

MINUTES

Regular meeting of the Mayor and Council of the
Town of Guttenberg at Town Hall, 6808 Park Avenue, Guttenberg, New Jersey
on Wednesday, March 25, 2026, 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 Fundora seconded by Councilperson Delafuente Ayes: Councilpersons Delafuente, Fundora, Hokien, Malave and Mayor Zitt Nays: None Abstain: None

Members Present:

Councilpersons: Richard Delafuente, Monica Fundora, 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 March 25, 2026 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 Star Ledger and 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 February 25, 2026
- Regular Meeting of February 25, 2026

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

Approval of consent agenda Resolution #61-2026 through Resolution#75-2026:

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

Resolution:

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #61-2026
GARDEN STATE MUNICIPAL JOINT INSURANCE FUND JOINT TRUST AGREEMENT
AND RESOLUTION TO REJOIN

WHEREAS, a number of local governmental units in the State of New Jersey have joined together to form a Joint Insurance Fund as permitted by the Chapter 372 Laws of 1983 (40A:10-36); and

WHEREAS, the statutes and regulations governing the creation and operation of a Joint Insurance Fund contain elaborate restrictions and safeguards concerning the safe and efficient administration of the public interest entrusted to such a Fund; and

WHEREAS, the Governing Body of the Town of Guttenberg, has determined that membership in the Garden State Municipal Joint Insurance Fund (hereinafter referred to as the "Fund") is in the best interests of itself and its citizens; and

WHEREAS, the Governing Body of the Town of Guttenberg has previously executed a resolution to join the Garden State Municipal Joint Insurance Fund subject to the acceptance of its assessment.

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

NOW, THEREFORE, BE IT RESOLVED (hereinafter referred to as the "Municipality") does hereby resolve and agree to renew its membership in the Fund for a period not to exceed three (3) years beginning January 1, 2026 to December 31, 2028 for the purpose of establishing the following types of coverage:

- Workers' Compensation and Employer's Liability;
- General Liability including law enforcement and public officials liability;
- Motor vehicle liability;
- Property damage (buildings, contents, equipment, and motor vehicle);
- Inland Marine Coverage;
- Non-Owned Aircraft Liability;
- Cyber Liability;
- Disaster Management Services;
- Unmanned Aerial Systems (optional)*
- Hull and P&I (optional)*
- Marina Liability (optional)*
- Site Pollution Liability (optional)*
- UST Liability (optional)*

*Optional, subject to underwriting approval and receipt, review, and acceptance of separate completed applications

BE IT FURTHER RESOLVED, that the Municipality has never defaulted on claims and has not been canceled for nonpayment of insurance premiums for a period of at least two years prior to the adoption of this Resolution; and

BE IT FURTHER RESOLVED, that the Mayor and the Municipal Clerk are authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying membership in the Fund and to deliver same to the Executive Director of the Fund with the express reservation that said document shall become effective only upon approval by the New Jersey Department of Insurance and the Department of Community Affairs.

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

RESOLUTION #62-2026

AUTHORIZING TOWN OF GUTTENBERG APPROVED TRANSFERS BETWEEN 2026 CY BUDGET APPROPRIATION RESERVES

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

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Gutenberg, County of Hudson, State of New Jersey, that transfers in the amount of One Hundred Twenty-Eight Thousand Eight Hundred Forty-One Dollars and Fifty-One Cents (\$128,841.51) be made between the 2025 Budget Appropriation Reserves as follows:

<u>Account</u>	<u>From</u>	<u>To</u>
ADMIN & EXEC OE	\$ 1,205.00	\$ -
FINANCIAL ADM. OE	\$ -	\$ 4,220.03
LEGAL SERVICES OE	\$ 817.50	\$ -
MUN LAND-PLANNING OE	\$ 5,573.68	\$ -
CONST CODE OE	\$ 4,300.00	\$ -
INSURANCE/GROUP EMPLOYEES	\$ 96,263.57	\$ -
INS/DEDUCTIBLE EXPENSES	\$ 5,000.00	\$ -
POLICE/CERT	\$ -	\$ 27,294.36
STREETS & ROADS OE	\$ -	\$ 6,241.98
SOLID WASTE/GARBAGE	\$ 4,095.41	\$ -
PUBLIC BLDGS & GROUNDS OE	\$ 1,690.60	\$ -
BOARD OF HEALTH OE	\$ 9,895.75	\$ -

-	TRANS. OE	\$ -	\$ 62,122.50	OF
	CELEB OF PUBLIC EVENTS	\$ -	\$ 229.99	
	ELECTRICITY & GAS	\$ -	\$ 6,572.51	
	TELEPHONE	\$ -	\$ 1,122.08	
	GASOLINE	\$ -	\$ 9,775.44	
	TECHNOLOGY	\$ -	\$ 9,704.62	
	CONTINGENT	\$ -	\$ -	
	MUN COURT O&E	\$ -	\$ 1,558.00	
	TOTAL	\$ 128,841.51	\$ 128,841.51	

GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY

RESOLUTION#63-2026

AWARDING CONTRACT FOR 2024 LTPF PEDESTRIAN SAFETY ENHANCEMENTS
PROJECTS TO AA BERMS, LLC

WHEREAS, the Town of Guttenberg (“Town”) publicly advertised and sought bids for a project captioned as 2024 LTPF Pedestrian Safety Enhancements Project (“Project”); and

WHEREAS, the Town received three (3) bids for the Project for the Base Bid on the quantities for Items #1-66 inclusive, at the public bid opening on March 12, 2026 ; and

WHEREAS, the Town has the option of awarding a contract for the Project for the Base Bid on the quantities for Items #1-66 inclusive; and

WHEREAS, the Town will award a contract for the Project Base Bid on the quantities for Items #1-66 inclusive; and

WHEREAS, AA Berms LLC of Belleville, New Jersey submitted the lowest Base Bid on the quantities for Items #1-66 inclusive at the public bid opening, for the total bid of \$1,602,875.00; and

WHEREAS, the Town Engineer reviewed the bids and the qualifications of the bidders and determined that AA Berms LLC is qualified to complete the Project and that their bid was the lowest of the three (3) bids received; and

WHEREAS, the Mayor and Town Council has determined that AA Berms LLC is the lowest responsible bidder for the Project; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey, that the Town hereby awards a contract for the Project to AA Berms LLC, in the amount of \$1,620,875.00 for the total Base Bid on the quantities for Items #1-66 inclusive.

