MINUTES

Regular meeting of the Mayor and Council of the
Town of Guttenberg at Town Hall, 6808 Park Avenue, Guttenberg, New Jersey
on Wednesday, February 26, 2025, Second Floor

Call to Order: Dr. Cosmo A. Cirillo, Town Clerk

Salute to the Flag: By Dr. Cosmo A. Cirillo, Town Clerk

Members Present:

Councilpersons: Richard Delafuente, Monica Fundora, John Habermann, William Hokien, Juana Malave and Mayor Wayne D. Zitt, Jr. Absent: None

Sunshine Law:

As presiding officer of this Regular Meeting of the Mayor and Town Council of the Town of Guttenberg, held on February 26, 2025 at 4:30 P.M., I do hereby publicly announce, and I direct that this announcement shall be placed in the minutes of this meeting, and that the Notice requirements provided for in the "Open Public Meetings Act" have been satisfied. Notice of this meeting was properly given to the Town Council and transmitted by the Town Clerk to the Jersey Journal. the Bergen Record and publicly posted on the Municipal Bulletin Board the annual resolution showing the date, time and place of each regular meeting.

Approval of Minutes:

- Caucus Meeting of January 29, 2025
- Public Meeting of January 29, 2025

A motion was made by Councilperson Delafuente seconded by Councilperson Hokien Ayes: Councilpersons Delafuente, Habermann, Hokien, Malave and Mayor Zitt Nays: None Absent: Fundora Abstain: None

Approval of consent agenda Resolution #56-2025 through Resolution#71-2025:

A motion was made by Councilperson Delafuente seconded by Councilperson Hokien Ayes: Councilpersons Delafuente, Fundora, Habermann, Hokien, Malave and Mayor Zitt Nays: None Absent: None Abstain: None

***Let it be noted that Mayor Zitt abstained to Resolution#71-2025**

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION#56-2025
AUTHORIZE PROFESSIONAL SERVICES CONTRACT WITH
THE APPELLO LAW FIRM AS
ALTERNATE - MUNICIPAL PUBLIC DEFENDER

WHEREAS, the Town of Guttenberg ("Town") solicited qualifications-proposals under a fair and open process for a contract for alternate municipal court public defender; and

WHEREAS, the Town evaluated the proposals and determined that the proposal from The Appello Law Firm, with offices located at 1445 Union Turnpike, North Bergen, NJ 07047, was legally sufficient and the most cost effective and comprehensive proposal, and that The Appello Law Firm, can provide the services required by the Town for alternate municipal court public defender services needed by the Town; and

WHEREAS, the Town received a proposal for these services from The Appello Law Firm, with offices located at 1445 Union Turnpike, North Bergen, NJ 07047, which was reviewed and determined to be legally sufficient and in the best interests of the Town; and

WHEREAS, The Appello Law Firm. is qualified and able to provide these services.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Guttenberg, County of Hudson, and State of New Jersey, do herby authorize a contract with and appoint The Appello Law Firm, with offices located at 1445 Union Turnpike, North Bergen, NJ 07047 for the position of Alternate - Municipal Public Defender.

BE IT FURTHER RESOLVED, The Appello Law Firm. shall be paid $250 per court session and $150 per hour for case/trial preparations for the position of Alternate - Municipal Public Defender; and

BE IT FURTHER RESOLVED, that said appointment shall be a yearly appointment, whose term shall commence on January 1, 2025 and expire on December 31, 2025.

BE IT FURTHER RESOLVED, that the Chief Financial Officer, certifies that funds are available for the appropriation from that Current Fund – Municipal Court 01-2010-43-4902-001.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #57-2025
AUTHORIZING TOWN OF GUTTENBERG APPROVED TRANSFERS BETWEEN
2025 CY BUDGET APPROPRIATION RESERVES

WHEREAS, various Town of Guttenberg (Town") 2025 prior year bills have been presented for payment this year, which bills represent obligations of the prior year and were not covered by order number and/or recorded at the time of transfers between the 2024 prior year Budget; and

WHEREAS, N.J.S.A. 40A:4-59 provides that all unexpended balances carried forward after the close of the fiscal year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding year, and allow transfers to

be made from the unexpended balances to those which are expected to be insufficient during the first three months of the succeeding year

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Gutenberg, County of Hudson, State of New Jersey, that transfers in the amount of Nineteen Thousand, Eight Hundred Seventy-Eight Dollars ($19,878.00) and No Cents be made between the 2024 Budget Appropriation Reserves as follows:

Account Name	From	To
Admin OE		220.00
Finance OE		177.00
Insurance/Other		191.00
Police OE		9,600.00
Streets & Roads OE		1,440.00
Recycling		1,530.00
Solid Waste		4,800.00
Senior Nutrition		1,920.00
Legal	177.00	
Trans OE	4,350.00	
Fire Hydrant	1,235.00	
Gasoline	4,525.00	
Postage	1,590.00	
Engineering	3,470.00	
Bldg & Grounds	2,750.00	
Recreation	1,040.00	
Street Lighting	741.00	
	$19,878.00	**$19,878.00**

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION#58-2025
APPOINTING YOLANDA NORIEGA AS A FULL TIME CLERK
IN THE BUILDING DEPARTMENT

WHEREAS, there is a need for a Clerk in the Building Department; and

WHEREAS, the Town Administrator reviewed numerous applicants for the position; and

WHEREAS, The Town Administrator of the Town of Guttenberg has recommended that Yolanda Noriega be appointed to the position of Full Time Clerk for the Building Department.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Guttenberg County of Hudson State of New Jersey, that Yolanda Noriega is appointed to the position

of Full Time Clerk for the Building Department. The annual salary shall be as set forth in the Salary Ordinance of the Town of Guttenberg.

BE IT FURTHER RESOLVED, that said appointment is hereby effective March 25, 2025.

BE IT FURTHER RESOLVED, that said appointment is probationary for a period of ninety (90) days, expiring on June 23, 2025.

BE IT FURTHER RESOLVED, that the Chief Financial Officer certifies that funds are available for the appropriation from Current Fund BLDG S&W 01-2010-22-1931-001.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #59-2025
APPOINTING RANDI ROGERS AS THE FIRE PREVENTION SECRETARY
FOR THE FIRE PREVENTION DEPARTMENT OF THE TOWN OF GUTTENBERG

WHEREAS, there is a need for a person to fill the position of Fire Prevention Secretary for the Guttenberg Fire Prevention Department; and

WHEREAS, The Town Administrator of the Town of Guttenberg has recommended that Randi Rogers be appointed to the position of Fire Prevention Secretary for the Guttenberg Fire Prevention Department of the Town of Guttenberg.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Guttenberg County of Hudson State of New Jersey that Randi Rogers is appointed to the position of Fire Prevention Secretary for the Guttenberg Fire Prevention Department of the Town of Guttenberg. The annual salary shall be as set forth in accordance with the Salary Ordinance of the Town of Guttenberg.

BE IT FURTHER RESOLVED, that said appointment is hereby effective March 10, 2025.

BE IT FURTHER RESOLVED, that said appointment is probationary for a period of ninety (90) days, expiring on June 8, 2025.

BE IT FURTHER RESOLVED, that the Chief Financial Officer certifies that funds are available for the appropriation from Current Fund-Fire S&W 01-2010-26-2661-001.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #60-2025
AUTHORIZING HIRE OF JAMES McCALL AS A FULL-TIME FOREMAN FOR THE
DEPARTMENT OF PUBLIC WORKS FOR THE TOWN OF GUTTENBERG

WHEREAS, the Town of Gutenberg ("Town") is in need of a full-time foreman in the Department of Public Works Department; and

WHEREAS, applications were sought for all person interested in working with the Guttenberg Department of Public Works as foreman; and

WHEREAS, the Acting Superintendent of the Department of Public Works recommends that James McCall be hired as a full-time foreman of the Department of Public Works.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey, that James McCall, is hired as a full-time foreman of the Department of Public Works Department ("DPW"); and

BE IT FURTHER RESOLVED, said appointment shall be effective as of March 3, 2025. The salary shall be as set forth by the salary ordinance of the Town of Guttenberg; and

BE IT FURTHER RESOLVED that said appointment is probationary for a period of ninety (90) days, expiring on June 1, 2025; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer certifies that funds are available for the appropriation from Current Fund- Salary & Wages, Streets & Roads 01-2010-26-2901-001.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #61-2025
APPOINTING JASON ALLGEIER AS ACTING SUPERINTENDENT FOR THE DEPARTMENT OF PUBLIC WORKS FOR THE TOWN OF GUTTENBERG

WHEREAS, there is a need for a DPW Superintendent for the Guttenberg Department of Public Works Department ("DPW"); and

WHEREAS, Jason Allgeier presently serves as full-time Foreman for the DPW:

WHEREAS, the Town Administrator for the Town of Guttenberg has recommended Jason Allgeier as Acting Full Time DPW Superintendent.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Guttenberg County of Hudson, State of New Jersey that Jason Allgeier is hereby appointed to the position of Acting Superintendent for the Department of Public Works. The annual salary shall be as set forth in the Salary Ordinance of the Town of Guttenberg; and

BE IT FURTHER RESOLVED, that said appointment is hereby effective retroactive as of January 1, 2025; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer certifies that funds are available for the appropriation from Current Fund- Streets & Roads S&W 01-2010-26-2901-001.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #62-2025
AUTHORIZE AWARD OF CONTRACT TO JARROD & SONS
FOR LANDSCAPING SERVICES

WHEREAS, the Town of Guttenberg ("Town") publicly advertised a request for qualifications-proposals ("RFP") for Landscaping Services ("Services"); and

WHEREAS, a proposal was received from Jarrod & Sons Landscaping and it was deemed legally sufficient; and

WHEREAS, the Mayor and Council now seek to award a contract for Landscaping Services to Jarrod & Sons Landscaping with offices located at 730 Irving Place, Secaucus, New Jersey 07094; and

WHEREAS, the term of this contract shall be as of March 1, 2025 and continue until and through December 31, 2025; and

WHEREAS, Jarrod & Sons Landscaping shall be paid a contract term amount not to exceed $26,694.00.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey, do hereby award a contract to Jarrod & Sons Landscaping, with offices located at 730 Irving Place, Secaucus, New Jersey 07094, in the amount not to exceed $26,694.00 in accord with the rates set forth Jarrod & Sons Landscaping's qualification-proposal.

