

REGULAR COUNCIL MEETING
JUNE 26, 2023

Virtual Zoom Meeting
Irvington, N.J. – Monday Evening
June 26, 2023 - 7:30 P.M.

1. Pledge of Allegiance
2. Moment of Silence
3. Roll Call

Present: Darlene Brown, Sean C. Evans (arrived at 7:35 PM), Charnette Frederic, October Hudley, Orlander G. Vick, Jamillah Z. Beasley, President

Absent: Vernal Cox

President Beasley read the Statement of Proper Notice pursuant to the Sunshine Law.

4. Hearing of Citizens on Agenda Items Only (limited to three minutes per person and thirty minutes total)

There were no requests to be heard.

5. Hearing of Council Members

There were no requests to be heard.

6. Reports & Recommendations of Township Officers, Boards & Commissions

A. Reports

1. Municipal Court - Weekly Summary Report For The Week Of June 5, 2023 to June 9, 2023
2. Municipal Court - Weekly Summary Report For The Week Of June 12, 2023 to June 16, 2023
3. Municipal Court – Mayor’s Monthly Report For the Month Of May 2023
4. Irvington Public Library - Resolution Accepting the Corrective Action Plan for CY 2022
5. Irvington Public Library - Resolution Accepting the General Comments and Recommendation of the 2022 IPL Audit
6. Joint Meeting – Third Quarter Assessment, 2023
7. Township Audit Report – 2021
8. Municipal Court Audit Report – 2021

7. Reports of Committees

- A. Requests for Proposals Results – Budget Consultant and Workers Compensation – June 14, 2023

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 Cannabis Regulations

AN ORDINANCE AMENDING MC 3779
TO REGULATE CANNABIS IN THE TOWNSHIP OF IRVINGTON

Adopted
Absent: Cox

Brown – Hudley

2. Amend Section 7-147 of the Revised Code Regarding Fees for Copies and
Other Services for the Public Safety Department

AN ORDINANCE AMENDING SECTION 7-147 OF THE GENERAL ORDINANCES OF THE TOWNSHIP
OF IRVINGTON ENTITLED “FEES FOR COPIES AND OTHER SERVICES”

Adopted
Absent: Cox

Vick – Frederic

3. Amend Chapter 439, Section 18 Regarding Drinking Alcoholic
Beverages on Public Grounds

AN ORDINANCE AMENDING CHAPTER 439, SECTION 18 OF THE TOWNSHIP CODE
ENTITLED: DRINKING ALCOHOLIC BEVERAGES ON PUBLIC GROUNDS

Adopted
Absent: Cox

Vick – Brown

4. An Ordinance Creating an Informal Review Committee

AN ORDINANCE CREATING AN INFORMAL REVIEW COMMITTEE

Adopted
Absent: Cox

C. Bills & Claims

Frederic - Vick

1. Bill Lists

RESOLVED THAT THE BILLS AND CLAIMS AGAINST THE
TOWNSHIP OF IRVINGTON FOR A PERIOD JUNE 26, 2023 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

\$2,614,775.46

TOTAL

\$2,614,775.46

Adopted
Absent: Cox

Frederic - Vick

2. Payrolls

June 2, 2023

TOTAL

\$2,126,137.90

Adopted
Absent: Cox

9. Resolutions and Motions

A. Resolutions

Vick – Brown

1. Waive 20 Day Time Period for Effective Date on an Ordinance Amending 355-13 Entitled Certificate of Occupancy and/or Certificate of Continued Occupancy Required

WHEREAS, an ordinance entitled “AN ORDINANCE AMENDING SECTION 355-13, OF THE REVISED CODE OF THE TOWNSHIP OF IRVINGTON ENTITLED "CERTIFICATE OF OCCUPANCY REQUIRED” was duly passed on first reading by the Municipal Council on June 12, 2023 and duly adopted by the Municipal Council on second reading after public hearing on June 26, 2023; and

WHEREAS, pursuant to N.J.S.A. 40:69A-181 (a) and Section 7-32 (d) of the Revised Code of the Township of Irvington, an ordinance shall take effect twenty (20) days after final passage by the Municipal Council and approval by the Mayor; and

WHEREAS, pursuant to N.J.S.A. 40:69A-181 (b) and Section 7-32 (d) of the Revised Code of the Township of Irvington, two- thirds (2/3) of the full membership of the Municipal Council may declare an emergency, by written resolution, to reduce this twenty (20) day period:

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NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON (not less than 2/3 of the full membership thereof affirmatively concurring) that pursuant to the provisions of N.J.S.A. 40:69A-181 (b) and Section 7-32 (d) of the Revised Code of the Township of Irvington, it does hereby declare that an emergency exists that an ordinance entitled “AN ORDINANCE AMENDING SECTION 355-13, OF THE REVISED CODE OF THE TOWNSHIP OF IRVINGTON ENTITLED “CERTIFICATE OF OCCUPANCY REQUIRED” shall become effective immediately upon its approval by the Mayor.

Adopted
Absent: Cox

Vick – Brown 2. Waive 20 Day Time Period for Effective Date on an Ordinance Amending 355-15 Regarding Certificate of Habitability Required

WHEREAS, an ordinance entitled “AN ORDINANCE AMENDING SECTION 355-15, OF THE REVISED CODE OF THE TOWNSHIP OF IRVINGTON ENTITLED “CERTIFICATES OF HABITABILITY” was duly passed on first reading by the Municipal Council on June 12, 2023 and duly adopted by the Municipal Council on second reading after public hearing on June 26, 2023; and

WHEREAS, pursuant to N.J.S.A. 40:69A-181 (a) and Section 7-32 (d) of the Revised Code of the Township of Irvington, an ordinance shall take effect twenty (20) days after final passage by the Municipal Council and approval by the Mayor; and

WHEREAS, pursuant to N.J.S.A. 40:69A-181 (b) and Section 7-32 (d) of the Revised Code of the Township of Irvington, two- thirds (2/3) of the full membership of the Municipal Council may declare an emergency, by written resolution, to reduce this twenty (20) day period:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON (not less than 2/3 of the full membership thereof affirmatively concurring) that pursuant to the provisions of N.J.S.A. 40:69A-181 (b) and Section 7-32 (d) of the Revised Code of the Township of Irvington, it does hereby declare that an emergency exists that an ordinance entitled “AN ORDINANCE AMENDING SECTION 355-15, OF THE REVISED CODE OF THE TOWNSHIP OF IRVINGTON ENTITLED “CERTIFICATES OF HABITABILITY” shall become effective immediately upon its approval by the Mayor.

