

**MEMBERS**  
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JOSEPH A. HARRISON  
JENNIFER C. WILLIAMS



**CITY COUNCIL**  
OFFICE: (609) 989-3147  
FAX: (609) 989-3190

**CITY CLERK**  
BRANDON L. GARCIA  
OFFICE: (609) 989-3187  
FAX: (609) 989-3190

## **TRENTON CITY COUNCIL REGULAR MEETING**

**TRENTON CITY HALL, CITY COUNCIL  
CHAMBERS, 319 EAST STATE STREET  
THURSDAY, SEPTEMBER 7, 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:**
  - Municipal Budget Public Hearing**
  - Open to the public**
  - Budget Amendment Introduction**
- VII. OLD BUSINESS [Ordinances 2<sup>nd</sup> Reading and Public Hearing]**
- IX. NEW BUSINESS:**
  - a. **RESOLUTIONS**
  - b. **ORDINANCES [1<sup>st</sup> Reading and Introduction]**
  - c. **OTHER**
- X. PUBLIC COMMENTS**
- XI. CIVIC COMMENTS**
- XII. ADJOURNMENT**

**DOCKET REVIEW FOR  
THURSDAY, SEPTEMBER 7, 2023**

**1. MINUTES FOR APPROVAL**

JANUARY 3, 2023 – CONFERENCE  
APRIL 4, 2023 – CONFERENCE

JANUARY 5, 2023 - REGULAR  
JUNE 20, 2023 - CONFERENCE

**2. COMMUNICATIONS AND PETITIONS**

- 2a Civil Action Summons – Filed by Colin G. Bell, Esquire, Hankin Sandman Palladino Weintrob & Bell Counsellors at Law, 30 South New York Avenue, Atlantic City, New Jersey – Representing Terry Peifer vs City of Trenton and Brandon Garcia, Custodian of Records.
- 2b Civil Action Notice of Amended Peremptory Scheduling Order filed in Superior Count of New Jersey, Appellate Division – Filed by Robin M. Vaughn, Mary Horne and Evangeline Ugorji vs. Jasi Mikae Edwards; Yazminelly Gonzalez; Joshua L. Baker; Brandon Garcia, Trenton City Clerk; Paula Sollami-Covello, Mercer County Clerk.
- 2c Civil Action Summons Foreclosure Compliant – Filed by Deborah T. Feldstein, Esquire, Pellegrino & Feldstein, LLC, 290 Route 46 West, Denville, New Jersey – Representing CR1 Holdings, LLC vs Minerva Lennon; John Doe; The City of Trenton, et. als.
- 2d Civil Action Summons Foreclosure Compliant – Filed by Deborah T. Feldstein, Esquire, Pellegrino & Feldstein, LLC, 290 Route 46 West, Denville, New Jersey – Representing CR! Holdings, LLC vs. Basurt Campbell; Mrs. Basurt Campbell; The City of Trenton, et. als.
- 2e Civil Action Notice of Motion for Entry of Final Judgment – Filed by Gary C. Zeitz, Esquire, 1101 Laurel Oak Road, Suite 170, Voorhees, New Jersey – Representing KHHLK Fund, LLC vs. Warren Street Urban Renewal Partners II, LP, et. al.
- 2f Tort Claim Notice for Personal Damages – Filed by Brandon J. Broderick, Esquire, 64 East Route 4, First Floor, River Edge, New Jersey – Representing Ms. Tamika Jones-Richardson vs. New Jersey Transit, The City of Trenton; Amtrak f/k/a UNJRR & Company and the State of New Jersey.
- 2g Tort Claim Notice for Personal Injury – Filed by Stuart A. Tucker, Esquire, Szaferman, Lakind, Blumstein and Blader, PC, 101 Grovers Mill Road, Suite 200, Lawrenceville, New Jersey – Representing Courtney Dukes as g/a/l of Carl McNair, a minor (Date of Loss: 5/1/23) vs. The City of Trenton, et. als.
- 2h Tort Claim Notice for Property Damages – Filed by Deborah Long, 447 Bellevue Avenue, Trenton, New Jersey vs. The City of Trenton.
- 2i Tort Claim Notice for Potential Claims for Damages – Filed by Michael T. Heck, Esquire, Stein Ostrove, PO Box 10720, Edison, New Jersey – Representing Vergge Howard (Date of Accident: 8/7/2022).
- 2j Notice of Foreclosure Compliant – Filed by Brock & Scott, PLLC, 302 Fellowship Road, Suite 130, Mount Laurel, New Jersey – Property Address: 45 Liberty Street, Trenton, New Jersey.
- 2k Name and Contact Information of Plaintiff Creditor in Foreclosure Action – Filed by Sanford J. Becker, Esquire, Pluese, Becker & Saltzman, LLC, 20000 Horizon Way, Suite 900, Mount Laurel, New Jersey – Representing New Jersey Housing and Mortgage Finance Agency vs. Dextine Stanley. Property Address: 739 Centre Street, Trenton, New Jersey. Contact Art Schorr c/o Corporation Service Company, Princeton South Corporate Center, Suite 160, 100 Charles Ewing Boulevard, Ewing, New Jersey.
- 2l Civil Action Notice of Pending Foreclosure – Filed by Ashley M. Pascuzzi, Esquire, Gross Polowy, LLC, 2500 Plaza 5, Suite 2548, Jersey City, New Jersey – Representing Freedom Corporation vs. Annette H. Lartigue, et. al. Property Address: 54 Hillcrest Avenue, Trenton, New Jersey.

2m Matrix New World Engineering Response Actin Outcome – PSEG Olden Avenue Substation, 599 North Olden Avenue, Trenton, New Jersey. Block 21605, Lot 1 (ID #799703).

2n State of New Jersey Department of Community Affairs Notice of recent legislative actions that have impact on Hotel and Multiple Dwelling owners/operators in the State of New Jersey.

2o Copy of Transmittal PSEG Former South Warren Street Gas Works – Statement of Consent for TWA Permit Application (copy in City Clerk Office).

2p Tort Claim Notice for Personal Damages – Filed by Dennis Gruenke, Esquire, 1500 JFK Boulevard, Suite 1420, Philadelphia, Pennsylvania – Representing Kathleen Redpath-Perez, 806 Bunker Hill Avenue, Lawrenceville, New Jersey – Against the City of Trenton.

2q Foreclosure Notice – Filed by KML Law Group, P.C., 701 Market Street, Suite 5000, Philadelphia, Pennsylvania. Property Address: 204 Academy Street, Trenton, New Jersey. Block 7202, Lot 27.

2r Civil Action – United States Bankruptcy Court for the Southern District of Texas Houston Confirming the Debtor's Joint Plan of Reorganization Pursuant to Chapter 11 of the Bankruptcy Code, and (II) Occurrence of the Plan Effective Date.

2s Civil Subpoena to Produce Records – Filed by Robin Kay Lord, Esquire, Law Office of Robin Kay Lord, LLC, 210 South Broad Street, Trenton, New Jersey – Representing the State of New Jersey vs. Genesis Torres.

2t Civil Subpoena to Appear and Produce Documents – Filed by Michael J. McLaughlin, Esquire, Usery & Associates, PO Box 2996, Hartford, Connecticut – Representing Yusuf El Amin and Hannah Christian vs. Travelers Indemnity Company d/b/a St. Paul Protective Insurance Company.

2u Civil Action Amended Compliant (to Join Judgment Creditor Credit Union of New Jersey) – Filed by Robert F. Thomas, Esquire, Pluese, Becker & Saltzman, LLC, 20000 Horizon Way, Suite 900, Mount Laurel, New Jersey – Representing Habitat for Humanity of South-Central New Jersey vs Asia Edwards and Spouse of Asia Edwards; City of Trenton; Synergy Anesthesia, LLC; ABC Bail Bonds, Inc; Credit Union of New Jersey.

2v Tort Claim Notice for Other Damages – Replace our gate, reimbursement of funds expanded by the maintenance, upkeep of property at 77, 81, 83 Phillips Avenue, Trenton, New Jersey (Lot 16, 17, 18) for 21 years.

2w Civil Action Notice of Pending Foreclosure – Filed by Ashley M. Pascuzzi, Esquire, Gross Polowy, LLC, 2500 Plaza 5, Suite 2548, Jersey City, New Jersey – Representing Nationstar Mortgage, LLC vs. Gloria Davis, et. al. Property Address: 379 St. Joe's Avenue, Trenton, New Jersey. Block 15, Lot 22504 f/ka/ Block 204, Lot. 389.

2x Tort Claim Notice for Property Damage – Filed by Nichelle Nichole Ricks, 35 Tyrell Street, Trenton, New Jersey – Against the City of Trenton.

2y Civil Action Foreclosure – Filed by Sanford J. Becker, Esquire, Pluese, Becker & Saltzman, LLC, 20000 Horizon Way, Suite 900, Mount Laurel, New Jersey – Representing New Jersey Housing and Mortgage Finance Agency vs. Chanique M. Veal, et. al. Property Address: 232 North Broad Street, Trenton, New Jersey. Lot 7, Block 7108.

2z Site Remediation by Pioneer Environmental Group, LLC, 2917 East State Street Extension, Mercerville, New Jersey conducted at National Ceramic Company, 500 Southard Street, Trenton, New Jersey. NJDEP Case Number 14-05-06-1615-04.

2aa Civil Action Order Setting Amount, Time and Place for Redemption – 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; The City of Trenton and The State of New Jersey. Property Address: 137 Garfield Avenue, Trenton, New Jersey, Block 27102, Lot 9.

2ab Civil Action Notice of Motion for Entry of Judgment – Filed by Deborah Feldstein, Esquire, Pellegrino & Feldstein, LLC, 290 Route 46 West, Denville, New Jersey – Representing Broadway New York, LLC vs. Charlotte L. Conover, Her Heirs, Devisees and Personal Representatives and His, Her, Their or any of Their Successors in Right, Title and Interest; Trudy Csizmadia; John Doe, Husband of Trudy Csizmadia, The City of Trenton, et. als. Property Address: 508 Federal Street, Trenton, New Jersey, Lot 12, Block 10404.

2ac 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 Kent Funding, LLC vs Amalia M. Walters, Mr./Mrs. Walters, spouse of Amalia M. Walters; New Jersey Housing and Mortgage Finance Agency; City of Trenton Emergency Repair Program, et. als.

2ad Civil Action Notice of Pending Foreclosure – Filed by Ashley M. Pascuzzi, Esquire, Gross Polowy, LLC, 2500 Plaza 5, Suite 2548, Jersey City, New Jersey – Representing US Bank, National Association, not in its Individual Capacity but Solely as owner Trustee for RCF 2 Acquisition Trust vs. Carole Sutphin, et. al. Property Address: 492 Chestnut Avenue, Trenton, New Jersey, Block 15101, Lot 9.

2ae Civil Action United States Bankruptcy Court for the District of Delaware Chapter 11 – Notice of Agenda of First Day Matters Scheduled for Hearing on August 9, 2023, at 3:00 P.M (Eastern Time). Zoom link filed by Laura Davis-Jones, Esquire, Pachulski Sang Ziehl & Jones, LLP, 919 North Market Street, 17<sup>th</sup> Floor, PO Box 8705, Wilmington, Delaware.

2af Foreclosure Notice – Filed by Emmanuel J. Argentieri, Esquire, Romano Garubo & Argentieri, 52 Newton Avenue, PO Box 456, Woodbury, New Jersey – Representing Millennialcoin Group, LLC. Property Address: 218 Hamilton Avenue, Trenton, New Jersey. Lot 15, Block 13703.

2ag Foreclosure Notice – Filed by Brian E. Cain, Esquire, Parker McCay, P.A., 9000 Midlantic Drive, Suite 300, PO Box 5054, Mount Laurel, New Jersey. Property Owner: Cheryl Colson. Property Address: 476 West State Street, Second Floor, Trenton, New Jersey, Lot 2.02, Block 2206.02. Formerly Lot 197, Qualifier C102; Block 19A also formerly part of Lots 187, 196 and 197; Block 19A.

2ah Foreclosure Notice – Filed by LOGS Legal Group, LLP, 14000 Commerce Parkway, Suite B, Mount Laurel, New Jersey – Representing Wells Fargo Bank, National Association, c/o Ed Beck, Property Preservation Field Inspector Home and Lending and Asset Management, 190 River Road, 3<sup>rd</sup> Floor, Summit, New Jersey. Property Address: 122 Bert Avenue, Trenton, New Jersey. Lot 30 and Block 29803.

2ai Tort Claim Notice for Personal and Other Damages- Filed by Sharon Alford (Mother) and Tonnesha Kidd (Daughter's Mother), PO Box 33113, Trenton, New Jersey and Sharon Alford, 489 West State Street, Apartment 210, Trenton, New Jersey – Against the City of Trenton.

2aj Tax Sale Certificate for 63 McKinley Avenue, Trenton, New Jersey. Block 14203, Lot 22, Owner: Sheila Kornegay.

