the proposed activity or use of the park will not unreasonably interfere with or detract from the general public's enjoyment of the park.
 - (b) That the proposed activity and use will not unreasonably interfere with or detract from the promotion of public health, welfare, safety and recreation.
 - (c) That the proposed activity or uses that are reasonably anticipated will not induce violence, crime or disorderly conduct.
 - (d) That the proposed activity will not entail extraordinary or burdensome expense to the Township, including police protection.
 - (e) That the facilities desired have not been reserved for other use on the date and hour requested in the application.
- B. Appeal. Within 10 days after the receipt of any application, the Director shall advise an applicant in writing of his decision to grant or deny a permit. In the event of a denial, the notification shall include the reason for the denial. Any aggrieved person shall have the right to appeal to the Township by serving written notice thereof on the Township Clerk within five business days of said refusal. A copy of said notice shall also be served on the Director within the same time, and said Director shall immediately forward the application and the reasons for his refusal to the Municipal Council. The Municipal Council shall hear and decide the matter within 14 days from the receipt of the appeal by the Township Clerk or at its first meeting after the appeal is received, whichever is later.
- C. A permittee shall be bound by all park rules and regulations and all applicable ordinances as fully as though the same were inserted in said permit.
- D. An applicant for a permit shall be required to submit evidence of liability insurance covering injuries to members of the general public arising out of such permitted activities in such amounts as may be from time to time determined by the Director prior to the commencement of any activity or issuance of any permit.
- E. Revocation. The Director shall have the authority to revoke a permit upon a finding of violation of any rule or ordinance or upon good cause shown.

§ 428-18. Enforcement. [Amended 10-14-2015 by Ord. No. MC 3553]

The Township Public Safety Department, the Director and any park attendant shall have the authority to order any person or persons acting in violation of this article to leave the park and recreation area.

§ 428-19. Violations and penalties.

- A. Any person, association or corporation who shall violate the provisions of §§ 428-5, 428-6, 428-9, 428-10, 428-14, 428-15, and 428-16 shall, upon conviction, be fined not less than \$250 for each violation nor more than \$1,000 or imprisoned for a term not to exceed 90 days, or both, at the discretion of the court. Upon a second or subsequent conviction, any person, association

or corporation who shall violate the provisions of §§ 428-5, 428-6, 428-9, 428-10, 428-14, 428-15, and 428-16 shall be fined not less than \$100 nor more than \$1,000 or imprisoned for a term not to exceed 90 days, or both, at the discretion of the court.

- B. Any person, association or corporation who shall violate the provisions of §§ 428-7, 428-8, 428-11, 428-12 and 428-13 shall, upon conviction, be fined not less than \$100 for each violation nor more than \$1,000 or imprisoned for a term not to exceed 90 days, or both, at the discretion of the court.

Adopted

Hudley – Brown 2. An Ordinance Allowing Residential Permit Parking on Coit Street between Clinton Avenue and Nye Avenue, Odd Number House Numbers Only, Seven Days a Week, 24 Hours a Day

AN ORDINANCE PROVIDING RESIDENTIAL PARKING PERMITS ON COIT STREET BETWEEN CLINTON AVENUE AND NYE AVENUE, ODD NUMBER HOUSE NUMBERS ONLY, SEVEN DAYS A WEEK, 24 HOURS A DAY

WHEREAS, the Township of Irvington has received concerns from its residents concerning the availability of resident parking on Coit Street between Clinton Avenue and Nye Avenue, odd number house numbers only, seven days a week, 24 hours a day; and

WHEREAS, the difficulty of the residents in these area to locate parking at or near their homes has caused undue hardship on the residents of this area.

NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that parking shall be restricted and a parking permit required for residents of Coit Street between Clinton Avenue and Nye Avenue, odd number house numbers only, seven days a week, 24 hours a day.

Resident's vehicles must receive and display a valid parking permit provided by the Township of Irvington; and

Vehicles parked in violation of this ordinance will be subject to towing and the vehicle owners shall be subject to a fine as set forth in Chapter 1, General Provisions, Article III; and

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

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

Adopted

Antilus – Brown 3. An Ordinance Allowing Residential Permit Parking on Bross Place between 38th Street and Stuyvesant Avenue, Seven Days a Week, 6:00 PM to 6:00 AM

AN ORDINANCE PROVIDING RESIDENTIAL PARKING PERMITS ON BROSS PLACE BETWEEN 38TH STREET AND STUYVESANT AVENUE, SEVEN DAYS A WEEK, 6:00 PM TO 6:00 AM

WHEREAS, the Township of Irvington has received concerns from its residents concerning the availability of resident parking on Bross Place between 38th Street and Stuyvesant Avenue, Seven Days a Week, 6:00 PM to 6:00 AM; and

WHEREAS, the difficulty of the residents in these area to locate parking at or near their homes has caused undue hardship on the residents of this area.

NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that parking shall be restricted and a parking permit required for residents of Bross Place between 38th Street and Stuyvesant Avenue, Seven Days a Week, 6:00 PM to 6:00 AM.

Resident's vehicles must receive and display a valid parking permit provided by the Township of Irvington; and

Vehicles parked in violation of this ordinance will be subject to towing and the vehicle owners shall be subject to a fine as set forth in Chapter 1, General Provisions, Article III; and

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

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

Adopted

Vick – Brown 4. An Ordinance Amending and Supplementing Section 365-25 Entitled Fees and Escrow Deposits

AN ORDINANCE AMENDING AND SUPPLEMENT SECTION 365-25 OF THE REVISED CODE ENTITLED FEES AND ESCROW DEPOSITS

§ 365-25. Fees and escrow deposits.

A. Development application fees. [Amended 8-11-1987 by Ord. No. MC 2834; 3-8-1988 by Ord. No. MC 2849; 6-14-1988 by Ord. No. MC 2859; 12-12-1995 by Ord. No. MC 3027; 12-14-1999 by Ord. No. MC 3134; 8-14-2001 by Ord. No. MC 3176; 5-28-2003 by Ord. No. MC 3221; 9-9-2003 by Ord. No. MC 3233; 10-12-2005 by Ord. No. MC 3306; 12-29-2009 by Ord. No. MC 3413; 4-21-2016 by Ord. No. MC 3568; 9-12-2017 by Ord. No. MC 3616]

(1) There is hereby established in connection with various applications for development and other matters which are the subjects of Chapter 365, Land Use Procedures, the following schedule of fees:

(a) Redeveloper's application fee.

[1] Each redeveloper's application shall be accompanied by an application filing fee. The filing fee is a nonrefundable flat fee to cover administrative expenses associate with processing the application.

[2] The redeveloper application fee is \$500 for each application submitted to the Department of Economic Development and Grants Oversight for review and consideration.

(b) Subdivisions and site plans.

- [1] Each application for subdivision or site plan approval shall be accompanied by both a filing fee and a technical review fee as provided below. The filing fee is a nonreturnable flat fee to cover administrative expenses. The technical review fee is established to cover the costs, legal, engineering and other professional services connected with the review of the application. Each deposit for technical review fees shall be held by the Township in a trust account separate from the general funds of the Township and separate from any other such account. Sums not utilized in the review process shall be returned to the applicant. If additional sums are deemed necessary, the applicant shall be notified as to the required additional amount and shall add such sum to the trust account.

Type	Filing Fee	Technical Review Fee
Concept plan	\$500	See § 365-25D through K
Minor subdivision:		See § 365-25D through K
Simple lot line change	\$350	
Other	\$500	
Major subdivision:		See § 365-25D through K

Type	Filing Fee	Technical Review Fee
Preliminary plat	\$1,500	
Final plat	\$800	
Site plans:		See § 365-25D through K
Minor	\$600	
Major preliminary	\$850	
Final	\$600	
Preliminary (multifamily)	\$800	
Final (multifamily)	\$600	
Site plan waiver	\$300	

- [2] Requisitions for concurrent approvals shall pay combined fees.
- (c) Conditional and temporary uses: \$350 plus applicable subdivision or site plan fee.
- (d) Variances and appeals.
 - [1] Errors or refusals:
 - [a] Appeals from decision of a Construction or Zoning Official pursuant to errors or refusals: \$450.
 - [b] Error or refusal: hear and decide appeals where it is alleged by the appellant that there is error in any order, requirement, decision or refusal made by an administrative officer based on or made in the enforcement of the zoning regulations.
 - [2] Exceptions or interpretations.
 - [a] Interpretation of the Zoning Map or the zoning regulations or for decisions on other special questions pursuant to exceptions or interpretations: \$800.
 - [b] Exceptions or interpretations: hear and decide, in accordance with the provisions of Chapter 365, Land Use Procedures, requests for interpretation of the Zoning Map or the zoning regulations or for decisions upon other special questions upon which the Board is authorized to pass by any zoning regulation or official map ordinance.
 - [3] Variance of area or yard requirements.
 - [a] Variances pursuant to variance of area or yard requirements from lot area, dimensional, setback and yard requirements: \$150 per variance.
 - [b] Variance of area or yard requirements where, by reason of exceptional narrowness, shallowness or shape of a specific piece or property or by reason of exceptional topographic conditions or by reason or other extraordinary and exceptional situation or condition of such piece of property, the strict application of any regulation of Chapter 365, Land Use Procedures, would result in peculiar and exceptional practical difficulties or to exceptional and undue hardship upon the developer of such property, grant, upon an application or an appeal relating to such property, a variance from such strict application of such regulation so as to relieve any difficulties or hardships, including a variance for a conditional use; provided, however, that no variance shall be granted under this subsection to allow a structure or use in a district restricted against such structure or use; and provided further that the proposed development does not require approval by the Planning Board of a subdivision, site plan or conditional use in conjunction with which the Planning Board shall review a request for a variance pursuant to Chapter 365, Land Use Procedures.
 - [4] Variance of use regulations.
 - [a] Variances from use regulations pursuant to variance of use regulations: \$880
 - [b] Variance of use regulations: in particular cases and for special reasons, grant a

variance to allow departure from regulations pursuant to Chapter 650, Zoning, including but not limited to allowing a structure or use in a district restricted against such structure or use, but only by affirmative vote of at least five members of the Board of Adjustment.

[5] Building permits.

[a] Buildings in streets or other areas.

- [i] Issuance of a permit for a building or structure in the bed of a mapped street or public drainageway, flood control basin or public area reserved on an Official Map: \$550.
- [ii] Building permit for a building in a mapped street or other area: direct issuance of a building permit for the construction of a building or structure within the bed of a mapped street or public drainageway, flood control basin or public area as shown on a duly adopted official map ordinance of the municipality whenever one or more parcels of land within said bed cannot yield a reasonable return to the owner unless a building permit is granted. The Board may grant such relief only by an affirmative vote of a majority of the full authorized membership of the Zoning Board of Adjustment, ensuring that such relief will tend to cause a minimum change of the Official Map and will not significantly add to the cost of opening any proposed street. The Board shall impose reasonable requirements as a condition of granting the building permit so as to promote the health, morals, safety and general welfare of the public.

[b] Buildings not related to a street.

- [i] Issuance of a permit for a building or structure not related to a street: \$300.
- [ii] Building permit for a building not related to a street: direct issuance of a building permit for the construction of a building or structure on a lot not abutting a street which is shown on a duly adopted Official Map of the municipality or which is an existing state, county or municipal street or highway, a street shown upon a plat approved by the Municipal Planning Board or a street on a plat duly filed in the office of the county recording officer. The Board may grant such relief only where the enforcement of the statute requirement, that a building lot abut a street, would entail practical difficulty or necessary hardship, or where the circumstances of the case do not require the building or structure to abut a street. The Board shall impose requirements or conditions that will provide adequate access for firefighting equipment, ambulances and other emergency vehicles necessary for the protection of health and safety and will protect any future street layout shown on the Official Map or on the general circulation plan element of the Municipal Master Plan.

