

MINUTES

Regular meeting of the Mayor and Council of the
Town of Guttenberg at Town Hall, 6808 Park Avenue, Guttenberg, New Jersey
on Wednesday, May 28, 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 (via telephone) 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 May 28, 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 April 23, 2025
- Regular Meeting of April 23, 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

Resolution:

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #97-2025

AMENDMENT TO RESOLUTION #34-2024 AUTHORIZING TOWN OF GUTTENBERG
APPROVED TRANSFERS BETWEEN 2024 CY BUDGET APPROPRIATION RESERVES

WHEREAS, at the February 28, 2024 meeting of the Town Council of the Town of Guttenberg, the Town Council passed Resolution #34-2024 ("Original Resolution") authorizing approved transfers between 2024 CY Budget Appropriation Reserves;

WHEREAS, there was a typographical error in the Original Resolution which is corrected herein; and

WHEREAS, various Town of Guttenberg (Town”) 2024 prior year bills were presented for payment in 2024, 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 2023 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 Eighty-Eight Thousand One Hundred Dollars (\$88,100.00) and No Cents be made between the 2023 Budget Appropriation Reserves as follows:

Account Name	From	To
Admin OE		1,200.00
Assessor OE		1,600.00
Legal Servcies OE		8,000.00
Planning		1,000.00
Engineering		6,100.00
POLICE/CERT OE		60,000.00
Bldg and Grounds		6,000.00
Senior Nutrition		2,600.00
Telephone		1,600.00
Insurance/Group	9,000.00	
Insurance/Other	8,000.00	
Gasoline	4,500.00	
Streets & Roads OE	5,600.00	
Police S&W	48,000.00	
Streets & Roads S&W	13,000.00	
	\$88,100.00	\$88,100.00

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

Approval of consent agenda Resolution #98-2025 through Resolution#117-2025:

A motion 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

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

RESOLUTION#98-2025

RESOLUTION AUTHORIZING SUBMISSION OF A STRATEGIC PLAN FOR
THE GUTTENBERG MUNICIPAL ALLIANCE GRANT PURSUANT TO THE
GOVERNOR’S COUNCIL ON SUBSTANCE USE DISORDER FOR GRANT YEAR
JULY 1, 2025 TO JUNE 30, 2026

WHEREAS, the Governor’s Council on Substance Use Disorder established the Municipal Alliances for the Prevention of Substance Use Disorder in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent substance use disorder in communities throughout New Jersey.

WHEREAS, The Township Council of the Township of Guttenberg, County of Hudson, State of New Jersey recognizes that substance use disorder is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Township Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent substance use disorder in our community; and,

WHEREAS, the Township Council has applied for funding to the Governor’s Council on Substance Use Disorder through the County of Hudson;

NOW, THEREFORE, BE IT RESOLVED by the Town of Guttenberg, County of Hudson, State of New Jersey hereby recognizes the following:

1. The Township Council does hereby authorize submission of a strategic plan for the Guttenberg Municipal Alliance grant year July 1, 2025 to June 30, 2026 in the amount of:

GCSUD GRANT FUNDED	\$ 3,533.00
Cash Match	\$ 883.25
In-Kind	\$ 2,649.75
2. The City Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

APPROVED: _____
Wayne D. Zitt, Mayor

CERTIFICATION

I, Dr. Cosmo A. Cirillo, Municipal Clerk of the Town of Guttenberg, County of Hudson, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council on this 28th day of May 2025.

Dr. Cosmo A. Cirillo, Town Clerk

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION # 99-2025
RESOLUTION AUTHORIZING APPOINTMENT OF ROBERT DOWD AS
HEARING OFFICER FOR LOCAL DISCIPLINARY MATTER

BE IT RESOLVED, that the Mayor and Council of the Town of Guttenberg in the County of Hudson and State of New Jersey, pursuant to Ordinance #31-20, hereby appoints Robert Dowd of Roberts & Associates, LLC as Hearing Officer (“Hearing Officer”) to review the record, preside over the local disciplinary hearing in connection with Case No. 25-009, assure that a satisfactory transcribed record is developed in conformity with the requirements of N.J.S.A. 40A:14-147, et seq., and issue a written report to the Police Committee determining the charge(s).

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #100-2025
APPOINTING ASHLEY VALDEZ AS MUNICIPAL HOUSING LIAISON FOR THE TOWN
OF GUTTENBERG

WHEREAS, the Town of Guttenberg petitioned the Council on Affordable Housing (COAH) for substantive certification of its Housing Element and Fair Share Plan; and

WHEREAS, Town of Guttenberg’s Fair Share Plan promotes an affordable housing program pursuant to the Fair Housing Act (N.J.S.A. 52:27D-301, et. seq.) and COAH’s Third Round Substantive Rules (N.J.A.C. 5:94-1, et. seq.); and

WHEREAS, pursuant to N.J.A.C. 5:94-7 and N.J.A.C. 5:80-26.1 et. seq., the Town of Guttenberg is required to appoint a Municipal Housing Liaison for the administration of Town of Guttenberg’s affordable housing program to enforce the requirements of N.J.A.C. 5:94-7 and N.J.A.C. 5:80-26.1 et. seq.; and

WHEREAS, the Town of Guttenberg has amended Chapter 25 entitled Affordable Housing to provide for the appointment of a Municipal Housing Liaison to administer Town of Guttenberg’s affordable housing program.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Town Council for the Town of Guttenberg, County of Hudson, State of New Jersey that Ashley Valdez is hereby appointed as the Municipal Housing Liaison for the administration of the affordable housing program, pursuant to and in accordance with Chapter 25 of the Code.