BE IT FURTHER RESOLVED, that the Mayor and Town Clerk are authorized to take such other steps as are necessary to effectuate the purposes of this Resolution, including the execution of the contract for the Project.

BE IT FURTHER RESOLVED, that the Chief Financial Officer certifies that sufficient funds are available for this contract in account 04-2150-55-2508.

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

RESOLUTION #64-2026

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GUTTENBERG DESIGNATING BLOCK 13, LOT 11 AND BLOCK 34, LOT 3 IDENTIFIED ON THE TAX MAP OF THE TOWN OF GUTTENBERG AND COMMONLY KNOWN AS 6823 BERGENLINE AVENUE AND 6808 PARK AVENUE AS NON-CONDEMNATION AREAS IN NEED OF REDEVELOPMENT PURSUANT TO N.J.S.A. 40A:12A-1 et seq. AND AUTHORIZING PAUL N. RICCI, PP, AICP, TO PREPARE A REDEVELOPMENT PLAN

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Redevelopment Law"), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

WHEREAS, the Town has identified certain properties within the Town designated as Block 34, Lot 3 and Block 13, Lot 11 as delineated on the Official Tax Map of the Town and commonly known as 6808 Park Avenue and 6823 Bergenline Avenue (the "Study Area"), to be considered for designation as a non-condemnation "areas in need of redevelopment", pursuant to the Redevelopment Law, N.J.S.A. 40A:12A-1 et seq.; and

WHEREAS, to determine whether the Study Area constitutes areas in need of redevelopment under the Redevelopment Law, the Town Council ("Town Council") of the Town of Guttenberg (the "Town") must authorize the Joint Planning/Zoning Board of Adjustment of the Town of Guttenberg (the "Planning Board") to conduct a preliminary investigation of the Study Area and make recommendations to the Town Council; and

WHEREAS, on November 12, 2025, the Town Council adopted two (2) resolutions (Resolution #236-2025 and Resolution #237-2025) authorizing and directing the Planning Board to conduct an investigation of the Study Area to determine whether the Study Area meets the criteria set forth in the Redevelopment Law, specifically N.J.S.A. 40A:12A-6, and should be designated as non-condemnation areas in need of redevelopment; and

WHEREAS, the Study Area was the subject of a redevelopment study entitled, "Redevelopment Study and Preliminary Investigation Report, Block 34, Lot 3, Block 13, Lot 11" dated November 26, 2023 (the "Study"), prepared by Paul N. Ricci, P.P., AICP (the "Planner"); and

WHEREAS, on February 17, 2026, the Planning Board, after providing due notice, conducted a public hearing in accordance with the Redevelopment Law and determined that the Study Area qualified as a non-condemnation area in need of redevelopment and recommended that the Town Council designate the Study Area as a non-condemnation area in need of redevelopment pursuant to the criteria in N.J.S.A. 40A:12A-5, N.J.S.A. 40A:12A-3 and requirements of the Redevelopment Law; and

WHEREAS, on February 17, 2026, the Planning Board opened the hearing to consider testimony of any person who was interested in or would be affected by the non-condemnation redevelopment area determination, and no objection to such determination was made either in writing or orally at the public hearing; and

WHEREAS, by way of Planning Board Resolution #2026-08, which is affixed hereto as Exhibit A, the Planning Board recommended that the Town Council designate the Study Area as a non-condemnation area in need of redevelopment providing that a non-condemnation redevelopment area determination would authorize the Town and Town Council to use all those powers permitted by the Redevelopment Law, except for the power of eminent domain; and

WHEREAS, the Town Council has determined that, based upon the recommendations of the Planning Board, the Study Area be designated as a non-condemnation area in need of redevelopment under the Redevelopment Law, such designation authorizing the Town and Town Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, except for the power of eminent domain.

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 recommendations and conclusions of the Planning Board placed on the record at its February 17, 2026 meeting, are hereby accepted by the Town Council.

Section 3. Based upon the findings and recommendations of the Planning Board, Block 34, Lot 3 and Block 13, Lot 11 are hereby designated as non-condemnation areas in need of redevelopment authorizing the Town and Town Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, except for the power of eminent domain (the “Non-Condensation Redevelopment Area”).

Section 4. The Town Clerk is hereby directed to transmit a copy of this Resolution to the Commissioner of the New Jersey Department of Community Affairs for review pursuant to Section 6(b)(5) of the Redevelopment Law

Section 5. The Town Clerk is hereby directed to serve, within ten (10) days hereof, a copy of this Resolution upon (i) all record owners of property located within the Non-Condensation Redevelopment Area, as reflected on the tax assessor’s records, and (ii) each person who filed a written objection prior to the hearing held by the Planning Board, service to be in the manner provide by Section 6 of the Redevelopment Law.

Section 6. The Town Council hereby directs and authorizes Planner Paul N. Ricci, PP, AICP, to prepare a redevelopment plan for the Non-Condensation Redevelopment Area for consideration by the Town Council and referral to the Planning Board, all as required by N.J.S.A. 40A:12A-1 et seq.

Section 7. This Resolution shall take effect immediately.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #65-2026
DESIGNATING SIGNATORY FOR THE TOWN OF GUTTENBERG

BE IT RESOLVED, by the Mayor and Council, of the Town of Guttenberg, County of Hudson, State of New Jersey, that any authorized depository of funds for the Town of Guttenberg shall be and is hereby authorized to honor and pay checks through a single signatory signed by Hiram Gonzalez, Finance Director for Storm Recovery Account at Freedom Bank.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #66-2026
AUTHORIZE AWARD OF CONTRACT WITH DeCOTIIS AND DOYLE LAW FIRM FOR
SPECIAL COUNSEL- REDEVELOPMENT

WHEREAS, the Town of Guttenberg ("Town") solicited proposals for Special Counsel - Redevelopment services; and

WHEREAS, the Town received two proposals and deem the proposal for these services from DeCotiis and Doyle with offices located at 333 Fairfield Road, Fairfield, New Jersey 07004, as legally sufficient and in the best interests of the Town; and

WHEREAS, the request for proposal for these services provided a rate of \$200.00 per hour for these services; and

WHEREAS, DeCotiis and Doyle are qualified and able to provide these services.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Guttenberg, County of Hudson, and State of New Jersey, that they shall and hereby appoint DeCotiis and Doyle with offices located at 333 Fairfield Road, Fairfield, New Jersey 07004 to the position of Special Counsel -Redevelopment.

