

MINUTES

Regular meeting of the Mayor and Council of the
Town of Guttenberg at Town Hall, 6808 Park Avenue, Guttenberg, New Jersey
on Wednesday, October 22, 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 (via telephone), Juana Malave and Mayor Wayne D. Zitt, Jr.

Sunshine Law:

As presiding officer of this Regular Meeting of the Mayor and Town Council of the Town of Guttenberg, held on October 22, 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 consent agenda Resolution #209-2025 through Resolution#221-2025:

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 Minutes:

- Regular Meeting of September 27, 2025

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

Resolution:

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION#209-2025

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget and,

WHEREAS, the Director may also approve the insertion of any item of appropriation for an equal amount,

WHEREAS, the Town of Guttenberg wishes to amend its 2025 Budget to include an amount as revenue,

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Town of Guttenberg hereby requests the Director of the Division of Local Government Services to approve the insertion of an item in the budget of the year 2025 in the sum of.....\$21,874.85

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:

Public and Private Revenues Off-Set with Appropriations:

FY2025 CLEAN COMMUNITIES GRANT

BE IT FURTHER RESOLVED that a like sum of.....\$21,874.85
be and the same is hereby made under the caption of:

General Appropriations

(a) Operations Excluded from "CAPS"

Public and Private Programs Off-Set by Revenue:

FY 2025 CLEAN COMMUNITIES GRANT

BE IT FURTHER RESOLVED, that the Town Clerk forward two copies of this resolution to the Director of Local Government Services.

Adopted this 22nd day of October 2025, and certified as a true copy of an original.

Trenton, New Jersey

Approved _____, 2025
Director, Division of Local Government Services

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #210-2025
AUTHORIZING 2024 TAX REFUND FOR 62-68 69TH Street
UNIT 404 TO corelogic for misapplied payment

WHEREAS, Breanna S. Wright is the record owner of property located in the Town of Guttenberg, New Jersey, situated at Block 35, Lot 26.404 with a street address of 62-68 69th Street, Unit 404 (the “Property”), Guttenberg, New Jersey; and

WHEREAS, CoreLogic (“Lender”) is the mortgage company for the Property as well as several other properties in Town, and Lender makes property tax payments as a lump sum payment for several different properties; and

WHEREAS, the Town and the Lender have reviewed the payment history and determined that Lender’s payment of property taxes for the Property was misapplied and was applied to 62-68 69th Street, Unit 204, Guttenberg, New Jersey incorrectly; and

WHEREAS, the Town desires to refund \$6,844.12 in misapplied property tax payments to Lender; and

WHEREAS, the Town’s Tax Assessor and the Lender are in agreement with the amount of the refund and believe that it would be in the best interest of the Town to settle this particular case in accordance with the terms set forth herein.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey, that the Tax Assessor is hereby authorized to refund on behalf of the Town of Guttenberg to Lender in the amount of \$6,844.12 and to take any other steps required to update the property tax rolls.

BE IT FURTHER RESOLVED that said refund shall be made out to Owner’s representatives, CoreLogic, PO Box 9205, Coppell, Texas 75019, Claim#97933446; and

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

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

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION#211-2025
AUTHORIZING 2025 TAX FEE FORGIVENESS FOR 7002 BOULEVARD EAST, UNIT 10S

WHEREAS, Grachev, N c/o Popov, V. (“Owner”) is the record owner of property located in the Town of Guttenberg, New Jersey, situated at Block 43.05, Lot 10.19, QUAL C510S with a street address of 7002 Boulevard East, Unit 10S (the “Property”), Guttenberg, New Jersey; and

WHEREAS, there was a charge of \$72.29 applied as a late fee for property tax payment on September 16, 2025; and

WHEREAS, the Town and the Owner have reviewed the payment history and determined that Owner attempted to make the payment but due to a technical glitch a late fee of \$72.29 was applied to the Owner's account; and

WHEREAS, the Town desires to remove the \$72.29 charge from Owner's account.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey, that the Tax Assessor is hereby authorized to remove the \$72.29 charge from Owner's account and to take any other steps necessary to implement this Resolution; and

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

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #212-2025

AUTHORIZING THE EXECUTION OF A TAX AGREEMENT BETWEEN THE TOWN OF GUTTENBERG AND 6810 POLK ST LLC

WHEREAS, 6810 POLK ST LLC ("Owner") owns certain property located known as Block 10, Lot 1.01, (the "Property") on the Official Tax Map of the Town of Guttenberg (the "Town"), commonly known as 6806-6810 Polk Street, Guttenberg, New Jersey 07093; and

WHEREAS, the Property is located in the Town, within the boundaries of an Urban Enterprise Zone and in an area previously found to be in need of redevelopment; and

WHEREAS, the Owner filed an application ("Application") for a tax exemption for one project involving the construction of 8-story residential building with 24 one bedroom units and 18 two bedroom units, for a total of 42 residential units, with a total 46 proposed parking spaces (the "Project"); and

WHEREAS, the Town is authorized to adopt an ordinance to utilize tax exemptions/abatements pursuant the Five-Year Exemption and Abatement Law, N.J.S.A. 40A:21-1 et seq. (the "Act") in an Urban Enterprise Zone pursuant to N.J.S.A. 40A:12A-5(g); and

WHEREAS, pursuant to the Act, the Town adopted Ordinance #07-2017, later amended by Ordinances 04-2019, 06-2019, 10-2019, titled AN ORDINANCE AUTHORIZING THE TOWN OF GUTTENBERG TO IMPLEMENT THE FIVE-YEAR EXEMPTION AND ABATEMENT LAW, GRANTING TAX EXEMPTIONS FOR CONSTRUCTION OF MULTIPLE DWELLINGS WITHIN THE TOWN'S REHABILITATION AREA, AND SUPERSEDING ANY OTHER ORDINANCE GRANTING SUCH EXEMPTIONS (hereinafter the "Ordinance"); and

WHEREAS, the Ordinance allows the Town to enter into a tax agreement with an applicant for the exemption and abatement of local real estate property taxes and a payment in lieu of full property taxes; and

WHEREAS, pursuant to the Act and the Ordinance, a tax exemption for new construction of multiple dwellings is permissible; and

WHEREAS, the Owner's application for tax exemption was complete and timely filed; and

WHEREAS, there has been prepared a form of Tax Agreement between the Owner and the Town; and

WHEREAS, the Town desires to authorize the execution of the Tax Agreement subsequent to its execution by the Owner.