2ak Civil Action Order Setting Amount, Time and Place for Redemption – 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; The City of Trenton and The State of New Jersey.

2al ERM Notification of Classification Exception Area Biennial Permit for Ground Water. Site: Thiokol Chemical Corporation, 40 North Enterprise Avenue, Trenton, Hamilton and Lawrence. Block 1571, Lot 2; Block 2321, Lot 1; Block 601; Lots 1,2, 3,4,5,6 and 7.

2am Civil Action – Prepared by the Court – Kaplan Group, LLC d/b/a Medical Home Pharmacy and Joyce Savio vs. City of Trenton and Brandon Garcia, Municipal Clerk.

2an Tort Claim Notice for Property Damage Cadwalader Park, Trenton, New Jersey – Filed by PSEG vs The City of Trenton.

2ao Civil Action – United States District Court New Jersey – Subpoena to Produce Documents,

Information, Or Objects or to Permit Inspection of Premises in a Civil Action. Filed by Patrick J. Whalen, Esquire, 109 South Warren Street, Trenton, New Jersey – Representing Anthony Fearron and Susan Giles.

2ap Tort Claim Notice for Other Damages – Filed by Alesia Lynette Journigan, 427 Greenway Avenue, Trenton, New Jersey – Against the City of Trenton.

2aq Copy of Land Use Authorization Application – Marine Terminal Trail and Cooper Field Connector Trenton City, Mercer County, New Jersey. Maps attached.

2ar Civil Action Notice of Motion to Deem Property Abandoned – Filed by Jonathan E. Mayer, Esquire, Stevens & Lee, PC, Princeton Pike Corporate Center, 100 Lenox Drive, Suite 200, 100 Lenox Drive, Lawrenceville, New Jersey – Representing First Baptist Church of Eggerts Crossing, 121 Hillcrest Avenue, Lawrence, New Jersey vs. 141 Hillcrest Avenue, Block 2322, Lot 10 (9) assessed to J&B Property Holdings.

2as Tort Claim Notice for Property Damage – Filed by Masood T. Malik, 547 Chestnut Avenue, Trenton, New Jersey – Against the City of Trenton.

2at Civil Action – Subpoena Duces Tecum – Filed by Richard M. Tango, Esquire, Tango, Dickinson, Lorenzo, McDermott & McGee, LLP, 75 Main Street, Suite 305, PO Box 192, Millburn, New Jersey – Representing Kenyatta McClain vs. Bashir Riley, Ida Turner, et. ala.

2au Tort Claim Notice for Property Damage – Filed by Rosaly Nieves, 45 Adeline Street, Trenton, New Jersey vs The City of Trenton.

2av Tort Claim Notice for Personal Damage – Filed by Lance J. Bitterman, Esquire, Fredson Satmore Bitterman, LLC, 200 Broadacres Drive, Suite 180, Bloomfield, New Jersey – Representing Elga Andujar vs. The City of Trenton.

2aw Notice to Public Service Electric and Gas Company Electric Customers for Basic Service Charges and Notice of Proposed Recovery Through Its BGS Charges of Costs Resulting from Statewide Auction for BGS.

2ax Delaware River Greenway Partnership (DRGP) Notice for the 6<sup>th</sup> Annual Delaware River Cleanup September 16, 2023, from 8:30 am to 11:30 am.

2ay Tort Claim Notice for Personal Damages – Filed by Rachel E. Holt, Esquire, Rebenack, Aronow & Mascolo, LLP, 111 Livingston Avenue, New Brunswick, New Jersey – Representing Coreen Grooms vs. The State of New Jersey; New Jersey Department of Environmental Protection; The City of Trenton; The City of Trenton Public Works Department; The City of Trenton Shade Tree Bureau, et. als.

2az Tort Claim Notice for Other Damages – Filed by NJWeedman.com formerly known as Edward Forchion – Against the City of Trenton.

2ba Foreclosure Notice – Filed by McCalla Raymer Leibert Pierce, LLC, 485F US Highway 1 S., Building F, Suite 300, Iselin, New Jersey – Representing Lima One Capital, LLC vs. 921 Berkeley NanInvestment, LLC, et. al. Property Address: 921 Berkeley Avenue, Trenton, New Jersey. Lot 19 fka 18, Block 32201 fka 386.

2bb Civil Action Subpoena Duces Tecum – Filed by Zachary Peter Hicks, Esquire, Law Office of Michael G. David, 10,000 Lincoln Drive East, Marlton, New Jersey – Representing Coleen T. Sheppard vs. Vidal M. Anderson, GEICO (UIM) and John Doe 1-111

2bc Response Action Outcome – Amendment – Trenton Water Filtration Plant, Route 29 South, John Fitch Way, Trenton, New Jersey. NJDEP #20-07-23-0957-31,

2bd Civil Bankruptcy District of New Jersey Discharge in Chapter 13 Case – Cleveland Williams, Jr vs. Jacqueline Marks. (Granted).

2be Foreclosure Notice Filed – Property Address: 54 Hillcrest Avenue, Trenton, New Jersey. Contact Malinda Johnson, Agent, Freedom Mortgage Corporation, 951 Yamato Road, Suite 175, Boca Raton, Florida 33431.

2bf Foreclosure Action – Filed by Parker McCay, P.A., 9000 Midlantic Drive, Suite 300, PO Box 5054, Mount Laurel, New Jersey – Property Address: 710 Parkside Avenue, Trenton, New Jersey. Lot 6, Block 34902. Contact Jack Morris, PO Box 272, Magnolia, New Jersey.

2bg Civil Action Notice – Filed by Catherine Aponte, Esquire, Friedman Vartolo, LLP, 1325 Franklin Avenue, Suite 160, Garden City, New York – Representing U.S. Bank Trust National Association, as Trustee of the Dwelling Series IV Trust vs. Heather Pizza, et al. Property Address: 1756 West McGalliard Avenue, Trenton, New Jersey 08610. Lot 29, Block 2472).

2bh Foreclosure Action – Filed by Emanuel J. Argentieri, Esquire, Romano Garubo & Argentieri, 53 Newton Avenue, PO Box 456, Woodbury, New Jersey – Representing Millennialcoin Group, LLC. Property Address: 218 Hamilton Avenue, Trenton, New Jersey, Lot 15, Block 13703.

2bi Civil Action Notice of Motion for Order Substituting Plaintiff – Filed by Robert W. Keyser, Esquire, Taylor and Keyser, 89 Haddon Avenue, Suite B2, Haddonfield, New Jersey – Representing Zion Investment Group, LLC vs. Queen Equities, LLC. Property Address: 137 Garfield Avenue, Trenton, New Jersey. Block 27102, Lot 9.

2bj Tort Claim Notice for Personal Damages – Filed by Adam M. Kotlar, Esquire, Kotlar, Hernandez & Cohen, 16000 Commerce Parkway, Suite C, Mount Laurel, New Jersey – Representing Lenaya M. Wilcox vs. New Jersey State, New Jersey State Police; The City of Trenton, et als.

2bk Tort Claim Notice for Personal Damages – Filed by Rand Spear, Esquire, Spear Greenfield, Richman, Weitz & Taggart, PC, Two Penn Center Plaza, Suite 200, 1500 JFK Boulevard, Philadelphia, Pennsylvania – Against the City of Trenton.

2bl Civil Action Summons Compliant & Jury Demand – Filed by William B. Foti, Esquire, Garces, Grabler & Lebrocq – Representing Yadiel D. Campos-Rodriguez, an infant by her Guardian Ad Litem, Jennifer Rodriguez-Lopez, individually vs. The State of New Jersey, Mercer County; City of Trenton; George E. Wilson Elementary School; Hamilton Township Board of Education, et. als. Property Address: 146 Tindall Avenue, Trenton, New Jersey 08610.

2bm Tort Claim Notice for Property Damage – Filed by Quaesean Tahmyre Gilbert vs. The City of Trenton.

2bn Foreclosure Notice – Filed by Sarah E. Powers, Esquire, Powers Kirn, LLC, 308 Harper Drive, Suite 210, Moorestown, New Jersey – Representing Pennymac Loan Services, LLC vs. Safa k. Blackman, et. al. Property Address: 219 Highland Avenue, Trenton, New Jersey Block 6306, Lot 25.

2bo Tort Claim Notice for Personal Damages – Filed by Amanda Ibrahim, Esquire, Garces, Grabler & LeBrocq, PC, 253 East Front Street, Trenton, New Jersey – Representing Nancy Humes – Against the City of Trenton; Mercer County and the State of New Jersey.

2bp Foreclosure Summons and Compliant – Filed by Brock & Scott, PLLC, 302 Fellowship Road, Suite 130, Mount Laurel, New Jersey. Property Address: 124 Washington Street, Trenton, New Jersey. Lot 7, Block 14402.

### **3. REPORTS**

3A City Clerk's Office – Submitting the monthly revenue report for the month of August 2023 for funds collected by the office staff – Total \$14,367.20

### **4. ORDINANCES - 2<sup>ND</sup> READING AND PUBLIC HEARING**

23-038 AN ORDINANCE REGULATING THE DELIVERY OF PACKAGES

23-045 AN ORDINANCE SUPPLEMENTING CHAPTER 21 OF THE CITY CODE OF THE CITY OF TRENTON REGARDING THE SPAYING, NEUTERING AND BREEDING OF DOGS AND CATS

- 23-046 CAPITAL ORDINANCE PROVIDING FOR IMPROVEMENTS TO VARIOUS ROADS IN THE CITY OF TRENTON, IN THE COUNTY OF MERCER, STATE OF NEW JERSEY, APPROPRIATING \$1,521,407 TO PAY FOR THE COST THEREOF, WHICH AMOUNT WILL BE FUNDED BY A GRANT FROM THE FISCAL YEAR 2023 MUNICIPAL AID PROGRAM RECEIVED OR EXPECTED TO BE RECEIVED BY THE CITY FROM THE STATE OF NEW JERSEY DEPARTMENT OF TRANSPORTATION
- 23-047 AN ORDINANCE OF THE CITY OF TRENTON, COUNTY OF MERCER, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING THE CITY CODE TO CREATE A NEW CHAPTER 214, ENTITLED PROJECT LABOR AGREEMENT

## **5. RESOLUTIONS**

### **CITY CLERK'S OFFICE**

- 23-384 AUTHORIZING THE CITY COUNCIL OF THE CITY OF TRENTON TO HOLD AN EXECUTIVE SESSION WHICH EXCLUDES THE PUBLIC (TERRANCE BAILEY V CITY OF TRENTON AND FRANK FANNING V CITY OF TRENTON)
- 23-385 RESOLUTION AUTHORIZING THE SALE OF ALCOHOLIC BEVERAGES ON CITY PROPERTY, UNITY SQUARE PARK PURSUANT TO A SOCIAL AFFAIR PERMIT

### **DEPARTMENT OF ADMINISTRATION, ADAM E. CRUZ, BUSINESS ADMINISTRATOR**

- 23-313 RESOLUTION AUTHORIZING THE EXPENDITURE OF \$250,000.00 FROM THE FUNDS ALLOCATED TO THE CITY OF TRENTON UNDER THE AMERICAN RESCUE PLAN ACT OF 2021 FOR STRATEGIC PLANNING STUDY OF KINGSBURY TOWERS
- 23-336 RESOLUTION AUTHORIZING THE SETTLEMENT OF A WORKER'S COMPENSATION CLAIM IN THE MATTER OF TERRANCE BAILEY VS. THE CITY OF TRENTON, CLAIM PETITION NUMBERS 2013-3354 & 2017-8226 & 2017-8323 IN THE CLAIM AMOUNT OF \$30,026.00 INCLUDING ATTORNEY FEES AND COSTS
- 23-337 RESOLUTION AUTHORIZING THE SETTLEMENT OF A WORKER'S COMPENSATION CLAIM IN THE MATTER OF FRANK FANNING VS. THE CITY OF TRENTON, CLAIM PETITION NUMBER 2019-28790 IN THE CLAIM AMOUNT OF \$52,935.48 INCLUDING ATTORNEY FEES AND COSTS
- 23-386 RESOLUTION EXERCISING THE FINAL OPTION TO EXTEND THE CONTRACT FOR AN ADDITIONAL ONE (1) YEAR AWARDED TO CAPITAL HEALTH OCCUPATIONAL HEALTH CENTER FOR OCCUPATIONAL HEALTH CLINIC SERVICES FOR THE CITY OF TRENTON FROM DATE OF AWARD IN AN AMOUNT NOT TO EXCEED \$164,300.00 PER YEAR – CC2021-02
- 23-387 RESOLUTION AUTHORIZING A PREMIUM PAYMENT TO LYNDON SOUTHERN INSURANCE COMPANY FOR WORKER'S COMPENSATION BUFFER INSURANCE FROM JULY 1, 2023 TO JULY 1, 2024 IN AN AMOUNT NOT TO EXCEED \$755,592.00

