

MINUTES

Regular meeting of the Mayor and Council of the
Town of Guttenberg at Town Hall, 6808 Park Avenue, Guttenberg, New Jersey
on Wednesday, August 27, 2025, Second Floor

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

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

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

Members Present:

Councilpersons: Richard Delafuente, Monica Fundora, William Hokien, Juana Malave and Mayor Wayne D. Zitt, Jr. Absent: John Habermann

Sunshine Law:

As presiding officer of this Regular Meeting of the Mayor and Town Council of the Town of Guttenberg, held on August 27, 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 May 28, 2025
- Caucus Meeting of June 25, 2025
- Regular Meeting of June 25, 2025
- Caucus Meeting of July 23, 2025
- Regular Meeting of July 23, 2025

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

Approval of consent agenda Resolution #160-2025 through Resolution#177-2025:

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

**** MAYOR ZITT ABSTAINED TO RESOLUTION#173-2025**

Resolution:

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #160-2025

AUTHORIZING PAYMENT OF PAY CERTIFICATE NUMBER 1 TO JC CONTRACTING
FOR POLK STREET & 68TH STREET TRAFFIC SIGNAL UPGRADES

WHEREAS, the Mayor and Council of the Town of Guttenberg awarded a contract to JC Contracting located at 681 Mill Street, Rahway, NJ for the 68th Street Traffic Signal Upgrades; and

WHEREAS, JC Contracting now submits Pay Certificate Number 1 in the amount of \$70,496.76; and

WHEREAS, the Town Engineers have reviewed the invoice and work completed and recommend payment of Pay Certificate No. 1 in the amount of \$70,496.76 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 JC Contracting located at 681 Mill Street, Rahway, NJ for the 68th Street Traffic Signal Upgrades in the amount of \$70,496.76; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer certifies that funds are available for the appropriation from the Capital Fund - Broadway Traffic Signals 04-2150-55-2422.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #161-2025

AUTHORIZING PAYMENT OF PAY CERTIFICATE NUMBER 2 TO JC CONTRACTING
FOR POLK STREET & 68TH STREET TRAFFIC SIGNAL UPGRADES

WHEREAS, the Mayor and Council of the Town of Guttenberg awarded a contract to JC Contracting located at 681 Mill Street, Rahway, NJ for the 68th Street Traffic Signal Upgrades; and

WHEREAS, JC Contracting now submits Pay Certificate Number 2 in the amount of \$69,936.92; and

WHEREAS, the Town Engineers have reviewed the invoice and work completed and recommend payment of Pay Certificate No. 2 in the amount of \$69,936.92 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 2 to JC Contracting located at 681 Mill Street, Rahway, NJ for the 68th Street Traffic Signal Upgrades in the amount of \$69,936.92; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer certifies that funds are available for the appropriation from the Capital Fund - Broadway Traffic Signals 04-2150-55-2422.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #162-2025
AUTHORIZING REFUND OF MONIES HELD IN ESCROW TO HUGH O’KANE
ELECTRIC CO, INC.

WHEREAS, Certain escrow funds were deposited by or on behalf of Hugh O’Kane Electric Co, Inc. in an escrow account for a project located at 12-69th 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 deposited in Account #15-2960-00-1421-001 in the amount of Three Thousand Sixteen Dollars (\$3,016.00), there remains One Thousand Eight Dollars (\$1,008.00); and

WHEREAS, these monies were held unused; and

WHEREAS, the Finance Department has confirmed that the balance should be returned to Hugh O’Kane Electric Co, 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 #15-2960-00-1421-001.

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 Thousand Eight Dollars (\$1,008.00) shall be returned to Hugh O’Kane Electric Co, Inc. with a mailing address of 30-40 48th Avenue, Long Island City, New York.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #163-2025
ADOPTING THE 2025 HUDSON COUNTY HAZARD MITIGATION PLAN

WHEREAS the Town of Guttenberg recognizes the threat that natural hazards pose to people and property within the Town of Guttenberg; and

WHEREAS the County of Hudson has prepared a multi-hazard mitigation plan, hereby known as the 2025 Hudson County Hazard Mitigation Plan in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS the 2025 Hudson County Hazard Mitigation Plan identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in Town of Guttenberg from the impacts of future hazards and disasters; and

WHEREAS adoption by the Mayor and Council demonstrates their commitment to hazard mitigation and achieving the goals outlined in the 2025 Hudson County Hazard Mitigation Plan.

NOW THEREFORE, BE IT RESOLVED by the Town of Guttenberg, New Jersey, that:
Section 1. The Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey adopts the 2025 Hudson County Hazard Mitigation Plan. This plan, approved by the community, may be edited or amended after submission for review, but will not require the community to re-adopt any further iterations. This only applies to this specific plan and does not absolve the community from updating the plan in 5 years.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #164-2025
AUTHORIZE RENEWAL OF PERMIT FOR CONSUMPTION OF ALCOHOLIC
BEVERAGE IN UNLICENSED PREMISES TO BELLA TRATTORIA & PIZZERIA
(B.Y.O.B.) UNDER TOWN ORDINANCE 6-4.7

WHEREAS, an application for a permit for consumption of alcoholic beverage in unlicensed premises has been filed by Edgar Robles (“Applicant”) doing business as Bella Trattoria & Pizzeria located at 6717 Bergenline Avenue, Guttenberg, New Jersey; and

WHEREAS, Edgar Robles are co-owners of the restaurant, Bella Trattoria & Pizzeria, which as defined under Town Ordinance 6-4.7 is capable of allowing the consumption, but not sale, of alcoholic beverages on its premises; and

WHEREAS, the Applicant and Edgar Robles, as co-owners have applied for the renewal of a permit to allow the consumption of alcoholic beverages at their restaurant trading as Bella Trattoria & Pizzeria at 6717 Bergenline Avenue, Guttenberg, New Jersey; and

WHEREAS, the completed application of Edgar Robles and Edgar Robles co-owners has been reviewed by the Municipal Clerk and he recommends that since all of the requirements under Ordinance 6-4.7 have been met, the permit should be renewed and issued.

WHEREAS, the Applicant shall comply with all applicable federal, state and municipal regulations, statutes and ordinances pertaining to the consumption of wine or malt alcoholic beverages on premises not licensed or permitted to sell or serve alcoholic beverages, including without limitation, N.J.S.A. 2C:33-27.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey, do hereby approve the renewal of a permit to allow, for the consumption of alcoholic beverage in unlicensed premises to Edgar Robles and Edgar Robles co-owners, trading as Bella Trattoria & Pizzeria at 6717 Bergenline Avenue, Guttenberg, New Jersey for a period of one (1) year effective September 1, 2025 and expiring on August 31, 2026.