BE IT FURTHER RESOLVED, said contract shall be set at an hourly rate of \$200.00 commencing March 1, 2026, and terminating December 31, 2026; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer, certifies that funds are available for the appropriation from that Current Fund Legal Services 01-2020-20-1552-001.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #67-2026
AUTHORIZE AWARD OF CONTRACT WITH ELITE STRATEGIES, LLC
FOR CONSTRUCTION MANAGEMENT CONSULTANT SERVICES

WHEREAS, the Town of Guttenberg ("Town") sought statements of qualifications-proposals for Construction Management Consultant services; and

WHEREAS, the Town received a proposal for these services from Elite Strategies, LLC located at 699-3rd Street, Secaucus, New Jersey 07094 which was reviewed and determined to be legally sufficient and cost effective; and

WHEREAS, the request for proposal for these services provided a rate of \$3,000.00 per month for these services; and

WHEREAS, Elite Strategies, LLC is qualified and able to provide these services.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Guttenberg, County of Hudson, and State of New Jersey, that they shall and hereby appoint Elite Strategies, LLC located at 699-3rd Street, Secaucus, New Jersey 07094 to the position of Construction Management.

BE IT FURTHER RESOLVED, said contract shall be set monthly rate of \$3,000.00 commencing March 1, 2026, and terminating December 31, 2026; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer, certifies that funds are available for the appropriation from Current Fund –

BE IT FURTHER RESOLVED, that a Notice of Contract Award shall be published and maintained in the office of the Town Clerk.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #68-2026

AUTHORIZE HIRE OF MAIRA D. LIRIANO PEGUERO, JAIME DAURA AND IDE HIGUERA AS CROSSING GUARDS FOR THE TOWN OF GUTTENBERG

WHEREAS, there is a need in the Town of Guttenberg (“Town”) to hire a Crossing Guards for the Town; and

WHEREAS, Maira D. Liriano Peguero, Jaime Daura and Ide Higuera are able to serve as part-time Crossing Guards and has met all the requirements for the position; and

WHEREAS, the Police Director recommends the hire of Maira D. Liriano Peguero, Jaime Daura and Ide Higuera as a Crossing Guards.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey, that Maira D. Liriano Peguero, Jaime Daura and Ide Higuera are hereby hired as a Crossing Guard with the Town of Guttenberg; and

BE IT FURTHER RESOLVED, said hire shall be effective retroactively as of March 1, 2026. 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 01-2010-25-2401-001.

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

RESOLUTION #69-2026

AUTHORIZING THE HIRE OF JOHN HEINLEIN AS A FULL-TIME LABORER
FOR THE DEPARTMENT OF PUBLIC WORKS FOR THE TOWN OF GUTTENBERG

WHEREAS, there is a need for an additional full-time laborer for the Guttenberg Department of Public Works Department (“DPW”); and

WHEREAS, John Heinlein, a part-time DPW laborer is interested in working full-time in the Guttenberg DPW; and

WHEREAS, the Superintendent of the Department of Public Works for the Town of Guttenberg has recommended for the position of full-time DPW Employee-laborer.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Guttenberg County of Hudson, State of New Jersey that John Heinlein is hereby hired to the position of full-time employee-laborer 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 as of March 16, 2025; and

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

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #70-2026

A RESOLUTION AUTHORIZING THE TOWN OF GUTTENBERG UEZ TO SUBMIT AN
APPLICATION TO THE NEW JERSEY URBAN ENTERPRISE ZONE AUTHORITY FOR
FUNDING IN THE AMOUNT NOT TO EXCEED \$5,500 FOR GUTTENBERG UEZ: ST.
PATRICK’S DAY EVENT

WHEREAS, the Town of Guttenberg wishes to apply for funding from the New Jersey Urban Enterprise Zone Authority in the amount not to exceed \$5,500 for funding for Guttenberg UEZ St. Patrick’s Day Event.

NOW THEREFORE, BE IT RESOLVED, that the Mayor, Council and Town Clerk of the Town of Guttenberg are hereby authorized to execute the application for such funds and any other documents necessary in connection herewith.

BE IT FURTHER RESOLVED, that the Mayor and Council recognize and accepts that the Urban Enterprise Zone Authority may offer a lesser or greater amount and therefore, upon receipt of the project agreement from the New Jersey Urban Enterprise Zone Authority, does further authorize the execution of any such agreement, and upon receipt of the fully executed agreement from the Authority, does further authorize the expenditure of funds pursuant to the terms of the agreement by and between the Town of Guttenberg and the New Jersey Urban Enterprise Zone Authority.

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

RESOLUTION #71-2026

AUTHORIZING A CONTRACT WITH ALPHADOG SOLUTIONS, INC. FOR THE
PURCHASE OF PUBLIC NOTICES PUBLICATION SERVICES

WHEREAS, the Town of Guttenberg (“the Town”) solicited quotations for the provision of services to assist the Town in publishing Legal Notices in accordance with P.L.2025,c.72 ; and

WHEREAS, the Town’s present website management services provider AlphaDog Solutions, Inc. of Belleville New Jersey (“Vendor”) has provided a quotation for services described in the Agreement dated March 14, 2026 (“Agreement”), where such services include but are not limited to coordinating publication of legal notices in accordance with New Jersey Law for the amount of \$2,500 per year plus per-notice publication rates as described in the Agreement; and

WHEREAS, the amount is below the Town’s bid threshold; and

WHEREAS, the Town Administrator has recommended that the Town accept the Vendor’s Proposal as being in the best interests of the Town and that Vendor shall be designated as the official public notice provider for the Town;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey, that the Town does hereby authorize the Mayor and appropriate Town Officials including the Purchasing Agent and Town Administrator to execute and enter into a contract or to execute an appropriate purchase order for the purchase of legal notice publications from AlphaDog Solutions, Inc., pursuant to the Agreement for the total amount of \$2,500 plus per-notice fees; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer certifies that the necessary funds are available for this payment.