BE IT FURTHER RESOLVED, that the Mayor and/or Town Administrator and Town Clerk are authorized to take such other steps as are necessary to effectuate the terms of this resolution, including the execution of a contract; and

BE IT FURTHER RESOLVED that the Chief Financial Officer certifies that funds are available for the appropriation from the Current Fund – Buildings and Grounds 01-2010-26-3102-001.

BE IT FURTHER RESOLVED that notice of the Contract award shall be published and maintained in the Office of Clerk, as may be required by law.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #63-2025
AUTHORIZING OF PROPERTY LOCATED AT 6809-6813 JACKSON STREET FOR THE PURPOSES OF CONSTRUCTING AND OPERATING A SURFACE PARKING LOT FOR RESIDENTS

WHEREAS, the Town of Guttenberg (the "Town") desires to lease land from BHD Investments LLC ("Landlord") for the purpose of constructing and operating a surface parking lot for resident use (the "Project") on the property located at as 6809-6813 Jackson Street, Guttenberg, New Jersey, designated as Block 4, Lots 28.01 and 28.02 (the "Property"); and

WHEREAS, the Town seeks to authorize an agreement for the lease of the Property for a $10,518.26 per annum, payable quarterly on February 1, May 1, August 1, and August 1 of each year in the term of the agreement (the "Lease"); and

WHEREAS, the Lease will commence on March 1, 2025 and shall continue until February 28, 2028, with permitted extensions as outlined in the Lease; and

WHEREAS, the Mayor or Town Administrator and Town Clerk are authorized to execute any documents, instruments, or other documents deemed necessary as may be required by the Landlord or Town to effectuate this Lease.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey do hereby authorize the Lease of the Property under the terms outlined herein.

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TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #64-2025
AUTHORIZING TAX REFUNDS 2022-2024 FOR BLOCK 41, LOT 1

WHEREAS, Summit House Tenants Corporation ("Owner") is the record owner of property located in the Town of Guttenberg, New Jersey, situated at Block 41, Lot 1, with a street address of 7100 Blvd East, Guttenberg, New Jersey ("Property"); and

WHEREAS, Owner is the Plaintiff in the Tax Court of New Jersey, Docket Nos.: 003168-2022, 000753-2023, and 002068-2024 challenging the Town of Guttenberg's ("Town") assessment of the aforementioned Property; and

WHEREAS, the parties have conducted discovery with respect to this matter, engaged in negotiations, and have reached a settlement to amicably resolve the lawsuits between them pending in the Tax Court of New Jersey; and

WHEREAS, the Town's Tax Assessor, the Town's Tax Appeal Attorney, and the Town's Appraisal Expert are in agreement with the terms of the settlement and believe that it would be in the best interest of the Town to settle this particular case in accordance with the terms set forth herein.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey, that Florio Kenny Raval, L.L.P., Tax Appeal Counsel for the Town of Guttenberg in the above matters, is hereby authorized to execute on behalf of the Town of Guttenberg, a Stipulation of Settlement resolving the Complaints filed by Owner for property situated at Block 41, Lot 1, with a street address of 7100 Blvd East, Guttenberg, New Jersey, for tax years 2022-2024 as follows:

Tax Year 2019 (Assessment Reduced)

	Original Assessment	**Requested Tax Court Judgment**
Land	**$8,235,000**	**$8,235,000**
Imps	**$16,565,000**	**$13,765,000**

Total	**$24,800,000**	**$22,000,000**

Tax Year 2020 (Assessment Reduced)

	Original Assessment	Requested Tax Court Judgment
Land	**$8,235,000**	**$8,235,000**
Imp	**$16,565,000**	**$13,765,000**
Total	**$24,800,000**	**$22,000,000**

Tax Year 2021 (Assessment Reduced)

	Original Assessment	Requested Tax Court Judgment
Land	**$8,235,000**	**$8,235,000**
Imp	**$16,565,000**	**$13,765,000**
Total	**$24,800,000**	**$22,000,000**

Tax Year 2022 (Assessment Reduced)

	Original Assessment	Requested Tax Court Judgment
Land	**$8,235,000**	**$8,235,000**
Imp	**$16,565,000**	**$13,765,000**
Total	**$24,800,000**	**$22,000,000**

BE IT FURTHER RESOLVED that upon receipt of the Tax Court Judgments, and pursuant to the Freeze Act under N.J.S.A. § 54:51A-8, the Tax Collector calculated the amount of the refund in the total amount of $377,290 for Tax Years 2022-2024 and cause same to be paid within sixty (60) days of date of entry of the Tax Court Judgments and/or take any other action to effectuate the purpose of this Resolution; and

BE IT FURTHER RESOLVED that said refund shall be made payable to "Heinze Law, P.A. Attorney Trust Account" established by Owner's representatives, Ventura, Miesowitz & Keough, P.C., located at 383 Main Street, Suite 101, Chatham, New Jersey 07928; and

BE IT FURTHER RESOLVED that the Chief Financial Officer certifies that funds are available for appropriation from Account # 01-2920-00-0000–Current Fund-Reserve Tax Appeals; and

BE IT FURTHER RESOLVED that interest on any refund due is waived provided the refund is made within sixty (60) days of the date of entry of the Tax Court Judgments; and

BE IT FURTHER RESOLVED that copies of this Resolution are to be provided to the Town's Tax Collector, Tax Assessor, and Tax Appeal Attorney.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY

RESOLUTION #65-2025
AUTHORIZE HIRE OF SECURITY GUARD FOR THE SECURITY PROGRAM SHARED SERVICE AGREEMENT BETWEEN THE TOWN OF GUTTENBERG AND THE HOUSING AUTHORITY FOR THE TOWN OF GUTTENBERG

WHEREAS, the Town of Guttenberg created a security program in partnership with the Housing Authority for the Town of Guttenberg by entering into a Shared Service Agreement pursuant to N.J.S.A. 40A:65-1 et seq. ("Security Program Agreement"); and

WHEREAS, there is a need to hire a part-time Security Guard to provide security services at several building locations within the Town of Guttenberg; and

WHEREAS, Andrew Posada is available and able to serve as Security Guard; and

WHEREAS, the Town Administrator for the Town of Guttenberg and the Director of the Housing Authority for the Town of Guttenberg recommend hiring Andrew Posada to Security Guard positions.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey, that Andrew Posada is hired to part-time Security Guard position. The hourly wage for Security Guard positions shall be as set forth in the Security Program Agreement; and

BE IT FURTHER RESOLVED, that said Security Guard hiring are hereby effective as of February 28, 2025; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer certifies that funds are available for the appropriation from Current Fund-GHA Security #01-2010-2501-001.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #66-2025
AUTHORIZING REFUND OF MONIES HELD IN ESCROW TO
LEO CAMPBELL TANK SERVICE LLC

WHEREAS, Certain escrow funds were deposited by or on behalf of Leo Campbell Tank Service LLC in an escrow account for a project located at 7004 Jackson Avenue, Guttenberg, New Jersey; and

WHEREAS, the project is no longer active, and the Finance Department has confirmed that no further monies are due relating to this project; and

WHEREAS, of the total escrow initially deposited in Account #15-2960-00-1423-001 in the amount of One Thousand Five Hundred Dollars ($1,500), there remains Five Hundred Twelve Dollars and Seventy-Five Cents ($512.75); and

WHEREAS, these monies were held unused; and

WHEREAS, the Finance Department has confirmed that the balances should be returned to Leo Campbell Tank Service LLC, as there is no further need for additional escrow; and

WHEREAS, the Chief Financial Officer certifies that funds are available for the appropriation from Account #15-2960-00-1423-001.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey, that the balance currently held in escrow in the amount of Five Hundred Twelve Dollars and Seventy-Five Cents ($512.75) shall be returned to Leo Campbell Tank Service, LLC, with a mailing address of 159 West 1st Street, Bayonne, New Jersey.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #67-2025
AUTHORIZE HIRE OF PART-TIME EMPLOYESS FOR THE
DEPARTMENT OF PUBLIC WORKS SENIOR SNOW PLOWING PROGRAM

WHEREAS, there is a need to hire part-time individuals to provide snow removal for the Guttenberg Department of Public Works ("DPW") Senior Snow Plowing Program; and