23-388 RESOLUTION ACCEPTING A BID AND AWARDING A CONTRACT TO VERIZON NEW JERSEY, INC. FOR NON-VOICE OVER INTERNET PROTOCOL TELEPHONE SERVICE THROUGH CENTREX LIKE SERVICE FOR A PERIOD OF ONE (1) YEAR FROM DATE OF AWARD IN AN AMOUNT NOT TO EXCEED \$258,000.00 BID2023-43

23-389 RESOLUTION AUTHORIZING A CONTRACT TO DELL MARKETING L.P., FOR THE RENEWAL PURCHASE OF MICROSOFT OFFICE 365 SOFTWARE LICENSE FOR THE CITY OF TRENTON AWARDED THROUGH NEW JERSEY STATE CONTRACT NO. #T-3121 20-TELE-01510 IN AN AMOUNT NOT TO EXCEED \$250,732.42

**DEPARTMENT OF LAW, WES BRIDGES, DIRECTOR**

23-390 RESOLUTION AUTHORIZING A PAYMENT IN THE AMOUNT OF \$30,000.00 TO THE GARTY LAW FIRM, LLC, FOR SERVICES RENDERED FOR GENERAL MUNICIPAL LITIGATION AND OTHER LEGAL MATTERS THROUGH A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5 ET SEQ. DURING FY 2021 AND FY 2022

23-391 RESOLUTION AUTHORIZING A PAYMENT IN THE AMOUNT OF \$20,000.00 TO INGLESINO, WEBSTER, WYCISKALA & TAYLOR, LLC, FOR SERVICES RENDERED FOR GENERAL MUNICIPAL LITIGATION AND OTHER LEGAL MATTERS THROUGH A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5 ET SEQ. DURING FY 2021 AND FY 2022

23-392 RESOLUTION AUTHORIZING SETTLEMENT OF A CIVIL ACTION IN THE MATTER OF SHIRLEY LOPREATO, ET AL. V. CITY OF TRENTON, ET AL. IN THE TOTAL AMOUNT OF \$350,000.00

**DEPARTMENT OF FIRE, KENNETH M. DOUGLAS, DIRECTOR**

23-393 RESOLUTION AWARDING A CONTRACT TO AIR PURIFIERS, INC. FOR THE PURCHASE AND INSTALLATION OF A SOURCE CAPTURE EXHAUST EXTRACTION SYSTEM FOR TALL FRONT-LINE APPARATUS FOR THE DEPARTMENT OF FIRE AND EMERGENCY SERVICES FOR A PERIOD OF ONE YEAR FROM DATE OF AWARD IN AN AMOUNT NOT TO EXCEED \$215,000.00 BID2023-13

**DEPARTMENT OF FINANCE, RON ZILINSKI, ACTING DIRECTOR**

23-394 RESOLUTION TO APPROVE THE CY 2023 MUNICIPAL CURRENT FUND BUDGET AMENDMENTS FOR THE CITY OF TRENTON

23-395 RESOLUTION AUTHORIZING THE CITY OF TRENTON TO ISSUE 3 TAX REFUNDS TOTALING \$7,080.28

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

23-396 RESOLUTION AUTHORIZING THE APPLICATION FOR AND ACCEPTANCE OF FY2023 GRANT FUNDS FROM THE NEW JERSEY DEPARTMENT OF CORRECTION (NJDOC) LOCALLY EMPOWERED, ACCOUNTABLE, AND DETERMINED (LEAD) REENTRY INITIATIVES GRANT PROGRAM IN THE AMOUNT OF \$100,000.00

23-405 RESOLUTION AUTHORIZING A CONTRACT TO MOBILEASE MODULAR SPACE, INC., FOR THE INSTALLATION OF ELECTRICAL & PLUMBING FOR TWO MODULAR UNITS FOR TRENTON ANIMAL CONTROL FOR THE DEPARTMENT OF HEALTH & HUMAN SERVICES AWARDED THROUGH EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY #ESCNJ 20/21-43 IN AN AMOUNT NOT TO EXCEED \$193,714

**DEPARTMENT OF HOUSING & ECONOMIC DEVELOPMENT**

23-397 RESOLUTION AUTHORIZING THE CITY OF TRENTON TO APPLY FOR AND ACCEPT AN AMOUNT NOT TO EXCEED \$300,000.00 FROM THE NEW JERSEY URBAN ENTERPRISE ZONE AUTHORITY ZONE ASSISTANCE FUND (ZAF) TO CONTINUE THE BUSINESS IMPROVEMENT INCENTIVE

23-398 RESOLUTION AUTHORIZING THE CITY OF TRENTON TO APPLY FOR AND ACCEPT AN AMOUNT NOT TO EXCEED \$150,000.00 FROM THE NEW JERSEY URBAN ENTERPRISE ZONE AUTHORITY ZONE ASSISTANCE FUND (ZAF) TO HIRE A CONSULTANT TO ENACT A PROACTIVE BUSINESS ATTRACTION PROJECT

23-399 RESOLUTION AUTHORIZING THE CITY OF TRENTON TO APPLY FOR AND ACCEPT AN AMOUNT NOT TO EXCEED \$135,000.00 FROM THE NEW JERSEY URBAN ENTERPRISE ZONE AUTHORITY ZONE ASSISTANCE FUND (ZAF) TO RESTORE POWER TO THE DECORATIVE LIGHTING ALONG THE COMMERCIAL CORRIDOR ON HAMILTON AVENUE

23-400 RESOLUTION AUTHORIZING THE CITY OF TRENTON TO APPLY FOR AND ACCEPT AN AMOUNT NOT TO EXCEED \$20,000.00 FROM THE NEW JERSEY URBAN ENTERPRISE ZONE AUTHORITY ZONE ASSISTANCE FUND (ZAF) TO PROVIDE AWARDS OF RENT TO WINNERS OF A BUSINESS PLAN COMPETITION

23-401 RESOLUTION DESIGNATING WAHID RAAFAT ELNASHFAN, AS REDEVELOPER OF CERTAIN CITY OWNED PROPERTY LOCATED AT (20 WEST END AVENUE) AND TO AUTHORIZE THE EXECUTION OF A REDEVELOPMENT AND PURCHASE AGREEMENT FOR THE PROPERTY LOCATED WITHIN THE HERMITAGE AVENUE REDEVELOPMENT AREA IN THE TOTAL AMOUNT OF \$8,000.00

23-402 RESOLUTION DESIGNATING DAT ALLIANCE CORP., LLC, AS REDEVELOPER OF CERTAIN PROPERTY COMMONLY KNOWN AS 31, 33, 106, 108, 109, 110, 111, 112, 114 & 116 CHAMBERS STREET, LOCATED WITHIN THE CENTRAL EAST REDEVELOPMENT AREA, AND APPROVING THE PURCHASE SALE AND REDEVELOPMENT AGREEMENT FOR SAID PROPERTY AND AUTHORIZING THE EXECUTION OF SAID AGREEMENT IN THE TOTAL AMOUNT OF \$10,000.00

23-403 RESOLUTION ACCEPTING A BID AND AWARDING A CONTRACT TO MONTROSE ENVIRONMENTAL SOLUTIONS INC. FOR REMEDIATION OF PETROLEUM-CONTAMINATED SOIL AND GROUNDWATER AT THE FORMER CRANE SITE, 305 NORTH CLINTON AVENUE, FOR A PERIOD OF ONE (1) YEAR FROM DATE OF AWARD IN AN AMOUNT NOT TO EXCEED \$181,572.29 BID 2023-40

**DEPARTMENT OF PUBLIC WORKS, WAHAB ONITIRI, DIRECTOR**

23-404 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TRENTON, COUNTY OF MERCER, STATE OF NEW JERSEY AUTHORIZING THE MAYOR AND CLERK TO EXECUTE A FEDERAL AID AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION (NJDOT) FOR THE GREENWOOD AVENUE STREETSCAPE PROJECT

**DEPARTMENT OF RECREATION, NATURAL RESOURCES AND CULTURE,  
MARIA RICHARDSON, DIRECTOR**

23-406 RESOLUTION AUTHORIZING A CONTRACT TO CDW GOVERNMENT LLC, FOR THE PURCHASE OF SECURITY CAMERAS, HARDWARE, AND SOFTWARE FOR THE DEPARTMENT OF RECREATION, NATURAL RESOURCES & CULTURE AWARDED THROUGH EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY #ESCNJ/AEPA-22G IN AN AMOUNT NOT TO EXCEED \$147,635.85 THIS IS A ONE-TIME PURCHASE

**6. ORDINANCES - 1<sup>ST</sup> READING AND INTRODUCTION**

23-048 AN ORDINANCE AMENDING CHAPTER 146 OF THE CODE OF THE CITY OF TRENTON AND SUPPLEMENTING VARIOUS REDEVELOPMENT PLANS, AND THE LAND DEVELOPMENT ORDINANCE TO PERMIT CANNABIS USES

23-049 AN ORDINANCE AMENDING AND SUPPLEMENTING SECTION 248-8D OF THE CITY OF TRENTON CITY CODE RELATIVE TO THE TIME OF PLACEMENT OF GARBAGE AND TRASH CONTAINERS FOR PICK-UP

23-050 ORDINANCE TO RELEASE, VACATE AND EXTINGUISH ANY AND ALL PUBLIC RIGHTS IN AND TO THE REMAINING PORTION OF BAKER ALLEY

23-051 ORDINANCE AUTHORIZING THE SALE OF CITY-OWNED PROPERTY IDENTIFIED ON THE CITY TAX MAP AS 63-65 HILLS PLACE ALLEY, BLOCK 10308, LOTS 28 & 29, PURSUANT TO N.J.S.A. 40A:12-13(B)(5), TO TENISHA RUFFIN FOR THE SUM OF \$2,080.00

23-052 AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 2, ARTICLE XIV (BOARDS BODIES AND COMMISSIONS OF THE TRENTON CITY CODE) TO RENAME AND AMEND THE CULTURAL RESOURCES COUNCIL TO THE MULTICULTURAL HERITAGE BOARD

23-053 AN ORDINANCE CONTINUING CERTAIN POSITIONS, FIXING SALARY RANGES THEREFORE AND SETTING FORTH CERTAIN REGULATIONS FOR THE IMPLEMENTATION OF THESE RANGES

23-054 ORDINANCE AUTHORIZING THE SALE OF CITY-OWNED PROPERTY IDENTIFIED ON THE CITY TAX MAP AS 528 LAMBERTON STREET, BLOCK 10308, LOT 13, PURSUANT TO N.J.S.A. 40A:12-13(B)(5), TO NICOLE K. NOLAN FOR THE SUM OF \$2,850.00

23-055 AN ORDINANCE AMENDING CHAPTER 42 OF THE CODE OF THE CITY OF TRENTON TO ADJUST CONSTRUCTION AND INSPECTION FEES

23-056 AN ORDINANCE ESTABLISHING AND AMENDING THE SALARIES AND COMPENSATION OF THE TRENTON CITY COUNCIL

**PUBLIC HEARING AND 2<sup>ND</sup> READING FOR ORDINANCES TO BE HELD ON SEPTEMBER 21, 2023.**

**5. RESOLUTION TO ENTER EXECUTIVE SESSION**

23-384 AUTHORIZING THE CITY COUNCIL OF THE CITY OF TRENTON TO HOLD AN EXECUTIVE SESSION WHICH EXCLUDES THE PUBLIC (TERRANCE BAILEY V CITY OF TRENTON AND FRANK FANNING V CITY OF TRENTON)

23-336 RESOLUTION AUTHORIZING THE SETTLEMENT OF A WORKER'S COMPENSATION CLAIM IN THE MATTER OF TERRANCE BAILEY VS. THE CITY OF TRENTON, CLAIM PETITION NUMBERS 2013-3354 & 2017-8226 & 2017-8323 IN THE CLAIM AMOUNT OF \$30,026.00 INCLUDING ATTORNEY FEES AND COSTS

23-337 RESOLUTION AUTHORIZING THE SETTLEMENT OF A WORKER'S COMPENSATION CLAIM IN THE MATTER OF FRANK FANNING VS. THE CITY OF TRENTON, CLAIM PETITION NUMBER 2019-28790 IN THE CLAIM AMOUNT OF \$52,935.48 INCLUDING ATTORNEY FEES AND COSTS

23-392 RESOLUTION AUTHORIZING SETTLEMENT OF A CIVIL ACTION IN THE MATTER OF SHIRLEY LOPREATO, ET AL. V. CITY OF TRENTON, ET AL. IN THE TOTAL AMOUNT OF \$350,000.00

# ORDINANCE

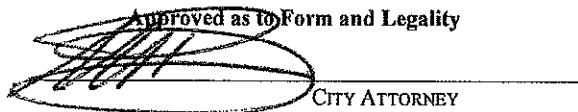
No. 23-038

1<sup>st</sup> Reading JUN 13 2023

Public Hearing \_\_\_\_\_

2<sup>nd</sup> Reading & Passage \_\_\_\_\_

Withdrawn \_\_\_\_\_ Lost \_\_\_\_\_



CITY ATTORNEY

Councilman/woman \_\_\_\_\_

Factual content certified by

Title

presents the following Ordinance:

## AN ORDINANCE REGULATING THE DELIVERY OF PACKAGES

WHEREAS like many other Municipalities, the City of Trenton has experienced a marked increase in the theft of packages delivered to residential and commercial locations within the City; and

WHEREAS, in addition to State statutes addressing such thefts (commonly referred to as "Porch Piracy"), the Trenton City Council has determined that additional regulatory measures governing the delivery of packages may be beneficial to reducing this ongoing problem.:.