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

RESOLUTION #72-2026

AUTHORIZING CONTRACTS FOR EMERGENCY SUPPLEMENTAL SNOW REMOVAL
SERVICES FOR 2026-2027

WHEREAS, the Town of Guttenberg (the “Town”) required emergency supplemental snow removal services during the 2025-2026 winter season; and

WHEREAS, the winter season of 2025-2026 had a number of significant winter storms, as evidenced by the New Jersey Governor declaring a state of emergency on December 9, 2025, January 24, 2026, and February 22, 2026, which resulted in higher than anticipated snowfall; and

WHEREAS, to respond to the emergency, the Town was required to hire outside contractors, including Fisted Dove Excavating, Inc. and 4-Clean Up, Inc. and three part-time individuals who were paid in accordance with the Salary Ordinance to assist with snow removal and clearing roadways, on-street parking and loading spaces, and the entire public right of way; and

WHEREAS, because of the extreme volume of snow accumulation this winter, the Town was required to appropriate emergency funds to pay for the snow removal; and

WHEREAS, once the Storm Recovery Trust Fund had been depleted, the Town was required to expend: \$149,795 for equipment, overtime, and compensation to employees and contractors involved in the snow removal process; and

WHEREAS, the contractors were available and qualified to assist in snow emergency response efforts and the Town Administrator, Director of Public Works, and Finance Director agreed that the quoted price for the services required was fair under the circumstances; and

WHEREAS, the Town seeks to authorize payment of these invoices and employees.

NOW THEREFORE, BE IT RESOLVED, the Mayor and Town Council of the Town of Guttenberg hereby authorize the Town Finance Director to pay all contractors and employees used in the response to the snow emergencies of 2025-2026 in an amount not to exceed \$149,795.00.

BE IT FURTHER RESOLVED, the Mayor and Town Administrator for the Town are authorized to complete all documents and any other steps necessary to effectuate the contracts with the foregoing vendors for emergency supplemental snow removal services for 2025-2026 as set forth herein.

BE IT FURTHER RESOLVED, the Chief Financial Officer certifies that the necessary funds are available for these contracts from account number Storm Recovery – Trust Reserve 15-2911.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION # 73-2026
AUTHORIZING 2025 PROPERTY TAX REFUND FOR 142C 68TH STREET

WHEREAS, Grace & Mario Falato (“Owner”) own certain property located known as Block 29, Lot 52, on the Official Tax Map of the Town of Guttenberg (the “Town”), commonly known as 142C 68th, Guttenberg, New Jersey 07093 (the “Property”); and

WHEREAS, Owner made a payment exceeding its actual property tax obligations on its most recent property tax payment; and

WHEREAS, the Owner paid \$40.88 in excess of its obligations and now desires a refund; and

WHEREAS, the Town and the Owner have reviewed the payment history and determined that the excess payment made by Owner should be refunded to the Owner.

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 the \$40.88 excess payment made by Owner 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 # 74-2026

AMENDING RESOLUTION NO. 236-2023 and 200-2024 TO CORRECT SCRIVENER'S ERRORS AND AUTHORIZING THE MAYOR AND TOWN CLERK TO EXECUTE THE AMENDED AND RESTATED REDEVELOPMENT AGREEMENT BY AND BETWEEN THE TOWN OF GUTTENBERG AND 7000 ADAMS STREET URBAN RENEWAL DEVELOPMENT, LLC

WHEREAS, Resolution No. 236-2023 (the "Designation Resolution", a copy of which is attached hereto as Exhibit A) adopted by the Town Council on December 11, 2023 designated 7000 Adams Street Urban Renewal Development, LLC (incorrectly listed as 7000 Adams Street Urban Renewal LLC) as the redeveloper of the property formerly designated as Block 5, Lots 1, 2, 3, 4, 5, 16, 17, 18, 19, 20, 21 and 22 (now designated as Block 5, Lot 1.01) (the "Project Area") and authorized negotiation of a redevelopment agreement and financial agreement; and

WHEREAS, the Designation Resolution contained a scrivener's error with respect to the name of the owner of the Project Area and the name of the entity to be designated as the Redeveloper; the entity was incorrectly listed as both "7000 Adams Street Urban Renewal LLC" and "7000 Adams Street Urban Renewal Entity, LLC", but should have been listed as "7000 Adams Street Urban Renewal Development, LLC"; and^{[\[1\]](#)}

WHEREAS, the Designation Resolution contained scrivener's errors relating to the definition of the "Project"; the "Project" was defined as "Redeveloper has proposed to rehabilitate and redevelop the Project Area with a mixed use project to create a mid-rise apartment building containing for-sale residential units with over 200 parking spaces, a restaurant, and a museum", but it should have been defined as "Redeveloper has proposed to redevelop the Project Area with a mixed use project to create an apartment building containing for-rent residential units with over 200 parking spaces, commercial space, and a museum"; and

WHEREAS, Resolution No. 200-2024 (the "Redevelopment Agreement Resolution", a copy of which is attached hereto as Exhibit B) adopted by the Town Council on December 18, 2024 approved a redevelopment agreement by and between the Town of Guttenberg (the "Town") and 7000 Adams Street Urban Renewal LLC and authorized execution of the same; and

WHEREAS, the form of Redevelopment Agreement annexed to the Redevelopment Agreement Resolution was not executed; and

WHEREAS, the Redevelopment Agreement Resolution contained a scrivener's error with respect to the name of the owner of the Project Area and the name of the entity designated as the Redeveloper; the entity was incorrectly listed as both "7000 Adams Street Urban Renewal LLC"

and “7000 Adams Street Urban Renewal Entity, LLC”, but should have been listed as “7000 Adams Street Urban Renewal Development, LLC”^[1]; and

WHEREAS, the Redevelopment Agreement Resolution contained scrivener’s errors with respect to the definition of the “Project”; the “Project” was defined as “Redeveloper proposes to rehabilitate and develop the Project Area with a mixed use project to create a mid-rise apartment building containing for-rent residential units with over 200 parking spaces, a restaurant, commercial unit, and a museum”, but it should have been defined as “Redeveloper proposes to redevelop the Project Area with a mixed use project to create an apartment building containing for-rent residential units with over 200 parking spaces, commercial space, and a museum”; and