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 Tax Agreement in a form acceptable to the Town Attorney as evidenced by their signature in accord with the proposed Tax 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 Tax Agreement as may be recommended and approved by the Town Engineer and Town Attorney prior to execution.
4. This Resolution shall take effect immediately

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #213-2025
AUTHORIZING MEMBERSHIP TO THE METROPOLITAN HEALTH INSURANCE FUND

WHEREAS, a number of public entities in the State of New Jersey have joined together to form the Metropolitan Health Insurance Fund, hereafter referred to as "FUND", as permitted by N.J.S.A. 11:15-3, 17:1-8.1, and 40A:10-36 et seq., and;

WHEREAS, the FUND was approved to become operational by the Departments of Insurance and Community Affairs and has been operational since that date, and;

WHEREAS, the statutes and regulations governing the creation and operation of a joint insurance fund, contain certain elaborate restrictions and safeguards concerning the safe and efficient administration of the public interest entrusted to such a FUND;

WHEREAS, the governing body of , hereinafter referred to as "LOCAL UNIT" has determined that membership in the FUND is in the best interest of the LOCAL UNIT.

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the LOCAL UNIT hereby agrees as follows:

- i. Become a member of the FUND for the period outlined in the LOCAL UNIT's Indemnity and Trust Agreements.
2. Will participate in the following type (s) of coverage (s):
 - a.) Health Insurance as defined pursuant to N.J.S.A. 17B:17-4, the FUND's Bylaws, and Plan of Risk Management.

- iii. Adopts and approves the FUND's Bylaws.
4. Execute an application for membership and any accompanying certifications.

BE IT FURTHER RESOLVED that the governing body of the LOCAL UNIT is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying membership in the FUND as required by the FUND's Bylaws, and to deliver these documents to the FUND's Executive Director with the express reservation that these documents shall become effective only upon:

- i. Approval of the LOCAL UNIT by the FUND.
- ii. Receipt from the LOCAL UNIT of a Resolution accepting assessment.
3. Approval by the New Jersey Department of Insurance and Department of Community Affairs.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #214-2025
AUTHORIZING THE WARRANTY QUOTE FROM INTEGRATED TECHNICAL
SYSTEMS, INC FOR SOFTWARE RELATED MAINTENANCE SERVICES FOR
PAY STATION KIOSKS

WHEREAS, by prior resolution, the Town of Guttenberg ("Town") authorized entry into a contract for the purchase of 17 LUKE II Pay Station Kiosks ("Kiosks") and related services from Integrated Technical Systems ("ITS") through a nationally recognized and accepted cooperative purchasing agreement pursuant to N.J.S.A. 52:34-6.2 (b); and

WHEREAS, there exists a need to provide hardware/software for specific parts and manufacture's software services to said Kiosks; and

WHEREAS, the Town received a quote from ITS for the software services for Kiosks in the amount of \$29,125.00.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey, do hereby authorize the quote from ITS for the software services for Kiosks in the amount not to exceed \$29,125.00.

BE IT FURTHER RESOLVED, that the Chief Financial Officer certifies that the funds necessary for this payment are available from account Current Fund – Streets and Roads-04-2010-26-2902-001.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #215-2025
AUTHORIZING THE HIRE OF SUZANNE DEFRIES AS PART-TIME TUTOR AT THE
TOWN OF GUTTENBERG RESOURCE CENTER

WHEREAS, the Town of Guttenberg operates the Guttenberg Resource Center at the Galaxy Mall located at 7000 Boulevard East, Unit 115, Guttenberg, New Jersey; and

WHEREAS, there is a need of a part-time tutor in the Guttenberg Resource Center; and

WHEREAS, the following individual has submitted an application to the Town of Guttenberg for a part-time position in the Resource Center; and

WHEREAS, the Town Administrator recommends Suzanne DeFries be hired as Part-Time Tutor in the Town of Guttenberg Resource Center.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey, that Suzanne DeFries is hereby hired to the position of Part-Time Tutor at the Town of Guttenberg Resource Center for the Administration Department; and

BE IT FURTHER RESOLVED, that the annual salary shall be as set forth in the Salary Ordinance of the Town of Guttenberg; and

BE IT FURTHER RESOLVED, that said hire is hereby retroactive as of October 1, 2025 and

BE IT FURTHER RESOLVED, that the Chief Financial Officer certifies that funds are available for the appropriation from Current Fund- Salary & Wages Administration Department 01-2010-28-3721-001.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #216-2025

AUTHORIZING THE TOWN OF GUTTENBERG TO APPLY FOR \$50,391.78 FROM THE NEW JERSEY URBAN ENTERPRISE ZONE (UEZ) ASSISTANCE FUND FOR THE FISCAL YEAR 2026 FOR THE GUTTENBERG 2026 UEZ HOLIDAY DECOR PROJECT

WHEREAS, the Town of Guttenberg has a financial allocation from the State of New Jersey for Fiscal Year 2026 that is earmarked, and must be used for, UEZ activities within the boundaries of the UEZs in the Town to help stimulate economic activity among the Town's existing small businesses, attract new businesses, and increase employment among residents of the Town;

WHEREAS, the New Jersey UEZ Authority has allocated the Town of Guttenberg \$91,749 for the State Fiscal Year 2026 to be used on all UEZ activities and such funds can only be used for such dedicated purposes and no other Town's expenses;