Adopted
Absent: Cox

Frederic – Beasley 3. Honoring June as Adopt A Cat Month

**RESOLUTION OF COMMEMORATING
JUNE AS ADOPT-A-CAT MONTH**

WHEREAS, every year Animal Services Agencies receives thousands of litters of kittens, in addition to all the adult cats who find their way into those shelters

WHEREAS, these agencies simply do not have the space or the resources to take care of that many animals; and

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WHEREAS, out of the thousands of cats that enter these shelters each year only about twenty-five percent are adopted into loving homes resulting in most of them, in fact more than 70%, must be euthanized; and

WHEREAS, the Township of Irvington would like to take this time to bring community awareness to the numerous benefits associated with owning a cat, and to shine the light on all of the beautiful kittens and cats that are eagerly awaiting loving homes; and

WHEREAS, celebrated each year in June, Adopt-A-Cat Month is a nationwide campaign that encourages people to adopt a cat from a shelter; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Township of Irvington hereby commemorates June as Adopt-A-Cat Month and urges its citizenry to visit a local animal shelter to adopt a cat and enjoy the loving presence of these lovely and loving felines.

Adopted
Absent: Cox

Hudley – Frederic 4. Authorize Fair and Open Professional Services Contract for
Budget Consultant – Cheryl G. Fuller – Not To Exceed \$36,000.00 –
July 1, 2023 to June 30, 2024

**RESOLUTION AUTHORIZING FAIR AND OPEN PROFESSIONAL SERVICE CONTRACT
FOR BUDGET CONSULTANT**

WHEREAS, the Request for Proposals for professional Budget Consultant Services was publicly advertised in the New Jersey Star Ledger on May 31, 2023 with a deadline for qualifications to be submitted on June 14, 2023; and

WHEREAS, one qualification was received and publicly opened by the Purchasing Agent and Assistant Municipal Clerk; and

WHEREAS, said qualification was referred to the Chief Financial Officer; and

WHEREAS, the Chief Financial Officer has recommended award should be made to the following firm:

Cheryl G. Fuller, CPA
PO Box 418 Maplewood, NJ 07040

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Budget Consultant be awarded to Cheryl G. Fuller, CPA, PO Box 418 Maplewood, NJ 07040, on the basis of their response to the request for proposal selection criteria and qualifications, for an annual amount of \$36,000.00. The provider will be paid \$3,000.00 per month for one year starting on July 01, 2023 until June 30, 2024; 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

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BE IT RESOLVED that the required certification of availability of funds C23-0121 in the amount of \$3,000.00 from account number 3-01-20-110-113-256 has been obtained from the Chief Financial Officer for the first month payment and the remaining balance will be certified upon the adoption of the 2023 and 2024 budget.

Adopted
Absent: Cox

Vick – Hudley 5. Authorize Non-Fair and Open Professional Services Contract for
Financial Advisory Services – Echo Valley Advisors LLC – Not To Exceed
\$40,000.00 – Expiring on June 27, 2024

A RESOLUTION AUTHORIZING A NON-FAIR AND OPEN FOR FINANCIAL ADVISORY SERVICE

WHEREAS, the Township of Irvington, in the County of Essex and State of New Jersey, is in need of Financial Advisory services; and

WHEREAS, the Township would like to retain the service of Echo Valley Advisors LLC to provide Financial Advisory service to the CFO; and

WHEREAS, Echo Valley Advisors LLC has provide the Township with a proposal to provide this service for a total sum of \$40,000.00 for one year; and

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

WHEREAS, the C-271 Political Contribution Disclosure forms were on file in the Office of the Municipal Clerk and Purchasing Agent on May 17, 2023; and

WHEREAS, the Township would like to award a Non Fair and Open contract to Echo Valley Advisors LLC, 104 E. Cedar Street, Livingston, NJ 07039; and

WHEREAS, the term of this contract will expire on June 27, 2024; and

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

NOW THEREFORE, BE IT RESOLVED that the Municipal Council of the Township of Irvington authorizes the award of a non-fair and open contract to Echo Valley Advisors LLC and,

BE IT FUTHER RESLOVED that the required certification of availability of funds C23-0102 in the amount of \$40,000.00 from account number C-04-56-852-019-914 has been obtained from the Chief Financial Officer.

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

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

Adopted
Absent: Cox

Frederic – Vick 6. Approve Change Order 4 For The Renovations At The Irvington Senior Center – R.J. Michaels & Co. - In The Amount Of \$36,099.90 - Amended Contract Amount \$1,895,116.95 - Net Change To The Contract Amount Of 6.8%

**RESOLUTION TO APPROVE CHANGE ORDER NO. 4 FOR THE RENOVATIONS
AT THE IRVINGTON SENIOR CENTER**

Whereas, a contract for the renovations of the Irvington Senior Center was awarded to R.J. Michaels & Co. of 333 Dodd Street, East Orange, NJ on February 28, 2022 as Resolution DPW 22-0228-12 in the amount of \$ 1,774, 345.00 based on the public bids received on January 3, 2022; and

WHEREAS, a Change order for this project, Change Order No. 1, was approved as Resolution DPW 22-1212-40; and

WHEREAS, a Change Order was for the project, Change Order No. 2, was approved as Resolution DPW 22-1212-41; and

WHEREAS, a Change Order was for the project, Change Order No. 3, was approved as Resolution DPW 23-0327-11; and

WHEREAS, a request for a change order for this project, Change Order No. 4 has been received and reviewed by the project architect, The Musial Group, and the Township Engineer for certain interior and exterior changes, specifically, additional structural framing, door and door hardware, an additional fire extinguisher, additional electrical work and new exterior exit gates as more specifically detailed in a memorandum from the Township Engineer dated June 19, 2023, resulting in a change order of in the amount of \$ 36, 099.90, resulting a net change to the contract amount of 6.8 %; and

WHEREAS, the project architect has reviewed and recommended this amount and the Township Engineer agrees with that recommendation;

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON, that a change order, Change Order No. 4, for the Renovations at the Irvington Senior Center is granted to the firm of R.J. Michaels & Co. of 333 Dodd Street, East Orange, NJ in the amount of \$ 36,099.90, so that the amended contract amount by virtue of this change order is \$ 1,895, 116.95 resulting a net change to the contract amount of 6.8 % and that the Mayor is authorized to sign the necessary change order form on behalf of the Township.

