


<p>MEMBERS JASI M. EDWARDS CRYSTAL M. FELICIANO JENNA L. FIGUEROA KETTENBURG TESKA T. FRISBY YAZMINELLY GONZALEZ JOSEPH A. HARRISON JENNIFER C. WILLIAMS</p>		<p>CITY COUNCIL OFFICE: (609) 989-3147 FAX: (609) 989-3190</p> <p>CITY CLERK BRANDON L. GARCIA OFFICE: (609) 989-3187 FAX: (609) 989-3190</p>
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TRENTON CITY COUNCIL CONFERENCE SESSION

TRENTON CITY HALL, CITY COUNCIL CHAMBERS,
319 EAST STATE STREET
Tuesday, June 20, 2023 AT 5:30 PM

A G E N D A

- I. CALL TO ORDER**
- II. FLAG SALUTE**
- III. STATEMENT:** Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act, pursuant to Public Laws 1975, Chapter 231. This Agenda is complete to the extent known and was sent to the Trenton Times, posted on the first-floor bulletin board in City Hall, and filed in the City Clerk's Office. Formal action will be taken.
- IV. ROLL CALL**
- V. INVOCATION**
- VI. PRESENTATION: Introduction of Budget**
- VII. PUBLIC COMMENT**
- VIII. CIVIC COMMENT**
- IX. EXECUTIVE SESSION:**
 - 23-304 - RESOLUTION AUTHORIZING THE CITY COUNCIL OF THE CITY OF TRENTON TO HOLD AN EXECUTIVE SESSION WHICH EXCLUDES THE PUBLIC**
- X. OLD BUSINESS [Ordinances 2nd Reading and Public Hearing] - NONE**
- XI. NEW BUSINESS:**
 - a. RESOLUTIONS**
 - b. ORDINANCES [1st Reading and Introduction]**
 - c. OTHER**
- XII. ADJOURNMENT**

NEXT COUNCIL MEETING -THURSDAY, JUNE 22, 2023

<p>MEMBERS JASI M. EDWARDS CRYSTAL M. FELICIANO JENNA L. FIGUEROA KETTENBURG TESKA T. FRISBY YAZMINELLY GONZALEZ JOSEPH A. HARRISON JENNIFER C. WILLIAMS</p>		<p>CITY COUNCIL OFFICE: (609) 989-3147 FAX: (609) 989-3190</p> <p>CITY CLERK BRANDON L. GARCIA OFFICE: (609) 989-3187 FAX: (609) 989-3190</p>
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TRENTON CITY COUNCIL REGULAR MEETING

TRENTON CITY HALL, CITY COUNCIL
CHAMBERS, 319 EAST STATE STREET
THURSDAY, JUNE 22, 2023 AT 5:30 PM

A G E N D A

- I. **CALL TO ORDER**
- II. **FLAG SALUTE**
- III. **STATEMENT:** Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act, pursuant to Public Laws 1975, Chapter 231. This Agenda is complete to the extent known and was sent to the Trenton Times and the Trentonian Newspapers, posted on the first-floor bulletin board in City Hall, filed in the City Clerk's Office and posted on the City of Trenton Website. Formal action will be taken.
- IV. **ROLL CALL**
- V. **INVOCATION**
- VI. **PRESENTATIONS/RECOGNITIONS**
- VII. **OLD BUSINESS [Ordinances 2nd Reading and Public Hearing] - NONE**
- IX. **NEW BUSINESS:**
 - a. **RESOLUTIONS**
 - b. **ORDINANCES [1st Reading and Introduction]**
 - c. **OTHER**
- X. **PUBLIC COMMENTS**
- XI. **CIVIC COMMENTS**
- XII. **ADJOURNMENT**

**DOCKET
CONFERENCE SESSION
TUESDAY, JUNE 20, 2023**

1. MINUTES FOR APPROVAL

- i.
- ii.

2. COMMUNICATIONS AND PETITIONS

- 2a Civil Action Chapter 11 United States Bankruptcy Court District of New Jersey – Notice of Hearing to Consider Confirmation of the Plan and the Objection Deadline Related Thereto – Filed by S. Jason Teele, Esquire, Sills Cummis & Gross, P.C., One Riverfront Plaza, Newark, New Jersey and Louis T. Delicia, Esquire, Alyson M. Fiedler, Esquire, ICE Miller, LLP, 1500 Broadway, 29th Floor, New York, New York and Daniel Polatsek, Esquire, Michael W. Ott, Esquire, 200 West Madison Street, Suite 3500, Chicago, IL 60606
- 2b Civil Action Notice – Filed by Catherine Aponte, Esquire, Friedman Vartolo, LLP, 1325 Franklin Avenue, Suite 160, Garden City, New York – Representing Citibank, N.A., not in its Individual Capacity but Solely as Owner Trustee for Barclays Mortgage Loan Trust 2022-INV1 vs. 304 Cortland Street, LLC, et. al. Property Listed: 121 North Hermitage Avenue, Trenton, New Jersey, Block 2803, Lot 31.
- 2c Civil Action Summons – Filed by Robert W. Keyser, Esquire, Taylor and Keyser, LLC, 89 Haddon Avenue, Suite B2, Haddonfield, New Jersey – Representing Zion Investment Group, LLC vs. Queen Equities, LLC; City of Trenton and the State of New Jersey. Property Listed: 137 Garfield Avenue, Trenton, New Jersey, Block 27102, Lot 9.
- 2d Civil Action Order Setting Amount, Time and Place for Redemption in Foreclosure – Filed by Debra A. Morgan, Paralegal, Taylor and Keyser, LLC, Attorneys at Law, 89 Haddon Avenue, Suite B3, Haddonfield – Representing Warren Street Urban Renewal Partners, LP c/o CT Corporation System, Registered Agent, 820 Bear Tavern Road, West Trenton, New Jersey, Block 3803, Lots 12 and 17, 231 North Warren Street, Trenton, New Jersey (Certificate # 20-1072) and Block 3803, Lot 13, 229 North Warren Street, Trenton, New Jersey (Certificate #20-1073)
KHHLK Fund, LLC vs. Warren Street Urban Renewal Partners, LP, et. al.
- 2e Civil Action Second Amended Complaint to join defendant Warren Street Urban Renewal Partners, LP; State of New Jersey; et. als., Represented by Gary C. Zeitz, Esquire, Gary C. Zeitz, LLC, 1101 Laurel Oak Road, Suite 170, Voorhees, New Jersey – Representing KHHLK Fund, LLC vs Warren Street Urban Renewal Partners II, LP; Warren Street Urban Renewal Partners, LP; City of Trenton; New Jersey Department of Community Affairs; State of New Jersey, et. als.
- 2f Civil Notice of Hearing on Application for Compensation – Chapter 13 Cleveland Williams, Jr and Jacqueline Marks.
- 2g Tort Claim Notice for Property Damage – Filed by Rajane D. Robinson Against the City of Trenton.
- 2h Tort Claim Notice for Personal Damages – Filed by Joseph Monaco, Esquire, Monaco Law, PC, One Eves Drive, Suite 111, Marlton, New Jersey – Representing Christina Kennedy.
- 2i Tort Claim Notice for Personal Injury – Filed by Brenda Henry, 43 Norman Avenue, Trenton, New Jersey 08618 – Against the City of Trenton.
- 2j Civil Foreclosure – Filed by Sarah E. Powers, Esquire, Powers Kim, LLC, 308 Harper Drive, Suite 210, Moorestown, New Jersey – Representing Bank of America, N.A. vs. Brian Davis, et. al., Property Listed: 539 Rutherford Avenue, Trenton, New Jersey. Block 5903, Lot 29.

- 2k Notice of Summons and Compliant – Filed by Rosemarie Diamond, Brock & Scott, PLLC, 302 Fellowship Road, Suite 130, Mount Laurel, New Jersey. Property Listed: 926 Fairmount Avenue, Trenton, New Jersey.
- 2l Tort Claim Notice for Personal and Property Damages – Filed by Evan J. Lide, Esquire, PO Box 5315, Princeton, New Jersey – Representing Brandy T. Mims – Against the City of Trenton.
- 2m Civil Chapter 13 (District of New Jersey) Order of Discharge – Gabriel Bodon.
- 2n Tort Claim Notice for Personal Damages – Filed by Glen Devora, Esquire, Jonathan D’Agostino & Associates, P.C., 3309 Richmond Avenue, Staten Island, New York – Representing Vijay Anand – Against the City of Trenton Department of Public Works, State of New Jersey, and the County of Mercer.
- 2o Tort Claim Notice for Personal, Property and Other Damages – Filed by Rand Spear, Esquire, Spear, Greenfield, Richman, Weitz & Taggart, P.C., Two Penn Center Plaza, Suite 200, 1500 JFK Boulevard, Philadelphia, PA – Representing Laketa Gregory vs WE Management, City of Trenton, Trenton Housing Authority; County of Mercer and the State of New Jersey.
- 2p Mercer County Clerk’s Office Notice of Map Filing #4718, Major Subdivision, Lots 5 & ^, Block 9001, Lots 7, 8 & 9, Block 9001, Trenton, New Jersey.
- 2q Tort Claim Notice for Personal Damages – Filed by Elizabeth Barreto, Esquire, One Dolson Avenue, Middletown, New York – Representing Christine Romarino – Against the City of Trenton, State of New Jersey, and Mercer County.
- 2r Civil Action Notice of Motion to Correct Name of Plaintiff – Filed by Gary C. Zeitz, Esquire, Gary C. Zeitz, LLC, 1101 Laurel Oak Road, Suite 170, Voorhees, New Jersey – Representing KHH1K Fund, LLC vs. Warren Street Urban Renewal Partners-III, LP, et. al.
- 2s Civil Action Summons Compliant for Foreclosure of Tax Sale Certificate – Filed by Gary C. Zeitz, Esquire, Gary C. Zeitz, LLC, 1101 Laurel Oak Road, Suite 170, Voorhees, New Jersey – Representing Pro Cap 8 FBO First Trust Bank vs Cityside Apartments, LP, United States of America; City of Trenton, et. als.
- 2t Tort Claim Notice for Property and Other Damages – Filed by Greg Prosmushkin, Esquire, Greg Prosmushkin, PC, 9637 Bustleton Avenue, Philadelphia, Pennysl – Representing Chantea Hobson – Against the City of Trenton, et. als.
- 2u Foreclosure Notice – Hill Wallack, LLP, 21 Roszel Road, PO Box 5226, Princeton, New Jersey. Property Owners: Odenis Goris and Jose Bernal. Property Address: 310 Bellevue Avenue, Trenton, New Jersey.
- 2v Civil Notice Action to Foreclose – Filed by Catherine Aponte, Esquire, Friedman Vartolo, LLP, 1325 Franklin Avenue, Suite 160, Garden City, New York – Representing Civic Real Estate Holdings III, LLC vs King Estates, LLC; Dominion Financial Services, LLC, et als. Property Address: 26 Elmhurst Avenue, Trenton, New Jersey.
- 2w Remedial Action Protectiveness/Biennial Certification – Soil – Former Thropp Property on behalf of the City of Trenton. Property Address: 960 East State Street, Trenton, New Jersey. Block 26201, Lots 2 and 4. SRP PI# G000014096.
- 2x Tort Claim Notice for Personal Damage – Filed by Bhaveen R. Jani, Esquire, Stark & Stark, PC, PO Box 5315, Princeton, New Jersey – Against the City of Trenton.

3. REPORTS

NONE

4. ORDINANCES - 2ND READING AND PUBLIC HEARING

NONE

5. RESOLUTIONS

CITY CLERK'S OFFICE

- 23-304 RESOLUTION AUTHORIZING THE CITY COUNCIL OF THE CITY OF TRENTON TO HOLD AN EXECUTIVE SESSION WHICH EXCLUDES THE PUBLIC

DEPARTMENT OF ADMINISTRATION, ADAM E. CRUZ, BUSINESS ADMINISTRATOR

- 23-277 RESOLUTION AUTHORIZING A CONTRACT TO SHI INTERNATIONAL CORP., FOR THE PURCHASE OF OPEN GOV CLOUD BUDGET SYSTEM FOR THE CITY OF TRENTON AWARDED THROUGH NEW JERSEY STATE CONTRACT NUMBER #M4002 21-TELE-01360 FOR A PERIOD OF ONE (1) YEAR FROM DATE OF AWARD OR UNTIL WORK IS COMPLETED IN AN AMOUNT NOT TO EXCEED \$85,259.28
- 23-278 RESOLUTION AWARDED A CONTRACT TO SHI INTERNATIONAL CORP., FOR THE PURCHASE OF A CLOUD-BASED MANAGEMENT PLATFORM AND MAINTENANCE AWARDED THROUGH NEW JERSEY COOPERATIVE ALLIANCE CK04 SUBCONTRACT # 22-24 FOR A PERIOD OF ONE (1) YEAR FROM DATE OF AWARD IN AN AMOUNT NOT TO EXCEED \$122,475.80
- 23-306 RESOLUTION AUTHORIZING THE CITY OF TRENTON'S CALENDAR YEAR 2023 BUDGET TO BE READ BY TITLE ONLY
- 23-307 RESOLUTION TO APPROVE THE INTRODUCTION OF THE CALENDAR YEAR 2023 BUDGET

DEPARTMENT OF LAW, WES BRIDGES, DIRECTOR

- 23-279 RESOLUTION AUTHORIZING SETTLEMENT OF A CIVIL ACTION IN THE MATTER OF GAYLE RICHARDSON V. CITY OF TRENTON, ET AL. IN THE TOTAL AMOUNT OF \$30,000.00
- 23-305 RESOLUTION AUTHORIZING SETTLEMENT OF A CIVIL ACTION IN THE MATTER OF KENDAL ROSSI V. CITY OF TRENTON, ET AL IN THE TOTAL AMOUNT OF \$36,000.00

DEPARTMENT OF POLICE, STEVE WILSON, DIRECTOR

- 23-280 RESOLUTION AUTHORIZING THE AMENDMENT OF A PRICE INCREASE FOR A CONTRACT TO CHAS S. WINNER FORD, INC. FOR THE PURCHASE OF TWENTY (20) 2023 MARKED, ALL-WHEEL DRIVE BASE VEHICLES TO BE UTILIZED BY THE PATROL BUREAU THROUGH NEW JERSEY STATE CONTRACT NUMBER T-2776 20-FLEET-01189 AWARDED IN THE AMOUNT NOT TO EXCEED THE REVISED AMOUNT OF \$834,840.00

DEPARTMENT OF FINANCE, RON ZILINSKI, ACTING DIRECTOR

- 23-281 RESOLUTION AUTHORIZING EMERGENCY APPROPRIATIONS TO THE CY 2023 TEMPORARY UTILITY BUDGETS OF THE CITY OF TRENTON

- 23-282 RESOLUTION AUTHORIZING THE CITY OF TRENTON TO ISSUE 3 TAX REFUNDS TOTALING \$2,695.29

**DEPARTMENT OF HEALTH & HUMAN SERVICES
MARIA RICHARDSON, ACTING DIRECTOR**

- 23-283 RESOLUTION AUTHORIZING THE FY2023 APPLICATION AND ACCEPTANCE IF AWARDED OF \$150,000.00 FROM THE NJ DEPARTMENT OF COMMUNITY AFFAIRS FOR THE CITY OF TRENTON, DEPARTMENT OF HEALTH AND HUMAN SERVICES OFFICE OF RETURNING CITIZENS PROGRAM

**DEPARTMENT OF HOUSING & ECONOMIC DEVELOPMENT
WILLARD STANBACK, ACTING DIRECTOR**

- 23-286 RESOLUTION AWARDING A CONTRACT THROUGH A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44 A-20.4 ET SEQ TO CME ASSOCIATES, FOR ENGINEERING SERVICES FOR THE DESIGN OF WARREN STREET SIDEWALKS AND FRONT STREET PAVERS IN AN AMOUNT NOT TO EXCEED \$65,025.39 FOR A PERIOD OF NINETY (90) DAYS FROM DATE OF AWARD – RFP2023-16
- 23-287 RESOLUTION AWARDING A CONTRACT THROUGH A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44 A-20.4 ET SEQ TO MONTROSE ENVIRONMENTAL FOR ENVIRONMENTAL ENGINEERING AND CONSULTING SERVICES FOR THE COMPLETION OF A SITE INVESTIGATION FOR THE FORMER MERCURY CLEANERS/SUDS BROTHERS SITE LOCATED AT 215-225 WEST INGHAM AVENUE IN AN AMOUNT NOT TO EXCEED \$18,830.00 FOR A PERIOD OF ONE (1) YEAR FROM TIME OF AWARD – RFP 2023-12
- 23-288 RESOLUTION AUTHORIZING THE CITY OF TRENTON TO APPLY FOR AND ACCEPT GRANT MONEYS UP TO THE AMOUNT OF \$1,996,106 FROM THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY FOR A BROWNFIELDS CLEANUP GRANT FOR THE FORMER NEW METHOD CLEANERS SITE, 300-310 PROSPECT STREET

DEPARTMENT OF PUBLIC WORKS, WAHAB ONITIRI, DIRECTOR

- 23-289 RESOLUTION AUTHORIZING THE ADDITIONAL NAME OF CELSO RIVERA WAY TO GENESEE STREET AT LAKESIDE AVENUE
- 23-290 RESOLUTION ACCEPTING A BID AND AWARDING A CONTRACT TO GABRIELLI KENWORTH OF NEW JERSEY LLC, FOR THE PURCHASE OF ONE (1) 2024 KENWORTH MODEL T480 CHASSIS AND ONE (1) CURRENT MODEL STEPP MFG OIL DISTRIBUTOR WITH ATTACHMENTS OR APPROVED EQUIVALENT FOR A PERIOD OF ONE (1) YEAR FROM DATE OF AWARD IN AN AMOUNT NOT TO EXCEED \$271,082.27 BID 2023-30

- 23-291 RESOLUTION ACCEPTING A BID AND AWARDING A CONTRACT TO EARLE ASPHALT COMPANY, FOR THE RECONSTRUCTION OF VARIOUS STREETS IN THE CITY OF TRENTON FOR THE CITY OF TRENTON, DEPARTMENT OF PUBLIC WORKS, DIVISION OF ENGINEERING AND TRANSPORTATION FOR A PERIOD OF NINETY (90) CALENDAR DAYS FROM "NOTICE TO PROCEED" IN AN AMOUNT NOT TO EXCEED \$2,852,713.13 BID 2023-29

DEPARTMENT OF WATER AND SEWER

- 23-270 RESOLUTION AMENDING CONTRACT WITH PACT TWO, LLC FOR RAW WATER INTAKE IMPROVEMENTS AT THE TRENTON WATER WORKS, WATER FILTRATION PLANT IN AN AMOUNT NOT TO EXCEED \$2,707,352.42 FOR A REVISED CONTRACT PRICE OF \$8,257,352.42 – BID 2020-58
- 23-292 RESOLUTION AUTHORIZING THE REDUCTION OF SEWER CHARGES OF \$3,914.95 AT 33 TYRELL AVENUE (ACCOUNT # 616-0105-303) DUE TO NON-ENTRY OF WATER INTO THE SEWER SERVICE
- 23-293 RESOLUTION AUTHORIZING A CONTRACT TO GROFF TRACTOR MID ATLANTIC, LLC, FOR PARTS, SERVICES, AND REPAIRS TO THE BACKHOE LOADERS USED BY CONSTRUCTION AND MAINTENANCE FOR TRENTON WATER WORKS AWARDED THROUGH EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY #ESCNJ 22/23-12 FOR A PERIOD OF EIGHT (8) MONTHS FROM DATE OF AWARD IN AN AMOUNT NOT TO EXCEED \$75,000.00
- 23-294 RESOLUTION AUTHORIZING SETTLEMENT IN THE MATTER OF 446 BELLEVUE AVENUE, LLC FOR OVERPAYMENT OF WATER AND SEWER CHARGES IN THE AMOUNT OF \$114,166.11
- 23-295 RESOLUTION EXERCISING THE OPTION TO EXTEND THE CONTRACT FOR AN ADDITIONAL ONE (1) YEAR AWARDED TO ATLANTIC COAST POLYMER, INC, FOR THE FURNISHING AND DELIVERY OF F.O.B. SLUDGE BLANKET POLYMER FOR TRENTON WATER FILTRATION PLANT FOR A PERIOD OF ONE (1) YEAR FROM DATE OF AWARD IN AN AMOUNT NOT TO EXCEED \$227,760.00 – BID 2022-26
- 23-296 RESOLUTION ACCEPTING A BID AND AWARDING A CONTRACT TO AMERICAN BITUMINOUS COMPANY, INC., FOR THE FURNISHING AND DELIVERY OF TEMPORARY BITUMINOUS PATCHING MATERIAL (COLD PATCH) FOR THE TRENTON WATER WORKS, CONSTRUCTION AND MAINTENANCE OFFICE, 333 CORTLAND ST., TRENTON, NJ FOR A PERIOD OF ONE (1) YEAR FROM DATE OF AWARD IN AN AMOUNT NOT TO EXCEED \$105,000.00 – BID 2023-15
- 23-297 RESOLUTION ACCEPTING A BID AND AWARDING A CONTRACT TO BRENN TAG NORTHEAST LLC, FOR THE FURNISHING AND DELIVERY OF POTASSIUM PERMANGANATE FOR THE WATER FILTRATION PLANT FOR A PERIOD OF ONE (1) YEAR FROM DATE OF AWARD WITH AN OPTION TO EXTEND ONE (1) ADDITIONAL YEAR IN AN AMOUNT NOT TO EXCEED \$462,000.00 – BID 2023-26