- (e) The fees in Subsection A(1)(d) inclusive above shall be in addition to any applicable fee in connection with a subdivision or site plan as provided in Subsection A(1)(b).
- (f) Appeals to the Township Council: \$550.

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- (g) Copy of decision of governing body to interested party in connection with an appeal: \$75.
- (h) Publication in newspaper of decision of governing body on an appeal: cost of publication.
- (2) Where one application for development includes more than one approval request, the sum of the individual required fees shall be paid.
- (3) If an applicant desires a certified court reporter, the cost of taking testimony and transcribing it and providing a copy of the transcript to the Township shall be at the expense of the applicant who shall also arrange for the reporter's attendance.
- (4) Carbon monoxide alarms; gas-fired, oil boiler or hot water heaters.
 - (a) The fee for inspection of one to 20 carbon monoxide alarms shall be \$50.
 - (b) The fee for inspection of more than 20 carbon monoxide alarms shall be \$100.
 - (c) When a gas-fired or oil boiler or hot water heater is newly installed or replaced the fee should be appropriately charged.
- (5) The fee for the approval or denial of a zoning permit application shall be: **[Amended 5-15-2018 by Ord. No. MC 3642]**
 - (a) Residential structure, one to three dwelling units: \$60.
 - (b) Commercial use(s) or mixed uses: \$100.
- (6) Fences permits.
 - (a) Residential structure, one to four dwelling units: \$100.
 - (b) Commercial use(s) or mixed uses: \$200.
- B. An additional fee, to be known as a hearing fee, shall be paid by the applicant to the official stenographer designated by each Board¹ in accordance with § 365-26E hereinbelow.
- C. Fees for any service by the Planning Board or Zoning Board of Adjustment or any member of their administrative staffs which are not otherwise provided for by ordinance may be provided for as part of the rules of the Board and copies of said rules or of the separate fee schedule shall be available to the public. Such fees may be altered from time to time to maintain their relationship to all costs incurred directly or indirectly by the Town of Irvington with respect to said applications or services.
- D. Escrow deposits for professional services. **[Added 9-12-2017 by Ord. No. MC 3616]**
 - (1) The reviewing board shall require fees for technical and/or professional services and testimony employed to the board in reviewing an application, including the review services of the Director of Public Works, Township Planner, Board Attorney, Board Consultant, any other Township official and such other experts as may be deemed necessary (i.e., traffic, environmental, soils, etc.).
 - (2) Fees for technical and professional services shall be in addition to any and all other required fees. **[Amended 5-15-2018 by Ord. No. MC 3642]**

Type	Fee
Concept plan	\$200

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Type	Minor subdivision/simple lot change	\$300
	Major subdivision/preliminary plat	\$150 per lot width with a minimum of \$1,500
	Final plat	\$60 per lot with a minimum of \$600
	Site plans	
	Minor	\$300
	Major (preliminary)	\$50 per 1,000 square feet of lot area or fraction thereof; \$50 per 1,000 square feet of floor area or fraction thereof; Minimum review fee: \$750
	Major (final)	\$ 25 per 1,000 square feet of lot area or fraction thereof; \$ 20 per 1,000 square feet of floor area or fraction thereof; Minimum review fee: \$500
	Preliminary (multifamily)	\$150 per dwelling unit
	Final (multifamily)	\$80 per dwelling unit; minimum review fee \$500

E. Submission of escrow deposits. **[Added 9-12-2017 by Ord. No. MC 3616]**

- (1) Initial escrow deposit for applicants applying to the Board for an one to three family unit the escrow deposit is \$6,500 and the initial escrow deposit for all other applicants will be \$10,000. The applicant shall submit the required escrow deposit to the Planning or Zoning Board of Adjustment Secretary prior to the application being reviewed for completeness. No application shall be determined complete, reviewed by professional staff or placed on the agenda for public hearing until the required escrow deposit is paid.
- (2) Required escrow deposits shall be in the form of a money order or certified check payable to the Township of Irvington.

F. Escrow for informal review. **[Added 9-12-2017 by Ord. No. MC 3616]**

- (1) Whenever an applicant requests an informal review of an application for development involving technical or professional advisors, an escrow deposit shall be required in accordance with the schedule for formal applications. The deposit must be received prior to professional review.
- (2) Any escrow deposit received for informal review shall be credited to the required escrow deposit for formal applications. The cost for professional services involved in the informal review shall be considered part of the formal application review and charged to the escrow account.

G. Review of escrow deposit amount. **[Added 9-12-2017 by Ord. No. MC 3616]**

- (1) Prior to making a determination of completeness upon any application, the Board shall review said application to determine whether the escrow amount set forth above is sufficient. If the amount set forth is determined insufficient by the reviewing board to cover professional costs

anticipated for the application, additional funds in the amount of 33 1/3% of the initially required escrow fee shall be deposited by the applicant prior to declaring the application complete. The application shall not be declared complete or placed on the agenda for public hearing until such additional escrow deposit is received.

- (2) Further additional escrow deposit fees may be required at any time upon determination by the reviewing board. All approvals shall be conditional upon receipt of such additional fees deposited by the applicant in increments of 1/3 of the initially required escrow fee, when and as determined necessary by the reviewing board.
- H. Appeal of escrow deposit. In the event that the applicant believes the escrow deposit to be unreasonable, the Planning Board or the Board of Adjustment shall hear and decide whether such fees are reasonable, and the applicant may appeal the decision of the Planning Board or Board of Adjustment to the governing body, provided that the applicant shall provide the governing body such transcripts of the Planning Board or Board of Adjustment hearing on fees at his cost, and such hearing shall be on record. The governing body shall set a hearing date, with notice to all parties, and the applicant shall provide a court-certified stenographer to record said hearing. The governing body may reverse a Planning Board or Board of Adjustment decision only if the Board's decision is not sustained by the preponderance of the evidence. **[Added 9-12-2017 by Ord. No. MC 3616]**
- I. Escrow accounts over \$10,000; conditions. Whenever an amount of money in excess of \$10,000 shall be deposited by an applicant with the municipality for professional services employed by the municipality to review applications, the money, until repaid or applied to the purposes for which it is deposited, including the applicant's portion of the interest earned thereon, except as otherwise provided for herein, shall continue to be the property of the applicant and shall be held in trust by the municipality. Money deposited shall be held in escrow. The municipality shall deposit it in a banking institution or savings and loan association in this state insured by an agency of the federal government or in any other funds or depository approved for such deposits by the state in an account bearing interest at the minimum rate currently paid by the institution or depository time on savings deposits. The municipality shall notify the applicant, in writing, of the name and address of the institution or depository in which the deposit is made and the amount of the deposit. The municipality shall not refund an amount of interest paid on a deposit which does not exceed \$100 for the year. If the amount of the interest exceeds \$100, that entire amount shall belong to the applicant and shall be refunded to him by the municipality at the time the deposit is repaid or applied to the purpose for which it was deposited, as the case may be; except that the municipality will retain for administrative expenses a sum equivalent to no more than 33 1/3 % of that entire amount which shall be in lieu of all other administrative and custodial expenses. **[Added 9-12-2017 by Ord. No. MC 3616]**
- J. Accounting of escrow deposits. In the event that any applicant desires an accounting of the expenses or fees paid by him for professional review, he shall request such in a letter directed to the Secretary of the Planning Board or Board of Adjustment. The applicant shall be responsible for any costs incurred by the Planning Board or the Board of Adjustment in having its professional and administrative staff prepare an accounting of the fees expended. Such additional amount as may be required for said accounting shall be paid to the Planning Board or Board of Adjustment prior to issuance of a certificate of occupancy in the event that there are insufficient escrow funds to pay for said accounting. **[Added 9-12-2017 by Ord. No. MC 3616]**
- K. Refunds. All escrow funds described herein shall be utilized by the appropriate board to pay the cost of any technical and/or professional services incurred by the Board for review and/

or testimony in connection with the particular application. All funds not expended shall be refunded to the applicant within 60 days after the final determination by the appropriate board with respect to such application. No amount shall be refunded prior to certification by the Board Secretary that said application has been finally determined. **[Added 9-12-2017 by Ord. No. MC 3616]**

L. Special meeting request fee. [Added 10-10-2023 by Ord. No. MC 3843]

- (1) The fee for a special meeting request of the Planning Board or Zoning Board shall be \$ 5,000 per application, per meeting.
- (2) The following meeting attendees shall receive the stipends listed below for attending said special meeting:
 - (a) Board member: \$125 stipend.
 - (b) Board Secretary: \$250 stipend.
 - (c) Stenographer: \$300 stipend.
- (3) At the conclusion of the meeting the Board Secretary shall submit a detailed document of who attended the meeting and what stipend they shall receive in addition to any other compensation from the Township.
- (4) The request for a special meeting must be made in writing from the applicant via e-mail/ hard mail. A certified check or money order in the amount of \$5,000 made payable to the Township of Irvington must be submitted at the same time of the special meeting.

Adopted

Vick – Brown 5. An Ordinance Amending and Supplementing Chapter 460, Article VII
Titled, “Vacant Properties”

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 460, ARTICLE
VII OF THE MUNICIPAL CODE ENTITLED, “VACANT PROPERTIES”**

BE IT ORDAINED by the Municipal Council of the Township of Irvington, that Chapter 460, Article VII of the Irvington Municipal Code is amended as follows, as indicated by strikethroughs for deletions and underlining for insertions:

§ 460-69. Definitions; registration required; fee. [Amended 6-27-2017 by Ord. No. 3611; 3-13-2018 by Ord. No. MC 3635; 6-26-2018 by Ord. No. MC 3656; 2-9-2026 by Ord. No. MC 3932; 2-23-2026 by Ord. No. MC 3933]

Definitions:

VACANT REAL PROPERTY — Any parcel of land located within the Township, ~~whether improved or unimproved, including but not limited to:~~ that meets one or more of the following descriptions:

1. ~~Any~~ building or structure which is not legally occupied or at which all lawful business operations have ceased, except that an active lawful effort to renovate, redevelop or fit out the building or structure for a new tenancy shall constitute lawful business operations.
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, or several contiguous parcels of land constituting one single economic unit, that has no structure, a partially built structure (Construction upon which lawful construction or demolition was initiated on the property and but was discontinued prior to completion, leaving the a building unsuitable for occupancy, and no construction has taken place in accordance with the permits issued), either a partially constructed structure or a partially demolished structure, or both.

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. [Amended 6-26-2018 by Ord. No. MC 3656; 2-9-2026 by Ord. No. MC 3932; 2-23-2026 by Ord. No. MC 3933]

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. ¹All 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. However, the terms of this Paragraph shall not apply to any property which is the active subject of legislation approved by the Municipal Council designating a redeveloper for a proposed redevelopment project, where the vacant parcel was formerly owned by the Township and conveyed to said redeveloper or any of its affiliates, successors or assigns, for purposes of commencing and completing said redevelopment project. In such a case, maintenance of such a vacant parcel shall be enforced in accordance with the terms of any redevelopment agreement or financial agreement which may then be in force.

