

MINUTES

Regular meeting of the Mayor and Council of the
Town of Guttenberg at Town Hall, 6808 Park Avenue, Guttenberg, New Jersey
on Wednesday, June 17, 2026, Second Floor

Call to Order: Johanna Fermaint, Deputy Town Clerk

Salute to the Flag: Johanna Fermaint, Deputy Town Clerk

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

Members Present:

Councilpersons: Richard Delafuente, Monica Fundora, John Habermann, William Hokien 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 June 17, 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 May 27, 2026
- Regular Meeting of May 27, 2026

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

Approval of consent agenda Resolution #106-2026 through Resolution#122-2026:

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

***Councilman Habermann abstained to Resolution #111-2026**

Resolution:

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

RESOLUTION#106-2026

AMENDING THE TOWN OF GUTTENBERG EMPLOYEE HANDBOOK TO REVISE
VACATION LEAVE BENEFITS FOR ELIGIBLE EMPLOYEES

WHEREAS, the Town of Guttenberg continuously strives to improve the working conditions for its employees; and

WHEREAS, the Town from time to time reviews and revises its employment policies to address operational needs and employee benefits; and

WHEREAS, the Mayor and Council have determined that revisions to the Town's vacation leave policy are necessary and appropriate; and

WHEREAS, the proposed revisions to the vacation leave policy have been reviewed by the Mayor and Council.

NOW, THEREFORE, BE IT RESOLVED, this 17th day of June, 2026, by the Mayor and Council of the Town of Guttenberg that the Town's vacation leave policy is hereby amended to provide eligible employees with vacation leave in accordance with the following schedule:

- After one (1) year of service: Ten (10) vacation days annually;
- After five (5) years of service: Fifteen (15) vacation days annually;
- After ten (10) years of service: Twenty (20) vacation days annually; and
- After fifteen (15) years of service: Twenty-five (25) vacation days annually.

BE IT FURTHER RESOLVED that the foregoing vacation leave schedule shall be incorporated into the Town's Employee Handbook and shall apply to all eligible employees, subject to any applicable collective bargaining agreement, employment contract, or Federal or State law.

BE IT FURTHER RESOLVED that all other provisions of the Town's Employee Handbook shall remain in full force and effect and are not modified by this Resolution.

BE IT FURTHER RESOLVED that the Employee Handbook is intended to provide guidelines governing employment practices and is not a contract of employment. Except as specifically amended herein with respect to vacation leave, all provisions of the Handbook shall remain unchanged.

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

RESOLUTION #107-2026

**AUTHORIZING THE HIRE OF PART TIME SEASONAL SUMMER HIRE RECREATION
STAFF FOR 2026**

WHEREAS, there is a need to hire part time seasonal summer staff for the Guttenberg Recreation Department; and

WHEREAS, applications were sought from all persons interested in working for the Guttenberg Recreation Department; and

WHEREAS, the Guttenberg Recreation Director reviewed the numerous applications submitted and makes the following recommendations as workers for the 2026 summer program as set forth attached hereto; and

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 individuals listed attached hereto are authorized to be hired as part time seasonal summer staff for the Recreation Department in accordance with the below listed job titles.

BE IT RESOLVED, that these positions are seasonal and that the 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 - Recreation S&W 01-2010-28-3071-001.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION#108-2026
AUTHORIZING HIRE OF PERMANENT FULL-TIME POLICE OFFICER
VALERIE ACOSTA TO TOWN OF GUTTENBERG POLICE DEPARTMENT

WHEREAS, Valerie Acosta was hired as probationary full-time Police Officer to the Police Department of the Town of Guttenberg; and

WHEREAS, the Police Committee of the Town of Guttenberg has recommended that she be made permanent Police Officer of the Police Department of the Town of Guttenberg; and

WHEREAS, Valerie Acosta was hired as a Police Officer on June 13, 2025 with a one (1) year probationary period which ended on June 13, 2026; and

WHEREAS, the aforementioned probationary period for Police Officer Valerie Acosta has concluded, and there have been no incidents since her employment.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey, Police Officer Valerie Acosta is hereby hired to the position of permanent Police Officer for the Police Department of the Town of Guttenberg. The annual salary shall be as set forth in 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 #109-2026
AUTHORIZE HIRE OF NATASHA B. NOCETOL
AS PART-TIME STAFF FOR RECREATION DEPARTMENT

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

WHEREAS, applications were sought from all persons interested in working for the Guttenberg Recreation Department; and

WHEREAS, the Guttenberg Recreation Director reviewed the numerous applications submitted has recommended that Natasha B. Nocetol be hired as part-time staff 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, hereby ratify and approve of the hire of Eric Guerrero by the Recreation Director, as part-time staff for the Recreation Department effective June 1, 2026.

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.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #110-2026
AUTHORIZING PARTICIPATION
IN THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS
STATE LOCAL COOPERATIVE HOUSING INSPECTION PROGRAM

WHEREAS, the State of New Jersey Department of Community Affairs allows municipalities to participate in the State Local Cooperative Housing Inspection Program; and

WHEREAS, under this program, municipalities are authorized to conduct State mandated inspections of hotels and multiple dwellings within their jurisdiction on behalf of the Bureau of Housing Inspection; and

WHEREAS, the Town of Guttenberg has requested and received authorization to conduct the aforementioned inspections; and

WHEREAS, the Bureau of Housing has allocated the sum of \$11,815.00 for the Town of Guttenberg to conduct the mandatory State inspections.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Town of Guttenberg, authorize the Mayor and Town Administrator to enter into an Agreement to participate in the State Local Cooperative Housing Inspection Program; and

BE IT FURTHER RESOLVED, the Mayor and Town Administrator are authorized to execute any Agreement and take any action required for participation in the inspection program.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION # 111-2026
AUTHORIZE APPOINTMENT OF STUDENT INTERNS TO THE TOWN OF GUTTENBERG
ADMINISTRATION DEPARTMENT

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

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

WHEREAS, The Town Administrator of the Town of Guttenberg recommends that Joseph M. Muniz, Olivia Habermann and Kohana Matsuno be appointed Part Time Student Intern for the Administration 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 hereby appoint Joseph M. Muniz Olivia Habermann and Kohana Matsuno be appointed to the position of Part Time Student Interns for the Administration Department, not to exceed twenty-nine (29) hours a week.