WHEREAS, the State UEZ Authority meets monthly to approve projects presented by UEZ municipalities, and once approved, the municipality is able to receive funds from the State Fiscal Year 2026 UEZ allocation to implement the project;

WHEREAS, the "Holiday Decor Project" will provide funds for Guttenberg's acquisition of holiday decor to help manage and distribute the UEZ project, the State UEZ Authority has supported and funded similar projects in many municipalities throughout the State;

WHEREAS, the Mayor and Council find that this project which would implement holiday decor on the streets within Guttenberg's UEZ ("Guttenberg's 2026 UEZ Holiday Decor Project") would improve the current business environment in Guttenberg and attract additional businesses to that area;

WHEREAS, should the Guttenberg 2026 UEZ Holiday Decor Project be approved by the State UEZ Authority, all the money to undertake and complete the project would come directly from the State and would have no impact on Guttenberg's budget; and

WHEREAS, should the Guttenberg 2026 UEZ Holiday Decor Project be approved and undertaken, this would still leave \$366,934.22 remaining in the State Fiscal Year allocation to be used on other projects.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF GUTTENBERG that the proper officers be and are authorized to submit an application to the New Jersey Urban Enterprise Zone Program for anticipated Zone Assistance Fund in the amount of fifty thousand three hundred ninety one dollars and seventy eight cents (\$50,391.78) for the purpose of funding the Guttenberg 2026 UEZ Holiday Decor Project, in accordance with all pertinent terms, conditions, and requirements which may be established for such an application.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #217-2025
AWARDING A CONTRACT TO CHRISTMAS DESIGNERS HOLIDAY AND EVENT
DECORATING FOR HOLIDAY DECORATIONS FOR THE TOWN OF GUTTENBERG

WHEREAS, there exists in the Town of Guttenberg a need for the services of a company that can provide holiday decorations to the streets of the Town of Guttenberg; and

WHEREAS, the cost of the services does not exceed the bid threshold amount pursuant to N.J.S.A. 40A:11-3; and

WHEREAS, the Town Administrator for the Town of Guttenberg solicited proposals for said holiday decorations services but only had one company respond; and

WHEREAS, the Town Administrator having reviewed the proposal deems Christmas Designers Holiday and Event Decorating PO Box 493, Cliffside Park, NJ 07010 having submitted a responsible proposal in the amount of \$47,500.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Council of the Town of Guttenberg that the Mayor and Town Clerk are hereby authorized to execute a Contract with Christmas Designers Holiday and Event Decoration in the amount of \$47,500.

BE IT FURTHER RESOLVED that the Chief Financial Officer certifies that funds are available for the appropriation current fund-celebration of public events accounts.

BE IT FURTHER RESOLVED that notice of the Contract award shall be published and maintained in the Office of Clerk.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #218-2025
AUTHORIZE HIRE OF ANA SANCHEZ AND NARVIS SIERRA PEREZ
AS FULL TIME BUS DRIVER FOR GUTTENBERG DEPARTMENT OF PUBLIC WORKS

WHEREAS, there is a need to hire full-time bus drivers for Guttenberg Department of Public Works; and

WHEREAS, Ana Sanchez and Narvis Sierra Perez are qualified for the position of Bus Driver; and

WHEREAS, the Town Administrator has recommended that Ana Sanchez and Narvis Sierra Perez be employed as a full-time Bus Driver for the Department of Public Works; and

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 full-time Bus Drivers for the Department of Public Works. The annual salary shall be as set forth in the Salary Ordinance of the Town of Guttenberg; and

BE IT FURTHER RESOLVED, that said appointment is hereby effective retroactive September 3, 2025; and

BE IT FURTHER RESOLVED, that said appointment is probationary for a period of ninety days, expiring on December 2, 2025.

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 #219-2025
AUTHORIZE HIRE OF IAN GONZALEZ AS PART-TIME CLERK IN THE TOWN OF
GUTTENBERG BUILDING DEPARTMENT

WHEREAS, there is a need in the Building Department of the Town of Guttenberg (“Town”) for an additional part-time Building Department Clerk; and

WHEREAS, the Town Administrator reviewed applicants for this position and has recommended that Ian Gonzalez be hired to the position of part-time Clerk in 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 they do hereby hire Ian Gonzalez to the position of part time Clerk in the Building Department.

BE IT FURTHER RESOLVED, that said appointment is hereby effective retroactive September 29, 2025.

BE IT FURTHER RESOLVED, that said hire and appointment is probationary for a period of ninety (90) days, expiring on December 28, 2025; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer certifies that funds are available for the appropriation from Current Fund- Admin & Exec S&W account 01-2010-20-1001-001.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #220-2025
AUTHORIZE HIRE OF RENEE CERCHIONE AS PART-TIME WATER AEROBICS
INSTRUCTOR FOR THE DEPARTMENT OF RECREATION

WHEREAS, there is a need to hire a part-time employee for the Guttenberg Recreation Department; and

WHEREAS, the Guttenberg Recreation Director has recommended that Renee Cerchione be hired effective retroactive as of July 14, 2025 as part-time employee for the Guttenberg Recreation Department;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Guttenberg, County of Hudson, and State of New Jersey, that the hire of Renee Cerchione by the Recreation Director, effective retroactive as of July 14, 2025, as a part-time employee or the Recreation Department is hereby approved.

BE IT RESOLVED, that this position hours and dates of service are to be set by the Guttenberg Recreation Director. The salary shall be as set forth by the Salary Ordinance of the Town of Guttenberg; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer of the Town of Guttenberg certifies that funds are available for appropriation from Current Fund – Community Center/Recreation 01-2010-42-4902-008.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #221-2025
APPOINTING COMMISSIONERS TO THE METROPOLITAN
HEALTH INSURANCE FUND

BE IT RESOLVED, by the Town of Guttenberg that Cosmo A. Cirillo is hereby appointed as Fund Commissioner to the Metropolitan Health Insurance Fund, effective January 1, 2026 to represent the Town of Guttenberg; and

BE IT FURTHER RESOLVED, that Hiram Gonzalez be and is appointed as Alternate Fund Commissioner to the Metropolitan Health Insurance Fund effective January 1, 2026.