WHEREAS, the Redevelopment Agreement Resolution contained a scrivener’s error with respect to the date of introduction of Ordinance No. 03-24, which was adopted on March 27, 2024, (the “Ordinance”); the date of introduction was incorrectly listed as February 24, 2024, but should have been listed as February 28, 2024; and

WHEREAS, the Redevelopment Agreement Resolution contained a scrivener’s error with respect to the adoption of the Ordinance; the Redevelopment Agreement Resolution seems to imply that the Planning Board adopted the Ordinance, but it should indicate the Town Council adopted the Ordinance on March 27, 2024; and

WHEREAS, the scrivener’s errors reflected in the Redevelopment Agreement were also present in the form of financial agreement attached thereto, along with other errors that are being corrected (the “Amended and Restated Redevelopment Agreement”, a copy of which is attached hereto as Exhibit C) .

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

Section 1. Town Council Resolution No. 236-2023 is hereby amended to correct the scrivener’s errors as stated above and shall otherwise remain in full force and effect.

Section 2. Town Council Resolution No. 200-2024 is hereby amended to correct the scrivener’s errors as stated above and shall otherwise remain in full force and effect.

Section 3. The Mayor and the Town Clerk are hereby authorized to execute the Amended and Restated Redevelopment Agreement in substantially the form attached hereto as Exhibit C. The Town Clerk is hereby authorized and directed to attest to the execution of the Amended and Restated Redevelopment Agreement by the Mayor and to affix the corporate seal of the Town to the Amended and Restated Redevelopment Agreement.

Section 4. This Resolution shall take effect immediately.

^[1] At the time of adoption of the Designation Resolution, the owner of the Project Area was 7000 Adams Street, LLC. The current owner of the Project Area is 7000 Adams Street Urban Renewal Development, LLC.

^[2] At the time of adoption of the Redevelopment Agreement Resolution, the owner of the Project Area was 7000 Adams Street, LLC. The current owner of the Project Area is 7000 Adams Street Urban Renewal Development, LLC.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #75-2026
APPROVING THE RELEASE OF PERFORMANCE BOND FOR THE PROPERTY
LOCATED AT 6806-6810 POLK STREET, BLOCK 10 LOTS 5 & 6

WHEREAS, the Town of Guttenberg (the “Town”) required a performance bond to be furnished in the amount of \$9,150.00 by the developer with the Town as the beneficiary, until the project is satisfactorily completed at 6806-6810 Polk Street, Block 10 Lots 5 & 6; and

WHEREAS, 6810 Polk Street, LLC is the developer for the project at 6806-6810 Polk Street, Block 10 Lots 5 & 6, Guttenberg, New Jersey, and has made an application to the Town for the release of the performance bond in the amount of \$9,150.00 furnished in connection with that development project; and

WHEREAS, the Town Engineer and/or the Qualified Purchasing Agent for the project has reviewed the application and recommends the release of the performance bond in the amount of \$9,150.00; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Town Council of the Town of Guttenberg, County of Hudson, hereby authorizes the release of the performance bond issued by 6810 Polk Street, LLC in the amount of \$9,150.00.

BE IT FURTHER RESOLVED that the Town Administrator is hereby authorized to take any necessary steps to release the performance bond in the amount of \$9,150.00 to the developer 6810 Polk Street, LLC in connection with 6806-6810 Polk Street, Block 10 Lots 5 & 6, Guttenberg, New Jersey.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be provided to:

1. 6810 Polk Street, LLC (Applicant/Developer)
2. Town & Planning/Zoning Board Engineer
3. Chief Municipal Finance Officer

Ordinances:

ORDINANCE #6-26
ADOPTION

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, the Town of Guttenberg (“Town”) recognizes that illegal parking has the effect of increasing traffic congestion in certain sections of the Town; and

WHEREAS, there is a continuing need to deter such illegal parking for the betterment of the standard of living of the community and for the promotion of commerce; and

WHEREAS, there exists a need to amend Chapter 7, Section 3.10—Improper Parking and Section 14—Violations and Penalties to ensure the ongoing deterrent value of such violations and penalties.

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 shall now read as follows (edits underlined):

- 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, impedes, or in any way impacts the flow of pedestrian, vehicle, or bicycle traffic on any portion of the sidewalk, public walkway, or other public or Town property whether parked on the street or in an off-street parking space or driveway.
- e. The operator of a vehicle shall not park within five feet of a crosswalk unless within a marked, delineated on-street parking space.

- f. The operator of a vehicle shall not park within 10 feet of a fire hydrant.
- g. The operator of a vehicle shall not park on the roadway side of any vehicle stopped or parked at the edge or curb of a street (double parking).
- h. Penalties. Any person who violates any provision of this subsection shall, upon conviction thereof, be liable to penalties as described in § 7-14 of the Revised General Ordinances of the Town of Guttenberg.

§ 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	<u>\$65</u>
7-3.3	Prohibited Parking on Certain Streets at All Times	<u>\$65</u>
7-3.4	Prohibited Parking on Certain Streets at Certain Hours	<u>\$65</u>
7-3.5	Prohibited Stopping or Standing on Certain Streets at Certain Hours	<u>\$65</u>
7-3.6	Parking Time Limited on Certain Streets	<u>\$65</u>
7-3.7	Parking Prohibited for Certain Vehicles 6,000 pounds., 8 feet high	<u>\$124</u>
7-3.9	Prohibited Parking on Alternate Sides of Certain Streets on Certain Hours [Ord. No. 15-2017]	<u>\$40</u>
<u>7-3.10(a)-(c)</u>	<u>Improper Parking</u>	<u>\$65</u>
<u>7-3.10(d)</u>	<u>Parking that blocks sidewalk</u>	<u>\$65</u>
<u>7-3.12</u>	<u>Non-resident Parking Time Limits</u>	<u>\$120</u>
<u>7-3.10(e)</u>	<u>Parking that blocks crosswalk</u>	<u>\$75</u>
<u>7-3.10(f)</u>	<u>Parking near fire hydrant</u>	<u>\$75</u>
<u>7-3.10(g)</u>	<u>Double Parking</u>	<u>\$65</u>
7-4, 7-4.1	Prohibited Parking for Designated Weight and Designated Height of Vehicles on Certain Streets	<u>\$134</u>
7-7	Prohibited Parking in Loading Zones	<u>\$65</u>
7-8	Prohibited Parking in Taxi Zones	<u>\$65</u>
7-9	Prohibited Parking in Bus Stops	<u>\$65</u>
7-10	Turns Prohibited	<u>\$85</u>

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 update fines and penalties.