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

1. It shall be the responsibility of all persons delivery a package or packages to any residential or commercial location withing the City of Trenton to ensure that said package(s) is/are placed as close to the main entrance door as possible, or the place specified by the customer.
2. Upon such delivery, the person(s) delivering said package(s) shall ring the doorbell, if there is one, or knock on the main entrance door as possible, or the place specified by the customer.
3. Thus Ordinance shall not apply to deliveries made by or under the authority of the United States Postal Service.
4. A violation of this Ordinance shall result in a fine of fifty dollars (\$50.00) for first violation; a fine of one hundred fifty dollars (\$150.00) for a second violation; and a fine of two hundred fifty dollars (\$250.00) for a third or subsequent violations.

**IT IS FURTHER ORDAINED** that this Ordinance shall take effect pursuant to NJSA 40:69A-181 and other applicable law.

Ordinance authored by Councilwoman Jennifer Williams.

INTRODUCTION:	MOTION:			SECOND:			ORD. AUTHORED BY:	Williams						ADOPTION	MOTION:			SECOND:						
								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	✓							PRISBY	✓						
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 JUN 13 2023.

JUN 13 2023

Adopted on second reading after the public hearing on \_\_\_\_\_

Mayor

APPROVED  
REJECTED

Reconsidered by Council - Override Vote

AYE  
NAY

President of Council

City Clerk

# ORDINANCE

1<sup>st</sup> Reading AUG 03 2023

No. 23-045

Public Hearing \_\_\_\_\_

Date to Mayor \_\_\_\_\_

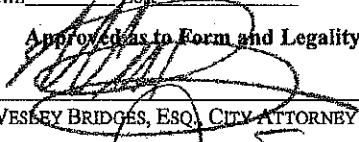
2<sup>nd</sup> Reading & Passage \_\_\_\_\_

Date Returned \_\_\_\_\_

Withdrawn \_\_\_\_\_ Lost \_\_\_\_\_

Date Resubmitted to Council \_\_\_\_\_

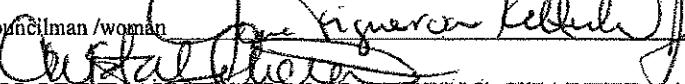
Approved as to Form and Legality

  
WESLEY BRIDGES, ESQ., CITY ATTORNEY

Factual content certified by

  
BRANDON GARCIA, CITY CLERK

Councilman /woman

  
presents the following Ordinance:

## AN ORDINANCE SUPPLEMENTING CHAPTER 21 OF THE CITY CODE OF THE CITY OF TRENTON REGARDING THE SPAYING, NEUTERING AND BREEDING OF DOGS AND CATS

WHEREAS, the City of Trenton has experienced a surge in stray dogs and cats; and

WHEREAS, unwanted dogs and cats are often mistreated, and are often released onto City streets as strays, which is a nuisance to City residents and can present public health issues; and

WHEREAS, the City believes that requiring that all dogs and cats be spayed or neutered, or, alternatively, requiring that breeders obtain a permit from the City in order to conduct breeding activities, will help alleviate the stray dog and cat issue affecting the city, and will ultimately benefit the public health and welfare of the City's residents and its dogs and cats;

### NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TRENTON:

#### SECTION 1

Article VI, entitled "Spaying, Neutering and Breeding" shall be added to Chapter 21 ("Animals") of the Code of the City of Trenton, as follows:

##### § 21-44 Spaying or neutering required.

It shall be unlawful to own, possess, or keep in the City any dog or cat over the age of six months that has not been spayed or neutered, except as provided in § 21-45 of this Article.

##### § 21-45 Exceptions.

A. Statement of Veterinarian. If a licensed veterinarian states, in writing, that an animal is unfit to undergo the required surgical procedure because of an extreme health condition of the animal. Such extreme health conditions shall include, but not be limited to: severe cardiovascular compromise, bleeding disorder, respiratory disease and hepatic disease. The old age of an animal shall not, of itself, constitute an extreme health condition for purposes of this action.

B. If an animal is temporarily in the City to participate in a show or event sponsored by a nonprofit, sanctioned animal organization.

# ORDINANCE

- C. If an animal regularly competes in competitions.
- D. If an animal is owned, possessed or kept in the City for fewer than 30 days in a one-year-period. However, the owner must show proof of ownership and residency in a town other than the City with a valid, up-to-date dog or cat license issued pursuant to applicable New Jersey law and/or local ordinance.
- E. If an owner and resident of the City holds a valid, up-to-date dog or cat license issued pursuant to applicable New Jersey law and local ordinance and obtains the requisite breeding permit pursuant to §§ 21-46 and 21-47 of this Code.
- F. Registered service animals and law enforcement animals.
- G. Trap-Neuter-Vaccinate-Return (TNVR) managed community cat programs or colony caretakers. Such programs must register with the City and must comply with all relevant state regulations.

## § 21-46 Breeding permits

- A. No person who owns, keeps or harbors an unneutered or unspayed dog or cat shall cause or allow for the production of puppies or kittens without first obtaining a breeding permit issued by the City of Trenton.
- B. Each applicant who is issued a permit to breed dogs or cats shall pay a breeding permit of \$300 per year for owning, keeping or harboring an unneutered or unspayed dog or cat. For applicants owning, keeping or harboring multiple unneutered or unspayed dogs or cats, the fee shall be \$400 per year.
- C. Breeding permits shall be valid for twelve months, renewable on an annual basis. All breeding permits shall contain the following terms and conditions and be subject to the following requirements:
  - (1) No offspring may be sold or adopted and permanently placed until reaching an age of at least ten weeks.
  - (2) No offspring may be sold or adopted until being immunized against common diseases (feline pan leukopenia, rhinotrachitis, calicivirus for cats; canine distemper, adenovirus type 2, parvovirus, parainfluenza for dogs), or until they have begun a course of disease prevention under the direction of a State of New Jersey licensed veterinarian.
  - (3) Any permit holder advertising to the public the availability of any animal for adoption or sale must prominently display the permit number in any publications in which they advertise. Further, the permit number must be

# ORDINANCE

provided to any person adopting or purchasing an animal bred by the permit holder.

- (4) The breeding permit holder shall adhere to the minimum standards regarding the care and keeping of animals developed and approved by the State of New Jersey and this chapter.
- (5) The permit holder shall submit to a yearly inspection by an animal control officer, municipal health officer and/or code enforcement officer. In the event of a complaint or problem, inspection may occur every 30 days until the problem is resolved.
- (6) If within one year of placement a new owner becomes unable or unwilling to continue ownership and responsibility for an animal which is the offspring of a dog or cat of the permit holder, the permit holder shall assist in placement of the animal. If no suitable placement can be found within 30 days, the permit holder shall accept return of the animal and shall become fully responsible for its care.

## § 21-47 Application for and issuance of breeding permit.

The application shall include the name of the applicant, his or her residence address and telephone number, the address of the proposed location where the animals are to be kept if different from applicant's address, and a description of the housing facilities for the keeping of the animals. The application shall also state the number of unneutered or unspayed dogs and/or cats to be kept. The City of Trenton may require the applicant to provide any other information it reasonably deems necessary to properly evaluate the application.

A. An application for a breeding permit shall include a signed statement from the applicant attesting that:

- (1) Keeping of the animals at the proposed location will not violate any federal, state or local law.
- (2) Appropriate facilities of sufficient size exist at the proposed location to safely and adequately secure, feed, house, exercise and maintain the animals.
- (3) The proposed location consists of a lot or lots of sufficient size to safely and adequately house, maintain and exercise the animals without disturbance to adjacent property owners or the public.

# ORDINANCE

- (4) Possession and maintenance of the animals at the proposed location will not result in the animals being subject to neglect, cruelty, or abuse.
- (5) The applicant has neither had any animal license or permit revoked, nor has been convicted of any violation of any provision of this chapter or any other State or local law pertaining to the maintenance and treatment of animals, within the past five years.
- (6) The keeping and maintenance of the animals will not create a public or private nuisance or endanger the public health, safety or welfare.
- (7) The keeping of the animals at the proposed location complies with all City of Trenton zoning regulations.
- (8) Proof of a recent veterinary visit for each breeding animal, wherein a licensed veterinary clears each breeding animal to breed.

B. Permits shall be issued by Vital Statistics.

§ 21-48 Breeding permit conditions.

A. Any permit issued under this chapter shall be made expressly subject to the following conditions:

- (1) The permit holder shall provide basic veterinary care as needed and make every effort to keep all animals free of disease and parasites.
- (2) The permit holder shall keep the animals' living quarters clean and sanitary, shall provide sufficient food, sufficient water, appropriate exercise and proper shelter.
- (3) Any structures housing animals shall be of a sufficient size to ensure the health, safety and comfort of the animals as per New Jersey law and shall be placed at least six feet from any property boundaries in residential areas.
- (4) Any other conditions which the City of Trenton or the Department of Health and Human Services or the State of New Jersey determines are reasonably necessary to protect the welfare of the animals kept or the public health, safety or welfare.
- (5) The permit holder must abide by any and all state regulations concerning dog breeding, including, but not limited to, N.J.A.C. 8:23A-1.1 et seq. ("Sanitary Operation of Kennels, Pet Shops, Shelters and Pounds").

# ORDINANCE

## § 21-49 Inspections relating to a breeding permit

- A. The City, or an animal control officer or law enforcement officer, may require any breeding permit holder to produce for inspection any required animal license, permit or certificate of vaccination.
- B. The City, or an animal control officer or law enforcement officer may, within 48-hours written notice to the permit holder, conduct such inspections of the premises upon which animals are kept under a breeding permit, as necessary to ensure compliance with the conditions of the permit.
- C. Such inspection of the premises shall be on a yearly basis and/or may result from concerns stemming from the direct observations of an animal control officer, law enforcement officer or upon a non-anonymous complaint.

## § 21-50 Expiration and renewal of breeding permits.

- A. Breeding permits under this chapter shall expire one year after issuance.
- B. Breeding permits may be renewed on an annual basis upon filing of a new application containing updated information and payment of the annual breeding permit fee established by this chapter.
- C. No breeding permit shall be renewed if the City, or an animal control officer or law enforcement officer, has received two or more substantiated complaints concerning the location or manner or keeping of the animals or determines that any of the grounds for revocation in this chapter exist.

## § 21-51 Revocation of breeding permit.

- A. Any breeding permit issued pursuant to this chapter may be revoked if an animal control officer or law enforcement officer has reasonable cause to believe any of the following to be true:
  - (1) The permittee has violated any ordinances or statutes relating to the keeping, care or use of any animal.
  - (2) The permittee is in violation of any State health or safety law or regulation regarding animal care or control;
  - (3) The permittee has failed to comply with any condition or requirement of the permit or has failed to pay any fee imposed under this Code;

# ORDINANCE

- (4) The permittee refused to allow inspection, upon 48-hours written notice, of any animal covered by the permit or the premises on which the animal is kept.
- (5) The permittee has transferred, sold or otherwise disposed of the animal for which the permit was issued.
- (6) The permittee has acted in an inhumane or cruel manner in the treatment of animals, as such terms are defined in Title 4 of the New Jersey statutes; or
- (7) The permittee knowingly provided false information in the permit application.

B. If, after inspection, an animal control officer or law enforcement officer concludes that one or more of the above grounds for revocation has occurred, the officer may modify the terms of the permit or revoke the permit. The officer shall cause written notice thereafter be transmitted by mail to the address of the permittee. Said notice shall specify the grounds for modification or revocation of the permit.

## § 21-52 Violations and penalties.

Unless otherwise provided in this chapter, penalties against persons violation the provisions of this article shall be imposed in accordance with the provisions of Chapter 1, Article III of this Code.

## **SECTION 2**

In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the ordinance actually adjudged to be invalid, and the remaining portions of this Ordinance shall be deemed severable therefrom and shall not be affected. All ordinances, rules and regulations inconsistent herewith are hereby repealed.