BE IT FURTHER RESOLVED, that said appointment is hereby effective as of June 1, 2025.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #101-2025

AUTHORIZE HIRE OF PROBATIONARY PART-TIME PARKING ENFORCEMENT
OFFICERS FOR THE TOWN OF GUTTENBERG

WHEREAS, there is a need for a Part-Time Parking Enforcement Officers (PEO) in the Town of Guttenberg (“Town”), Police Department; and

WHEREAS, the Parking Enforcement Officer Lead Supervisor of the Town has recommended that Richard Cali, Paul Molina and Denis Medina be hired to the position of probationary Part-Time PEO for the Police Department.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey, that Richard Cali, Paul Molina and Denis Medina be hired to the position of probationary Part-Time PEOs for the Guttenberg Police Department. The annual salary shall be as set forth in the Salary Ordinance of the Town of Guttenberg; and

BE IT FURTHER RESOLVED that said appointments are hereby effective as of June 1, 2025; and

BE IT FURTHER RESOLVED that said appointments are probationary for a period of ninety (90) days, expiring on August 30, 2025; and

BE IT FURTHER RESOLVED that the Chief Financial Officer certifies that funds are available for the appropriation from Current Fund- Police Salary & Wages.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #102-2025

AUTHORIZING THE TOWN OF GUTTENBERG TO VACATE TAX SALE CERTIFICATE
#2010-009 ON BLOCK 24 LOT 42

WHEREAS, the Town of Guttenberg (“Town”) is the holder of tax sale certificate #2010-009 on Block 24 Lot 42 Located at 228R 68th St. which the Tax Duplicate shows is owned by Vucelic, Michael M with a mailing address of 1030 Genter St Unit 201 La Jolla, CA 92037; and

WHEREAS, Town Council believes that the Town will not benefit from a foreclosure on the property; and

WHEREAS, there is a lien holder with a lien on this property who is interested in foreclosing on the property, and is paying subsequent taxes;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Town of Guttenberg, that Tax Sale Certificate #2010-009 be cancelled.

BE IT FURTHER RESOLVED, that the Tax Collector is instructed to take the necessary steps to update the Town’s records and execute the necessary documents with the Hudson County.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #103-2025

AUTHORIZE PAYMENT OF PAY CERTIFICATE NUMBER 4 (FINAL) TO A.J.M.
CONTRACTORS, INC. FOR IMPROVEMNTS TO 70TH STREET, SECTIONS 5 AND 6

WHEREAS, by Resolution, the Mayor and Council of the Town of Guttenberg awarded a contract to A.J.M. Contractors, Inc. with offices located 306 Kuller Road, Clifton, New Jersey 07011, for 70th Street, from John F. Kennedy Boulevard to Madison Avenue, Sections 5 and 6; and

WHEREAS, the contract amount to perform the work at 70th Street, from John F. Kennedy Boulevard to Madison Avenue, Sections 5 and 6 was awarded in the amount of Four Hundred Fifty-Four Thousand, Three Hundred Fifty-Six Dollars (\$454,356.18) and Eighteen Cents; and

WHEREAS, A.J.M. Contractors, Inc. now submits Pay Certificate Number 4 in the amount of Ten Thousand, One Hundred and Fifty-Five Dollars (\$10,155.39) and Thirty-Nine Cents; and

WHEREAS, the Town Engineers have reviewed the invoice and work completed and recommend payment of Pay Certificate No. 4 in the amount of Ten Thousand, One Hundred and Fifty-Five Dollars (\$10,155.39) and Thirty-Nine Cents; and certify that the work is within the scope of the original contract.

NOW THEREFORE, BE IT RESOLVED, that Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey, authorize Pay Certificate Number 4, to perform the work at 70th Street, from John F. Kennedy Boulevard to Madison Avenue, Sections 5 and 6, in the amount of Ten Thousand, One Hundred and Fifty-Five Dollars (\$10,155.39) and Thirty-Nine Cents; and

BE IT FURTHER RESOLVED that the Chief Financial Officer certifies that funds are available for the appropriation from the Capital Cash Account#04-2150-55-2017-256 – 70th Street Repairs and Sewers.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #104-2025
AUTHORIZING REFUND OF MONIES HELD IN ESCROW TO
BEEFBURGER CORP.

WHEREAS, Certain escrow funds were deposited by or on behalf of Beefburger Corp. in an escrow account for a project located at 7013-7015 Madison Street, 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 #16-2000-00-1364 in the amount of One Thousand Dollars (\$1,000), there remains Fifty-Eight Dollars and Sixty-Five Cents (\$58.65); and

WHEREAS, these monies were held unused; and

WHEREAS, the Finance Department has confirmed that the balances should be returned to Beefburger Corp., 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 #16-2000-00-1364.

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 Fifty-Eight Dollars and Sixty-Five Cents (\$58.65) shall be returned to Beefburger Corp., with a mailing address of 7013 Madison Street, Guttenberg, New Jersey.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #105-2025
AUTHORIZING REFUND OF MONIES HELD IN ESCROW TO
AWT ENVIRONMENTAL SERVICES, INC.

WHEREAS, Certain escrow funds were deposited by or on behalf of AWT Environmental Services, Inc. in an escrow account for a project located at 6905 Adams Street, 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 #15-2960-00-0726-001 in the amount of One Thousand Dollars (\$1,000), there remains One Hundred Ninety-Two Dollars (\$192.00); and

WHEREAS, these monies were held unused; and

WHEREAS, the Finance Department has confirmed that the balances should be returned to AWT Environmental Services, Inc., 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 #15-2960-00-0726-001.