Ordinance#6-26 Adoption Vote

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

ORDINANCE #7-26
ADOPTION

**AMENDING CHAPTER VII ENTITLED “TRAFFIC” SUBSECTION 7-3.4 ENTITLED
“PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS” OF
THE REVISED GENERAL ORDINANCES OF THE TOWN OF GUTTENBERG**

WHEREAS, Chapter 7-3.4 of the Code of the Town of Guttenberg (“Code”) entitled “Parking Prohibited During Certain Hours on Certain Streets” was enacted to ensure no person park a vehicle between the hours specified below on any day when school is in session upon any of the following described streets or parts of streets; and

WHEREAS, the Town of Guttenberg seeks to amend the areas of prohibited parking around the area of the Anna L. Klein School.

NOW, THEREFORE BE IT ORDAINED, by the Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey, that Chapter 7-3.4 of the Code of the Town of Guttenberg (“Code”) entitled “Parking Prohibited During Certain Hours on Certain Streets,” is hereby amended, as follows:

SECTION ONE

Chapter 7-3.4 of the Code of the Town of Guttenberg (“Code”) entitled “Parking Prohibited During Certain Hours on Certain Streets” shall be amended as follows [Amendments are underlined]:

Parking Prohibited During Certain Hours on Certain Streets.

No person shall park a vehicle between the hours specified below on any day when school is in session upon any of the following described streets or parts of streets.

- a. Penalties: Any person who violates any provision of this subsection shall, upon conviction thereof, be liable to penalties as described in § 7-14 of the Revised General Ordinances of the Town of Guttenberg.
- b. Parking shall be prohibited in the following locations at the prescribed times:

Name of Street	Side	Hours	Location
Bergenline Avenue Monday and Thursday	East	8:00 a.m. to 9:00 a.m.	6708 to 7008 Bergenline Avenue

Bergenline Avenue Tuesday and Friday	West	8:00 a.m. to 9:00 a.m.	6707 to 7003 Bergenline Avenue
Hudson Avenue [Amended 12-28-2020 by Ord. No. 34-20]	West	7:00 a.m. to 4:30 p.m.	From the southwest corner of Hudson Avenue and 69th Street to 289 feet south
69th Street [Amended 12-28-2020 by Ord. No. 34-20]	South	7:00 a.m. to 4:30 p.m.	From the southwest corner of 69th Street and Hudson Avenue to 332 feet west
<u>68th Street</u>	<u>North</u>	<u>7:00 a.m. to 4:30 p.m.</u>	<u>From the northeast corner of 68th Street and Hudson Avenue to 332 feet west</u>

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

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

Summary of Ordinance

This purpose of this ordinance is to is add a no parking area on 68th Street so that both sides of Anna L. Klein School have a no parking zone.

Ordinance#7-26 Adoption Vote

A motion to open to the public was made by Councilperson Malave and seconded by Councilperson Hokien 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#8-26

ADOPTION

AN ORDINANCE AMENDING CHAPTER 28, “ZONING” OF THE REVISED GENERAL ORDINANCES TO PERMIT THE OPERATION OF CANNABIS ESTABLISHMENTS, DISTRIBUTORS AND DELIVERY SERVICES WITHIN THE TOWN OF GUTTENBERG

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

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

WHEREAS, the purpose of this Ordinance is to authorize adult-use cannabis manufacturers and adult-use cannabis retailers to conduct operations in prescribed areas in the Town of Guttenberg (“Town”), with such usage being allowed only under conditions that the Town Council has deemed will ensure compliance with all applicable laws and have the least impact on the day to day activities of Town residents.

WHEREAS, in 2020, New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called “cannabis” for adults at least 21 years of age; and

WHEREAS, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” and codified at N.J.S.A. § 24:6I-31 et seq. (the “Act”), which legalizes the recreational use of marijuana by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational/adult use cannabis operations, use and possession; and

WHEREAS, the Act establishes six marketplace classes of licensed businesses as defined in the Act:

- Class 1 Cannabis Cultivator, businesses involved in growing and cultivating cannabis;
- Class 2 Cannabis Manufacturer, businesses involved in the manufacturing, preparation, and packaging of cannabis items;
- Class 3 Cannabis Wholesaler, businesses involved in obtaining and selling cannabis items for later resale by other licensees;

- Class 4 Cannabis Distributor, businesses involved in transporting cannabis plants in bulk from one licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another;
- Class 5 Cannabis Retailer, businesses at which cannabis items and related supplies are sold to consumers; and
- Class 6 Cannabis Delivery Service, businesses providing courier services for consumer purchases that are fulfilled by a licensed cannabis retailer in order to make deliveries of the purchased items to a consumer, and which service would include the ability of a consumer to make a purchase directly through the cannabis delivery service which would be presented by the delivery service for fulfillment by a retailer and then delivered to a consumer; and

•
WHEREAS, Section 31a the Act authorizes municipalities to adopt by ordinance regulations governing the number of Cannabis Establishments (defined in section 3 of the Act as “a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer”), cannabis distributors or cannabis delivery services allowed to operate within their boundaries, as well as the location, manner and times operation of such establishments, distributors or delivery services, and establishing civil penalties for the violation of any such regulations; and

WHEREAS, Section 31b of the Act authorizes municipalities to prohibit by ordinance the operation of any one or more classes of Cannabis Establishments, distributors or delivery services anywhere in the Town, except for the delivery of Cannabis items and related supplies by a delivery service based and initiated from outside of the municipality; and