# ORDINANCE

## SECTION 3

This ordinance shall take effect upon final adoption and publication in accordance with N.J.S.A. 40:69A-181

Ordinance authored by: Councilwoman Figueroa Kettenburg

INTRODUCTION:	MOTION:				SECOND:				ORD. AUTHORED BY:	COUNCILWOMAN FIGUEROA KETTENBURG								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	✓						
ELICIANO	✓								HARRISON	✓																
FIGUEROA KETTENBURG	✓								WILLIAMS	✓																

IV - NO VOTE      AB - ABSENT

AUG 03 2023

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

# ORDINANCE

23-046

1<sup>st</sup> Reading AUG 03 2023

No.

Date to Mayor

Public Hearing

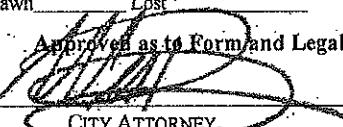
Date Returned

2<sup>nd</sup> Reading & Passage

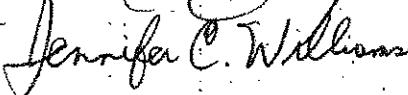
Date Resubmitted to Council

Withdrawn LDST

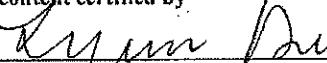
Approved as to Form and Legality

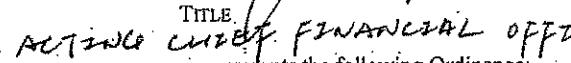
  
CITY ATTORNEY

Councilman /woman

Factual content certified by

  
TITLE

  
ACTING CITY FINANCIAL OFFICER

presents the following Ordinance:

**CAPITAL ORDINANCE PROVIDING FOR IMPROVEMENTS  
TO VARIOUS ROADS IN THE CITY OF TRENTON, IN THE  
COUNTY OF MERCER, STATE OF NEW JERSEY,  
APPROPRIATING \$1,521,407 TO PAY FOR THE COST  
THEREOF, WHICH AMOUNT WILL BE FUNDED BY A  
GRANT FROM THE FISCAL YEAR 2023 MUNICIPAL AID  
PROGRAM RECEIVED OR EXPECTED TO BE RECEIVED  
BY THE CITY FROM THE STATE OF NEW JERSEY  
DEPARTMENT OF TRANSPORTATION**

**WHEREAS**, the City of Trenton, in the County of Mercer, State of New Jersey (the "City"), wishes to undertake improvements to Prospect Street, Memorial Drive, and Liberty Street in the City (collectively, the "Capital Improvements"); and

**WHEREAS**, the cost of said Capital Improvements is estimated to be \$1,521,407; and

**WHEREAS**, the City has received or expects to receive a grant from the New Jersey Department of Transportation's Fiscal Year 2023 Municipal Aid Program in the amount of \$1,521,407 (the "NJDOT Grant") to undertake the Capital Improvements; and

**WHEREAS**, the City Council desires to authorize the appropriation and expenditure of the NJDOT Grant in order to undertake the aforesaid Capital Improvements.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF TRENTON, IN THE COUNTY OF MERCER, STATE OF NEW JERSEY (a majority of the full membership thereof affirmatively concurring), AS FOLLOWS:**

# ORDINANCE

**SECTION 1.** The Capital Improvements or purposes described in Section 2 of this capital ordinance are hereby authorized as general capital improvements or purposes to be undertaken by the City of Trenton, in the County of Mercer, State of New Jersey (the "City"). For the said improvements or purposes stated in Section 2 hereof, there is hereby appropriated the amount of \$1,521,407, which amount is the NJDOT Grant received or expected to be received by the City and deposited into the General Capital Improvement Fund of the City for the said improvements or purposes stated in Section 2 hereof.

**SECTION 2.** The Capital Improvements hereby authorized are for roadway improvements to Prospect Street, Memorial Drive, and Liberty Street in the City, including, as applicable, but not limited to, road paving, milling, striping, surfacing, curbs, sidewalks, tree planting, benches, ramps, ADA walkways, driveway aprons and other streetscape improvements. Such improvements or purposes shall also include, as applicable, all work, materials, equipment, engineering, design, consulting work, preparation of plans and specifications, permits, bid documents, conducting and preparation of reports and studies, environmental investigations and remediation, equipment rental, labor and appurtenances necessary therefore or incidental thereto.

**SECTION 3.** The expenditure of the NJDOT Grant from the General Capital Improvement Fund of the City for the improvements or purposes set forth in Section 2 hereof is hereby authorized and approved. The Mayor, the Clerk, the Chief Financial Officer and any other official/officer of the City are each hereby authorized and directed to execute, deliver and perform any agreement with the State of New Jersey Department of Transportation or any other agreement necessary to undertake the improvements or

# ORDINANCE

purposes set forth herein and to effectuate the transaction contemplated hereby and thereby.

**SECTION 4.** The City hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the City is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

**SECTION 5.** Capitalized terms used herein and not otherwise defined, shall have the meanings ascribed to such terms in the preambles to this capital ordinance.

**SECTION 6.** This ordinance shall take effect in accordance with applicable law.

	INTRODUCTION				ADOPTION					INTRODUCTION				ADOPTION				INTRODUCTION				ADOPTION			
	AYE	NAY	NV	AB	AYE	NAY	YV	AB		AYE	NAY	NV	AB	AYE	NAY	NV	AB	AYE	NAY	NV	AB	AYE	NAY	NV	AB
EDWARDS	✓								GONZALEZ	✓								PRISBY	✓						
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

AUG 03 2023

Adopted on second reading after the public hearing on

Mayor

APPROVED  
REJECTED

Reconsidered by Council – Override Vote

AYE  
NAY

President of Council

City Clerk

# ORDINANCE

23-047

1<sup>st</sup> Reading AUG 03 2023

No.

Date to Mayor \_\_\_\_\_

Public Hearing \_\_\_\_\_

Date Returned \_\_\_\_\_

2<sup>nd</sup> Reading & Passage \_\_\_\_\_

Date Resubmitted to Council \_\_\_\_\_

Withdrawn \_\_\_\_\_ Lost \_\_\_\_\_

Approved as to Form and Legality

WESLEY BRIDGES, ESQ., CITY ATTORNEY

Factual content certified by

BRANDON L. GARCIA, CITY CLERK

Councilman /woman

Prepared by \_\_\_\_\_ presents the following Ordinance:

## AN ORDINANCE OF THE CITY OF TRENTON, COUNTY OF MERCER, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING THE CITY CODE TO CREATE A NEW CHAPTER 214, ENTITLED PROJECT LABOR AGREEMENT

**WHEREAS**, the New Jersey State Legislature has determined, among other things, that New Jersey has a compelling interest in carrying out public works projects at the lowest reasonable cost and the highest degree of quality; that New Jersey has a compelling interest in having labor disputes in connection with public works projects resolved without the disruptions of strikes, lock-outs, or slowdowns; that project labor agreements make possible legally-enforceable guarantees that projects will be carried out in an orderly and timely manner, without strikes, lock-outs, or slowdowns; and that project labor agreements make it possible to provide the State with a guarantee that public works projects are completed with highly skilled workers; and

**WHEREAS**, the City of Trenton desires to provide for the efficient, safe, quality and timely completion of large construction projects undertaken by the City which total costs exceed five million dollars (\$5,000,000.00); and

**WHEREAS**, the City Council declares it to be in the best interest of the City to provide for a project labor agreement for construction projects undertaken by the City which total costs exceed five million dollars (\$5,000,000.00).

**NOW, THEREFORE, BE IT ORDAINED** that the City Code of the City of Trenton is hereby amended by creating a new Chapter 214, entitled Project Labor Agreement as follows:

**SECTION 1.** Chapter 214, "Project Labor Agreement," shall be added to the Code of the City of Trenton as follows:

### **§ 214-1. Purpose.**

This Chapter shall ensure that certain public construction contracts with total project costs that exceed five million dollars (\$5,000,000) which the City directly undertakes are performed promptly, at a reasonable cost, and with the highest degree of quality. This Chapter also creates opportunities to employ a substantial number of apprentices, thus ensuring that these projects will expand access to living-wage careers in the construction trades for a new generation of workers. Projects which exceed the five-million-dollar threshold during the pendency of the project shall also be subject to this Chapter.

# ORDINANCE

## **§ 214-2. Definitions.**

As used in this Chapter, the following terms shall have the meanings indicated:

### **APPRENTICE**

A worker who participates in a federal apprenticeship program or as an apprentice-equivalent participates in a federally approved training program, takes a construction apprenticeship test and receives benefits and pay not less than those received by an apprentice.

### **APPRENTICE PROGRAM**

An apprenticeship program operated by an entity registered by the Bureau of Apprenticeship and Training of the United States Department of Labor or registered by a federal apprenticeship agency recognized by the Bureau.

### **CONTRACTOR**

A person or entity awarded a public works contract contemplated by this Chapter.

### **CRAFT REQUEST FORM**

A form which delineates the job or craft titles and descriptions (for example, but not by way of limitation, plumbers, glaziers, carpenters, etc.) which are needed for a particular project, which form may be the one customarily used by the relevant trade or craft unions at that time and place.

### **LABOR ORGANIZATION**

An organization which represents, for purposes of collective bargaining, employees involved in the performance of construction contracts and eligible to be paid prevailing wages under the New Jersey Prevailing Wage Act, P.L. 1963, c. 150 (N.J.S.A. 34:11- 56.25 et seq.), and has the present ability to refer, provide or represent sufficient numbers of qualified employees to perform the contracted work and which has an apprenticeship program registered by the Bureau of Apprenticeship and Training of the United States Department of Labor.

### **PROJECT LABOR AGREEMENT**

A contract between a contractor/labor organization and the City of Trenton that contains, at a minimum, the requirements set forth in this Chapter.

### **PUBLIC WORKS PROJECTS**

Building, altering, repairing, improving or demolishing any public structure or facility constructed, acquired or otherwise owned by the City of Trenton to house local government functions or provide water, waste disposal, power, transportation, and other public infrastructure.

### **SUBCONTRACTOR**

A person or entity that is engaged or performs work or provides materials for a contractor, as defined herein, which person or entity may not be in privity of contract with the City of Trenton.

# ORDINANCE

## **TOTAL PROJECT COSTS**

Shall be inclusive of environmental work, demolition, preconstruction, and construction costs.

### **§ 214-3. Coverage.**

The terms of this Chapter, set forth in § 214-5 below, are applicable to covered projects. Covered projects include public works projects.

### **§ 214-4. Conflicts.**

To the extent any of the provisions of this Chapter are deemed to conflict with N.J.S.A. 52:38-1 et seq. (P.L. 2202, c. 44), the statute shall control. To the extent this Chapter conflicts with any additional local ordinances, this Chapter shall control.

### **§ 214-5. Requirements for covered contracts.**

A. Project labor agreement required. Certain public works projects shall require the execution of a project labor agreement that complies with the requirements of this Chapter. The agreement shall either be directly entered into with a labor organization or the award of the contract shall be made on the condition that the construction manager for the contract shall negotiate a project labor agreement in good faith with one or more labor organizations.

B. Project labor agreement requirements. Each project labor agreement executed pursuant to this Chapter shall be in conformity with N.J.S.A. 52:38-1 et seq. (P.L. 2022, c. 44), and:

(1) Advance the interests of the City of Trenton, including the interests in the City of Trenton in cost, efficiency, quality, skilled labor force, and safety;

(2) Contain guarantees against strikes, lockouts, or other similar actions;

(3) Set forth effective, immediate and mutually binding procedures for resolving jurisdictional and labor disputes arising before the completion of the work;

(4) Be made binding on all contractors and subcontractors on the project in all relevant documents, including bid specifications;

(5) Require that each contractor and subcontractor working on the project have an apprenticeship program as defined herein;

(6) Fully conform to all statutes, regulations, and City of Trenton ordinances regarding the implementation of goals for women- and minority- owned businesses, the obligation to comply with which shall be expressly provided for in the project labor agreement;

(7) Include a publicly available plan which is in full conformance with the requirements of all applicable statutes, regulations and executive orders regarding the share of employment and apprenticeship positions in the project for minority group members and women, and is mutually agreed upon by the participating labor organizations

# ORDINANCE

and the public entity which will own the facilities which are built, altered or repaired under the project, provided that any shares mutually agreed upon pursuant to this Subsection shall equal or exceed the requirements of other statutes, regulations, executive orders or local ordinances;

(8) State that contractors and subcontractors need not be a party to a City of Trenton labor agreement with the applicable labor organization other than for the project covered by the project labor agreement;

(9) Require the City to monitor, or arrange to have a state agency monitor, the amount and share of work done on the project by minority group members and women and the progression of minority group members and women into apprentice and journey worker positions and require the City to make public, or have the state agency make public, all records of monitoring conducted pursuant to N.J.S.A. 52:38-1 et seq. (P.L. 2002, c. 44), this Chapter and the project labor agreement;

(10) State that any and all residents who are already in any signatory union or an apprenticeship program shall be referred to contractors or subcontractors who request them, even if those residents were not in line for referral under normal hiring hall procedures;

(11) Require the contract for the public works project to provide whatever resources may be needed to prepare for apprenticeship a number of women and minority group members sufficient to enable compliance with the plan agreed upon pursuant to this chapter and provide that the use of those resources be administered jointly by the participating labor organizations and the public entity;

(12) State that the terms of the project labor agreement shall prevail over conflicting terms of any collective bargaining agreements;

(13) Require that the labor organization utilize members who are City of Trenton residents as its first choice for staffing without regard to any other preferential status; and

(14) Require that twenty percent (20%) of the labor hours required shall be performed by City of Trenton residents who are participating in the apprenticeship program and that one-hundred percent (100%) of the apprentices shall be City of Trenton residents.