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:34-5.2, the required Certificate of Availability of Funds No. C23-0122 for the above work has been obtained from the Chief Financial Officer of the Township of Irvington and the appropriation to be charged for this expenditure is in the amount of \$ 36, 099.90 is Account G-02-xx-912-21A-299.

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Adopted
Absent: Cox

Hudley – Frederic	7. Authorize Submission Grant Application and Execution of a Grant Contract With the New Jersey Department of Transportation For The 2024 Trust Fund Resurfacing Project
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TOWNSHIP OF IRVINGTON
RESOLUTION NO.

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the 2024 Trust Fund Resurfacing Project

NOW, THEREFORE BE IT RESOLVED that the Municipal Council of the Township of Irvington formally approves the grant application for the above stated project; and

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application to be identified as MA-XXX-2024 Trust Fund Resurfacing - XXX to the New Jersey Department of Transportation on behalf of the Township of Irvington; and

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant application on behalf of the Township of Irvington and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approved the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Municipal Council
On this day of June, 2023.

Harold Weiner, Municipal Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL _____
Harold Weiner, Municipal Clerk

Tony Vauss, Mayor

Adopted
Absent: Cox

Hudley – Frederic	8. Authorize Service Agreement To Repair Sole Source Sewer Jet - from Sewer Equipment - Not to Exceed \$50,000.00
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AUTHORIZE SERVICE AGREEMENT TO REPAIR SOLE SOURCE SEWER JET

WHEREAS, Public Works is in need of repairs and parts of sewer jet; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5(1)(d)(d), parts and services can only be purchased from Sewer Equipment of 1590 Dutch Road, Dixon, IL 61021.

WHEREAS, the Administration would like to request a sole source exemption for parts and services of the sewer jet; and

WHEREAS, the Administration will like to award a contract to Sewer Equipment of 1590 Dutch Road, Dixon, IL 61021 for an amount not to exceed \$50,000.00

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Irvington in the County of Essex, and State of New Jersey, that Public Works is authorized to purchase parts and service from Sewer Equipment of 1590 Dutch Road, Dixon, IL 61021 starting on June 27, 2023 until December 31, 2023 for an amount not to exceed \$50,000.00.

BE IT FUTHER RESLOVED that the required certification of availability of funds C23-0021 in the amount of \$50,000.00 from account number 3-01-26-290-292-299 has been obtained from the Chief Financial Officer.

Adopted
Absent: Cox

Brown – Hudley 9. Authorize Appointment of Special Law Enforcement Officers Class II (SLEOS), Class II – July 1, 2023 to June 30, 2024

Resolution for the Appointment of Special Law Enforcement Officer Class II

WHEREAS, under Township Ordinance **7-143 POWERS AND DUTIES OF THE PUBLIC SAFETY DIRECTOR**, subsection L. The Director may employ Special Law Enforcement Officers in accordance with N.J.S.A. 40A:14-146.8 et. seq. Special Law Enforcement Officers’ Act. The Public Safety Director recommends the appointment of Special Law Enforcement Officer Class II for a term of one year commencing **July 1, 2023** and **ending June 30, 2024**.

BE IT RESOLVED, the Township of Irvington in accordance with N.J.S.A 40A:14-146.8 et. Seq shall appoint the following as Special Law Enforcement Officer Class II for a term commencing **July 1, 2023** and **ending June 30, 2024**:

Special Law Enforcement Officer Class II Oscar Barrera
Special Law Enforcement Officer Class II Terrell Brown
Special Law Enforcement Officer Class II Jamaul Jerido -Part-Time
Special Law Enforcement Officer Class II Darius Foster
Special Law Enforcement Officer Class II Dejon Scott
Special Law Enforcement Officer Class II Tamina Trimmings-Hutchins
Special Law Enforcement Officer Class II Cassle Carter
Special Law Enforcement Officer Class II Herbert Calderon
Special Law Enforcement Officer Class II Al-Taqaan Wilson
Special Law Enforcement Officer Class II Steeve Brizard (Sleo-Recruit)

Adopted
Absent: Cox

Vick – Beasley 10. Resolution Ratifying Professional Services Contract Township Planning Services for the Newton Street Condemnation Study – ARH Associates – \$11,112.13

RESOLUTION RATIFYING PROFESSIONAL SERVICES CONTRACT TOWNSHIP PLANNING SERVICES FOR THE NEWTON STREET CONDEMNATION STUDY

WHEREAS, resolution number OCDP 22-0808-19 qualified two firms to provide Planner services for the Township of Irvington from August 8, 2022 to August 9, 2023; and

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

WHEREAS, the Community Development Director has assigned ARH Associates to provide planning services to perform a condemnation investigation for the Newton Street also known as the Newton Street Study

WHEREAS, the Community Development Director has recommended that a contract be awarded to ARH Associates 215 Bellevue Avenue P.O. Box 579 Hammonton, NJ 08037; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Planning services be awarded to ARH Associates 215 Bellevue Avenue P.O. Box 579 Hammonton, NJ 08037; 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 RESOLVED that the required Certification of Availability of Funds, certification number C23-0114 was obtained from the Chief Financial Officer and the appropriation to be charged for this expenditure is C-04-56-852-019-910 in the amount of \$6,000.00 and the remaining \$5,112.13 will be charged from the Capital Master Plan Project Budget Account.

Adopted
Absent: Cox

Vick – Evans 11. Ratify Professional Services Contract for Township Planning Services for the Amendment of The East Ward Redevelopment Plan – ARH Associates – \$30,000.00

RESOLUTION RATIFYING PROFESSIONAL SERVICES CONTRACT TOWNSHIP PLANNING SERVICES FOR AMENDMENT OF THE EASTWARD REDEVELOPMENT PLAN

WHEREAS, resolution number OCDP 22-0808-19 qualified two firms to provide Planner services for the Township of Irvington from August 8, 2022 to August 9, 2023; and

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

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WHEREAS, the Community Development Director has assigned ARH Associates to provide planning services to amend and revise the Eastward Redevelopment

WHEREAS, the Community Development Director has recommended that a contract be awarded to ARH Associates 215 Bellevue Avenue P.O. Box 579 Hammonton, NJ 08037; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Planning services be awarded to ARH Associates 215 Bellevue Avenue P.O. Box 579 Hammonton, NJ 08037; 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 RESOLVED that the required Certification of Availability of Funds, certification number C23-120 was obtained from the Chief Financial Officer and the appropriation to be charged for this expenditure is C-04-56-852-019-910 in the amount of \$8,000.00 and the remaining balance of \$22,000.00 will be charged to applicant escrow funds.