Ordinances:

ORDINANCE #31-25
ADOPTION

ORDINANCE ADDING CHAPTER 7 TRAFFIC, SECTION 3.12 ON Improper Parking AND AMENDING 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

§ 7-3.12. Non-Resident Parking Time Limits.

- a. It shall be unlawful for the operator of any vehicle which does not have a valid parking permit issued by the Town of Guttenberg (“Town”) to park on a public right of way in the Town for a period exceeding three (3) hours between 7:00 am and 10:00 p.m., with the exception of those areas covered by metered parking, during the hours the meters are in operation.
 1. This restriction shall not apply to those vehicles with a valid residential parking permit, visitor permit, business permit, or any other applicable parking permit.
 2. Any vehicles still parked within a one (1) block radius of where it was parked at the beginning of the permitted three (3) hour period shall be in violation of this ordinance.
 3. The owner and / or operator of any vehicle parking in violation of these provisions shall be subject to the fines outlined in § 7-14. Each hour that passes following the expiration of the three (3) hour parking time limit shall constitute a new and separate 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>
<u>7-3.12</u>	<u>Non-Resident Parking Time Limits</u>	<u>\$120</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.

SUMMARY OF ORDINANCE

This Ordinance amends Chapter 7, Section 3.3—Improper Parking and Section 14—Violations and Penalties to impose a three (3) hour time limit for vehicles without a valid parking permit, with the exception of metered parking areas.

Ordinance#31-25 Adoption Vote

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

NO COMMENTS

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

ORDINANCE #32-25
ADOPTION

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 JM PROPERTIES LLC, AT 232-234 69TH 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, JM Properties LLC(the “Entity”) owns certain property known as Block 25, Lots 39 and 40 on the Town’s Official Tax map, (the “Property”), commonly known as 232-234 69th Street, Guttenberg, New Jersey; 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 a four (4) story residential building with fifteen (15) residential units and seventeen (17) 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 2025 was assessed for land only in the amount of \$210,000.00 (Block 25, Lots 39 and 40), and generated approximately \$8,668.80 in taxes from land value; 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 \$2,616,600.00 for the 12 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 \$12,618.11
- (c) In the third full year following completion, an amount equal to 40% of taxes otherwise due on the new improvements, estimated to be \$25,236.22
- (d) In the fourth full year following completion, an amount equal to 60% of taxes otherwise due on the new improvements, estimated to be \$37,854.32

- (e) In the fifth full year following completion, an amount equal to 80% of taxes otherwise due on the new improvements, estimated to be \$50,472.43

WHEREAS, upon the expiration of the tax exemption, it is estimated that the Project Improvements in total will generate a tax payment of approximately \$63,090.54, 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 Town 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:
 - (11) 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.

Summary of Ordinance

This ordinance authorizes the Town to enter into a Tax Agreement with the owner of 232-234 69th Street, Guttenberg, NJ.

Ordinance#32-25 Adoption Vote

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

NO COMMENTS

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

ORDINANCE #33-25

TABLED

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

ORDINANCE OF THE TOWN OF GUTTENBERG, IN THE COUNTY OF HUDSON, NEW JERSEY, PERMITTING CERTAIN CANNABIS ESTABLISHMENTS WITHIN THE TOWN

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

ORDINANCE#34-25

ADOPTION

TOWN OF GUTTENBERG, COUNTY OF HUDSON, NEW JERSEY

ORDINANCE REPEALING ORDINANCE NO. 07-2017 TO DELETE CHAPTER 2-57
OF THE CODE OF THE TOWN OF GUTTENBERG

WHEREAS, pursuant to N.J.S.A. 40:48-2 the City is authorized to, among other things, make, amend, repeal and enforce ordinances “as it may deem necessary and proper for the good government, 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 Mayor and the Town Council previously adopted Ordinance No. 07-2017, which authorized the Town to implement five-year exemption and abatement law for construction of multiple dwellings within the Town’s rehabilitation area (“Ordinance 07-2017”); and

WHEREAS, the Town Council and Mayor have determined that Ordinance 07-2017 is no longer in the best interests of the Town ; and

WHEREAS, the Mayor and the Town Council seek to repeal Ordinance No. 07-2017 and delete Chapter 2-57of the Revised General Ordinances of the Town of Guttenberg.

NOW, THEREFORE, BE IT ORDAINED, that the Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey do hereby authorize Chapter 2-57 of the Revised General Ordinances of the Town of Guttenberg to be amended as follows:

SECTION ONE

§ 2-57 entitled “An Ordinance Authorizing the Town of Guttenberg to Implement Five-Year Exemption and Abatement Law for Construction of Multiple Dwellings within the Town’s Rehabilitation Area” shall be deleted in its entirety upon the effective date of this ordinance and amended to state “Repealed.”

SECTION TWO

Severability. If any term or provision of this Ordinance is held to be illegal, invalid, or unenforceable by a court of competent jurisdiction, in whole or in part, such determination shall not affect the validity of the remaining terms and provisions of this Ordinance.

SECTION THREE

Repealer. To the extent that any provision of the Revised General Ordinances of the Town of Guttenberg is found to conflict with this Ordinance, in whole or in part, this Ordinance shall control.

SECTION FOUR

In order to avoid accidental repeal of existing provisions, the City Clerk and the 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

This Ordinance shall take effect upon passage. Any existing exemptions or abatements that were duly authorized by the Town Council and Mayor in accordance with Chapter 2-57 shall remain in full effect.

SUMMARY OF ORDINANCE

This ordinance repeals Ordinance No. 07-2017 and deletes Chapter 2-57 of the Code entitled “An Ordinance Authorizing the Town of Guttenberg to Implement Five-Year Exemption and Abatement Law for Construction of Multiple Dwellings within the Town’s Rehabilitation Area.”

Ordinance#34-25 Adoption Vote

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

ORDINANCE #35-25

INTRODUCTION

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

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 I.