BE IT FURTHER RESOLVED, that if the permit holder, Bella Trattoria & Pizzeria Restaurant, during this period of one year, is not in compliance with all of the conditions of Ordinance 6-4.7, then this permit is revoked and null and void.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION#165-2025

RESOLUTION OPPOSING THE PROPOSED PARKLAND DIVERSION APPLICATION
FOR THE PLACEMENT OF NORTH BERGEN PRE-K SCHOOL TRAILERS AND THE
EMS SOUTH BUILDING WITHIN THE JAMES J. BRADDOCK NORTH HUDSON
COUNTY PARK

WHEREAS, the Township of North Bergen and the County of Hudson have commenced the regulatory process of diverting an area within James J. Braddock North Hudson County Park ("Braddock Park") due to the placement of school trailers for North Bergen pre-k students and students with special needs, said use being in violation of the New Jersey Department of Environmental Protection ("NJDEP") Green Acres Program regulations N.J.A.C. 7:36; and

WHEREAS, N.J.A.C. 7:36-26.1(a) strongly discourages the disposal or diversion of both funded and unfunded parkland and provides that the use of parkland for other than recreation and conservation purposes should be a last resort, and should only be considered by a local government unit when the proposed disposal or diversion is necessary for a project that would satisfy a compelling public need or yield a significant public benefit; and

WHEREAS, N.J.A.C. 7:36-26.10 further provides that a diversion or disposal application that otherwise meets the requirements of this subchapter, may be denied if the NJDEP determines that that allowing the diversion or disposal of the funded or unfunded parkland would have one or more adverse consequences and that such adverse consequences would not be sufficiently mitigated by the compensation proposed by the applicant; and

WHEREAS, North Bergen has commenced the pre-application process for approval for the Division of land within Braddock Park for the continuing occupation of the North Bergen pre-k school and further supports the Division of the land on which the EMS South Building sits, each Diversion to be considered a major disposal or diversion of Parkland under N.J.A.C. 7:36-26; and

WHEREAS, the Town of Guttenberg (the "Town") opposes the Diversion of land within the James J. Braddock North Hudson County Park for the continuing occupation of the North Bergen Pre-K School and the EMS South Building for its public safety use, as it does not meet the minimum substantive criteria set forth by N.J.A.C. 7:36-26.1(d) which requires the following: (a) fulfilling a compelling public need by mitigating a hazard to public health, safety or welfare; (b) provide a significant benefit by improving the delivery of essential services to public or a segment of public with special needs; and (c) providing for the expanded recreation and conservation benefits and offerings far exceeding the benefits of previous recreation facilities.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Town Council of the Town of the Town of Guttenberg do hereby oppose the Diversion of land with the James J. Braddock North Hudson County Park for the continuing occupation of the North Bergen Pre-K School and the EMS South Building, as the proposed diversion of parkland does not meet the minimum substantive criteria established pursuant to N.J.A.C. 7:36-26, and does not meet

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

RESOLUTION #166-2025

AUTHORIZE HIRE OF CHRISTIAN GONZALEZ AS PART-TIME CCTV OPERATOR FOR THE TOWN OF GUTTENBERG POLICE DEPARTMENT

WHEREAS, there is a need in the Town of Guttenberg for a part-time CCTV Operator for the Guttenberg Police Department; and

WHEREAS, applications were sought from all persons interested in working as part-time CCTV Operator for the Guttenberg Police Department; and

WHEREAS, the Chief of Police for the Town of Guttenberg has recommended Christian Gonzalez for the position of Part Time CCTV Operator.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Guttenberg, County of Hudson, New Jersey, that Christian Gonzalez is hereby hired as a part-time CCTV Operator to the Guttenberg Police Department; and

BE IT FURTHER RESOLVED, said hire shall be effective as of June 24, 2025. The salary shall be set forth by the salary ordinance of the Town of Guttenberg; and

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

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

RESOLUTION #167-2025

AUTHORIZING THE HIRING OF PART-TIME SEASONAL EMPLOYEE FOR THE DEPARTMENT OF PUBLIC WORKS FOR THE TOWN OF GUTTENBERG

WHEREAS, there is a need to hire a part-time seasonal employee for the Guttenberg Department of Public Works Department ("DPW"); and

WHEREAS, the Department of Public Works Superintendent of the Town of Guttenberg has recommended the following individual to the position of part-time seasonal staff:

1. Brendon Lozano

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Guttenberg County of Hudson State of New Jersey, that Brendon Lozano is hereby hired to the position of part-time seasonal staff for the Department of Public Works. The salary shall be as set forth in the Salary Ordinance of the Town of Guttenberg; and

BE IT FURTHER RESOLVED, that said hiring are hereby effective August 8, 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 account.

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

RESOLUTION #168-2025

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

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

WHEREAS, the Parking Enforcement Officer Lead Supervisor of the Town has recommended that Tiffany Morrison 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 Tiffany Morrison be hired to the position of probationary Part-Time PEO 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 appointment is hereby effective as of July 13, 2025; and

BE IT FURTHER RESOLVED that said appointments are probationary for a period of ninety (90) days, expiring on October 11, 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#169-2025
APPOINTING JOLEEN COLOMBANI 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 Joleen Colombani a 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 Joleen Colombani 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 August 11, 2025.

BE IT FURTHER RESOLVED, that said appointment is probationary for a period of ninety (90) days, expiring on November 9, 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 # 170-2025

AUTHORIZE APPOINTMENT OF LAURA BUDINO, AMY HERNANDEZ AND BRIANNA PAULINO AS STUDENT INTERNS TO THE TOWN OF GUTTENBERG ADMINISTRATION DEPARTMENT

WHEREAS, there is a need for Part Time Student Interns in the Administration Department; and

WHEREAS, the Town administrator reviewed numerous applicants for this position; and

WHEREAS, The Town Administrator of the Town of Guttenberg recommends that Laura Budino, Amy Hernandez and Brianna Paulino be appointed Part Time Student Intern for the Administration Department, not to exceed twenty-nine (29) hours a week, for the period June 19, 2025 through September 15, 2024.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey, that they hereby appoint Laura Budino, Amy Hernandez and Brianna Paulino be appointed to the position of Part Time Student Interns for the Administration Department, not to exceed twenty-nine (29) hours a week.

BE IT FURTHER RESOLVED, that said appointment is hereby effective June 19, 2025, through September 15, 2025; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer certifies that funds are available for the appropriation from Current Fund- Admin S&W.

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

RESOLUTION #171-2025

AUTHORIZE HIRE OF NARVIS S. PEREZ SIERRA AS A PART TIME BUS DRIVER FOR GUTTENBERG SENIOR SERVICES

WHEREAS, there is a need to hire a part-time bus driver for Guttenberg Senior Services; and

WHEREAS, Narvis S. Perez Sierra is qualified for the position of Bus Driver; and

WHEREAS, the Town Administrator has recommended that Narvis S. Perez Sierra be employed as a part-time Bus Driver for Senior Services;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Guttenberg County of Hudson State of New Jersey, that Narvis S. Perez Sierra be hired as the probationary part-time Bus Driver for Senior Services. 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 August 4, 2025; and

BE IT FURTHER RESOLVED, that said appointment is probationary for a period of ninety days, expiring on November 2, 2025 and subject to continuing funding availability; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer certifies that funds are available for the appropriation from Current Fund- Senior Services S&W- 01-2010-28-3721-001.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION#172-2025
APPOINTING PATRICIA SILVA AS A PART-TIME CLERK
IN THE BUILDING DEPARTMENT

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

WHEREAS, The Town Administrator of the Town of Guttenberg has recommended that Patricia Silva be appointed to the position of Part-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 Patricia Silva is appointed to the position of Part-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 June 12, 2025.