Adopted
Absent: Cox

Vick – Evans 12. Ratify Professional Services Contract For Redevelopment Counsel Services to Florio Perrucci Steinhardt & Fader for redevelopment of (13) parcels with Lionheart Development Group - \$7,500.00

RESOLUTION RATIFYING PROFESSIONAL SERVICES CONTRACT FOR REDEVELOPMENT COUNSEL SERVICES

WHEREAS, resolution number TA22-102431 qualified seven firms to serve as conflict counsel for the Township of Irvington from November 01, 2022 to October 31, 2023 and the Community Development Director has selected Florio Perrucci Steinhardt & Fader from the conflict counsel list to serve as Redevelopment Counsel; 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 assigned Florio Perrucci Steinhardt & Fader to represent the Township in the redevelopment of (13) parcels with Lionheart Development Group, LLC 16 Pearl Street, Suite 114 Metuchen, NJ 08840 listed below:

Block	Lot	Address
162	24	417 21 st Street
162	25	421 21 st Street
162	26	423 21 st Street
162	16	761 Springfield Avenue
162	17	759 Springfield Avenue
162	18	757 Springfield Avenue

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162	19	755 Springfield Avenue
162	20	753 Springfield Avenue
162	21	751 Springfield Avenue
162	22	749 Springfield Avenue
162	26	423 21 st Street
162	25	421 21 st Street
162	23	413 21 st Street

WHERSAS, the Township Attorney has recommended that a contract be awarded to Florio, Perrucci, Steinhardt & Fader; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that a contract for Redevelopment services be awarded to Florio, Perrucci, Steinhardt & Fader 218 RT. 17N, Suite 410 Rochelle Park, NJ 07662; 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 RESOLVED that the required Certification of Availability of Funds, certification number C23-0123 was obtained from the Chief Financial Officer and the appropriation to be charged for this expenditure is T-18-56-860-000-057 in the amount of \$7,500.00.

Adopted
Absent: Cox

Brown – Frederic 13. Accept the New Jersey Department of Health “COVID-19 and Other Infectious Diseases Mitigation Funding” Strengthening Local Public Health Capacity Program (SLPHC24) Grant Award in the Amount of \$495,411.00 - July 1, 2023 through June 30, 2024

RESOLUTION TO ACCEPT
NJ Department of Health – Office of Local Public Health
“COVID-19 and Other Infectious Diseases Mitigation Funding”
Strengthening Local Public Health Capacity Program (SLPHC24) Grant Award

WHEREAS, on June 7, 2023, the Township of Irvington, Department of Health was awarded funds in the amount of \$495,411 from the NJDOH OLPH to support COVID-19 and other Infectious Diseases education and vaccination within the Township of Irvington.

WHEREAS, the NJDOH OLPH has awarded grant funds to the Township of Irvington, Department of Health for COVID-19 and other infectious diseases mitigation efforts in support of education and vaccinations. The terms and conditions of this award for the Strengthening Local Public Health Capacity Program (SLPHCP24) have been set forth for grant period effective July 1, 2023 through June 30, 2024.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON that the Mayor, Business Administrator and Chief Financial Officer are hereby authorized to accept

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and utilize the COVID-19 and other Infectious Diseases Mitigation funding from the NJDOH OLPH awarded to the Irvington Department of Health for COVID-19 and other infectious diseases mitigation efforts.

Adopted
Absent: Cox

Brown – Hudley 14. Accept the New Jersey Department of Health’s Childhood Lead Exposure Prevention (CLEP 2023-24) Grant Award in the Amount of \$1,112,554 from July 1, 2023 through June 30, 2024

**RESOLUTION TO ACCEPT
NJ DEPARTMENT OF HEALTH, OFFICE OF LOCAL PUBLIC HEALTH
CHILDHOOD LEAD PROGRAM (CLEP 2023 – 2024) GRANT AWARD**

WHEREAS, on June 7, 2023, 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 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, 2023 through June 30, 2024 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 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 \$1,112,554 from July 1, 2023 through June 30, 2024.

Adopted
Absent: Cox

Vick – Beasley 15. Authorizing The Preparation And Issuance of a Request for Proposals for Conveyance and Redevelopment of Certain Township-Owned Properties

**RESOLUTION OF THE TOWNSHIP OF IRVINGTON AUTHORIZING THE
PREPARATION AND ISSUANCE OF A REQUEST FOR PROPOSALS FOR
CONVEYANCE AND REDEVELOPMENT OF CERTAIN TOWNSHIP-OWNED
PROPERTIES**

WHEREAS, the Municipal Council (the “Township Council”) of the Township of Irvington (the “Township”) is authorized pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “Redevelopment Law”), to determine whether certain parcels of land located therein constitute areas in need

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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, to realize the redevelopment of Rehabilitation Area, the Township determined to exercise the powers of redevelopment and serve as the “redevelopment entity” responsible for carrying out redevelopment projects in accordance with the Redevelopment Law; and

WHEREAS, the Township is the owner of certain properties within the Rehabilitation Area identified on the official tax maps of the Township and identified in the Township tax records as:

Block	Lot	Property Address
122	17	25 Grove Terrace
125	17	25 Tichenor Terrace
126	20	15 Montrose Terrace
126	26	621 Grove Street
127	24	599 Grove Street
131	17	195 19th Avenue
136	3	174 Ellis Avenue
136	16	208 Ellis Avenue
136	17	210 Ellis Avenue
138	4	396 21st Street
142	11	142 22nd Street
148	30	71 22nd Street
165	9	36 Ellis Avenue
166	27	477 21st Street
166	28	479 21st Street
205	18	35 Ellis Avenue
207	46	65-67 Ellis Avenue

WHEREAS, the Township desires to prepare and circulate a Request for Proposals for the purpose of identifying prospective redevelopers interested in redeveloping the Property pursuant to the Redevelopment Plan and Request for Proposals.