- 23-298 RESOLUTION ACCEPTING A BID AND AWARDING A CONTRACT TO AEGIS SECURITY AGENCY LLC, FOR SECURITY GUARD SERVICES AT THE TRENTON WATER WORKS DISTRIBUTION COMPLEX, 333 CORTLAND ST., TRENTON, NJ FOR A PERIOD OF ONE (1) YEAR FROM DATE OF AWARD WITH AN OPTION TO EXTEND AN ADDITIONAL ONE (1) YEAR IN AN AMOUNT NOT TO EXCEED \$115,000.00 BID 2023-25
- 23-299 RESOLUTION AUTHORIZING TRENTON WATER WORKS TO ENTER INTO A LEASE TO PURCHASE AGREEMENT FOR THE ELKS PROPERTY LOCATED 1580 KUSER ROAD IN HAMILTON TOWNSHIP
- 23-300 RESOLUTION CHANGING FUNDING SOURCE OF OUTSTANDING INVOICES TO MOTT MACDONALD FOR TRENTON WATER WORKS CYBERSECURITY EVALUATION AND REPORT
- 23-301 RESOLUTION ACCEPTING A BID AND AWARDING A CONTRACT TO PRINCETON HYDRO LLC, FOR PHYTOPLANKTON ANALYTICAL TESTING FOR THE WATER FILTRATION PLANT FOR A PERIOD OF ONE (1) YEAR WITH AN OPTION TO EXTEND THE CONTRACT FOR ONE (1) ADDITIONAL YEAR FROM DATE OF AWARD IN AN AMOUNT NOT TO EXCEED \$84,000.00 BID 2023-33
- 23-302 RESOLUTION ACCEPTING A BID AND AWARDING A CONTRACT TO GREER LIME COMPANY FOR THE FURNISHING AND DELIVERY OF QUICKLIME AT THE WATER FILTRATION PLANT FOR A PERIOD OF ONE (1) YEAR WITH AN OPTION TO EXTEND THE CONTRACT FOR ONE (1) ADDITIONAL YEAR FROM DATE OF AWARD IN AN AMOUNT NOT TO EXCEED \$196,784.00 – BID 2023-34
- 23-303 RESOLUTION ACCEPTING A BID AND AWARDING A CONTRACT TO CAPITAL SUPPLY CONSTRUCTION PRODUCTS, LLC, FOR THE FURNISHING AND DELIVERY OF FULL CIRCLE BANDS, COUPLING AND TAPPED-OUT SLEEVES FOR TRENTON WATER WORKS IN AN AMOUNT NOT TO EXCEED \$82,614.84 FOR A PERIOD OF ONE (1) YEAR FROM DATE OF AWARD – BID 2022-74

6. ORDINANCES - 1ST READING AND INTRODUCTION

- 23-040 AN ORDINANCE AMENDING AND SUPPLEMENTING VARIOUS REDEVELOPMENT PLANS, AND THE LAND DEVELOPMENT ORDINANCE TO PERMIT CANNABIS USES
- 23-041 AN ORDINANCE AMENDING AND SUPPLEMENTING TRENTON CITY CODE SECTION 222-1 ET. SEQ., ANTI-NEPOTISM POLICY

5. RESOLUTION TO ENTER EXECUTIVE SESSION

- 23-304 RESOLUTION AUTHORIZING THE CITY COUNCIL OF THE CITY OF TRENTON TO HOLD AN EXECUTIVE SESSION WHICH EXCLUDES THE PUBLIC
- 23-279 RESOLUTION AUTHORIZING SETTLEMENT OF A CIVIL ACTION IN THE MATTER OF GAYLE RICHARDSON V. CITY OF TRENTON, ET AL. IN THE TOTAL AMOUNT OF \$30,000.00

23-305 RESOLUTION AUTHORIZING SETTLEMENT OF A CIVIL ACTION IN THE MATTER
OF KENDAL ROSSI V. CITY OF TRENTON, ET AL IN THE TOTAL AMOUNT OF
\$36,000.00

RESOLUTION

No. 23-304

Date of Adoption _____

Approved as to Form and Legality

Factual content certified by

Wesley Bridges, Esq. CITY ATTORNEY_____
Brandon L. Garcia RMC, CITY CLERK

Councilman/woman _____ presents the following Resolution:

AUTHORIZING THE CITY COUNCIL OF THE CITY OF TRENTON TO HOLD AN EXECUTIVE SESSION WHICH EXCLUDES THE PUBLIC

BE IT RESOLVED that the City Council of the City of Trenton will hold a meeting on June 20, 2022 at 5:30 p.m. that will be limited to consideration of an item or items with respect to which the public may be excluded pursuant to section 7b of the Open Public Meetings Act [N.J.S.A. 10:4-12]

The general nature of the subject or subjects to be discussed:

Pending Litigation

Attorney Client Communication

Stated as precisely as presently possible, the following is the time when the circumstances under which the discussion conducted at said meeting can be disclosed to the public when the need for confidentiality no longer exists.

The public is excluded from said meeting and further notice is dispensed with, all in accordance with sections 8 and 4a of the Open Public Meetings Act.

	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent
EDWARDS					GONZALEZ					FRISBY				
FELICIANO					HARRISON									
FIGUEROA KETTENBURG					WILLIAMS									

This Resolution was adopted at a Meeting of the City Council of the City of Trenton on _____

President of Council_____
City Clerk

RESOLUTION

No. **23-277**

Approved as to Form and Legality

Date of Adoption

Factual content certified by

WESLEY BRIDGES, ESQ, DIRECTOR OF LAW

ADAM E. CRUZ, BUSINESS ADMINISTRATOR

Councilman /woman

presents the following Resolution:

**RESOLUTION AUTHORIZING A CONTRACT TO SHI INTERNATIONAL CORP.,
FOR THE PURCHASE OF OPEN GOV CLOUD BUDGET SYSTEM FOR THE CITY OF
TRENTON AWARDED THROUGH NEW JERSEY STATE CONTRACT NUMBER #M4002
21-TELE-01360 FOR A PERIOD OF ONE (1) YEAR FROM DATE OF AWARD OR UNTIL
WORK IS COMPLETED IN AN AMOUNT NOT TO EXCEED \$85,259.28**

WHEREAS, the Division of Purchasing has reviewed and verified New Jersey State Contract No. M4002 21-TELE-01360 for NASPO ValuePoint Cloud Solutions awarded to SHI International Corp., 290 Davidson Avenue, Somerset, New Jersey 08873 as the requirements of the City of Trenton, Department of Administration, Division of Management Information System. The State of New Jersey has awarded this contract from December 29, 2020 through September 15, 2026; and

WHEREAS, N.J.S.A. 40A:11-12 (a) permits the City of Trenton to purchase items and provide services without the necessity of competitive bidding under the State of New Jersey Cooperative Purchasing Program; and

WHEREAS, the Department of Administration, Division of Management Information System has a need to purchase open gov cloud system awarded to SHI International Corp., 290 Davidson Avenue, Somerset, New Jersey 08873 through the New Jersey State Contract No. M4002 21-TELE-01360 in an amount not to exceed \$85,259.28; and

WHEREAS, funds have been certified to be available in an amount not to exceed \$85,259.28 in the following in account number: 3-01- -25-2540-290 City of Trenton shall award the contract for a period of one (1) year from date of award or until work has been completed; and

NOW, THEREFORE, IT IS RESOLVED, by the City Council of the City of Trenton as follows:

1. The Purchasing Agent is hereby authorized to execute a purchase order with SHI International Corp., 290 Davidson Avenue, Somerset, New Jersey 08873 in an amount not to exceed \$85,259.28 for the purchase of firewall equipment for the City of Trenton, Department of Administration, Division of Management Information System.
2. The contract is awarded without competitive bidding pursuant to N.J.S.A.40A:11-12(a) of the Local Public Contracts Law.

	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent
EDWARDS					GONZALEZ					FRISBY				
FELICIANO					HARRISON									
FIGUEROA					WILLIAMS									
KETTENBURG														

This Resolution was adopted at a Meeting of the City Council of the City of Trenton on

President of Council

City Clerk

CITY OF TRENTON
DEPARTMENT OF FINANCE

CERTIFICATION OF FUNDS

I, Ron Zilinski, Chief Financial Officer of the City of Trenton, do hereby certify, to the best of my knowledge and belief, that there are now sufficient funds to Contract with:

Vendor Name: SHI INTERNATIONAL
Address# 1: 300 DAVIDSON AVE
Address# 2:
City: SOMERSET
State: NJ
Zip Code: 08873

Purpose: Open Gov Cloud (Budget System)

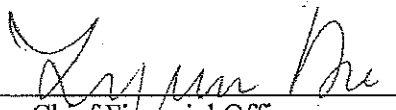
Fund: CURRENT FUND

Account Number 3-01- -25-2540-290 (\$85,259.28)

Vendor ID: SHIIN005

Requisition Number:

Amount not to exceed: Not to Exceed \$85,259.28



Chief Financial Officer

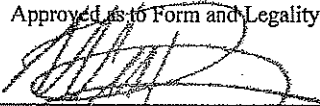
5/10/2023

Date

RESOLUTION

No. **23-278**

Approved as to Form and Legality


WESLEY BRIDGES, ESQ, DIRECTOR OF LAW

Date of Adoption _____

Factual content certified by


ADAME CRUZ, BUSINESS ADMINISTRATOR

Councilman /woman _____ presents the following Resolution:

**RESOLUTION AWARDING A CONTRACT TO SHI INTERNATIONAL CORP., FOR
THE PURCHASE OF A CLOUD BASED MANAGEMENT PLATFORM AND
MAINTENANCE AWARDED THROUGH NEW JERSEY COOPERATIVE
ALLIANCE CK04 SUBCONTRACT# 22-24 FOR A PERIOD OF ONE (1) YEAR FROM
DATE OF AWARD, IN AN AMOUNT NOT TO EXCEED \$122,475.80**

WHEREAS, the Division of Purchasing has reviewed and verified New Jersey Cooperative Alliance CK04 for computer equipment and peripherals for a twenty-four-month period commencing on date of award with one (1) twelve (12) month renewal option meeting the requirements of the City of Trenton, Department of Administration. Each participant must enter into their own contract. New Jersey Cooperative Alliance CK04 Subcontract#22-24 has renewed this contract from May 15, 2023, to May 14, 2024; and

WHEREAS, the City of Trenton, Department of Administration has a need to award a contract to Shi International Corp., 290 Davidson Avenue, Somerset, New Jersey 08873 for the purchase of a cloud-based management platform named Gov-Pilot and maintenance that meets the department's requirements awarded through the New Jersey Cooperative Alliance CK04 in an amount not to exceed \$122,475.80; and

WHEREAS, N.J.S.A. 40A:11-10 (a) (1) permits the City of Trenton to purchase items and utilize the services without the necessity of competitive bidding under the New Jersey Cooperative Alliance; and

WHEREAS, funds in an amount not to exceed \$122,475.80 have been certified in the following account number(s): CY'2023, 3-01- -25-2540-290 (\$53,500.00), and Trust Account, T-03-SP-65-6520-001 (\$68,975.80). The City shall award this contract for a period of one (1) year from date of award.

NOW, THEREFORE, IT IS RESOLVED, by the City Council of the City of Trenton as follows:

1. The Purchasing Agent is hereby authorized to execute a purchase order to Shi International Corp., 290 Davidson Avenue, Somerset, New Jersey 08873 in an amount not to exceed \$122,475.80 for purchase of a cloud-based management platform named Gov-Pilot and maintenance for the City of Trenton, Department of Administration.
2. The Contract is awarded without competitive bidding Pursuant to N.J.S.A.40A:11-12(a) of the Local Public Contracts Law.

	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent
EDWARDS					GONZALEZ					FRISBY				
FELICIANO					HARRISON									
FIGUEROA					WILLIAMS									
KETTENBURG														

This Resolution was adopted at a Meeting of the City Council of the City of Trenton on _____

President of Council_____
City Clerk

CITY OF TRENTON
DEPARTMENT OF FINANCE

CERTIFICATION OF FUNDS

I, Janet Schoenhaar, Chief Financial Officer of the City of Trenton, do hereby certify, to the best of my knowledge and belief, that there are now sufficient funds to Contract with:

Vendor Name: SHI INTERNATIONAL GROUP
Address# 1: 290 Davidson Avenue
Address# 2:
City: Somerset
State: N.J.
Zip Code: 08873

Purpose: Annual Municipal Subscription & Maintenance

Fund: Current Fund, Trust Fund

Year: CY 2023

Account Number 3-01- -25-2540-290 (53,500); T-03-SP-65-6520-001 (68,975.80)

Vendor ID: SHIIN010

Requisition Number:

Amount not to exceed: \$122,475.80



Chief Financial Officer

5/24/2023

Date

M.R.
5-24-2023

RESOLUTION

No. _____

23-306

Approved as to Form and Legality

CITY ATTORNEY

Date of Adoption _____

Factual content certified by

Councilman/woman _____

presents the following Resolution:

RESOLUTION AUTHORIZING THE CITY OF TRENTON'S CALENDAR YEAR 2023 BUDGET TO BE READ BY TITLE ONLY

WHEREAS, N.J.S.A. 40A:4-8 sets forth that the budget may be read by title only at the time of the public hearing, if a resolution is passed by not less than a majority of the full governing body, provided that at least one (1) week prior to the date of hearing and at the hearing, a complete copy of the approved budget: (a) shall be made available for public inspection, and (b) shall be made available to each person upon request; and

WHEREAS, the conditions of N.J.S.A. 40A:4-8(1)(a) and (b), as set forth above, have been met.

NOW, THEREFORE, BE IT RESOLVED, by a majority of the full membership of the governing body that the Budget for Calendar Year 2023 shall be read by title only at the hearing upon adoption

	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent
EDWARDS					GONZALEZ					FRISBY				
FELICIANO					HARRISON									
FIGUEROA					WILLIAMS									
KETTENBURG														

This Resolution was adopted at a Meeting of the City Council of the City of Trenton on _____

President of Council_____
City Clerk

RESOLUTION No. 23-307

Approved as to Form and Legality

CITY ATTORNEY

Date of Adoption _____

Factual content certified by

Councilman/woman _____ presents the following Resolution:

RESOLUTION TO APPROVE THE INTRODUCTION OF THE CALENDAR YEAR 2023 BUDGET

BE IT RESOLVED, by the City Council of the City of Trenton, County of Mercer that the budget set forth is hereby approved by majority of the full authorized membership of this governing body for the Introduced 2023 Calendar Year 2023 Budget

	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent
EDWARDS					GONZALEZ					FRISBY				
FELICIANO					HARRISON									
FIGUEROA					WILLIAMS									
KETTENBURG														

This Resolution was adopted at a Meeting of the City Council of the City of Trenton on _____

President of Council

City Clerk

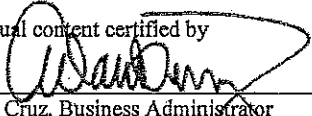
RESOLUTION

No. **23-279**

Date of Adoption _____

Approved as to Form and Legality

Factual content certified by


Wesley Bridges, Director of Law
Adam E. Cruz, Business Administrator

Councilman /woman _____ presents the following Resolution:

**RESOLUTION AUTHORIZING SETTLEMENT OF A CIVIL ACTION IN THE
MATTER OF GAYLE RICHARDSON V. CITY OF TRENTON, ET AL.
IN THE TOTAL AMOUNT OF \$30,000.00**

WHEREAS, Gayle Richardson, commenced a civil suit against the City of Trenton, in Mercer County Superior Court, under Docket No. MER-L-690-21; and

WHEREAS, the complaint alleges allegations against the City of Trenton and various employees; and

WHEREAS, said action has been reviewed and assessed by the City Attorney and the City Attorney is of the opinion that it is in the best interest of the City of Trenton to settle the case in the total amount of \$30,000.00; and

WHEREAS, the parties agree that settlement of this matter does not constitute an admission of any liability; and

WHEREAS, the settlement in the total amount of \$30,000.00 is inclusive of costs and attorney's fees; and

WHEREAS, the Acting Chief Financial Officer has certified that sufficient funds are available in the CY23 General Liability Self-Insurance Fund, Account Number 3-01- -80-8070-623, for this purpose; and

NOW, THEREFORE, BE IT RESOLVED, by the Trenton City Council that the case of Gayle Richardson v. City of Trenton be disposed of by way of settlement in the total amount of \$30,000.00.

BE IT FURTHER RESOLVED, that the City Treasurer is hereby authorized to issue a warrant for the payment of \$30,000.00 to the Law Offices of Devlin, Cittadino & Shaw, P.C., and Gayle Richardson in accordance with the terms of settlement as set forth herein.

	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent
EDWARDS					GONZALEZ					FRISBY				
FELICIANO					HARRISON									
FIGUEROA					WILLIAMS									
KETTENBURG														

This Resolution was adopted at a Meeting of the City Council of the City of Trenton on _____

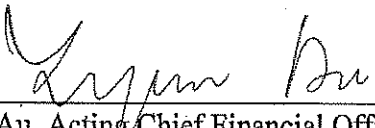
President of Council_____
City Clerk

**CITY OF TRENTON
DEPARTMENT OF FINANCE**

CERTIFICATION OF AVAILABILITY OF FUNDS

I, Lynn Au, Acting Chief Financial Officer of the City of Trenton, do hereby, certify, to the best of my knowledge and belief that there now exist adequate funds to award the settlement in the matter of Gayle Richardson v. City of Trenton, et al. bearing Docket Number MER-L-690-21 in the amount of \$30,000.00. Such funds for said settlement award are available in CY2023 General Liability Self-Insurance Fund, Account Number 3-01- -80-8070-623

Dated: 5/25/2023



Lynn Au, Acting Chief Financial Officer

Account Number: 3-01- -35-3500-291 - \$30,000.00

RESOLUTION

No. 23-305

Approved as to Form and Legality

WESLEY BRIDGES, CITY ATTORNEY

Date of Adoption

Factual content certified by

ADAM E. CRUZ, BUSINESS ADMINISTRATOR

Councilman/woman

presents the following Resolution:

RESOLUTION AUTHORIZING SETTLEMENT OF A CIVIL ACTION IN THE MATTER OF KENDAL ROSSI V. CITY OF TRENTON, ET AL. IN THE TOTAL AMOUNT OF \$36,600.00

WHEREAS, Kendall Rossi, commenced a civil suit against the City of Trenton, et al. in the United States District Court, District of New Jersey, Docket No. 3:18-CV-12708; and

WHEREAS, the complaint arose from a civil rights law suit whereby Plaintiff alleges that an incident occurred as a result of assault and battery causing severe injuries, at 225 North Clinton Avenue; and

WHEREAS, the parties agree that settlement of this matter does not constitute an admission of any liability; and

WHEREAS, the settlement requires payment from Defendant City of Trenton in the amount of \$36,600.00; and

WHEREAS, the Director of Finance has certified that sufficient funds are available in the CY23 General Liability Self-Insurance Fund, Account Number 3-01- -80-8070-623, for this purpose.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Trenton that said action of Kendall Rossi v. City of Trenton, et al. be disposed of by way of settlement in the total amount of \$36,600.00 with a contribution from the City of Trenton in the amount of \$36,600.00 in accordance with the general release and settlement agreement executed by plaintiff(s); and

BE IT FURTHER RESOLVED that the City Treasurer is hereby authorized to issue a warrant for the payment of \$36,600.00 to the J. Fine Law Group and Kendall Rossi in accordance with the terms of settlement as set forth herein.

	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent
EDWARDS					GONZALEZ					FRISBY				
FELICIANO					HARRISON									
FIGUEROA					WILLIAMS									
KETTENBURG														

This Resolution was adopted at a Meeting of the City Council of the City of Trenton on _____

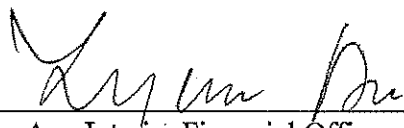
President of Council_____
City Clerk

CITY OF TRENTON
DEPARTMENT OF FINANCE

CERTIFICATION OF AVAILABILITY OF FUNDS

I, Lyn Au, Interim Chief Financial Officer of the City of Trenton, do hereby certify, to the best of my knowledge and belief that there now exist adequate funds to award the settlement in the matter of Kendall Rossi v. City of Trenton, et al. bearing Docket Number 3:18-CV-12708 in the amount of \$36,600.00. Such funds for said settlement award are available in CY2023 General Liability Self-Insurance Fund, Account Number 3-01-80-8070-623.

Dated: 6/15/2023



Lynn Au, Interim Financial Officer

Account Number: 3-01-80-8070-623 - \$36,600.00

RESOLUTION

No. 23-280

Approved as to Form and Legality

Wesley Bridges, Esq., CITY ATTORNEY

Date of Adoption _____

Factual content certified by

Steve E. Wilson, Police Director

Councilman/woman _____ presents the following Resolution:

RESOLUTION AUTHORIZING THE AMENDMENT OF A PRICE INCREASE FOR A CONTRACT TO CHAS S. WINNER FORD, INC. FOR THE PURCHASE OF TWENTY (20) 2023 MARKED, ALL WHEEL DRIVE BASE VEHICLES TO BE UTILIZED BY THE PATROL BUREAU THROUGH NEW JERSEY STATE CONTRACT NUMBER T-2776 20-FLEET-01189 AWARDED IN THE AMOUNT NOT TO EXCEED THE REVISED AMOUNT OF \$834,840.00

WHEREAS, the Division of Purchasing had reviewed and verified New Jersey State Cooperative Purchasing Program T-2776 20-FLEET-01189 for Police Vehicles, Gasoline, Hybrid and Plug-In Hybrid Engines, meeting the requirements of the City of Trenton, Department of Police, Patrol Bureau; and

WHEREAS, Resolution #22-035 was adopted on February 3, 2022, for an amount not to exceed \$744,820.00 for the purchase of twenty (20) marked Hybrid police vehicles to be utilized solely by the Patrol Bureau; and

WHEREAS, the State of New Jersey, Division of Purchase and Property, authorized an amendment to the State Contract pricing for vehicles under the T2776 blanket Purchase Order, which has been rolled over into the 2023 model year with price increases including Hybrid vehicles, on August 16, 2022; and

WHEREAS, Winner Ford updated their invoice to reflect the updated pricing to \$834,840.00, a \$90,020.00 price increase from the original pricing; and

WHEREAS, funds in the amount not to exceed \$834,840.00 have been certified to be available in account number G-SS-22-50-500G-410.