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

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #173-2025
RESOLUTION TO APPROVE THE REVOCATION OF
BUSINESS LICENSE AND CERTIFICATE OF OCCUPANCY
FOR 6714 BERGENLINE AVENUE, GUTTENBERG, NEW JERSEY

WHEREAS, on July 22, 2025, the retail establishment located at 6714 Bergenline Avenue, Guttenberg, New Jersey (the “Business” or the “Property”) was cited by the Guttenberg Police Department for various criminal activities, including conspiracy to manufacture, distribute or dispense a controlled dangerous substance; and

WHEREAS, pursuant to §4-12.1 of the Town of Guttenberg Municipal Code of Ordinances, the Town of Guttenberg (the “Town”) is authorized to revoke or cancel a business license when it appears that the premises or establishment is utilized for any unlawful purpose; and

WHEREAS, by letter dated July 29, 2025, the City notified the owner and tenant that the certificate of occupancy for the Property was revoked, effective immediately, in accordance with N.J.S.A. §5:23-2.32 et seq. and that revocation of the business license shall be considered by THE Town Council in accordance with §4-12.1 of the Town Code; and

WHEREAS, the Mayor and the Council seek to approve the revocation of the business license for the Business, in connection with the presence of illegal activities occurring at this location.

NOW THEREFORE, BE IT RESOLVED that the Mayor and the Council of the Town of Guttenberg do hereby authorize the revocation of the business license for the Business, for

illegal activities being conducted at this establishment, in accordance with §4-12.1 of the Guttenberg Town Code.

BE IT FURTHER RESOLVED that all business operations at the Property must immediately cease.

BE IT FURTHER RESOLVED that the Mayor and Town Clerk are hereby authorized to take any additional steps necessary to effectuate the purposes as set forth herein.

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

RESOLUTION #174-2025

AUTHORIZING THE PLACEMENT OF A LIEN OR LIENS ON THE PROPERTY KNOWN AS 330 69th STREET IN THE TOWN OF GUTTENBERG AND OTHER ACTIONS FOR THE RECOVERY OF RELOCATION COSTS EXPENDED

WHEREAS, where a resident is displaced from his/her dwelling by fire or other emergency, and the damage resulting from the fire or other emergency in the judgment of the housing inspector or other official charged with equivalent responsibility, is such as to render the dwelling uninhabitable, the resident shall be deemed a displaced person under the “Relocation Assistance Act”, N.J.S.A. 20:4-4.1 et seq.; and

WHEREAS, pursuant to Ordinance #05-08, the Town of Guttenberg (“the Town”) may provide by resolution that where a resident is displaced from his/her dwelling by fire or other emergency, and the damage resulting from the fire or other emergency in the judgment of the housing inspector or other official charged with equivalent responsibility, is such as to render the dwelling uninhabitable, the resident shall be deemed a displaced person under the Relocation Assistance Act; and

WHEREAS, pursuant to both the Relocation Assistance Act and Ordinance #05-08, all relocation assistance costs incurred by the Town in relocating a displaced person shall be repaid by the owner-landlord of the structure to the Town in the manner relocation assistance costs are billed and collected under Section 1 of P.L. 1983, c. 536 (N.J.S.A. 20:4-4.1) and Section 1 of P.L. 1984, c. 30 (N.J.S.A. 20:4-4.2); and

WHEREAS, the Town has incurred relocation assistance costs in the amount of \$3,686.40 for the relocation of displaced tenants from the property located at 6914 Park Avenue, Guttenberg, New Jersey, Block 35, Lot 4, (“the Property”), owned by Duque Brothers LLC, a New Jersey limited liability company (“Landlord”) as follows:

1. Relocation assistance costs totaling \$1,843.20 for relocation services provided by Fairfield Inn & Suites, North Bergen, as a result of the displacement of tenants Ximena Cordero, such tenant being displaced as a result of an emergency, namely the fire at the Property and the Town inspectors' determination, on or about June 23, 2025 that the Property was then in such a state unfit for habitation;
2. Relocation assistance costs totaling \$1,843.20 for relocation services provided by Fairfield Inn & Suites, North Bergen, as a result of the displacement of tenants Carlos

Rodriguez, such tenant being displaced as a result of an emergency, , namely the fire at the Property and the Town inspectors' determination, on or about June 23, 2025 that the Property was then in such a state unfit for habitation;

WHEREAS, the Landlord of the Property has been determined liable for civil and/or criminal penalties resulting from the violations giving rise to both the February 4, 2018 and January 22, 2018 code enforcement determinations that the premises of 330 69th Street were then in such a state unfit for habitation resulting in the displacement of tenants by construction code enforcement necessitating such tenant's relocation under the Relocation Assistance Act and Ordinance #05-08; and

WHEREAS, the Landlord of the Property received notice of the relocation expenses via a Final Demand for Reimbursement of Relocation assistances costs transmitted via e-mail and certified mail dated August 7, 2025; and

WHEREAS, more than ten days have elapsed since the notice, no objection being made, or hearing requested by the Landlord in response to either demand and no payment has been made to the Town as reimbursement for the monies expended as relocation assistances costs; and

WHEREAS, there remains due and owing from the Landlord the sum of \$3,686.40 plus statutory interest of 18% statutory interest thereon; and

WHEREAS, the Mayor and Council are desirous of recouping relocation assistances costs expended by the Town from the public purse as a result of Landlord's violations of applicable codes, through the means available to it, including but not limited to the filing of an appropriate Civil Action in the Superior Court against the Landlord as may be appropriate; and

WHEREAS, the Mayor and Council are desirous of having the Town Tax Assessor certify the costs and include same with the taxes next assessed against the Property;

WHEREAS, the Mayor and Council are desirous of having the Town Tax Collector perfect the lien by recording a statement showing the amount and due date of the unpaid balance and identifying the parcel, with the Hudson County Register of Deeds in such form as required by the Relocation Assistance Act and otherwise to accomplish same;

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 Town Clerk shall provide the Town Tax Collector with a certified copy of this resolution.
2. The Town Tax Collector is hereby authorized and directed to certify the costs and include same with the taxes next assessed against the property and assess interest at a rate of 18% until paid.
3. The Town Tax Collector shall perfect a lien or liens against the Property by recording a statement showing the amounts and due date of the unpaid balances and identifying the parcel, with the Hudson County Register of Deeds, in such form as required by the Relocation Assistance Act, and otherwise.

4. The Mayor is hereby authorized to permit and direct the Town Attorney to file an appropriate Civil Action in the Superior Court to recover the relocation assistance costs, including attorney's fees costs of suit and interest on such balance from the Landlord and/or the Members.
5. All appropriate Town Officials are hereby authorized to take such other action as may be necessary and appropriate in effectuating the purposes of this resolution, which is recoupment of the relocation assistance costs expended, along with associated costs and interest from the Landlord and the Members.