WHEREAS, applications were sought for all person interested in working with the Guttenberg DPW Senior Snow Plowing Program; and

WHEREAS, the Department of Public Works Acting Superintendent of the Town of Guttenberg has recommended that Robert Rodriguez, Luis Garcia, Samuel Ladson and Rafael Hildervert be hired to the position of part-time Snow Removal Laborer for the Department of Public Works.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Guttenberg, County of Hudson, and State of New Jersey, hereby hire Robert Rodriguez, Luis Garcia, Samuel Ladson and Rafael Hildervert as the part-time Snow Removal Laborer for the Town of Guttenberg, Department of Public Works; and

BE IT FURTHER RESOLVED, that said appointment is hereby effective retroactively as of February 9, 2025; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer certifies that funds are available for the appropriation from Current Fund- Streets & Roads S&W 01-2010-26-2901-001.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #68-2025
AUTHORIZING TAX EXEMPTION FOR DISABLED VETERAN ACCOUNT

WHEREAS, Vernon C. Douglas, who resides at and is the owner of certain real estate in the Town of Guttenberg, County of Hudson, State of New Jersey known as Block 43.01, Lot 27.04, Qualifier C127D; located at 7000 Boulevard East, Unit 27D, Guttenberg, New Jersey was deemed a 100% permanently disabled veteran in accordance with the provisions of N.J.S.A. 54:4-3.30; and

WHEREAS, Vernon C. Douglas made the appropriate claim for tax exemption through the Tax Assessor for the Town of Guttenberg, Hudson County, State of New Jersey as a 100% permanently disabled veteran approved through the Veteran's Administration.

NOW THEREFORE BE IT RESOLVED, the Mayor and Town Council for the Town of Guttenberg, Hudson County, New Jersey, that the property known as Block 43.01, Lot 27.04,

Qualifier C127D; located at 7000 Boulevard East, Unit 27D, Guttenberg, New Jersey, is hereby designated as a tax-exempt property for the property owner, Vernon C. Douglas, who is a 100% permanently disabled veteran. Previously paid taxes from 2021 thru 2024 were refunded to Mr. Douglas in the amount of $17,486.49; and all future taxes on the property have been cancelled as long as Mr. Douglas remains the owner.

BE IT FURTHER RESOLVED that a properly executed copy of this resolution be forwarded to the Tax Collector and Finance Director for their record.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #69-2025
APPROVING CONTRACT WITH SPATIAL DATA LOGIC SOFTWARE FOR PERMITTING AND COMPLAINT TRACKING

WHEREAS, the Town of Guttenberg utilizes Spatial Data Logic software ("Software") for permitting and complaint tracking in several municipal departments; and

WHEREAS, Spatial Data Logic ("SDL") of 285 Davidson Avenue, Suite 302, Somerset, New Jersey is approved vendor for the Software through the New Jersey Department of Treasury, Division of Purchase and Property's State contract #T-3121; and

WHEREAS, pursuant to N.J.S.A. 40A:11-12, the Town may, without publicly advertising for bids, purchase goods or services under any contract for such goods or services entered into on behalf of the State by the Division of Purchase and Property; and

WHEREAS, it is in the interest of the residents of the Town of Guttenberg, County of Hudson and State of New Jersey to continue to use the Software; and

WHEREAS, the Town Council desires to approve a contract with SDL so that the Town may continue to use the Software.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Town Counsel of the Town of Guttenberg, that a contract be and is hereby awarded for the Spatial Data Logic Enterprise License to Spatial Data Logic ("SDL") of 285 Davidson Avenue, Suite 302, Somerset, New Jersey under State Contract #T-3121 in the annual amount not to exceed $54,900.00; and

BE IT FURTHER RESOLVED, that the contract awarded shall include all available extension and renewal options; and

BE IT FURTHER RESOLVED, that the effective date of the contract shall be deemed to have commenced as of the expiration of the previous contract and last for one year; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer certifies that funds are available for the appropriation from Current Fund Technology - 01-2010-32-4705-001.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be provided to SDL, the Town Administrator, the Chief Financial Officer and the Town Clerk.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #70-2025

AUTHORIZING LEASE OF PRINTERS, COPY MACHINES, FAX MACHINES AND RELATED SERVICES FROM TGI OFFICE AUTOMATION

WHEREAS, the Town of Guttenberg (the "Town") desires to lease copy machines, printers, and fax machines, along with delivery, set-up, connection to network, and training from TGI Office Automation for Town Hall office administration ("Equipment and Services"); and

WHEREAS, the Town seeks to authorize an agreement for the lease of the Equipment and Services for a maximum of $2,839.46 per month for 60 months starting in March 2025; and

WHEREAS, the Mayor or Town Administrator are authorized to execute any documents, instruments, or other documents deemed necessary as may be required by the Landlord or Town to effectuate this Lease.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey do hereby authorize the Lease of the Property under the terms outlined herein.

RESOLUTION #ABC-71-2025 OF THE TOWN OF GUTTENBERG
ALCOHOL BEVERAGE CONTROL
MEETING OF FEBRUARY 26, 2025

WHEREAS, respondent licensee, Sosa and Sosa Inc., operating under license #0903-33-018-008, at 6714 Bergenline Avenue, Guttenberg, New Jersey pled guilty to:

1) A charge of violating Guttenberg Ordinance 3-1.1 and N.J.S.A. 33:1-31h, to wit, allowing an excessive number of patrons in the establishment; and

WHEREAS, on the recommendation of T.J. Legg, Esq., Municipal Prosecutor, and it appearing that the recommendation is in accordance with the Laws of the State of New Jersey and the Administrative Regulations pertaining to such violations, and other cause appearing, that the Liquor License #0903-33-018-008, issued to Sosa and Sosa Inc. located at 6714 Bergenline Avenue, Guttenberg, New Jersey be and hereby is suspended and was closed for a period of three (3) days from February 20, 2025 to February 23, 2025; and

WHEREAS, it is acknowledged that the establishment served its suspension between February 20, 2025 and February 23, 2025; and

WHEREAS, in addition to the foregoing suspension, Liquor License #0903-33-018-008, issued to Sosa and Sosa Inc. located at 6714 Bergenline Avenue, Guttenberg, New Jersey, shall remove any billiards tables from the premises.

NOW, THEREFORE, BE IT RESOLVED, on this 26th day of February that the Liquor License #0903-33-018-008, issued to Sosa and Sosa Inc., located at 6714 Bergenline Ave, Guttenberg, New Jersey be and hereby is suspended and was closed for a period of three (3) days, which suspension has already been served. The pool tables shall also be removed within 48 hours of this Resolution, and

and

BE IT FURTHHER RESOLVED, that in consideration of the Town not imposing a longer suspension of the license, the licensee, Sosa and Sosa Inc., waives its rights to appeal the sentencing of the Board pursuant to N.J.S.A. 33:1-31 to the New Jersey Division of Alcohol Beverage Control or to any Court of competent jurisdiction and further waives its rights pursuant to N.J.S.A. 33:1-31 to petition the Director of the New Jersey Division of Alcohol Beverage Control to compromise any of this suspension with a monetary payment. The licensee further agrees that no sign shall be placed on the premises that mislead the public for the reasons why the licensed premise is closed.

TOWN OF GUTTENBERG

COUNTY OF HUDSON

RESOLUTION#72-2025

WHEREAS, the Town of Guttenberg desires to establish the 2025 Temporary Capital Budget of said municipality by inserting therein the following project.

NOW, THEREFORE BE IT RESOLVED by the Council of the Town of Guttenberg as follows:

Section 1. The 2025 Temporary Capital Budget of the Town of Guttenberg is hereby established by the adoption of the schedule to read as follows:

Temporary Capital Budget of the

Town of Guttenberg

County of Hudson, New Jersey

Projects Scheduled for 2025

Method of Financing

Project	Est. Costs	Grants	Budget Appr. Fund	Capital Imp. Fund	Bonds	Self-Liquidating Bonds
Pedestrian Safety Intersection	2,790,000				2,790,000	
Traffic Signal Upgrades on 68th St and Palisades Ave	566,880				566,880	

Section 2. The Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services Department of Community Affairs, State of New Jersey, within three days after the adoption of this project for 2025 Temporary Capital Budget, to be included in the 2025 Permanent Capital Budget as adopted.

A motion was made by Councilperson Fundora seconded by Councilperson Delafuente Ayes: Councilpersons Delafuente, Fundora, Habermann, Hokien, Malave and Mayor Zitt Nays: None Absent: None Abstain: None

Ordinances:

ORDINANCE #02-25
ADOPTION

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
ORDINANCE AMENDING CHAPTER 2, SECTION 18 POLICE DEPARTMENT OF THE TOWN CODE

WHEREAS, pursuant to N.J.S.A. 40:48-2, a municipality may make, amend, repeal, and enforce ordinances not contrary to the laws of this State or of the United States, as it may deem necessary and proper for order and protection of persons and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants; and

WHEREAS, the Guttenberg Police Department was established by ordinance adopted on May 20, 1946; and

WHEREAS, said Ordinance has been amended and modified from time to time; and

WHEREAS, it is now appropriate to amend and bring the subject matter of that Ordinance current with modern statutory requirements including but not limited to N.J.S.A. 40A:14-118.

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey that:

SECTION ONE

§ 2-18. POLICE DEPARTMENT.