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 One Hundred Ninety-Two Dollars (\$192.00) shall be returned to AWT Environmental Services, Inc., with a mailing address of 32 Birch Street, Old Bridge, New Jersey.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #106-2025
AUTHORIZING TAX EXEMPTION FOR DISABLED VETERAN ACCOUNT

WHEREAS, Daniel Shutov 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 12.04 located at 7000 Boulevard East, Unit 12D, 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, Daniel Shutov 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 12.04 located at 7000 Boulevard East, Unit 12D, Guttenberg, New Jersey, is hereby designated as a tax-exempt property for the property owner, Daniel Shutov, who is a 100% permanently disabled veteran and therefore all property taxes on said are hereby cancelled.

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 #107-2025
AUTHORIZING CONTRACT BETWEEN THE TOWN OF GUTTENBERG AND
TREADSTONE RISK MANAGEMENT FOR **INSURANCE LOSS CONTROL ADVISOR SERVICES**

WHEREAS, the Town of Guttenberg (the “Town”) is a member of the Garden State Municipal Joint Insurance Fund formed pursuant to N.J.S.A. 40A:10-36; and

WHEREAS, the Bylaws of said fund require that each municipality appoint a Risk Management Consultant to perform various “Professional Services” as detailed in said Bylaws; and

WHEREAS, the Town has a need for an Insurance Loss Control Advisor to perform services related to insurance risk management (the “Services”); and

WHEREAS, N.J.S.A. 40A:11-5(l)(m), specifically exempts the hiring of insurance consultants from competitive bidding as an extraordinary unspecifiable service; and

WHEREAS, the experience, knowledge of public insurance and risk management issues and judgmental nature required of a Risk Management Consultant are an extraordinary unspecifiable service which, therefore, render competitive bidding impractical; and

WHEREAS, Treadstone Risk Management, LLC (“Treadstone”), with an office located at 50 Chestnut Street, Unit 2, Morristown, New Jersey 07960, submitted a qualifications proposal to provide risk & insurance management services; and

WHEREAS, Treadstone has agreed to perform these Services at a rate \$1,000 per month for a period of one (1) year for 2025.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey, that the Mayor and Town Administrator are authorized to execute a contract with Treadstone located at 50 Chestnut Street, Unit 2, Morristown, New Jersey 07960, for the Services in accordance with N.J.S.A. 40A: 11-5.

BE IT FURTHER RESOLVED that the Chief Financial Officer certifies that funds are available for the appropriation Current fund Insurance/Other 01-2010-23-2202-001.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #108-2025

AUTHORIZE CONTRACT WITH MILLENIUM STRATEGIES LLC FOR
GRANT ADMINISTRATION SERVICES

WHEREAS, the Town of Guttenberg (“Town”) desires to retain a contractor to handle grant administration services; and

WHEREAS, the Town received a proposal dated February 11, 2025, from Millennium Strategies, LLC to provide such services in the annual not to exceed amount of \$9,000 at the rates set forth in the proposal, for a term of three years; and

WHEREAS, the Town further desires to accept “Option 1: Service Package(s)” which entails \$15,000.00 fee per service package billed in full upon contract execution. Each Service Package is calculated at a discounted rate of \$150.00 per hour and includes 100-hours of service. These service packages are renewable at any time throughout the contract period if the Town exhausts its allotment of available service hours.; and

WHEREAS, the Finance Director, having reviewed the proposal submitted by Millennium Strategies, LLC with offices located at 60 Columbia Road, Suite 230, Morristown, NJ 07960 in recommends Millenium Strategies, LLC be awarded the contract.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey, that Millennium Strategies, LLC, be awarded a contract to provide grant administration services, in the annual not to exceed amount of \$9,000.00 at the rates set forth in the proposal, while accepting the “Option 1: Service Package” which entitles the Town to purchase additional 100 hours of service for \$15,000; and

BE IT FURTHER RESOLVED, that the Town Administrator is hereby authorized to execute any contract required for the grant administration services and any and all documents necessary to implement this Resolution.

BE IT FURTHER RESOLVED that the Chief Financial Officer certifies that funds are available for the appropriation Current Fund Admin OE 01-2010-20-1002-001.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION#109-2025
AUTHORIZING RENEWAL OF THE CONTRACT WITH
HORIZON BLUE CROSS BLUE SHIELD OF NEW JERSEY FOR
DENTAL INSURANCE FOR THE TERM AUGUST 1, 2025 TO JULY 31, 2026

WHEREAS, the Town of Guttenberg (“Town”) has a need to acquire dental insurance; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5(1)(m), the purchase of insurance is an exception to the requirements set forth in the Local Public Contracts Law; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5(1)(m), the procurement of insurance coverage shall be in conformity with the requirements for extraordinary unspecified services, in accordance with N.J.S.A. 40A:11-5(1)(a)(ii); and

WHEREAS, the Town wishes to renew its contract for dental insurance with Horizon Blue Cross Blue Shield of New Jersey for the term August 1, 2025 to July 31, 2026.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Mayor and Council of the Town of Guttenberg do hereby approve of a renewal contract for dental insurance with Horizon Blue Cross Blue Shield of New Jersey for the term August 1, 2025 to July 31, 2026; and

BE IT FURTHER RESOLVED, that the Mayor, Municipal Administrator, Commissioner of Revenue and Finance and Town Clerk are authorized to execute any and all documents and take any and all necessary actions to complete and realize the intent and purpose of this resolution.