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

RESOLUTION#175-2025

AUTHORIZING HIRE OF RAFAEL MARTINEZ AND NYLA N. ACOSTA TO THE
RECREATION DEPARTMENT OF THE TOWN OF GUTTENBERG

WHEREAS, the Town of Guttenberg (the "Town") employs many people across the different departments in the Town. These employees help the Town administer its business and laws and the Town relies on its workforce. The following hires have been made across departments, upon the recommendation of the department head and the Town Administrator; and

WHEREAS, the Recreation Department hired Rafael Martinez and Nyla N. Acosta as part-time employees on July 2, 2025.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey, that are hereby hired to be part time employees of the Town. 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 retroactively effective as of the dates the employees were hired.

BE IT FURTHER RESOLVED that the Chief Financial Officer certifies that funds are available for the appropriation Current Fund-Recreation Salary & Wages 01-2010-28-3071-001.

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

RESOLUTION#176-2025

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GUTTENBERG
AUTHORIZING GRANT APPLICATION AND AGREEMENT WITH THE
NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS

WHEREAS, the Town of Guttenberg desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$1,000,000.00 to carry out a project for Operating Aid 2026.

BE IT THEREFORE RESOLVED,

- 1) that the Town of Guttenberg does hereby authorize the application for such a grant; and,

- 2) recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Town of Guttenberg and the New Jersey Department of Community Affairs.

BE IT FURTHER RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

(signature)

Wayne D. Zitt, Jr.

Mayor

(signature)

Dr. Cosmo A. Cirillo, RMC

Town Administrator/Clerk

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #177-2025
AUTHORIZE UNPAID LEAVE OF ABSENCE OF
FULL-TIME TOWN EMPLOYEE 0549-00-1711-00-00655

WHEREAS, Town Employee is requesting unpaid medical leave from September 15, 2025 through February 15, 2026; and

WHEREAS, the Mayor and Council of the Town of Guttenberg have considered the request and approve same.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Guttenberg, County of Hudson, and State of New Jersey, that Town Employee 0549-00-1711-00-00655 request for an unpaid leave of absence from September 15, 2025 through February 15, 2026 is hereby granted.

Ordinances:

ORDINANCE #24-25
ADOPTION

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

AN ORDINANCE ESTABLISHING INSPECTION, ENFORCEMENT, AND PENALTIES FOR OVERCROWDING AND OTHER DANGEROUS CONDITIONS IN RESIDENTIAL BUILDINGS

WHEREAS, the Town of Guttenberg (the “Town”) desires to ensure that all housing in the Town is safe, legally occupied, and regularly inspected; and

WHEREAS, when housing units within the Town are occupied by more people than are permitted by applicable law and building codes, that building becomes unsafe for residents; and

WHEREAS, overcrowded housing units can lead to hazardous conditions, increased risk of fire, and can hinder or prevent egress in an emergency situation according to Lorentzen JC, Johanson G, Björk F, Stensson S. *Overcrowding and Hazardous Dwelling Condition Characteristics: A Systematic Search and Scoping Review of Relevance for Health*. Int J Environ Res Public Health (2022); and

WHEREAS, overcrowding means occupancy in excess of the standards governing the use and occupancy of space and floor area adopted by the Department of Community Affairs pursuant to the State Housing Code, promulgated pursuant to P.L.1968, c. 168 (C.2A:42-74 et seq.), or the "Hotel and Multiple Dwelling Law," P.L.1967, c.76 (C.55:13A-1 et seq.), or any other applicable federal, state, or local law regulating the legal number of occupants in a dwelling unit; and

WHEREAS, the Mayor and Council have determined that the existence of overcrowding within the Town is a danger to the health and safety of the occupants of the overcrowding dwelling unit or building; and

WHEREAS, N.J.S.A. 40:48-2.12a authorizes a Town to adopt ordinances to regulate buildings and structures and their use and occupation to prevent and abate conditions that are potentially hazardous to the health and safety of the occupants of those buildings and to the general public in the Town; and

WHEREAS, to improve the health and well-being of all Town residents, to ensure all housing units within the Town are compliant with applicable laws and regulations, and to empower Town officials to take action to ensure safe conditions in all buildings in Town, the Mayor and Council have determined to increase enforcement actions, inspections, and fines for unsafe conditions within residential buildings in the Town; and

WHEREAS, the Mayor and Council find that the measures in this ordinance will allow Town officials to inspect dwelling units more regularly to allow them to mitigate dangerous conditions associated with overcrowding; and

WHEREAS, the Mayor and Council find that the increased fine will have a deterrent effect on landlords, property owners, and renters and prevent overcrowding conditions.

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:

I. I.

§ 11-2.1. "Dangerous Buildings a Nuisance" of the Revised General Ordinances of the Town of Guttenberg is hereby amended to read as follows:

Any building, wall or structure erected on any lot, tract or parcel of land in the Town, which because of lack of repairs or because of a dilapidated condition or because of any other reason becomes dangerous to life or health or might tend to extend a conflagration shall constitute a nuisance.

Overcrowding means occupancy in excess of the standards governing the use and occupancy of space and floor area adopted by the Department of Community Affairs pursuant to the State Housing Code, promulgated pursuant to P.L.1968, c. 168 (C.2A:42-74 et seq.), or the "Hotel and Multiple Dwelling Law," P.L.1967, c.76 (C.55:13A-1 et seq.), or any other applicable federal, state, or local law regulating the legal number of occupants in a dwelling unit. Any residential building in the Town which the Building Department determines is overcrowded in violation of applicable shall be deemed a nuisance. The Town shall have all enforcement powers outlined in this Chapter related to nuisance caused by overcrowding.

I. II.

§ 11-2.11 "PENALTY" of the Revised General Ordinances of the Town of Guttenberg is hereby amended to read as follows:

Any person failing to obey the provisions of this section or the orders of the Board of Council issued by virtue hereof within 30 days after receiving the notice herein provided for, shall be guilty of a violation of this section and upon conviction thereof shall be liable to the penalty stated in Chapter I, § 1-5.

The Building Department and its employees are entitled to enforce the provisions of this Chapter. If the Building Department issues a violation related to nuisance caused by overcrowding, the property owner shall have 30 days to abate the conditions that led to the notice of violation, the process for such abatement being outlined in N.J.S.A. 40:69A-29.

If, after 30 days following the issuance of a notice of violation, the property's overcrowding has not been abated to remedy the illegal overcrowding, the property owner shall be subject to a fine of \$10,000, or the maximum fine amount permitted by N.J.S.A. 40:49-5 or other applicable state law, as same may be amended from time to time, whichever is greater. Each day that the illegal condition continues unabated shall constitute a separate violation, and each apartment within the residential building that is found by the Building Department to be unlawfully overcrowded shall constitute a separate violation. After the first violation, each subsequent violation shall result in a \$2,000 fine. This provision shall not prevent or limit the enforcement powers and right to issue fines of the Building Department, Construction Code Official, Zoning Officer, or any other Town official from issuing separate violations for other illegal conditions within the offending building.