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

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #112-2026
AUTHORIZING REFUND OF MONIES HELD IN ESCROW TO
LITTLE SCHOLARS PRESCHOOL & LEARNING CENTER

WHEREAS, certain escrow funds were deposited by or on behalf of Little Scholars Preschool & Learning Center in an escrow account for a project located at 58-69th Street, Guttenberg, New Jersey; and

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

WHEREAS, of the total escrow deposited in Account #16-2000-00-1421 in the amount of Two Thousand Dollars (\$2,000.00), there remains Two Hundred Seventy-Eight Dollars (\$278.00); and

WHEREAS, these monies were held unused; and

WHEREAS, the Finance Department has confirmed that the balance should be returned to Little Scholars Preschool & Learning Center, as there is no further need for additional escrow; and

WHEREAS, the Chief Financial Officer certifies that funds are available for the appropriation from Account #16-2000-00-1421.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey, that the balance currently held in escrow in the amount of Two Hundred Seventy-Eight Dollars (\$278.00) shall be returned to Little Scholars Preschool & Learning Center with an address of 58-69th Street, Guttenberg, New Jersey.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #113-2026
AUTHORIZING PAYMENT OF PAY CERTIFICATE
REQUEST NO. 5 (FINAL) AND CHANGE ORDER NO. 5 (FINAL) TO VEKTOR CORP. FOR 69TH
STREET IMPROVEMENT PROJECT

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

WHEREAS, Vektor Corp. now submits Pay Certificate Number 5 (Final) in the amount of \$8,479.93; and

WHEREAS, the Town Engineers have reviewed the invoice and work completed and recommend payment of Pay Certificate No. 5 (Final) in the amount of \$8,479.93 and certify that the work is within the scope of the original contract.

NOW THEREFORE, BE RESOLVED, that Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey, authorize Pay Certificate Number 5 (Final) to Vektor Corp. located at 348 Schoolhouse Road, Monroe Township, NJ, for the 69th Street Improvement upgrades in the amount of \$8,479.93; and

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

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #114-2026
ACCEPTING CALENDAR YEAR 2025 ANNUAL AUDIT REPORT

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, The Annual Report of Audit for the year **CY 2025** has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of **N.J.S.A. 40A:5-6**, and a copy has been received by each member of the governing body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per **R.S. 52:27BB-34**; and

WHEREAS, The Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

General Comments

Recommendations

and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments

Recommendations

as evidenced by the group affidavit form of the governing body; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of **R.S. 52:27BB-52** - to wit:

R.S. 52:27BB-52 - "A local officer or member of a Local Governing Body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his/her office."

NOW, THEREFORE, BE IT RESOLVED, That the governing body of the Town of Guttenberg, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

APPROVED:

ATTEST:

WAYNE D. ZITT, JR., MAYOR

JOHANNA FERMAINT, DEPUTY TOWN CLERK

I hereby certify that this is a true copy of the Resolution adopted at the regular meeting of the Mayor and Council held on June 17, 2026.

**JOHANNA FERMAINT
DEPUTY TOWN CLERK**

GROUP AFFIDAVIT FORM
CERTIFICATION OF GOVERNING BODY

STATE OF NEW JERSEY)

) SS.

COUNTY OF HUDSON)

We, members of the governing body of the Town of Guttenberg, County of Hudson, of full age, being duly sworn according to law, upon our oath depose and say:

1. We are duly elected members of the Mayor and Council of the Town of Guttenberg.

2. In the performance of our duties, and pursuant to the Local Finance Board Regulation, we have familiarized ourselves with the contents of the Annual Municipal Audit filed with the Town Clerk pursuant to the **N.J.S.A. 40A:5-6** for the calendar year **2025**.

3. We certify that we have personally reviewed and are familiar with, as a minimum the sections of the Annual Report of Audit entitled:

**GENERAL COMMENTS
RECOMMENDATIONS**

_____ (L.S.) _____ (L.S.)
_____ (L.S.) _____ (L.S.)
_____ (L.S.) _____ (L.S.)

Sworn to and subscribed before me

this 17th day of June, 2026.

Notary Public of New Jersey

The Municipal Clerk shall set forth the reason for the absence of signature of any members of the governing body.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION#115-2026
ACCEPTING CALENDAR YEAR 2025 CORRECTIVE ACTION PLAN

BE IT RESOLVED, that the Corrective Action Plan for Calendar Year 2025 annexed hereto consisting of one (1) page be accepted by the Mayor and Council of the Town of Guttenberg, County of Hudson and State of New Jersey; and

BE IT FURTHER RESOLVED, that a copy of this Resolution and Corrective Action Plan be sent to the Director of the Division of Local Government Services.

**Town of Guttenberg
County of Hudson
2025 Audit Report
Corrective Action Plan**

Comments

Finance

#1	Good and services are being ordered and/or paid for prior to encumbrance of a purchase order in violation of Technical Accounting Directive #1.
Corrective Action:	All department heads and staff have been reminded that all purchases need Administrator/Finance approval prior to placing order.
Implementation Date	Currently in Effect
#2	Claimant's certifications were not always obtained for expenditures prior to payment.
Corrective Action:	We will ensure all required signatures are obtained before payment goes out. We will perform monthly review of all PO's to ensure signed PO's have been received and attached.
Implementation Date	Currently in Effect
#3	There was an over-expenditure of appropriated grants of \$33,012.
Corrective Action:	It was identified that the report used in Munidex was reporting grant expenditures on an accrual basis versus a cash basis. The appropriate reporting function has been identified and changed.
Implementation Date	Currently in Effect
#4	A settlement payment related to litigation was erroneously wired from the Town's municipal fines account and not recorded in the accounting records.
Corrective Action:	The Municipal Court Administrator has been notified that any transactions outside of the norm, needs to be discussed and properly recorded in the towns records.
Implementation Date	Currently in Effect
#5	There were various errors noted with regards to dog licenses issued and how those licenses were recorded and subsequently reported on the monthly dog license reports.
Corrective Action:	Due to a sudden illness of the building department supervisor, dog license reporting was not done correctly or in a timely manner. The supervisor has since returned and all issues have been resolved.
Implementation Date	Completed in January 2026
#6	A bid packet selected for review did not contain all required documents. A) Certification of Non-Involvement in Prohibited Activities in Russia or Belarus.
Corrective Action:	Additional layer of review will be added and performed when bid packages are received and reviewed to ensure this does not occur again.
Implementation Date	Currently in Effect
#7	The following deficiencies were noted with respect to the Town's awarding of professional service contracts: A) Proposal documents did not contain a list of criteria that would be used as the basis for the award. B) Not all professional service contract awarding resolutions contained the required "not to exceed" cost language as required by N.J.A.C. 5:30-5.5(b)(1).
Corrective Action:	Additional layer of review will be added and performed when professional service contracts are awarded.
Implementation Date	Currently in Effect