Adopted

Antilus – Hudley 6. An Ordinance Amending and Supplementing Section 158-24 Entitled “Distance of Premises From Churches and Schools”

AN ORDINANCE AMENDING § 158-24 OF THE TOWNSHIP CODE ENTITLED “DISTANCE OF PREMISES FROM CHURCHES AND SCHOOLS” TO PROHIBIT NEW ALCOHOLIC BEVERAGE LICENSED PREMISES WITHIN 1,000 FEET OF SCHOOLS, DAY-CARE CENTERS, HOUSES OF WORSHIP, AND CHILD-SENSITIVE USES

BE IT ORDAINED by the Municipal Council of the Township of Irvington, County of Essex, State of New Jersey, that § 158-24 of the Township Code is hereby amended and replaced as follows:

§ 158-24. Distance of alcoholic beverage licensed premises from schools, day-care centers, houses of worship, and child-sensitive uses.

A. Prohibition.

No new retail alcoholic beverage license, place-to-place transfer, relocation, expansion of licensed premises, reactivation of an inactive license at a new location, or approval of package-goods or off-premises alcoholic beverage sales shall be issued, approved, or permitted for any premises located within **1,000 feet** of any protected use.

B. Protected uses.

For purposes of this section, “protected use” shall include any public, private, charter, parochial, or vocational school; preschool; nursery school; day-care center; child-care facility; youth center; playground; public park; public library; church; mosque; synagogue; temple; house of worship; or any property primarily used for the education, care, supervision, recreation, worship, or gathering of children.

C. Measurement.

The 1,000-foot distance shall be measured by the shortest straight-line horizontal distance from **any point on the property line or boundary of the proposed licensed premises to any point on the property line or boundary of the protected use.** For schools, day-care centers, playgrounds, parks, and child-sensitive uses, the protected boundary shall include schoolyards, playgrounds, athletic fields, outdoor play areas, recreation areas, parking areas, and any other portion of the property used in connection with the protected use.

Distance shall not be measured doorway-to-doorway. If any portion of the proposed licensed premises or property is within 1,000 feet of any portion of a protected use or protected property, the application shall be prohibited under this section.

D. Applicant's burden.

Any applicant seeking approval of a license, transfer, relocation, expansion, reactivation, or off-premises/package-goods sales shall bear the burden of proving compliance with this section. The Township may require a certified survey, site plan, or distance certification prepared by a New Jersey licensed land surveyor, engineer, planner, zoning officer, or other qualified professional acceptable to the Township.

E. Existing lawful licensed premises.

This section shall not prohibit the renewal of any alcoholic beverage license lawfully existing and operating at the same licensed premises prior to the effective date of this ordinance, provided that the licensed premises remains in continuous lawful operation and in compliance with all applicable federal, state, county, and municipal laws, regulations, and license conditions.

Nothing herein shall prohibit a lawful person-to-person transfer of an existing grandfathered license at the same licensed premises, provided that the licensed use is not expanded, relocated, reactivated at a new location, or altered to increase alcoholic beverage sales privileges within the restricted area.

F. Loss of grandfathered protection.

A grandfathered premises shall lose protection under this section if the license is relocated, transferred place-to-place, expanded, surrendered, revoked, abandoned, or allowed to lapse, except where continued protection is required by controlling state law or final action of the New Jersey Division of Alcoholic Beverage Control.

G. No waiver for child-sensitive uses.

No waiver, variance, exception, consent, or other relief shall be granted to permit any new licensed premises, transfer, relocation, expansion, reactivation, or package-goods/off-premises sales within 1,000 feet of a school, preschool, day-care center, child-care facility, youth center, playground, public park, public library, or other child-sensitive protected use.

H. Construction.

This section is intended to protect the health, safety, welfare, and quality of life of the Township's children, families, schools, neighborhoods, and places of worship. This section shall be construed as an additional municipal restriction to the fullest extent permitted by law and shall not be construed to reduce or limit any restriction imposed by state law, including N.J.S.A. 33:1-76.

I. Severability.

If any portion of this section is determined to be invalid, the remaining portions shall remain in full force and effect.

J. Effective date.

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

Adopted

B. Ordinances on Second Reading

None

C. Bills & Claims

Vick - Frederic 1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE TOWNSHIP OF IRVINGTON FOR A PERIOD **AUGUST 10, 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	\$14,037,680.03
TOTAL	\$14,037,680.03

Adopted

Vauss, Jr. - Frederic 2. Payroll(s)

Payroll Date: July 24, 2026	
TOTAL	\$2,418,450.39

Payroll Date: August 7, 2026	
TOTAL	\$2,341,703.66

Adopted

9. RESOLUTIONS AND MOTIONS

A. Resolutions

Vick – Frederic 1. Accept NJ Department of Health, Office of Local Public Health Childhood Lead Program (CLEP 2026 – 2027) Grant Award in the Amount of \$940,687.00

**RESOLUTION TO ACCEPT
NJ DEPARTMENT OF HEALTH, OFFICE OF LOCAL PUBLIC HEALTH
CHILDHOOD LEAD PROGRAM (CLEP 2026 – 2027) GRANT AWARD**

WHEREAS, on July1 2026, P.I. 2017, c7 required the New Jersey Department of Health (NJDOH) regulations regarding elevated blood levels in children, and appropriate responses, to be consistent with the Centers for Disease Control and Prevention (CDC) recommendations.

WHEREAS, the New Jersey Department of Health, Office of Local Public Health, Childhood Lead Program has made available to the Township of Irvington Department of Health assistance to implement screening, case

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management, environmental interventions, and documentation of services for children with elevated blood lead levels, in accordance with N.J.A.C. 8:51;

WHEREAS, said assistance is from July 1, 2026, through June 30, 2027, and is designated for the Irvington Health Department of Health's Childhood Lead Exposure Prevention Program (CLEPP) targeting children younger than 17 years of age with a capillary blood lead level at or above the actionable blood lead level, as prescribed in N.J.A.C. 8:51A.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Mayor, Business Administrator and Chief Financial Officer be hereby authorized to accept the funding from the New Jersey Department of Health, Office of Local Public Health; Childhood Lead Program in the amount of \$940,687 from July 1, 2026, through June 30, 2027.

Adopted

Hudley – Frederic 2. Accept NJ Department of Health, Division of Local Public Health Local Public Health Infrastructure Grant (PHIG) Program 2027 in the Amount of \$119,372.00

**RESOLUTION TO ACCEPT
NJ Department of Health – Division of Local Public Health (DLPH)
Local Public Health Infrastructure Grant (PHIG) Program 2027**

WHEREAS, on July 1, 2026, the Township of Irvington, Department of Health was awarded funds in the amount of \$119,372 from the NJDOH DLPH to support strengthening public health across Irvington.

WHEREAS, the NJDOH DLPH has awarded grant funds to the Township of Irvington, Department of Health for strengthening public health across Irvington. The terms and conditions of this award for the Local Public Health Infrastructure Grant (PHIG) Program 2027 have been set forth for grant period effective July 1, 2026, through November 30, 2027.

NOW, THEREFORE, BE RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Mayor, Business Administrator and Chief Financial Officer are hereby authorized to accept and utilize the Public Health Infrastructure Grant funding from the NJDOH DLPH awarded to the Irvington Department of Health for strengthening public health across Irvington.

Adopted

Vick – Hudley 3. Award of a Fair and Open Contract for the Lease of Office Space at 50 Union Avenue - Novus Union LLC - Yearly Amount Not to Exceed \$49,560.00

**RESOLUTION AUTHORIZING THE AWARD OF A FAIR AND OPEN CONTRACT FOR THE
LEASE OF OFFICE SPACE**

WHEREAS, sealed bids were received on July 01, 2026, for Lease of Office Space in response to published advertisement for bids in the New Jersey Star Ledger on June 12, 2026; and

WHEREAS, one bid was received and opened by the Municipal Clerk and the Purchasing Agent; and

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WHEREAS, the bid received was reviewed according to the New Jersey Local Public Contract law, and referred to the Public Safety Director for review and recommendation; and

WHEREAS, the Public Safety Director has recommend that an award be made to Novus Union LLC of 50 Union Ave, Irvington, NJ 07111 for the lease of office space; and

WHEREAS, this lease agreement is for one year starting July 01, 2026 until June 30, 2027; and,

WHEREAS, the landlord, Novus Union LLC will be paid a monthly sum of \$4,130.00 for the rental of the office space and the Township; and,

NOW THEREFORE, BE IT RESOLVED that the Municipal Council of the Township of Irvington authorizes the award of a lease contract to Novus Union LLC of 50 Union Ave, Irvington, NJ 07111 for a yearly amount not to exceed \$49,560.00; and,

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 RESOLVED that the required Certification of Availability of Funds, certification number C26-0102 was obtained from the Chief Financial Officer for the first month of service for an amount of \$4,130.00 and the appropriation to be charged for this expenditure is 6-01-25-240-240-130 and the remaining balance of \$45,430.00 will be obtained from the Chief Financial Officer upon the adoption of the 2026 and 2027 Municipal Budget.

Adopted

Vick – Vauss, Jr. 4. Authorize Treatment Works Approval to RPM Development, LLC for the Proposed Construction of New Residential Units Located at 101-141 Union Avenue and 610-644 Nye Avenue

WHEREAS, RPM Development, LLC, the developer of the property located at 101-141 Union Avenue and 610-644 Nye Avenue, also known as Block 283, Lot 2; Block 284, Lot 1; Block 285, Lot 2 within the Township of Irvington, has applied for a Treatment Works Approval for the construction of a 208 unit, 2-story structure to be constructed on this property; and

WHEREAS, the Zoning Board of the Township of Irvington has previously approved this project; and

WHEREAS the requirements of the New Jersey Department of Environmental Protection (NJDEP) require that any project that generates more than 8,000 gallons per day requires a Treatment Works Approval, the first portion of which is to obtain the approval of the owner of the collection system, which in this case is the Township; and

WHEREAS, the applicant's engineer, Mr. Micheal V. Weseloski, P.E., of Shore Point Engineering, LLC has prepared an engineering report for this project entitled "Engineer's Sanitary Sewerage Report for RPM Development LLC, 101-141 Union Avenue and 610-644 Nye Avenue, also known as Block 283, Lot 2; Block 284, Lot 1; Block 285, Lot 2 within the Township of Irvington, Essex County, New Jersey" prepared by Frank H. Lehr Associates, dated March 12, 2026, last revised June 16, 2026 and consisting of twenty-two (22) pages which indicates that the Township's sanitary sewer has adequate capacity to receive this sewage; and

WHEREAS, the Township Engineer has reviewed the above study and concurs in the conclusions in this study and recommends that a Treatment Works Approval be approved for this project.

NOW, THEREFORE, BE IT RESOLVED BY MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a Treatment Works Approval be granted to RPM Development, LLC for the proposed construction of new residential units located at 101-141 Union Avenue and 610-644 Nye Avenue, also known as Block 283, Lot 2; Block 284, Lot 1; Block 285, Lot 2 within the Township of Irvington and that the Consulting Township Engineer be authorized to endorse this application on behalf of the Township

Adopted

Vick – Brown 5. Authorize Treatment Works Approval to 21st Street Urban Renewal, LLC for the Proposed Construction of New Residential Units Located at 734-748 Springfield Avenue

WHEREAS 21st Street Urban Renewal, LLC, the developer of the property located at 734-749 Springfield Avenue, also known as Block 137 Lots 1, 2, 4, 5, 25-30 within the Township of Irvington, has applied for a Treatment Works Approval for the construction of a 156 unit, 6-story structure to be constructed on this property; and

WHEREAS, the Planning Board of the Township of Irvington has previously approved this project; and

WHEREAS the requirements of the New Jersey Department of Environmental Protection (NJDEP) require that any project that generates more than 8,000 gallons per day requires a Treatment Works Approval, the first portion of which is to obtain the approval of the owner of the collection system, which in this case is the Township; and

WHEREAS, the applicant's engineer, Mr. Richard Adelsohn, P.E., of Frank H. Lehr Associates has prepared an engineering report for this project entitled "Sanitary Sewerage Calculations for Proposed Residential Development, 21st Street Urban Renewal LLC, 734-748 Springfield Avenue, Township of Irvington, Essex County, New Jersey" prepared by Frank H. Lehr Associates, dated March 12, 2026, last revised June 22, 2026 and consisting of 10 pages which indicates that the Township's sanitary sewer has adequate capacity to receive this sewage; and

WHEREAS, the Township Engineer has reviewed the above study and concurs in the conclusions in this study and recommends that a Treatment Works Approval be approved for this project.