Pursuant to N.J.S.A.:69A-29, a property owner shall be afforded an opportunity for a hearing before a court of competent jurisdiction for an independent determination concerning the violation.

I. III.

§ 11-1.1 “Enforcing Agency” of the Revised General Ordinances of the Town of Guttenberg is hereby amended to add the following provision:

e. The Construction Official shall have the authority to request an inspection of any residential building in Town upon 5 days’ notice to property owner, which notice stating the time shall be sent by certified mail to the owner’s record address and posted near the front entrance of the building. The Construction Official, or his agent, employee, or designee, may request an inspection of any building in Town in the following circumstances:

(1) If the Construction Official has a reasonable suspicion that a building is overcrowded, as defined in § 11-2.11;

(2) If the Construction Official has a reasonable suspicion that a building is in violation of any building code provision or other applicable law which could affect the health and welfare of building residents or the general public;

(3) If the Construction Official determines that the conditions at the property constitute an imminent danger to life, limb, or property, the Construction Official or his agent, employee, or designee may enter the property without notice;

(4) Upon the occurrence of any fire, flood, or other emergency situation that takes place on or in the property; and

(5) At the request of the Town Council, by way of resolution naming the specific property to be inspected; and

(6) in any other situation where the Construction Code official believes that inspection is required to protect the health, safety, and general welfare of the building residents or general public.

Nothing in this section shall limit the enforcement or inspection rights of Town officials, and these powers shall supplement existing authority to conduct building inspections, enforce building and zoning code, and impose fines.

I. IV.

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.

I. V.

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.

I. VI.

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.

I. VII.

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

Summary of Ordinance

This Ordinance defines overcrowding of residential units as a nuisance and empowers the Town to impose fines on property owners who allow unsafe or dangerous conditions to exist on their property. It also permits inspectors to enter properties within the Town in certain circumstances to mitigate dangerous conditions.

Ordinance#24-25 Adoption Vote

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

NO COMMENTS

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

ORDINANCE #25-25
ADOPTION

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

AN ORDINANCE AMENDING CHAPTER 8 OF THE REVISED GENERAL ORDINANCES OF THE TOWN OF GUTTENBERG TO ESTABLISH SPECIAL PARKING RESTRICTIONS ON SPECIFIC SPACES WITHIN TOWN

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 impose restrictions on certain parking spaces to limit the use of those spaces to certain special situations; and

WHEREAS, the Town has designated certain spaces to be reserved for police vehicles only to allow Town police officers to efficiently carry out their duties and advance goals of public safety and general welfare; and

WHEREAS, the Town desires residents and visitors to have convenient access to the Guttenberg Resource Center to make the resources more readily available to Town residents; and

WHEREAS, the Town desires to have a convenient space for visitors or residents with business in Town Hall to utilize to make Town business more efficient and to facilitate convenient service for residents and people with business with the Town; and

WHEREAS, the Town of Guttenberg has installed signage at each of the locations described below to communicate these restrictions.

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

I. I.

§ 8-10 of the Revised General Ordinances of the Town of Guttenberg is hereby amended to read as follows:

§ 8-10. DESIGNATION OF PERMIT PARKING AREAS AND SPACES.

a. The Town Administrator is hereby authorized to set aside and to designate as permit parking areas ("permit parking areas") during the hours designated by the Town Administrator the following areas:

1. In the 68th Street, 71st Street, and Jackson Street parking lots of the Town.
2. In the parking lot located at 301 69th Street (behind the Anna L. Klein Elementary School).
3. Certain parking spaces in Town.

b. The Town Administrator shall set aside and designate in permit parking areas such number of parking spaces as may be reasonably necessary to accommodate the needs of the public, in accordance with any agreements by the Town.

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I. II.

§ 8 of the Revised General Ordinances of the Town of Guttenberg is hereby amended to add the following:

§ 8-6.4 Special Parking Situations

The following named and described areas and streets, or portions of streets of the Town, together with such additional, or altered areas, streets, or portions of streets in Guttenberg as may hereafter be included in this subsection by a duly adopted ordinance of the Mayor and Board of Council shall have the restrictions described in the below table:

<u>Street and Location</u>	<u>Restriction</u>
On Park Avenue, between 68 th and 69 th Street. Two spaces: 1. On the Northbound side of Park Avenue, immediately south of the driveway entrance to 6812 Park Avenue	<u>Parking in these spaces is prohibited at all times and these spaces may only be used by Guttenberg Police vehicles.</u>

2. <u>On the Southbound side of Park Avenue, immediately south of the entrance to the driveway between 6807 and 6809 Park Avenue</u>	
<u>On Park Avenue, between 68th and 69th Street. One space:</u> 1. <u>On the Northbound side of Park Avenue, immediately north of the driveway entrance to Town Hall</u>	<u>Parking in this space is limited to 15 minute visitor parking for individuals with business at Town Hall only. Parking for longer than 15 minutes is prohibited.</u>
<u>Police parking lot on 69th Street, adjacent to 79 69th Street</u>	<u>Parking in this parking lot is prohibited at all times and these spaces may only be used by Guttenberg Police vehicles.</u>
<u>JFK Boulevard East, between 69th and 70th Street. The two parking spaces are adjacent to one another on the Northbound side of the JFK Boulevard East, immediately north of the crosswalk across JFK Boulevard East from 69th Street</u>	<u>Parking in these two spaces is limited to visitors at the Guttenberg Resource Center.</u>

Any person who shall violate or fail to comply with any of the provisions of this Section 8-6.4 shall be deemed guilty of violating those provisions and be assessed a fine in the amount described in Section 8-8 of the Revised Guttenberg General Ordinances.

I. III.

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.

I. IV.

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.

I. V.

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.

I. VI.

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

Summary of Ordinance

This Ordinance: codifies parking restrictions at miscellaneous locations throughout the Town and enables the Guttenberg Police Department to enforce those restrictions.

Ordinance#25-25 Adoption Vote

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

NO COMMENTS

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

ORDINANCE #26-25

INTRODUCTION

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

AN ORDINANCE AMENDING CHAPTER 2 OF THE REVISED GENERAL ORDINANCES OF THE TOWN OF GUTTENBERG TO ESTABLISH A FEE TO PROCESS REQUESTS FOR TEMPORARY NO PARKING SIGNS

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 utilize all available parking spaces in the Town for residents; and

WHEREAS, the Town of Guttenberg deems it desirable to impose a fee for requests for temporary no parking restrictions; and

WHEREAS, The Town of Guttenberg desires to discourage applicants for temporary no parking restrictions from applying for unneeded parking restrictions; and

WHEREAS, the Town of Guttenberg desires to impose a \$5 fee to cover its administrative costs of implementing the temporary no parking restriction; and

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.

§ 2-54 of the Revised General Ordinances of the Town of Guttenberg is hereby amended to read as follows:

“A charge shall be made for the following items/services in the amount shown after the item/service:

S. Placement of Temporary No Parking Restriction--\$5 check or cash..

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 IV.