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

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

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Section 2. The Township Council hereby approves the Request for Proposals in the form attached hereto as Exhibit A, together with such additions, deletions, and other modifications as deemed necessary or desirable by the Township, upon consultation with the Township redevelopment counsel and planner (the “RFP”), and hereby authorize and direct the Office of Community Development and Planning, Business Administrator and the Township’s redevelopment counsel and planner to finalize and distribute the RFP to prospective redevelopers and others interested in the redevelopment of the Property.

Section 3. The Office of Community Development and Planning, Business Administrator, other Township officials, and the Township’s redevelopment counsel and planner are hereby further authorized and directed to take any action necessary to effectuate the transaction contemplated by this resolution and the RFP.

Section 4. This resolution shall take effect in accordance with applicable law.

EXHIBIT A

Form of Request for Proposals

Adopted
Absent: Cox

Hudley – Brown 16. Accept State of NJ – Department of Community Affairs Division of Local Government Services (DLGS) Lead Grant Assistance Program (LGPA) Funding in the Amount of \$66,200.00

RESOLUTION TO ACCEPT

State of NJ – Department of Community Affairs
Division of Local Government Services (DLGS)

LEAD GRANT ASSISTANCE PROGRAM (LGPA) FUNDING

WHEREAS, effective July 22, 2022, the Legislature enacted P.L. 2021, c. 182, “An Act concerning certain lead-based paint hazard, and residential rental property, and establishing lead-based paint hazard programs, supplementing P.L. 2003, c. 311 (C. 52:27D-437.1 et al.) amending various parts of the statutory law, and making an appropriation;” and

WHEREAS, pursuant to N.J.S.A. 52:27D-437.16(b)(1), a municipality that maintains a permanent local agency for the purpose of conducting inspections and enforcing laws, ordinances, and regulations concerning buildings and structures, is required to inspect for lead-based paint hazards in certain specified single-family, two-family, and multiple rental dwellings, at the time periods set forth in the statute; and

WHEREAS, pursuant to N.J.S.A. 52:27D-437.16(b)(2) a municipality that does not maintain such a permanent local agency must hire a lead evaluation contractor, certified to provide lead paint inspection services by DCA, or enter a shared services agreement as permitted by law, for the purpose of conducting the inspections for lead-based paint hazards; and

WHEREAS, Pursuant to Section 9 of P.L. 2021, c. 182, the State of New Jersey has allocated the sum of \$3,900,000 to effectuate the purposes of P.L. 2021, c. 182 (C. 52:27D-437.16). Further, pursuant to the FY 2023 Appropriations Act (P.L. 2022, Chapter 49), DCA received a grant-in-aid amount of \$3,900,000 for P.L. 2021, c. 182, for a total of \$7,800,000 in appropriations to effectuate the purpose of the Act.

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WHEREAS, DCA has allocated \$7,000,000 of this appropriation to the development of the Lead Grant Assistance Program (“LGAP”) for the issuance of grant funds to municipalities for the purpose of assisting in municipal compliance with P.L. 2021, c. 182.

WHEREAS, the Division of Local Government Services (DLGS), within DCA, administers the LGAP; and

WHEREAS, the LGAP exists to provide funding to help off-set the costs to municipalities to provide the required inspections at stipulated times of certain single-family, two-family, and multiple rental dwelling units for lead-based paint hazards, pursuant to P.L. 2021, c. 182; and

WHEREAS, an authorized municipal officer must execute the attached grant agreement in order to receive LGAP funding.

NOW, THEREFORE, BE IT RESOLVED, the Governing Body of, (Township of Irvington) does hereby authorize the (name of authorized officer and title) to sign the attached grant agreement, and thus bind (name of municipality) to the grant agreement’s terms in order to receive the \$66,200 grant from the DLGS;

CERTIFICATION

I, Harold E. Weiner, (Clerk/Secretary of the Local Unit) of the (Township of Irvington) in the County of Essex, and the State of New Jersey do hereby Certify that the foregoing Resolution is a true copy of the Original Resolution duly passed and adopted by a majority of the full membership of the (Irvington Municipal Council) at its meeting of June 26, 2023.

Adopted
Absent: Cox

10. Communication and Petitions

A. Communications

1. Mayor Vauss – Appointment of Dolly Johnson as Acting Court Director Effective July 1, 2023

11. Pending Business

None

NON-CONSENT AGENDA

B. Ordinances on Second Reading

1. President Beasley: An ordinance amending Section 380-27 of the Revised Code Regarding Parking Commercial Vehicles on Residential Property Prohibited will be heard a time. The Assistant Clerk will read then notice of hearing.

The Assistant Clerk will read the ordinance by title

AN ORDINANCE AMENDING SECTION 380-27, OF THE REVISED CODE OF THE TOWNSHIP OF IRVINGTON ENTITLED "PARKING ON PRIVATE PROPERTY"

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON as follow:

SECTION 1. Section 380-27 of the Revised Code of the Township of Irvington is hereby amended and supplemented as follows:

380-27 Parking on Private Property

No person shall park or cause to be parked any type of motor vehicle in/on lawns, rear yards, front yards, side yards, across sidewalks, across driveways, across garages, across carports, in/on vacant lots etc. Nor shall they jump the curb (driving over a curb without an apron) to park in areas that are not delineated as parking spaces. Also parking any type of commercial vehicle, commercial equipment, trailer, camper, RV or boat on residential property is prohibited. Any commercial vehicle parked on the commercial property must be related to the commercial/business activity associated with the property.

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

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

The public hearing on this ordinance is now open

Beasley – Vick Motion to close public hearing

Beasley – Vick Motion to adopt this ordinance on second reading after public hearing

Adopted
Absent: Cox

2. President Beasley: An ordinance amending Section 355-13 of the Revised Code Regarding Certificate of Occupancy Required will be heard a time. For the record, this notice is identical to the prior notice read. The Assistant Clerk will read the ordinance by title.