C. Advertisement. Not less than sixty (60) days prior to the commencement of construction, the labor organization will advertise in two newspapers regularly published and distributed in the City and outreach via other media, such as cable television, the Internet or radio. The advertisement shall solicit apprenticeship applications for the labor organization's apprenticeship program, describe the basic requirements for admission, describe the job training and set forth the range of salaries.

D. Preconstruction meeting. Not less than thirty (30) days prior to the commencement of construction, the contractor shall meet with the appropriate City official, as the context makes relevant, or his or her designee to present workforce needs, which will include the job description of the positions to be filled and duration of the project. In addition, the contractor will provide the construction schedule to the respective Director or his or her designee and to the City Engineer. The labor organization will present the contractor and the respective Director or his or her designee with the names, addresses, and trades of eligible apprentices who are available to work on the project.

# ORDINANCE

E. Job fairs. The contractor and the labor organization will jointly participate in a job fair to be held in the City in order to explain the apprenticeship program and solicit applications from attendees.

## **§ 214-6. Apprenticeship utilization goals.**

On all covered projects, the minority and women employment goals for each contractor and subcontractor for each trade shall be established by the New Jersey Department of Labor in a manner that is consistent with N.J.A.C. 17:27-7.2; however, a contractor shall not be subject to enforcement actions for violations of this provision if that contractor can demonstrate that it made good faith efforts to comply with this Section. For the purposes of this Section, good faith efforts for a developer shall at a minimum include compliance with the following:

A. Entry into a project labor agreement and obtaining letters of assent from each contractor/subcontractor.

B. Convening prebid and preconstruction meetings to educate construction manager and subcontractors about the apprenticeship utilization goals.

C. Cooperating with representative. The contractor shall cooperate with the representative appointed by the Mayor to ensure compliance with this section. The representative shall provide services in support of the contractor's apprentice hiring goals.

D. Establish a point of contact to provide information about pre-apprenticeship or apprenticeship opportunities.

E. Develop and maintain an up-to-date list of persons who have been offered opportunities and those who are working on the project.

F. Facilitate relationships among approved apprenticeship programs and contractors to enable prompt referrals.

G. Assist contractors with reporting by working with contractors and their subcontractors where appropriate.

H. Regularly contacting and documenting of contact with the representative and providing certified payroll and other records on a regular basis to the representative.

I. Use and documenting use of City-approved craft request forms sent to both unions and City representatives. Craft request form, as defined herein, means a document through which contractors shall request workers from unions.

J. Requesting apprentices that are City residents from union hiring halls.

K. Documenting reasons for not hiring referred candidates from target populations, if applicable.

# ORDINANCE

L. Allowing the City representative prompt and willing access to documentation of all of the above activities and to the work site if requested.

## **§ 214-7. Local minority hiring goals.**

For each contractor and subcontractor performing work on a covered project, the project labor agreement shall contain female and minority employment goals that are consistent with the guidelines set forth by the Division of Public Contracts Equal Employment Opportunity Compliance established in the State Department of the Treasury, pursuant to N.J.A.C. 17:27-7.2.

## **§ 214-8. Enforcement.**

A. Monitoring and enforcement. Each contractor and subcontractor subject to the provisions of this Chapter shall submit the completed certified declaration of compliance form prior to commencing work on the covered project.

B. Contractors and subcontractors. All contractors on covered projects shall require that their subcontractors comply with the provisions of this Chapter. Language indicating the subcontractor's agreement to comply shall be included in the contract between the contractor and subcontractor and shall contain a provision making such terms enforceable by the City. Copies of such agreements shall be submitted to the City.

C. Reports. All contractors and subcontractors shall report to the City Business Administrator or his or her designee on a quarterly basis according to the following schedule (by March 31, June 30, September 30 and December 31 of each year) and shall provide the following information, certified and notarized, for each covered contract for which work was performed during the previous quarter:

(1) Manning report. The contractor's report will accurately reflect the total hours in each construction trade or craft and the number of hours worked by City residents, including a list of minority resident and women resident workers in each trade or craft, and will list separately the work hours performed by such employees of the contractor and each of its subcontractors during the previous quarter.

(2) Certified payroll report. The contractor's report will specify the residence, gender and ethnic/racial origin of each worker, work hours, and the rate of pay and benefits provided.

(3) Equal employment opportunity reports. A copy of the labor organization's Local Union Report (EEO-3) and Apprenticeship Information Report (EEO-2), which are required to be filed with the United States Equal Employment Opportunity Commission by the labor organization.

(4) Apprenticeship report. The report of the labor organization which shall list the names, addresses, and contact information of all persons who were accepted into the apprenticeship program from the target population. The report shall also list the names, addresses and contact information of all persons from the target population who were rejected for admission, with the reasons for rejection, and for those from the target population who failed to finish the program, and the reasons why they failed to complete

# ORDINANCE

the program.

(5) Other reports. The developer or the labor organization shall furnish to the City such further information, documents, or reports as shall be requested.

D. Records. Contractors and subcontractors performing work on covered contracts shall maintain certified payroll records for all employees and shall preserve them for a period of three (3) years after completion of the covered contract, making such records available within three (3) days of a written request by the City or its designee and upon inspection without notice.

E. Site and records access. All contractors and subcontractors performing work on covered contracts shall permit access for representatives of the City or its designees to all work sites and to all applicable records in order to monitor compliance with the provisions of this Chapter.

F. City remedies. In the event the City has good cause to believe that any contractor or subcontractor on a public works project has failed to comply with the provisions of this Chapter, a contractor or subcontractor shall be given written notice of the alleged noncompliance and afforded an opportunity to submit a written response to the City. In the event the City determines any contractor or subcontractor on a public works project has failed to comply with the provisions of this Chapter, it shall have available all remedies available at law or equity, which shall include but not be limited to the following:

(1) Suspending or terminating the contract in question.

(2) Completing the public works project with a different contractor or subcontractor and require the original contractor or subcontractor to pay all damages and costs in utilizing a substitute contractor or subcontractor and/or make claim on its performance bond.

(3) Debarring the developer, contractor or subcontractor from eligibility for future City contracts.

(4) Assessing liquidated damages in the amount of five percent (5%) of the value of the contract in question.

(5) For late filing of any report or record or the prohibition of any access required for same under Subsection C, D or E hereof, a payment of one thousand dollars (\$1,000) per day for each day that the report is late for up to fifteen (15) days shall apply. After fifteen (15) days, the failure to provide same shall constitute a material breach and the above remedies shall apply.

(6) Such other remedies available at law or in equity.

# ORDINANCE

## § 214-9. Implementation.

A. Any advertisement for a public works project published sixty (60) days or more following the effective date of the Chapter shall contain provisions conditioning the award of any contract to be in compliance with this Chapter.

B. The Mayor or their designees may promulgate regulations or policies implementing this Chapter.

## SECTION 2

In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgement shall be limited in its effect only to the portion of the ordinance actually adjudged to be invalid, and the remaining portions of this ordinance shall be deemed severable therefrom and shall not be affected. All ordinances, rules and regulations inconsistent with herewith are hereby repealed.

## SECTION 3

This ordinance shall take effect upon final adoption and publication in accordance with N.J.S.A. 40:69A-18.

Ordinance authored by Councilwoman Figueroa Kettenburg

INTRODUCTION	MOTION: <i>F. Figueroa</i>		SECOND: <i>K. Kettenburg</i>		ORD. AUTHORED BY:	COUNCILWOMAN FIGUEROA KETTENBURG								ADOPTION	MOTION:				SECOND:						
						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	✓							
ELICIANO	✓								HARRISON	✓															
FIGUEROA KETTENBURG	✓								WILLIAMS	✓															

IV - NO VOTE      AB - ABSENT

Adopted on first reading at a meeting of the City Council of the City of Trenton, NJ on AUG 03 2023

Adopted on second reading after the public hearing on \_\_\_\_\_

\_\_\_\_\_  
Mayor  
\_\_\_\_\_  
APPROVED  
REJECTED

\_\_\_\_\_  
Reconsidered by Council – Override Vote  
\_\_\_\_\_  
AYE  
NAY

# RESOLUTION

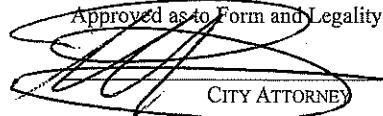
No. 23-384

Date of Adoption \_\_\_\_\_

Factual content certified by



Approved as to Form and Legality

  
CITY ATTORNEY

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 September 5, 2023 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**

23-336 RESOLUTION AUTHORIZING THE SETTLEMENT OF A WORKER'S COMPENSATION CLAIM IN THE MATTER OF TERRANCE BAILEY VS. THE CITY OF TRENTON, CLAIM PETITION NUMBERS 2013-3354 & 2017-8226 & 2017-8323 IN THE CLAIM AMOUNT OF \$30,026.00 INCLUDING ATTORNEY FEES AND COSTS

23-337 RESOLUTION AUTHORIZING THE SETTLEMENT OF A WORKER'S COMPENSATION CLAIM IN THE MATTER OF FRANK FANNING VS. THE CITY OF TRENTON, CLAIM PETITION NUMBER 2019-28790 IN THE CLAIM AMOUNT OF \$52,935.48 INCLUDING ATTORNEY FEES AND COSTS

23-392 RESOLUTION AUTHORIZING SETTLEMENT OF A CIVIL ACTION IN THE MATTER OF SHIRLEY LOPREATO, ET AL. V. CITY OF TRENTON, ET AL. IN THE TOTAL AMOUNT OF \$350,000.00

### **Contact Negotiations**

### **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

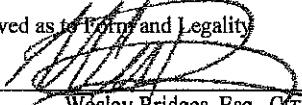
# RESOLUTION

23-385

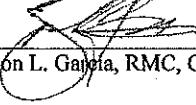
No. \_\_\_\_\_

Date of Adoption \_\_\_\_\_

Approved as to Form and Legality

  
Wesley Bridges, Esq., CITY ATTORNEY

Factual content certified by

  
Brandon L. Gaita, RMC, CITY CLERK

Councilman/woman \_\_\_\_\_

presents the following Resolution:

## RESOLUTION AUTHORIZING THE SALE OF ALCOHOLIC BEVERAGES ON CITY PROPERTY, UNITY SQUARE PARK PURSUANT TO A SOCIAL AFFAIR PERMIT

**WHEREAS**, the City of Trenton has received a request from the Asociacion de Comerciantes Guatemaltecos for the approval of a Social Affair Permit to sell wine, beer, and spirits at the Guatemalan Independence Parade and Festival, at Unity Square Park, Hamilton Ave., Trenton, NJ, on September 16, 2023 from 12:00 p.m. to 8:00 p.m.; and

**WHEREAS**, the Asociacion de Comerciantes Guatemaltecos has requested a waiver of the alcohol prohibition pursuant to Trenton City Code §10-19(D) in order to sell alcoholic beverages on City property pursuant to a properly issued State ABC Social Affair Permit, and

**WHEREAS**, the Asociacion de Comerciantes Guatemaltecos has obtained the necessary insurance coverage required to serve alcohol at the public, open event; and

**NOW THEREFORE, BE IT RESOLVED**, by the City Council of the City of Trenton, County of Mercer, State of New Jersey, that it hereby authorizes the public sale of wine, beer, and spirits at Guatemalan Independence Parade and Festival on September 16, 2023; and

**BE IT FURTHER RESOLVED**, that as a condition of this approval, the Asociacion de Comerciantes Guatemaltecos has provided the City of Trenton with a certificate of insurance coverage and naming the City of Trenton as an additional insured, subject to the Mayor and Administration's review and approval.

MOTION:					SECOND:								
	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

23-3 13

No.