NOW, THEREFORE IT IS RESOLVED, by the City Council of the City of Trenton that the Mayor is hereby authorized to amend Resolution #22-035 awarded to Winner Ford, 250 Haddonfield Berlin Road, Cherry Hill, New Jersey 08034-3409 in the amount not to exceed the revised amount of \$834,840.00

	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent
EDWARDS					GONZALEZ					FRISBY				
FELICIANO					HARRISON									
FIGUEROA					WILLIAMS									
KETTENBURG														

This Resolution was adopted at a Meeting of the City Council of the City of Trenton on _____

President of Council

City Clerk

**CITY OF TRENTON
DEPARTMENT OF FINANCE**

CERTIFICATION OF FUNDS

I, Lynn Au, Chief Financial Officer of the City of Trenton, do hereby certify,
to the best of my knowledge and belief, that there are now sufficient funds to
Contract with:

Vendor Name: Winner Ford
Address# 1: 250 Haddonfield-Berlin Rd.
Address# 2:
City: Cherry Hill
State: New Jersey
Zip Code: 8034

Purpose: **TO PURCHASE VEHICLES THAT WILL BE UTILIZED BY THE
TRENTON POLICE DEPARTMENT**

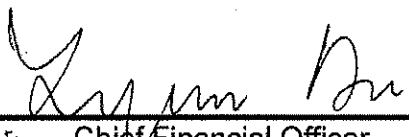
FUND:

Account Number: **G-SS-22-50-500G-410**

Vendor ID#: **WINNE005**

Requisition Number:

Amount not to exceed: **\$834,840.00**



Acting Chief Financial Officer
5/11/2023

Date

OK
5/1/23

RESOLUTION

No. **23-281**

Approved as to Form and Legality

CITY ATTORNEY

Date of Adoption

Factual content certified by

Councilman/woman

presents the following Resolution:

RESOLUTION AUTHORIZING EMERGENCY APPROPRIATIONS TO THE CY 2023 TEMPORARY UTILITY BUDGETS OF THE CITY OF TRENTON

WHEREAS, an emergency has arisen with respect to providing funds for the operation of the City of Trenton Utility and no adequate provision has been made in the CY 2023 Temporary Utility Budgets for certain purposes, and N.J.S.A. 40A:4-20 provides for creation of an emergency appropriation for the certain purposes as listed below, and

WHEREAS, the total emergency temporary resolutions adopted for the CY 2023 year pursuant to the provisions of Chapter 96, P.L. 1951 including this resolution total \$15,915,000.00

NOW, THEREFORE BE IT RESOLVED, BY THE City Council of the City of Trenton, (by not less than two-thirds of all members thereof affirmatively concurring) that in accordance with N.J.S.A. 40A:4-20 the following emergency appropriations for Utility Budgets are hereby adopted as follows.

WATER UTILITY OPERATING

FINANCE

WATER UTILITY-SW	100,000.00
WATER UTILITY-OE	50,000.00

PUBLIC WORKS

WATER UTILITY-SW	4,000,000.00
WATER UTILITY-OE	8,000,000.00

SUB-TOTAL WATER UTILITY OPERATING	12,150,000.00
--	----------------------

SEWER UTILITY-OPERATING

FINANCE

SEWER UTILITY-SW	100,000.00
SEWER UTILITY-OE	3,000.00

PUBLIC WORKS

SEWER UTILITY-SW	1,200,000.00
SEWER UTILITY-OE	2,000,000.00

SUB-TOTAL SEWER UTILITY OPERATING	3,303,000.00
--	---------------------

PARKING UTILITY OPERATING

PARKING UTILITY-SW	125,000.00
PARKING UTILITY-OE	1,000.00
HEAT, LIGHT & POWER	100,000.00

RESOLUTION

PARKING ENFORCEMENT

PARKING ENFORCEMENT-SW	200,000.00
PARKING ENFORCEMENT-OE	25,000.00
UNEMPLOYMENT INSURANCE	1,000.00
SOCIAL SECURITY	10,000.00
SUB-TOTAL PARKING UTILITY OPERATING	462,000.00

	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent
EDWARDS					GONZALEZ					FRISBY				
FELICIANO					HARRISON									
FIGUEROA KETTENBURG					WILLIAMS									

This Resolution was adopted at a Meeting of the City Council of the City of Trenton on _____

President of Council

City Clerk

RESOLUTION No. 23-282

Approved as to Form and Legality

CITY ATTORNEY

Date of Adoption

Factual content certified by

Constance S. Ludden
CONSTANCE S. LUDDEN, TAX COLLECTOR

Councilman/woman presents the following Resolution:

RESOLUTION AUTHORIZING THE CITY OF TRENTON TO ISSUE 3 TAX REFUNDS TOTALING \$2,695.29

WHEREAS, Various tax payments have been made on various tax accounts which are detailed on the list below; and

WHEREAS, said payments were applied to the various tax accounts listed per the remitter at the direction of the Tax Collector's office; and

WHEREAS, it has been discovered that said payments have resulted in overpayments; and

WHEREAS, refunds have been requested by the remitter and are recommended by the Tax Collector.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Trenton, County of Mercer, State of New Jersey hereby directs refunds on 5 accounts totaling \$2,695.29 to be processed by the Tax Collector.

6/22/23 Refunds

BLOCK	LOT	PROPERTY LOCATION	AMOUNT	REFUND TO	REASON
3602	5	186 W Hanover St.	\$949.70	Gomez, Jose & Christopher	Erroneous Pymt
7004	9	21 Wainwright Ave.	\$912.85	Extra Property Management	Erroneous Pymt
12802	18	48 Walnut Ave.	\$832.74	Trystone	Erroneous Pymt
			\$2,695.29		

	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent
EDWARDS					GONZALEZ					FRISBY				
FELICIANO					HARRISON									
FIGUEROA					WILLIAMS									
KETTENBURG														

This Resolution was adopted at a Meeting of the City Council of the City of Trenton on

President of Council

City Clerk

RESOLUTION

No.

23-283

Date of Adoption _____

Approved as to Form and Legality

WESLEY BRIDGES ESQ., DIRECTOR OF LAW

Factual content certified by

MARIA RICHARDSON, ACTING DIRECTOR OF HEALTH AND HUMAN SERVICES

Councilman/woman _____ presents the following Resolution:

**RESOLUTION AUTHORIZING THE FY2023 APPLICATION AND ACCEPTANCE IF AWARDED
OF \$150,000.00 FROM THE NJ DEPARTMENT OF COMMUNITY
AFFAIRS FOR THE CITY OF TRENTON, DEPARTMENT OF HEALTH AND HUMAN
SERVICES OFFICE OF RETURNING CITIZENS PROGRAM**

WHEREAS, the City of Trenton, Department of Health and Human Services, Office of Returning Citizens Program will apply for a \$150,000.00 grant from the NJ Department of Community Affairs' Reentry Program; and

WHEREAS, the purpose of this application is to professionally staff and offer training and educational opportunities through the City's Office of Returning Citizens Program as part of the New Jersey Legislative Mercer County Reentry Pilot Program; and

WHEREAS, the City of Trenton will need to enter into a grant agreement to accept this grant upon award; and

WHEREAS, no matching funds are required through this program; and

WHEREAS, the City of Trenton desires to authorize submission of this application and acceptance if awarded.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Trenton as follows:

- 1) The Mayor is hereby authorized and directed to file a grant application on behalf of the City of Trenton to the State of New Jersey to NJ Department of Community Affairs' Reentry Program.
- 2) The Mayor is hereby authorized to execute any agreements and other documents necessary to apply for and accept the aforementioned grant.

	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent
EDWARDS					GONZALEZ					FRISBY				
FELICIANO					HARRISON									
FIGUEROA					WILLIAMS									
KETTENBURG														

This Resolution was adopted at a Meeting of the City Council of the City of Trenton on _____

President of Council_____
City Clerk

RESOLUTION

No.

23 - 286

Date of Adoption _____

Approved as to Form and Legality

WESLEY BRIDGES, ESQ., CITY ATTORNEY

Factual content certified by

WILLARD STANBACK, ACTING DIRECTOR OF HOUSING
AND ECONOMIC DEVELOPMENT

Councilman/woman _____ presents the following Resolution:

**RESOLUTION AWARDING A CONTRACT THROUGH A FAIR AND OPEN PROCESS IN
ACCORDANCE WITH N.J.S.A. 19:44 A-20.4 ET SEQ TO CME ASSOCIATES, FOR ENGINEERING
SERVICES FOR THE DESIGN OF WARREN STREET SIDEWALKS AND FRONT STREET PAVERS
IN AN AMOUNT NOT TO EXCEED \$65,025.39 FOR A PERIOD OF NINETY (90) DAYS FROM DATE
OF AWARD - RFP2023-16**

WHEREAS, the City has a need for engineering services for Warren Street sidewalks and Front Street pavers for a period of ninety (90) days from date of award for the City of Trenton, Department of Housing and Economic Development; and

WHEREAS, a request for proposal was advertised and three (3) proposals were received on March 23, 2023 at 11:00am by the Purchasing Agent and were evaluated by a committee based on criteria that included experience, understanding of requirements and cost; and

WHEREAS, the proposal of CME Associates, 1460 Route 9 South, Howell, NJ 07731 was deemed to include the necessary qualifications and expertise for the performance of the services at the rates listed in the proposal; and

WHEREAS, funds in an amount not to exceed \$65,025.39 is available in the following grant account number: G-SS-24-60-500B-290. This contract shall be awarded from for a period of ninety (90) days from date of award.

NOW, THEREFORE IT IS RESOLVED, by the City Council of the City of Trenton, as follows:

1. The Mayor is hereby authorized to enter into a contract with CME Associates, 1460 Route 9 South, Howell, NJ 07731 in an amount not to exceed \$65,025.39 for engineering services for Warren Street sidewalks and Front Street pavers for the City of Trenton, Department of Housing and Economic Development.
2. This contract is awarded pursuant to the authority set forth in the Local Public Contracts Law at N.J.S.A. 40A:11-5.
3. A notice of this action shall be printed once in the official newspaper for the City of Trenton and the Resolution and contract shall remain on file in the City Clerk's Office.

	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent
EDWARDS					GONZALEZ					FRISBY				
FELICIANO					HARRISON									
FIGUEROA					WILLIAMS									
KETTENBURG														

This Resolution was adopted at a Meeting of the City Council of the City of Trenton on _____

President of Council_____
City Clerk

CITY OF TRENTON
DEPARTMENT OF FINANCE

CERTIFICATION OF FUNDS

I, Lynn Au, Acting Chief Financial Officer of the City of Trenton, do hereby certify, to the best of my knowledge and belief, that there are now sufficient funds to Contract with:

Vendor Name: CME Associates
Address# 1: 1460 Route 9 South
City: Howell
State: New Jersey
Zip Code: 07731

Purpose: Engineering Services for Warren and Front Street Project

Fund: UEZ

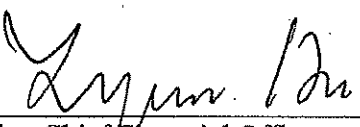
Account Numbers: G-SS-24-60-500B-290

SP
4/28/23

Vendor ID:

Requisition Number:

Amount not to exceed: \$65,025.39



Acting Chief Financial Officer

5/1/2023

Date

RESOLUTION

No. 23-287

Date of Adoption _____

Approved as to Form and Legality

Factual content certified by

WESLEY BRIDGES, ESQ., CITY ATTORNEY

WILLARD STANBACK, ACTING DIRECTOR OF HOUSING AND ECONOMIC DEVELOPMENT

Councilman/woman _____ presents the following Resolution:

RESOLUTION AWARDED A CONTRACT THROUGH A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44 A-20.4 ET SEQ TO MONTROSE ENVIRONMENTAL FOR ENVIRONMENTAL ENGINEERING AND CONSULTING SERVICES FOR THE COMPLETION OF A SITE INVESTIGATION FOR THE FORMER MERCURY CLEANERS/SUDS BROTHERS SITE LOCATED AT 215-225 WEST INGHAM AVENUE IN AN AMOUNT NOT TO EXCEED \$18,830.00 FOR A PERIOD OF ONE (1) YEAR FROM TIME OF AWARD - RFP2023-12

WHEREAS, the City has a need for Professional Services for Environmental Engineering and Consulting Services for the Completion of a Site Investigation in accordance with NJDEP requirements for the former Mercury Cleaners/Suds Brothers Site located at 215-225 West Ingham Avenue, Trenton, NJ for a period of one (1) year from date of award for the City of Trenton, Department of Housing and Economic Development; and

WHEREAS, a request for proposal was advertised and twelve (12) proposals were received on March 3, 2023, at 11:00am by the Purchasing Agent and were evaluated by a committee based on criteria that included experience, understanding of requirements and cost; and

WHEREAS, the proposal of Montrose Environmental, 500 Horizon Center Drive, Suite 540, Robbinsville, NJ 08691 was deemed to include the necessary qualifications and expertise for the performance of the services listed in the proposal; and

WHEREAS, funds in an amount not to exceed \$18,830.00 is available in the following grant account number: G-FF-22-60-063B-290. This contract shall be awarded for a period of one (1) year from date of award.

NOW, THEREFORE IT IS RESOLVED, by the City Council of the City of Trenton, as follows:

1. The Mayor is hereby authorized to enter into a contract with the Montrose Environmental, 500 Horizon Center Drive, Suite 540, Robbinsville, NJ 08691 in an amount not to exceed \$18,830.00 for Professional Services for Environmental Engineering and Consulting Services for the Completion of a Site Investigation in accordance with NJDEP requirements for the former Mercury Cleaners/Suds Brothers Site located at 215-225 West Ingham Avenue, Trenton, NJ, for the City of Trenton, Department of Housing and Economic Development
2. This contract is awarded pursuant to the authority set forth in the Local Public Contracts Law at N.J.S.A. 40A:11-5.
3. A notice of this action shall be printed once in the official newspaper for the City of Trenton and the Resolution and contract shall remain on file in the City Clerk's Office.

	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent
EDWARDS					GONZALEZ					FRISBY				
FELICIANO					HARRISON									
FIGUEROA KETTENBURG					WILLIAMS									

This Resolution was adopted at a Meeting of the City Council of the City of Trenton on _____

President of Council

City Clerk

CITY OF TRENTON
DEPARTMENT OF FINANCE

CERTIFICATION OF AVAILABILITY OF FUNDS

I, Lynn Au, Acting Chief Financial Officer for the City of Trenton, do hereby certify, to the best of my knowledge and belief that there are now adequate funds for Change Order #1 to Contract with:

Vendor Name:	Montrose Environmental
Address:	500 Horizon Center Drive, Suite 540
City/State/Zip:	Robbinsville, NJ 08691
Contact:	Rick Shoyer
Amount:	\$18,830

Purpose: Conduct Site Investigation and UST Compliance per NJDEP Site Remediation Requirements.

Fund: USEPA Assessment Grant

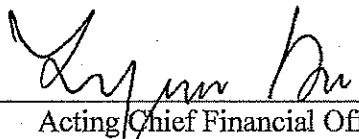
Account Number: G-FF-22-60-063B-290 (\$18,830)

Vendor ID:

Requisition Number:

Amount not to exceed: \$18,830

OK
4/21/23



Acting Chief Financial Officer

4/24/2023

Date

RESOLUTION

No. **23-288**

Approved as to Form and Legality

WESLEY BRIDGES, CITY ATTORNEY

Date of Adoption

Factual content certified by

WILLARD STANBACK, ACTING DIRECTOR
DEPARTMENT OF HOUSING AND ECONOMIC DEVELOPMENT

Councilman/woman _____ presents the following Resolution:

**RESOLUTION AUTHORIZING THE CITY OF TRENTON TO APPLY FOR AND
ACCEPT GRANT MONEYS UP TO THE AMOUNT OF \$1,996,106 FROM THE
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY FOR A
BROWNFIELDS CLEANUP GRANT FOR THE FORMER NEW METHOD
CLEANERS SITE, 300-310 PROSPECT STREET**

WHEREAS, the City of Trenton has received and managed numerous cleanup, assessment and revolving loan fund grants from the U.S. Environmental Protection Agency's (USEPA) Brownfields Grant program since 1995; and

WHEREAS, the USEPA has invited the City of Trenton to apply for additional grant funds; and

WHEREAS, the City of Trenton is eligible to apply for up to \$2,000,000 for site-specific cleanup grant funding with no required match; and

WHEREAS, the City acquired the former New Method Cleaners site in 2013 through tax foreclosure and has conducted substantial investigations that determined a need for a significant level of funding for remediation of contamination created as a result of historic dry cleaning operations; and

WHEREAS, the City contracted a Licensed Site Remediation Professional in accordance with State environmental laws who, among other things, has selected an appropriate remedial action and provided estimated costs for the remediation; and

NOW, THEREFORE, IT IS RESOLVED, by the City Council of the City of Trenton that the Mayor is hereby authorized to submit an application to the USEPA, seeking grant funds up to \$1,996,106, and execute all related documents.

	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent
EDWARDS					GONZALEZ					FRISBY				
FELICIANO					HARRISON									
FIGUEROA KETTENBURG					WILLIAMS									

This Resolution was adopted at a Meeting of the City Council of the City of Trenton on _____

President of Council

City Clerk

RESOLUTION

No. **23-289**

Approved as to Form and Legality


WESLEY BRIDGES, CITY ATTORNEY

Date of Adoption _____

Factual content certified by


WAHAB ONITIRI, DIRECTOR OF PUBLIC WORKS

Councilman/woman _____ presents the following Resolution:

RESOLUTION AUTHORIZING THE ADDITIONAL NAME OF CELSO RIVERA WAY TO GENESEE STREET AT LAKESIDE AVENUE

WHEREAS, Celso Rivera was a Trenton area resident; and

WHEREAS, Celso Rivera was a loving father, partner, brother and son; and

WHEREAS, Celso Rivera was employed by the Trenton Board of Education at Grace A. Dunn Middle School; and

WHEREAS, Celso Rivera was loved by all that came in contact with him and his life was tragically cut short by a hit and run driver at the intersection of Lalor Street and Route 129; and

WHEREAS, the City of Trenton believes that placing the additional name of Celso Rivera Way to Genesee Street and Lakeside Avenue would be a way for his family to honor him; and

WHEREAS, the City Council of the City of Trenton agrees that the Celso Rivera is deserving of this honor; now therefore be it

RESOLVED, that the City Council of the City of Trenton authorizes the additional name of Celso Rivera Way to Genesee Street at Lakeside Avenue.

	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent
EDWARDS					GONZALEZ					FRISBY				
FELICIANO					HARRISON									
FIGUEROA KETTENBURG					WILLIAMS									

This Resolution was adopted at a Meeting of the City Council of the City of Trenton on _____

President of Council

City Clerk

RESOLUTION

No. **23-290**

Approved as to Form and Legality


WESLEY BRIDGES, ESQ., DIRECTOR OF LAW

Date of Adoption _____

Factual content certified by


WAHAB ONITIRI, DIRECTOR OF PUBLIC WORKS

Councilman /woman _____

presents the following Resolution:

**RESOLUTION ACCEPTING A BID AND AWARDING A CONTRACT TO
GABRIELLI KENWORTH OF NEW JERSEY LLC., FOR THE PURCHASING OF
ONE (1) 2024 KENWORTH MODEL T480 CHASSIS AND ONE (1) CURRENT
MODEL STEPP MFG OIL DISTRIBUTOR WITH ATTACHMENTS OR
APPROVED EQUIVALENT FOR A PERIOD OF ONE (1) YEAR FROM DATE OF
AWARD IN AN AMOUNT NOT TO EXCEED \$271,082.27
BID 2023-30**

WHEREAS, two (2) sealed bids were received in the Division of Purchasing on April 12, 2023 at 11:00am, by the Purchasing Agent for the purchasing of one (1) 2024 Kenworth Model T480 Chassis and one (1) Current Model Stepp MFG Oil Distributor with attachments or approved equivalent for a period of one (1) year from date of award for the City of Trenton, Department of Public Works, Division of Streets; and

WHEREAS, the bid of Gabrielli Kenworth of New Jersey LLC., 2306 Route 130 North, Dayton, New Jersey 08810 is made pursuant to advertisement, be and is hereby accepted, as the responsive, responsible bidder complying with terms and specifications on file in the Division of Purchasing; and

WHEREAS, funds in an amount not to exceed \$271,082.27 have been certified to be available in the following account numbers: C-04-18-55-030L-019 (175,000.00); C-04-20-55-008L-004 (83,283.99); C-04-20-55-008L-011(12,798.28) for a period of one (1) year from date of award; and

NOW, THEREFORE, IT IS RESOLVED, by the City Council of the City of Trenton that the Mayor is hereby authorized to execute contracts with Gabrielli Kenworth of New Jersey LLC., 2306 Route 130 North, Dayton, New Jersey 08810 in an amount not to exceed \$271,082.27 for the purchasing of one (1) 2024 Kenworth model T480 Chassis and one (1) Current Model Stepp MFG Oil Distributor with attachments or approved equivalent for a period of one (1) year from date of award for the City of Trenton, Department of Public Works, Division of Streets; for the said purposes in the manner prescribed by law.

	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent
EDWARDS					GONZALEZ					FRISBY				
FELICIANO					HARRISON									
FIGUEROA KETTENBURG					WILLIAMS									

This Resolution was adopted at a Meeting of the City Council of the City of Trenton on _____

President of Council

City Clerk

CITY OF TRENTON
DEPARTMENT OF FINANCE

CERTIFICATION OF AVAILABILITY OF FUNDS

I, Lynn Au, Acting Chief Financial Officer of the City of Trenton, do hereby certify, to the best of my knowledge and belief, that there are now adequate funds to contract with:

Vendor Name: Gabrielle Kenworth of New Jersey

Address: 2306 Route 130 North

City/State/Zip: Dayton, NJ 08810

Purpose: Equipment Purchase- Asphalt Distributor

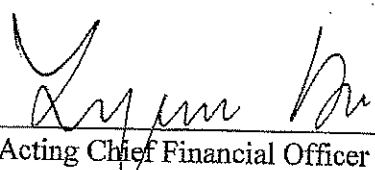
Fund: Capital

Account Number: C-04-18-55-030L-019 (\$175,000.00)
C-04-20-55-008L-004 (\$83,283.99)
C-04-20-55-008L-011 (\$12,798.28)

Vendor ID: GABRI015

Requisition Number: Q3-00879

Amount : \$271,082.27



Acting Chief Financial Officer

5/4/2023

Date

RESOLUTION No. **23-291**

Approved as to Form and Legality


WESLEY BRIDGES, ESQ. DIRECTOR OF LAW

Date of Adoption _____

Factual content certified by


WAHAB ONITIRI, DIRECTOR OF PUBLIC WORKS

Councilman /woman

presents the following Resolution:

**RESOLUTION ACCEPTING A BID AND AWARDING A CONTRACT TO
EARLE ASPHALT COMPANY, FOR THE RECONSTRUCTION OF VARIOUS STREETS
IN THE CITY OF TRENTON FOR THE CITY OF TRENTON DEPARTMENT OF PUBLIC
WORKS, DIVISION OF ENGINEERING AND TRANSPORTATION FOR A PERIOD OF
NINETY (90) CALENDAR DAYS FROM "NOTICE TO PROCEED" IN AN AMOUNT NOT
TO EXCEED \$2,852,713.13 BID 2023-29**

WHEREAS, two (2) sealed bids were received in the Division of Purchasing on May 5, 2023 at 11:00am, by the Purchasing Agent for the Reconstruction of Various Streets in the City of Trenton for a period of ninety (90) calendar days from "notice to proceed" for the City of Trenton, Department of Public Works, Division of Engineering and Transportation; and

WHEREAS, the reconstruction of various streets in the city is necessary to improve the safety of motorists and pedestrians while improving the beautification of the City of Trenton; and

WHEREAS, the low bid of Earle Asphalt Company., P.O. BOX 556, Farmingdale, New Jersey 07727 made pursuant to advertisement, be and is hereby accepted, as the lowest responsive, responsible bidder complying with terms and specifications on file in the Division of Purchasing; and

WHEREAS, funds in an amount not to exceed \$2,852,713.13 have been certified to be available in the following account numbers: T-19-21-55-5504-290(\$1,133,535.00); T-19-21-60-1381-290(\$661,544.00); T-19-23-55-5501-290(\$1,000,000.00); C-04-06-55-086C-002(\$56,544.78); C-04-20-55-008F-003(\$1,089.35). This contract shall be awarded for a period of ninety (90) calendar days from "notice to proceed".