§ 2-18.1. Members.

a. The table of organization of the Police Department of the Town of Guttenberg shall be as follows:

1. One chief law enforcement officer who shall hold the rank of and receive the pay of a

~~Deputy~~ Chief of Police.

2. One Commander of Patrol Operations who shall hold the rank of and receive the pay of Lieutenant.

3. One Commander of Staff/Administration who shall hold the rank of and receive the pay of Lieutenant.

4. Six Sergeants.

5. Eighteen Police Officers, along with any Class I, Class II of Class III Special Law Enforcement Officers, as may be appointed from time to time by the Town of Guttenberg, in accordance with New Jersey Statues.

b. The salaries of any full-time regular Police Officer (not including any Class I, Class II or Class III Special Law Enforcement Officers) shall be as set forth in a collective bargaining agreement, as exists and agreed to between the Town of Guttenberg and the collective bargaining unit that represents the regular full-time Police Officers of the Police Department.

c. The normal chain of command for police matters shall be (1) the ~~Deputy~~ Chief of Police; (2) Lieutenant of Patrol Operations, (3) Lieutenant and (4) Sergeant; (5) Police Officer, (6) Class III Law Enforcement Officers; (7) Class II Law Enforcement Officers; (8) Class I Law Enforcement Officers.

d. The salary for a ~~Deputy~~ Chief of Police shall be set forth in a separate contract negotiated between the Town and the ~~Deputy~~ Chief of Police. The ~~Deputy~~ Chief shall not be part of a collective bargaining unit.

§ 2-18.2. Appointment.

a. The ~~Deputy~~ Chief of Police, Lieutenant, Sergeant and Patrol Officer shall be appointed by the Mayor and Board of Council by resolution.

The assignment of each Lieutenant to either the Patrol Operations or Staff/Administrative Officer shall be made by the Guttenberg Police Committee after consideration of the recommendation of the ~~Deputy~~ Chief of Police. The Guttenberg Police Committee retains the right to change said assignment at its sole discretion at any time after consideration of the recommendation of the ~~Deputy~~ Chief of Police.

§ 2-18.3. Removal from Office.

No member of the Police Department shall be removed from his office or employment except for cause and in the manner prescribed by law.

§ 2-18.4. Committee on Police.

a. There shall be appointed annually by the Mayor and Board of Council from among the members of the Council, a Committee, to be known as the "Committee on Police," consisting of three members, whose duty it shall be to enforce the provisions of all such rules and regulations as shall be adopted by the Mayor and Board of Council for the government, control and discipline of the Police Department. <u>The Committee on Police shall be designated as the "Appropriate Authority" as provided in the New Jersey Statutes. The appropriate authority shall be responsible for the overall performance of the Police Department. The appropriate authority shall adopt and promulgate rules and regulations for the government of the Police Department and for the</u>

discipline of its members pursuant to N.J.S.A. 40A:14-118. Such Committee shall have power to inflict such penalties for neglect of duty, misbehavior, incompetency or inability to serve, as are authorized by this section or such rules and regulations as may be hereafter adopted by the Council, provided, however, that the Committee shall not have power to reduce an officer in rank or to dismiss an officer or patrolman from the Police Department, except for cause and in the manner provided by the Statute.

b. The Committee on Police is hereby authorized to delegate its authority to conduct police disciplinary hearings as it deems to be in the best interests of the parties to an independent hearing officer.

c. The Committee on Police shall be required to present its recommendation to the Mayor and Council, seeking its approval, by way of resolution, to negotiate, retain and enter into a professional services contract to pay for the use of an independent hearing officer (at a rate and not to exceed amount to be determined by the Mayor and Council).

d. Any independent hearing officer so retained shall preside over the local disciplinary hearing, assure that a satisfactory transcribed record is developed in conformity with the requirements of N.J.S.A. 40A:14-147 et seq., and shall issue a written report with proposed findings of fact and conclusions of law for consideration by the Committee on Police.

e. Upon presentation of the independent hearing officer's report, the Committee on Police shall review the report together with the transcript of the proceedings; the Committee on Police is hereby authorized to accept, reject or modify the proposed findings of fact and conclusions of law, and shall make a recommendation to the Mayor and Council relative to the discipline (if any) to impose.

§ 2-18.5. Supervision of the Department

a. The Police Department shall be under the direct charge, control, and supervision of the Committee on Police, as provided in the preceding subsection, and of the Chairman of such Committee, and any orders issued by the Chairman of the Committee on Police the officers or members of the Police Department shall be deemed the action of the Committee. The ~~Deputy~~ Chief of Police shall report directly to the Police Committee.

b. Subject to rules and regulations of the Mayor and Board of Council and of the Committee on Police of the Board of Council, ~~Commander of Patrol Operations,~~ the Lieutenants, Sergeants, and Patrolmen shall be under the control and direction of the ~~Deputy~~ Chief of Police.

§ 2-18.6. Duties of Chief Law Enforcement Officer.

The Chief of Police shall be the head of the Town of Guttenberg Police Department and shall be directly responsible to the Committee on Police for the efficiency and routine day-to-day operations of the Police Department and shall, pursuant to policies established by the Committee on Police:

a. Administer and enforce rules and regulations and special emergency directives for the disposition and discipline of the Police Department and its officers and personnel.

b. Have, exercise, and discharge the functions, powers and duties of the Police Department.

c. Prescribe the duties and assignments of all subordinates and other personnel.

d. Delegate such of his authority as the Chief of Police may deem necessary for the efficient operation of the force to be exercised under the Chief Police's direction and supervision.

e. Report at least monthly to the Committee on Police in such form as shall be prescribed by such authority on the operation of the department during the preceding month and make such other reports as may be requested by such authority.

[N.J.S.A. 40A:14-118]

c. ~~The Chief Law Enforcement Officer shall be the chief executive officer of the Department, and shall hold the rank of Deputy Chief, subject to the laws of the State, provisions of this section, the orders of the Mayor and Board of Council or of the Committee on Police of the Board of Council. The chief executive officer may immediately suspend from duty, without pay, any officer or patrolman acting under him until the final hearing and disposition of any charges that may be preferred against such officer or patrolman in the manner provided by this section. The Chief Law Enforcement Officer shall respond to serious fires and riotous or tumultuous assemblages within the Town, take command of the Police who are present, save and protect property, arrest any persons who are violating the laws, disturbing the peace, or inciting others to do so. The Chief Law Enforcement Officer shall, under the direction of the Committee on Police, detail and assign the patrolmen to duty, and may order, temporarily, any or all of the Police Department to any place in the Town where their service may be necessary, but the Chief Law Enforcement Officer shall make no permanent detail without concurrence of the Committee on Police. The Chief Law Enforcement Officer shall attend the meetings of the Committee on Police and of the Board of Council, whenever requested, in writing, by the Chairman of the Committee on Police or the Town Clerk. The Chief Law Enforcement Officer shall communicate to the Committee on Police the presence of any infections or contagious diseases or the presence or the evidence of any nuisance detrimental to the public health. The Chief Law Enforcement Officer shall promulgate to his subordinates orders of the Committee on Police, and it shall be the duty of all the officers and members of the Police Department to render to him and to his orders, implicit obedience. Any order not given by him in person shall be given in writing. The Chief Law Enforcement Officer shall report to the Committee on Police at least once a month the number of arrests made, and crimes and incidents reported (where no arrests have been made).~~

SECTION TWO

Severability. The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION THREE

Repealer. All Ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all Ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect.

SECTION FOUR

In order to avoid accidental repeal of existing provisions, the Town Clerk and Corporation Counsel are hereby authorized to change any chapter numbers, article numbers and/or section numbers in the event that the codification of this Ordinance reveals that there is a conflict between those numbers and the existing Code.

SECTION FIVE

When Effective. This Ordinance shall take effect in accordance with all applicable laws.

SUMMARY OF ORDINANCE

This Ordinance amends the subject matter of the Ordinance current with statutory requirements including but not limited to N.J.S.A. 40A:14-118 and replaces references in § 2-18 from Deputy Chief of Police to Chie

Ordinance#02-25 Adoption Vote

A motion to open to the public was made by Councilperson Delafuente and seconded by Councilperson Malave Ayes: Councilpersons Delafuente, Fundora, Habermann, Hokien, Malave and Mayor Zitt Nays: None Absent: None Abstain: None

NO COMMENTS

A motion to close and adopt was made by Councilperson Malave and seconded by Councilperson Fundora Ayes: Councilpersons Delafuente, Fundora, Habermann, Hokien, Malave and Mayor Zitt Nays: None Absent: None Abstain: None

ORDINANCE #03-25
ADOPTION

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY

AN ORDINANCE AMENDING CHAPTER 24 FILMING

WHEREAS, pursuant to N.J.S.A. 40:48-2, a municipality may make, amend, repeal, and enforce ordinances not contrary to the laws of this State or of the United States, as it may deem necessary and proper for order and protection of persons and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants; and

WHEREAS, the Town of Guttenberg is a municipality as defined by Title 40 of the New Jersey Statutes; and

WHEREAS, New Jersey Motion Picture and Television Commission ("NJMPTVC") requires that municipalities be certified as Film Ready if, for the purpose of maintaining consistency

throughout the State, the municipality agrees to abide by all of the Film Ready program requirements as provided by NJMPTVC (the "Requirements").