Date of Adoption \_\_\_\_\_

Approved as to Form and Legality

Wesley Bridges, City Attorney

Factual content certified by

Adam Cruz, Business Administrator

Councilman /woman

presents the following Resolution:

## **RESOLUTION AUTHORIZING THE EXPENDITURE OF \$ 250,000.00 FROM THE FUNDS ALLOCATED TO THE CITY OF TRENTON UNDER THE AMERICAN RESCUE PLAN ACT OF 2021 FOR STRATEGIC PLANNING STUDY OF KINGSBURY TOWERS**

**WHEREAS**, President Biden signed the American Rescue Plan Act of 2021 (ARPA-21) into law on March 11, 2021, and thereby sought to provide immediate and emergent aid to metropolitan cities adversely affected by the COVID-19 pandemic; and

**WHEREAS**, the United States Department of Treasury (DOT) has stated that, "From big cities to small towns, Americans – particularly people of color, immigrants, and low-wage workers – are facing a deep economic crisis"; and

**WHEREAS**, ARPA-21 provided \$72,913,998.00 in aid to the City of Trenton, with \$36,456,999 having been distributed during the 2021 calendar year and \$36,456,999.00 having been distributed during the 2022 calendar year; and

**WHEREAS**, the Final Rule for the CSLFRF promulgated by the DOT (Final Rule) authorizes "the use of payments from the Fiscal Recovery Funds to respond to the public health emergency with respect to COVID-19 or its negative economic impacts"; and

**WHEREAS**, the DOT Final Rule includes as an eligible use of ARPA-21 funds "A program, service, capital expenditure, or other assistance that is provided to a disproportionately impacted household, population, or community, including . . . [i]nvestments in communities to promote improved health outcomes and public safety"; and

**WHEREAS**, among the eligible uses specified by the DOT is the "[d]evelopment, repair, and operation of affordable housing and services or programs to increase long-term housing security"; and

**WHEREAS**, the DOT has emphasized the money is designed to provide "immediate and direct relief" and "substantial flexibility for each government to meet local needs"; and

**WHEREAS**, Kingsbury Towers (Kingsbury) is a 50-year-old affordable housing development located at the corner of Cooper and Market Streets in the City of Trenton; and

**WHEREAS**, Kingsbury houses approximately 1,000 Trenton residents (including families, seniors and veterans), all of whom live in rent-controlled and federal Section 8 rent subsidized dwellings; and

**WHEREAS**, Kingsbury has fallen into disrepair and is in need of critical repairs and renovations, including the potential demolition and rebuilding of the entire Kingsbury complex; and

**WHEREAS**, the aforementioned revitalization of Kingsbury will result in the permanent or temporary displacement of its residents; and

**WHEREAS**, to ensure that the City of Trenton (City) is prepared to participate and assist in the rehabilitation of Kingsbury, including preserving the health, safety and welfare of Kingsbury residents, the City seeks to commission a strategic planning study to develop a strategy for the redevelopment of Kingsbury in an amount not to exceed \$250,000.00.

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of Trenton that ARPA-21 funds not to exceed \$250,000.00 shall be appropriated to the City to conduct a study for the redevelopment of Kingsbury and the impacts of such redevelopment on its residents; and

**BE IT FURTHER RESOLVED** that the Trenton Department of Administration shall be authorized to take all required actions to appropriate funds in an amount not to exceed \$250,000.00 from ARPA-21 funds received by the City of Trenton through the City Budget in account R-01- -xx-xxxx-xxx.

	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 FUNDS**

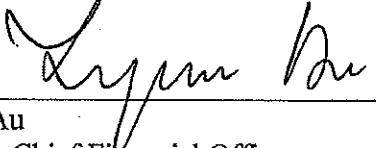
I, Lynn Au, Interim Chief Financial Officer of the City of Trenton, do hereby certify, to the best of my knowledge and belief, that there are now sufficient funds to:

Purpose: STRATEGIC PLANNING STUDY FOR KINGSBURY  
TOWERS

Fund: GRANT

Account Numbers: R-01- -XX-XXXX-XXX

Amount not to exceed: \$ 250,000.00

  
\_\_\_\_\_  
Lynn Au  
Interim Chief Financial Officer  
City of Trenton

\_\_\_\_\_  
Date

6/21/2023

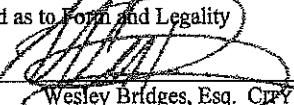
# RESOLUTION

No.

23-336

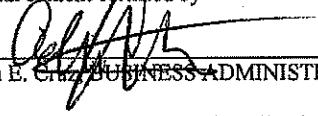
Date of Adoption \_\_\_\_\_

Approved as to Form and Legality

  
Wesley Bridges, Esq. CITY ATTORNEY

Councilman/woman \_\_\_\_\_

Factual content certified by

  
Adam E. Cruz BUSINESS ADMINISTRATOR

presents the following Resolution:

## RESOLUTION AUTHORIZING THE SETTLEMENT OF A WORKER'S COMPENSATION CLAIM IN THE MATTER OF TERRANCE BAILEY vs. THE CITY OF TRENTON, CLAIM PETITION NUMBERS 2013-3354 & 2017-8226 & 2017-8323 IN THE CLAIM AMOUNT OF \$30,026.00 INCLUDING ATTORNEY FEES AND COSTS

**WHEREAS**, Terrance Bailey, commenced the above Workers Compensation claim against the City of Trenton in Workers Compensation Court of New Jersey, Mercer County; and

**WHEREAS**, the complaint arose from allegations made by the plaintiff of work-related injuries as it purportedly relates to their employment; and

**WHEREAS**, said action has been reviewed and assessed by the City's Workers Compensation Attorney, Khalifah L. Shabazz-Charles, Esq., and the Workers Compensation 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 \$30,026.00; and

**WHEREAS**, the Chief Financial Officer has certified that sufficient funds are available in the Workers Compensation Self-Insurance Fund, Account Number 3-01- -80-8030-688 for this purpose.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Trenton that said action Terrance Bailey vs. City of Trenton, is disposed of by way of settlement in the total amount of \$30,026.00, including attorney fees and costs, in accordance with the stipulation of settlement executed by the parties.

MOTION:									SECOND:					
	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

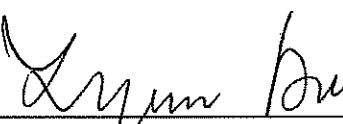
City Clerk

**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 now exists adequate funds to award the settlement in the matter of Terrance Bailey vs. the City of Trenton, et al bearing Claim Petition Numbers 2013-3354 & 2017-8226 & 2017-8323 in the amount of \$30,026.00. Such funds for said settlement aware are available in the Workers Compensation Self-Insurance Fund, Account Number 3-01-80-8030-688.

Dated: 2/6/2023

  
\_\_\_\_\_  
Lynn Au, Acting Chief Financial Officer

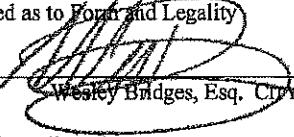
# RESOLUTION

No. \_\_\_\_\_

23-337

Date of Adoption \_\_\_\_\_

Approved as to Form and Legality

  
Wesley Bridges, Esq. CITY ATTORNEY

Factual content certified by

  
Adam E. Cruz BUSINESS ADMINISTRATOR

Councilman/woman \_\_\_\_\_

presents the following Resolution:

## **RESOLUTION AUTHORIZING THE SETTLEMENT OF A WORKER'S COMPENSATION CLAIM IN THE MATTER OF FRANK FANNING vs. THE CITY OF TRENTON, CLAIM PETITION NUMBER 2019-28790 IN THE CLAIM AMOUNT OF \$52,935.48 INCLUDING ATTORNEY FEES AND COSTS**

**WHEREAS**, Frank Fanning, commenced the above Workers Compensation claim against the City of Trenton in Workers Compensation Court of New Jersey, Mercer County; and

**WHEREAS**, the complaint arose from allegations made by the plaintiff of work-related injuries as it purportedly relates to their employment; and

**WHEREAS**, said action has been reviewed and assessed by the City's Workers Compensation Attorney, Khalifah L. Shabazz-Charles, Esq., and the Workers Compensation 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 \$52,935.48; and

**WHEREAS**, the Chief Financial Officer has certified that sufficient funds are available in the Workers Compensation Self-Insurance Fund, Account Number 3-01- -80-8030-688 for this purpose.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Trenton that said action Frank Fanning vs. City of Trenton, is disposed of by way of settlement in the total amount of \$52,935.88, including attorney fees and costs, in accordance with the stipulation of settlement executed by the parties.

MOTION:									SECOND:					
	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

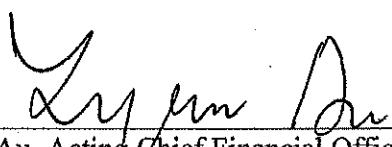
City Clerk

**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 now exists adequate funds to award the settlement in the matter of Frank Fanning vs. the City of Trenton, et al bearing Claim Petition Number 2019-28790 in the amount of \$52,935.88. Such funds for said settlement aware are available in the Workers Compensation Self-Insurance Fund, Account Number 3-01- -80-8030-688.

Dated: 6/27/2023

  
Lynn Au  
Lynn Au, Acting Chief Financial Officer

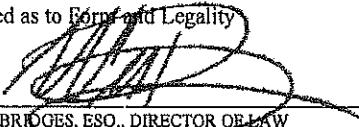
# RESOLUTION

23 - 386

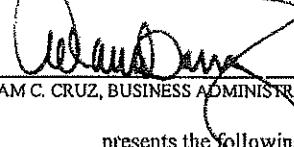
No.

Date of Adoption \_\_\_\_\_

Approved as to Form and Legality

  
WESLEY BRIDGES, ESQ., DIRECTOR OF LAW

Factual content certified by

  
ADAM C. CRUZ, BUSINESS ADMINISTRATOR

Councilman /woman \_\_\_\_\_

  
presents the following Resolution:

**RESOLUTION EXERCISING THE FINAL OPTION TO EXTEND THE CONTRACT FOR AN  
ADDITIONAL ONE (1) YEAR AWARDED TO CAPITAL HEALTH OCCUPATIONAL  
HEALTH CENTER FOR OCCUPATIONAL HEALTH CLINIC SERVICES FOR THE CITY  
OF TRENTON FROM DATE OF AWARD IN AN AMOUNT NOT TO EXCEED \$164,300.00  
PER YEAR -CC2021-02**

**WHEREAS**, Resolution Number 21-263 awarded a contract on July 8, 2021, to Capital Health occupational Health Center, 4065 Quakerbridge Road, Suite #104, Princeton Junction, New Jersey 08550 for Occupational Health Clinic Services for a period of one (1) year from June 1, 2021 to May 31, 2022 in an amount not to exceed \$164,300.00 per year with an option to extend two (2) additional one (1) year extensions for the City of Trenton, Department of Administration, Division of Personnel; and

**WHEREAS**, Resolution Number 22-369 awarded a contract on October 6, 2022, to Capital Health occupational Health Center, 4065 Quakerbridge Road, Suite #104, Princeton Junction, New Jersey 08550 for Occupational Health Clinic Services for a period of one (1) year from October 6 2022, to August 31, 2023 in an amount not to exceed \$164,300.00 per year with an option to extend two (2) additional one (1) year extensions for the City of Trenton, Department of Administration, Division of Personnel; and

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

**WHEREAS**, the City of Trenton, Department of Administration, Division of Personnel has determined that the vendor has performed its services in a satisfactory manner, and it is in the best interest of the City to exercise the final option to extend the contract for an additional one (1) year period from date of award to Capital Health Occupational Health Center, 4065 Quakerbridge Road, Suite #104, Princeton Junction, New Jersey 08550 in an amount not to exceed \$164,300.00; and

**WHEREAS**, funds in an amount not to exceed \$164,300.00 have been certified to be available in the following account number: 3-01- -80-8060-290 (\$54,766.64) September 1, 2023 to December 31, 2023 and 4-01- -80-8060-290 (\$109,533.36) January 1, 2024 to August 31, 2024. The City shall exercise the final option to extend the contract for an additional one (1) year period; and

**NOW, THEREFORE, IT IS RESOLVED**, by the City Council of the City of Trenton that the Mayor is hereby authorized to exercise a final option to extend the contract for a period of one (1) from date of award, awarded to Capital Health Occupational Health Center, 4065 Quakerbridge Road, Suite #104, Princeton Junction, New Jersey 08550 for Occupational Health Clinic Services in an amount not to exceed \$164,300.00 per year for the City of Trenton, Department of Administration, Division of Personnel for the said purpose in the manner prescribed by law.