NOW, THEREFORE, BE IT RESOLVED BY MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a Treatment Works Approval be granted to 21st Street Urban Renewal, LLC for the proposed construction of new residential units located at 734-748 Springfield Avenue, also known as Block 137 Lots 1, 2, 4, 5, 25-30, within the Township of Irvington and that the Township Engineer be authorized to endorse this application on behalf of the Township

Adopted

Vick – Brown 6. Award a Fair and Open Contract to ARH Associates for Planner Services - Not to Exceed \$150,000.00

A RESOLUTION AWARDING A FAIR AND OPEN CONTRACT TO ARH ASSOCIATES FOR PLANNER SERVICES

WHEREAS, the Request for Proposals for professional Planner Services was publicly advertised in the New Jersey Star Ledger on May 22, 2026, with a deadline for proposals to be submitted on June 17, 2026; and

WHEREAS, three qualifications were received from Hyer, Gruel & Associates PA, Neglia and ARH Associates and publicly opened by the Purchasing Agent and the Municipal Clerk; and

WHEREAS, said qualifications were referred to the Community Development and Planning Director; and

WHEREAS, the Community Development and Planning Director have recommended award should be made to the following firm:

ARH Associates
215 Bellevue Ave, Hammonton, NJ

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Professional Planner be awarded to ARH Associates of 215 Bellevue Ave, Hammonton, NJ, on the basis of their response to the request for proposal selection criteria and qualifications, for an amount not to exceed \$150,000.00 for one year starting on August 11, 2026 until August 10, 2027

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 RESOLVED that the required certification of availability of funds C26-0074 in the amount of \$5,000.00 from account number T-18-56-860-100-299 has been obtained from the Chief Financial Officer for the first month payment and the remaining balance of \$145,000.0 will be certified upon the adoption of the 2026 and 2027 budgets.

Adopted

Antilus – Frederic 7. Refund Tax Overpayment on 6-8 Sharon Avenue, Block 208, Lot 13 in the Amount of \$9,142.46

**Resolution to Refund Tax Overpayment
on Block 208 Lot 13, 6-8 Sharon Ave**

WHEREAS, 6 Sharon Ave NJ LLC is the owner of 6-8 Sharon Ave, Block 208 Lot 13; and

WHEREAS, 6 Sharon Ave NJ LLC remitted a payment in the amount of \$9,142.46 on May 1, 2026 for the 2026 Q2 taxes on Block 208 Lot 13; and

WHEREAS, Corelogic (on behalf of Northfield Bank) remitted a payment in the amount of \$9,142.46 on May 6, 2026 for the 2026 Q2 taxes on Block 208 Lot 13; and

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WHEREAS, Northfield Bank has requested a refund of duplicate taxes paid in the amount of \$9,142.46 for 6-8 Sharon Ave on Block 208 Lot 13; and

WHEREAS, the Tax Collector desires to refund the tax overpayment in the amount of \$9,142.46 to Northfield Bank.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, COUNTY OF ESSEX, STATE OF NEW JERSEY that the Township of Irvington Tax Collector is authorized and directed to refund the overpaid taxes to Northfield Bank, in the amount of \$9,142.46.

Adopted

Beasley – Vick 8. Resolution of Sorrow – Cynthia Su’ad Brown, Municipal Clerk of the City of East Orange

**RESOLUTION OF SORROW
CYNTHIA SU’AD BROWN
MUNICIPAL CLERK
CITY OF EAST ORANGE**

WHEREAS, the Municipal Council of the Township of Irvington wishes to express their deep sorrow on the passing of Cynthia Su’ad Brown, Municipal Clerk of the City of East Orange on August 1, 2026; and

WHEREAS, Cynthia was born on April 23, 1955, in Newark, New Jersey, to Thomas L. and Marjorie Brown. She attended Catholic elementary and middle schools before graduating from Weequahic High School in 1972. Following graduation, she completed the Professional Secretarial Program at Berkeley Secretarial School in East Orange. She later earned a Bachelor of Arts degree in Criminal Justice from Rutgers University–Newark; and

WHEREAS, in 1974, Cynthia began a distinguished career in municipal government with the City of East Orange as a Clerk Stenographer in the Department of Neighborhood Facilities. Through unwavering dedication, professionalism, and a steadfast commitment to public service, she advanced through the ranks while earning professional certifications in administrative support and municipal government. Former Mayor John C. Hatcher Jr. appointed her Rent Leveling Administrator. She was subsequently appointed by the East Orange City Council as Director of the Council's Administrative Office and later served as Administrative Clerk in the Office of the City Clerk. Former Mayor Cardell Cooper appointed her Deputy City Clerk, and she was subsequently reappointed to that position by former Mayor Robert L. Bowser; and

WHEREAS, Cynthia earned the designation of New Jersey Registered Municipal Clerk in 1997 and became a Certified Municipal Clerk through the International Institute of Municipal Clerks in 2000. In 1998, she made history when the East Orange City Council appointed her as the first Muslim to serve as a Municipal Clerk in the State of New Jersey; and

WHEREAS, throughout her distinguished career, Cynthia demonstrated exceptional leadership within the municipal clerk profession. She held numerous leadership positions in the Essex County Municipal Clerks Association, culminating in her election as President in 2004. She was also an active member of the New Jersey State Municipal Clerks' Association, where she served as Chair of the Scholarship Committee, supporting future generations of Municipal Clerks; and

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WHEREAS, Cynthia's trailblazing career and unwavering dedication to public service earned her widespread recognition as an exemplary public servant and community leader. Her many honors included recognition from the Essex County League of Muslim Voters, the Shirley Chisholm Award presented by the late Lieutenant Governor Sheila Y. Oliver, the Unsung Hero Award from the NAACP of the Oranges & Maplewood, and numerous other commendations celebrating her outstanding leadership, service, and lasting contributions to her community; and

WHEREAS, Cynthia's deep faith in Islam guided every aspect of her life and inspired her lifelong commitment to compassion and service. She was a devoted member of the Essex County Muslim community and faithfully worshipped at Masjid As'Haabul Yameen in East Orange, where she was a founding member of the Women's Auxiliary and served on the Elders Council. She was also a founding member and past President of the Coalition of Muslims in Government, an organization dedicated to supporting Muslim public servants and promoting civic engagement. At the time of her passing, she was serving as Executive Board Chairwoman of the Council on American-Islamic Relations–New Jersey (CAIR-NJ); and

WHEREAS, through every role she held, Cynthia worked tirelessly to foster understanding, advocate for justice, and uplift the communities she served, leaving an enduring legacy of leadership, integrity, and compassion; and

WHEREAS, Cynthia leaves to cherish her memory her devoted daughter, Najah Hadiyah Akbar; her beloved grandchildren, Na'ilah and Halim; her cousins, Jamal R. Brown (Janet) and Alana; her nephew, Justin; her adopted nephew, Andre N. Virgil, Jr.; and a host of extended family members, cherished friends, colleagues, and all whose lives were enriched by the privilege of knowing her:

NOW THEREFORE BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington hereby mourns the passing of Cynthia Su'ad Brown and extends our most sincerest condolences to her family and friends during this period of bereavement; and

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of this Governing Body in lasting tribute to Cynthia Su'ad Brown.

Adopted

Frederic – Hudley 9. Ratify and Approve the Provisions of LEAD SAFE Irvington Program Funds in the Amount Not to Exceed \$12,320.00 for 14 Hazel Place, 1st Floor – Senatach Contracting LLC

RESOLUTION FOR LEAD SAFE IRVINGTON PROGRAM

WHEREAS, the Township of Irvington has been awarded Office of Lead Hazard Control and Healthy Homes (OLHCHH) funds by the Department of Housing and Urban Development (HUD) and it has obligated funds for the purpose of financing its LEAD SAFE Irvington Program administered by the Department of Economic Development and Grants Oversight; and

WHEREAS, the Township of Irvington, Department of Economic Development and Grants Oversight has identified that the applicant, who is the owner of 14 Hazel Place, 1ST Floor, Irvington, New Jersey, 07111 is eligible to receive assistance through the LEAD SAFE Irvington Program per the Township's policies and procedures; and

WHEREAS the Contractor was selected through a competitive BID to perform the Remediation work is Senatach Contracting LLC and shall be disbursed to the Contractor for the benefit of the applicant; and,

WHEREAS, the Department of Economic Development and Grants Oversight has contacted all the contractors on resolution number EDGO 26-0622-21 dated June 22, 2026 and (6) six contractors Senatach, EnviroScience Solutions LLC, A Lead Professional Group, Absolute JM Services LLC, Total Abatement and A-Arcalenz LLC provided quotes for the required work. (1) one contractor Sunil Chillar dba AII Lead NJ submitted a signed and dated Decline to Bid forms. and,

NOW, THEREFORE, BE RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington does ratify and approve the provision of LEAD SAFE Irvington funds to the applicant(s) in the amount not to exceed \$12,320.00 for a period of affordability of five (5) years; and

BE IT FURTHER RESOLVED that the aforesaid funds of \$12,320.00 will be disbursed into one (1) installment in the amount of \$12,320.00 each installment after review of work performed and proof of funds expended to facilitate the remediation; and

BE IT FURTHER RESOLVED that the aforesaid funds are to be used for the remediation of the subject property and related soft cost associated with the remediation of the subject property as set forth in Senatach Contracting LLC (Scope of Work), attached hereto for the premises known as, 14 Hazel Pl. 1st Floor, Irvington, New Jersey 07111, and owned by homeowner Tawana Jean-Baptiste; and

BE IT FURTHER RESOLVED that any such funds not expended in the remediation and related soft cost associated with the remediation of the subject property in accordance with adopted policy and procedures shall be recaptured by the TOWNSHIP OF IRVINGTON for use in assisting other HUD/OLHCHH Program applicant(s); and

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:34-5.2, the required Certificate of Fund Req. No. C26-0134 in the amount of \$12,320.00 for the above has been obtained from the Chief Financial Officer of the Township of Irvington. The appropriation to be charged for this expenditure is Account No. G-02-XX-716-24B-188 in the amount of \$12,320.00.