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 II.

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 III.

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 \$150 per month per parking space.

SECTION IV.

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 V.

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

SECTION VI.

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 VII.

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 VIII.

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 IX.

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

Summary of Ordinance

This Ordinance revises a previously adopted ordinance related to parking by changing the maximum monthly fee for Private Parking Space Lease Program to \$150.

Ordinance#35-25 Introduction Vote

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

ORDINANCE #36-25

INTRODUCTION

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

AN ORDINANCE AMENDING CHAPTER 29 OF THE REVISED ORDINANCES OF THE TOWN OF GUTTENBERG REGARDING SHORT TERM VACATION RENTALS IN RESIDENTIAL PROPERTIES

WHEREAS, the Revised Ordinances of the Town of Guttenberg (the Town) permit short-term vacation rentals to the extent that rentals comply with Chapter 29 of the Revised Ordinances of the Town of Guttenberg (“Revised Ordinances”); and

WHEREAS, the clandestine unregulated vacation rentals lead to disproportionate impacts on residents and to the Town affecting both public safety and quality of life having a deleterious effect on the availability of housing, public safety and quality of life; and

WHEREAS, proper regulation of vacation rentals within the Town better handles the burdens placed on the Town and Town Residents by encouraging the proper and lawful short-term vacation rental activity; and

WHEREAS, The Town has a legitimate interest in preserving its unique sense of community which it derives, in large part, from residents’ active participation in civic affairs, including local government, cultural events, and educational endeavors; and

WHEREAS, it has also been recognized that vacation rentals allow travelers safe accommodations while contributing to the local economy; and

WHEREAS, it has also been recognized that vacation rental of dwellings and dwelling units can provide homeowners with an opportunity to maintain ownership of property in difficult economic circumstances; and

WHEREAS, the proper regulation of vacation rentals can alleviate any impact on the availability of housing for residents, public safety and quality of life of and for residents of the Town brought about by unregulated vacation rental activity; and

WHEREAS, the Mayor and Council have determined to more precisely codify the regulation of vacation rentals within the Town of Guttenberg and to revise the fees to reflect the cost of review of these applications;

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:

SECTION X.

§ 29-3(c) “Regulations, Insurance, Taxes, and Fees” of the Revised Ordinances of the Town of Guttenberg is hereby amended to read:

29-3(c) Any person seeking to let a unit, or portion thereof for a Vacation Rental must first obtain a Short Term Rental Housing License from the Town Building Department. The fee for such application shall be \$200.

SECTION XI.

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 XII.

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 XIII.

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 XIV.

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

Summary of Ordinance

This Ordinance revises the fee for a Short Term Rental Housing License to \$200.

Ordinance#36-25 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

Initial Employee Bar License:

- Carlos O. Blanco Garcia, Natali Marquez Rios, Luis Miguel Urria Arencibia

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

Renewal Employee Bar License:

- Yusniel Rolo, Sarah J. Hartman, Narcisa T. Figueroa

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

Payment of Claims:

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

- **Mayor Zitt abstained to PO #242332 & #242491**
- **Councilwoman abstained to Fundora – PO #242332 & #242491**
- **Councilman Haberman abstained to – PO #241882**

New Business:

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #222-2025
APPOINTING MARISOL MONTANEZ AS A MEMBER OF THE
TOWN OF GUTTENBERG HOUSING AUTHORITY

WHEREAS, the Mayor and Council of the Town of Guttenberg are responsible for the appointments of members to the Town of Guttenberg Housing Authority (Housing Authority); and

WHEREAS, Blanca Popiel, was appointed to the Housing Authority on April 1, 2025; and

WHEREAS, Blanc Popiel resigned his position to the Housing Authority; and

WHEREAS, Marisol Montanez, is eligible and available to fill the unexpired term of Blanca Popiel; and

WHEREAS, the Mayor and Council of the Town of Guttenberg, seek to appoint Marisol Montanez to the Housing Authority.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey that Marisol Montanez is hereby appointed to serve as a member of the Housing Authority, for the unexpired term March 31, 2030.

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

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

RESOLUTION #223-2025

AUTHORIZING THE HIRING OF JORGE GOMEZ AS DIRECTOR OF RECREATION DEPARTMENT OF THE TOWN OF GUTTENBERG

BE IT RESOLVED, by the Mayor and Council of the Town of Guttenberg, County of Hudson, and State of New Jersey that Jorge Gomez is hereby hired as the Guttenberg Recreation Director for the Guttenberg Recreation Department. The salary shall be as set forth by the Salary Ordinance of the Town of Guttenberg; and

BE IT FURTHER RESOLVED said hiring is hereby effective as of November 1, 2025.

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

A motion was made by Councilperson Delafuente seconded by Councilperson Fundora 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 #224-2025

RESOLUTION OF THE GOVERNING BODY OF THE TOWN OF GUTTENBERG AUTHORIZING AND DIRECTING THE AMENDMENT OF RESOLUTION #202-2025, PREVIOUSLY ADOPTED BY THE GOVERNING BODY ON SEPTEMBER 25, 2025, BY CORRECTING SCRIVENER ERRORS SUBSEQUENTLY DISCOVERED THEREIN AND RATIFYING AND REAFFIRMING RESOLUTION #202-2025 WITH RESPECT TO THE ENDORSEMENT BY THE GOVERNING BODY OF THE 4TH ROUND HOUSING

ELEMENT AND FAIR SHARE PLAN ADOPTED BY THE TOWN OF GUTTENBERG
JOINT PLANNING/ZONING BOARD

WHEREAS, the Town of Guttenberg, County of Hudson, State of New Jersey, (hereinafter, "Guttenberg") has a demonstrated history of voluntary compliance with its constitutional affordable housing obligations; and

WHEREAS, on March 20, 2024, Governor Phil Murphy signed into law P.L. 2024, c.2, an Amendment to the 1985 Fair Housing Act (hereinafter, the "Amended FHA" or "Act" or "4th Round Rules"); and