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

RESOLUTION #110-2025

AUTHORIZE HIRE OF YOMARIS ALCANTARA AS A TECHNICAL ASSISTANT TO THE CONSTRUCTION OFFICIAL FOR THE TOWN OF GUTTENBERG

WHEREAS, there is a need in the Town of Guttenberg (“Town”) for additional technical assistance for the Construction Official; and

WHEREAS, Yomaris Alcantara is able to serve as technical assistant to the Construction Official and has met all the requirements for the position; and

WHEREAS, the Construction Official recommends the hire of Yomaris Alcantara as a technical assistant to the Construction Official.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey, that Yomaris Alcantara is hereby hired as a probationary technical assistant to the Construction Official with the Town of Guttenberg; and

BE IT FURTHER RESOLVED, said hire shall be effective as of June 1, 2025. The salary shall be set forth by the salary ordinance of the Town of Guttenberg; and

BE IT FURTHER RESOLVED that said hires shall be probationary for a period of ninety (90) days, wherein she may be dismissed from said position without cause, expiring on September 1, 2025; and

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

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

RESOLUTION #111-2025

AUTHORIZE HIRE OF CATHERINE ALVAREZ AS A PART TIME CLERK FOR THE MUNICIPAL COURT FOR THE TOWN OF GUTTENBERG

WHEREAS, there is a need in the Town of Guttenberg (“Town”) for additional assistance for the Municipal Court; and

WHEREAS, Catherine Alvarez is able to serve as a part time clerk for the Municipal Court and has met all the requirements for the position; and

WHEREAS, the Municipal Court Administrator recommends the hire of Catherine Alvarez as a part time clerk.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey, that Catherine Alvarez is hereby hired as a part time Municipal Court Clerk with the Town of Guttenberg; and

BE IT FURTHER RESOLVED, said hire shall be effective as of June 1, 2025. The salary shall be set forth by the salary ordinance of the Town of Guttenberg; and

BE IT FURTHER RESOLVED that said hires shall be probationary for a period of ninety (90) days, wherein she may be dismissed from said position without cause, expiring on September 1, 2025; and

BE IT FURTHER RESOLVED that the Chief Financial Officer certifies that funds are available for the appropriation Current Fund- S&W 01-2010-43-4901-001.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #112-2025

AUTHORIZE HIRE OF LAZARA PEREZ AS A PART TIME MAINTENANCE STAFF FOR
THE DEPARTMENT OF PUBLIC WORKS FOR THE TOWN OF GUTTENBERG

WHEREAS, there is a need in the Town of Guttenberg (“Town”) for additional maintenance staff for the Department of Public Works (DPW); and

WHEREAS, Lazara Perez is able to serve as part time maintenance staff for DPW and has met all the requirements for the position; and

WHEREAS, the DPW recommends the hire of Lazara Perez as part time maintenance staff.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey, that Lazara Perez is hereby hired as a part time maintenance staff with the Town of Guttenberg; and

BE IT FURTHER RESOLVED, said hire shall be effective as of June 1, 2025. The salary shall be set forth by the salary ordinance of the Town of Guttenberg; and

BE IT FURTHER RESOLVED that said hires shall be probationary for a period of ninety (90) days, wherein she may be dismissed from said position without cause, expiring on September 1, 2025; and

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

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

RESOLUTION #113 2025

AUTHORIZING THE EXECUTION OF A DEVELOPER'S AGREEMENT BETWEEN THE TOWN OF GUTTENBERG AND ADAM STREET CAPITAL 6903 PROPCO, LLC

WHEREAS, the Joint Planning/Zoning Board of the Town of Guttenberg (the "Board") granted Preliminary and Final Site Plan Approval to develop a nine-story mid-rise residential building consisting of sixty-three (63) residential units, including forty-eight (48) one-bedroom units, thirteen (13) two-bedroom units, and two (2) three-bedroom units located on the third through ninth stories, tenant amenities, and sixty-eight parking spaces located in the cellar, first story, and second story, with floor-area-ratio variance, bulk variances, and design waivers (the "Project") for certain real property at Block 1, Lots 19-21, commonly known as 6903-6909 Adams Street, Guttenberg, New Jersey (the "Property"); and

WHEREAS, the nature and the extent of the Project are set forth in a memorializing resolution of the Board dated December 21, 2020; and

WHEREAS, the Developer is required to enter into a Developer's Agreement with the Town of Guttenberg ("Town") setting forth the rights, duties, and obligations of the parties in connection with the Project; and

WHEREAS, there has been prepared a form of Developer's Agreement among the Developer, the Town, and the Board; and

WHEREAS, the Town desires to authorize the execution of the Developer's Agreement subsequent to its execution by the Developer.

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

1. The Mayor and Town Administrator are hereby authorized to execute a Developer's Agreement in a form acceptable to the Town Attorney as evidenced by their signature in accord with the proposed Developer's Agreement.
2. All other appropriate officers and employees of the Town are hereby authorized to take all steps necessary to effectuate the purposes of this Resolution.
3. The Mayor and Town Council hereby authorize and approve any non-substantive modifications to the Developer's Agreement as may be recommended and approved by the Town Engineer and Town Attorney prior to execution, including determination of the amount of a performance bond, maintenance bond, and escrow.
4. This Resolution shall take effect immediately

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

RESOLUTION #114-2025

AUTHORIZING PAYMENT OF PAY CERTIFICATE NUMBER 1 TO VEKTOR CORP. FOR
69TH STREET IMPROVEMENT PROJECT

WHEREAS, the Mayor and Council of the Town of Guttenberg awarded a contract to Vektor Corp. located at 348 Schoolhouse Road, Monroe Township, NJ for the 69th Street Improvement Project; and

WHEREAS, Vektor Corp. now submits Pay Certificate Number 1 in the amount of \$294,826.92; and

WHEREAS, the Town Engineers have reviewed the invoice and work completed and recommend payment of Pay Certificate No. 1 in the amount of \$294,826.92 and certify that the work is within the scope of the original contract.