AN ORDINANCE AMENDING SECTION 355-13, OF THE REVISED CODE OF THE TOWNSHIP OF IRVINGTON ENTITLED "CERTIFICATE OF OCCUPANCY REQUIRED"

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON as follow:

SECTION 1. Section 355-13 of the Revised Code of the Township of Irvington is hereby amended and supplemented as follows:

355-13 Certificate of Occupancy and/or Certificate of Continued Occupancy required

A. It shall henceforth be unlawful for any owner or prospective purchaser of real property to sell, convey, deliver or transfer, and for any purchaser to purchase, take title or possession of, any newly constructed or substantially

renovated building or premises until a certificate of occupancy to the effect that such building or premises complies with and conforms to the provisions of this chapter shall have been issued by the Director of the Department of Housing Services or his designee. The certificate of occupancy shall be issued after proper application has been executed and filed by the owner or the purchaser, as required, and after inspection and approval by a housing inspector designated by the Director of the Department of Housing Services. The fee for such inspections shall be as provided for in § 355-27 of this chapter.

B. The procedures for obtaining the certificate of occupancy shall be as adopted, promulgated and set forth by the Director of Housing Services and as approved by the Municipal Council of the Town after the Director of Housing Services has adopted, promulgated and set forth such procedures; further, these procedures may be amended from time to time as the need may arise, with the approval of the Municipal Council of the Town.

C. In the event the agreement of sale, conveyance or transfer of possession provides for or contemplates an "as is" sale, conveyance or transfer, then a copy of said agreement shall be attached to the application which application must be signed by both the seller, grantor or transferor and the purchaser, grantee or transferee. If the inspection of the building or premises reveal violations of the housing or building code or ordinances which will not be repaired or corrected before title closing or transfer of possession, then the Director of the Department of Housing Services may issue a nonrenewable temporary certificate of occupancy for a period not in excess of six months from the date of conveyance or transfer of possession. When a temporary certificate of occupancy is issued, the purchaser or transferee shall acknowledge receipt of said certificate and obligation to comply with the provisions and requirements of the housing code, building code and the Town ordinances applicable to same. When the property that is the subject of the temporary certificate of occupancy is more than 500 units, then the Director of Housing Services, in his discretion, may authorize up to two additional six-month extensions in order for the owner to cure any violations, provided that the property owner pays for all expenses to the Township as assessed by the Department of Housing Services, due to the extended time period for compliance.

D. Whenever there is a change in tenant, lessee, renter or owner of any nonresidential structure or part thereof for the purpose of conducting a commercial business the tenant, lessee, renter or owner must apply for and obtain a Certificate of Continued Occupancy from the Department of Housing & Building services prior to commencing any business activity.

E. The responsibility and liability for obtaining or not obtaining the certificate of occupancy and/or a Certificate of Continued Occupancy is both with the property owner, and the prospective purchaser and the prospective tenant. The fact that one or both all have abrogated the responsibility hereinabove shall not diminish the liability of either one or the other to the exclusion or inclusion of the other.

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

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

The public hearing on this ordinance is now open

Vick – Brown Motion to close public hearing

Vick – Brown Motion to adopt this ordinance on second reading after public hearing

Adopted
Absent: Cox

3. President Beasley: An ordinance Amend Section 355-15 of the Revised Code Regarding Certificate of Habitability Required will be heard a time. For the record, this notice is identical to the prior notice read. The Assistant Clerk will read the ordinance by title.

AN ORDINANCE AMENDING SECTION 355-15, OF THE REVISED CODE OF THE TOWNSHIP OF IRVINGTON ENTITLED "CERTIFICATES OF HABITABILITY "

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON as follow:

SECTION 1. Section 355-15 of the Revised Code of the Township of Irvington is hereby amended and supplemented as follows:

355-15 Certificate of Housing Compliance and/or Certificate of Habitability Required

A. Certificate of Housing Compliance; fees

- (1) It shall henceforth be unlawful for any owner or prospective purchaser of real property to sell, convey, deliver or transfer, and for any purchaser to purchase, take title or possession of, any building **containing residential units** or premises until a ~~certificate of occupancy~~ **Certificate of Housing Compliance** to the effect that such building **containing residential units** or premises complies with and conforms to the provisions of this chapter shall have been issued by the Director of the Department of Housing Services or his designee. The ~~certificate of occupancy~~ **Certificate of Housing Compliance** shall be issued after proper application has been executed and filed by the owner or the purchaser, as required, and after inspection and approval by a ~~housing inspector~~ **Code Enforcement Officer** designated by the Director of the Department of Housing Services. The fee for such inspections shall be as provided for in § **355-27** of this chapter.
- (2) There shall be a charge of \$217 per dwelling unit up to and including three dwelling units per building; \$108 per dwelling unit in excess of three dwelling units per building. Each re-inspection shall require a fee of \$108 per dwelling unit up to and including three dwelling units per building and \$58 per dwelling unit in excess of three dwelling units per building, for inspections for the purpose of issuing a certificate of occupancy. All such fees collected for said inspections shall forthwith be transmitted to the Township Treasurer.
- (3) The procedures for obtaining the ~~certificate of occupancy~~ **Certificate of Housing Compliance** shall be as adopted, promulgated and set forth by the Director of Housing Services and as approved by the Municipal Council of the Town after the Director of Housing Services has adopted, promulgated and set forth such procedures; further, these procedures may be amended from time to time as the need may arise, with the approval of the Municipal Council ~~of the Town~~.
- (4) In the event the agreement of sale, conveyance or transfer of possession provides for or contemplates an "as is" sale, conveyance or transfer, then a copy of said agreement shall be attached to the application which application must be signed by both the seller, grantor or transferor and the purchaser, grantee or transferee. If the inspection of the building **containing residential units** or premises reveal violations of the housing or building code or ordinances which will not be repaired or corrected before title closing or transfer of possession, then the Director of the Department of Housing Services may issue a nonrenewable temporary ~~certificate of occupancy~~ **Certificate of Housing Compliance** for a

period not in excess of six months from the date of conveyance or transfer of possession. When a temporary ~~certificate of occupancy~~ **Certificate of Housing Compliance** is issued, the purchaser or transferee shall acknowledge receipt of said certificate and obligation to comply with the provisions and requirements of the housing code, building code and the Town ordinances applicable to same. When the property that is the subject of the temporary ~~certificate of occupancy~~ **Certificate of Housing Compliance** is more than 500 units, then the Director of Housing Services, in ~~his~~ **their** discretion, may authorize up to two additional six-month extensions in order for the owner to cure any violations, provided that the property owner pays for all expenses to the Township as assessed by the Department of Housing Services, due to the extended time period for compliance.