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 V.

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

Summary of Ordinance

This Ordinance: establishes a fee to process requests for temporary no parking signs.

Ordinance#26-25 Introduction Vote

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

ORDINANCE #27-25

INTRODUCTION

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. The operator of a vehicle shall not park in a way that blocks any portion of the sidewalk, whether parked on the street or in an off-street parking space or driveway.

e. ~~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
<u>7-3.10</u>	<u>Improper Parking</u>	<u>\$60</u>
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#27-25 Introduction Vote

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

ORDINANCE #28-25 **INTRODUCTION**

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

AN ORDINANCE AMENDING ORDINANCE #18-10, CHAPTER 19, ARTICLE 1 OF THE REVISED GENERAL ORDINANCES OF THE TOWN OF GUTTENBERG, ENTITLED “STREET OPENINGS”

WHEREAS, the Town wishes to amend the “Street Openings” listed in Ordinance #18-10, Chapter 19, Article 1 of the Revised General Ordinances of the Town of Guttenberg; and

WHEREAS

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 VI.

§ 19-1.4 of the Revised General Ordinances of the Town of Guttenberg is hereby amended to read as follows:

§ 19-1.4 Escrow Deposit Held.

The applicant shall deposit with the Construction Official **to hold in escrow** before any permit is granted the sum of **\$4,000** for each and every proposed opening not more than 20 feet in length in paved or unpaved streets or public places, and when the proposed opening shall exceed 20 feet of length, the applicant shall pay the sum of **\$400** for each additional 20 feet of length or fraction thereof. This amount shall be retained by the Town for a period of 12 months from the date of completion to guarantee the proper performance of the work done by the applicant and the maintenance thereof in good condition by the applicant. If, during such period of 12 months, the opening shall settle or any street surface over such opening shall require repairs, except where pavement has been resurfaced or repaired by the Town, as hereinafter provided, and the applicant shall fail to make such repairs as required within seven calendar days after the service or mailing of a "Notice to Repair Street Opening" from the Construction Official to do so, then the Construction Official may cause such repairs to be made and pay the cost thereof from said deposit.

The applicant shall also be responsible for the actual costs incurred to Town for professional engineering, inspections, and any other professional services deemed necessary or appropriate by the Town Engineer. The escrow deposit held by the Town shall be applied to invoices related to the street opening and inspection, maintenance, or any engineering services determined by the Town Engineer to be related to the street opening. In the event the escrow deposit amount held drops below \$2,000, the Construction Official shall cause a Notice of Escrow Replenishment notice to be sent to the applicant. The applicant shall have ten (10) days from the date of the notice to replenish the account to \$4,000 or any other amount reasonably requested by the Construction Official or the Town Engineer.

Any reimbursement/payment of any road opening permit in relation to this section shall be paid directly from the escrow account.

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 VII.

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 VIII.

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 IX.

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

Summary of Ordinance

This Ordinance amends Ordinance #19-20 including increasing the deposit for street openings and including engineering and inspection costs to Town as expenses to be deducted from deposit amount.

Ordinance#28-25 Introduction Vote

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

ORDINANCE #29-25 **INTRODUCTION**

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

AN ORDINANCE APPROVING A FIVE (5) YEAR TAX EXEMPTION FOR MULTIPLE DWELLING RENTAL PROJECT CONSTRUCTED BY 6810 POLK ST, LLC, AT 6806 - 6810 POLK STREET, PURSUANT TO THE PROVISION OF THE FIVE (5) YEAR EXEMPTION AND ABATEMENT LAW, N.J.S.A. 40A:21-1 ET SEQ. AND SECTION 2-57 OF THE CODE OF THE TOWN OF GUTTENBERG

WHEREAS, 6810 Polk St, LLC (the “Entity”) owns certain property known as Block 10, Lots 5 and 6, on the Town’s Official Tax map, (the “Property”), commonly known as 6806-6810 Polk Street, Guttenberg, NJ; and

WHEREAS, the Property is located in the Town of Guttenberg, within an area declared to be in need of rehabilitation; and

WHEREAS, the Entity has filed an application (“Application”) for a tax exemption for the project involving the construction of forty-two (42) residential units and forty-six (46) vehicle parking spaces (the “Project”); and

WHEREAS, the Town of Guttenberg is authorized to adopt an ordinance to utilize tax exemptions/abatements pursuant to N.J.S.A. 40A:21-1 et seq., the Five (5) Year

Exemption and Abatement Law in an area declared to be in need of rehabilitation pursuant to N.J.S.A. 40A:12A-14, and N.J.S.A. 40A:21-1 et seq.; and

WHEREAS, pursuant to N.J.S.A. 40A:21-1 et seq., the Town of Guttenberg adopted Ordinance 07-2017, amended by Ordinances 04-2019, 06-2019, and 10-2019, an Ordinance entitled Five Year Tax Abatement Ordinance to allow Five (5) Year Tax exemptions which allows the town to enter into a tax agreement with applicant for the exemption and abatement of local real estate property taxes and the payment of an amount in lieu of full property taxes; and

WHEREAS, pursuant to N.J.S.A. 40A:21-1 et seq., and Section 2-57 of the Ordinance as codified, a tax exemption for new construction of multiple dwellings is permissible; and

WHEREAS, under the five-year tax exemption, the Entity is required to pay the Town (in addition to the full taxes on the land, which shall continue to be conventionally assessed and taxed) a payment in lieu of taxes for the new improvements on the Property; and

WHEREAS, the application for tax exemption was completed as required by the Ordinance; and

WHEREAS, the Property in 2024 was assessed for land only in the amount of \$225,000.00 (under Block 10, Lots 5 and 6), and generated approximately \$10,291.10 in taxes; and

WHEREAS, the Project has been substantially completed with a Certificate of Occupancy having been issued on May 20, 2025; and

WHEREAS, upon review of the application, the Mayor and Council have determined that the proposed Project Improvements are eligible for tax exemption pursuant to N.J.S.A. 40A:21-9 and the Ordinance; and

WHEREAS, on that basis and under the five-year tax exemption, the Entity would be required to pay the Town (in addition to the full taxes on the land, which shall continue to be conventionally assessed and taxed) payment in lieu of taxes for the new improvements on the Property, based on an approximate estimated assessment otherwise applied on the improvements on the completed Project of approximately \$4,054,232.00 for the 42 residential units, as follows:

- (a) In the first full year following substantial completion, no payment on the new improvements.
- (b) In the second full year following completion, an amount equal to 20% of taxes otherwise due on the new improvements, estimated to be \$19,550.84
- (c) In the third full year following completion, an amount equal to 40% of taxes otherwise due on the new improvements, estimated to be \$39,101.69
- (d) In the fourth full year following completion, an amount equal to 60% of taxes otherwise due on the new improvements, estimated to be \$58,652.53

- (e) In the fifth full year following completion, an amount equal to 80% of taxes otherwise due on the new improvements, estimated to be \$78,203.37

WHEREAS, upon the expiration of the tax exemption, it is estimated that the Project Improvements in total will generate a tax payment of approximately \$97,754.21, including taxes on land, based upon the current tax rate; and