WHEREAS, the following streets are listed for reconstruction: Franklin Street (Liberty St & Cedar Lane), Washington Street (Roebbling Ave & Anderson St.), Second Street (Cass St & Federal St.), Culbertson Street (Monmouth St & Greenwood Ave.), Gladstone Avenue (S. Olden & S. Logan Ave.), Vine Street (Brunswick Ave & MLK Blvd.), Pine Street (Brunswick Ave & New York Ave.), Violet Street (Brunswick Ave. & Mayer St.), N. Hermitage Avenue (West State St & Bellevue Ave.), Bellevue Avenue (Hermitage Ave. & Prospect St.), Frazier Street (Pennington Ave. & Prospect St.), Spring Street (Calhoun St. & N. Willow St.), Montgomery Place (W. End Ave. & Fischer Pl.)

RESOLUTION

Page 2

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Trenton that the Mayor is hereby authorized to execute a contract with Earle Asphalt Company., P.O. BOX 556, Farmingdale, New Jersey 07727 for the reconstruction of various streets in the City of Trenton for a period of ninety (90) calendar days from "notice to proceed" for the City of Trenton, Department of Public Works, Division of Engineering and Transportation, for the said purposes in the manner prescribed by law.

	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent
EDWARDS					GONZALEZ					FRISBY				
FELICIANO					HARRISON									
FIGUEROA KETTENBURG					WILLIAMS									

This Resolution was adopted at a Meeting of the City Council of the City of Trenton on _____

President of Council

City Clerk

CITY OF TRENTON
DEPARTMENT OF FINANCE


CERTIFICATION OF AVAILABILITY OF FUNDS

I, Lynn Au, Acting Chief Financial Officer of the City of Trenton, do hereby certify, to the best of my knowledge and belief, that there are now adequate funds to contract with:

Vendor Name: Earle Asphalt Company
Address: P.O Box 556
City/State/Zip: Farmingdale, New Jersey 07727
Purpose: Reconstruction of Various Streets in the City of Trenton
Fund: Trust & Capital

Account Number:	T-19-21-55-5504-290	\$1,133,535.00	} Gnd 5/15/2023
	T-19-21-60-1381-290	\$ 661,544.00	
	T-19-23-55-5501-290	\$1,000,000.00	
	C-04-06-55-086C-002	\$ 56,544.78	
	C-04-20-55-008F-003	\$ 1,089.35	
		+	
		\$2,852,713.13	

Vendor ID: EARLE005
Requisition Number: Q3-02831
Amount not to exceed: \$2,852,713.13



Acting Chief Financial Officer

5/15/2023

Date

RESOLUTION No. **23-270**

Approved as to Form and Legality

Wesley Bridges, City Attorney

Date of Adoption _____

Factual content certified by

Sean Semple, Acting Director, Department of Water and Sewer

Councilman /woman _____ presents the following Resolution:

**RESOLUTION AMENDING CONTRACT WITH PACT TWO LLC FOR RAW WATER
INTAKE IMPROVEMENTS AT THE TRENTON WATER WORKS WATER
FILTRATION PLANT, IN AN AMOUNT NOT TO EXCEED \$2,707,352.42
FOR A REVISED CONTRACT PRICE OF \$8,257,352.42 – BID2020-58**

WHEREAS, Pact Two, LLC ("Pact Two") was awarded the contract for BID 2020-58, Raw Water Intake Improvements at the Trenton Water Works Water Filtration Plant in the amount of \$5,550,000 (See Exhibit A, Resolution 20-644); and

WHEREAS, the original job specification for BID 2020-58 was to furnish the labor, materials and equipment required to construct six new raw water intake screens on concrete foundations, install approximately 315 linear feet of 54-inch steel pipe, construct a compressor/control building to house the compressed air intake screen cleaning system, install approximately 1,565 linear feet of 4" air lines, and necessary appurtenances, including but not limited to the construction of cofferdams within the Delaware River, to connect the new intake screens to the existing raw water intake structure; and

WHEREAS, the project was required to be completed under Administrative Consent Order with strict deadlines to commence construction in September 2021 and achieve substantial completion by February 28, 2022 however, the project was substantially completed on December 2, 2022; and

WHEREAS, state and federal agencies limited construction activities at the work location within the Delaware River from September to March of each year to mitigate aquatic environmental impacts; and

WHEREAS, after several catastrophic river events and documented supply chain impacts, it was determined that a contract amendment was needed to account for the out-of-scope services and costs encountered during construction while maintaining the ACO and regulatory work schedule requirements; and

WHEREAS, a summary and justification of the scope changes that were required to successfully complete the construction project are provided in a letter report prepared by Mott MacDonald dated June 29, 2022 (see Exhibit B; 17 pgs.); and

WHEREAS, the scope changes required a contract amendment in the amount of \$2,707,352.42 for a revised contract price in the amount of \$8,257,352.42, which exceeds the 20% threshold amount for total contract amendments, as set forth in N.J.S.A. 5:30-11.3(a) 9; and

WHEREAS, funds for the original contract were drawn from three accounts, (1) C-06-20-55-024C-301 for \$3,000,000, (2) 2-05-55-5500-899 (TY 2022) for \$1,000,000 and (3) C-06-10-55-034X-342 (Bond Ordinance 10-034) for \$1,550,000; and

RESOLUTION

WHEREAS, funds for the additional completed work have been certified to be available in account number C-06-10-55-034X-342 (Bond Ordinance 10-034); and

NOW, THEREFORE IT IS RESOLVED, by the City Council of the City of Trenton that the Mayor is hereby authorized to amend the contract with Pact Two, LLC for the said purposes in the manner prescribed by law.

	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent
EDWARDS					GONZALEZ					FRISBY				
FELICIANO					HARRISON									
FIGUEROA KETTENBURG					WILLIAMS									

This Resolution was adopted at a Meeting of the City Council of the City of Trenton on _____

President of Council

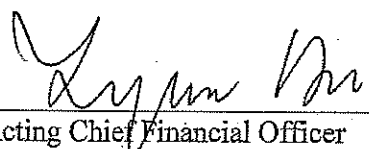
City Clerk

CITY OF TRENTON
DEPARTMENT OF FINANCE

CERTIFICATION OF AVAILABILITY OF FUNDS

I, Lynn Au, Acting Chief Financial Officer of the City of Trenton, do hereby certify, to the best of my knowledge and belief, that there are now sufficient funds to Contract with:

Vendor Name: Pact Two
Address: P.O Box 74
City: Ringoes
State: New Jersey
Zip Code: 08551
PURPOSE: Amending Contract BID2020-58, Raw Water Intake Improvements at the
Trenton Water Works Water Filtration Plant Pact Two
REQ: Q3-02276
TOTAL: \$2,707,352.42
Fund: Capital Budget
Account Number: C-06-10-55-034X-342 (Bond Ordinance 10-034)
Vendor ID: PACTT005



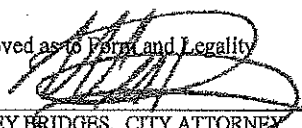
Acting Chief Financial Officer

5/5/2023

Date

RESOLUTION No. 23-292

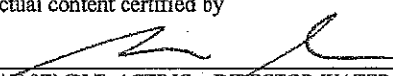
Approved as to Form and Legality


WESLEY BRIDGES, CITY ATTORNEY

Councilman /woman _____

Date of Adoption _____

Factual content certified by


SEAN SEMPLE, ACTING - DIRECTOR WATER AND SEWER UTILITIES

_____ presents the following Resolution:

RESOLUTION AUTHORIZING THE REDUCTION OF SEWER CHARGES OF \$3,914.95 AT 33 TYRELL AVENUE (ACCOUNT # 616-0105-303) DUE TO NON-ENTRY OF WATER INTO THE SEWER SERVICE

WHEREAS, Trenton Water Works billed 33 Tyrell Avenue (Account # 616-0105-303) on April 1, 2022 for sewer usage in the amount of \$3,978.35; and

WHEREAS, it was determined that the high usage was caused by a broken pipe in the wall of living room; and

WHEREAS, the Department of Water and Sewer has determined that the water from the broken pipes drained directly into the floor of the basement; and

WHEREAS, the sewer billing is based upon the water consumption and the water did not enter the sewer system.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Trenton, in the County of Mercer as follows:

1. The sewer charges for 33 Tyrell Avenue (Account # 616-0105-303) shall be reduced by \$3,914.95 from the bill date noted above, leaving the customer responsible to pay for the calculated average of daily sewer use.

	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent
EDWARDS					GONZALEZ					FRISBY				
FELICIANO					HARRISON									
FIGUEROA					WILLIAMS									
KETTENBERG														

This Resolution was adopted at a Meeting of the City Council of the City of Trenton on _____

President of Council

City Clerk

RESOLUTION No. **23-293**

Date of Adoption _____

Approved as to Form and Legality

Factual content certified by


WESLEY BRIDGES, ESQ. CITY ATTORNEY


SEAN SEMPLE, ACTING DIRECTOR OF WATER AND SEWER

Councilman/woman _____ presents the following Resolution:

RESOLUTION AUTHORIZING A CONTRACT TO GROFF TRACTOR MID ATLANTIC, LLC., FOR PARTS, SERVICES, AND REPAIRS TO THE BACKHOE LOADERS USED BY CONSTRUCTION AND MAINTENANCE FOR TRENTON WATER WORKS AWARDED THROUGH EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY #ESCNJ 22/23-12 FOR A PERIOD OF EIGHT (8) MONTHS FROM DATE OF AWARD IN AN AMOUNT NOT TO EXCEED \$75,000.00

WHEREAS, the Division of Purchasing has reviewed and verified Educational Services Commission of New Jersey #ESCNJ 22/23-12 for parts, services, and repairs to the backhoe loaders awarded to Groff Tractor Mid Atlantic LLC., for the City of Trenton, Department of Water, Construction and Maintenance Office. Each participant must enter into their own contract. Educational Services Commission of New Jersey #ESCNJ 22/23-12 has awarded this contract from February 22, 2023, to February 21, 2024.

WHEREAS, N.J.S.A.40A:11-10 (a) (1) permits the City of Trenton to purchase items and provide services without the necessity of competitive bidding under the Educational Regional Educational Services Commission Cooperative Pricing Agreement ESCNJ#22/23-12; and

WHEREAS, the City of Trenton, Department of Water and Sewer, Construction and Maintenance Office, has a need to procure parts and services to maintain and repair construction vehicles (Backhoe Loaders) so the construction and maintenance crew have the appropriate Backhoe Loader equipment in functioning condition. This contract has been awarded to Groff Tractor Mid Atlantic LLC., 629 South Philadelphia Blvd, Aberdeen, Maryland 21001 through Educational Services Commission of New Jersey #ESCNJ 22/23-12 in an amount not to exceed \$75,000.00 for a period of eight (8) months from date of award; and

WHEREAS, funds have been certified to be available in an amount not to exceed \$75,000.00 in the following CY'23 account# 3-05- -55-5504-839-001. This contract shall be awarded for a period of eight (8) months from date of award; and

NOW, THEREFORE, IT IS RESOLVED, by the City Council of the City of Trenton as follows:

1. The Purchasing Agent is hereby authorized to execute a purchase order to Groff Tractor Mid Atlantic LLC., 629 South Philadelphia Blvd, Aberdeen, Maryland 21001 in an amount not to exceed \$75,000.00 for parts, services, and repairs to the backhoe loaders for the City of Trenton, Department of Water and Sewer, Construction and Maintenance Office.
2. The contract is awarded without competitive bidding pursuant to N.J.S.A. 40A:11-10 (a) (1) of the Local Public Contracts Law.

	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent
EDWARDS					GONZALEZ					FRISBY				
FELICIANO					HARRISON									
FIGUEROA KETTENBURG					WILLIAMS									

This Resolution was adopted at a Meeting of the City Council of the City of Trenton on _____

President of Council

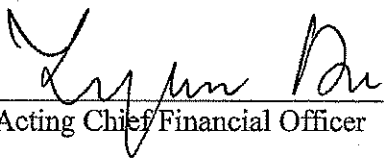
City Clerk

CITY OF TRENTON
DEPARTMENT OF FINANCE

CERTIFICATION OF AVAILABILITY OF FUNDS

I, Lynn Au, Acting Chief Financial Officer of the City of Trenton, do hereby certify, to the best of my knowledge and belief, that there are now sufficient funds to Contract with:

Vendor Name: GROFF TRACTOR MID ATLANTIC, LLC
Address: 629 S. Philadelphia Blvd
City: Aberdeen
State: Maryland
Zip Code: 21001
PURPOSE: Parts, Service, & Repairs to the Backhoe Loaders used by Construction & Maintenance Crews
REQ: Q3-02222
TOTAL: \$75,000.00
Fund: Operating
Account Number: 3-05-55-5504-839-001
Vendor ID: GROFF005



Acting Chief Financial Officer

OK, BT

5/8/2023

Date

RESOLUTION

No. **23-294**

Approved as to Form and Legality


Wesley Bridges, City Attorney

Date of Adoption _____

Factual content certified by


Sean Semple, Acting Director, Department of Water and Sewer

Councilman /woman _____ presents the following Resolution:

**RESOLUTION AUTHORIZING SETTLEMENT IN THE MATTER OF
446 BELLEVUE AVENUE, LLC, FOR OVERPAYMENT OF WATER
AND SEWER CHARGES IN THE AMOUNT OF \$114,166.11**

WHEREAS, on July 12, 2022, 446 Bellevue LLC ("446 Bellevue") filed a Complaint against the City of Trenton ("City") in the Superior Court of New Jersey, Law Division, under docket number MER-L-1221-22, alleging that the Department of Water and Sewer ("Department") overcharged the corporation or its assignor, NJNY Lien, LLC ("NJNY Lien") for water and sewer charges relating to the properties located at 438 Bellevue Avenue, 408 Bellevue Avenue, and 65 Prospect Street ("the properties"), from the time period of 2013 through 2016; and

WHEREAS, on August 29, 2022, the City filed an Answer to the lawsuit; and

WHEREAS, thereafter, settlement discussions commenced; and

WHEREAS, the Department reviewed its documentation and determined that NJNY Lien had requested that the water be shut off and the meters removed from the properties in 2015; and

WHEREAS, this was not done in a timely manner; and

WHEREAS, during the time frame from 2015 to 2016, NJNY Lien made Water and Sewer payments to the Department for which they were not responsible (See Exhibit A, Spreadsheet of Charges and Payments; and Exhibit B, Summary of Charges and Overpayment); and

WHEREAS, the total amount of overpayment was \$114,166.11, and representatives from both the Department and 446 Bellevue agreed that this was an accurate calculation of the amount owed; and

WHEREAS, the City filed an Offer of Judgment for \$114,166.11 in Superior Court; and

WHEREAS, the offer was accepted by 446 Bellevue; and

WHEREAS, the amount of payment due the contractor is \$144,166.11, and funds have been certified to be available in account # 3-05-55-5501-866-009; and

RESOLUTION

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Trenton that payment be made to 446 Bellevue, LLC in the amount of \$114,166.11 in order to settle the dispute.

	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent
EDWARDS					GONZALEZ					FRISBY				
FELICIANO					HARRISON									
FIGUEROA KETTENBURG					WILLIAMS									

This Resolution was adopted at a Meeting of the City Council of the City of Trenton on _____

President of Council

City Clerk

CITY OF TRENTON
DEPARTMENT OF FINANCE

CERTIFICATION OF AVAILABILITY OF FUNDS

I, Lynn Au, Acting Chief Financial Officer of the City of Trenton, do hereby certify, to the best of my knowledge and belief, that there are now sufficient funds to Contract with:

Vendor Name: 446 Bellevue LLC
Address: 33 W 19th Street Suite 320
City: New York
State: New York
Zip Code: 10011
PURPOSE: Authorizing payment to 446 Bellevue Ave LLC to settle dispute regarding overpayment of Water and Sewer Charges
REQ: Q3-02287
TOTAL: \$114,166.11
Fund: Operating
Account Number: 3-05-55-5501-866-009
Vendor ID: 446BE005



Acting Chief Financial Officer

OK, BT

5/10/2023

Date

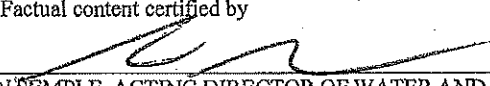
RESOLUTION

No. **23-295**

Date of Adoption _____

Approved as to Form and Legality

Factual content certified by


WESLEY BRIDGES, ESQ., DIRECTOR OF LAW
SEAN SEMPLE, ACTING DIRECTOR OF WATER AND SEWER

Councilman /woman _____

presents the following Resolution:

RESOLUTION EXERCISING THE OPTION TO EXTEND THE CONTRACT FOR AN ADDITIONAL ONE (1) YEAR AWARDED TO ATLANTIC COAST POLYMER, INC., FOR THE FURNISHING AND DELIVERY OF F.O.B SLUDGE BLANKET POLYMER FOR TRENTON WATER FILTRATION PLANT FOR A PERIOD OF ONE (1) YEAR FROM DATE OF AWARD IN AN AMOUNT NOT TO EXCEED \$227,760.00 - BID 2022-26

WHEREAS, on April 7, 2022, Resolution No. 22-117 awarded a contract to Atlantic Coast Polymer, Inc., 224 Commercial Blvd, Suite 204, Lauderdale -By-The-Sea, Florida 33308 for the furnishing and delivery of F.O.B sludge blanket for a period of one (1) year in an amount not to exceed \$227,760.00 with an option to extend one (1) additional year in an amount not to exceed \$227,760.00 for the City of Trenton, Department of Water and Sewer, Water Filtration Plant; and

WHEREAS, pursuant to N.J.S.A. 40A:11-15 provides that service contracts may be extended for no more than (1) one two-year or (2) two one-year extensions; and

WHEREAS, the City of Trenton, Department of Water and Sewer, Water Filtration Plant, has determined that the vendor, Atlantic Coast Polymer, Inc., 224 Commercial Blvd, Suite 204, Lauderdale -By-The-Sea, Florida 33308 has performed the furnishing and delivery of F.O.B sludge blanket in a satisfactory manner and it is in the best interest of the City of Trenton to exercise the option to extend the contract for an additional one (1) year period from date of award; and

WHEREAS, funds in an amount not to exceed \$227,760.00 (\$876.00/ 55gal drum) have been certified to be available in the following account number: CY'23 3-05- -55-5506-821-008. The City of Trenton shall exercise the option to extend the contract for an additional one (1) year period from date of award.

NOW, THEREFORE, IT IS RESOLVED, by the City Council of the City of Trenton that the Mayor is hereby authorized to exercise the option to extend the contract for an additional one (1) year awarded to Atlantic Coast Polymer, Inc., 224 Commercial Blvd, Suite 204, Lauderdale -By-The-Sea, Florida 33308 for the furnishing and delivery of F.O.B sludge blanket in an amount not to exceed \$227,760.00 for the City of Trenton, Department of Water and Sewer, Water Filtration Plant for the said purpose in the manner prescribed by law.

	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent
EDWARDS					GONZALEZ					FRISBY				
FELICIANO					HARRISON									
FIGUEROA KETTENBURG					WILLIAMS									

This Resolution was adopted at a Meeting of the City Council of the City of Trenton on _____

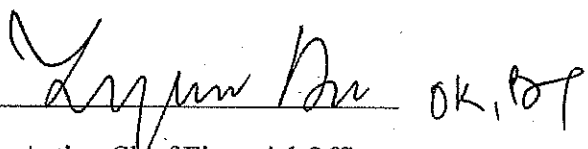
President of Council_____
City Clerk

CITY OF TRENTON
DEPARTMENT OF FINANCE

CERTIFICATION OF AVAILABILITY OF FUNDS

I, Lynn Au, Acting Chief Financial Officer of the City of Trenton, do hereby certify, to the best of my knowledge and belief, that there are now adequate funds to contract with:

Vendor Name: Atlantic Coast Polymers, Inc.
Address: 224 Commercial Blvd, Suite 204
City/State/Zip: Lauderdale-By-The-Sea, FL 33308-4443
Purpose: CY'2023 Furnish and Delivery of Sludge Blanket Polymer
Contract Extension Bid No. 2022-26.
Fund: Operating
Account Number: 3-05- -55-5506-821-008
Vendor ID: ATLAN011
Requisition Number: Q3-02185
Amount not to exceed: \$227,760.00 (\$876.00/per 55 gal drum)



Acting Chief Financial Officer

5/3/2023

Date

RESOLUTION

No. **23-296**

Approved as to Form and Legality

WESLEY BRIDGES, ESQ., DIRECTOR OF LAW

Date of Adoption

Factual content certified by

SEAN SEMPLE, ACTING DIRECTOR OF WATER & SEWER

Councilman /woman

presents the following Resolution:

**RESOLUTION ACCEPTING A BID AND AWARDING A CONTRACT TO
AMERICAN BITUMINOUS COMPANY INC., FOR THE FURNISHING AND DELIVERY OF
TEMPORARY BITUMINOUS PATCHING MATERIAL (COLD PATCH) FOR THE
TRENTON WATER WORKS, CONSTRUCTION AND MAINTENANCE OFFICE,
333 CORTLAND ST, TRENTON, NJ FOR A PERIOD OF ONE (1) YEAR FROM DATE OF
AWARD IN AN AMOUNT NOT TO EXCEED \$105,000.00 - BID 2023-15**

WHEREAS, two (2) sealed bids were received on March 7, 2023 in the Division of Purchasing at 11:00am by the Purchasing Agent for the furnishing and delivery of temporary bituminous patching material "cold patch" for Trenton Water Works, 333 Cortland St., Trenton, NJ for the City of Trenton, Department of Water and Sewer, Construction and Maintenance Office for a period of one (1) year; and

WHEREAS, cold patch is a material that is used to cover opening holes for service leaks, main breaks, and curb stop repairs across the Trenton Water Works franchise area. This contract is intended to ensure that these issues are repaired in a timely manner; and

WHEREAS, the bid of American Bituminous Company Inc., 100 Main St., West Collingswood Heights, New Jersey 08059 as per the bid specifications, this vendor is within 25 miles of the Trenton Water Works Cortland Street Facility is made pursuant to advertisement, be and is hereby accepted, as the lowest, responsible, responsive bidder complying with terms and specifications on file in the Division of Purchasing; and

WHEREAS, funds in an amount not to exceed \$105,000.00 have been certified to be available in the following account number: CY'2023, 3-05- -55-5504-836-003 contingent upon the temporary and final adoption of CY'2023 budget. This contract shall be awarded for a period of one (1) year from date of award.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Trenton that the Mayor is hereby authorized to execute a contract with American Bituminous Company Inc., 100 Main St., West Collingswood Heights, New Jersey 08059 in an amount not to exceed \$105,000.00 for the furnishing and delivery of temporary bituminous patching material "cold patch" at Trenton Water Works, Construction and Maintenance Office, 333 Cortland St., for a period of one (1) year from date of award for the City of Trenton, Department of Water and Sewer for the said purposes in the manner prescribed by law.