- (5) The responsibility and liability for obtaining or not obtaining the **Certificate of Housing Compliance and/or Certificate of Habitability Required** is both with the property owner **and** prospective purchaser. The fact that one or both have abrogated the responsibility hereinabove shall not diminish the liability of either one or the other to the exclusion or inclusion of the other.

B. Certificate of habitability required; fees.

- (1) It shall henceforth be unlawful for any owner of real property to which this section is applicable to rent, lease or otherwise deliver up for occupancy any dwelling unit until a temporary or permanent certificate of habitability has been obtained therefor from the Director of the Department of Housing Services or his designee. [Amended 9-28-1982 by Ord. No. MC 2668; 2-13-1985 by Ord. No. 2769; 7-14-2009 by Ord. No. MC 3407; 7-1-2014 by Ord. No. MC 3511]
- (2) The fee for the issuance of a certificate of habitability shall be \$76 per dwelling unit. Each re-inspection for the issuance of a certificate of habitability shall be \$39 per dwelling unit. Upon compliance with the terms of a temporary certificate of habitability, a permanent certificate of habitability will be issued at an additional fee of \$9. [Amended 2-10-1987 by Ord. No. MC 2824; 12-12-1995 by Ord. No. MC 3027; 12-14-1999 by Ord. No. MC 3134; 8-14-2001 by Ord. No. MC 3176; 10-12-2005 by Ord. No. MC 3306; 12-29-2009 by Ord. No. MC 3413]
- (3) The owner of real property to which this section is applicable or his agent shall make application to the Director at least five business days prior to the date of anticipated occupancy of a dwelling unit for which a certificate of habitability is required. Failure of the Director to inspect the dwelling unit on or before the date of occupancy shall result in the issuance of a temporary certificate of habitability. The Director shall then inspect the premises within 15 days of the date of occupancy. In the event that such inspection performed subsequent to the date of occupancy reveals minor violations, the Director shall issue a temporary certificate of occupancy conditioned upon the property owner's remedying such minor violations within 45 days of the date thereof. In the event that such inspection reveals substantial violations, the Director shall issue a temporary certificate of habitability conditioned upon the property owner's remedying such substantial violations within 14 days of the date thereof. [Amended 10-13-1981 by Ord. No. MC 2642]
- (4) Upon inspection of any dwelling unit, the Director may issue a temporary certificate of habitability conditioned upon the property owner remedying such minor violations as shall be set forth specifically therein within 45 days of the date thereof. Upon compliance with the terms of said temporary certificate of habitability, the Director shall issue a permanent certificate of habitability at an additional fee as set forth in § 355-15A (2). A temporary certificate of habitability shall not be issued in the event that substantial violations are found to exist.

C. Contents.

Certificates of habitability issued pursuant to this section shall set forth the maximum number of persons by which the dwelling unit may be occupied pursuant to the Town Code.

D. Notice to tenant.

The owner of any real property to which this section is applicable or his agent shall cause a true copy of said temporary or permanent certificate of habitability to be personally delivered or mailed to the tenant or his representative within seven days of its issuance and a written receipt therefor executed by said tenant or representative.

E. Unlawful occupancy.

It shall be unlawful for the owner of any dwelling unit for which a temporary or permanent certificate of habitability has been issued to knowingly rent, lease or otherwise deliver up for occupancy said dwelling unit to persons in excess of the number permitted by law. It shall be unlawful for any tenant of a dwelling unit for which a temporary or permanent certificate of habitability has been issued to suffer or permit said dwelling unit to be occupied by persons in excess of the number permitted by law.

F. Definitions.

For the purposes of this section, the following definitions shall apply:

CERTIFICATE OF HOUSING COMPLIANCE — A written certification issued by the Director that a residential building is in substantial compliance with § 355-2 of this Code

CERTIFICATE OF HABITABILITY — A written certification issued by the Director that a dwelling unit is in substantial compliance with § 355-2 of this Code.

MINOR VIOLATION — A violation of the housing or other codes of the Town of Irvington which is not a substantial violation.

OWNER OF REAL PROPERTY — The owner, landlord or managing agent of any residential premises, except that this section shall not apply to premises containing one to four dwelling units, at least one of which is occupied by one or more of the owners thereof.

SUBSTANTIAL VIOLATION — A violation of the housing or other codes of the Town of Irvington which renders the dwelling unit hazardous to health or safety, such as exposed or deteriorated electrical wiring or fixtures, inoperable plumbing, lack of smoke detectors, lack of second means of egress, lack of security locks and bulging or severely cracked ceilings.

G. Responsibility of Director.

The Director shall make available for inspection by the public at his office a clear written summary of the housing standards upon which the issuance of a certificate of habitability shall be based.

H. Appeals.

Any person aggrieved by a denial of a temporary or permanent **Certificate of Housing Compliance and/or Certificate of Habitability** may appeal in writing to the Mayor, who shall hear the appeal, render a decision thereon and file his decision with a written statement of the reasons therefor with the Director of the Department of Housing Services not later than ~~five~~ **ten (10)** business days following the submission of the appeal. A copy of the decision shall be mailed by ordinary first class mail to the appellant. Failure to hear an appeal and render and file a decision thereon within the time limits prescribed herein shall be deemed a reversal of the decision of said Director, and a temporary or permanent certificate of habitability, as the case may be, shall be issued by the Director for said dwelling unit forthwith.

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

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

The public hearing on this ordinance is now open

Vick – Brown Motion to close public hearing

Vick – Brown Motion to adopt this ordinance on second reading after public hearing

Adopted
Absent: Cox

ALCOHOLIC BEVERAGE CONTROL BOARD

JUNE 26, 2023

1. Acting Chair Beasley calls the Meeting to Order

Roll Call

Present: Commissioners Beasley, Brown, Evans, Frederic, Hudley, Vick

Absent: Chairman Cox

2. New Business

Frederic – Vick A. Renewal of Plenary Retail Consumption Licenses for the 2023-2024
Licensing Year

WHEREAS, the following named individuals, partnerships or corporations, being applicants for Plenary Retail Consumption Licenses for the Year 2023-2024 to sell alcoholic beverages under the provisions of NJSA 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 organizations to whom Plenary Retail Consumption Licenses should be issued; and

NOW, THEREFORE BE IT RESOLVED by the Municipal Council, Acting as the Alcoholic Beverage Control Board of the Township of Irvington, that a Plenary Retail Consumption Licenses be issued to the following named individual, partnerships and corporations for the sale of alcoholic beverages by the glass or in original containers for consumption on the licensed premises, for the Year 2023-2024 at the address set opposite their name.