WHEREAS, the Town adopted Ordinance No. 19-21 on July 26, 2021, codified within the Town Zoning Code at § 28-5.20, prohibiting all Cannabis Establishments, cannabis distributors or cannabis delivery services within the Town, except for the delivery of cannabis items and related supplies by a licensed cannabis delivery service based and initiated from a cannabis delivery service licensed location outside of the Town; and

WHEREAS, the Town Council desires to amend the Town Code to permit one Class 2 Cannabis Manufacturer establishment and one Class 5 Cannabis Retailer establishment to operate within the Town, with strict requirements and conditions to ensure the health, safety and welfare of the Town’s residents; and

WHEREAS, the Mayor and Council forwarded a copy of Ordinance 3-2026, which was introduced at the January 5, 2026 meeting of the Mayor and Town Council (“Cannabis Zoning Ordinance”), to the Joint Planning/Zoning Board of Adjustment of the Town of Guttenberg (“Planning Board”) for review; and

WHEREAS, the Town Planning Board reviewed this ordinance and the Town Master Plan and determined that the adoption of this ordinance is consistent with the master plan, and the Planning Board duly issued a resolution confirming that permitting up to two (2) cannabis establishments in the Town is consistent with the Master Plan. Resolution 2026-06 was adopted by the Planning Board at its January 21, 2026 meeting; and

WHEREAS, The Joint Planning/Zoning Board of Adjustment Resolution 2026-06 recommended certain amendments to re-organize the Cannabis Zoning Ordinance; and

WHEREAS, the Mayor and Town Council reviewed Resolution 2026-06 and noted that the Planning Board had determined that its adoption would be consistent with the Master Plan; and

WHEREAS, the Town Attorney and the Planning Board attorney consulted and determined that while the amendments recommended by the Planning Board were meritorious and would ultimately improve the administration of the Cannabis Zoning Ordinance, the value to the Town interest of maintaining its schedule for preparing to review and process Town Cannabis License applications outweighed the desire to make changes to clarify certain requirements and to better blend the Cannabis Zoning Ordinance with Chapter 28 of the Town Code, "Zoning;" and

WHEREAS, the Town shall re-submit this amended Cannabis Zoning Ordinance to the Planning Board for review for consistency with the Master Plan; and

WHEREAS, the Planning Board completed its review and determined that this ordinance is consistent with the Master Plan and memorialized its finding in Resolution [####], adopted at its [DATE] meeting.

WHEREAS, after introduction of this Ordinance, but prior to its final adoption, the Municipal Clerk will have provided all required notices of its consideration for final adoption as may be required by the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.

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

SECTION ONE

Within the Town Code of Guttenberg, § 28-4.9. District Regulations for C Commercial Zone shall be amended as follows:

3. Permitted Conditional Uses:

- a. Museums.
- b. Nursing homes or assisted living residences.
- c. Off-site or joint parking facility.
- d. Multifamily mid-rise residential as defined in subsection 28-2.2 either alone or above permitted uses listed in subsection 28-4.9a, 1(a) through (f) located on the ground floor.
- e. Cannabis Retailers and Cannabis Manufacturers. (collectively, permitted Cannabis are permitted, subject to the same standards as any other use permitted in the Commercial Zone, those conditions established in Chapter 32, as may be amended from time to time, and the below conditions:
 - Any Cannabis Manufacturer and Cannabis Retailer use in the Commercial Zone is permitted only with all approvals required by Chapter 32 and New Jersey state law. Any Cannabis Establishment which does not hold a valid, current Town Cannabis License and appropriate state license shall not be a permitted use in the Commercial Zone, even if previously approved by the Planning Board or Zoning Board of Adjustment. Violation of this condition shall invalidate any land use approval and render the use unlawful.
 - There shall be no more than two total Cannabis Establishments in the Town; within the Commercial Zone, there shall be no more than one (1) Cannabis Establishment with frontage and / or access on Park Avenue

and there shall be no more than one (1) Cannabis Establishment with frontage and / or access on Bergenline Avenue.

- Cannabis Manufacturer shall be permitted only as an accessory use to a Cannabis Retailer use, as permitted by this Chapter.
-

SECTION TWO

§ 28-5.20. Cannabis Establishments, Distributors and Delivery Services Prohibited is hereby amended as follows:

- a. Pursuant to section 31b of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (P.L. 2021, c. 16), (“the Act”), Except to the extent that cannabis manufacturers and cannabis retailers are permitted pursuant to § 28-4.9(a)(3)(e), all cannabis establishments, cannabis distributors or cannabis delivery services are hereby prohibited from operating anywhere in the Town and shall also be considered prohibited uses for all purposes under this chapter, and for purposes of the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., in all zones, districts and areas of the Town, except for the delivery of cannabis items and related supplies by a licensed cannabis delivery service based and initiated from a cannabis delivery service licensed location outside of the Town.
- b. It is the purpose of the Town in enacting this section that all cannabis activity otherwise permitted by the Act, but as to which the Town may prohibit within 180 days of the effective date of the Act, pursuant to Section 31b thereof entitled “Municipal Regulations or Ordinances,” be prohibited, and that this section be understood, read and applied as broadly as possible to effectuate such purpose.

SECTION THREE

§ 28-9.3. Standards Applicable to Particular Conditional Uses shall be amended to add the following:

j. Cannabis Manufacturers and Cannabis Retailers.

1. Cannabis manufacturers and cannabis retailers shall be conditionally permitted uses in the C Zone only and shall comply with the bulk requirements of the C Zone defined by § 29-4.9(b)(1).
2. There shall be only two (2) cannabis retailers in the Town. No more than one cannabis retailer shall be permitted in the C Zone fronting on Bergenline Avenue, and no more than one cannabis retailer shall be permitted in the C Zone fronting on Park Avenue.
3. A cannabis manufacturer shall be permitted only as an accessory use to a cannabis retailer.
4. Any cannabis manufacturer and cannabis retailer in the C Zone is permitted only with all approvals required by Chapter 32 of the Town Code and all other applicable New Jersey State statutes and regulations. Any cannabis manufacturer and cannabis retailer that does not hold a valid, current Town Cannabis License and all appropriate State licenses shall not be permitted in the C zone, even if previously approved by the Planning Board or the Zoning Board of Adjustment. Violation of this condition shall invalidate any land use approval and render the use unlawful.
5. Any Cannabis Manufacturer or Cannabis Retailer shall comply with all other Town Ordinances and all State statutes and regulations and applicable to the operation of such businesses.