NOW THEREFORE, BE RESOLVED, that Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey, authorize Pay Certificate Number 1 to Vektor Corp. located at 348 Schoolhouse Road, Monroe Township, NJ, for the 69th Street Improvement upgrades in the amount of \$294,826.92; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer certifies that funds are available for the appropriation from the Capital Fund #04-2150-55-2421-Broadway Traffic Signals.

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

RESOLUTION #115-2025

AUTHORIZING THE TOWN OF GUTTENBERG TO VACATE TAX SALE CERTIFICATE
#20-007 ON BLOCK 35 LOT 30.1 - C0GA1

WHEREAS, the Town of Guttenberg ("Town") is the holder of tax sale certificate #20-007 on Block 35 Lot 30.01 - C0GA1 located at 78 69TH St. which the Tax Duplicate shows is owned by Mayor, Carlos with a mailing address of 74 69th St Apt 10B; and

WHEREAS, Town Council believes that the Town will not benefit from a foreclosure on the property; and

WHEREAS, there is a lien holder with a lien on this property who is interested in foreclosing on the property, and is paying subsequent taxes.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Town of Guttenberg, that Tax Sale Certificate #2020-007 be cancelled.

BE IT FURTHER RESOLVED, that the Tax Collector is instructed to take the necessary steps to update the Town's records and execute the necessary documents with the Hudson County.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #116-2025
APPOINTING/OR REAPPOINTING MEMBER (S) TO THE
RENT CONTROL BOARD FOR THE TOWN OF GUTTENBERG

BE IT RESOLVED, by the Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey that they shall and hereby appoint and / or reappoint the following person / persons to the Rent Control Board:

Noah Henderson
422-68th Street, Apt. 307
Guttenberg, New Jersey 07093
Term: June 1, 2025 to December 31, 2025

Rafael Antonio Lopez
422-68th Street, #401
Guttenberg, New Jersey 07093
Term: June 1, 2025 to December 31, 2025

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #117-2025
APPOINTING JORGE ARELLANO TO FILL THE UNEXPIRED TERM OF CLASS IV
MEMBER ALTERNATE OF THE
JOINT PLANNING & ZONING BOARD OF THE TOWN OF GUTTENBERG

WHEREAS, the Mayor and Council of the Town of Guttenberg are responsible for the appointment of members to the Joint Planning & Zoning Board of the Town of Guttenberg; and

WHEREAS, there is a vacancy for a Class IV Member Alternate; and

WHEREAS, Jorge Arellano is qualified and able to serve as a Class IV Member Alternate of the Town of Guttenberg Joint Planning Board; and

WHEREAS, the Mayor seeks to appoint, and the Council concurs with the appoint of Jorge Arellano to fill the vacant Class IV Alternate member position of the Town of Guttenberg Joint Planning & Zoning Board, pursuant to N.J.S.A. 40:55D-23 for the unexpired term ending on December 31, 2027.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Guttenberg, County of Hudson, and State of New Jersey, that Jorge Arellano is hereby appointed as an Alternate Class IV Member of the Joint Planning & Zoning Board of the Town of Guttenberg for the unexpired term ending on December 31, 2027.

BE IT FURTHER RESOLVED a copy of this Resolution shall be provided to the Guttenberg Joint Planning & Zoning Board Secretary and Board Attorney.

Ordinances:

ORDINANCE #14-25

ADOPTION

AN ORDINANCE AMENDING SECTION 18-1.4 OF THE REVISED GENERAL ORDINANCES OF THE TOWN OF GUTTENBERG TO PERMIT GARBAGE AND RECYCLING CANS TO BE PLACED AT PICKUP LOCATION AFTER 4:30 PM

WHEREAS, the Town of Guttenberg (the “Town”) under Chapter 18 of the Revised General Ordinances regulates the disposal of solid waste in the Town; and

WHEREAS, the bins used for the collection of garbage and recycling are currently prohibited from being placed at the designated pickup spot prior to 6:00 pm the day before collection; and

WHEREAS, the Mayor and Council of the Town considers it to be in the best interest of the residents to permit residents to place bins out for collection after 4:30 pm the day before collection; and

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey, that the Revised General Ordinances of the Town of Guttenberg is hereby amended as follows:

§ 18-1.4 COLLECTION

(c) Recycling receptacles shall be stored only in areas designated for storage between recycling collections. They shall be placed adjacent to the curb in front of the premises, or other area designated for collection no earlier than 6:00 p.m. on the day before collection and shall be promptly returned to the storage area upon collection. Recycling receptacles shall not be stored on sidewalks or areas in front of any buildings or houses between collection days.

SECTION I.

Severability. If 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 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.

Codification. The Town Clerk shall have this Ordinance incorporated in the official copies of the Revised General Ordinances. The Town Clerk and the Town Attorney be and are hereby authorized and directed to correct any typographical error and to change any heading, 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 of the Town of Guttenberg, or as they may otherwise deem appropriate, even if headings, chapter numbers, article numbers and section numbers are otherwise provided for in this Ordinance.

SECTION IV.