WHEREAS, there exists a need for the Town to amend certain Chapter 24 of the Code – Filming (the "Ordinance") to come into compliance with the Requirements; and

WHEREAS, the Mayor and Council have determined that amendments to the Ordinance will promote the general welfare, health, and safety of the Town of Guttenberg residents.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Town Council of the Town of Guttenberg do hereby amend the Ordinance to abide by all of the Film Ready program Requirements as provided by NJMPTVC:

SECTION ONE

SECTION I.

SECTION II. § 24-1. DEFINITIONS.

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

FILMING — Shall mean the taking of still or motion pictures, either on film videotape or similar recording equipment, for commercial or educational purposes, intended for viewing on television or in theaters or for institutional use or for advertising purposes.

PUBLIC LANDS — Shall mean any and every public street, highway, sidewalk or square, public park or playground or other public place within the Town which is within the jurisdiction and control of the Town.

SECTION III. § 24-2. PERMIT REQUIRED; APPLICATION.

a. No person, firm or corporation shall film or permit filming with the Town of Guttenberg without first obtaining a permit therefor, which permit shall set forth the location of such filming and the date or dates when filming shall take place.

b. Permits shall be obtained in the office of the Town Clerk during normal business hours. Applications for such permits shall be in a form approved by the Town Clerk and shall be accompanied by a permit fee as set forth in Section 24-14. Incidental use of a public sidewalk or street which does not result in the closing of the street or sidewalk to public use shall not be considered filming on public land.

c. Where filming takes place on private property, permission of the owner must be obtained in writing.

d. One permit shall be required for each location.

e. For each approved permit, the Town shall notify the New Jersey Motion Picture and Television Commission (at the Film Ready inbox at filmreadynj@njeda.gov), within ten (10) business days of the approved permit with the following information:

    i. Name of the Project and production company.

    ii. Start and stop dates of physical production.

    iii. Total number of filming days.

iv. Addresses of filming location(s).

~~SECTION IV. § 24-3. FREQUENCY RESTRICTED.~~

~~No permit shall be issued for filming at a particular location in a residential zone within the Town of Guttenberg to permit filming at said location on more than four days during any one calendar year.~~

SECTION V. § 24-3. INSURANCE; INDEMNIFICATION.

No permit shall be issued for filming upon public lands within the Town of Guttenberg unless the applicant for such permit:

a. Provides proof of insurance coverage as follows: for bodily injury for any one person, in the amount of $500,000; and for any aggregate occurrence, in the amount of $1,000,000.

b. Agrees, in writing, to indemnify and save harmless the Town of Guttenberg from any and all liability or damages from the use of such public lands.

SECTION VI. § 24-4. INTERFERENCE WITH PEDESTRIANS AND TRAFFIC.

The holder of a permit shall take all reasonable steps to minimize interference with the free passage of pedestrians and traffic over public lands and shall comply with all lawful directives issued by the Guttenberg Police Department with respect thereto.

SECTION VII. § 24-5. INCONVENIENCE TO PROPERTY OWNERS; NOISE; PARKING.

The holder of a permit shall conduct filming in such a manner as to minimize the inconvenience or discomfort to adjoining property owners attributable to such filming and shall, to the extent practicable, abate noise and park vehicles associated with such filming off the public streets.

SECTION VIII. § 24-6. INTERFERENCE WITH OTHER ACTIVITIES.

The holder shall avoid any interference with previously scheduled activities upon public lands and limit, to the extent possible, any interference with normal public activity on such public lands.

SECTION IX. § 24-7. MINIMIZATION AND REMOVAL OF DEBRIS, TEMPORARY STRUCTURE OR TEMPORARY SETS.

The holder of a permit shall take all reasonable steps to minimize the creation and spread of debris, rubbish, temporary sets and/or temporary structure during filming and shall be responsible for removing all equipment, debris, temporary sets, temporary structure and/or other rubbish from the filming location upon the completion of filming or the expiration of the filming location upon the completion of filming or the expiration of the permit, whichever comes first.

SECTION X. § 24-8. PERMITTED DAYS AND HOURS.

Filming shall be permitted only Monday through Sunday ~~Friday~~ between the hours of 7:00 a.m. and 9:00 p.m. (camera wrap) and crew wrap at 10:00 p.m. ~~or sundown, whichever is earlier~~, in residential zones.

SECTION XI. § 24-9. DENIAL OF PERMIT; APPEALS.

a. The Town Clerk may refuse to issue a permit whenever he/she determines, on the basis of objective facts and after a review of the application and a report thereon by the Police Department and by other Town agencies involved with the proposed filming site, that filming at the location and/or the time set forth in the application would violate any law or ordinance or would unreasonably interfere with the public's use of public lands, unreasonably interfere with the use and enjoyment or adjoining properties, unreasonably impede the free flow of vehicular or pedestrian traffic or otherwise endanger the public's health, safety or welfare.

b. Any person aggrieved by a decision of the Town Clerk denying or revoking a permit or a person requesting relief may appeal to the Mayor and Council. A written notice of appeal setting forth the reasons for the appeal shall be filed with the Town Clerk. An appeal from the decision of the Town Clerk shall be filed within 10 days of the Town Clerk's decision. The Mayor and Council shall set the matter down for a hearing within 30 days of the day on which the notice of appeal was filed. The decision of the Mayor and Council shall be in the form of a resolution. A resolution supporting the decision of the Town Clerk or granting relief shall be approved by the Mayor and Council at the first regularly scheduled public meeting of the Mayor and Council after the hearing on the appeal, unless the appellant agrees, in writing, to a later date for the decision. If such a resolution is not adopted in the time required, the decision of the Town Clerk shall be deemed to be reversed and a permit shall be issued in conformity with the application or the relief shall be deemed denied.

SECTION XII. § 24-10. WAIVER OF REQUIREMENTS.

The Town Clerk may authorize a waiver of any of the requirements or limitations of this chapter and may authorize filming other than during the hours herein described or may permit filming at a particular location in a residential zone on more than four days during any one calendar year or may waive any other limitation or requirement of this chapter whenever it determines that strict compliance with such limitations will pose an unreasonable burden upon the applicant and that such a permit may be issued without endangering the public's health, safety or welfare.

SECTION XIII. § 24-11. NOTIFICATION TO FIRE INSPECTIONS BUREAU.

The applicant shall notify the Fire Inspections Bureau 24 hours before filming takes place and permit the Fire Inspectors to inspect the site and the equipment to be used. The applicant shall comply with all fire safety instructions issued by the Fire Inspector.

SECTION XIV. § 24-12. PROVISION OF OFF-DUTY POLICE OFFICERS.

The applicant will be required to hire one or more off-duty police officers when deemed necessary by the Police Chief.

SECTION XV. § 24-13. PERMIT FEES.

Permit fees shall be as follows:

CATEGORY	FEE (not to exceed)
Basic filming permit (one-time; with 4 or more days advance notice of the first day of filming)	$100

Expedited basic filming permit (one-time; with 3 or less days advance notice of the first day of filming)	$250
Basic filming permit for nonprofits, including student films (one-time; no daily rate required)	$25
Daily filming on public property	
Film and television projects with a budget under $20mm	$150
Film and television projects with a budget over $20mm	$500
Daily filming on private property (unobstructed)	NO FEE CHARGED BY MUNICIPALITY
Public Safety	
Hiring of off-duty police and fire inspections, according to agreed upon public safety plan	The Town's standard hourly rates for police and fire
Inconvenience fees	
Street closures - less than 10,000 residents	$1,000
Street closures - more than 10,000 residents	$5,000
Properties in background - or used - in shot	Fee is negotiated between a production company and a private business or residence
Daily prep of business that is being "dressed"	Fee is negotiated between a production company and a private business
Daily filming of business that is "dressed"	Fee is negotiated between a production company and a private business
Parking fees	Same rates that are charged to the public

SECTION XVI. § 24-14. VIOLATIONS AND PENALTIES.

Any person violating this chapter or rules and regulations contained herein shall be subject to a fine not to exceed $750 or imprisonment for a term not to exceed 90 days, or both.

SECTION XVII. § 24-15. EXCEPTIONS.

The provisions of this chapter shall not apply to the filming of news stories within the Town of Guttenberg.

SECTION TWO

Severability. The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION THREE

Repealer. All Ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all Ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect.

SECTION FOUR

In order to avoid accidental repeal of existing provisions, the Town Clerk and Corporation Counsel are hereby authorized to change any chapter numbers, article numbers and/or section numbers in the event that the codification of this Ordinance reveals that there is a conflict between those numbers and the existing Code.

SECTION FIVE

When Effective. This Ordinance shall take effect upon passage and publication as required by law.

SUMMARY OF ORDINANCE

This Ordinance amends Chapter 24 of the Code – Filming to come into compliance with the New Jersey Motion Picture and Television Commission Requirements.