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #116-2026
AUTHORIZING CHANGE ORDER NO. 2 (FINAL) FOR BERGENLINE AND BROADWAY
AVENUE & PALISADE AVENUE TRAFFIC SIGNAL UPGRADES

WHEREAS, by prior Resolution #32-2024, The Mayor and Council of the Town of Guttenberg awarded a contract to Zuccaro Inc., located at 64 Commerce Street, Garfield, New Jersey 07026, for Bergenline and Broadway Avenue & Palisade Avenue traffic signal upgrades in the amount of One Million, Four Hundred and Eighty-One Thousand, Six Hundred and Fifty-Two Dollars (\$1,481,652.00) and No Cents; and

WHEREAS, due to unanticipated circumstances and additional costs required to complete the project, Zuccaro Inc. has submitted Change Order No. 2 (Final) to the Town for Bergenline and Broadway Avenue & Palisade Avenue traffic signal upgrades in the increased amount of \$5,654.23 for required work for a total amended contract amount of One Million, Four Hundred and Ninety-Five Thousand, Three Hundred and Eighty Dollars (\$1,495,380.23) and Twenty-Three Cents; and

WHEREAS, the Town Engineers have reviewed the invoice and work completed and recommend payment of Change Order No. 2 (Final) to the Town for Bergenline and Broadway Avenue & Palisade Avenue traffic signal upgrades in the amount of \$5,654.23 for a total amended contract amount of One Million, Four Hundred and Ninety-Five Thousand, Three Hundred and Eighty Dollars (\$1,495,380.23).

NOW THEREFORE, BE IT RESOLVED that the Mayor and Town Council for the Town of Guttenberg do hereby authorize Change Order No. 1 submitted by Zuccaro Inc., located at 64 Commerce Street, Garfield, New Jersey 07026, for an increase in the amount of \$5,654.23 for additional costs and unforeseen circumstances to complete the Bergenline and Broadway Avenue & Palisade Avenue traffic signal upgrades, for a total amended contract amount of One Million, Four Hundred and Ninety-Five Thousand, Three Hundred and Eighty Dollars (\$1,495,380.23)

BE IT FURTHER RESOLVED that the Town Administrator is hereby authorized to process an increased payment to Zuccaro, Inc. through a confirming purchase order as set forth herein and to take any further steps necessary to effectuate the purposes of this Resolution.

BE IT FURTHER RESOLVED that the Chief Financial Officer certifies that sufficient funds are available for this contract in account Capital Fund Broadway Traffic Signals 04-2150-55-2220.

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #117-2026
AUTHORIZING A SHARED SERVICES AGREEMENT BETWEEN
THE TOWN OF GUTTENBERG AND THE TOWN OF WEST NEW YORK
FOR THE USE OF THE TOWN OF WEST NEW YORK'S SALT

WHEREAS, the Town of Guttenberg requires salt; and

WHEREAS, the Town of West New York has sufficient amounts of salt required by both the Town and Guttenberg; and

WHEREAS, pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., municipalities are authorized to enter into agreements to provide jointly for the provision of services for the purpose of reducing costs, increasing efficiency and improving service delivery; and

WHEREAS, the Town of West New York seeks to allow the Town of Guttenberg to utilize the Town of West New York's salt to the extent required by the Town of Guttenberg; and

WHEREAS, the Town of Guttenberg seeks to authorize the execution of the Shared Services Agreement with the Town of West New York to allow the Town of Guttenberg to utilize the Town of West New York's salt, for a period of one (1) year, for a total payment in the amount of \$95.52 (\$76.52 per ton for the cost of the salt + \$19.00 per ton for loading fee) to West New York, for the period ending December 31, 2026.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Town Administrator, as follows:

1. The above recitals are incorporated herein as though fully set forth at length.
2. It is agreed that the Shared Services Agreement be approved for a one (1) year term, expiring on December 31, 2026.
3. The Town of Guttenberg shall pay the Town of West New York a total of \$95.52 per ton (\$76.52 per ton for the cost of the salt + \$19.00 per ton loading fee), for the period ending December 31, 2026.
4. The Mayor and/or Town Administrator for the Town of Guttenberg are hereby authorized to, and either may, execute and deliver the Shared Services Agreement with the Town of West New York in the form on file in the Office of the Town Clerk, in accordance with the provisions hereof and in consultation with Corporation Counsel and may take any and all actions necessary to effectuate the purposes as set forth in this Resolution.