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

Summary of Ordinance

This Ordinance permits residents to put out wastebins anytime after 4:30 p.m. on the day before collection.

Ordinance#14-25 Adoption Vote

A motion to open to the public 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

NO COMMENTS

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

ORDINANCE #16-25 **ADOPTION**

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

BOND ORDINANCE AMENDING SECTION 3(a) OF BOND ORDINANCE #20-18 AND PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$507,999 FOR THE RENOVATION OF MONUMENT PARK IN AND BY THE TOWN OF GUTTENBERG, IN THE COUNTY OF HUDSON, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF \$482,599 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF 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. Section 3(a) of Bond Ordinance #20-18, finally adopted August 27, 2018 (the "Original Bond Ordinance") of the Town of Guttenberg, in the County of Hudson, New Jersey (the "Town"), is hereby amended to include the replacement of pavers in such park and to read as follows:

"The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the renovation of Monument Park, including but not limited to, the replacement of

pavers in such park and further including all work and materials necessary therefor and incidental thereto.”

Section 2. The improvement described in Section 4(a) of this bond ordinance has heretofore been authorized to be undertaken by the Town as a general improvement. For the improvement or purpose described in Section 4(a), there is hereby appropriated the supplemental amount of \$507,999, including the available and remaining amount of \$142,413 Open Space Grant from the County of Hudson for the purpose of Memorial Park Dog Run Project and the available \$325,586 Open Space Grant from the County of Hudson for the purpose of Veteran’s Memorial Dog Park (collectively, the “County Grants”), which County Grants have been reallocated by the County of Hudson for the purpose described in Section 4(a) herein, and such sum being in addition to the \$212,000 appropriated therefor by the Original Bond Ordinance, and including the sum of \$25,400 as the additional down payment required by the Local Bond Law. The additional down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 3. In order to finance the additional cost of the improvement or purpose not covered by application of the additional down payment and in anticipation of receipt of the County Grants, negotiable bonds are hereby authorized to be issued in the principal amount of \$482,599 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 4. (a) The improvement heretofore authorized and the purpose for the financing of which the bonds are to be issued is the renovation of Monument Park, including, but not limited to, the replacement of pavers in such park and further including all work and materials necessary therefor and incidental thereto, as described in the Original Bond Ordinance.

(b) The aggregate estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is \$683,999, including the \$201,400 authorized by the Original Bond Ordinance and the \$482,599 bonds or bond anticipation notes authorized herein.

(c) The aggregated estimated cost of the improvement or purpose is \$719,999, including the \$212,000 appropriated by the Original Bond Ordinance and the \$507,999 appropriated herein.

Section 5. 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 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 6. 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 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 4(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 15 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 \$482,599, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$78,748 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. Of this amount, \$38,748 was estimated for these items of expense in the Original Bond Ordinance and an additional \$40,000 is estimated therefor herein.

Section 8. The Town hereby declares the intent of the Town to issue bonds or bond anticipation notes in the amount authorized in Section 3 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 4(a) of this bond ordinance. This Section 8 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 9. Any grant moneys received for the purpose described in Section 4(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 10. 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 11. 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 12. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Ordinance#16-25 Adoption Vote

A motion to open to the public 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

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 #17-25 INTRODUCTION

AN ORDINANCE OF THE TOWN OF GUTTENBERG ENTITLED “E-MOBILITY DEVICES AND LITHIUM-ION BATTERIES”

WHEREAS, it is in the best interest of the health and welfare of the citizens of the Town of Guttenberg, to authorize a new Chapter to the Code entitled E-Mobility Devices and Lithium-Ion Batteries to read as follows:

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey, that the Revised General Ordinances of the Town of Guttenberg are hereby amended as follows:

SECTION I.

Definitions.

CERTIFICATION MARK

A visible record of certification affixed to a certified product that can include the logo, wordmark, or name of the certifying body.

E-MOBILITY DEVICE

A stand-up eScooter, eBike, eSBscooter (self-balancing), front-face eUnicycle, skateboard, and hybrid product that is battery-powered by Lithium-Ion batteries or other similar stored energy battery or battery pack.

LITHIUM-ION BATTERY

A storage battery in which an electrical current is generated by lithium-ions embedded in a carbon graphite or nickel metal-oxide substrate placed in a high-viscosity carbonate mixture or gelled polymer electrolyte.

NATIONALLY RECOGNIZED TESTING LABORATORY (NRTL)

Applicable to this ordinance, an organization that meets the qualifications provided in CFR 1910.7 (b) and is recognized as an NRTL by the U.S. Department of Labor, Occupational Safety and Health (“OSHA”) NRTL program. Such NRTL must have the standards identified in this ordinance within the scope of their recognition by OSHA. Each NRTL uses its own unique registered certification mark (s) to designate product conformance to the applicable product safety test standard.

RETAIL STORE

A retail establishment within the Town of Guttenberg that sells or stores E-Mobility devices, E-bikes, E-scooters, Lithium-Ion batteries and other similarly powered mobility devices to consumers.

SECOND-USE LITHIUM-ION BATTERY

A Lithium-Ion battery that has been assembled, repurposed, reconditioned or renewed using cells removed from used batteries.

UL STANDARDS & ENGAGEMENTS

A standards development organization that develops consensus standards under a process accredited by the American National Standards Institute.

UL 1487

The UL Standard for Battery Containment Enclosures

UL 2271

The UL Standard for Batteries for Use in Light Electric Vehicle Applications, or any storage battery for a powered bicycle or mobility device.