License Number	Name	Address
0709-33-021-006	Embers Tavern LLC	872-874 Clinton Avenue
	DBA/The View	
0709-33-042-004	Cricket Productions	415-421 16 th Avenue
	DBA/Cricket Club	
0709-33-047-002	Brothers 521 Lounge & Café Corp	554 Lyons Avenue

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0709-33-075-006 DBA/Florian & Bob's Dolls
LVJ Planning LLV 665 Stuyvesant Avenue
DBA/LVJ Planning LLC

BE IT FURTHER RESOLVED, that the said licenses be issued in the name and under the seal of the Township of Irvington and be signed by the ABC Board Secretary, in order to fulfil the provisions of Chapter 158 of the Irvington Township Code, known as Ordinance MC 3635, which license, after being so signed, shall be released by the ABC Board Secretary to the licensee

Adopted
Absent: Cox

Frederic – Vick B. Renewal of Plenary Retail Distribution Licenses for the 2023-2024
Licensing Year

WHEREAS, the following named individuals, partnerships or corporations, being applicants for Plenary Retail Distribution Licenses for the Year 2023-2024 to sell alcoholic beverages under the provisions of NJSA 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 corporations to whom Plenary Retail Distribution Licenses for the sale of package goods should be issued; and

NOW, THEREFORE BE IT RESOLVED by the Municipal Council, Acting as the Alcoholic Beverage Control Board of the Township of Irvington, that a Plenary Retail Distribution Licenses be issued to the following named individuals, partnerships and corporations for the sale of package goods in original containers for consumption off the licensed premises, for the Year 2023-2024 at the address set opposite their respective name.

License Number	Name	Address
0709-44-014-003	Puni Liquors LLC	1269-77 Springfield Avenue
	DBA/Home Wine & Liquors	
0709-44-016-008	All Brothers Incorporated II	859 18 th Avenue
	DBA/Not Available	
0709-44-046-010	Bhargav Liquor Inc	728 Springfield Avenue
	DBA/JRC Liquors Inc	
0709-44-056-010	Cordier Liquors Inc	13-29 Cordier Street
	DBA/Lyons Discount Liquors	
0709-44-066-008	Gajanana Inc	378 Stuyvesant Avenue
	DBA/Madison Superette	
0709-44-067-006	762-764 Chancellor Avenue	762-764 Chancellor Avenue
	DBA/Jaison Liquor Deli & Grocery	

BE IT FURTHER RESOLVED, that the said licenses be issued in the name and under the seal of the Township of Irvington and be signed by the ABC Board Secretary, in order to fulfil the provisions of Chapter 158 of the Irvington Township Code, known as Ordinance MC 3635, which license, after being so signed, shall be released by the ABC Board Secretary to the licensee.

Adopted
Absent: Cox

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Frederic – Vick

C. Renewal Of ABC Pocket Plenary Retail Distribution License for the 2023-2024 Licensing Year With 12:39 Special Ruling - Dhanshree, Inc.

WHEREAS, the following named individuals, partnerships or corporations, being applicants for Plenary Retail Distribution Licenses for the Year 2023-2024 to sell alcoholic beverages under the provisions of NJSA 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 corporations to whom Plenary Retail Distribution Licenses for the sale of package goods should be issued; and

WHEREAS, the Director of the New Jersey Division of Alcoholic Beverage Control has granted a Special Ruling to permit renewal of an Inactive (Pocket) License, Pursuant to NJSA 33:1-12.39.

NOW, THEREFORE BE IT RESOLVED by the Municipal Council, Acting as the Alcoholic Beverage Control Board of the Township of Irvington, that a Plenary Retail Distribution Licenses be issued to the following named individuals, partnerships and corporations for the sale of package goods in original containers for consumption off the licensed premises, for the Year 2023-2024 at the address set opposite their respective name.

License Number	Name	Address
0709-44-012-006	Dhanshree Inc	POCKET LICENSE WITH SPECIAL 12:39 STATE ABC RULING

BE IT FURTHER RESOLVED, that the said licenses be issued in the name and under the seal of the Township of Irvington and be signed by the ABC Board Secretary, in order to fulfil the provisions of Chapter 158 of the Irvington Township Code, known as Ordinance MC 3635, which license, after being so signed, shall be released by the ABC Board Secretary to the licensee.

Adopted
Absent: Cox

Frederic – Vick

D. Renewal of ABC Broad Package Privileges

WHEREAS, the following named individuals, partnerships or corporations, being applicants for Plenary Retail Consumption License with Broad Package Privilege for the Year 2023-2024 to sell alcoholic beverages under the provisions of NJSA 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 organizations to whom Plenary Retail Consumption Licenses should be issued; and

NOW, THEREFORE BE IT RESOLVED by the Municipal Council, Acting as the Alcoholic Beverage Control Board of the Township of Irvington, that Plenary Retail Consumption License with Broad Package Privileges be issued to the following named individual, partnerships and corporations for the sale of alcoholic beverages by the glass or open container to be consumed on and off the licensed premises, for the Year 2023-2024 at the address set opposite their name.

License Number	Name	Address
0709-32-077-008	Irvington House of Liquor, Inc.	1045 Stuyvesant Avenue

T/A A-1 PayLess Liquor

BE IT FURTHER RESOLVED, that the said licenses be issued in the name and under the seal of the Township of Irvington and be signed by the ABC Board Secretary, in order to fulfil the provisions of Chapter 158 of the Irvington Township Code, known as Ordinance MC 3635, which license, after being so signed, shall be released by the ABC Board Secretary to the licensee.

Adopted
Absent: Cox

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)

Elouise McDaniel, 214 Nesbit Terrace
John Lalindez, 296 Myrtle Avenue
Robert Shaw, 57 Coit Street
Nakeia Williams, 147 Paine Avenue
Vincent Randolph, 394 Coit Street

Council President Beasley responded to the issues raised by the above referenced citizens.

13. Adjournment

There being no further business, the meeting adjourned at 8:01 P.M.

Jamillah Z. Beasley, Council President

Shawna Supel, Assistant Municipal Clerk