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

RESOLUTION #118-2026

AUTHORIZING THE TOWN OF GUTTENBERG TO APPLY FOR \$57,4960 FROM THE NEW JERSEY URBAN ENTERPRISE ZONE (UEZ) ASSISTANCE FUND FOR THE FISCAL YEAR 2026 FOR THE GUTTENBERG 2026 UEZ SUMMER EVENTS/CAMERA REPLACEMENT/DECORATIVE PLANTERS

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 "Summer Events/Camera Replacement/Decorative Planters" will provide funds for Guttenberg's acquisition of services related to 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 summer concerts on the streets within Guttenberg's UEZ ("Guttenberg's Summer Events/Camera Replacement/Decorative Planters") would improve the current business environment in Guttenberg and attract additional businesses to that area;

WHEREAS, should the Guttenberg 2026 UEZ Summer Events/Camera Replacement/Decorative Planters 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 Summer Events/Camera Replacement/Decorative Planters be approved and undertaken, this would still leave \$8,101 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 not to exceed in the amount of fifty seven thousand four hundred ninety six dollars (\$57,496) for the purpose of funding the Guttenberg 2026 UEZ Summer Concert Summer Events/Camera Replacement/Decorative Planters, 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 #119-2026

APPROVING CONTRACT WITH HORIZON BLUE CROSS BLUE SHIELD OF NEW JERSEY FOR
EMPLOYEE DENTAL OPTION PLAN INSURANCE
FOR THE TERM AUGUST 1, 2026 TO JULY 31, 2027

WHEREAS, the Town of Guttenberg ("Town") presently provides employees with the Horizon Blue Cross Blue Shield of New Jersey, Dental Option Plan; and

WHEREAS, the contract for the provision of such insurance presently is set to expire on July 31, 2020; and

WHEREAS, the Town has a need to renew the Horizon Dental Option Plan for the period August 1, 2020 through July 31, 2027 ("Renewal Period"); and

WHEREAS, Brown & Brown Metro, LLC, the Town's Health Insurance Risk Manager solicited quotes for the renewal period from Horizon Blue Cross Blue Shield of New Jersey; and

WHEREAS, Horizon Blue Cross Blue Shield of New Jersey, is able to continue to provide the Horizon Dental Option Plan as follows:

<u>NON-CARVEOUT</u>	<u>Current Rate</u>	<u>Renewal Rate</u>
Single	\$32.24	\$33.53

2 Adults	\$83.56	\$86.90
Family	\$83.56	\$86.90
P&C	\$83.56	\$86.90

with no renewal increase to Town employees; and

WHEREAS, Brown & Brown Metro, LLC, has recommended the Town enter into a contract with Horizon Blue Cross Blue Shield of New Jersey for the Dental Option Plan for the Renewal Period under a one-year renewal; and

WHEREAS, the Town now wishes to enter into a contract with Horizon Blue Cross Blue Shield of New Jersey for the employee Dental Option Plan for the term August 1, 2026 through July 31, 2027 and

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey that they do hereby approve of a contract with Horizon Blue Cross Blue Shield of New Jersey, for the provision of employee Horizon Dental Option Plan for the renewal term of August 1, 2026 through July 31, 2027 for a one-year renewal; and

BE IT FURTHER RESOLVED, Horizon Blue Cross Blue Shield of New Jersey, shall provide the Horizon Dental Option Plan as follows:

NON-CARVEOUT	Renewal Rate
Single	\$33.53
2 Adults	\$86.90
Family	\$86.90
P&C	\$86.90

BE IT FURTHER RESOLVED that the Mayor and/or Town Administrator are authorized to execute any and all documents and take any and all necessary actions to complete and realize the intent and purpose of this resolution.

Adopted: June 17, 2026

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION # 120-2026
APPOINTING GEORGE CACERES, ESQ. AS A MUNICIPAL COURT JUDGE
FOR THE TOWN OF GUTTENBERG MUNICIPAL COURT

WHEREAS, the Mayor and Council of the Town of Guttenberg have determined that it is necessary to appoint an additional Municipal Court Judge; and

WHEREAS, pursuant to N.J.S.A. 2B:12-4 a municipality may employ an attorney-at-law as the Municipal Court Judge for the term of three years from the date of appointment; and

WHEREAS, the Town of Guttenberg has established a second court session which requires an additional Municipal Court Judge; and

WHEREAS, George Caceres, Esq. has the necessary experience and qualifications to perform the duties of Municipal Court Judge.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey, that George Caceres, Esq.is hereby appointed a Municipal Court Judge for the Town of Guttenberg for a three-year term; and

BE IT FURTHER RESOLVED, that the term of the appointment shall commence June 17, 2026 and expire June 16, 2029.

BE IT FURTHER RESOLVED that the Chief Financial Officer of the Town of Guttenberg certifies that funds are available for this appropriation “Current Fund- Municipal Court Salary & Wages.”

RESOLUTION#121-2026
GOVERNING BODY CERTIFICATION PURSUANT TO P.L. 2017, C.183 OF COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964"

GROUP AFFIDAVIT FORM FOR MUNICIPALITIES AND COUNTIES
NO PHOTO COPIES OF SIGNATURES

STATE OF NEW JERSEY
COUNTY OF HUDSON

We, members of the governing body of the Town of Guttenberg being duly sworn according to law, upon our oath depose and say:

- 1. We are duly elected (or appointed) members of the Governing Body of the Town of Guttenberg in the County of Hudson;
- 2. Pursuant to P.L. 2017, c.183, we have familiarized ourselves with the contents of the United States Equal Employment Opportunity Commission’s “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964,” *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012);
- 3. We are familiar with the local unit’s hiring practices as they pertain to the consideration of an individual’s criminal history;
- 4. We certify that the local unit’s hiring practices comply with the above-referenced enforcement guidance.

(L.S.)	(L.S.)
_____	_____
(L.S.)	(L.S.)
_____	_____
(L.S.)	(L.S.)
_____	_____
(L.S.)	(L.S.)
_____	_____
(L.S.)	(L.S.)
_____	_____

Sworn to and subscribed before me this
_____ day of _____
Notary Public of New Jersey

Johanna Fermaint, Deputy Municipal Clerk

The Municipal Clerk (or Clerk of the Board of Commissioners as the case may be) shall set forth the reason for the absence of signature of any members of the governing body.

IMPORTANT: This certificate must be executed before a municipality or county can submit its approved budget to the Division of Local Government Services. The executed certificate and the adopted resolution must be kept on file and available for inspection.