UL 2272

The UL Standard for Electrical Systems for Personal E-Mobility Devices, for all powered mobility devices, including E-Scooters.

UL 2849

The UL Standard for Electrical Systems for E-Bikes, for the electrical system of any powered bicycle.

UNREGULATED LITHIUM-ION BATTERY

A Lithium-Ion battery that has not been certified by an NRTL, as defined in this ordinance, and does not bear the mark of that NRTL.

WAREHOUSE

A warehouse within the Town of Guttenberg that sells, ships or stores E-Mobility devices, E-bikes, E-scooters, Lithium-Ion batteries and other similarly powered mobility devices as part of their inventory.

SECTION II.**Sale and Storage of E-Mobility Devices and Lithium-Ion Batteries.**

A. The sale and storage E-Mobility Devices, such as electric bicycles, electric scooters, hoverboards, and Lithium-Ion Batteries are prohibited unless such devices and batteries have been

certified by an NRTL to the relevant UL standard and bears the certification mark of the NRTL. A list of NRTLs can be found on the OSHA website <https://www.osha.gov/nationally-recognized-testing-laboratory-program/current-list-of-nrtls>. Be advised that not all the NRTLs listed test to UL 2271, UL 2272 and UL 2849 Standards.

B. Retail Stores and Warehouses shall be prohibited from maintaining any unregulated and not certified E-Mobility Devices and Lithium-Ion Batteries within their inventory located in the Town of Guttenberg.

C. Prior to the sale or storage of any E-Mobility Device or Lithium-Ion Battery, the applicable UL Test Report for each model or device for sale or being stored shall be supplied to the Fire Prevention Bureau to ensure compliance with the applicable UL Standard for each E-Mobility Device and Lithium-Ion Battery.

D. Retail Stores shall only be permitted to display one uncharged model of each E-Mobility Device powered by a Lithium-Ion battery being sold at any time. If the battery is removable, the battery for any such display devices within a retail store shall remain in its original packaging and shall be stored in a secure area within the establishment that complies with all safety requirements set forth in this article for Lithium-Ion battery storage and charging.

E. All E-Mobility Devices must be stored in an uncharged state, with its original packaging and its original manufacturer supplied charger.

F. Fire safety and charging safety information about E-Mobility Devices and Lithium-Ion Batteries must be supplied by the seller to the purchaser of the E-Mobility Device at the time of sale.

G. All E-Mobility devices, other than display models, shall remain boxed and safely stored within the original packaging.

H. Retail stores or warehouses that sell or store E-Mobility Devices are required to have a monitored fire alarm system. If the building is more than one story or of a mixed-use occupancy, there shall be a monitored wet-sprinkler system present in addition to the monitored fire alarm system which shall extend into the common areas of the building and basement.

I. If the retail store or warehouse sells or stores individual Lithium-Ion Battery Packs for E-Mobility Devices, a fire-resistant metal storage cabinet of sufficient size to hold as many E-Mobility Lithium-Ion batteries as in stock shall be used. The cabinet shall be certified to UL 1487.

J. All individual Lithium-Ion batteries stored in a retail stores or warehouses are to be stored in the fire-resistant cabinet at all times, except when the battery packs are being charged for delivery to customers. The cabinet shall be certified to UL 1487.

K. Retail Stores are prohibited from charging any Lithium-Ion batteries while they are stored inside the fire-resistant storage cabinet. Lithium-Ion batteries are only permitted to be charged immediately prior to delivery to the customer. The cabinet shall be certified to UL 1487.

L. Warehouses are prohibited from charging any E-Mobility Lithium-Ion batteries that are to be sold or shipped individually or with E-Mobility Devices.

SECTION III.

Sale of second use Lithium-Ion batteries and Lithium Polymer Batteries Prohibited.

It shall be unlawful to assemble or recondition a lithium-ion battery and/or using cells removed from used storage batteries; and/or

It shall be unlawful to sell or offer for sale a lithium-ion battery that uses cells removed from used storage batteries.

SECTION IV.

Lithium-Ion Battery Charging Restrictions.

A. E-Mobility devices and Lithium-Ion batteries are prohibited from being stored or charged within the common areas of any multi-family residential properties including but not limited to means of egress (entrances and exits), hallways, stairwells or basements.

B. Lithium-ion batteries shall be charged within a retail store on a wheeled metal cart with a quick-disconnect function from a wall outlet. A surge proof power strip may be secured to the cart to accommodate the charging of additional lithium-ion batteries, if necessary.

C. Stores that charge Lithium-Ion batteries shall have a thirty-two-gallon galvanized pail that is half filled with water, an eight-foot-by-eight-foot fireproof blanket, or a "Cell Block" lithium-ion battery containment tank in the immediate vicinity of the Lithium-Ion battery charging cart.

D. Overnight and/or unattended charging of any Lithium-Ion batteries is prohibited.

E. At least one Class A, B, and C fire extinguisher shall be mounted within easy reach of the charging station to extinguish any possible fire extension.

SECTION V.

Disposal of Lithium-Ion Batteries.

A. Proper disposal of Lithium-Ion batteries shall be in accordance with state and local regulations.

B. Lithium-Ion Batteries are prohibited from being disposed of in the regular trash.

SECTION VI.

Violations and Penalties.

A person or entity who violates any section within this article or any rule or regulation promulgated thereunder shall be liable for a penalty as follows:

A. For first violation, a civil fine of up to \$2,000 in addition to the penalty from the Fire Prevention Bureau.

B. For each subsequent violation issued for the same offense within two years of the date of the first violation, a civil fine of \$2,000 in addition to the penalty from the Fire Prevention Bureau.