WHEREAS, the 4th Round Rules abolished the Council on Affordable Housing (hereinafter, "COAH"), and delegated its responsibilities to the New Jersey Department of Community Affairs (hereinafter, "DCA"), the New Jersey Housing and Mortgage Finance Agency, and the Affordable Housing Dispute Resolution Program (the "Program"), ordered to be formed by the same law, and authorized the Director of the Administrative Office of the Courts, (hereinafter, respectively, "Director" and "AOC") to create a framework to process applications for affordable housing compliance certification; and

WHEREAS, pursuant to the Act and Directive #14-24 issued by the Director on December 13, 2024, a municipality desiring to participate in the Program was obligated to take the following actions by January 31, 2025: (1) adopt a "binding resolution" determining present and prospective need affordable housing obligations and (2) to file an action in the form of a declaratory judgment complaint in the County in which the municipality is located within 48 hours after the municipality's adoption of a binding resolution; and

WHEREAS, the Guttenberg Mayor and Council (hereinafter, the "Governing Body"), pursuant to and as required by the Act and Directive #14-24, adopted Resolution #50-2025 in a timely manner on January 29, 2025, this constituting the required adoption of a binding resolution determining Guttenberg's Present Need, representing the need for rehabilitation of substandard homes in the municipality, occupied by low- and moderate-income households, based upon publicly available local estimates of housing that lacks adequate plumbing or kitchens, is overcrowded, is more than 50 years old, and is likely to be occupied by low- and moderate-income households, and Prospective Need, representing the need for newly constructed or preserved affordable housing units projected over the next 10 years, calculated for "regions" consisting of three to four counties and allocated to each municipality based upon factors that consider their available vacant land, median household income, and growth in equalized assessed non-residential property value relative to their region, affordable housing obligations and directed the filing of the required declaratory judgment action, which action was filed in a timely manner on January 31, 2025 in the Superior Court of New Jersey, Law Division, Hudson County Vicinage, bearing Docket No. HUD-L-406-25 (hereinafter, the "DJ Action"); and

WHEREAS, Guttenberg is located in Region 1, identified in the 4th Round Rules as consisting of all municipalities in Bergen, Hudson, Passaic and Hudson Counties; and

WHEREAS, the filing of the DJ Action, in accordance with the Act and the Directive, gave Guttenberg immunity from exclusionary zoning ("Builder's Remedy") lawsuits, which immunity continues to be in full force and effect; and

WHEREAS, by Order filed in the DJ Action on May 19, 2025 (hereinafter, the “Order”), Hudson County Vicinage Designated Mt. Laurel Judge, the Honorable Joseph A. Turula, P.J.Cv., fixed Guttenberg’s Present Need obligation at 116 units and Prospective Need obligation at 56 units, as calculated by the DCA and as set forth in Resolution #50-2025 adopted by the Governing Body; and

WHEREAS, the Act also requires that a Fourth Round Housing Element and Fair Share Plan, presenting a strategy for satisfying Guttenberg’s Present Need and Prospective Need obligations outlined in the Order over the next 10 years in order to preserve immunity from Builder’s Remedy lawsuits, be prepared and adopted by the Guttenberg Joint Planning/Zoning Board (hereinafter, “Planning Board”), and endorsed by the Governing Body, on or before June 30, 2025; and

WHEREAS, the Order also granted an extension of this June 30, 2025 date, requiring that Guttenberg’s Housing Element and Fair Share Plan be adopted by the Planning Board and endorsed by the Governing Body no later than September 30, 2025; and

WHEREAS, in accordance with the Act and the Order, Guttenberg’s Affordable Housing Planning Consultant, Paul Ricci, AICP, PP, of Ricci Planning (hereinafter, the “Guttenberg Affordable Housing Planner”) prepared a Housing Element and Fair Share Plan, dated June 8, 2025, entitled the “Housing Element and Fair Share Plan, Town of Guttenberg, Hudson County, New Jersey” (hereinafter, the “4th Round HEFSP”), which is on file with the Guttenberg Municipal Clerk, addressing Guttenberg’s Present Need and Prospective Need affordable housing obligations for the Fourth Round; and

WHEREAS, the 4th Round HEFSP includes a Fourth Round spending plan component (hereinafter, the “4th Round Spending Plan”), pursuant to N.J.S.A. 52:27D-329.2 of the Amended Act, and the Directive, which projects anticipated revenues to Guttenberg’s Affordable Housing Trust Fund, and describes estimated expenditures of funds to address its fair share obligation as set forth in the 4th Round HEFSP and which specifically establishes that the expenditure of funds contemplated in the 4th Round Spending Plan constitute a ‘commitment’ for expenditure pursuant to N.J.S.A. 52:27D-329.2(d) of the Amended Act, with the four-year time period beginning to run with the date of collection of the funds as extended by virtue of the date of the Superior Court’s approval of this 4th Round HEFSP; and

WHEREAS, on September 24, 2025, the Planning Board, after providing notice in accordance with the Municipal Land Use Law, specifically N.J.S.A. 40:55D-13, held a public hearing to review and consider for adoption the 4th Round HEFSP prepared by the Guttenberg Affordable Housing Planner, addressing Guttenberg’s Fourth Round affordable housing obligations, including the Fourth Round Present Need and Prospective Need obligations as established by the Order and, by Resolution #2025-21 adopted September 24, 2025, the Planning Board approved and adopted the 4th Round HEFSP, finding that the 4th Round HEFSP is consistent with the goals and objectives of Guttenberg’s current Master Plan and that adoption of the 4th Round HEFSP is in the best interests of Guttenberg; and

WHEREAS, the Governing Body, by Resolution #202-2025 adopted September 25, 2025, endorsed the 4th Round HEFSP as adopted by the Planning Board and subsequent to the adoption of Resolution #202-2025 it was discovered that Resolution #202-2025 contained certain scrivener errors and the Governing Body has deemed it to be in the best interests of Guttenberg to now adopt this Resolution for the purpose of correcting those scrivener errors

in Resolution #202-2025, with this Resolution, upon adoption by the Governing Body, replacing Resolution #202-2025 *nunc pro tunc* as of September 25, 2025; and

WHEREAS, a true and correct copy of the HEFSP, including the Fourth Round Spending Plan component, is annexed hereto as Exhibit A; and

WHEREAS, a true and correct copy of Planning Board Resolution #2025-21 adopting the HEFSP is annexed hereto as Exhibit B.