**TOWN OF GUTTENBERG
HUDSON COUNTY, NEW JERSEY
RESOLUTION#122-2026**

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination, and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997, and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 thru 7.5 the Town of Guttenberg has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Town meets the necessary conditions to participate in the program for the 2023 budget year, so now therefore

BE IT RESOLVED, by the Town Council of the Town of Guttenberg that in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial Officer's certification. The governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:

- a. Payment of interest and debt redemption charges
- b. Deferred charges and statutory expenditures
- c. Cash deficit of preceding year
- d. Reserve for uncollected taxes
- e. Other reserves and non-disbursement items
- f. Any inclusions of amounts required for school purposes

2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met (Complies with the "CAP" law.)

3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

4. That pursuant to the Local Budget Law:

- a. All estimates of revenue are reasonable, accurate, and correctly stated,

b. Items of appropriation are properly set forth

c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.

5. The budget and associated amendments have been introduced, publicly advertised, and in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED, THAT A COPY OF THIS RESOLUTION BE FORWARDED TO THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES.

CERTIFICATION OF APPROVED BUDGET

It is hereby certified that the Approved Budget complies with the requirements of law and approval is given pursuant to N.J.S.A. 40A:4-78(b) and NJAC 5:30-7.

It is further certified that the municipality has met the eligibility requirements of NJAC 5:30-7.4 and 7.5, and that I, as Chief Financial Officer, have completed the local examination in compliance with NJAC 5:30-7.6.

Dated: _____, 2026

By: _____
Vincent Buono, Chief Financial Officer

This certification fowl and resolution of the governing body executing such certification should be annexed to the adopted budget (N.J.A.C. 5:30 7.6(e)).

**GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE
UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S
"Enforcement Guidance on the Consideration of Arrest and Conviction Records in
Decisions Under Title VII of the Civil Rights Act of 1964"**

FORM OF RESOLUTION

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the Governing Body of the Town. of Guttenberg, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON JUNE 17, 2026.

Johanna Fermaint, Deputy Municipal Clerk

ABC Matters:

TOWN OF GUTTENBERG, COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION #105-2026
APPROVING 2026-2027 LIQUOR LICENSE RENEWALS

BE IT RESOLVED that the following liquor licenses have met all State and local entity Alcoholic Beverage Control regulations (“A.B.C.”) and are hereby renewed by the Mayor and Board of Council, of the Town of Guttenberg, County of Hudson and State of New Jersey for the fiscal year 2026-2027.

PLENARY RETAIL CONSUMPTION LICENSES – FEE PAID \$2,500.00

0903-33-014-007	Brazilian Churrasqueria	6910 Bergenline Avenue
0903-33-017-008	Fat Swami’s Jazz Bar & Lounge	6900 Park Avenue
0903-33-035-006	GP’s Restaurant	24-69 th Street
0903-33-004-007	Galaxy Bar & Grill Rest.	7000 Kennedy Blvd. East
0903-33-020-009	JD Hospitality	6800 Park Avenue
0903-33-022-006	Los Delfines, LLC	6900 Bergenline Ave
0903-33-034-005	Maurper Corp.	7000 Kennedy Blvd.
0903-33-011-011	Pueblito Viejo II, LLC	6913 Park Avenue
0903-33-015-008	Robel, Inc.	6912 Bergenline Ave
0903-33-033-008	Rumba Blvd. East, Corp.	6909-15 Kennedy Blvd. East
0903-33-018-008	Sosa & Sosa, Inc.	6714 Bergenline Avenue
0903-33-013-012	The Wild Rover Pub Inc.	7103 Park Avenue

PLENARY RETAIL DISTRIBUTION LICENSES – FEE \$1,550.00

0903-44-039-010	Devaria, LLC t/a Galaxy Phar.	7000 Kennedy Blvd. East
0903-44-023-007	M&W Liquors t/a Corks & Bottles	6910 Kennedy Boulevard
0903-44-029-003	Moon Liquors Inc.	6906 Bergenline Avenue
0903-44-010-008	PPP USA A NJ Corp.	7000 Park Avenue
0903-44-012-008	HD Liquors Corp.	6714 Park Avenue

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

Ordinance#11-26 Adoption Vote

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

NO COMMENTS

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

ORDINANCE #18-26
INTRODUCTION

AN ORDINANCE AMENDING CHAPTER 7, SECTION 3 OF THE REVISED GENERAL ORDINANCES OF THE TOWN OF GUTTENBERG TO REQUIRE LANDLORD PARKING REGISTRATION FORM

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.

Landlord Parking Registration form. The owner of any property with off-street parking for five (5) or more vehicles shall be required to submit a Landlord Parking Registration Form which shall be available at the Town Clerk's office. The owners of such properties shall certify as to the number of parking spaces located on each property and how many spaces are not used by residents or tenants of the property. If any parking spaces are not used, the property owner must certify which apartment is not using the parking space. Property owners shall provide the Landlord Parking Registration Form annually, due on February 1 of each year.

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.

Ordinances:

ORDINANCE #18-26

ADOPTION:

AN ORDINANCE AMENDING CHAPTER 7, SECTION 3 OF THE REVISED GENERAL ORDINANCES OF THE TOWN OF GUTTENBERG TO REQUIRE LANDLORD PARKING REGISTRATION FORM

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 X.

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 XI.

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 XII.

Implementation of Private Parking Space Lease Program.

- f. 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.
- g. 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.
- h. 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.

- i. 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.
- j. Property owners may charge reasonable rent to lessees, not to exceed \$150 per month per parking space.

SECTION XIII.

Landlord Parking Registration form. The owner of any property with off-street parking for five (5) or more vehicles shall be required to submit a Landlord Parking Registration Form which shall be available at the Town Clerk's office. The owners of such properties shall certify as to the number of parking spaces located on each property and how many spaces are not used by residents or tenants of the property. If any parking spaces are not used, the property owner must certify which apartment is not using the parking space. Property owners shall provide the Landlord Parking Registration Form annually, due on February 1 of each year.

SECTION XIV.

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

SECTION XV.

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 XVI.

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 XVII.

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 XVIII.