Adopted

Frederic – Hudley 10. Ratify and Approve the Provisions of LEAD SAFE Irvington Program Funds in the Amount Not to Exceed \$9,050.00 for 14 Hazel Place, 2nd Floor – A-Arcalenz LLC

RESOLUTION FOR LEAD SAFE IRVINGTON PROGRAM

WHEREAS, the Township of Irvington has been awarded Office of Lead Hazard Control and Healthy Homes (OLHCHH) funds by the Department of Housing and Urban Development (HUD) and it has obligated funds for the purpose of financing its LEAD SAFE Irvington Program administered by the Department of Economic Development and Grants Oversight; and

WHEREAS, the Township of Irvington, Department of Economic Development and Grants Oversight has identified that the applicant, who is the owner of 14 Hazel Place, 2nd Floor, Irvington, New Jersey, 07111 is

eligible to receive assistance through the LEAD SAFE Irvington Program per the Township's policies and procedures; and

WHEREAS the Contractor was selected through a competitive BID to perform the Remediation work is A-Arcalenz and shall be disbursed to the Contractor for the benefit of the applicant; and,

WHEREAS, the Department of Economic Development and Grants Oversight has contacted all the contractors on resolution number EDGO 26-0622-21 dated June 22, 2026, and (5) five contractors, EnviroScience Solutions LLC, A Lead Professional Group, Absolute JM Services LLC, Total Abatement and A-Arcalenz LLC provided quotes for the required work. (2) two contractors Sunil Chillar dba AII Lead NJ and Tarfa Atsaga dba Senatach Contracting LLC submitted a signed and dated Decline to Bid forms. and,

NOW, THEREFORE, BE RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington does ratify and approve the provision of LEAD SAFE Irvington funds to the applicant(s) in the amount not to exceed \$9,050.00 for a period of affordability of five (5) years; and

BE IT FURTHER RESOLVED that the aforesaid funds of \$9,050.00 will be disbursed into one (1) installment in the amount of \$9,050.00 each installment after review of work performed and proof of funds expended to facilitate the remediation; and

BE IT FURTHER RESOLVED that the aforesaid funds are to be used for the remediation of the subject property and related soft cost associated with the remediation of the subject property as set forth in A-Arcalenz LLC (Scope of Work), attached hereto for the premises known as, 14 Hazel Pl. 2nd Floor, Irvington, New Jersey 07111, and owned by homeowner Tawana Jean-Baptiste; and

BE IT FURTHER RESOLVED that any such funds not expended in the remediation and related soft cost associated with the remediation of the subject property in accordance with adopted policy and procedures shall be recaptured by the TOWNSHIP OF IRVINGTON for use in assisting other HUD/OLHCHH Program applicant(s); and

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:34-5.2, the required Certificate of Fund Req. No. C26-0131 in the amount of \$9,050.00 for the above has been obtained from the Chief Financial Officer of the Township of Irvington. The appropriate amount to be charged for this expenditure is Account No. G-02-XX-716-24B-188 in the amount of \$9,050.00.

Adopted

Vauss, Jr. – Frederic 11. Ratify and Approve the Provisions of LEAD SAFE Irvington Program Funds in the Amount Not to Exceed \$34,350.00 for 18 Liberty Street, 1st Floor – Total Abatement LLC

RESOLUTION FOR LEAD SAFE IRVINGTON PROGRAM

WHEREAS, the Township of Irvington has been awarded Office of Lead Hazard Control and Healthy Homes (OLHCHH) funds by the Department of Housing and Urban Development (HUD) and it has obligated funds for the purpose of financing its LEAD SAFE Irvington Program administered by the Department of Economic Development and Grants Oversight; and

WHEREAS, the Township of Irvington, Department of Economic Development and Grants Oversight has identified that the applicant, who is the owner of 18 Liberty Street, 1st Floor, Irvington, New Jersey, 07111 is eligible to receive assistance through the LEAD SAFE Irvington Program per the Township’s policies and procedures; and

WHEREAS the Contractor was selected through a competitive BID to perform the Remediation work is Chike J Onyenankeya dba Total Abatement & Construction LLC and shall be disbursed to the Contractor for the benefit of the applicant; and,

WHEREAS, the Department of Economic Development and Grants Oversight has contacted all the contractors on resolution number EDGO 26-0622-21 and (5) five contractors A-Arcalenz, EnviroScience Solutions LLC, A Lead Professional Group, Absolute JM Services LLC and Total Abatement provided quotes for the required work and (2) two contractors Senatach and Sunil Chillar dba AII Lead NJ submitted signed and dated Decline to Bid forms. and,

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington does ratify and approve the provision of LEAD SAFE Irvington funds to the applicant(s) in the amount not to exceed \$34,350.00 for a period of affordability of five (5) years; and

BE IT FURTHER RESOLVED THAT the aforesaid funds of \$34,350.00 will be disbursed in one (1) installment in the amount of \$34,350.00 each installment after review of work performed and proof of funds expended to facilitate the remediation; and

BE IT FURTHER RESOLVED that the aforesaid funds are to be used for the remediation of the subject property and related soft cost associated with the remediation of the subject property as set forth in Total Abatement LLC (Scope of Work), attached hereto for the premises known as 18 Liberty Street, 1ST Floor, Irvington, New Jersey 07111, and owned by homeowner Juan Duran Campos; and

BE IT FURTHER RESOLVED that any such funds not expended in the remediation and related soft cost associated with the remediation of the subject property in accordance with adopted policy and procedures shall be recaptured by the TOWNSHIP OF IRVINGTON for use in assisting other HUD/OLHCHH Program applicant(s); and

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:34-5.2, the required Certificate of Fund Req. No. C26-0128 in the amount of \$34,350.00 for the above has been obtained from the Chief Financial Officer of the Township of Irvington. The appropriation to be charged for this expenditure is Account No. G-02-XX-716-24B-188 in the amount of \$34,350.00.

Adopted

Vauss, Jr. – Hudley 12. Ratify and Approve the Provisions of LEAD SAFE Irvington Program Funds in the Amount Not to Exceed \$36,050.00 for 18 Liberty Street, 2nd Floor – Total Abatement LLC

RESOLUTION FOR LEAD SAFE IRVINGTON PROGRAM

WHEREAS, the Township of Irvington has been awarded Office of Lead Hazard Control and Healthy Homes (OLHCHH) funds by the Department of Housing and Urban Development (HUD) and it has obligated funds

for the purpose of financing its LEAD SAFE Irvington Program administered by the Department of Economic Development and Grants Oversight; and

WHEREAS, the Township of Irvington, Department of Economic Development and Grants Oversight has identified that the applicant, who is the owner of 18 Liberty Street, 2nd Floor, Irvington, New Jersey, 07111 is eligible to receive assistance through the LEAD SAFE Irvington Program per the Township's policies and procedures; and

WHEREAS the Contractor was selected through a competitive BID to perform the Remediation work is Chike J Onyenankaya dba Total Abatement & Construction LLC and shall be disbursed to the Contractor for the benefit of the applicant; and,

WHEREAS, the Department of Economic Development and Grants Oversight has contacted all the contractors on resolution number EDGO 26-0622-21 and (5) five contractors A-Arcalenz, EnviroScience Solutions LLC, A Lead Professional Group, Absolute JM Services LLC and Total Abatement provided quotes for the required work and (2) two contractors Senatach and Sunil Chillar dba AII Lead NJ submitted signed and dated Decline to Bid forms. and,

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington does ratify and approve the provision of LEAD SAFE Irvington funds to the applicant(s) in the amount not to exceed \$36,050.00 for a period of affordability of five (5) years; and

BE IT FURTHER RESOLVED THAT the aforesaid funds of \$36,050.00 will be disbursed in one (1) installment in the amount of \$36,050.00 each installment after review of work performed and proof of funds expended to facilitate the remediation; and

BE IT FURTHER RESOLVED that the aforesaid funds are to be used for the remediation of the subject property and related soft cost associated with the remediation of the subject property as set forth in Total Abatement LLC (Scope of Work), attached hereto for the premises known as 18 Liberty Street, 2nd Floor Irvington, New Jersey 07111, and owned by homeowner Ida Watson; and

BE IT FURTHER RESOLVED that any such funds not expended in the remediation and related soft cost associated with the remediation of the subject property in accordance with adopted policy and procedures shall be recaptured by the TOWNSHIP OF IRVINGTON for use in assisting other HUD/OLHCHH Program applicant(s); and

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:34-5.2, the required Certificate of Fund Req. No. C26-0130 in the amount of \$36,050.00 for the above has been obtained from the Chief Financial Officer of the Township of Irvington. The appropriation to be charged for this expenditure is Account No. G-02-XX-716-24B-188 in the amount of \$36,050.00.

Adopted

Hudley – Frederic	13. Ratify and Approve the Provisions of LEAD SAFE Irvington Program Funds in the Amount Not to Exceed \$21,900.00 for 88 Smith Street, 1 st Floor – EnviroScience Solutions LLC
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RESOLUTION FOR LEAD SAFE IRVINGTON PROGRAM

WHEREAS, the Township of Irvington has been awarded Office of Lead Hazard Control and Healthy Homes (OLHCHH) funds by the Department of Housing and Urban Development (HUD) and it has obligated funds for the purpose of financing its LEAD SAFE Irvington Program administered by the Department of Economic Development and Grants Oversight; and

WHEREAS, the Township of Irvington, Department of Economic Development and Grants Oversight has identified that the applicant, who is the owner of 88 Smith Street, 1st Floor, Irvington, New Jersey, 07111 is eligible to receive assistance through the LEAD SAFE Irvington Program per the Township's policies and procedures; and

WHEREAS the Contractor was selected through a competitive BID to perform the Remediation work is EnviroScience LLC and shall be disbursed to the Contractor for the benefit of the applicant; and,

WHEREAS, the Department of Economic Development and Grants Oversight has contacted all the contractors on resolution number EDGO 26-0622-21 dated June 22, 2026, and (6) six contractors Senatach, EnviroScience Solutions LLC, A Lead Professional Group, Absolute JM Services LLC, Total Abatement and A-Arcalenz LLC provided quotes for the required work. (1) one contractor Sunil Chillar dba AII Lead NJ submitted a signed and dated Decline to Bid forms. and,

NOW, THEREFORE, BE RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington does ratify and approve the provision of LEAD SAFE Irvington funds to the applicant(s) in the amount not to exceed \$21,900.00 for a period of affordability of five (5) years; and

BE IT FURTHER RESOLVED that the aforesaid funds of \$21,900.00 will be disbursed into one (1) installment in the amount of \$21,900.00 each installment after review of work performed and proof of funds expended to facilitate the remediation; and

BE IT FURTHER RESOLVED that the aforesaid funds are to be used for the remediation of the subject property and related soft cost associated with the remediation of the subject property as set forth in EnviroScience Solutions LLC (Scope of Work), attached hereto for the premises known as, 88 Smith Street 1st Floor, Irvington, New Jersey 07111, and owned by homeowner Reinhardt Vilson and

BE IT FURTHER RESOLVED that any such funds not expended in the remediation and related soft cost associated with the remediation of the subject property in accordance with adopted policy and procedures shall be recaptured by the TOWNSHIP OF IRVINGTON for use in assisting other HUD/OLHCHH Program applicant(s); and

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:34-5.2, the required Certificate of Fund Req. No. C26-0132 in the amount of \$21,900.00 for the above has been obtained from the Chief Financial Officer of the Township of Irvington. The appropriate account to be charged for this expenditure is Account No. G-02-XX-716-24B-188 in the amount of \$21,900.00.