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

1. The Governing Body, in order to correct scrivener errors contained in Resolution #202-2025 adopted by the Governing Body on September 25, 2025, hereby adopts this Resolution and this Resolution shall amend and replace the entirety of Resolution #202-2025, *nunc pro tunc* as of September 25, 2025.
2. The Governing Body hereby adopts the 4th Round Spending Plan component of the 4th Round HEFSP.
3. The Governing Body does hereby endorse the 4th Round HEFSP as adopted by the Planning Board on September 24, 2025.
4. The Governing Body does hereby authorize the filing of this Resolution endorsing the 4th Round HEFSP adopted by the Planning Board on eCourts for review by the Program.
5. The Mayor and Clerk, together with other appropriate officers and employees of Guttenberg and Guttenberg's engaged professionals, are hereby authorized to take all steps necessary to effectuate the purposes of this Resolution.
6. The Town reserves the right to further amend the 4th Round HEFSP should that be necessary.
7. This Resolution shall take effect immediately.

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 #225-2025
AMENDING RESOLUTION#202-2025 ENDORSING THE 2025
HOUSING ELEMENT AND FAIR SHARE PLAN

WHEREAS, the Town of Guttenberg, County of Hudson, State of New Jersey, (hereinafter, "Guttenberg") has a demonstrated history of voluntary compliance with its constitutional affordable housing obligations; and

WHEREAS, on March 20, 2024, Governor Phil Murphy signed into law P.L. 2024, c.2, an Amendment to the 1985 Fair Housing Act (hereinafter, the "Amended FHA" or "Act" or "4th Round Rules"); and

WHEREAS, the 4th Round Rules abolished the Council on Affordable Housing (hereinafter, "COAH"), and delegated its responsibilities to the New Jersey Department of Community Affairs (hereinafter, "DCA"), the New Jersey Housing and Mortgage Finance Agency, and the Affordable Housing Dispute Resolution Program (the "Program"), ordered to be formed by the same law, and authorized the Director of the Administrative Office of the Courts, (hereinafter, respectively, "Director" and "AOC") to create a framework to process applications for affordable housing compliance certification; and

WHEREAS, pursuant to the Act and Directive #14-24 issued by the Director on December 13, 2024, a municipality desiring to participate in the Program was obligated to take the following actions by January 31, 2025: (1) adopt a "binding resolution" determining present and prospective need affordable housing obligations and (2) to file an action in the form of a declaratory judgment complaint in the County in which the municipality is located within 48 hours after the municipality's adoption of a binding resolution; and

WHEREAS, the Guttenberg Mayor and Council (hereinafter, the "Governing Body"), pursuant to and as required by the Act and Directive #14-24, adopted Resolution #50-2025 in a timely manner on January 29, 2025, this constituting the required adoption of a binding resolution determining Guttenberg's Present Need, representing the need for rehabilitation of substandard homes in the municipality, occupied by low- and moderate-income households, based upon publicly available local estimates of housing that lacks adequate plumbing or kitchens, is overcrowded, is more than 50 years old, and is likely to be occupied by low- and moderate-income households, and Prospective Need, representing the need for newly constructed or preserved affordable housing units projected over the next 10 years, calculated for "regions" consisting of three to four counties and allocated to each municipality based upon factors that consider their available vacant land, median household income, and growth in equalized assessed non-residential property value relative to their region, affordable housing obligations and directed the filing of the required declaratory judgment action, which action was filed in a timely manner on January 31, 2025 in the Superior Court of New Jersey, Law Division, Hudson County Vicinage, bearing Docket No. HUD-L-406-25 (hereinafter, the "DJ Action"); and

WHEREAS, Guttenberg is located in Region 1, identified in the 4th Round Rules as consisting of all municipalities in Bergen, Hudson, Passaic and Hudson Counties; and

WHEREAS, the filing of the DJ Action, in accordance with the Act and the Directive, gave Guttenberg immunity from exclusionary zoning ("Builder's Remedy") lawsuits, which immunity continues to be in full force and effect; and

WHEREAS, by Order filed in the DJ Action on May 19, 2025 (hereinafter, the "Order"), Hudson County Vicinage Designated Mt. Laurel Judge, the Honorable Joseph A. Turula, P.J.Cv., fixed Guttenberg's Present Need obligation at 116 units and Prospective Need obligation at 56 units, as calculated by the DCA and as set forth in Resolution #50-2025 adopted by the Governing Body; and

WHEREAS, the Act also requires that a Fourth Round Housing Element and Fair Share Plan, presenting a strategy for satisfying Guttenberg's Present Need and Prospective Need

obligations outlined in the Order over the next 10 years in order to preserve immunity from Builder's Remedy lawsuits, be prepared and adopted by the Guttenberg Joint Planning/Zoning Board (hereinafter, "Planning Board"), and endorsed by the Governing Body, on or before June 30, 2025; and

WHEREAS, the Order also granted an extension of this June 30, 2025 date, requiring that Guttenberg's Housing Element and Fair Share Plan be adopted by the Planning Board and endorsed by the Governing Body no later than September 30, 2025; and

WHEREAS, in accordance with the Act and the Order, Guttenberg's Affordable Housing Planning Consultant, Paul Ricci, AICP, PP, of Ricci Planning (hereinafter, the "Guttenberg Affordable Housing Planner") prepared a Housing Element and Fair Share Plan, dated June 8, 2025, entitled the "Housing Element and Fair Share Plan, Town of Guttenberg, Hudson County, New Jersey" (hereinafter, the "4th Round HEFSP"), which is on file with the Guttenberg Municipal Clerk, addressing Guttenberg's Present Need and Prospective Need affordable housing obligations for the Fourth Round; and