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#18-26 Adoption Vote

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

NO COMMENTS

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

ORDINANCE #19-26 **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.
 - 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.
 - 1.
 - 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. In any electric vehicle charging space if the vehicle is a non-electric vehicle or is a plug-in electric vehicle, including a battery electric vehicle or plug-in hybrid electric vehicle, that is not actively charging and where the space is clearly marked with signage and pavement markings indicating the space is reserved for plug-in electric vehicles that are actively charging, which signage and pavement markings shall be visible during the day and night.
- i. Unless other indicated by posted signage, the operator of a vehicle shall park “head-in” to any angled parking space on any public roadway, where the front of the vehicle faces the curb adjacent to the designated parking space.

- j. 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	\$65
7-3.3	Prohibited Parking on Certain Streets at All Times	\$65
7-3.4	Prohibited Parking on Certain Streets at Certain Hours	\$65
7-3.5	Prohibited Stopping or Standing on Certain Streets at Certain Hours	\$65
7-3.6	Parking Time Limited on Certain Streets	\$65
7-3.7	Parking Prohibited for Certain Vehicles 6,000 pounds., 8 feet high	\$124
7-3.9	Prohibited Parking on Alternate Sides of Certain Streets on Certain Hours [Ord. No. 15-2017]	\$40
7-3.10(a)-(c)	Improper Parking	\$65
7-3.10(d)	Parking that blocks sidewalk	\$65
7-3.12	Non-resident Parking Time Limits	\$120
7-3.10(e)	Parking that blocks crosswalk	\$75
7-3.10(f)	Parking near fire hydrant	\$75
7-3.10(g)	Double Parking	\$65
7-3.10(h)	Prohibited parking in electric vehicle parking space	\$65
<u>7-3.10(i)</u>	<u>Failure to park head-in in angled parking space</u>	<u>\$65</u>
7-4, 7-4.1	Prohibited Parking for Designated Weight and Designated Height of Vehicles on Certain Streets	\$134
7-7	Prohibited Parking in Loading Zones	\$65
7-8	Prohibited Parking in Taxi Zones	\$65
7-9	Prohibited Parking in Bus Stops	\$65
7-10	Turns Prohibited	\$85
7-11	No Turn on Red	\$85

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#19-26 Adoption Vote

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

NO COMMENTS

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

ORDINANCE #20-26
INTRODUCTION

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

AMENDING CHAPTER VII ENTITLED "TRAFFIC" SECTION 7-3A.2 ENTITLED
"DETERMINATION OF COMMERCIAL VEHICLES" OF THE REVISED GENERAL
ORDINANCES OF THE TOWN OF GUTTENBERG

WHEREAS, Chapter 7 of the Code of the Town of Guttenberg ("Code"), entitled "Traffic" and Section 7-3A.2, entitled "Determination of Commercial," sets forth the rules and regulations regarding parking of commercial vehicles within the Town of Guttenberg (the "Town"); and

WHEREAS, the Town Council and Mayor have determined that the parking of Commercial Vehicles within Town has a detrimental effect on quality of life for Town residents due to the shortage of parking spaces within Town and the other negative effects of the parking of commercial vehicles including pedestrian safety issues and increased pollution and noise; and

WHEREAS, the Mayor and Town Council have also determined that the existing characteristics used to define Commercial Vehicles are outdated and no longer serve the purpose they are intended to serve; and

WHEREAS, the Mayor and Town Council have consulted with the Town Police Department and parking enforcement officers, and have reviewed the restrictions imposed by other, similarly situated municipalities, and have determined that making the below changes will improve the health and welfare of the Town and its residents and would improve the administration and enforcement of the prohibition on parking of commercial vehicles within the Town.

NOW THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey, that Chapter VII, entitled "Traffic" Section 7-3A.2 entitled "Determination of 'Commercial Vehicles'" is hereby amended as follows:

SECTION ONE

Chapter VII, entitled "Traffic" Section 7-3A.2 entitled "Determination of 'Commercial Vehicles'"

§ 7-3A.2. Determination of "Commercial Vehicles."

For purposes of this section, a vehicle shall be deemed a "commercial vehicle" if it has any one or more of the following characteristics:

- a. ~~It is or was designed or used for the transportation of persons for hire;~~
- b. ~~It is or was designed or was used for compensation or profit;~~
- c. ~~It is or was designed or used for the transportation of property, materials, cargo, equipment or tools;~~
- d. ~~It has more than four wheels;~~
- e. ~~It weighs more than 6,000 pounds;~~
- f. ~~It is more than eight feet high;~~

- ~~g. — It is more than 18 feet long;~~
- ~~h. — It is more than seven feet wide;~~
- ~~i. — It has tool, cargo or equipment racks or cages in the interior or on the exterior of the vehicle;~~
- ~~j. — It contains commercial or business lettering, advertising or graphics;~~
- ~~k. — It is registered as commercial, omnibus, limousine, livery, taxi, farmer, commuter van, or school vehicle; or~~
- ~~l. — It has characteristics typical of commuter vans, limousines, recreational vehicles, motor drawn vehicles, omnibuses, panel vans, pole trailers, road tractors, school buses, semi-trailers, taxicabs, tow trucks, trucks, or truck tractors.~~

- a. Commercial vans. For the purposes of this section, it shall be presumed that commercial vans are as follows:
 - i. Vans without side panel windows;
 - ii. Vans without a rear seat for passengers;
 - iii. Step vans.
- b. Buses, including school buses, mini-school buses, or any vehicle capable of carrying greater than 8 passengers;
- c. Tractors, tractor-trailers, or any trailer or truck with trailer;
- d. Camper vehicles and motor homes or mobile homes;
- e. Commuter vans or vehicles, or any vehicle with a capacity of greater than eight (8) passengers;
- f. Stake-body trucks;
- g. All dump trucks regardless of size;
- h. Limousines;
- i. All non-passenger vehicles and / or equipment or machinery bearing a commercial legend, name, or other form of advertising on its body and / or displaying commercial license plates, including but not limited to construction vehicles and equipment, except for Town-owned vehicles, or such vehicles and equipment in use at an existing work site and with prior approval from the Town of Guttenberg Police Department;
- j. Any other vehicle that, in the reasonable discretion of the Town Police Department, constitutes a commercial vehicle intended primarily for commercial purposes rather than personal use.