C. All unregulated E-Mobility Devices and Lithium-Ion Batteries are subject to seizure by the Town of Guttenberg. The costs of properly disposing of the unregulated Lithium-Ion Batteries and E-Mobility Devices shall be billed to the business and property owners.

SECTION VII.

Enforcement.

A. The Town of Guttenberg Fire Prevention Office, Police Department and Building Department shall be responsible for performing inspections of all stores within the Town of Guttenberg every three months that sell E-Mobility Devices and Lithium-Ion Batteries.

B. The Town of Guttenberg Fire Prevention Office, Police Department and Code Enforcement shall have the authority for the enforcement of all aspects of this article.

SECTION VIII.

Severability. If 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 IX.

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 X.

Codification. The Town Clerk shall have this Ordinance incorporated in the official copies of the Revised General Ordinances. The Town Clerk and the Town Attorney be and are hereby authorized and directed to correct any typographical error and to change any heading, 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 of the Town of Guttenberg, or as they may otherwise deem appropriate, even if headings, chapter numbers, article numbers and section numbers are otherwise provided for in this Ordinance.

SECTION XI.

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

Summary of Ordinance

This Ordinance establishes regulations related to use of E-Mobility devices and Lithium Ion Batteries.

Ordinance#17-25 Introduction Vote

A motion to open to the public 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 #18-25

INTRODUCTION

AN ORDINANCE AMENDING CHAPTER 7, SECTION 3 OF THE REVISED GENERAL ORDINANCES OF THE TOWN OF GUTTENBERG

WHEREAS, the Town of Guttenberg (the “Town”) under Chapter 7 of the Revised General Ordinances regulates parking in the Town; and

WHEREAS, the Mayor and Council of the Town recognize that parking availability is a challenge for Town residents; and

WHEREAS, there are several multi-family residential buildings within the Town which have parking garages that are not fully occupied by building residents; and

WHEREAS, the Town desires to create a system by which Town residents can make use of surplus parking spaces in parking garages that are not used by existing building residents; and

WHEREAS, to encourage property owners to make these surplus parking spaces available to residents, the Mayor and Council desire to permit property owners to lease unused parking spaces to Town residents; and

WHEREAS, the Mayor and Council have determined that these changes will help provide additional parking spaces for Town residents and be in the Town’s best interest; and

WHEREAS, the Town now wishes to update the parking ordinance to reflect these principles.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey, that the Revised General Ordinances of the Town of Guttenberg are hereby amended as follows:

SECTION XII.

Creation of List of Interested and Eligible Residents. The Town Administrator or his designee shall maintain a list of eligible Town residents who are interested in leasing a parking space from

private property owners. The list shall be made available, upon request, to property owners who demonstrate that they have surplus parking spaces that are not utilized by residents of the building.

SECTION XIII.

Property Owner Eligibility. No property owner may lease a parking space to a non-building resident without demonstrating that the space is currently unused by building residents. To that end, the property owner shall provide the unit or apartment number of the resident that does not use its designated parking space when making a request to the Town Administrator for the list of eligible and interested residents.

SECTION XIV.

Implementation of Private Parking Space Lease Program.

- a. Property owners are prohibited from leasing parking spaces to anyone who is not on the list of eligible and interested Town residents maintained by the Town Administrator or his designee.
- b. No residential parking permit shall be issued to a Town resident whose unit is designated as a surplus parking space eligible for lease to Town residents.
- c. The Parking Permits Office shall not issue a resident parking permit to any Town resident who does not list their apartment or unit number (unless the address is a single family residence) on the application for a resident parking permit.
- d. Leases between property owners and Town residents for surplus parking spaces shall be terminable upon thirty (30) days' notice to lessees in the event that the building resident whose parking space is being leased obtains a vehicle.
- e. Property owners may charge reasonable rent to lessees, not to exceed \$125 per month per parking space.

SECTION XV.

Resident Parking Permit Fees. Resident Parking Permit fees shall be assessed as follows:

- a. First vehicle in household shall be \$10 annually.
- b. Second vehicle in household shall be \$20 annually.
- c. Third vehicle in household shall be \$40 annually.
- d. Fourth vehicle and above in household shall be \$80 annually.

SECTION XVI.

Penalties. Anyone found to be violating any of the provisions herein may be fined up to \$200 for each violation.

SECTION XVII.

Severability. If 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 XVIII.

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 XIX.

Codification. The Town Clerk shall have this Ordinance incorporated in the official copies of the Revised General Ordinances. The Town Clerk and the Town Attorney be and are hereby authorized and directed to correct any typographical error and to change any heading, 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 of the Town of Guttenberg, or as they may otherwise deem appropriate, even if headings, chapter numbers, article numbers and section numbers are otherwise provided for in this Ordinance.

SECTION XX.

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

Summary of Ordinance

This Ordinance creates parameters under which property owners may lease unused off-street parking spaces to Town residents and revises the resident parking permit application process and fees.

Ordinance#18-25 Introduction 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

Payment of Claims:

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

- **MAYOR ZITT AND FUNDORA ABSTAINED TO CHECK #41823**
- **HABERMANN ABSTAINED TO CHECK #42041**
- **MAYOR ZITT ABSTAINED TO CHECK #48162 & 42029**

Public Portion:

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

Alfredo Delao- 6811 Adams Street:

- 7 story – 6820-6914
- Concerned about parking
- Constant pollution

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

Meeting was adjourned at 5:30 P.M.

Respectfully Submitted,

Dr. Cosmo A. Cirillo, RMC
Town Clerk