SECTION FOUR

This Ordinance may amended, revised and/or repealed in whole or in part, by subsequent action of the Mayor and Council, as with any other zoning ordinance amendment.

SECTION FIVE

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 FIVE

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 SIX

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 7

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

SUMMARY OF ORDINANCE

This ordinance amends Ordinance 03-2026 to implement changes recommended by Planning Board.

Ordinance#8-26 Adoption Vote

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

ORDINANCE #9-26 **INTRODUCTION**

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

AMENDING ORDINANCE NO. 32-24 AND NO. 03-24 AND TO CORRECT SCRIVENER'S ERRORS AND AUTHORIZING THE MAYOR AND TOWN CLERK TO EXECUTE THE AMENDED AND RESTATED FINANCIAL AGREEMENT BY AND BETWEEN THE TOWN OF GUTTENBERG AND 7000 ADAMS STREET URBAN RENEWAL DEVELOPMENT, LLC

WHEREAS, Ordinance No. 32-24 (a copy of which is attached hereto as Exhibit A), adopted by the Town Council of Guttenberg ("Town Council") on December 18, 2024, approved a financial agreement by and between the Town of Guttenberg ("Town") and 7000 Adams Street Urban Renewal LLC; and

WHEREAS, Ordinance No. 32-24 contained a scrivener's error insofar as the correct name of the entity entering into the financial agreement; the entity was incorrectly listed as "7000 Adams Street Urban Renewal LLC," but should have been listed as "7000 Adams Street Urban Renewal Development, LLC"; and

WHEREAS, Ordinance No. 32-24 contained a scrivener's error relating to the project description by incorrectly identifying the project as "for-sale" but in fact should have been described as "for-rent", and further mis-identified the Town redevelopment agency as "Woodbridge Redevelopment Agency"; and

WHEREAS, the scrivener's errors reflected in Ordinance No. 32-24 were also present in the form of financial agreement attached thereto (the "Financial Agreement", a copy of which is attached hereto as Exhibit B) which Financial Agreement was never executed; and

WHEREAS, Ordinance No. 03-24 (a copy of which is attached hereto as Exhibit C) adopted by the Town Council of Guttenberg ("Town Council") on March 27, 2024 adopted the 7000 Adams Street Redevelopment Plan; and

WHEREAS, Ordinance No. 03-24 contained a scrivener's error with respect to the date of adoption of Town Council Resolution No. 56-2023; the date of adoption was incorrectly listed as February 28, 2023, but should have been listed as February 27, 2023; and

WHEREAS, Ordinance No. 03-24 contained a scrivener's error with respect to the designation of the area in need of redevelopment contained within Town Council Resolution No. 187-2023; the Ordinance incorrectly indicates "other than the power of eminent domain", but it should state "including the power of eminent domain".

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

Section 1. Ordinance No. 32-24 is hereby amended to correct the scrivener's errors as stated above and shall otherwise remain in full force and effect.

Section 2. Ordinance No. 03-24 is hereby amended to correct the scrivener's errors as stated above and shall otherwise remain in full force and effect.

Section 3. The Mayor and the Town Clerk are hereby authorized to execute the Amended and Restated Financial Agreement in substantially the form attached hereto as Exhibit D. The Town Clerk

is hereby authorized and directed to attest to the execution of the Amended and Restated Financial Agreement by the Mayor and to affix the corporate seal of the Town to the Amended and Restated Financial Agreement.

Section 4. This ordinance shall take effect upon final passage and publication as required by law.
Ordinance#9-26 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

ORDINANCE #10-26
INTRODUCTION

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

AN ORDINANCE AMENDING THE TOWN’S ZONING ORDINANCE CONCERNING THE
ZONING MAP

WHEREAS, the Town of Guttenberg (“the Town”) has made several revisions to its comprehensive zoning ordinance codified as Chapter 28 of the Revised General Ordinances of the Town of Guttenberg (“Zoning Ordinance”), and has adopted a number of redevelopment plans and designated several areas in the Town as areas in need of redevelopment; and

WHEREAS, the Planning Board and the Town Council and Mayor have duly adopted these amendments, designations of areas in need of redevelopment and redevelopment plan areas; and

WHEREAS, the Mayor and Council requested that the Town Engineer prepare a revised Zoning to incorporate changes to the zoning code since April 26, 2021, when the zoning map was last updated; and

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

SECTION I.

§28-3.2 Official Zoning Map.

The boundaries of the zoning districts shall be as shown upon the Map entitled Zoning Map, Town of Guttenberg, prepared by Remington & Vernick Engineers, on file with the Office of the Town Clerk. Any change in the boundaries as delineated on the Zoning Map shall be made on the Map promptly after any amendment to the Zoning Ordinance has been approved by the Mayor and Council of the Town of Guttenberg.

- a. Zoning Map Amendments Pursuant to Ordinance No. which revised the boundaries of various zones within the Town:
 1. The zoning district classifications for the following properties, which are to the west of Boulevard East were not changed.

2. The zoning district classifications for the following properties, which are between Kennedy Boulevard and Adams Street, are changed as follows:

Block	Lot	Current Zone	New Zone
1	All except 19, 20, 21	R-5	R-4
2	All	R-5	R-4

3. The zoning district classifications for the following properties located between Boulevard East and Bellevue Avenue are changed as follows:

Block	Lot	Current Zone	New Zone
34	All	R-5	R-4
40	All	R-5	R-4
41	All	R-2	R-5
38	All except 4, 6	R-5	R-4

SECTION II.

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 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.

SECTION IV.

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 V.

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

Summary of Ordinance

This Ordinance amends the Town's Zoning Map to reflect changes in the zoning code made since the most recent update to the zoning map.

Ordinance#10-26 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

Payment of Claims:

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

- **Mayor Zitt to abstain to PO 260504, 260576**
- **Councilwoman Fundora to abstain to PO 260529**

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

NO COMMENTS

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

Adjournment:

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

Meeting was adjourned at 4:46 P.M.

Respectfully Submitted,

Dr. Cosmo A. Cirillo, RMC
Town Clerk