Ordinance#03-25 Adoption Vote

A motion to open to the public was made by Councilperson Fundora and seconded by Councilperson Delafuente Ayes: Councilpersons Delafuente, Fundora, Habermann, Hokien, Malave and Mayor Zitt Nays: None Absent: None Abstain: None

NO COMMENTS

A motion to close and adopt was made by Councilperson Hokien and seconded by Councilperson Delafuente Ayes: Councilpersons Delafuente, Fundora, Habermann, Hokien, Malave and Mayor Zitt Nays: None Absent: None Abstain: None

ORDINANCE #04-25
ADOPTION

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY

ORDINANCE AMENDING CHAPTER 7 TRAFFIC, SECTION 3.10 ON IMPROPER PARKING AND SECTION 14 ON VIOLATIONS AND PENALTIES OF THE TOWN CODE

WHEREAS, pursuant to N.J.S.A. 40:48-2, a municipality may make, amend, repeal, and enforce ordinances not contrary to the laws of this State or of the United States, as it may deem necessary and proper for order and protection of persons and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants; and

WHEREAS, there exists a need to amend Chapter 7, Section 3.10—Improper Parking and Section 14—Violations and Penalties to add an improper parking payable amount to the Town's parking violation schedule.

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey that:

SECTION ONE

§ 7-3.10. Improper Parking.

a. The operator of a vehicle shall not stop, stand or park the vehicle in a roadway other than parallel with the edge of the roadway headed in the direction of traffic, on the right-hand side of the road and with the curb side of the vehicle within six inches of the edge of the roadway, except as follows:

    1. Upon those streets which have been designated by ordinance and have been marked or signed for angle parking, vehicles shall be parked at the angle to the curb designated and indicated by the ordinance and marks or signs.

    2. Upon one-way streets, local authorities may permit parking of vehicles parallel with the left-hand edge of the roadway headed in the direction of traffic, on the left-hand side of the road and with the curb side of the vehicle within six inches of the edge of the roadway.

b. The operator of a vehicle shall not park any vehicle parallel with the edge of the roadway headed, in the direction of traffic, outside the demarcated parking space lines in the roadway.

c. The operator of a vehicle shall not park parallel with the edge of the roadway headed in the direction of traffic if, because of the vehicle length, the vehicle extends past the permitted demarcated parking space lines.

~~d. Penalties. Any person who violates any provision of this subsection shall, upon conviction thereof, be liable to a penalty of $60 per violation.~~

§ 7-14. VIOLATIONS AND PENALTIES.

There is hereby established the following parking violation schedule and payable amounts:

Code Number	Payable Violation Description	Amount
7-3.2	Parking During Emergencies	$60

7-3.3	Prohibited Parking on Certain Streets at All Times	$60
7-3.4	Prohibited Parking on Certain Streets at Certain Hours	$60
7-3.5	Prohibited Stopping or Standing on Certain Streets at Certain Hours	$60
7-3.6	Parking Time Limited on Certain Streets	$60
7-3.7	Parking Prohibited for Certain Vehicles 6,000 pounds., 8 feet high	$124
7-3.9	Prohibited Parking on Alternate Sides of Certain Streets on Certain Hours **[Ord. No. 15-2017]**	$40
7-3.10	Improper Parking	$60
7-4, 7-4.1	Prohibited Parking for Designated Weight and Designated Height of Vehicles on Certain Streets	$124
7-7	Prohibited Parking in Loading Zones	$60
7-8	Prohibited Parking in Taxi Zones	$60
7-9	Prohibited Parking in Bus Stops	$60
7-10	Turns Prohibited	$85
7-11	No Turn on Red	$85
7-13	Handicapped Parking (See N.J.S.A. 39:4-197)	$273

SECTION TWO

Severability. The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION THREE

Repealer. All Ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all Ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect.

SECTION FOUR

In order to avoid accidental repeal of existing provisions, the Town Clerk and Corporation Counsel are hereby authorized to change any chapter numbers, article numbers and/or section numbers in the event that the codification of this Ordinance reveals that there is a conflict between those numbers and the existing Code.

SECTION FIVE

When Effective. This Ordinance shall take effect upon passage and publication as required by law. Pursuant to N.J.S.A. 40:55D-26 this amendment to Chapter 28 is hereby referred to the Town Joint Zoning & Planning Board for review to provide comment on whether the proposal is substantially consistent with the Master Plan.

SUMMARY OF ORDINANCE

This Ordinance amends to amend Chapter 7, Section 3.10—Improper Parking and Section 14—Violations and Penalties to add an improper parking payable amount to the Town's parking violation schedule.

Ordinance#04-25 Adoption Vote

A motion to open to the public was made by Councilperson Malave and seconded by Councilperson Delafuente Ayes: Councilpersons Delafuente, Fundora, Habermann, Hokien, Malave and Mayor Zitt Nays: None Absent: None Abstain: None

NO COMMENTS

A motion to close and adopt was made by Councilperson Fundora and seconded by Councilperson Hokien Ayes: Councilpersons Delafuente, Fundora, Habermann, Hokien, Malave and Mayor Zitt Nays: None Absent: None Abstain: None

ORDINANCE #05-25
ADOPTION

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY

AN ORDINANCE AMENDING CHAPTER 25 AFFORDABLE HOUSING TO CREATE THE POSITION OF THE MUNICIPAL LIAISON FOR THE TOWN OF GUTTENBERG

WHEREAS, pursuant to N.J.S.A. 40:48-2, a municipality may make, amend, repeal, and enforce ordinances not contrary to the laws of this State or of the United States, as it may deem necessary and proper for order and protection of persons and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants; and

WHEREAS, the Town of Guttenberg is a municipality as defined by Title 40 of the New Jersey Statutes; and

WHEREAS, pursuant to P.L. 2024, c.2, the Town of Guttenberg is required to appoint a Municipal Housing Liaison for the oversight of administration of the Town of Guttenberg's affordable housing program to enforce the requirements of the law and N.J.A.C. 5:80-26.1 et seq.; and

WHEREAS, there exists a need to amend Chapter 25 entitled Affordable Housing to create the position for the appointment of a Municipal Housing Liaison to administer the Town of Guttenberg's affordable housing program.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Town Council of the Town of Guttenberg do hereby amend the Ordinance to create the position for the appointment of a Municipal Housing Liaison to administer the Town of Guttenberg's affordable housing program:

§ 25-2 Municipal Housing Liaison.

§ 25-2.1 Purpose.

The purpose of this Article is to create the administrative mechanisms needed for the execution of the Town of Guttenberg's responsibility to assist in the provision of affordable housing pursuant to the Fair Housing Act of 1985.

§ 25-2.2 Definitions.

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

ADMINISTRATIVE AGENT — Shall mean the entity responsible for administering the affordability controls of some or all units in the affordable housing program for the Town of Guttenberg to ensure that the restricted units under administration are affirmatively marketed and sold or rented, as applicable, only to low- and moderate-income households.

MUNICIPAL HOUSING LIAISON — Shall mean the employee charged by the governing body with the responsibility for oversight and administration of the affordable housing program for the Town of Guttenberg.

§ 25-2.3 Establishment of Municipal Housing Liaison Position and Compensation: Powers and Duties.

a. Establishment of Position of Municipal Housing Liaison. There is hereby established the position of Municipal Housing Liaison for the Town of Guttenberg.

b. Subject to the approval of the Council on Affordable Housing (COAH), the Municipal Housing Liaison shall be appointed by the governing body and may be a full or part-time municipal employee.

c. The Municipal Housing Liaison shall be responsible for oversight and administration of the affordable housing program for the Town of Guttenberg, including the following responsibilities which may not be contracted out, exclusive of item 6 which may be contracted out:

    1. Serving as the Town of Guttenberg's primary point of contact for all inquiries from the State, affordable housing providers, Administrative Agents, and interested households;

    2. Monitoring the status of all restricted units in the Town of Guttenberg's Fair Share Plan;

    3. Compiling, verifying, and submitting annual reports as required by COAH;

4. Coordinating meetings with affordable housing providers and Administrative Agents, as applicable;

5. Attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by COAH;

6. If applicable, serving as the Administrative Agent for some or all of the restricted units in the Town of Guttenberg as described in Subsection f below.

d. Subject to approval by COAH, the Town of Guttenberg may contract with or authorize a consultant, authority, government or any agency charged by the governing body, which entity shall have the responsibility of administering the affordable housing program of the Town of Guttenberg except for those responsibilities which may not be contracted out pursuant to Subsection c above. If the Town of Guttenberg contracts with another entity to administer all or any part of the affordable housing program, including the affordability controls and Affirmative Marketing Plan, the Municipal Housing Liaison shall supervise the contracting Administrative Agent.

e. Compensation. Compensation, if any, shall be determined by the governing body at the time of the appointment of the Municipal Housing Liaison.

f. Administrative Powers and Duties Assigned to the Municipal Housing Liaison.

1. Affirmative Marketing.
   (a) Conducting an outreach process to insure affirmative marketing of affordable housing units in accordance with the Affirmative Marketing Plan of the Town of Guttenberg and the provisions of N.J.A.C. 5:80-26.15; and

   (b) Providing counseling or contracting to provide counseling services to low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.

2. Household Certification.

   (a) Soliciting, scheduling, conducting and following up on interviews with interested households;

   (b) Conducting interviews and obtaining sufficient documentation of gross income and assets upon which to base a determination of income eligibility for a low- or moderate-income unit;

   (c) Providing written notification to each applicant as to the determination of eligibility or non-eligibility;

   (d) Requiring that all certified applicants for restricted units execute a certificate substantially in the form, as applicable, of either the ownership or rental certificates set forth in Appendices J and K of N.J.A.C. 5:80-26.1 et seq.;

(e) Creating and maintaining a referral list of eligible applicant households living in the housing region and eligible applicant households with members working in the housing region where the units are located; and

(f) Employing the random selection process as provided in the Affirmative Marketing Plan of the Town of Guttenberg when referring households for certification to affordable units.