WHEREAS, in the event that a Town-wide reassessment and/or revaluation results in a decrease in the estimated amount of actual taxes otherwise due, then for purposes of calculating a tax payment hereunder and for the five-year period, the amount shall be calculated on the higher of the amount estimated hereunder or the actual taxes otherwise due; and

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

1. The above recitals are incorporated as if fully set forth at length herein.
2. The Application for a five (5) year tax exemption for the full and true value of the Project Improvements is hereby approved.
3. The Mayor or Municipal Administrator is hereby authorized to execute a five-year tax exemption agreement (“Tax Agreement”) for the Project which shall contain, at a minimum, the following terms and conditions:
 - (a) The payment in lieu of taxes on the Project Improvements shall in total be:
 - (i) Year 1: the tax year following substantial completion, no payment in lieu of taxes otherwise due.
 - (ii) Year 2: the second tax year, 20% taxes otherwise due.
 - (iii) Year 3: the second tax year, 40% taxes otherwise due.
 - (iv) Year 4: the second tax year, 60% taxes otherwise due.
 - (v) Year 5: the second tax year, 80% taxes otherwise due.
4. The taxes otherwise due for the Project Improvements shall be determined as of the date of completion by the municipal Tax Assessor.
5. The Tax Agreement for the Project shall take effect on January 1 of the tax year immediately following the completion of the Project and shall have a duration of five years unless terminated prior thereto.
6. With respect to the transfer of the property, where it is determined that the new owner of the property will continue to use the property pursuant to the conditions which qualified the property, no tax shall be due, the exemption shall continue, and the agreement shall remain in effect.

7. At the termination of the Tax Agreement, the new improvements shall be subject to all applicable real property taxes as provided by State law and regulation and local ordinance; but nothing herein shall prohibit the Project, at the termination of an agreement, from qualifying for, and receiving the full benefits of, any other tax preferences provided by law.
8. The Municipal Clerk shall forward a copy of the Tax Agreements to the Director of the Division of Local Government Services in the Department of Community Affairs within thirty (30) days of the date of execution of the Tax Agreement.
9. The Tax Agreement shall be subject to the provisions of Section 2-57 of the Ordinance as codified, as may be applicable.
10. All ordinances and parts of ordinances inconsistent herewith, excepting the Ordinance, are hereby repealed.
11. This ordinance shall take effect at the time and in the manner provided by law.

Ordinance#29-25 Introduction Vote

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

ORDINANCE #30-25
INTRODUCTION

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

AN ORDINANCE APPROVING A FIVE (5) YEAR TAX EXEMPTION FOR MULTIPLE DWELLING RENTAL PROJECT CONSTRUCTED BY MEADOWVIEW LOFTS LLC, AT 6901-05 MADISON STREET, PURSUANT TO THE PROVISION OF THE FIVE (5) YEAR EXEMPTION AND ABATEMENT LAW, N.J.S.A. 40A:21-1 ET SEQ. AND SECTION 2-57 OF THE CODE OF THE TOWN OF GUTTENBERG

WHEREAS, Meadowview Lofts LLC (the “Entity”) owns certain property known as Block 10, Lots 22 and 23 on the Town’s Official Tax map, (the “Property”), commonly known as 6901-05 Madison Street, Guttenberg, NJ; and

WHEREAS, the Property is located in the Town of Guttenberg, within an area declared to be in need of rehabilitation; and

WHEREAS, the Entity has filed an application (“Application”) for a tax exemption for the project involving the construction of thirty-two (32) residential units spaces (the “Project”); and

WHEREAS, the Town of Guttenberg is authorized to adopt an ordinance to utilize tax exemptions/abatements pursuant to N.J.S.A. 40A:21-1 et seq., the Five (5) Year Exemption and Abatement Law in an area declared to be in need of rehabilitation pursuant to N.J.S.A. 40A:12A-14, and N.J.S.A. 40A:21-1 et seq.; and

WHEREAS, pursuant to N.J.S.A. 40A:21-1 et seq., the Town of Guttenberg adopted Ordinance 07-2017, amended by Ordinances 04-2019, 06-2019, and 10-2019, an Ordinance entitled Five Year Tax Abatement Ordinance to allow Five (5) Year Tax exemptions which allows the town to enter into a tax agreement with applicant for the exemption and abatement of local real estate property taxes and the payment of an amount in lieu of full property taxes; and

WHEREAS, pursuant to N.J.S.A. 40A:21-1 et seq., and Section 2-57 of the Ordinance as codified, a tax exemption for new construction of multiple dwellings is permissible; and

WHEREAS, under the five-year tax exemption, the Entity is required to pay the Town (in addition to the full taxes on the land, which shall continue to be conventionally assessed and taxed) a payment in lieu of taxes for the new improvements on the Property; and

WHEREAS, the application for tax exemption was completed as required by the Ordinance; and

WHEREAS, the Property in 2024 was assessed for land only in the amount of \$199,000.00 (under Block 10, Lots 22 and 23), and generated approximately \$8,214.72 in taxes; and

WHEREAS, the Project has been substantially completed with a Certificate of Occupancy having been issued on March 7, 2025; and

WHEREAS, upon review of the application, the Mayor and Council have determined that the proposed Project Improvements are eligible for tax exemption pursuant to N.J.S.A. 40A:21-9 and the Ordinance; and

WHEREAS, on that basis and under the five-year tax exemption, the Entity would be required to pay the Town (in addition to the full taxes on the land, which shall continue to be conventionally assessed and taxed) payment in lieu of taxes for the new improvements on the Property, based on an approximate estimated assessment otherwise applied on the improvements on the completed Project of approximately \$3,898,300.00 for the 32 residential units, as follows:

- (f) In the first full year following substantial completion, no payment on the new improvements.
- (g) In the second full year following completion, an amount equal to 20% of taxes otherwise due on the new improvements, estimated to be \$18,798.89
- (h) In the third full year following completion, an amount equal to 40% of taxes otherwise due on the new improvements, estimated to be \$37,597.77
- (i) In the fourth full year following completion, an amount equal to 60% of taxes otherwise due on the new improvements, estimated to be \$56,396.66
- (j) In the fifth full year following completion, an amount equal to 80% of taxes otherwise due on the new improvements, estimated to be \$75,195.55

WHEREAS, upon the expiration of the tax exemption, it is estimated that the Project Improvements in total will generate a tax payment of approximately \$93,994.44 including taxes on land, based upon the current tax rate; and

WHEREAS, in the event that a Town-wide reassessment and/or revaluation results in a decrease in the estimated amount of actual taxes otherwise due, then for purposes of calculating a tax payment hereunder and for the five-year period, the amount shall be calculated on the higher of the amount estimated hereunder or the actual taxes otherwise due; and