Adopted

Vauss, Jr. – Hudley 14. Ratify and Approve the Provisions of LEAD SAFE Irvington Program Funds in the Amount Not to Exceed \$20,710.00 for 88 Smith Street, 2nd Floor – Senatach Contracting LLC

RESOLUTION FOR LEAD SAFE IRVINGTON PROGRAM

WHEREAS, the Township of Irvington has been awarded Office of Lead Hazard Control and Healthy Homes (OLHCHH) funds by the Department of Housing and Urban Development (HUD) and it has obligated funds for the purpose of financing its LEAD SAFE Irvington Program administered by the Department of Economic Development and Grants Oversight; and

WHEREAS, the Township of Irvington, Department of Economic Development and Grants Oversight has identified that the applicant, who is the owner of 88 Smith Street, 2nd Floor, Irvington, New Jersey, 07111 is eligible to receive assistance through the LEAD SAFE Irvington Program per the Township's policies and procedures; and

WHEREAS the Contractor was selected through a competitive BID to perform the Remediation work is Senatach Contracting LLC and shall be disbursed to the Contractor for the benefit of the applicant; and,

WHEREAS, the Department of Economic Development and Grants Oversight has contacted all the contractors on resolution number EDGO 26-0622-21 dated June 22, 2026, and (6) six contractors Senatach Contracting LLC, EnviroScience Solutions LLC, A Lead Professional Group, Absolute JM Services LLC, Total Abatement and A-Arcalenz LLC provided quotes for the required work. (1) one contractor Sunil Chillar dba AII Lead NJ submitted a signed and dated Decline to Bid forms. and,

NOW, THEREFORE, BE RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington does ratify and approve the provision of LEAD SAFE Irvington funds to the applicant(s) in the amount not to exceed \$20,710.00 for a period of affordability of five (5) years; and

BE IT FURTHER RESOLVED that the aforesaid funds of \$20,710.00 will be disbursed into one (1) installment in the amount of \$20,710.00 each installment after review of work performed and proof of funds expended to facilitate the remediation; and

BE IT FURTHER RESOLVED that the aforesaid funds are to be used for the remediation of the subject property and related soft cost associated with the remediation of the subject property as set forth in Senatach Contracting LLC, (Scope of Work), attached hereto for the premises known as, 88 Smith Street 2nd Floor, Irvington, New Jersey 07111, and owned by homeowner Reinhardt Vilson and

BE IT FURTHER RESOLVED that any such funds not expended in the remediation and related soft cost associated with the remediation of the subject property in accordance with adopted policy and procedures shall be recaptured by the TOWNSHIP OF IRVINGTON for use in assisting other HUD/OLHCHH Program applicant(s); and

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:34-5.2, the required Certificate of Fund Req. No. C26-0133 in the amount of \$20,710.00 for the above has been obtained from the Chief Financial Officer of the Township of Irvington. The appropriate account to be charged for this expenditure is Account No. G-02-XX-716-24B-188 in the amount of \$20,710.00.

Adopted

Vick – Frederic 15. Award an Emergency Contract to Repair Sinkhole at the Intersection of University Place and Vermont Avenue - Messercola Excavating Co Inc. - \$28,950.00

**RESOLUTION TO AWARD AN EMERGENCY CONTRACT TO
REPAIR SINKHOLE AT THE INTERSECTION OF UNIVERSITY PLACE AND VERMONT AVE**

WHEREAS, on May 25, 2026, a sink hole was discovered at the intersection of University Place and Vermont Ave; and

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

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

WHEREAS, Messercola Excavating, Your Way Construction and Montana Construction, D &L Paving Contractors and KM Construction were contacted to provide quote for the repairs; and

WHEREAS, Messercola Excavating Co Inc., of 549 East Third Street, Plainfield, NJ 07060 provided the lowest quote for this emergency in the amount of \$2,895.00.00; and

WHEREAS, after the start of the emergency repair, it was discovered that the sanitary pipe was broken and additional repair was required, changing the scope and increasing the cost; and

WHEREAS, the additional scope of work was \$26,055.00 increase the total emergency contract to \$28,950.00; and

WHEREAS, the Mayor has concurred with the amount and recommends that an emergency contract be awarded to Messercola Excavating Co Inc., of 549 East Third Street, Plainfield, NJ 07060 for an amount of \$28,950.00, and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that it ratifies the decision of the Director of Public Works and the Mayor to authorize an emergency contract in the amount of \$28,950.00.00 to Messercola Excavating Co Inc., of 549 East Third Street, Plainfield, NJ 07060 to repair the sink hole and sanitary sewer pipe at the intersection of University Place and Vermont Ave, and

BE IT FURTHER RESOLVED that the required certification of availability of funds C26-0121 in the amount of \$28,950.00 from account number 6-01-26-290-290-118 has been obtained from the Chief Financial Officer.

Adopted

Vick – Vauss, Jr. 16. Award an Emergency Contract to Repair a Catch Basin Near 203 Laurel Avenue - Messercola Excavating Co Inc. - \$8,600.00

**RESOLUTION TO AWARD AN EMERGENCY CONTRACT TO
REPAIR CATCH BASIN NEAR 203 LAUREL AVE**

WHEREAS, on May 20, 2026, a catch basin broke near 203 Laurel Ave; and

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

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

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

WHEREAS, Messercola Excavating Co Inc., of 549 East Third Street, Plainfield, NJ 07060 provided the lowest quote for this emergency in the amount of \$8,600.00; and

WHEREAS, the Mayor has concurred with the amount and recommends that an emergency contract be awarded to Messercola Excavating Co Inc., of 549 East Third Street, Plainfield, NJ 07060 for an amount of \$8,600.00, and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that it ratifies the decision of the Director of Public Works and the Mayor to authorize an emergency contract in the amount of \$8,600.00 to Messercola Excavating Co Inc., of 549 East Third Street, Plainfield, NJ 07060 to repair the catch basin near 203 Laurel Ave, and

BE IT FURTHER RESOLVED that the required certification of availability of funds C26-0094 in the amount of \$8,600.00 from account number 6-01-26-290-290-118 has been obtained from the Chief Financial Officer.

Adopted

Antilus – Hudley 17. Ratify a Professional Services Contract for Litigation/Defense Counsel Services in the Matter of Oscar R. Santana Settala Zambrano v. Township of Irvington - Ruderman & Roth, LLC - Not to Exceed \$5,000.00

**RESOLUTION RATIFYING PROFESSIONAL SERVICES CONTRACT
FOR LITIGATION/DEFENSE COUNSEL SERVICES**

WHEREAS, resolution number TA 25-1014-41 qualified seven firms to provide litigation/defense counsel services for the Township of Irvington from October 31, 2025 until November 1, 2026; and

WHEREAS, the resolution requires that all cases assigned to counsel for this purpose must be approved by the Municipal Council; and

WHEREAS, the Township Attorney has determined that Ruderman & Roth, LLC has the most experience to defend the Township of Irvington in the matter of Oscar R. Santana Settala Zambrano v. Township of Irvington, et al, Docket No. L-5446-26; and

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WHEREAS, the Township Attorney has recommended that a contract be awarded to Ruderman & Roth, LLC, 150 Morris Avenue, Suite 303, Springfield, NJ, 07081; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Litigation/Defense counsel services be awarded to Ruderman & Roth, LLC, 150 Morris Avenue, Suite 303, Springfield, NJ, 07081 for a contract amount not to exceed \$5,000.00. The billing rate for this contract is \$160.00 per hour; and

BE IT FURTHER RESOLVED that the Township Attorney is hereby authorized and directed to prepare the necessary contracts for this case and the Mayor and Township Clerk are authorized and directed to sign the same; and

BE IT FURTHER RESOLVED, that funds for this service will be paid from the Insurance fund for a contract amount not to exceed \$5,000.00. The billing rate for this contract is \$160.00 per hour.

Adopted

Vick – Frederic 18. Award a Contract for an Independent Hearing Officer and Special Assessment -
The Ambrose Group LLC - Not to Exceed \$200,000.00

AWARDING A CONTRACT FOR INDEPENDENT HEARING OFFICER AND SPECIAL ASSESSMENT

WHEREAS, sealed RFP were received on July 15, 2026, for Independent Hearing Officer and Special Assessment in response to published advertisement for bids in the New Jersey Star Ledger on June 12, 2026; and

WHEREAS, one RFP was received and opened from The Ambrose Group LLC by the Municipal Clerk and Purchasing Agent; and

WHEREAS, said bid was referred to the Township Attorney for recommendation to the Municipal Council; and

WHEREAS, the Township Attorney has recommended that the award should be made to The Ambrose Group LLC of 2 Village Park Road, Cedar Grove, NJ 07009 for an amount not to exceed \$200,000.00; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Independent Hearing Officer and Special Assessment be awarded to The Ambrose Group LLC of 2 Village Park Road, Cedar Grove, NJ 07009 on the basis of their response to the request for an amount not to exceed \$200,000.00 for one year starting on August 10, 2026, until August 11, 2027

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

BE IT FURTHER RESOLVED that the required certification of availability of funds C26-0120 in the amount of \$16,666.66 from account number 6-01-20-155-155-256 has been obtained from the Chief Financial Officer and the remaining balance of \$183,333.33 will be certified upon the adoption of the 2026 and 2027 Municipal budgets.

Adopted

Hudley – Antilus 19. Authorize Payment of the Remaining Balance Due to St. Hubert’s Animal Welfare Center for December 2022 Animal Control Services in the Amount of \$9,000.00

**TOWNSHIP OF IRVINGTON
RESOLUTION NO. _____**

RESOLUTION AUTHORIZING PAYMENT OF THE REMAINING BALANCE DUE TO ST. HUBERT’S ANIMAL WELFARE CENTER FOR DECEMBER 2022 ANIMAL CONTROL SERVICES

WHEREAS, St. Hubert’s Animal Welfare Center (“St. Hubert’s”) provided animal control services to the Township of Irvington (“Township”) during the period of July through December 2022; and

WHEREAS, the Township and St. Hubert’s entered into a Settlement Agreement dated June 4, 2026, resolving the claims arising from animal control services provided during the period of July through November 2022; and

WHEREAS, pursuant to the Settlement Agreement, the sum of **Forty Thousand Dollars (\$40,000.00)** was paid in full satisfaction of the claims arising from animal control services provided during the period of July through November 2022; and

WHEREAS, the Settlement Agreement further provides that a remaining balance of **Nine Thousand Dollars (\$9,000.00)** is due and owing for animal control services provided during December 2022; and

WHEREAS, the Township Council finds it to be in the best interests of the Township to authorize payment of the remaining balance due under the Settlement Agreement.

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

1. The Township Council hereby authorizes payment to **St. Hubert’s Animal Welfare Center** in the amount of **Nine Thousand Dollars (\$9,000.00)**, representing the remaining balance due for animal control services provided during December 2022, as set forth in the Settlement Agreement dated June 4, 2026.
2. The Mayor, Business Administrator, Chief Financial Officer, Township Attorney, Municipal Clerk, and all other appropriate Township officials are hereby authorized to take all actions necessary to effectuate the purpose of this Resolution.
3. Payment shall be made upon certification of the availability of funds by the Chief Financial Officer.
4. This Resolution shall take effect immediately upon adoption according to law

Adopted

Vick – Brown 20. Resolution Making A Firm Commitment of \$1 Million in Home Investment Partnership Funds From the US Department of Housing and Urban Development to Springfield Gateway

RESOLUTION MAKING A FIRM COMMITMENT OF \$1 MILLION IN HOME INVESTMENT PARTNERSHIP FUNDS FROM THE US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO SPRINGFIELD GATEWAY

WHEREAS, the United States Department of Housing and Urban Development (HUD) administers the HOME Investment Partnerships (HOME) Program, a federal block grant program designed to support the development, rehabilitation, and preservation of affordable housing for low-income households; and

WHEREAS, the Township of Irvington is a HOME Program Entitlement Community and can allocate HOME Program funds to eligible affordable housing projects within the Township; and

WHEREAS, Foya Development Group (the "Developer") has proposed the Springfield Gateway project (the "Project"), a 48-unit, 100% affordable rental housing development located in the Township of Irvington; and

WHEREAS, the properties that comprise the Project are located at the following addresses: 749-755 Springfield Avenue, 759-763 Springfield Avenue, and 413-421 21st Street, also described by the following lot and block numbers: Lot 162, Blocks 15, 16, 17, 19, 20, 21, 22, 23, 24, and 251; and

WHEREAS, the Project is financed through a combination of Low Income Housing Tax Credits, NJ DCA Healthy Homes Capital, and NJ DCA Healthy Homes Reserves; and

WHEREAS, the Developer has submitted an application seeking \$1,000,000 in HOME Program funds to cover a shortfall in the project's capital stack; and

WHEREAS, the Township finds that the award of \$1,000,000 in HOME Program funds to the Springfield Gateway project is consistent with the Township's housing goals and the requirements of 24 CFR Part 92.