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

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

Summary of Ordinance

This purpose of this Ordinance is to revise the definition of commercial vehicles.

Ordinance#20-26 Introduction Vote

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

ORDINANCE #21-26 **INTRODUCTION**

AMENDING CHAPTER VII ENTITLED “TRAFFIC” SECTION 7-7 ENTITLED “LOADING ZONE” OF THE REVISED GENERAL ORDINANCES OF THE TOWN OF GUTTENBERG 6910-6912 JFK BOULEVARD & 7000 JFK BOULEVARD EAST

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

WHEREAS, the Town of Guttenberg (“Town”) has a shortage of parking spaces, and desires to assist local businesses by providing short term parking for short duration transactions and loading needs; and

WHEREAS, the Mayor and Town Council have determined that adding visitor parking and loading zone areas adjacent to local businesses will advance the general welfare of the Town as a whole; and

WHEREAS, the Mayor and Town Council have observed that these locations frequently has cars and commercial vehicles double parked illegally, blocking the travel lane; and

WHEREAS, the Mayor and Town Council have determined that this frequency of illegal parking is creating a dangerous condition for residents and motorists, and that implementing a loading zone in these locations would help alleviate the dangerous conditions and help mitigate the dangerous conditions; and

WHEREAS, the Town Police Department has reviewed the proposed loading zone and has not raised objections thereto and the grant of such loading zone will not adversely impact public or road safety.

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

SECTION ONE

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

<u>Address</u>		<u>Hours</u>
	6910 – 6912 JFK Boulevard	8:00 am to 6:00 pm, seven (7) days a week
	7000 JFK Boulevard East	8:00 am to 6:00 pm, seven (7) days a week

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

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

Summary of Ordinance

This purpose of this Ordinance is to create a loading zone / visitor parking space near 6910-6912 JFK Boulevard and 7000 JFK Boulevard East.

Ordinance#21-26 Introduction Vote

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

ORDINANCE #22-26
INTRODUCTION

AMENDING CHAPTER VII ENTITLED “TRAFFIC” SECTION 7-7 ENTITLED “LOADING ZONE” OF THE REVISED GENERAL ORDINANCES OF THE TOWN OF GUTTENBERG

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

WHEREAS, the Town of Guttenberg seeks to renew the following parking spaces restricted for use as a loading zone areas.

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

SECTION ONE

Chapter VII, entitled “Traffic” Section 7-7 entitled “Loading Zone” shall be amended as follows:

<u>Business</u>	<u>Address</u>	<u>Hours</u>
Little Scholars Preschool	58-69 th Street	Mon-Fri, 7am-9am & 4pm-7pm
Israel Paint & Hardware	7000 Bergenline Ave	Mon-Fri, 8am-9:30am & 4:30pm-6:30pm
Genesis NYC Enterprises Inc. / Colombiana Boutique LLC.	6710-6712 Palisade Avenue	Mon-Fri, 9am-6pm
GP’s Restaurant	24-69 th Street	Mon-Sun, 10am-10pm
Benny’s Liquors & Supermarket	7000 Park Avenue	Mon-Sat, 7am-7pm
Beef Burger Corp	7013 Madison Street	Mon-Fri, 6am-5pm
Rabelo’s Corp	405-70 th Street	Mon-Sat, 6am-5pm
Bulls Ferry Studios	6903 Jackson Street	Mon-Sat, 10am-6pm
Rumba Cubana	6909 Boulevard East	Mon-Sun 10am-10pm

Mundo Esoterico	320-69 th Street	Mon-Fri 9am-6:30pm
Tavarez Mini Market	300-70 th Street	Monday-Saturday, 7AM-6PM
Master Auto Service Center	431-70 th Street	Monday-Saturday, 8AM-5PM
Summit House Tenants Corp.	7100 Boulevard East	Monday-Sunday, 7AM-6PM
Happy Faces Forever	128-71 st Street	Monday-Friday, 7am-10am & 4pm-7pm
Little Einstein's Early Learning Center	6723-25 Polk Street	Monday-Friday, 7am-9am & 3pm-6pm

SECTION TWO

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

<u>Business</u>	<u>Address</u>	<u>Hours</u>
United States Postal Service Vehicles & General Commercial Vehicles Making Local Deliveries	Northeast corner (94 69 th Street) of 69 th Street and Park Avenue, Guttenberg, New Jersey, a distance of approximately 54 feet from the crosswalk in southeasterly direction	7:00 am to 5:00pm, Monday through Saturday
General Commercial Vehicles Making Local Deliveries – 6900 Bergenline Avenue	The loading zone shall be located on Bergenline Avenue, commencing in front of 6900 Bergenline Avenue, and run a distance of 41 feet.	7:00 am to 5:00pm, Monday through Saturday

SECTION THREE

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

SECTION FOUR

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

SECTION FIVE

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

Summary of Ordinance

This purpose of this Ordinance is to renew the aforementioned parking spaces restricted for use as a loading zone area.

Ordinance#22-26 Introduction Vote

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

ORDINANCE #23-26 **INTRODUCTION**

AMENDING CHAPTER VII ENTITLED “TRAFFIC” SUBSECTION 13 ENTITLED
“HANDICAPPED PARKING” OF THE REVISED GENERAL ORDINANCES OF THE
TOWN OF GUTTENBERG

WHEREAS, Chapter 7-13.2 of the Code of the Town of Guttenberg (“Code”) entitled
“Restricted Parking Spaces Created on Streets” was enacted to provide the names and address of
those individuals who have met the requirements and received a restricted parking space; and

WHEREAS, the Town of Guttenberg has received renewal applications for the following
restricted parking spaces and the Director of Public Safety has reviewed them and recommended
their renewal;

NOW, THEREFORE BE IT ORDAINED, by the Mayor and Council of the Town of
Guttenberg, County of Hudson, State of New Jersey, that Chapter 7-13.2, Restricted Parking
Spaces Created on Streets, is hereby amended to renew the following restricted parking spaces
created on streets, as follows:

SECTION ONE

Chapter VII entitled “Traffic” Section 13.2 entitled “Restricted Parking Spaces Created”
on Streets” Schedule B shall be amended to read as follows:

<u>First Name</u>	<u>Last Name</u>	<u>Address</u>	<u>Plate #</u>
Despina	Kallopoulos	63 70th St.	HW7020
Michele	Peragine	6908 Madison St.	Y71KRX
Barbara	Reiche	6820 Polk St.	U88VTP

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

The purpose of this ordinance is to is to renew the aforementioned restricted parking spaces created on streets.