WHEREAS, the 4th Round HEFSP includes a Fourth Round spending plan component (hereinafter, the "4th Round Spending Plan"), pursuant to N.J.S.A. 52:27D-329.2 of the Amended Act, and the Directive, which projects anticipated revenues to Guttenberg's Affordable Housing Trust Fund, and describes estimated expenditures of funds to address its fair share obligation as set forth in the 4th Round HEFSP and which specifically establishes that the expenditure of funds contemplated in the 4th Round Spending Plan constitute a 'commitment' for expenditure pursuant to N.J.S.A. 52:27D-329.2(d) of the Amended Act, with the four-year time period beginning to run with the date of collection of the funds as extended by virtue of the date of the Superior Court's approval of this 4th Round HEFSP; and

WHEREAS, by Resolution #2025-21 adopted September 24, 2025, the Planning Board approved and adopted the HEFSP, finding that the HEFSP is consistent with the goals and objectives of Guttenberg's current Master Plan and that adoption of the HEFSP is in the best interest of Guttenberg; and

WHEREAS, on September 24, 2025, the Planning Board, after providing notice in accordance with the Municipal Land Use Law, specifically N.J.S.A. 40:55D-13, held a public hearing to review and consider for adoption the 4th Round HEFSP prepared by the Guttenberg Affordable Housing Planner, addressing Guttenberg's Fourth Round affordable housing obligations, including the Fourth Round Present Need and Prospective Need obligations as established by the Order and, by Resolution #2025-21 adopted September 24, 2025, the Planning Board approved and adopted the 4th Round HEFSP, finding that the 4th Round HEFSP is consistent with the goals and objectives of Guttenberg's current Master Plan and that adoption of the 4th Round HEFSP is in the best interests of Guttenberg; and

WHEREAS, the Governing Body, by Resolution #202-2025 adopted September 24, 2025, endorsed the 4th Round HEFSP as adopted by the Planning Board and subsequent to the adoption of Resolution #202-2025 it was discovered that Resolution #202-2025 contained certain scrivener errors and the Governing Body has deemed it to be in the best interests of Guttenberg to now adopt an amended Resolution for the purpose of correcting those scrivener errors in Resolution #202-2025, with the amended Resolution, upon adoption by the Governing Body, replacing Resolution #202-2025 *nunc pro tunc* as of September 24, 2025; and

WHEREAS, pursuant to the Amended Act, the Program, and related affordable housing regulations and policies, in order to assure the creditworthiness of the various compliance techniques included in its HEFSP, Guttenberg must demonstrate adequate and stable funding sources; and

WHEREAS, since Gutenberg is committed to securing judicial approval of its HEFSP, in order to provide an adequate and stable funding source for the components of the HEFSP, Gutenberg shall rely on the funds in its Affordable Housing Trust Fund, established by the Town's Developer's Fee Ordinance, Town Municipal Code §25-1.7 et seq.; and

WHEREAS, if, after Gutenberg has exhausted every potential funding source and every valid compliance technique, Gutenberg remains unable to secure sufficient funding to completely satisfy its affordable housing obligations without being forced to raise or expend municipal revenues in order to provide low- and moderate-income housing, Gutenberg will cover such costs through bonding and/or other legal means; and

WHEREAS, Gutenberg wishes to leave no question as to Gutenberg's intent to cover the cost of implementing its HEFSP or any modification thereof that may be necessary.

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

1. In order to provide adequate and stable funding for its Fourth Round Housing Element and Fair Share Plan, Gutenberg shall maximize use of its funds from its Affordable Housing Trust Fund to facilitate the economic feasibility of the compliance techniques set forth in Gutenberg's Fourth Round Housing Element and Fair Share Plan.

2. If, after exhausting every potential funding source available and its Affordable Housing Trust Fund, Gutenberg remains unable to secure sufficient financing to completely satisfy its affordable housing obligations pursuant to the HEFSP within the timeframes established by the Amended Act, Gutenberg will fully fund, by way of municipal bonding, any gaps in financing to assure the economic feasibility of the affordable compliance techniques included in Gutenberg's Fourth Round Housing Element and Fair Share Plan.

3. Gutenberg reserves the right to recoup any subsidy provided through future collections of development fees as such funds become available.

A motion was made by Councilperson Fundora seconded by Councilperson Hokien 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 #226-2025

TERMINATING PARTICIPATION IN STATE HEALTH BENEFITS PROGRAM (SHBP) &
SCHOOL EMPLOYEES' HEALTH BENEFITS PROGRAM (SEHBP)

BE IT RESOLVED:

1. The Town of Guttenberg located at 6808 Park Avenue, Guttenberg, County of Hudson, State of New Jersey hereby resolves to terminate its participation in the Program thereby canceling coverage provided by SHBP and/or SEHBP (N.J.S.A. 52:14-17.25 et seq.) for all its active and retired employees.
2. We shall notify all active employees of the date of their termination of coverage under the Program.
3. We understand that the New Jersey Division of Pensions & Benefits (NJDPB) will notify retired employees of the cancellation of their coverage.
4. We understand that all COBRA participants will be notified by the NJDPB and advised to contact our office concerning a possible alternative health plan.
5. We understand that this resolution shall take effect the first of the month following a 60-day period beginning with the receipt of the resolution by the State Health Benefits Commission or School Employees' Health Benefits Commission.

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

Bill McCullan, Melon Group, North Bergen

- Sugar Fund Act
- Putting a bill together to submit for climate change and submitting to all municipalities
- Looking for support from Guttenberg

A motion was made to close public portion by Councilperson Hokien seconded by Councilperson Delafuente 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 5:00 P.M.

Respectfully Submitted,

Dr. Cosmo A. Cirillo, RMC
Town Clerk