WHEREAS, the Township has \$1,000,000 in HOME Program funds available in the following Program Years: PY2022 - \$19,714.80; PY 2021 - \$132,145.80; PY 2020 - \$219,488.35; PY 2019 - \$295,931.13; PY 2018 - \$332,719.92

WHEREAS, the Project will provide affordable housing to low-income households earning no more than 60% of the Area Median Income (AMI), as established by HUD; and

NOW, THEREFORE, BE IT RESOLVED, that the Township of Irvington hereby authorizes and approves the award of \$1,000,000.00 in HOME Investment Partnerships Program funds to Foya Development Group for the Springfield Gateway project; and be it further

RESOLVED, that the Mayor and Township Clerk are hereby authorized and directed to execute all necessary agreements, contracts, and related documents with the State of New Jersey Department of Community Affairs for the administration and funding of the Springfield Gateway project; and be it further

RESOLVED, that the HOME Investment Partnerships Program funds shall be used exclusively for eligible costs associated with the development of five (5) affordable rental units within the Springfield Gateway project, in accordance with all applicable HUD and State of New Jersey requirements; and be it further

RESOLVED, that the Township of Irvington shall comply with all requirements of 24 CFR Part 92, including but not limited to long-term affordability requirements, property standards, and monitoring and reporting obligations; and be it further

RESOLVED, that this resolution shall take effect immediately upon adoption.

Adopted

Vick – Vauss, Jr. 21. Authorize the Execution of an Escrow Agreement With Chester Property Care, LLC for the Redevelopment of 332 Myrtle Avenue, 779 18th Avenue, 773 18th Avenue and 20 Eberhardt Place, Block 104, Lots 5, 6, 7 and 8 on the Tax Maps and Authorize the Conditional Designation of Chester Property Care, LLC as Redeveloper

RESOLUTION OF THE TOWNSHIP OF IRVINGTON AUTHORIZING THE EXECUTION OF AN ESCROW AGREEMENT WITH CHESTER PROPERTY CARE, LLC FOR THE REDEVELOPMENT OF PROPERTY IDENTIFIED AS BLOCK 104, LOTS 5, 6, 7 AND 8 ON THE TAX MAPS OF THE TOWNSHIP AND LOCATED AT 332 MYRTLE AVENUE, 779 18TH AVENUE, 773 18TH AVENUE AND 20 EBERHARDT PLACE, RESPECTIVELY; AND AUTHORIZING THE CONDITIONAL DESIGNATION OF CHESTER PROPERTY CARE, LLC AS REDEVELOPER OF SAME

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 located therein constitute areas in need of redevelopment or rehabilitation and to create redevelopment plans which provide development controls for any area so designated; and

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

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

WHEREAS, pursuant to N.J.S.A. 40A:12A-4, the Township has determined to act as the “redevelopment entity”, as such term is defined at N.J.S.A. 40A:12A-3, responsible for carrying out redevelopment projects in the Rehabilitation Area in accordance with the Redevelopment Plan, pursuant to N.J.S.A. 40A:12A-4(c); and

WHEREAS, the Proposed Redeveloper proposes to acquire title to certain real property within the Rehabilitation Area, designated in the Township tax records as Block 104, Lot 5, located at 332 Myrtle Avenue (the “**Myrtle Avenue Parcel**”), and Block 104, Lots 6, 7 and 8, located, respectively, at 332 Myrtle Avenue, 779 18th Avenue, 773 18th Avenue and 20 Eberhardt Place (collectively, the “**Township Parcels**,” and together with the Myrtle Avenue Parcel, the “**Proposed Project Site**”), and commence the redevelopment of same; and

WHEREAS, the Proposed Redeveloper proposes to design, erect and maintain upon the Project Site a mixed use structure, consisting of approximately 17,922 square feet of ground floor retail consisting of a full-service supermarket and approximately 28 affordable residential rental units, with parking and other related amenities (the “**Proposed Project**”); and

WHEREAS, the Township is the owner of the Township Parcels, while the Myrtle Avenue Parcel remains in private ownership; and

WHEREAS, to complete the Proposed Project, the Proposed Redeveloper must acquire the Myrtle Avenue Parcel”); and

WHEREAS, the Township desires to conditionally designate the Proposed Redeveloper as the redeveloper of the Project Site, conditioned on the completion by the Proposed Redeveloper of the acquisition of the Myrtle Avenue Parcel; and

WHEREAS, the Proposed Redeveloper has requested that the Township, in its capacity as redevelopment entity, enter into negotiations for a Redevelopment Agreement for the redevelopment of the Project Site (the “**Agreement**”); and

WHEREAS, the Proposed Redeveloper has agreed to defray certain costs incurred by or on behalf of the Township arising out of or in connection with the redevelopment of the Project Site; and

WHEREAS, the Township and the Proposed Redeveloper wish to enter into an escrow and funding agreement establishing the mechanism for the deposit and disposition of funds to cover the Township’s costs,

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

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

Section 2. Execution of Agreement. The Township Council hereby authorizes the Mayor to execute the escrow and funding agreement substantially in the form attached hereto as Exhibit A, with such changes, deletions, and modifications in consultation with counsel as may be necessary or desirable to affect the transaction contemplated by this resolution. However, neither the adoption of this resolution, nor the execution of the escrow and funding agreement authorized hereby, shall be construed in any way to bind the Township to execute one or more definitive agreements with respect to the Project.

Section 3. Conditional Designation of Redeveloper; Negotiation of a Redevelopment Agreement.

(a) The Township hereby designates Chester Property Care, LLC as redeveloper of the Property for a period not to exceed six (6) months, conditioned on the Redeveloper’s successful acquisition by that time frame of the Myrtle Avenue Parcel, and hereby further directs and authorizes the Director of the Department of Community Development, in consultation with counsel, and with such other Township officials as may be necessary, to negotiate a Redevelopment Agreement with Irvington Redevelopment 2022, LLC during that time.

(b) If, at the expiration of six (6) months, the Township shall not have authorized the execution of the Redevelopment Agreement on account of the Redeveloper's failure to have secured ownership of the Myrtle Avenue Property, then the designation of Irvington Redevelopment 2022, LLC as redeveloper of the Property shall terminate without the need for any other action by the Township to evidence same.

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

ESCROW AGREEMENT

Adopted

Vick – Vauss, Jr. 22. Authorize the Execution of an Escrow Agreement With Vibes Irvington LLC for the Review and Execution of a Community Benefit Agreement Relating to the Operation of a Dispensary at 468-490 Chancellor Avenue

**RESOLUTION OF THE TOWNSHIP OF IRVINGTON AUTHORIZING THE
EXECUTION OF AN ESCROW AGREEMENT WITH VIBES IRVINGTON LLC
FOR THE REVIEW AND EXECUTION OF A COMMUNITY BENEFIT
AGREEMENT RELATING TO THE OPERATION OF A DISPENSARY AT 468-490
CHANCELLOR AVENUE WITHIN THE TOWNSHIP**

WHEREAS, the Municipal Council (the "Township Council") of the Township is authorized pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Redevelopment Law"), to determine whether certain parcels of land within the Township constitute an area in need of rehabilitation and/or an area in need of redevelopment and to create redevelopment plans which provide development controls for any area so designated; and

WHEREAS, 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 (as may be amended from time to time, the "Redevelopment Plan") for the Redevelopment 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 in accordance with the Redevelopment Plan, pursuant to N.J.S.A. 40A:12A-4(c); and

WHEREAS, on December 12, 2024, the Planning Board of the Township of Irvington (the “**Planning Board**”) conditionally approved an application for Preliminary and Final Site Plan Approval, Conditional Use Approval and “c” variances to operate a Class 5 Cannabis Retail Dispensary within an existing vacant retail space located at 468-480 Chancellor Avenue, conditioned upon the entry into a Community Benefits Agreement with the Township, among other conditions; and

WHEREAS, the Township requires the assistance of redevelopment counsel to assist with the final drafting and execution of the Community Benefits Agreement; and

WHEREAS, the Entity agrees to defray the Township’s expenses by agreeing to deposit with the Township the initial amount of **THREE THOUSAND and 00/100 (\$3,000.00) DOLLARS** (the “**Escrow Deposit**”), to be deposited in an escrow account and disbursed in accordance with the provisions of this Escrow Agreement to defray certain costs incurred by or on behalf of the Township arising out of or in connection with review, negotiation and preparation of the Agreement.

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

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

Section 2. Execution of Agreement. The Township Council hereby authorizes the Mayor to execute the escrow and funding agreement substantially in the form attached hereto as Exhibit A, with such changes, deletions, and modifications in consultation with counsel as may be necessary or desirable to affect the transaction contemplated by this resolution. However, neither the adoption of this resolution, nor the execution of the escrow and funding agreement authorized hereby, shall be construed in any way to bind the Township to execute one or more definitive agreements with respect to the subject matter of this Resolution.

Section 3. Availability of the Resolution. A copy of this resolution shall be available for public inspection at the office of the Municipal Clerk.

Section 4. Effective Date. This resolution shall take effect immediately.

Exhibit A

ESCROW AGREEMENT

Adopted

Vick – Vauss, Jr. 23. Authorize the Execution of a Community Benefit Agreement With Vibes Irvington LLC Relating to the Operation of a Dispensary at 468-490 Chancellor Avenue

**RESOLUTION OF THE TOWNSHIP OF IRVINGTON AUTHORIZING THE
EXECUTION OF AN ESCROW AGREEMENT WITH VIBES IRVINGTON LLC
FOR THE REVIEW AND EXECUTION OF A COMMUNITY BENEFIT
AGREEMENT RELATING TO THE OPERATION OF A DISPENSARY AT 468-490
CHANCELLOR AVENUE WITHIN THE TOWNSHIP**

WHEREAS, the Municipal Council (the “Township Council”) of the Township is authorized pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “Redevelopment Law”), to determine whether certain parcels of land within the Township constitute an area in need of rehabilitation and/or an area in need of redevelopment and to create redevelopment plans which provide development controls for any area so designated; and

WHEREAS, 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 (as may be amended from time to time, the “Redevelopment Plan”) for the Redevelopment 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 in accordance with the Redevelopment Plan, pursuant to N.J.S.A. 40A:12A-4(c); and

WHEREAS, on December 12, 2024, the Planning Board of the Township of Irvington (the “**Planning Board**”) conditionally approved an application for Preliminary and Final Site Plan Approval, Conditional Use Approval and “c” variances to operate a Class 5 Cannabis Retail Dispensary within an existing vacant retail space located at 468-480 Chancellor Avenue, conditioned upon the entry into a Community Benefits Agreement with the Township, among other conditions; and

WHEREAS, the Township requires the assistance of redevelopment counsel to assist with the final drafting and execution of the Community Benefits Agreement; and

WHEREAS, the Entity agrees to defray the Township’s expenses by agreeing to deposit with the Township the initial amount of **THREE THOUSAND and 00/100 (\$3,000.00) DOLLARS** (the “**Escrow Deposit**”), to be deposited in an escrow account and disbursed in accordance with the provisions of this Escrow Agreement to defray certain costs incurred by or on behalf of the Township arising out of or in connection with review, negotiation and preparation of the Agreement.

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

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

Section 2. Execution of Agreement. The Township Council hereby authorizes the Mayor to execute the escrow and funding agreement substantially in the form attached hereto as Exhibit A, with such changes, deletions, and modifications in consultation with counsel as may be necessary or desirable to affect the transaction contemplated by this resolution. However, neither the adoption of this resolution, nor the execution of the escrow and funding agreement authorized hereby, shall be construed in any way to bind the Township to execute one or more definitive agreements with respect to the subject matter of this Resolution.