	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent
EDWARDS					GONZALEZ					FRISBY				
FELICIANO					HARRISON									
FIGUEROA					WILLIAMS									
KETTENBURG														

This Resolution was adopted at a Meeting of the City Council of the City of Trenton on

President of Council

City Clerk

CITY OF TRENTON
DEPARTMENT OF FINANCE

CERTIFICATION OF AVAILABILITY OF FUNDS

I, Lynn Au, Acting Chief Financial Officer of the City of Trenton, do hereby certify, to the best of my knowledge and belief, that there are now sufficient funds to Contract with:

Vendor Name: American Bituminous Company
Address: 100 Main Street
City: West Collingswood Heights
State: New Jersey
Zip Code: 08059
PURPOSE: Furnish & Delivery of Temporary Bituminous Patching Material "Cold Patch"
BID2023-15
REQ: Q3-02152
TOTAL: \$105,000.00
Fund: Operating
Account Number: 3-05- -55-5504-836-003
Vendor ID: AMERI315



Acting Chief Financial Officer

OK, BT

5/11/2023

Date

RESOLUTION No. 23-297

Approved as to Form and Legality

WESLEY BRIDGES, ESQ., DIRECTOR OF LAW

Date of Adoption

Factual content certified by

SEAN SEMPLE, ACTING DIRECTOR OF WATER & SEWER

Councilman /woman

presents the following Resolution:

**RESOLUTION ACCEPTING A BID AND AWARDING A CONTRACT TO
BRENNTAG NORTHEAST LLC., FOR THE FURNISHING AND DELIVERY OF
POTASSIUM PERMANGANATE FOR THE WATER FILTRATION PLANT
FOR A PERIOD OF ONE (1) YEAR FROM DATE OF AWARD WITH AN OPTION TO
EXTEND ONE (1) ADDITIONAL YEAR IN AN AMOUNT NOT TO EXCEED \$462,000.00 -
BID 2023-26**

WHEREAS, five (5) sealed bids were received in the Division of Purchasing on April 11, 2023, for the furnishing and delivery of potassium permanganate for the City of Trenton, Department of Water and Sewer, Water Filtration Plant for a period of one (1) year from date of award with an option to extend one (1) additional year; and

WHEREAS, potassium permanganate is used for the oxidation and reduction of Disinfection By-products (DBPs). It oxidizes organic matter responsible for many types of tastes, odor, and color. It can also oxidize dissolved iron, manganese, and arsenic to produce oxides which can be settled and filtered. Failure to feed this chemical will adversely affect treatment and limit TWW's ability to produce the safest drinking water for our customers; and

WHEREAS, the first low bidder Maubeni America Corp, second low bidder George S. Coyne Chemical Corporation, and third bidder Chemrite Inc., were not in compliance with the bid specifications requiring their products to be manufactured in the U.S.A.; therefore, these bidders are considered non-responsive; and

WHEREAS, the fourth bidder, Brenntag Northeast LLC., 81 W. Huller Lane, Reading, PA 19605 products are manufactured in the U.S.A.; and the bid specifications required for the products to be manufactured in the U.S.A.; and

WHEREAS the fourth bidder, Brenntag Northeast LLC., 81 W. Huller Lane, Reading, PA 19605 is made pursuant to advertisement, be and is hereby accepted, as the responsible, responsive bidder complying with terms and specifications on file in the Division of Purchasing; and

WHEREAS, funds in an amount not to exceed \$462,000.00 have been certified to be available in the following account number: CY' 2023, 3-05- -55-5506-821-012 contingent upon the temporary and final adoption of CY'2023 and CY'2024 budget. This contract shall be awarded for a period of one (1) year from date of award with an option to extend one (1) additional year in an amount not to exceed \$462,000.00; and

RESOLUTION

Page 2

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Trenton that the Mayor is hereby authorized to execute a contract with Brenntag Northeast LLC., 81 W. Huller Lane, Reading, PA 19605 in an amount not to exceed \$462,000.00 for the furnishing and delivery of potassium permanganate for a period of one (1) year from date of award with an option to extend one (1) additional year in an amount not to exceed \$462,000.00 for the City of Trenton, Department of Water and Sewer, Water Filtration Plant for the said purposes in the manner prescribed by law.

	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent	
EDWARDS					GONZALEZ					FRISBY					
FELICIANO					HARRISON										
FIGUEROA					WILLIAMS										
KETTENBURG															

This Resolution was adopted at a Meeting of the City Council of the City of Trenton on _____

President of Council

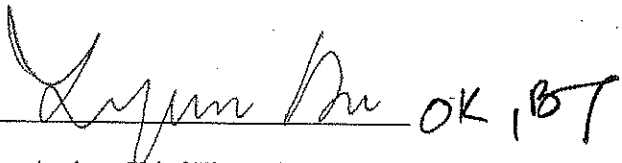
City Clerk

CITY OF TRENTON
DEPARTMENT OF FINANCE

CERTIFICATION OF AVAILABILITY OF FUNDS

I, Lynn Au, Acting Chief Financial Officer of the City of Trenton, do hereby certify, to the best of my knowledge and belief, that there are now adequate funds to contract with:

Vendor Name: Brenntag Northeast LLC
Address: 81 W. Huller Lane
City/State/Zip: Reading, PA 19605
Purpose: CY'2023 Furnish & Delivery of Potassium Permanganate Contract
(Re-Bid) Bid No. 2023-26.
Fund: Operating
Account Number: 3-05- -55-5506-821-012
Vendor ID: BRENN047
Requisition Number: Q3-02286
Amount not to exceed: \$462,000.00



Acting Chief Financial Officer

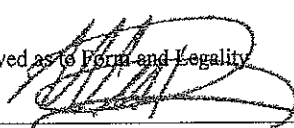
5/8/2023

Date

RESOLUTION

No. 23-298

Approved as to Form and Legality


WESLEY BRIDGES, ESQ., DIRECTOR OF LAW

Date of Adoption _____

Factual content certified by


SEAN SEMPLE, ACTING DIRECTOR OF WATER & SEWER

Councilman /woman _____

presents the following Resolution:

**RESOLUTION ACCEPTING A BID AND AWARDING A CONTRACT TO
AGEIS SECURITY AGENCY LLC., FOR SECURITY GUARD SERVICES AT THE
TRENTON WATER WORKS DISTRIBUTION COMPLEX, 333 CORTLAND ST., TRENTON
NJ FOR A PERIOD OF ONE (1) YEAR FROM DATE OF AWARD WITH AN OPTION TO
EXTEND AN ADDITIONAL ONE (1) YEAR IN AN AMOUNT NOT TO EXCEED \$115,000.00
BID 2023-25**

WHEREAS, five (5) sealed bids were received in the Division of Purchasing at 11:00am by the Purchasing Agent on April 13, 2023, for Security Guard Services at Trenton Water Works Distribution Complex, 333 Cortland Street for the City of Trenton, Department of Water and Sewer, Water Utility Distribution Complex for a period of one (1) year with an option to extend an additional one (1) year period from date of award; and

WHEREAS, security guard services are required to protect the Water Distribution Complex from theft, damage, trespassing, and fire; and

WHEREAS, the bid of Aegis Security Agency LLC., 22 Smallbrook, Randolph, New Jersey 07869 is made pursuant to advertisement, be and is hereby accepted, as the lowest, responsible, responsive bidder complying with terms and specifications on file in the Division of Purchasing; and

WHEREAS, funds in an amount not to exceed \$115,000.00 (\$22.73 per hour) have been certified to be available in the following account number: CY' 2023, 3-05- -55-5501-841-001 contingent upon the temporary and final adoption of CY'2023 budget. This contract shall be awarded for a period of one (1) year with an option to extend an additional one (1) year period in an amount not to exceed \$117,000.00 (\$23.47 per hour) from date of award; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Trenton that the Mayor is hereby authorized to execute a contract with Aegis Security Agency LLC., 22 Smallbrook, Randolph, New Jersey 07869 in an amount not to exceed \$115,00.00 for Security Guard Services at the Trenton Water Works Distribution Complex, 333 Cortland Street for the City of Trenton, Department of Water and Sewer for a period of one (1) year with an option to extend an additional one (1) year period for the City of Trenton, Department of Water and Sewer for the said purposes in the manner prescribed by law.

	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent
EDWARDS					GONZALEZ					FRISBY				
FELICIANO					HARRISON									
FIGUEROA					WILLIAMS									
KETTENBURG														

This Resolution was adopted at a Meeting of the City Council of the City of Trenton on _____

President of Council_____
City Clerk

CITY OF TRENTON
DEPARTMENT OF FINANCE

CERTIFICATION OF AVAILABILITY OF FUNDS

I, Lynn Au, Acting Chief Financial Officer of the City of Trenton, do hereby certify, to the best of my knowledge and belief, that there are now adequate funds to contract with:

Vendor Name: Aegis Security Agency, LLC
Address: 22 Smallbrook Circle
City/State/Zip: Randolph , NJ 07869
Purpose: CY'2023 Security Guard Services Contract, 333 Cortland St.
Bid No. 2023-25
Fund: Operating
Account Number: 3-05- -55-5501-841-001
Vendor ID: AESA001
Requisition Number: Q3-02411
Amount not to exceed: \$115,000.00


Acting Chief Financial Officer

OK, POT

5/8/2023
Date

RESOLUTION No. **23-299**

Approved as to Form and Legality


Wesley Bridges, City Attorney

Councilman /woman _____

Date of Adoption _____

Factual content certified by


Sean Semple, Acting Director, Department of Water and Sewer

_____ presents the following Resolution:

RESOLUTION AUTHORIZING TRENTON WATER WORKS TO ENTER INTO A LEASE TO PURCHASE AGREEMENT FOR THE ELKS PROPERTY LOCATED 1580 KUSER ROAD IN HAMILTON TOWNSHIP

WHEREAS, Trenton Water Works ("TWW") desires to enter into multiple "lease to purchase" agreements in order to provide decentralized water storage capacity; and

WHEREAS, the installation of water storage tanks is needed to comply with the terms of an Administrative Consent Order and a Unilateral Administrative Order issued by the New Jersey Department of Environmental Protection; and

WHEREAS, TWW performed an extensive property search to acquire a location for the construction of water storage tanks in order to provide sufficient water storage capacity to take the Pennington Reservoir offline for cleaning, repairs and upgrades; and

WHEREAS, TWW has acquired the site located at 1580 Kuser Road in Hamilton (Block 2163, Lot 44) at the same time that Phase I construction of water tanks is underway at 942 Prospect Street, Trenton; and

WHEREAS, the lease to purchase property agreement, as opposed to an outright purchase, minimizes the risk of the investment while TWW acquires permitting approvals; and

WHEREAS, once permits have been approved, and the property has been purchased, the costs can be applied to the NJIB loan; and

WHEREAS, the property is in a government services area and is surrounded by commercial property, and the acquired site is the back portion of the lot, which is undeveloped; and

WHEREAS, the site is suitable for water storage of up to 9 million gallons (MG); and

WHEREAS, the site has been appraised for Four Hundred Forty-Five Thousand Dollars (\$445,000) (see Exhibit A, appraisal); and

WHEREAS, the leasing cost is \$2,500 per month for thirty (30) months, and will be applied to the purchase price of the site; and

WHEREAS, TWW has completed preliminary hydraulic modeling and general site layout including tank details (material of construction, elevation, bowl diameter), sizing and the layout of tank inflow and outflow piping and connection to TWW network; and

RESOLUTION

WHEREAS, TWW has also completed a wetlands delineation survey and a Letter of Interpretation ("LOI") was sent to New Jersey Department of Environmental Protection outlining the project setbacks, see Exhibit B, LOI to DEP, the wetland transition area line, and the flood hazard line (see Exhibit B, LOI); and

WHEREAS, funds in the amount of Seventy-Five Thousand Dollars (\$75,000.00) for leasing payments for thirty (30) months have been certified to be available in account # C-06-10-55-034X-342; and

NOW, THEREFORE, IT IS RESOLVED by the City Council of the City of Trenton, in the County of Mercer as follows:

1. The Acting Director of the Department of Water and Sewer is authorized to enter into a lease to purchase agreement with the Mr. Dave McTamney, Esquire, of the Elks Lodge 1580 Kuser Road, Hamilton Township, New Jersey.

	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent
EDWARDS					GONZALEZ					FRISBY				
FELICIANO					HARRISON									
FIGUEROA KETTENBURG					WILLIAMS									

This Resolution was adopted at a Meeting of the City Council of the City of Trenton on _____

President of Council

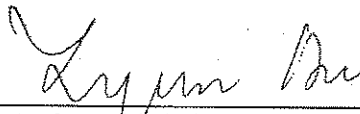
City Clerk

CITY OF TRENTON
DEPARTMENT OF FINANCE

CERTIFICATION OF AVAILABILITY OF FUNDS

I, Lynn Au, Acting Chief Financial Officer of the City of Trenton, do hereby certify, to the best of my knowledge and belief, that there are now sufficient funds to Contract with:

Vendor Name: HAMILTON ELKS LODGE 2262
Address: 1580 Kuser Road
City: Hamilton
State: New Jersey
Zip Code: 08619
PURPOSE: Trenton Water Works to enter into a lease to purchase agreement for the Elks property located 1580 Kuser Road in Hamilton Township.
REQ: Q3-02844
TOTAL: \$75,000.00
Fund: Capital
Account Number: C-06-10-55-034X-342
Vendor ID: HAMIL120



Acting Chief Financial Officer

OK, BT

5/17/2023

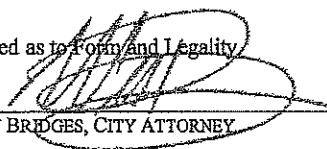
Date

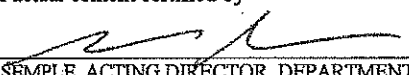
RESOLUTION No. 23-300

Date of Adoption _____

Approved as to Form and Legality

Factual content certified by


WESLEY BRIDGES, CITY ATTORNEY


SEAN SEMPLE, ACTING DIRECTOR, DEPARTMENT OF WATER & SEWER

Councilman/woman _____ presents the following Resolution:

RESOLUTION CHANGING FUNDING SOURCE OF OUTSTANDING INVOICES TO MOTT MACDONALD FOR TRENTON WATER WORKS CYBERSECURITY EVALUATION AND REPORT

WHEREAS, on September 5, 2019, the City of Trenton awarded Mott MacDonald LLC a contract to conduct a cybersecurity engineering evaluation and prepare associated plans. See Exhibit A, Res. 19-404 and contract; and

WHEREAS, the purpose of the project was to evaluate the potential for cyberattacks by outside entities into Trenton Water Works' billing system and operational system, and to make recommendations on how to prevent such attacks; and

WHEREAS, the project focused on two areas: (1) protecting customer data; and (2) protecting the operational security of the Water Filtration Plant; and

WHEREAS, the Purchase Order for this contract, PO-20-02335 was closed due to the City's conversion from a Fiscal Year to a Calendar Year in Edmunds, beginning in 2022; and

WHEREAS, on May 25, 2022, Mott MacDonald was advised to stop work as TWW made the decision to complete the project in-house (See Exhibit B, email to Mott MacDonald); and

WHEREAS, as a result of PO-20-02335 being closed out, invoices dated from December 28, 2021 through June 14, 2022 for a total amount of \$34,763.51, have not been paid. See Exhibit C, Invoice list; and

WHEREAS, the amount of the payment due to the contractor is \$34,763.51 and funds have been certified to be available in account #2-05- -55-5500-899.

NOW, THEREFORE, IT IS RESOLVED, by the City Council of the City of Trenton, as follows:

The Purchasing Department shall issue a new Purchase Order in the amount of \$34,763.51, in accordance with Resolution 19-404, and the balance of the outstanding invoices shall be paid.

	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent
EDWARDS					GONZALEZ					FRISBY				
FELICIANO					HARRISON									
FIGUEROA					WILLIAMS									
KETTENBURG														

This Resolution was adopted at a Meeting of the City Council of the City of Trenton on _____

President of Council

City Clerk

CITY OF TRENTON
DEPARTMENT OF FINANCE

CERTIFICATION OF AVAILABILITY OF FUNDS

I, Lynn Au, Acting Chief Financial Officer of the City of Trenton, do hereby certify, to the best of my knowledge and belief, that there are now sufficient funds to Contract with:

Vendor Name: MOTT MACDONALD LLC
Address: 111 Wood Avenue South
City: Iselin
State: New Jersey
Zip Code: 08830
PURPOSE: Changing Funding Source for Outstanding Invoices for Cybersecurity Evaluation
REQ: Q3-02262
TOTAL: \$34,763.51
Fund: Operating
Account Number: 2-05- -55-5500-899
Vendor ID: MOTTM005



Acting Chief Financial Officer

5/17/2023

Date

OK, BT

RESOLUTION

No. **23-301**

Date of Adoption _____

Approved as to Form and Legality

Factual content certified by

WESLEY BRIDGES, ESQ., DIRECTOR OF LAW

SEAN SEMPLE, ACTING DIRECTOR OF WATER & SEWER

Councilman /woman _____

presents the following Resolution:

**RESOLUTION ACCEPTING A BID AND AWARDING A CONTRACT TO
PRINCETON HYDRO LLC, FOR PHYTOPLANKTON ANALYTICAL TESTING FOR THE
WATER FILTRATION PLANT FOR A PERIOD OF ONE (1) YEAR WITH AN OPTION TO
EXTEND THE CONTRACT FOR ONE (1) ADDITIONAL YEAR FROM DATE OF AWARD
IN AN AMOUNT NOT TO EXCEED \$84,000.00
BID 2023-33**

WHEREAS, one (1) sealed bid was received on May 9, 2023 in the Division of Purchasing at 11:00am by the Purchasing Agent, for Phytoplankton Analytical Testing for the Water Filtration Plant for a period of one (1) year with an option to extend one (1) additional year for the City of Trenton, Department of Water and Sewer; and

WHEREAS, the purpose of this contract is to test the algal counts in samples collected from the raw water intake, Filtration Plant Reservoir and Central Pumping Station. High algal counts represent an increased risk of production of cyanotoxins produced by blue-green algae. The testing for the phytoplankton analysis is a requirement for the reservoir management plan; and

WHEREAS, the sole bid of Princeton Hydro LLC., 33 Clark St., Trenton, NJ 08611 is made pursuant to advertisement, be and is hereby accepted, as the lowest, responsible, responsive bidder complying with terms and specifications on file in the Division of Purchasing; and

WHEREAS, funds in an amount not to exceed \$84,000.00 at (\$210/sample) have been certified to be available in the following account number: CY' 2023, 3-05- -55-5506-824-003 contingent upon the temporary and final adoption of CY'2023 budget. This contract shall be awarded for a period of one (1) year with an option to extend one (1) additional year in an amount not to exceed \$88,000.00 from date of award.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Trenton that the Mayor is hereby authorized to execute a contract with Princeton Hydro LLC., 33 Clark St., Trenton, NJ 08611 in an amount not to exceed \$84,000.00 for Phytoplankton Analytical Testing for a period of one (1) year with an option to extend the contract for one (1) additional year for the City of Trenton, Department of Water and Sewer, Water Filtration Plant for the said purposes in the manner prescribed by law.