3. Affordability Controls.

(a) Furnishing to attorneys or closing agents forms of deed restrictions and mortgages for recording at the time of conveyance of title of each restricted unit;

(b) Creating and maintaining a file on each restricted unit for its control period, including the recorded deed with restrictions, recorded mortgage and note, as appropriate;

(c) Ensuring that the removal of the deed restrictions and cancellation of the mortgage note are effectuated and properly filed with the appropriate county's register of deeds or county clerk's office after the termination of the affordability controls for each restricted unit;

(d) Communicating with lenders regarding foreclosures; and

(e) Ensuring the issuance of Continuing Certificates of Occupancy or certifications pursuant to N.J.A.C. 5:80-26.10.

4. Resale and Rental.

(a) Instituting and maintaining an effective means of communicating information between owners and the Administrative Agent regarding the availability of restricted units for resale or rental; and

(b) Instituting and maintaining an effective means of communicating information to low- and moderate-income households regarding the availability of restricted units for resale or rerental.

5. Processing Request from Unit Owners.

(a) Reviewing and approving requests from owners of restricted units who wish to take out home equity loans or refinance during the term of their ownership;

(b) Reviewing and approving requests to increase sales prices from owners of restricted units who wish to make capital improvements to the units that would affect the selling price, such authorizations to be limited to those improvements resulting in additional bedrooms or bathrooms and the cost of central air-conditioning systems; and

(c) Processing requests and making determinations on requests by owners of restricted units for hardship waivers.

6. Enforcement.

(a) Securing annually lists of all affordable housing units for which tax bills are mailed to absentee owners and notifying all such owners that they must either move back to their unit or sell it;

(b) Securing from all developers and sponsors of restricted units, at the earliest point of contact in the processing of the project or development, written acknowledgement of the requirement that no restricted unit can be offered, or in any other way committed, to any person, other than a household duly certified to the unit by the Administrative Agent;

(c) The posting annually in all rental properties, including two-family homes, of a notice as to the maximum permitted rent together with the telephone number of the Administrative Agent where complaints of excess rent can be made;

(d) Sending annual mailings to all owners of affordable dwelling units, reminding them of the notices and requirements outlined in N.J.A.C. 5:80-26.18(d)4;

(e) Establishing a program for diverting unlawful rent payments to the municipality's affordable housing trust fund or other appropriate municipal fund approved by the DCA;

(f) Creating and publishing a written operating manual, as approved by COAH, setting forth procedures for administering such affordability controls; and

(g) Providing annual reports to COAH as required.

7. The Administrative Agent shall have authority to take all actions necessary and appropriate to carry out its responsibilities hereunder.

8. All or some of the provisions above in Subsection **f** may be specifically delegated at a later date to an approved Administrative Agent as part of a contract.

SECTION TWO

Severability. The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION THREE

Repealer. All Ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all Ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect.

SECTION FOUR

In order to avoid accidental repeal of existing provisions, the Town Clerk and Corporation Counsel are hereby authorized to change any chapter numbers, article numbers and/or section numbers in the event that the codification of this Ordinance reveals that there is a conflict between those numbers and the existing Code.

SECTION FIVE

When Effective. This Ordinance shall take effect upon passage and publication as required by law.

SUMMARY OF ORDINANCE

This Ordinance amends Chapter 25 to create the position of Municipal Housing Liaison for the oversight of administration of the Town of Guttenberg's affordable housing program to enforce the requirements of the law and N.J.A.C. 5:80-26.1 et seq.

Ordinance#05-25 Adoption Vote

A motion to open to the public was made by Councilperson Fundora and seconded by Councilperson Delafuente Ayes: Councilpersons Delafuente, Fundora, Habermann, Hokien, Malave and Mayor Zitt Nays: None Absent: None Abstain: None

NO COMMENTS

A motion to close and adopt was made by Councilperson Delafuente and seconded by Councilperson Fundora Ayes: Councilpersons Delafuente, Fundora, Habermann, Hokien, Malave and Mayor Zitt Nays: None Absent: None Abstain: None

TABLED

ORDINANCE #06-25
INTRODUCTION

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF GUTTENBERG, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING THE ACQUISITION BY PURCHASE OR CONDEMNATION OF THE REAL PROPERTY KNOWN AS 15-17 70TH STREET, BLOCK 39, LOT 4, GUTTENBERG, NEW JERSEY

WHEREAS, in accordance with statutory law, including, but not limited to, N.J.S.A. 40A:12-3, the Town of Guttenberg (the "Town") may acquire land and construct buildings for the performance of the Town's function, to conduct public business, and for the use of the Town and its departments, and any other county or municipal public purposes; and

WHEREAS, in accordance with N.J.S.A. 40A:12-5(a)(1) "any municipality, by ordinance, may provide for the acquisition of any real property, capital improvement, or personal property: (1) by purchase, gift, devise, lease, exchange, or condemnation;" and

WHEREAS, as in accordance with N.J.S.A. 20:3-1, *et. seq.* and N.J.S.A. 40:61-1, the Town has the power to acquire any real property for a public purpose through negotiated agreement or by the exercise of its powers of eminent domain; and

WHEREAS, the Town has identified the property located alongside 70th Street designated as Block 39, Lot 4 on the official tax map of the Town of Guttenberg ("Property"), to be acquired for the public purposes of public parking, municipal parking, public park, or other public purposes; and

WHEREAS, the Town wishes to retain an appraiser, environmental consultant, relocation consultant, and such other professionals as may be necessary to determine the value of and to acquire the Property; and,

WHEREAS, subject to the availability of funds and subsequent approval of an appraisal setting forth the fair market value of the Property, the Town wishes to negotiate for the acquisition of the Property and if negotiated purchase cannot be effectuated, to initiate eminent domain actions to acquire title to the Property pursuant to the Eminent Domain Act of 1971, N.J.S.A. 20:3-1 *et seq*.; and N.J.S.A. 40:61-1.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Town Council of the Town of Guttenberg, County of Hudson, State of New Jersey, as follows:

SECTION ONE
AUTHORIZATION TO ACQUIRE LAND

Pursuant to the provisions of N.J.S.A. 40:61-1, the "Local Lands and Buildings Law," N.J.S.A. 40A:12-1 et seq., and/or N.J.S.A. 20:3-1 et seq., the Town of Guttenberg is hereby authorized and directed to acquire certain real property designated as Block 39, Lot 4 by purchase or condemnation in a manner provided by N.J.S.A. 40A:12-1 et seq., and/or N.J.S.A. 20:3-1 et seq., for the public purposes of public parking, municipal parking, public park, or other public purposes.

SECTION TWO
AUTHORITY OF AGENTS

The Business Administrator, as well as retained professionals for the Town of Guttenberg, are hereby authorized and directed to perform all acts necessary to acquire the property on behalf of the Town of Guttenberg, including the hiring of appraisers, environmental and relocation consultants; however, no settlement figure, purchase prices, or stipulation to purchase shall be binding on the Town of Guttenberg or its agents until the Town Council of the Town of Guttenberg approves such figure or price by Resolution.

SECTION THREE
COST OF ACQUISITION

The authorized disbursing officers of the Town of Guttenberg are hereby authorized and directed to pay all sums necessary to acquire the above Property.

SECTION FOUR

RESERVATIONS

In conjunction with said acquisition, the Town hereby reserves and shall reserve the right to seek in its sole discretion, any and all available legal, administrative and equitable remedies to compel the record owners and/or responsible parties to remediate and/or clean up the Property in accordance with applicable state and federal statutory and regulatory provisions or to remove solid waste.

SECTION FIVE
SEVERABILITY

If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

SECTION SIX
VALIDITY

This Ordinance shall take effect in accordance with the laws of the State of New Jersey after final passage, approval, and publication.

PASSED:

APPROVED:

_____
President of the Council

_____
Wayne D. Zitt, Jr., Mayor

ATTEST:

_____
Town Clerk

A motion to table was made by Councilperson Delafuente and seconded by Councilperson Malave Ayes: Councilpersons Delafuente, Fundora, Habermann, Hokien, Malave and Mayor Zitt Nays: None Absent: None Abstain: None

INTRODUCTION

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY

BOND ORDINANCE PROVIDING FOR TRAFFIC SIGNAL UPGRADES ON 69TH STREET AND PALISADES AVENUE IN AND BY THE TOWN OF GUTTENBERG, IN THE COUNTY OF HUDSON, NEW JERSEY, APPROPRIATING $566,880 THEREFOR AND AUTHORIZING THE ISSUANCE OF $566,880 BONDS OR NOTES OF THE TOWN TO FINANCE THE COST THEREOF.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GUTTENBERG, IN THE COUNTY OF HUDSON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Town of Guttenberg, in the County of Hudson, New Jersey (the "Town") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of $566,880, all of which is a grant expected to be received from the State of New Jersey Department of Transportation (the "State Grant"). Pursuant to N.J.S.A. 40A:2-11(c), no down payment is provided for the cost of the improvement or purpose since the improvement or purpose is being funded by the State Grant.