Section 3. Availability of the Resolution. A copy of this resolution shall be available for public inspection at the office of the Municipal Clerk.

Section 4. Effective Date. This resolution shall take effect immediately.

Exhibit A

ESCROW AGREEMENT

Adopted

Vick – Beasley 24. Authorize the Calendar Year 2026 Cash Management Plan

RESOLUTION

BE IT RESOLVED by the Council of the Township of Irvington, County of Essex that for the year 2026, the following shall serve as the cash management plan of the Township of Irvington.

The Chief Financial Officer is directed to use this cash management plan as the guide in depositing, disbursing and investing the Township of Irvington's funds.

The following Government Unit Deposit Protection Act (GUDPA) approved banks are authorized depositories for deposit of funds:

WELLS FARGO BANK
CITIZENS BANK
VALLEY NATIONAL BANK
NJ STATE CASH MANAGEMENT
PNC BANK
INDUSTRIAL BANK
ALMA BANK

All warrants, checks or wires for the disbursement of money shall be made by any two (2) of the following officials and facsimile signatures may be used:

MAYOR BUSINESS ADMINISTRATOR COMPTROLLER CFO

Whereas the use of the Township P-Card will be allowed and used by the Chief Financial Officer, Chief Administrative Officer, and the Qualified Purchasing Agent. The P-Card will adhere to the Townships approved program Policies and Procedures.

The Township's, Chief Financial Officer and or Comptroller are empowered to invest cash funds as bank balances will allow from time to time to realize a revenue. The above-mentioned officers are authorized to transfer funds electronically for the purpose of investments and payroll only.

Whereas the use of the Township P-card will be allowed and used by the Chief Financial Officer, Chief Administrative Officer, and the Qualified Purchasing Agent. The P-Card will adhere to the Townships program Approved Policies and Procedures.

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The Townships, Chief Financial Officer and/or Comptroller are empowered to invest cash funds as bank balances will allow from time to time to realize revenue. The above-mentioned officers are authorized to transfer funds electronically for the purpose of investments and payroll only.

The following are authorized as suitable investments:

- Interest-bearing bank accounts in banks as authorized above for deposit of local unit funds (GUDPA approved).
- Certificates of deposit in GUDPA approved banking institutions.
- Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America. This includes instruments such as Treasury Bills, Notes and Bonds.
- Government money market mutual funds that comply with N.J.S.A. 40A:5- 15.1(e).
- Any federal agency or instrumentality obligation authorized by Congress that matures within 397 days from the date of purchase, and has a fixed rate of interest not dependent on any index or external factors.
- Bonds or other obligations of the local unit or school district of which the Town is a part.
- Any other obligations with maturities not exceeding 397 days, as permitted by the State Division of Investments.
- Local government investment pools which comply with N.J.S.A. 40A:5- 15.1(e) and conditions set by the Division of Local Government Services.
- New Jersey Cash Management Fund.
- Repurchase agreements (repos) of fully collateralized securities which comply with N.J.S.A. 40A:5-15.1(e).
- New Jersey Asset & Rebate Management Program.
- New Jersey CLASS

There are no approved security broker/dealers. In the event that a security broker/dealer should be approved during the year, the registered principal of said brokerage firm so approved shall be provided with and sign an acknowledgment that they have seen and reviewed the cash management plan.

Each quarter, the Chief Financial Officer shall prepare a report for the Mayor and/or the Business Administrator that consists of the following:

- A summary of all investments made or redeemed for the month.
- A listing of any and all financial institutions holding local unit funds.
- The class or type of securities purchased or funds deposited.
- Income earned on deposits and investments.
- Market value of investments and disclosure as to how the value was determined, if applicable.
- A listing of accounts or deposits that do not earn interest.

This document shall constitute the cash management policy of the Township.

Any official involved with the selection of depositories, investments, broker/dealers shall disclose any material business or personal relationship to the Township Attorney and to the Local Finance Board or Local Ethics Board as applicable.

Any official who, in the course of his or her duties, deposits or invests in accordance with this plan shall be relieved of any liability for loss.

Adopted

10. COMMUNICATION AND PETITIONS

A. Communications

1. Honorable Mayor Tony Vauss – Appointment of Acting Chief Finance Officer - Audrey Lyon, Comptroller, CMFO

11. PENDING BUSINESS

None

NON-CONSENT AGENDA

9. RESOLUTIONS AND MOTIONS (Cont.)

A. Resolutions

- Antilus – Hudley 25. Approve the Final Disposition of Jamar Brown v. Township of Irvington Worker's Compensation Case - Total Amount Not to Exceed \$56,540.00

**RESOLUTION APPROVING THE FINAL DISPOSITION OF
TORRENCE JACKSON V. TOWNSHIP OF IRVINGTON
WORKER'S COMPENSATION CASE NO: 2024-30628**

WHEREAS, the matter of Jamar Brown v. Township of Irvington, was filed in the Department of Labor and Workforce Development, Workers Compensation Division under Case No: 2024-30628; and

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

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

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that it hereby agrees to a settlement for a total amount not to exceed Fifty-six thousand five hundred forty dollars (\$56,540.00) pursuant to the terms of the Settlement Order to be executed by the Judge of the Division of Workers' Compensation; and

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

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

Adopted
Abstained: Brown

Brown – Hudley 26. Resolution Appointing Audrey Lyon as Temporary Chief Financial Officer of the Township of Irvington

RESOLUTION APPOINTING AUDREY LYON AS TEMPORARY CHIEF FINANCIAL OFFICER OF THE TOWNSHIP OF IRVINGTON

WHEREAS, pursuant to N.J.S.A. 40A:9-140.10 and N.J.S.A. 40A:9-140.1 et seq., every municipality is required to have a Chief Financial Officer responsible for the proper financial administration of the municipality; and

WHEREAS, N.J.S.A. 40A:9-140.13(f) provides that, when a vacancy occurs in the office of Chief Financial Officer following the appointment of a certified municipal finance officer to that office, the governing body may appoint, for a period not to exceed one (1) year commencing on the date of the vacancy, a person to serve as a temporary Chief Financial Officer; and

WHEREAS, a vacancy has occurred in the office of Chief Financial Officer of the Township of Irvington, effective July 21, 2026; and

WHEREAS, the Township of Irvington is required to maintain continuity in the administration of its financial affairs and to ensure that all statutory, regulatory, budgetary, accounting, purchasing, and financial responsibilities of the Township continue to be properly performed during the vacancy; and

WHEREAS, Audrey Lyon possesses the requisite experience, knowledge, and qualifications to perform the duties and responsibilities of the Chief Financial Officer on a temporary basis; and

WHEREAS, the Municipal Council has determined that the appointment of Audrey Lyon as Temporary Chief Financial Officer is in the best interests of the Township and its residents;

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

1. **Appointment.** Audrey Lyon is hereby appointed to serve as **Temporary Chief Financial Officer of the Township of Irvington**, pursuant to N.J.S.A. 40A:9-140.13(f), commencing July 21, 2026;
2. **Term.** The appointment shall continue for a period not to exceed one (1) year from the date of the vacancy, unless sooner terminated by operation of law, appointment of a qualified permanent Chief Financial Officer, or other lawful action of the Municipal Council;
3. **Duties and Authority.** During her temporary appointment, Audrey Lyon shall perform all duties and exercise all authority vested by law in the Chief Financial Officer of the Township, including those duties prescribed by N.J.S.A. 40A:9-140.1 et seq., N.J.S.A. 52:27BB-26 et seq., the Local Budget Law, N.J.S.A. 40A:4-1 et seq., the Local Fiscal Affairs Law, N.J.S.A. 40A:5-1 et seq., the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., applicable regulations of the New Jersey Department of Community Affairs and Local Finance Board, and applicable Township ordinances and resolutions;

4. **Financial Certifications.** Audrey Lyon is authorized, during the term of this appointment and to the extent permitted by law, to execute and perform all certifications, statements, reports, warrants, budget documents, contracts, purchase orders, financial documents, and other instruments requiring the signature or action of the Township's Chief Financial Officer;
5. **Cooperation of Township Officers.** All Township departments, officers, employees, and agents are hereby directed to cooperate with Audrey Lyon in the performance of her duties as Temporary Chief Financial Officer and to provide her with such records, information, access, and assistance as may be necessary to carry out the responsibilities of the office;
6. **Certification.** The Municipal Clerk is hereby authorized and directed to provide a certified copy of this Resolution to Audrey Lyon, the Mayor, the Business Administrator, the Township Attorney, the Director of Revenue and Finance, the appropriate Township personnel, and the New Jersey Department of Community Affairs, Division of Local Government Services, as appropriate.
7. **Severability.** If any section, paragraph, clause, phrase, or provision of this Resolution shall be adjudged invalid, the same shall not affect the validity of the remaining portions of this Resolution.
8. **Effective Date.** This Resolution shall take effect immediately upon adoption according to law.

Adopted

**ALCOHOLIC BEVERAGE CONTROL BOARD
AUGUST 10, 2026**

1. Chairwoman Beasley calls the Meeting to Order

Roll Call

2. New Business

Vick – Vauss, Jr. A. Renewal of Plenary Retail Consumption Licenses for the 2026-2027 Licensing Year

WHEREAS, the following named individuals, partnerships or corporations, being applicants for Plenary Retail Consumption Licenses for the year **2026-2027**, to sell alcoholic beverages under the provisions of N.J.S.A. Title 33 having been investigated as required by said Law, and the Alcoholic Beverage Control Board being satisfied that said applicants in all things have met the requirements of the law and are suitable and proper individuals, partnerships or corporation to whom Plenary Retail Consumption Licenses for the sale of alcoholic beverages should be issued.

NOW THEREFORE BE IT RESOLVED BY THE MUNICIPAL COUNCIL ACTING AS THE ALCOHOLIC BEVERAGE CONTROL BOARD OF THE TOWNSHIP OF IRVINGTON that permanent Plenary Retail Consumption Licenses be issued to the following named individual, partnerships and corporations for the sale of alcoholic beverages by the glass or original containers for **consumption on the licensed premises** for the year **2026-2027** at the address set opposite their respective name:

LICENSE NUMBER	NAME	ADDRESS
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0709-33-009-008	Funhouse Entertainment LLC t/a MK 463	1162 Stuyvesant Avenue
0709-33-041-007	Yungas Brothers LLC t/a Yunga Bar & Grill	1383 Springfield Avenue

BE IT FURTHER RESOVED that the said licenses be issued in the name and under the seal of the Township of Irvington and be signed by a representative of the License Bureau, in order to fulfill the provisions of the Irvington Township Code, known as Ordinance MC 3635, which license, after being so signed, shall be release by the License Bureau to the licensee.

Adopted

3. Adjournment

12. MISCELLANEOUS

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

Robert Shaw, Sr., 57 Coit Street
Doris Sherrill, 35 Augusta Street

Council Members Antilus, Brown, Dr. Frederic, Dr. Hudley, Vauss Jr., and Vick thanked the residents for their participation and wished everyone a good night. Council Member Dr. Hudley also congratulated Mrs. Audrey Lyon on her appointment as Temporary Chief Finance Officer. Council President Beasley stated that she will speak with Business Administrator Malik regarding Mr. Shaw Sr.'s concerns, and she concluded the meeting by thanking all residents who took part in the session.

13. ADJOURNMENT (*Roll Call)

There being no further business, the meeting adjourned at 7:46 P.M.

Jamillah Z. Beasley, Council President

Shawna M. Supel, Municipal Clerk