	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent
EDWARDS					GONZALEZ					FRISBY				
FELICIANO					HARRISON									
FIGUEROA					WILLIAMS									
KETTENBURG														

This Resolution was adopted at a Meeting of the City Council of the City of Trenton on _____

President of Council_____
City Clerk

CITY OF TRENTON
DEPARTMENT OF FINANCE

CERTIFICATION OF AVAILABILITY OF FUNDS

I, Lynn Au, Acting Chief Financial Officer of the City of Trenton, do hereby certify, to the best of my knowledge and belief, that there are now adequate funds to contract with:

Vendor Name: Princeton Hydro, LLC
Address: 35 Clark St
City/State/Zip: Trenton, NJ 08611
Purpose: CY'2023 Phytoplankton Analytical Testing Contract
Bid No. 2023-33
Fund: Operating
Account Number: 03-05- -55-5506-824-003
Vendor ID: PRINC070
Requisition Number: Q3-02875
Amount not to exceed: \$84,000.00



Acting Chief Financial Officer

5/27/2023

Date

RESOLUTION No. 23-302

Approved as to Form and Legality

WESLEY BRIDGES, ESQ., DIRECTOR OF LAW

Date of Adoption _____

Factual content certified by

SEAN SEMPLE, ACTING DIRECTOR OF WATER & SEWER

Councilman /woman _____

_____ presents the following Resolution:

**RESOLUTION ACCEPTING A BID AND AWARDING A CONTRACT TO
GREER LIME COMPANY FOR THE FURNISHING AND DELIVERY OF
QUICKLIME AT THE WATER FILTRATION PLANT FOR A PERIOD OF ONE
(1) YEAR WITH AN OPTION TO EXTEND THE CONTRACT FOR ONE (1)
ADDITIONAL YEAR FROM DATE OF AWARD IN AN AMOUNT NOT TO
EXCEED \$196,784.00 - BID 2023-34**

WHEREAS, one (1) sealed bid was received on May 10, 2023, in the Division of Purchasing at 11:00am by the Purchasing Agent, for the furnishing and delivery of Quicklime for the City of Trenton, Department of Water and Sewer, Water Filtration Plant for a period of one (1) year with an option to extend one (1) additional year; and

WHEREAS, quicklime, also known as Calcium Oxide; is used for pH adjustment and corrosion control in the treatment process. Lime allows the water to be softened, purified, illuminates impurities, and neutralizes acidity. It also improves taste, smell, and color of the water; and

WHEREAS, the sole bid of Greer Lime Company., P.O. BOX 1900, Morgantown, WV 26507 is made pursuant to advertisement, be and is hereby accepted, as the lowest, responsible, responsive bidder complying with terms and specifications on file in the Division of Purchasing; and

WHEREAS, funds in an amount not to exceed \$196,784.00 (at \$281.12/700 tons) have been certified to be available in the following account number: CY' 2023, 3-05- -55-5506-821-002 contingent upon the temporary and final adoption of CY'2023 budget; with an option to extend one (1) additional year in an amount not to exceed \$209,482.00 (at \$299.26/700 tons). This contract shall be awarded for a period of one (1) year from date of award.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Trenton that the Mayor is hereby authorized to execute a contract with Greer Lime Company., P.O. BOX 1900, Morgantown, WV 26507 in an amount not to exceed \$196,784.00 for the furnishing and delivery of Quicklime for a period of one (1) year for the City of Trenton, Department of Water and Sewer, Water Filtration Plant for the said purposes in the manner prescribed by law.

	Aye	Nay	Abstain	Absent			Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent
EDWARDS						GONZALEZ					FRISBY				
FELICIANO						HARRISON									
FIGUEROA						WILLIAMS									
KETTENBURG															

This Resolution was adopted at a Meeting of the City Council of the City of Trenton on _____

President of Council

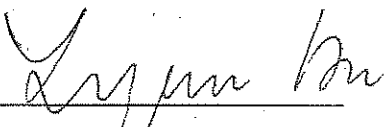
City Clerk

CITY OF TRENTON
DEPARTMENT OF FINANCE

CERTIFICATION OF AVAILABILITY OF FUNDS

I, Lynn Au, Acting Chief Financial Officer of the City of Trenton, do hereby certify, to the best of my knowledge and belief, that there are now adequate funds to contract with:

Vendor Name: Greer Lime Company
Address: P.O. Box 1900
City/State/Zip: Morgantown, WV 26507
Purpose: CY' 2023 Furnishing & Delivery of Quicklime Contract
Bid No. 2023-34
Fund: Operating
Account Number: 3- 05- -55-5506-821-002
Vendor ID: GREER001
Requisition Number: Q3-02962
Amount not to exceed: \$196,784.00



Acting Chief Financial Officer

6/2/2023

Date

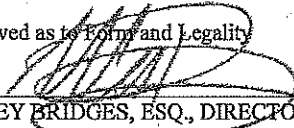
RESOLUTION

No. 23-303

Date of Adoption _____

Approved as to Form and Legality

Factual content certified by


WESLEY BRIDGES, ESQ., DIRECTOR OF LAW
SEAN SEMPLE, ACTING DIRECTOR OF WATER & SEWER

Councilman /woman _____

presents the following Resolution:

**RESOLUTION ACCEPTING A BID AND AWARDING A CONTRACT TO
CAPITAL SUPPLY CONSTRUCTION PRODUCTS, LLC., FOR THE FURNISH AND
DELIVERY OF FULL CIRCLE BANDS, COUPLINGS AND TAPPED-OUT SLEEVES FOR
TRENTON WATER WORKS IN AN AMOUNT NOT TO EXCEED \$82,614.84 FOR A
PERIOD OF ONE (1) YEAR FROM DATE OF AWARD- BID 2022-74**

WHEREAS, four (4) sealed bids were received in the Division of Purchasing on December 7, 2022, for the furnish and delivery of full circle bands, couplings, and tapped-out sleeves for a period of one (1) year for the City of Trenton, Department of Water and Sewer, Trenton Water Works; and

WHEREAS, this contract is used to provide full circle bands, couplings, and tapped-out sleeves used for the repairs or installation of water mains and sometimes in the renewal of leaking water services; and

WHEREAS, the low bid of Capital Supply Construction Products LLC., 149 Old Turnpike Road, Wayne, New Jersey 07470 is made pursuant to advertisement, be and is hereby accepted, as the lowest, responsible, responsive bidder complying with terms and specifications on file in the Division of Purchasing; and

WHEREAS, funds in an amount not to exceed \$82,614.84 have been certified to be available in the following account number: CY' 2023, 3-05- -55-5504-835-002 contingent upon the temporary and final adoption of CY'2023 budget. This contract shall be awarded for a period of one (1) year from date of award.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Trenton that the Mayor is hereby authorized to execute a contract with Capital Supply Construction, LLC, 149 Old Turnpike Road, Wayne, New Jersey 07470 in an amount not to exceed \$82,614.84 for the furnish and delivery of full circle bands, couplings and tapped-out sleeves for a period of one (1) year for the City of Trenton, Department of Water and Sewer, Trenton Water Works for the said purposes in the manner prescribed by law.

	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent
EDWARDS					GONZALEZ					FRISBY				
FELICIANO					HARRISON									
FIGUEROA					WILLIAMS									
KETTENBURG														

This Resolution was adopted at a Meeting of the City Council of the City of Trenton on _____

President of Council_____
City Clerk

CITY OF TRENTON
DEPARTMENT OF FINANCE

CERTIFICATION OF AVAILABILITY OF FUNDS

I, Lynn Au, Acting Chief Financial Officer of the City of Trenton, do hereby certify, to the best of my knowledge and belief, that there are now sufficient funds to Contract with:

Vendor Name: CAPITAL SUPPLY CONSTRUCTION
Address: 149 Old Turnpike Road
City: Wayne
State: New Jersey
Zip Code: 07470
PURPOSE: Furnish and Delivery Full Circle Bands, Couplings & Tapped Out Sleeves
BID2022-74
REQ: Q3-00547
TOTAL: \$82,614.84
Fund: OPERATING
Account Number: 3-05-55-5504-835-002
Vendor ID: CAPIT165



Acting Chief Financial Officer

5/17/2023

Date

ORDINANCE

No. **23-040**

1st Reading _____

Date to Mayor _____

Public Hearing _____

Date Returned _____

2nd Reading & Passage _____

Date Resubmitted to Council _____

Withdrawn _____ Lost _____

Approved as to Form and Legality

Factual content certified by

WESLEY BRIDGES, ESQ., CITY ATTORNEY

ADAM C. CRUZ, BUSINESS ADMINISTRATOR

Councilman /woman _____ presents the following Ordinance:

AN ORDINANCE AMENDING AND SUPPLEMENTING VARIOUS REDEVELOPMENT PLANS, AND THE LAND DEVELOPMENT ORDINANCE TO PERMIT CANNABIS USES

WHEREAS, the City of Trenton ("City") is a Faulkner Act municipality with a Mayor-Council form of government pursuant to N.J.S.A. 40:69A-31, et seq., with its organization, positions, powers, and duties outlined within the Code of the City of Trenton as set forth pursuant to the Faulkner Act; and

WHEREAS, the City endorsed the expansion of medical cannabis in the State of New Jersey so as to provide needed relief to the many persons suffering from chronic and/or debilitating illnesses who may benefit therefrom; and

WHEREAS, the Jake Honig Compassionate Use Medical Cannabis Act, N.J.S.A. 24:6I-2, et seq. ("CUMMA"), which permits the authorized medical use of cannabis, was amended on July 2, 2019, further clarifying the City's ability to control the proposed location of medical cannabis dispensaries, cultivation centers and manufacturing facilities, and permitting the City to impose a transfer tax at a uniform percentage rate not to exceed 2% on the purchase price of any medical cannabis dispensed by a medical cannabis dispensary located in the City; and

WHEREAS, in 2020 the voters of the State of New Jersey approved Public Question No. 1, which endorsed the legalization of recreational cannabis for adults 21 years of age or older; and

WHEREAS, the voters of the City of Trenton approved Public Question No. 1, overwhelmingly at a rate of 80.68%; and

WHEREAS, on February 22, 2021, Governor Murphy signed into law the "New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act" (P.L. 2021, c. 16) ("NJCREAMMA"), 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, NJCREAMMA establishes six marketplace classes of licensed businesses, including:

- Class 1 Cannabis Cultivator license, for facilities involved in growing and cultivating cannabis;
- Class 2 Cannabis Manufacturer license, for facilities involved in the manufacturing, preparation, and packaging of cannabis items;

ORDINANCE

- Class 3 Cannabis Wholesaler license, for facilities involved in obtaining and selling cannabis items for later resale by other licensees;
- Class 4 Cannabis Distributer license, for businesses involved in transporting cannabis plants in bulk from on licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another;
- Class 5 Cannabis Retailer license for locations at which cannabis items and related supplies are sold to consumers; and
- Class 6 Cannabis Delivery license, for businesses providing courier services for consumer purchases that are fulfilled by a licensed cannabis retailer in order to make deliveries of the purchase 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.

WHEREAS, Section 31a of NJCREAMMA authorizes municipalities by ordinance to adopt 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 of operation of such establishments, distributors or delivery services, and establishing civil penalties for the violation of any such regulations; and

WHEREAS, NJCREAMMA further strengthens municipal control over such uses and allows, at the discretion of the municipality, a tax to be imposed on: receipts from the sale of cannabis by a cannabis cultivator to another cannabis cultivator; receipts from the sale of cannabis items from one cannabis establishment to another cannabis establishment; receipts from the retail sales cannabis items by a cannabis retailer to retail consumers, with each municipality setting its own rate or rates, but in no case shall a rate exceed: two percent of the receipts from each sale by a cannabis cultivator; two percent of the receipts from each sale by a cannabis manufacturer; one percent of the receipts from each sale by a cannabis wholesaler; and two percent of the receipts from each sale by a cannabis retailer.; and

WHEREAS, the City supports safe and appropriate siting of cannabis related and supporting businesses within the City, including medical and adult use cannabis dispensaries, cultivation centers, manufacturing facilities, and

WHEREAS, the City has implemented NJCREAMMA and continues to evaluate how to best incorporate cannabis establishments for the betterment of the City; and

WHEREAS, the City now desires to permit cannabis dispensaries in the Business B and Downtown Districts; and

ORDINANCE

WHEREAS, the City desires to permit Vertically Integrated Cannabis Facilities in the Business A, Business B and Downtown Districts; and

WHEREAS, the City desires to permit recreational cannabis establishments in the New York Redevelopment Area; and

WHEREAS, the City desires to make other amendments to its cannabis provisions to ensure the maximization and efficient administration of cannabis business;

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Trenton, County of Mercer that the Code of the City of Trenton be amended as follows (additions are **emboldened and underlined** and deletions are ~~struck through~~):

Section 1. Amend Chapter 146 Licensing, by adding Article IX Cannabis Businesses

ARTICLE IX Cannabis Businesses

§146-16 Purpose

The regulations of this Ordinance are subject to the enabling authority of the State of New Jersey and are subject to compliance with all statutes and/or regulations adopted by the State of New Jersey or its instrumentalities, including the Cannabis Regulatory Commission. If any provision of this Ordinance is inconsistent with state statutes and/or regulations, the state statutes and/or regulations shall prevail.

The purpose of this article is to enable the City of Trenton to take effective action to assure that all cannabis-related business advance the requirements of their licensure as regulated by the State of NJ, by ensuring the citizens of the City of Trenton are provided ample opportunity to participate within this new industry while advancing community development initiatives, including but not limited to public health, job training, enhanced recreational opportunities, drug prevention education, and social justice related programming and/or support thereof.

§146-17 Definitions

ACADEMIC MEDICAL CENTER

An entity located in New Jersey that, on the effective date of P.L.2019, c.153 (C.24:6I-5.1 et al.), has an addiction medicine faculty practice or is in the same health care system as another facility located in New Jersey that offers outpatient medical detoxification services or inpatient treatment services for substance use disorder; has a pain management faculty practice or a facility-based pain management service located in New Jersey; has graduate medical training programs accredited, or pending accreditation, by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association in primary care and medical specialties; is the principal teaching affiliate of a medical school based in the State; and has the ability to conduct research related to medical cannabis. If the entity is part of a system of health care facilities, the entity shall not qualify as an academic medical center unless

ORDINANCE

the health care system is principally located within the State.

ACT

Collectively refers to NJCUMA and NJ CREAMMA.

NJ CUMA

The New Jersey Jake Honig Compassionate Use Medical Cannabis Act, P.L. 2009, c. 307 (approved January 18, 2010), amended by P.L. 2019, c. 153 (approved July 2, 2019), codified at N.J.S.A. 24:6I-1 et seq.

NJ CREAMMA

The New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (P.L. 2021, c. 16); legalizes personal use cannabis for certain adults, subject to State regulation; decriminalizes small amount marijuana and hashish possession; removes marijuana as Schedule I drug.

CANNABIS CULTIVATION CENTER or CULTIVATION CENTER (Class 1 License)

A building, structure, or premises used for the cultivation or storage of cannabis. Includes the planting, propagating, cultivation, growing, harvesting, labeling or manufacturing, compounding and storing of cannabis for the limited purpose of this chapter. A cultivation center may be physically separate and off-site from the associated licensee's cannabis dispensary. When connected to, or part of, the same property by which an ATC dispenses from, it is considered part of the ATC or Dispensary.

CANNABIS DISPENSARY or RETAILER (Class 5 License)

A retail facility that acquires, possesses, sells, distributes, transmits, gives, dispenses, or otherwise provides cannabis to person 21 years and older. While it may administer medical cannabis to qualifying patients, it is open to Adult Use.

CANNABIS MANUFACTURING FACILITY OR MANUFACTURING FACILITY (Class 2 License)

Facility involved with compounding, making, and processing of medical cannabis in all forms including those that involve food handling.

ALTERNATIVE TREATMENT CENTER (ATC) or MEDICAL CANNABIS ALTERNATIVE TREATMENT CENTER

An organization authorized through licensure issued by the NJ State Department of Health and the Board of Medical Examiners to perform activities necessary to provide

ORDINANCE

registered qualifying patients with usable cannabis and related paraphernalia in accordance with the provisions of the CUMA. Cultivation and manufacturing, unless within the same structure or property as a dispensary, shall be treated as a separate zoning use category though it may be part of the license issued by the state for a single entity. No Adult Use cannabis business-related activities may take place within an ATC Dispensary unless granted a Zoning Permit by the City Zoning Official.

CANNABIS

The definition given to Cannabis sativa L whether growing or not, the seeds thereof, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds, except those containing resin extracted from the plant, which are cultivated and, when applicable, manufactured in for use in cannabis products as set forth in the NJCREMMA, but shall not include the weight of any other ingredient combined with cannabis to prepare topical or oral administrations, food, drink, or other product. "Cannabis" does not include: medical cannabis dispensed to registered qualifying patients pursuant to the "Jake Honig Compassionate Use Medical Cannabis Act," P.L.2009, c.307 (C.24:6I-1 et al.) and P.L.2015, 47 c.158 (C.18A:40-12.22 et al.); marijuana as defined in N.J.S.2C:35-2 and applied to any offense set forth in chapters 35, 35A, and 36 of Title 2C of the New Jersey Statutes, or P.L.2001, c.114 (C.2C:35B-1 et seq.), or marihuana as defined in section 2 of P.L.1970, c.226 (C.24:21-2) and applied to any offense set forth in the "New Jersey Controlled Dangerous Substances Act," P.L.1970, c.226 (C.24:21-1 et al.); or hemp or a hemp product cultivated, handled, processed, transported, or sold pursuant to the "New Jersey Hemp Farming Act," P.L.2019, c.238 (C.4:28-6 et al.) as long as said hemp does not contain more than the State and/or Federal allowable limits of Delta-8-Tetrahydrocannabinol or Delta-9-Tetrahydrocannabinol, the compound commonly known as THC

CANNABIS BUSINESS or ESTABLISHMENT

An organization issued a license by the Commission to operate as a cannabis cultivator, cannabis manufacturer, cannabis wholesaler, or cannabis dispensary. While it may have a component that administers Medical Cannabis to qualifying patients, it is open to adult use of cannabis for person 21 years and older.

ORDINANCE

CANNABIS CONSUMPTION AREA “CCA”:

A designated location operated by a licensed cannabis retailer or permit holder for dispensing medical cannabis, for which both a State and local endorsement has been obtained, that is either: (1) an indoor, structurally enclosed area of the cannabis retailer or permit holder that is separate from the area in which retail sales of cannabis items or the dispensing of medical cannabis occurs; or (2) an exterior structure on the same premises as the cannabis retailer or permit holder, either separate from or connected to the cannabis retailer or permit holder, at which cannabis items or medical cannabis either obtained from the retailer or permit holder, or brought by a person to the consumption area, may be consumed. Licensed cannabis retailers and medical dispensaries shall restrict use or consumption to designated areas or spaces. The City Council may authorize the operation of a CCA for the personal use, medical use or both personal use and medical use of cannabis within its jurisdiction through the adoption of a resolution. In order to operate a CCA under a cannabis retail license, the license holder must also apply for an “endorsement” from the CRC and the local governmental entity where the retail establishment would operate. The cannabis retail license holder is prohibited from operating a CCA without both state and local approval.

CANNABIS DELIVERY SERVICE (Class 6 License)

Any licensed person or entity that provides courier services for consumer purchases of cannabis items and related supplies fulfilled by a cannabis retailer in order to make deliveries of the cannabis items and related supplies to that consumer, and which services include the ability of a consumer to purchase the cannabis items directly through the cannabis delivery service, which after presenting the purchase order to the cannabis retailer for fulfillment, is delivered to that consumer. This person or entity shall hold a Class 6 Cannabis Delivery license.

CANNABIS DISTRIBUTOR (Class 4 License)

Any licensed person or entity that transports cannabis in bulk intrastate from one licensed cannabis cultivator to another licensed cannabis cultivator, or transports cannabis items in bulk intrastate from any one class of licensed cannabis establishment to another class of licensed cannabis establishment and may engage in the temporary storage of cannabis or cannabis items as necessary to carry out transportation activities. This person or entity shall hold a Class 4 Cannabis Distributor license.

CANNABIS TRAINING FACILITY

An entity that provides educational curriculum and/or mentorship and job training in related Cannabis & Hemp related businesses, including but not necessarily limited to; medical research, political science, legal, accounting, operational professionals, and law enforcement in the emerging cannabis industry from a Science, Technology, Engineering, Arts, & Math perspective. A Training Facility may, but is not required to, hold any license to sell, cultivate, or manufacture Cannabis.

ORDINANCE

CAREGIVER

Institutional or Designated Caregiver, as defined in the Act, who is authorized to assist with a registered qualifying patient's medical use of cannabis.

CAREGIVER IDENTIFICATION CARD

The New Jersey Medical Marijuana Program Identification Card, which identifies registered caregivers under the Act.

CLINICAL REGISTRANT

An entity that has a written contractual relationship with an academic medical center in the region in which it has its principal place of business, which includes provisions whereby the parties will engage in clinical research related to the use of medical cannabis and the academic medical center or its affiliate will provide advice to the entity regarding patient health and safety, medical applications, and dispensing and managing controlled dangerous substances, among other areas.

HEMP or INDUSTRIAL HEMP

Is a variety of the Cannabis sativa plant species that is grown specifically for industrial use. It can be used to make a wide range of products including paper, rope, textiles, clothing, biodegradable plastics, paint, insulation, biofuel, food, and animal feed. Regulated through the USDA, the allowable amount of total THC may not exceed 0.3% at harvest.

MEDICAL CANNABIS CULTIVATOR

An organization issued a permit by the Permitting Authority that authorizes the organization to possess and cultivate cannabis and deliver, transfer, transport, distribute, supply, and sell medical cannabis and related supplies to other medical cannabis cultivators and to medical cannabis manufacturers and dispensaries, as well as to plant, cultivate, grow, and harvest medical cannabis for research purposes. For the purposes of zoning, this shall include the building, structure, or premises used for the cultivation or storage of medical cannabis. A cultivation center may be physically separate and off-site from an associated medical cannabis dispensary. When connected to, or part of, the same property as a medical cannabis dispensary, the cultivation center shall be considered part of the medical cannabis dispensary.

MEDICAL CANNABIS DISPENSARY

An organization issued a permit by the Permitting Authority that authorizes the organization to: purchase or obtain medical cannabis and related supplies from medical cannabis cultivators; purchase or obtain medical cannabis products and related supplies from medical cannabis manufacturers; purchase or obtain medical cannabis, medical cannabis products, and related supplies and paraphernalia from other medical cannabis

ORDINANCE

dispensaries; deliver, transfer, transport, distribute, supply, and sell medical cannabis and medical cannabis products to other medical cannabis dispensaries; furnish medical cannabis, including medical cannabis products, to a medical cannabis handler for delivery to a registered qualifying patient, designated caregiver, or institutional caregiver consistent with the requirements of the Act; and possess, display, deliver, transfer, transport, distribute, supply, sell, and dispense medical cannabis, medical cannabis products, paraphernalia, and related supplies to qualifying patients, designated caregivers, and institutional caregivers. For the purposes of zoning, this shall include the building, structure, or premises used for the dispensing of medical cannabis. No adult use cannabis business-related activities may take place within an ATC Dispensary unless granted a Zoning Permit by the City Zoning Official.

MEDICAL CANNABIS MANUFACTURER

An organization issued a permit by the Permitting Authority that authorizes the organization to: purchase or obtain medical cannabis and related supplies from a medical cannabis cultivator; purchase or obtain medical cannabis products from another medical cannabis manufacturer; produce, manufacture, or otherwise create medical cannabis products; and possess, deliver, transfer, transport, distribute, supply, and sell medical cannabis products and related supplies to other medical cannabis manufacturers and dispensaries. For the purposes of zoning, this shall include the building, structure, or premises used for the manufacturing of medical cannabis products.