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

1. The above recitals are incorporated as if fully set forth at length herein.
2. The Application for a five (5) year tax exemption for the full and true value of the Project Improvements is hereby approved.
3. The Mayor or Municipal Administrator is hereby authorized to execute a five-year tax exemption agreement (“Tax Agreement”) for the Project which shall contain, at a minimum, the following terms and conditions:
 - (a) The payment in lieu of taxes on the Project Improvements shall in total be:
 - (vi) Year 1: the tax year following substantial completion, no payment in lieu of taxes otherwise due.
 - (vii) Year 2: the second tax year, 20% taxes otherwise due.
 - (viii) Year 3: the second tax year, 40% taxes otherwise due.
 - (ix) Year 4: the second tax year, 60% taxes otherwise due.
 - (x) Year 5: the second tax year, 80% taxes otherwise due.
4. The taxes otherwise due for the Project Improvements shall be determined as of the date of completion by the municipal Tax Assessor.
5. The Tax Agreement for the Project shall take effect on January 1 of the tax year immediately following the completion of the Project and shall have a duration of five years unless terminated prior thereto.
6. With respect to the transfer of the property, where it is determined that the new owner of the property will continue to use the property pursuant to the conditions which qualified the property, no tax shall be due, the exemption shall continue, and the agreement shall remain in effect.
7. At the termination of the Tax Agreement, the new improvements shall be subject to all applicable real property taxes as provided by State law and regulation and local ordinance;

but nothing herein shall prohibit the Project, at the termination of an agreement, from qualifying for, and receiving the full benefits of, any other tax preferences provided by law.

8. The Municipal Clerk shall forward a copy of the Tax Agreements to the Director of the Division of Local Government Services in the Department of Community Affairs within thirty (30) days of the date of execution of the Tax Agreement.

9. The Tax Agreement shall be subject to the provisions of Section 2-57 of the Ordinance as codified, as may be applicable.

10. All ordinances and parts of ordinances inconsistent herewith, excepting the Ordinance, are hereby repealed.

11. This ordinance shall take effect at the time and in the manner provided by law.

Ordinance#30-25 Introduction Vote

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

Payment of Claims:

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

- **Mayor Zitt abstained to PO #241833**
- **Mayor Zitt & Councilwoman Fundora abstained to PO #241830, 241894, 241914, 241978 and 242072**

New Business:

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #178-2025

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY CONDITIONALLY DESIGNATING 6900 MADISON LLC AS A POTENTIAL REDEVELOPER OF THE PROPERTY BLOCK 34, LOT 3 AND POTENTIALLY OTHER SITES SUBJECT TO NEGOTIATIONS WITH THE GOVERNING BODY AND THE NEGOTIATION OF A REDEVELOPMENT AGREEMENT

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., as amended from time to time (the “Redevelopment Law”), authorizes municipalities to determine whether certain parcels of land in the municipality constitute an “area in need of redevelopment”; and

WHEREAS, the Town of Guttenberg (the “**Town**”) designated certain properties within its borders as an area in need of rehabilitation in accordance with the Redevelopment Law; and

WHEREAS, the Town understands that it needs to update and improve its municipal offices (“**Town Hall**”) in order to better serve the taxpayers, which Town Hall is currently located at 6808 Park Avenue, Guttenberg, New Jersey 07093 and identified on the Tax Map of the Town as Block 34, Lot 3 (the “**Town Hall Property**”); and

WHEREAS, 6900 Madison LLC (“**Redeveloper**”) is currently under contract to purchase the property 6823 Bergenline Avenue, Guttenberg, New Jersey 07093 and identified on the Tax Map of the Town as Block 13, Lot 11, which is the current GSL Savings Bank (the “**Bank Property**”); and

WHEREAS, Redeveloper has offered to work with the Town to potentially utilize the Bank Property as the Town’s new and updated municipal office building with structured parking to be constructed at Redeveloper’s expense in exchange for (1) an opportunity to redevelop the balance of the Bank Property for residential units and (2) the opportunity to acquire/exchange the Town Hall Property for residential redevelopment (collectively, the “**Project**”); and

WHEREAS, Redeveloper desires to be conditionally designated as the redeveloper of the Town Hall Property and Bank Property and to fund the Town’s costs associated with pursuing the redevelopment of the Project, including by way of example but not limitation, legal, planning, appraisal and financial advisor fees and costs (“**Interim Costs**”); and

WHEREAS, Redeveloper is interested in entering into a Funding Agreement to pay for the Interim Costs associated with negotiations concerning the Project and potential negotiation of a Redevelopment Agreement with the Town for the Project; and

WHEREAS, the Redeveloper will submit to the Town the Town’s form of application and execute a Funding Agreement with the Town to pay the Town’s application fee and reimburse the Town for its Interim Costs; and

WHEREAS, in order to implement the development, financing, construction, operation and management of the Project, the Town is desirous of conditionally designating 6900 Madison LLC as the Redeveloper for the Town Hall Property and Bank Property conditioned upon the reasons set forth herein (“**Conditional Designation**”).

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

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The Mayor and Town Council shall adopt any amendments to any current Redevelopment Plans and/or designate potential sites as areas in need of redevelopment if deemed necessary for the redevelopment of the Town Hall Property and Bank Property.

Section 3. Within five (5) days of the adoption of this resolution, Redeveloper and the Town shall enter into a funding agreement, in a form and substance acceptable to the Town’s Redevelopment Attorney, Douglas F. Doyle, Esq., of DeCotiis, Fitzpatrick, Cole and Giblin, LLP (“**Funding Agreement**”) and in a form substantially similar to the one attached hereto as **Exhibit**

A. Said Funding Agreement shall require Redeveloper to agree to pay any and all Interim Costs from the date of the conditional designation to execution of a redevelopment agreement or termination of the redeveloper designation. The escrow deposit shall be in the amount of Twenty-Five Thousand (\$25,000.00) Dollars. This escrow deposit shall be replenished as required in the Escrow Agreement, but in any case, shall never have a balance of less than Five Thousand (\$5,000.00) Dollars.

Section 4. Redeveloper shall engage in good faith negotiations and provide the Town with sufficient evidence of its purchase of the Bank Property prior to the execution of a Redevelopment Agreement with the Town.

Section 4. This Conditional Designation is for the limited period from the date of adoption of this resolution for a period of six (6) months at which time it will automatically expire and be of no further force and effect, and the parties will no longer have any obligation to the other, except as to final payment of any Town costs under the Funding Agreement required herein. The Mayor may grant up to two (2) ninety (90) day extensions of this Conditional Designation, if the Mayor is satisfied the Redeveloper and the Town are making sufficient progress with their negotiations to justify such extension.

Section 4. This Resolution shall take effect immediately.

I, Dr. Cosmo A. Cirillo, Municipal Clerk for the Town of Guttenberg do hereby certify this to be a true and correct copy of a resolution adopted by the Mayor and Town Council at a meeting held on _____, 2025.

Attest:

Dr. Cosmo A. Cirillo, Town Clerk
Town of Guttenberg

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

Public Portion:

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

Maureen Foyle – Galaxy Towners

- Survey on Braddock Park

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

Adjournment:

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

Meeting was adjourned at 5:00 P.M.

Respectfully Submitted,

Dr. Cosmo A. Cirillo, RMC
Town Clerk