Ordinance#23-26 Introduction Vote

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

ORDINANCE #24-26 **INTRODUCTION**

ORDINANCE AMENDING CHAPTER 7 TRAFFIC, SECTION 3.8 RESIDENTIAL
PARKING PERMIT RULES REGARDING DRIVEWAY PARKING

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 is a limited number of on-street parking spaces within the Town of Guttenberg (the “Town”) and the Mayor and Town Council desire to increase the number of on-street parking spaces available to residents in an attempt to improve quality of life; and

WHEREAS, the Mayor and Town Council desire to permit property owners, residents, and authorized users to park in a manner that blocks the driveway of a residential property, so long as the vehicle is authorized by the resident to park that way; and

WHEREAS, this will create additional on-street parking spaces without impeding residents with off-street parking spaces from ingress and egress to those off-street parking spaces; and

WHEREAS, N.J.S.A. 39:4-138.4 permits the Town to issue parking permits which authorize the parking of motor vehicles in front of private driveways and to issue parking permits to owners of private driveways and to members of the same household as the owner to permit parking in front of the private driveways with a duly issued permit issued by the Town; and

WHEREAS, to encourage participation by residents, the Town is creating a permit program for residents with a driveway to encourage use of off-street parking spaces and the use of the space that blocks ingress and egress to the off-street parking spaces, with the understanding that roommates, family members, and co-habitants are able to coordinate amongst themselves to optimize the off-street parking spaces, blocking of ingress and egress to those parking spaces, and, if necessary, traditional on-street parking spaces to optimize parking convenience and to maximize use of off-street parking spaces.

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

§ 7-3.8. Residential Parking Permits.

...

a. ~~Deleted.~~ Driveway Parking Permits

1. Pursuant to N.J.S.A. 39:4-138.4, the Town Clerk may issue to owners of private driveways and to members of the same household permits authorizing the parking of private passenger vehicles in front of the owner's driveway. The Clerk shall require an owner to file a completed application for such a permit on a form provided by the Clerk. An owner of a private driveway shall be eligible to apply for up to three permits for his or her own motor vehicles or for use by other parties authorized by the owner to park in front of the private driveway.

Each member of the owner's household who owns a motor vehicle shall also be eligible to apply for a permit issued under this section. There shall be a fee of \$10 for each vehicle authorized to park in front of a private driveway. The Clerk may require an applicant to provide evidence that the driveway was legally established in accordance with the Town Code.

2. The permit shall identify the location of the driveway and the vehicle authorized to park in front of the driveway. The permit shall be of similar size, and color to other on-street parking permits issued by the Town and shall be displayed prominently within the vehicle when it is parked so as to be seen from the middle of the street.
3. No owner may permit any vehicle to park in front of the owner's driveway other than a vehicle with a duly issued driveway parking permit satisfying the requirements of this section.
4. No owner may charge a fee for permitting anyone to park a vehicle in front of the owner's driveway.
5. The rights conferred upon an owner or permit holder by this section (e) shall extend only to the street in front of the driveway parallel to the curb.
6. This section confers no rights to park a vehicle on any part of the driveway which lies across the sidewalk nor does it confer upon an owner the exclusive right to park a vehicle adjacent to any part of the curb beyond the width of the driveway.
7. Violation of any provision in this section (e) shall subject the owner of the offending motor vehicle to a fine of \$75 and / or the costs associated with towing the offending motor vehicle to allow ingress or egress if the vehicle is improperly blocking a driveway. The owner of the offending motor vehicle may also be subject to the violations and penalties listed in § 7-14.

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 3.8 to permit motor vehicles to park in front of a private driveway in certain circumstances and imposes a fine for violating this section.

Ordinance #24-26 Introduction Vote

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

Budget Items:

ORDINANCE #25-26

INTRODUCTION

2026 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

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

Resolution:

RESOLUTION #123-2023 INTRODUCTION OF CY 2026 MUNICIPAL BUDGET

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

Initial Employee Bar License:

- Derek T. Rosenfeld, Hernan M. Genovez Araujo, Francisco Falcon, Ashley N. Massaro, Francesco A. Bello, Andrea S. Castro

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

Renewal Employee Bar License:

- Raul Ernesto Calderin, Dahiana N. Jimenez, Pablo A. Panta Hernandez, Pedro Larios Castro, Miriam E. Agurto, Carlos E. Guacamaya, Aliuska Hernandez, Evelyn Esmeralda Nolasco, Roselia Yanes, Carlos O. Blanco Garcia, Fatima Lozano, Leonel Montanez, Sarah J. Hartman, Michael C. Cahill, James P. Burns, Alyssa Galgano, Christopher Cantor, Natali Marquez Rios, Campo Araque, Luisa Naranjo, Jose A. Cuenca, Olga Enterrios, Osmel Sotelo, Mauricio Perez, Yubely Rodriguez, Miriam Martinez Aldo Nunez Tapia Altagracia Ferreira Lorenzo A. Pena Yurama Carballos Sonia Campbell Roberto Alfonso Raiko Martin Perez, Leonel A. Gonzalez, Victor Garcia Gomez, Yunierkys Rodriguez, Yoilan J. Claro

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

Payment of Claims:

A motion to pay bill list was made by Councilperson Hokien seconded by Councilperson Fundora Ayes: Councilpersons Delafuente, Fundora, Habermann, Hokien and Mayor Zitt Nays: None Absent: Malave Abstain: Councilman Habermann abstained to – PO#261240

Public Portion:

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

NO COMMENTS

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

Adjournment:

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

Meeting was adjourned at 5:00 P.M.

Respectfully Submitted,

Johanna Fermaint
Deputy Town Clerk