MEDICAL USE OF CANNABIS

The acquisition, possession, transport or use of cannabis or paraphernalia by a registered qualifying patient as authorized by the CUMA.

CANNABIS MICROBUSINESS

Mean a person or entity licensed as a cannabis cultivator, cannabis manufacturer, cannabis wholesaler, cannabis distributor, cannabis retailer, or cannabis delivery service that may only, with respect to its business operations, and capacity and quantity of product: (1) employ no more than 10 employees; (2) operate a cannabis establishment occupying an area of no more than 2,500 square feet, and in the case of a cannabis cultivator, grow cannabis on an area no more than 2,500 square feet measured on a horizontal plane and grow above that plane not higher than 24 feet; (3) possess no more than 1,000 cannabis plants each month, except that a cannabis distributor's possession of cannabis plants for transportation shall not be subject to this limit; (4) acquire each month, in the case of a cannabis manufacturer, no more than 1,000 pounds of usable cannabis and; (5) acquire for resale each month, in the case of a cannabis wholesaler, no more than 1,000 pounds of usable cannabis, or the equivalent amount in any form of manufactured cannabis product or cannabis resin, or any combination thereof; and (6) acquire for retail sale each month, in the case of a cannabis retailer, no more than 1,000 pounds of usable cannabis, or the equivalent amount in any form of manufactured cannabis product or cannabis resin, or any combination thereof.

ORDINANCE

CANNABIS WHOLESALER (Class 3 License)

Any licensed person or entity that purchases or otherwise obtains, stores, sells or otherwise transfers and may transport, cannabis items for the purpose of resale or other transfer to either another cannabis wholesaler or to a cannabis retailer, but not to consumers. This person or entity shall hold a Class 3 Cannabis Wholesaler license

MMP IDENTIFICATION CARD

The New Jersey Medical Marijuana Program Identification Card, which identifies registered qualifying patients under the Act.

PARAPHERNALIA

The definition as provided in N.J.S.A. 2C:36-1.

PERMIT

The documents issued by the Permitting Authority pursuant to the Act and local ordinance granting the legal right to operate as a Cannabis Business.

PERMITTING AUTHORITY

The entity responsible for the regulation and enforcement of activities associated with the production and/or sale of cannabis. This shall include the New Jersey Department of Health and the Cannabis Regulatory Commission, established pursuant to section 31 of P.L.2019, c. 153 (C.24:6I-24), which shall assume all powers, duties, and responsibilities with regard to the regulation and oversight of activities authorized pursuant to P.L.2009, c. 307 (C.24:6I-1 et al.) from the Department of Health for the further development, expansion, regulation, and enforcement of activities associated with the medical use of cannabis pursuant to P.L.2009, c. 307 (C.24:6I-1 et al.). This shall also include any City Cannabis Committee or entity set up for the review and local licensing of Cannabis Businesses.

QUALIFYING PATIENT OR PATIENT

A resident of the State of New Jersey who has been authorized for medical use of cannabis by a health care practitioner, and who has been registered by the Permitting Authority as, a registered qualifying patient.

USABLE CANNABIS

ORDINANCE

The dried leaves, flowers, stems, stalks of a Cannabis Sativa plant, including any mixture manufactured as a tincture, ointment, salve, or products prepared for oral digestion, but does not include the seed, or roots of the plant.

VERTICALLY INTEGRATED CANNABIS FACILITY

The co-location or combination of the following activities related to the production of usable cannabis for qualifying patients within a single corporate entity: cultivation, manufacturing, and dispensing. NJCREAMMA does not permit vertically integrated cannabis facilities with regard to adult use cannabis.

§146-18 Limitation on Cannabis Businesses within the City.

(1) Buffering Requirements:

- a) No Cannabis Dispensary shall be located within 1,000 feet from any other Cannabis Dispensary, excluding Alternative Treatment Centers and Medical Cannabis Dispensaries only selling Medical Cannabis, which shall be generally measured from the subject property line to property line, except that this minimum distance requirement shall not apply to Cannabis Dispensaries in the Entertainment District or the Downtown District. Established Medical Cannabis Dispensaries seeking to expand to Adult Use, may not do so if in violation with this requirement.
 - b) Cannabis dispensaries shall not be located within 750 feet from all schools where children are routinely present.
 - c) Standalone cultivation centers and manufacturing facilities are not included within this prohibition if the secured facility does not contain a Cannabis Dispensary or have public access and is otherwise properly situated in accordance with this Chapter.
- (2) The number of Cannabis Dispensaries located within the City shall be limited to 10 Retail Cannabis Dispensaries. There are no limits on the other license classes. Micro-license dispensaries are included within this limitation on dispensaries. Standalone cultivation centers and manufacturing facilities are not included within this prohibition if the secured facility does not contain a Cannabis Dispensary or have public access and is otherwise properly situated in accordance with this Chapter
- (3) In the event more than one land use application for a Cannabis Dispensary, cultivation center or manufacturing facility of the same classification are submitted to the City in close proximity to one another, and if the applications comply with all the requirements of this chapter and the Act, the City is not permitted to approve all of the applications because of the limitations set forth in this subsection. The City shall first review for approval the application that was first submitted and determined to be a complete and compliant application by the City Planner, or Zoning Official.

ORDINANCE

§146-20 Local licensing authority. A City Cannabis Advisory Committee (CAC) appointed by the City Governing Body will act as the body for local review for the City for all cannabis establishments. Under all circumstances in which State law requires communication to the City by the Cannabis Regulatory Commission or any other State agency with regard to the licensing of cannabis establishments by the State, or in which State law requires any review or approval by the City of any action taken by the State licensing authority, the exclusive authority for receiving such communications and granting such approvals shall be communicated through the City Clerk's Office upon recommendation by the sign-off by the City Cannabis Advisory Committee and authorized by the City's Governing Body.

- (1) Members of said CAC shall include five (5) residents and two (2) business owners located within the City.
- (2) Thereupon the governing body (the City Council) shall, by resolution or ordinance, as appropriate, appoint five persons as commissioners of the authority. The commissioners who are first appointed shall be designated to serve for terms of 1, 2, 3, 4, and 5 years, respectively, from the date of their appointment, but thereafter commissioners shall be appointed as aforesaid for a term of 5 years, except that all vacancies shall be filled for the unexpired term. The mayor shall appoint the two additional commissioners, to terms of five years, except that all vacancies shall be filled for the unexpired term.
- (3) The Committee shall be supported by the Law Director and City Planning Office.
- (4) Of the members of the Committee, no member shall be affiliated with or related to a New Jersey Adult Use Cannabis Business or Medical Cannabis Establishment or prospective licensee, but all shall be resident or business owner of the City within the past 5 years.
- (5) No member of the committee may hold interest in or be related to an applicant.
- (6) All meetings of the Committee shall be subject to the Open Public Meetings Act, with minutes kept in accordance with same.
- (7) Duties of the Committee will be to advise the City Governing Body as to the issuance of Cannabis Business Permits within the City of Trenton based on the information issued by the Governing Body and consistent with §146-23.
- (8) The Committee shall provide a written report to the City Council on a quarterly basis, or at any rate no fewer than four (4) times per year, on the status of their work, including but not limited to:
 - a. The number of applicants and the location(s) of any approved facilities;
 - b. The number of employees / qualifying microbusiness identifiers;
 - c. The percentage of ownership for each beneficial owner, and if applicable intermediary owners, as well as LLC members, partners, public or non-

ORDINANCE

- public shareholders displayed in an ownership structure chart;
- d. Proof of New Jersey residency;
- e. The owner(s)' gender; and
- f. The owner(s)' race, nationality, or ethnic group.

§146-21 Effectiveness. Under no circumstances shall a local permit for a cannabis establishment issued through the Clerk be effective until or unless the State has issued the requisite licenses to operate such a facility. It is the intent of this Chapter that no cannabis establishment may lawfully operate in the City of Trenton without the issuance of a State license and full regulatory oversight of the cannabis establishment by the Cannabis Regulatory Commission or other state licensing authority as well as the issuance of a Cannabis Business Permit by the City.

- (1) Classification of licenses. Consistent with the State classification of licenses, the City, subject to local land use approval and/or zoning permit, and State licensure, may issue the following municipal permits to operate a cannabis establishment:

Class I: Cannabis Cultivator

Class II: Cannabis Manufacturer

Class II: Cannabis Wholesaler

Class IV: Cannabis Distributor

Class V: Cannabis Retailer - including microbusiness retailer

Class VI: Cannabis Delivery

Consumption Lounges

- (2) Issuance of Municipal Permits. The City Cannabis Committee shall set the number of local Cannabis Permits issued annually but may not exceed the total number of such permitted at any given time as set forth in this Chapter. Notwithstanding, the maximum amount of application for State licensure that the City shall consider endorsing for the first period (August 21, 2021 to December 31, 2022), regardless of the maximum number set forth in item d. below, is set forth as follows:

Class I thru Class IV: No limit

Class IV: Cannabis Distributor - 0

Class V: Cannabis Retailer - including microbusiness retailers – 10

Class VI: Cannabis Delivery -2

§146-22 Application. Persons wishing to obtain any classification of cannabis license shall file a license application with the Committee, on a standardized form established by the Committee and available in the Clerk's office once the City has issued a Request for Proposals (RFP). The Committee shall establish a reasonable application period and deadline for all applications. An

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application shall be deemed incomplete and shall not be processed by the Clerk and transmitted to the Committee, until all documents and application fees are submitted. To be deemed complete, all applications shall be accompanied by the following:

- (1) The applicant shall submit proof that the applicant has or will have lawful possession of the premises proposed for the cannabis establishment, which proof may consist of: a deed, a lease, a real estate contract contingent upon successful licensing, or a binding letter of intent by the owner of the premises indicating an intent to lease the premises to the entrant contingent upon successful licensing.
- (2) The applicant shall submit an affidavit and documentary proof of compliance with all state and local laws regarding affirmative action, anti-discrimination and fair employment practices. The applicant shall also certify under oath that they will not and shall not discriminate based on race, color, religion (creed), gender, gender expression, age, national origin (ancestry), disability, marital status, sexual orientation, or military status, in any of its activities or operations.
- (3) The location proposed for licensing by the applicant shall comply with all applicable municipal zoning laws and the location restrictions set forth in this Code with a Conditional Zoning Permit required.
- (4) The applicant shall submit, to the satisfaction of the Committee, proof of financial capability to open and operate the marijuana establishment for which the applicant is seeking a license. Standards for proof of financial capability shall be presented in strict confidence as determined by the requirements of the CRC.
- (5) The applicant shall submit a fee for the application for a conditional permit in the amount of \$10,000. Micro-licenses shall submit a fee of \$1,000.
- (6) Transfer Fees. Shall be 10% of sale of the license or \$10,000, whichever is greater. Any entity assuming the transfer of classification license must adhere to the same state and city cannabis laws/regulations.
- (7) Upon receipt of a conditional City Cannabis License, the Cannabis Business shall enter into a Local Host Agreement with the City when, upon receipt of a State License, to ratify the proposal put forth in the application. Such an agreement will include any and all proposed community programs, public service proposals, security, and mitigation of any community impacts agreed upon.
- (8) Bi-annual Registration Fees. Upon obtaining a State license shall submit bi-annual registration fees of \$10,000. Micro-licenses shall submit a fee of \$2,000.
- (9) The applicant and the application shall otherwise comply with any, and all

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qualification standards set forth in the State and City laws or regulations.

§146-23 Evaluation.

- (1) The Committee shall evaluate all applicants and issue a recommendation of award after consideration and evaluation of the following criteria to the City Council. Presentation before the City Committee is required. Ties will be broken by the Township Council. Each application should be reviewed within the confines of the license category being sought. (For example, a retail dispensary should focus on customer service, marketing, branding and architectural presentation, and public access issues, while a cultivation, distribution, wholesale operation on security, job environment, truck access and loading, and security. Micro-licenses should focus on their business plan and tangentially related experiences and support structures.) Notwithstanding the categories provided for herein, subjectivity in regard to personal tastes and aesthetic matters should be restrained in favor of the thoroughness and level of detail by which an applicant responds. Prior to issuing the request for applications or receiving requests from Cannabis Businesses to gain City Council support the Committee shall make recommendation to the City Council to establish and publish Final criteria and weight categories in accordance with any applicable laws and regulations, which shall be timestamped. Generally, the Committee shall utilize the following upon finalizing criteria for publication:

- a) Applicant's owners' or principals' qualifications and experience operating in highly regulated industries, including cannabis, healthcare, pharmaceutical manufacturing, and retail pharmacies, with preference to experience operating such businesses within the State of New Jersey;
- b) Applicant's brand and proposal for the physical presence of the business. Including but not limited to; the site's ability to meet all land use regulations (parking, landscaping, signage, etc.), architectural treatments, customer experience (where applicable), etc.;
- c) A summary of the applicant's operational plans; including, but not limited to, storage of products and currency, physical security, video surveillance, security personnel, and visitor management;
- d) Applicant's orientation to research and development of Cannabis. Including but not limited to its owners' experience conducting, supporting, and/or future plans to conduct institutional review board-approved research related to medical cannabis, veterans' affairs, or substance abuse. Include whether the applicant has had any assurance accepted by the U.S. Department of Health & Human Services indicating the applicant's commitment to complying with 45 CFR Part 46 (human subjects); and whether the applicant has a research collaboration or partnership agreement in effect with an accredited U.S. school of medicine, or osteopathic medicine with experience conducting cannabis-related research, veterans affairs, or other

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institutions of higher learning dedicated to cannabis research or occupational training;

- e) Applicant's or its owners' demonstrated commitment or sufficient experience as responsible employers, defined as the applicant entity being a committed to a local program in collaboration with organizations committed to the well-being of residents, including, but not limited to the City and surrounding service area. Provide evidence in letters of support and agreements. (e.g. Local workforce hiring and development plan, Community service, Collaborations with a university or specialized training facility such as, but limited to Vo-Tech, and dedicated support to social justice initiatives);
- f) Summary of the applicant's environmental impact/mitigation, and sustainability plan; whether the applicant entity or its parent company has any recognitions from or registrations with federal or New Jersey state environmental regulators for innovation in sustainability; and whether the applicant entity or its parent company holds any certification under international standards demonstrating the applicant has an effective environmental management system or has a designated sustainability officer to conduct internal audits to assess the effective implementation of an environmental management system;
- g) Applicant's ties to the host community, demonstrated by at least one shareholder's proof of residency in the City for five or more years in the past ten years, or at least one shareholder's continuous ownership of a business based in town for five or more years in the past ten years;
- h) Applicant's experience and/or commitment to community health related programs and associated charitable organizations, including but not limited to, particular attention toward prevention of drug and alcohol abuse including but limited to youth and vulnerable persons both locally and regionally;
- i) Applicant's demonstrated commitment to diversity in its ownership composition and hiring practices; Applicant's commitment to supporting and working with local micro-licensees, including but not limited to contracting with and training/mentorship; The applicant entity or its parent company holds any certifications as a NJ minority-owned, women-owned, or veteran-owned business;
- j) Applicant's or its owners' demonstrated commitment or sufficient experience as responsible employers, defined as the applicant entity being a party to a labor peace agreement or the applicant entity or its parent company being a party to a collective bargaining agreement in the regulated cannabis industry for at least one year prior to application for a Cannabis Establishment license, in an effort to create well-paying jobs with employee benefits in the municipality (twenty present in total: five points for a labor peace agreement, full twenty points for collective bargaining agreement in

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effect for at least one year):

- (2) Annually, up to two (2) applicants for a Cannabis Retailer may be recommended to the Governing Body for their consideration in granting a conditional City Cannabis Business Permit with all scores, application submittals and recommendations in a detailed report to be submitted to Council for their consideration. Upon receipt of the Committee's recommendation, the Council reserves the right ask for public presentations when and where appropriate as part of their review process.

§146-24 Award of Township Cannabis License

- (1) Notwithstanding the foregoing competitive application process, a notification of award and conditional license shall entitle the recipient applicant to pursue a State license in the requisite classification for up to 12 months, which may be extended in the City Council's discretion for an additional 6 months for good cause. No business may operate until the applicant has received a State license and satisfied other prerequisites of municipal permit. If the recipient of a notice of award and conditional permit has not received a State permit or license within 12 months from issuance, unless extended for good cause, the City Council shall issue a new request for applications and evaluate all applicants for licensure under the above criteria.
- (2) Term of Permit and Permit renewals.
 - a) Any local Permit issued pursuant to this Chapter that receives a State Cannabis License to operate shall be valid for a period of two (2) years from the date of state issuance and shall be renewed in accordance with the provisions of this Chapter.
 - b) The Committee may, at its discretion, adjust the renewal date of the local license to correlate with an applicant's State licensing and renewal schedule.
 - c) Renewal of any license shall be governed by any code amendments, additional restrictions or changes in regulations adopted since the previous license was issued or renewed in addition to any history of property maintenance and zoning code violations.
 - d) Transfer of ownership of any local license or change of location of any license or modification to expand a licensed premise shall be subject to City Planning review and zoning approval. Such review shall be in accordance with 146-23 (Evaluation) and continuance of the Host Agreements.
 - e) Except where the Committee has received a complete renewal application along with the requisite fees, and has issued a license renewal, it shall be unlawful for any person to manufacture, sell, distribute, transfer, transport, or otherwise remove cannabis or cannabis products from the premises of any license after the expiration date recorded on the face of the license.

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- (3) Award - In the event more than one application for a Cannabis Business (Dispensary, cultivation center or manufacturing facility, etc.) of the same classification is awarded by the State and are submitted to the City which are either; too close in proximity to one another, or exceed the number of available licenses, and if the applications comply with all the requirements of this chapter and the Act, the City is not permitted to approve all of the applications because of the limitations set forth in this subsection. The City Council in consultation with the Committee shall make a determination if reasonable accommodations can be made to eliminate the conflict and/or expand the number of available City Cannabis Business licenses awarded in any given year.
- (4) The conditional Local Host Agreement with the City shall be contingent upon State license approval. Upon receipt of a State License, the local host agreement shall be fully executed. No applicant shall commence operation in the City without execution of an Agreement.

§146-25 Mobile Delivery of cannabis products. Cannabis products may be transferred or delivered, consistent with the requirements of the Act. Mobile facilities shall not be permitted unless expressly authorized under the Act or permitted by the Permitting Authority and approved by Special Permit by the City.

§146-26 Operation of multiple cannabis businesses at a single location. A person may vertically integrate a facility permitted by this section at a single location as long as it is in full compliance with the requirements of the Act and the City Land Development Ordinances.

§146-27 Requirements Applicable to All Cannabis Businesses.

- 1) Samples of cannabis products offered for sale may be displayed on shelves, counters and display cases. All bulk cannabis products shall be locked within a separate vault or safe, with no other items in the safe, securely fastened to a wall or floor, as coordinated with the Trenton City Police Department and allowable under Permitting Authority regulations and state legislation.
- 2) Dispensaries may sell "cannabis paraphernalia" as that term is defined in this section to registered qualifying patients only and shall be exempt from the prohibitions contained in other sections of Ordinance.
- 3) Signage.
 - a) External signage, including window signage, must be limited to text identifying the business and the logo for the business, provided that said logo does not include a cannabis plant leaf and / or outward glorification of cannabis consumption, where applicable.

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- b) All other City sign regulations must be complied with the Land Development Ordinance.
- 4) Must adhere to the provisions of the applicable Development plan
- 5) Security and reporting.
 - a) Surveillance System.
 - i. Cannabis Establishments shall be monitored at all times by closed-circuit television surveillance system. Security cameras shall be in use 24-hours per day, seven days per week, and shall cover all cannabis dispensing areas, storage areas, all doors and windows with access into the Cannabis Establishment, parking areas if applicable, and any other areas not mentioned if deemed necessary by the Chief of Police or his/her designee. The surveillance system must be capable of providing surveillance of both interior and exterior areas of the Cannabis Establishment and must be of adequate quality, color rendition and resolution to allow the ready identification of an individual on or adjacent to the site.
 - ii. The security cameras must be Internet Protocol (IP) cameras capable of providing real time footage over the internet. Operators must provide the Trenton City Police Department with access to this real-time camera footage in case of an emergency.
 - iii. The recordings shall be maintained at the Cannabis Operation for a period of not less than thirty (30) days and shall be provided to the City Police Department within twenty-four (24) hours of a written request from the Police Department for any recordings.
 - b) Outside areas of the premises and the perimeter shall be lit in accordance with City regulations and all doors equipped with motion censored lights.
 - c) The Trenton City Police Department shall be provided the name and phone number of a staff person to notify during suspicious activity during or after operating hours
 - d) Security staff is required on the premises during all hours of operation.
 - e) The premises must only be accessed by authorized personnel and free of loitering.
 - f) All cultivation of cannabis shall take place in an enclosed, locked facility.
 - g) Storage of currency. All currency over \$1,000 shall be stored within a separate vault or safe, not used for the storage of medical cannabis, securely fastened to a wall or floor, as approved by the Trenton City Police Department.
 - h) Cannabis Establishments shall comply with all security requirements as established by state law and regulations, as they may be updated from time to time.

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- 6) **No products to be visible from public places.** Cannabis plants, products, accessories, and associated paraphernalia contained in any cannabis business shall not be visible from a public sidewalk, public street or right-of-way, or any other public place. On-site storage of usable cannabis shall comply with 21 CFR 1301.72.
- 7) **No beer or alcohol on premises.** No fermented malt beverages and no alcoholic beverages shall be kept, served or consumed on the premises of a cannabis business.
- 8) **Storage of products.** All products and accessories shall be stored completely indoors and on-site in accordance with the Act and the Permitting Authority regulations.
- 9) **Cannabis Consumption Areas.** No consumption or smoking of any cannabis products shall be allowed or permitted on the premises or adjacent grounds of a cannabis business unless specially permitted through a Consumption Area permit as part of a licensed Medical Dispensary, and the following conditions:
 - a) No Cannabis Dispensary shall be permitted to operate a Consumption Area within 200 feet of any residential zoning district of the City or a single-family residential zoning district of any adjacent municipality.
 - b) If cannabis will be consumed by smoking or vaping, the Cannabis Dispensary must comply with the New Jersey Smoke-Free Air Act (N.J.S.A. 26:3D-55 et seq.) and associated regulations (N.J.A.C. 8:6-1.1 et seq.).
 - c) Only cannabis items purchased on-site at the Cannabis Dispensary shall be consumed within the Consumption Area.
 - d) The Consumption Area shall be limited to licensed cannabis retailers and medical dispensaries and endorsed by the State Cannabis Regulatory Commission.
 - e) Each licensed Cannabis Dispensary may operate only one Cannabis Consumption Area.
 - f) The Cannabis Consumption Area shall comply with the definition set forth herein and be either (a) an indoor, structurally enclosed area of the licensed Cannabis Dispensary that is separate from the area in which retail sales of cannabis items occur or (b) an exterior structure on the same premises as the dispensary, either separate from or connected to the dispensary.
- 10) **Prevention of emissions and disposal of materials.**
 - a) Sufficient measures and means of preventing smoke, odors, debris, dust, fluids and other substances from exiting the cannabis business premises shall be provided at all times. In the event that any debris, dust, fluids or other substances shall exit the business premises, the property owner and operator shall be jointly and severally responsible for the full cleanup immediately.