Section 2. In order to finance the cost of the improvement or purpose and in anticipation of receipt of the State Grant, negotiable bonds are hereby authorized to be issued in the principal amount of $566,880 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is traffic signal upgrades on 69th Street and Palisades Avenue, including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Town hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Town is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Town may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Town as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by $566,880, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding $113,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Town hereby declares the intent of the Town to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Town is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Town and to execute such disclosure document on behalf of the Town. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Town pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Town and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Town fails to comply with its undertaking, the Town shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Town, and the Town shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Town for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Ordinance#07-25 Introduction Vote

A motion to introduce was made by Councilperson Fundora and seconded by Councilperson Delafuente Ayes: Councilpersons Delafuente, Fundora, Habermann, Hokien, Malave and Mayor Zitt Nays: None Absent: None Abstain: None

ORDINANCE #08-25
INTRODUCTION

TOWN OF GUTTENBERG
COUNTY OF HUDSON, STATE OF NEW JERSEY

BOND ORDINANCE PROVIDING FOR PEDESTRIAN SAFETY INTERSECTION IMPROVEMENTS IN AND BY THE TOWN OF GUTTENBERG, IN THE COUNTY OF HUDSON, NEW JERSEY, APPROPRIATING $2,790,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $2,790,000 BONDS OR NOTES OF THE TOWN TO FINANCE THE COST THEREOF.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GUTTENBERG, IN THE COUNTY OF HUDSON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Town of Guttenberg, in the County of Hudson, New Jersey (the "Town") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of $2,790,000, including a $2,700,000 Local Transportation Projects Fund Grant expected to be received from the State of New Jersey (the “State Grant”) and a Community Development Block Grant expected to be received in the amount of $88,528 (the “CDBG” and, together with the State Grant, the “Grants”). Pursuant to N.J.S.A. 40A:2-11(c), no down payment is provided for the cost of the improvement or purpose since the improvement or purpose is being partially funded by the State Grant.

Section 2. In order to finance the cost of the improvement or purpose and in anticipation of receipt of the Grants, negotiable bonds are hereby authorized to be issued in the principal amount of $2,790,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is pedestrian safety intersection improvements, including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing

to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Town hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Town is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Town may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Town as defined in the Local Bond Law is increased by the authorization of the bonds and notes

provided in this bond ordinance by $2,790,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding $558,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Town hereby declares the intent of the Town to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Town is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Town and to execute such disclosure document on behalf of the Town. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Town pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Town and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Town fails to comply with its undertaking, the

Town shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Town, and the Town shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Town for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Ordinance#08-25 Introduction Vote

A motion to introduce was made by Councilperson Hokien and seconded by Councilperson Fundora Ayes: Councilpersons Delafuente, Fundora, Habermann, Hokien, Malave and Mayor Zitt Nays: None Absent: None Abstain: None

ORDINANCE #09-25
INTRODUCTION

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY

AMENDING CHAPTER VII ENTITLED "TRAFFIC" SECTION 7-7 ENTITLED "LOADING ZONE" OF THE REVISED GENERAL ORDINANCES OF THE TOWN OF GUTTENBERG-LA BENDICION DE DIOS DELI

WHEREAS, Chapter 7 of the Code of the Town of Guttenberg ("Code"), entitled "Traffic" and Section 7-7, entitled "Loading Zone," sets forth the rules and regulations for the creation or continuance of a restricted parking space for use as an unloading zone; and

WHEREAS, La Bendicion de Dios Deli has applied for a loading zone in front of 300-69th Street, Guttenberg, New Jersey; and

WHEREAS, the Police Department has reviewed said applications and have not raised objections thereto and the grant of such loading zone will not adversely impact parking availability.

NOW THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey, that Chapter VII, entitled "Traffic" Section 7-7 entitled "Loading Zone" is hereby amended to renew the following parking spaces restricted for use as a loading zone, as follows:

SECTION ONE

Chapter VII, entitled "Traffic" Section 7-7 entitled "Loading Zone" shall also include the following:

Business	Address	Hours
La Bendicion de Dios Deli	In front 300-69th Street, Guttenberg, New Jersey	**7:00 am to 3:00pm Monday through Friday**

SECTION THREE

Severability. The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION FOUR

Repealer. All Ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all Ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect.

SECTION FIVE

The Ordinance shall become effective immediately upon final adoption and publication thereof according to law.

Summary of Ordinance

The purpose of this Ordinance is to restrict for use as loading zones the aforementioned parking spaces.

Ordinance#09-25 Introduction Vote

A motion to introduce was made by Councilperson Fundora and seconded by Councilperson Habermann Ayes: Councilpersons Delafuente, Fundora, Habermann, Hokien, Malave and Mayor Zitt Nays: None Absent: None Abstain: None

ORDINANCE #10-25
INTRODUCTION

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY

AN ORDINANCE AMENDING CHAPTER 8, ARTICLE II OF THE REVISED GENERAL ORDINANCES OF THE TOWN OF GUTTENBERG, ENTITLED "PERMIT PARKING LOTS"

WHEREAS, pursuant to N.J.S.A. 40:48-2, a municipality may make, amend, repeal, and enforce ordinances not contrary to the laws of this State or of the United States, as it may deem necessary and proper for order and protection of persons and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants; and

WHEREAS, the Town of Guttenberg has limited parking availability; and

WHEREAS, the Town of Guttenberg desires to encourage residents and non-residents to shop at restaurants, shops, and other retail establishments within the Town of Guttenberg; and

WHEREAS, the Town of Guttenberg deems it desirable to designate a parking space for ten minute parking to allow easy access to parking for short shopping trips; and

WHEREAS, the Town of Guttenberg has determined that the south side of 70th Street on the corner of Boulevard East is a desirable location for a ten (10) minute parking space due to its proximity to several shops and restaurants as well as being in a heavily trafficked area.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey as follows:

SECTION I.

§ 8-2 of the Revised General Ordinances of the Town of Guttenberg is hereby amended to read as follows:
§ 8-2.2.
a. The Chairman of the Police Committee, when directed by the Mayor and Board of Council, is authorized to mark off individual parking spaces in parking meter zones designated under subsection 8-2.1 of this section, and in such other zones as may hereafter be established. The parking spaces shall be designated by lines painted or marked on the curbing or surface of the street, sufficient to contain one average vehicle within such markings. At each space so marked, it shall be unlawful to park any vehicle unless the vehicle is entirely within the limits of the space so designated. Larger vehicles requiring more than one such space, shall be parked only if the vehicle can be parked within the lines of two such spaces, with the use of two parking meters, as hereinafter described. No vehicle which cannot be parked within the lines of two such spaces, can be parked in a parking meter zone.
b. Each vehicle parked in such parking space shall be parked within the lines of such space, and with the appropriate part of such vehicle nearest to the parking meter established for the parking space.
c. The easternmost street parking space on the south side of 70th Street adjacent to John F. Kennedy Boulevard East shall be designated as a free ten (10) minute parking space reserved for customers shopping in the area.

SECTION II.

Repealer. All Ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency.

SECTION III.

Severability. The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remain in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION I.

Codification. The Town Clerk shall have this Ordinance incorporated in the official copies of the Revised General Ordinances. The Town Clerk, Deputy Town Clerk, and the Town Attorney be and are hereby authorized and directed to change any typographical error, and any heading, part numbers, chapter numbers, article numbers and section numbers in the event that the codification of this Ordinance reveals that there is a conflict between those headings and numbers and existing provisions of the Revised General Ordinances, or as they may otherwise deem appropriate, even if the headings, part numbers, chapter numbers, article numbers and section numbers thus modified are otherwise provided for in this Ordinance.

SECTION II.

This Ordinance shall take effect upon passage and publication as required by law.

Summary of Ordinance

This Ordinance: adds a free 10-minute business parking space at the southern side of 70th Street where it intersects with John F. Kennedy Boulevard East.

Ordinance#10-25 Introduction Vote

A motion to introduce was made by Councilperson Hokien and seconded by Councilperson Delafuente Ayes: Councilpersons Delafuente, Fundora, Habermann, Hokien, Malave and Mayor Zitt Nays: None Absent: None Abstain: None

Payment of Claims:

A motion was made to pay the bill list one by Councilperson Delafuente seconded by Councilperson Hokien Ayes: Councilpersons Delafuente, Fundora, Habermann, Hokien, Malave and Mayor Zitt Nays: None Absent: None Abstain: None

- **Mayor Zitt and Councilwoman Fundora abstained to PO#240270 HCST**

Public Portion:

A motion was made to open public portion by Councilperson Malave seconded by Councilperson Fundora Ayes: Councilpersons Delafuente, Fundora, Habermann, Hokien, Malave and Mayor Zitt Nays: None Absent: None Abstain: None

NO COMMENTS

A motion was made to close public portion by Councilperson Malave seconded by Councilperson Fundora Ayes: Councilpersons Delafuente, Fundora, Habermann, Hokien, Malave and Mayor Zitt Nays: None Absent: None Abstain: None

Adjournment:

A motion to adjourn was made by Councilperson Hokien seconded by Councilperson Delafuente Ayes: Councilpersons Delafuente, Fundora, Habermann, Hokien, Malave and Mayor Zitt Nays: None Absent: None Abstain: None

Meeting was adjourned at 4:50 P.M.

Respectfully Submitted,

Dr. Cosmo A. Cirillo, RMC
Town Clerk