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- b) Businesses shall properly dispose of all materials and other substances in a safe and sanitary manner in accordance with state regulations.
 - c) As applicable, cannabis businesses shall be equipped with ventilation systems with carbon filters sufficient in type and capacity to eliminate cannabis odors emanating from the interior to the exterior of the premises discernible by reasonable persons. The ventilation system must be inspected and approved by the Construction Official.
 - d) If carbon dioxide will be used in any cultivation area, sufficient physical barriers or a negative air pressure system shall be in place to prevent carbon dioxide from moving into the ambient air, into other units in the same building or into an adjacent building in a concentration that would be harmful to any person, including persons with respiratory disease and shall be inspected and approved by the Construction Official and the Fire Marshall.
 - e) All state regulations concerning ventilation systems shall be followed.
- 11) **Compliance with other codes.** Any cannabis business and the adjacent grounds of the cannabis business shall comply with all zoning, health, building, fire, and other codes and ordinances of the City as shown by completed inspections and approvals by the City Planner, Zoning Official, Construction Division/Technical Services, Fire Safety Division, and the City Health Department, if applicable.
- 12) **No harm to public health, safety or welfare.** The premises of a cannabis business, and any adjacent grounds thereto, shall be operated in a manner that does not cause any substantial harm to the public health, safety and welfare.
- 13) **Additional requirements.** At the time a site plan approval is granted, amended, or a major change to a cannabis business is approved, the City may impose on the applicant any condition related to the proposed use that is reasonably necessary to protect the public health, safety or welfare, not inconsistent with the Permitting authority requirements, including but not limited to the following:
- a) Additional security requirements;
 - b) Limits and requirements on parking and traffic flows;
 - c) Requirements for walls, doors, windows, locks and fences on the premises and adjacent grounds;
 - d) Limits on cannabis products that may be sold;
 - e) Requirements and limits on ventilation and lighting;
 - f) Limits on noise inside the licensed premises or on the adjacent grounds;
 - g) Prohibitions on certain conduct in the cannabis business;
 - h) Limits on hours of operation.

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- 14) **Penalty for violation.** Any violation of the provisions of this subsection or the conditions of the zoning permit granted, by a cannabis business shall be punishable by a civil fine of up to \$1,000. Each day that a violation is committed, exists or continues shall be deemed a separate and distinct offense. In addition, any violation of the provisions of this subsection, or any conditions imposed by the zoning permit may result in the revocation of the zoning permit.
- 15) **Relationship to any Redevelopment Plan, and the City Zoning and site plan standards.** To the extent any provisions of the City redevelopment plans, zoning and site plan standards conflict with this section, the provisions and standards of this section shall control.

§146-28 Disciplinary Actions; Sanctions; Penalties

- (1) Disciplinary actions. Procedures for investigation of permit violations and for suspension, revocation, or other permit sanctions as a result of any such violation shall be as follows:
 - a) First offense: Up to \$250 per violation per day;
 - b) Second offense: Up to \$500 per violation per day;
 - c) Third violation shall result in summary suspension.
- (2) Summary suspension. Notwithstanding the foregoing section, when the City Council has reasonable grounds to believe that a licensee has engaged in deliberate and willful violation of any applicable law or regulation, or that the public health, safety, and/or general welfare has been jeopardized and requires emergency action, the Council may enter a summary suspension order for the immediate suspension of the permit and notice to the Cannabis Regulatory Commission pending further investigation.
 - a) The summary suspension order shall be in writing and shall State the reasons therefore. The licensee shall be afforded an opportunity for a hearing as outlined herein.
 - b) The City Council shall convene a review panel. The hearing shall be scheduled within 30 days of the date of the order.
 - c) The review panel is authorized to impose any fines, conditions, restrictions, suspensions, or combination thereof authorized by the State of New Jersey. In the absence of State specified penalties, the City may issue fines up to, but not to exceed, \$2,500 per offense and/or suspension of license for a period not to exceed 6 months.
- (3) Inactive licenses. Following the commencement of retail sales of cannabis or cannabis products, the Administrator may suspend or revoke any permit if a licensed premise has been inactive or unoccupied by the licensee for at least 6 months.

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- (4) State license. The Committee may suspend or revoke any permit if the corresponding State license for the subject location is expired, surrendered, suspended, or revoked.

Section 2. Amend the following Redevelopment Area Plans.

- 1) Permitted Uses - Cannabis Businesses as set forth below shall be Conditional Uses permitted in certain zones. Cannabis Establishments shall comply with the requirements set forth herein.

Canal Banks Redevelopment Plan (as amended September 2005): Section B(2)(b)(4), "Conditional Land Uses – Business A (BA)." Dispensary ONLY along South and North Warren, North Broad Street, North Willow, and East State Street (between Warren and Hogan).

Enterprise Avenue Area Redevelopment Plan (as amended January 2005): Section B(2)(a), "Conditional Land Uses," Cultivation and Manufacturing

Route One Industrial Area Redevelopment Plan (as amended June 1997): Section B(2)(a), "Conditional Land Uses," Cultivation and Manufacturing are permitted;

Roebbling Complex Redevelopment Plan (as amended November 1997): Section B (2), "Conditional Uses," Generally, Dispensary is permitted within major retail areas and Cultivation within other areas where existing industrial structures are to remain. Design of such a facility must be positioned to generate an inclusive environment aimed at promoting health, wellness, and economic opportunity through training, mentoring and educational facilities in collaboration with institutions of higher learning or an approved curriculum through the Cannabis Regulatory Commission (CRC) as agreed to with a required redevelopment agreement.

New York Avenue Redevelopment Plan (as amended February 2008): Add Section B (2) (c), "Conditional Uses," Class 5 Cannabis Dispensary.

- 2) Cannabis Dispensaries where permitted as Conditional Uses within the Redevelopment Areas are subject to the following criteria:
- a) Adherence to the permitted uses and site design standards of the City Land Development Ordinance and Redevelopment Plans.
 - b) Issuance of Trenton City Cannabis Business Permit.
 - c) Site plan approval is required.
 - d) Dispensaries shall limit their hours of operation from 8:00 a.m. to 10:00 p.m., Monday to Sunday, or as otherwise provided for within a special use permit.

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- e) Cannabis Dispensaries shall not be located within 1,000 feet of another Cannabis Dispensary. Medical ONLY Dispensaries are not subject to this provision.
 - f) Dispensaries must be located on main thoroughfares (e.g., Hermitage, Calhoun, Chamber, Rt206, Hamilton Avenue, etc.) where retail is a prevalent use within the zone, and not off of sides streets and alleys that may be within a permitted zone, but do not front such streets.
- 3) Vertically Integrated Cannabis Facilities. Academic Medical Center, and Cannabis Training Facility, where permitted are subject to the following criteria:

- a) Adherence to the permitted uses and site design standards of the City Land Development Ordinance and Redevelopment Plans.
- b) Issuance of Trenton City Cannabis Business License.
- c) Site plan approval is required.
- d) If a dispensary is co-located with a cultivation center, the area of the proposed premises utilized for cultivation shall be physically separated from the area of the premises utilized for the dispensing of medical cannabis and open to the public or to patients. Walls, barriers, locks, signage and other means shall be employed to prevent the public or patients from entering the area of the premises utilized for cultivation of medical cannabis.
- e) Dispensary operation must face outward on a main Thorofare where retail is prevalent within the zone.
- f) All facilities shall be Secured in accordance with all applicable provisions as defined in the Act and outlined in Subsection G below.
- g) Unusual odors, smells, fragrances or other olfactory stimulants shall be prohibited. Odor mitigation filtration systems must be installed and maintained in perfect working order.
- h) Light pollution, glare or brightness resulting from glow lamps must be 0.5 candle or less at the property line
- i) Noise beyond the decibel level permitted by City noise ordinances shall be prohibited.

4) Cannabis Cultivation Centers, Manufacturing, Distribution, Wholesalers, and Delivery, where permitted are subject to the following criteria: -

- a) Adherence to the permitted uses and site design standards of the City Land Development Ordinance and Redevelopment Plans.
- b) Issuance of Trenton City Cannabis Business License.
- c) Site plan approval is required.

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- d) Cultivation centers shall not be located immediately adjacent to school property used for school purposes where children are present.
- e) All facilities shall be secured in accordance with all applicable provisions as defined in the Act and outlined in Subsection G below.
- f) No signage other than directional or discrete building identification found in shall be permitted. Signage shall remain innocuous, and part of the general directional signage typically found in industrial manufacturing facilities. Facade signs will be limited to those at the point of entry to the facility and may not be more than six square feet.
- g) Unusual odors, smells, fragrances or other olfactory stimulants shall be prohibited. Odor mitigation filtration systems must be installed and maintained in perfect working order.
- h) Light pollution, glare or brightness resulting from glow lamps must be 0.5 candle or less at the property line
- i) Adherence to Chapter 167 Noise. In addition, Noise decibel levels permitted shall adhere to 137-10 Noise Standards of the City Code

5) Microbusinesses. Microbusinesses are permitted within any area where Cannabis Businesses are permitted within the City according to their use category (i.e., Dispensary, Cultivation, or Manufacturing). Microbusiness may also be located on the same premise as a full licensee as long as training, business incubators, and/or mentorship is being conducted.

6) Additional Requirements Applicable to All Cannabis Businesses.

- a) Samples of cannabis products offered for sale may be displayed on shelves, counters and display cases. All bulk cannabis products shall be locked within a separate vault or safe, with no other items in the safe, securely fastened to a wall or floor, as coordinated with the Trenton City Police Department and allowable under Permitting Authority regulations and state legislation.
- b) Dispensaries may sell "cannabis paraphernalia" as that term is defined in this section to registered qualifying patients only and shall be exempt from the prohibitions contained in other sections of Chapter 170 of the Land Development Ordinance.
- c) Signage.
 - i. External signage, including window signage, must be limited to text identifying the business and the logo for the business, provided that said logo does not include a cannabis plant leaf and / or outward glorification of cannabis consumption, where applicable.
 - ii. All other City sign regulations must be complied with.

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- d) Outside generators and other mechanical equipment used for any kind of power supply, cooling or ventilation shall be enclosed and have appropriate baffles, mufflers, and/or other noise reduction systems to mitigate noise pollution.
- e) Parking shall be provided as provided below:
 - i. Parking for Dispensaries shall be provided for as retail businesses.
 - ii. Parking for Cultivation Centers shall be provided for as industrial or manufacturing establishment, laboratory use, or storage warehouse.

7) In the event of a conflict between the City bulk standards and the Act or the Permitting Authority's regulations, the City shall consider the pertinent statute or regulation as justification of any variance and/or design waiver.

Section 3. Amend the Land Development Ordinance (§315)

The Land Development Ordinance shall be amended to permit the various Cannabis Businesses, *in accordance with the conditions set forth in Section 2.* of this ordinance, as follows:

Article XVI, "Mixed Use MU District" §315-103, "Permitted Conditional Uses."

- add: J. Class 5 – Cannabis Dispensaries.
K. Vertically Integrated Cannabis Facilities,
L. Academic Medical Center, and Vocational Training Facility.

Article XVII "Business A District §315-108, "Permitted Conditional Uses."

- add: J. Class 5 – Cannabis Dispensaries.
K. Vertically Integrated Cannabis Facilities.

Article XVIII, "Downtown District" §315-113 "Permitted Conditional Uses."

- add: B. Class 5 – Cannabis Dispensaries.
C. Vertically Integrated Cannabis Facilities.

Article XIX, "Business B District" § 315-119 "Permitted Conditional Uses."

- add: G. Class 5 – Cannabis Dispensaries.
H. Vertically Integrated Cannabis Facilities.

Article XX, "Industrial A and B Districts" §315-124, "Permitted Conditional Uses."

- add: (C) Class 1 – Cannabis Cultivators.
(D) Class 2 – Cannabis Manufacturers.
(E) Class 3 – Cannabis Wholesalers.
(F) Class 4 – Cannabis Distributors.
(G) Class 6 – Cannabis Delivery.
(H) Vertically Integrated Cannabis Facilities,
(I) Academic Medical Center, and Vocational Training Facility

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Article XX, "Industrial A and B Districts" §315-123, "Permitted Accessory Buildings and Uses."

add: C. Research and development accessory to principal use.

Section 4. Chapter 268, TAXATION, is hereby amended by creating Article VII, CANNABIS TRANSFER TAX, to read as follows:

§ 487-21 Purpose.

It is the purpose of this article to implement the provisions of P.L. 2021, c. 16, which authorizes the governing body of a municipality to adopt an ordinance imposing a tax at a uniform percentage rate not to exceed two percent (2%) of the receipts from each sale by a cannabis cultivator; two percent (2%) of the receipts from each sale by a cannabis manufacturer; one percent (1%) of the receipts from each sale by a cannabis wholesaler; and two percent (2%) of the receipts from each sale by a cannabis retailer, which shall be in addition to any other tax or fee imposed pursuant to statute or local ordinance or resolution by any governmental entity upon the cannabis establishment.

§ 487-22 Definitions.

Unless otherwise defined herein, as used herein, the City adopts by reference the terms and definitions established by Section 40 of Public Law 2021-16 (N.J.S.A. 24:6I-33).

§ 487-23. Tax established.

- (1) There is hereby established a local cannabis transfer tax in the City of Trenton which shall be fixed at a uniform percentage rate of two percent (2%) of the receipts from each sale by a cannabis cultivator; two percent (2%) of the receipts from each sale by a cannabis manufacturer; one percent (1%) of the receipts from each sale by a cannabis wholesaler; one half of one percent (0.5%) of the receipts from each sale by an alternative treatment center (or medical cannabis establishment); and two percent (2%) of the receipts from each sale by a cannabis retailer for every occupancy of a cannabis establishment in the City of Trenton.
- (2) In addition to the tax established in paragraph A of this section, a user tax, at the equivalent transfer tax rates, is hereby established on any concurrent license holder, as permitted by section 33 of P.L.2021, c.16 (C.24:6I-46), operating more than one cannabis establishment. The user tax shall be imposed on the value of each transfer or use of cannabis or cannabis items not otherwise subject to the transfer tax imposed pursuant to paragraph A of this subsection, from the license holder's establishment that is located in Trenton City to any of the other license holder's establishments, whether located in this City or another municipality.

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- (3) Any transaction for which the transfer tax or user tax is imposed, or could be imposed, pursuant to this section, other than those which generate receipts from the retail sales by cannabis retailers, shall be exempt from the tax imposed under the "Sales and Use Tax Act," P.L.1966, c.30 (C.54:32B-1 et seq.).

§ 487-24. Tax in addition to other taxes or fees.

The cannabis transfer tax shall be in addition to any other tax or fee imposed pursuant to statute or local ordinance or resolution by any governmental entity upon property or cannabis establishment.

§ 487-25. Collection.

- (1) The transfer tax or user tax imposed by this article shall be collected or paid and remitted to Trenton City by the cannabis establishment from the cannabis establishment purchasing or receiving the cannabis or cannabis item, or from the consumer at the point of sale, on behalf of the City by the cannabis retailer selling the cannabis item to that consumer. The transfer tax or user tax shall be stated, charged, and shown separately on any sales slip, invoice, receipt, or other statement or memorandum of the price paid or payable, or equivalent value of the transfer, for the cannabis or cannabis item.
- (2) Every cannabis establishment required to collect a transfer tax or user tax imposed by ordinance pursuant to this section shall be personally liable for the transfer tax or user tax imposed, collected, or required to be collected under this section. Any cannabis establishment shall have the same right with respect to collecting the transfer tax or user tax from another cannabis establishment or the consumer as if the transfer tax or user tax was a part of the sale and payable at the same time, or with respect to non-payment of the transfer tax or user tax by the cannabis establishment or consumer, as if the transfer tax or user tax was a part of the purchase price of the cannabis or cannabis item, or equivalent value of the transfer of the cannabis or cannabis item, and payable at the same time; provided, however, that the Chief Financial Officer of Trenton City shall be joined as a party in any action or proceeding brought to collect the transfer tax or user tax.
- (3) No cannabis establishment required to collect a transfer tax or user tax imposed by this section shall advertise or hold out to any person or to the public in general, in any manner, directly or indirectly, that the transfer tax or user tax will not be separately charged and stated to another cannabis establishment or the consumer, or that the transfer tax or user tax will be refunded to the cannabis establishment or the consumer.

ORDINANCE

- (4) All revenues collected from a transfer tax or user tax imposed by ordinance pursuant to this section shall be remitted to the Trenton City Chief Financial Officer on a quarterly basis payable for the prior three month's activities and due at the same time as quarterly dates for the collection of property taxes. The revenues due on February 1 of each year shall include all transfer taxes or user taxes collected for the prior year months of October, November and December. The revenues due on May 1 of each year shall include all transfer taxes and user taxes collected for the immediate prior months of January, February and March. The revenues due on August 1 of each year shall include all transfer taxes and user taxes collected for the immediate prior months of April, May and June. The revenues due on November 1 of each year shall include all transfer taxes and user taxes collected for the immediate prior months of July, August and September.

§ 487-26. Dedication

- (1) One half (50%) of all revenue collected through Chapter 487 Article VII Cannabis Transfer Tax, and one half (50%) all revenue collected through Chapter 146 Article IX Cannabis Businesses shall be dedicated toward Cannabis Training Facilities that support access, training and mentorship within the emerging cannabis industry, including those that support micro licenses in furtherance of the City social justice initiatives.

§ 487-27. Payment; vendor violations and penalties.

- (1) The Chief Financial Officer shall collect and administer any transfer tax or user tax imposed to this section.
- (2) The municipality shall enforce the payment of delinquent taxes or transfer fees imposed pursuant to this section in the same manner as provided for municipal real property taxes.
- (3) In the event that the transfer tax or user tax imposed by this section is not paid as and when due by a cannabis establishment, the unpaid balance, and any interest accruing thereon, shall be a lien on the parcel of real property comprising the cannabis establishment's premises in the same manner as all other unpaid municipal taxes, fees, or other charges. The lien shall be superior and paramount to the interest in the parcel of any owner, lessee, tenant, mortgagee, or other person, except the lien of municipal taxes, and shall be on a parity with and deemed equal to the municipal lien on the parcel for unpaid property taxes due and owing in the same year.
- (4) A municipality shall file in the office of its tax collector a statement showing the amount and due date of the unpaid balance and identifying the lot and block number of the parcel of real property that comprises the delinquent cannabis establishment's premises. The lien shall be enforced as a municipal lien in the same manner as all other municipal liens are enforced."

Section 4 Severability. Should any section, clause, sentence, phrase or provision of this article be declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this article.

ORDINANCE

Section 5 Repealer. All prior ordinances or parts of same inconsistent with any provisions of this article are hereby repealed to the extent of such inconsistency.

Section 6 Effective Date. This ordinance shall take effect upon final adoption and publication in accordance with law.

	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent
EDWARDS					GONZALEZ					FRISBY				
FELICIANO					HARRISON									
FIGUEROA					WILLIAMS									
KITTENBURG														

Adopted on first reading at a meeting of the City Council of the City of Trenton, NJ on _____

Adopted on second reading after the public hearing on _____

AYE
Mayor
NAY

APPROVED
REJECTED

Reconsidered by Council – Override Vote

President of Council

City Clerk

No. 23 - 041

Date to Mayor _____

Date Returned _____

Date Resubmitted to Council _____

Withdrawn Lost

Factual content certified by

Title

Councilman/woman

presents the following Ordinance:

IT IS HEREBY ORDAINED by the City Council of the City of Trenton as follows:

1. The current sub-section of Trenton City Code Section 22-1 "FAMILY MEMBER OR RELATIVE" be and hereby is deleted it its entirety.
2. The sub-section of Trenton City Code Section 22-1 "FAMILY MEMBER OR RELATIVE" shall now read as follows:

"A Spouse; Domestic Partner; Parent; Stepparent; Sibling; Child; Grandchild; First Cousin; or Grandparent";
3. The first sentence of current Trenton City Code Section 22-2A be and hereby is deleted in its entirety.
4. The first sentence of Trenton City Code Section 22-2A shall now read as follows:

"No person who is a relative or family member (as defined above) of any Elected Official or Department Head of the City of Trenton shall be considered for employment in a Department where the Department Head or Elected Official would have direct supervisory oversight over said person".

5. The sub-section of Trenton City Code Section 22-2F shall be amended to delete "the Board of Education".

IT IS FURTHER ORDAINED that this Ordinance shall take effect 20 days after its final passage by Council and approval by the Mayor, pursuant to NJSA 40:69A-181.

Ordinance Authored By: Council Vice President Feliciano

INTRODUCTION:	MOTION:				SECOND:				ORD. AUTHORED BY:	COUNCIL V.P. FELICIANO								ADOPTION	MOTION:				SECOND:			
	INTRODUCTION				ADOPTION					INTRODUCTION				ADOPTION					INTRODUCTION				ADOPTION			
	AYE	NAY	NV	AB	AYE	NAY	NV	AB		AYE	NAY	NV	AB	AYE	NAY	NV	AB		AYE	NAY	NV	AB	AYE	NAY	NV	AB
EDWARDS									GONZALEZ									FRISBY								
FELICIANO									HARRISON																	
FIGUEROA KETTENBURG									WILLIAMS																	
NV - NO VOTE	AB - ABSENT																									

Adopted on first reading at a meeting of the City Council of the City of Trenton, NJ on _____

Adopted on second reading after the public hearing on

Mayor

APPROVED
REJECTED

Reconsidered by Council – Override Vote

AYE
NAY

President of Council

City Clerk