MOTION:						SECOND								
	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent
EDWARDS					GONZALEZ					FRISBY				
FELICIANO					HARRISON									
FIGUEROA KETTENBUR G					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 FUNDS

I, Lyn 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 HEALTH OCCUPATIONAL CENTER  
Address# 1: 4065 QUAKERBRIDGE ROAD STE 104  
Address# 2:  
    City: PRINCETON  
    State: NEW JERSEY  
Zip Code: 08550

**Purpose:** Occupational Health Clinic Services

Fund:

Account Number 3-01- -80-8060-290 (\$54,766.64) and 4-01- -80-8060-290 (\$109,533.36)

Vendor ID:

Requisition Number:

Amount not to exceed: \$164,300

  
Lynn D. Koenig

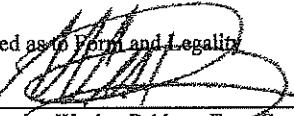
7/27/2023

Date \_\_\_\_\_

# RESOLUTION

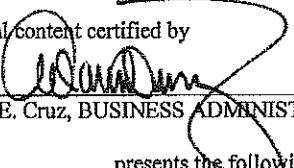
No. 23-387

Approved as to Form and Legality

  
Wesley Bridges, Esq. CITY ATTORNEY

Date of Adoption \_\_\_\_\_

Factual content certified by

  
Adam E. Cruz, BUSINESS ADMINISTRATOR

Councilman/woman \_\_\_\_\_ presents the following Resolution:

## **RESOLUTION AUTHORIZING A PREMIUM PAYMENT TO LYNDON SOUTHERN INSURANCE COMPANY FOR WORKER'S COMPENSATION BUFFER INSURANCE FROM JULY 1<sup>ST</sup>, 2023 TO JULY 1<sup>ST</sup>, 2024 IN AN AMOUNT NOT TO EXCEED \$755,592.00**

**WHEREAS**, the City of Trenton, Department of Administration has a need to pay Worker's Compensation Buffer Insurance to Lyndon Southern Insurance Company, 10751 Deerwood Park Blvd. Suite 200, Jacksonville, Florida 32256. The premium amount due is \$755,592.00 for coverage during the period July 1<sup>st</sup>, 2023, to July 1<sup>st</sup>, 2024; and

**WHEREAS**, the premium amount referenced is to be remitted directly to CBIZ Border Perlman. CBIZ Borden Perlman will then remit payment to Lyndon Southern Insurance Company on the City of Trenton's behalf; and

**WHEREAS**, the funds in an amount not to exceed \$755,592.00 have been certified to be available in the following account number(s) 3-01- -80-8030-683.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Trenton that the mayor is hereby authorized to execute a payment to Lyndon Southern Insurance Company, 10751 Deerwood Park Blvd. Suite 200, Jacksonville, Florida 32256 for Worker's Compensation Buffer Insurance carrier of the City of Trenton, Department of Administration for the said purposes in the manner prescribed by law.

MOTION:									SECOND:					
	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

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: Lyndon Southern Insurance Company  
Address# 1: 10751 Deerwood Park Blvd. Suite 200  
Address# 2:  
    City: Jacksonville  
    State: FL  
    Zip Code: 32256

Purpose: Worker's Compensation

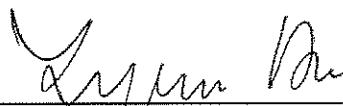
Fund: Current Fund

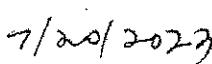
Account Number 3-01- -80-8030-683 (\$755,592.00)

Vendor ID:

Requisition Number:

Amount not to exceed: \$755,592.00

  
Acting Chief Financial Officer



Date

# RESOLUTION

No.

23-388

Date of Adoption \_\_\_\_\_

Approved as to Form and Legality

WESLEY BRIDGES, ESQ., DIRECTOR OF LAW

Factual content certified by

ADAM E. CRUZ, BUSINESS ADMINISTRATOR

Councilman /woman

presents the following Resolution.

## RESOLUTION ACCEPTING A BID AND AWARDING A CONTRACT TO VERIZON NEW JERSEY INC., FOR NON-VOICE OVER INTERNET PROTOCOL TELEPHONE SERVICE THROUGH CENTREX LIKE SERVICE FOR A PERIOD OF ONE (1) YEAR FROM DATE OF AWARD IN AN AMOUNT NOT TO EXCEED \$258,000.00 BID2023-43

WHEREAS, one (1) sealed bid was received on July 21, 2023, in the Division of Purchasing at 11:00am by the Purchasing Agent, for non-voice over internet protocol telephone service to certain City of Trenton buildings and offices for the Department of Administration for a period of one (1) year; and

WHEREAS, the City of Trenton, Department of Administration needs a telecommunications company to transmit local calls and data across telephone lines for City buildings; and

WHEREAS, the sole bidder Verizon New Jersey Inc., 700 Hidden Bridge, Irving, TX 75038, 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 \$258,000.00 have been certified to be available in the following account number: CY' 2023, 3-01- -83-8300-211 (\$21,484); 3-01- -83-8300-212 (\$64,516.00), CY' 2024, 4-01- 83-8300-211 (\$42,968); 4-01- 83-8300-212 (\$129,032), this contract shall be awarded for a period of one (1) year from date of award contingent upon the temporary and final adoption of CY'2023 budget.

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 Verizon New Jersey Inc., 700 Hidden Bridge, Irving, TX 75038 in an amount not to exceed \$258,000.00 for non-voice over internet protocol telephone service to certain City of Trenton buildings and offices for a period of one (1) year from date of award for the City of Trenton, Department of Administration for the said purposes in the manner prescribed by law.

MOTION:						SECOND:								
	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent
EDWARDS					GONZALEZ					PRISBY				
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 FUNDS**

I, Lyn 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: Verizon, Inc.  
Address# 1: 700 Hidden Bridge  
Address# 2:  
    City: Irving  
    State: TX  
    Zip Code: 75038

Purpose: Non-Voice Over Internet Protocol Telephone Service Through Centrex or Centrex like service

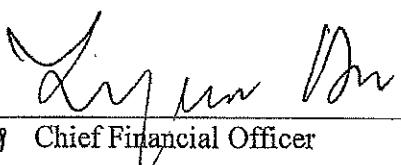
Fund: Current Fund

Account Number CY 3-01- -83-8300-211 (\$21,484), 3-01- -83-8300-212 (\$64,516),  
CY 4-01- -83-8300-211 (\$42,968) 4-01- -83-8300-212 (129,032)

Vendor ID: VERIZ020

Requisition Number:

Amount not to exceed: \$258,000

  
\_\_\_\_\_  
Acting Chief Financial Officer

8/4/2023

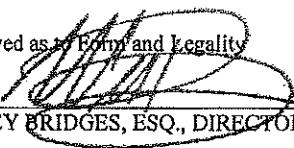
Date

# RESOLUTION

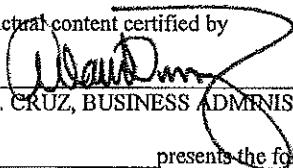
No. 23-389

Date of Adoption \_\_\_\_\_

Approved as to Form and Legality

  
WESLEY BRIDGES, ESQ., DIRECTOR OF LAW

Factual content certified by

  
ADAM E. CRUZ, BUSINESS ADMINISTRATOR

Councilman /woman \_\_\_\_\_

presents the following Resolution:

**RESOLUTION AUTHORIZING A CONTRACT TO DELL MARKETING L.P., FOR THE RENEWAL PURCHASE OF MICROSOFT OFFICE 365 SOFTWARE LICENSES FOR THE CITY OF TRENTON AWARDED THROUGH NEW JERSEY STATE CONTRACT NO. #T-3121 20-TELE-01510 IN AN AMOUNT NOT TO EXCEED \$250,732.42**

**WHEREAS**, the Division of Purchasing has reviewed and verified New Jersey State Contract No. #T-3121 20-TELE-01510 for the Renewal Purchase of Microsoft Office 365 Software Licenses awarded to Dell Marketing L.P., One Dell Way, Round Rock, Texas 78680. The State of New Jersey has awarded this contract from May 25, 2021, to May 24, 2026, and it meets the requirements of the City of Trenton, Department of Administration, Division of Management Information Systems; 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 City of Trenton has a need to renew their licensing with Microsoft Office 365. These licenses are necessary to operate computers with the latest Microsoft Office. The cloud-based application makes it possible for employees to access email and Microsoft office programs (Word, PowerPoint, Excel) from any location; and

**WHEREAS**, the City of Trenton, Department of Administration, Division of Management Information Systems has a need to Purchase the Renewal of Microsoft Office 365 software licensing from Dell Marketing, L.P., One Dell Way, Round Rock, Texas 78680 awarded through New Jersey State Contract No. #T-3121 20-TELE-01510 in an amount not to exceed of \$250,732.42; and

**WHEREAS**, funds in an amount not to exceed \$250,732.42 have been certified to be available in the following capital account number (s):3-01- -25-2540-290 (\$107,332.42) C-04-16-25-035D-001(\$11,000.00), C-04-20-25-008G-004 (\$7,000.00) C-04-20-25-008G-003 (\$77,400), C-04-08-25-079D-009 (\$12,000.00) C-04-18-25-030D-007 (\$25,000.00), and C-04-18-25-030D-005 (\$11,000.00); this is a one-time purchase.

# RESOLUTION

**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 Dell Marketing, L.P., One Dell Way, Round Rock, Texas 78680 in an amount not to exceed \$250,732.42 for the renewal of the Microsoft Office 365 Software Licensing for the City of Trenton, Department of Administration, Division of Management Information Systems.
2. The contract is awarded without competitive bidding pursuant to N.J.S.A.40A:11-12(a) of the Local Public Contracts Law.

MOTION:					SECOND:									
	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 FUNDS**

I, Lyn 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: Dell Inc.  
Address# 1: One Dell Way  
Address# 2:  
    City: Round Rock  
    State: TX  
    Zip Code: 78680  
  
Purpose: Microsoft Office 365  
Fund: Current Fund/Capital  
  
Account Number      3-01- -25-2540-290 (\$107,332.42),  
                          C-04-16-25-035D-001 (\$11,000);  
                          C-04-20-25-008G-004 (\$7,000),  
                          C-04-20-25-008G-003 (\$77,400),  
                          C-04-08-25-079D-009(\$12,000) ,  
                          C-04-18-25-030D-007-(\$25,000)  
                          C-04-18-25-030D-005-(\$11,000)

Year                    CY 2023

Vendor ID: DELLI005

Requisition Number: Q3-03823

Amount not to exceed: \$250,732.42

Acting Chief Financial Officer

8/11/2023

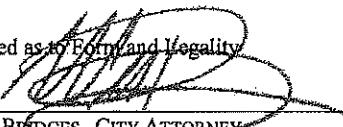
Date

# RESOLUTION

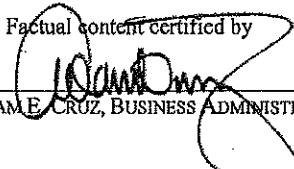
No. 23 - 390

Date of Adoption \_\_\_\_\_

Approved as to Form and Legality

  
WESLEY BRIDGES, CITY ATTORNEY

Factual content certified by

  
ADAM E. CRUZ, BUSINESS ADMINISTRATOR

Councilman/woman \_\_\_\_\_

presents the following Resolution:

**RESOLUTION AUTHORIZING A PAYMENT IN THE AMOUNT OF \$30,000 TO THE GARTY LAW FIRM, LLC. FOR SERVICES RENDERED FOR GENERAL MUNICIPAL LITIGATION AND OTHER LEGAL MATTERS THROUGH A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A.**

**19:44A-20.5 ET SEQ. DURING FY 2021 AND FY 2022.**

**WHEREAS**, in fiscal years 2021 and 2022, the City of Trenton had a continued need for professional legal services for General Municipal Litigation and other legal matters for the City of Trenton, Department of Law; and

**WHEREAS**, in Fiscal Year 2021, the *Garty Law Firm, LLC* (the "Firm") was awarded a contract (the "Contract") with the City to provide general municipal litigation services for the period of July 1, 2020, through June 30, 2021; and

**WHEREAS**, pursuant to the Contract, the Firm continued to provide the defense for the following litigation matters:

Montgomery v. City of Trenton, et.al., Docket No.: MER-L-2649-17

Russell William v. City of Trenton, et. al., Docket No.: 3:21-CV-05050-BRM-DEA

Catalano v. McKithen, et. al., Docket No.: 3:18-CV-11646-FLW-DEA

Lino Rosario v. City of Trenton, et. al., Docket No.: MER-L-918-20

Forchion c. City of Trenton, et al., Docket No.: MER-L-1682-16

Christie v. City of Trenton, et al., Docket No.: MER-L-1368-20

Banc3 v. City of Trenton, et al., Docket No.: MER-L-2167-20

Moses v. City of Trenton, et al., Docket No.: 3:18-CV-14762-MAS-TJB

Toe v. City of Trenton, et al., Docket No.: 3:18-CV-12973; and

**WHEREAS**, in July 2021 City Council for the City of Trenton rejected a Resolution to Amend to increase the Contract amount based on the number of matters (above) assigned to the Firm and there is currently an excess of \$30,000 due to the Firm for services rendered; and

**WHEREAS**, many of the above cases were well into, if not beyond, the discovery phase such that reassigning these matters would have cost the City a great deal financially for a new firm to learn the cases in order to represent the City's and its employees' interests in these matters; and

**WHEREAS**, although the Firm very likely would have had a successful *quantum merit* cause against the City for services rendered, it did not pursue litigation while continuing to protect the City and its employees' interests in these matters to the extent possible, such litigation is inevitable if its legal fees are not addressed; and

**WHEREAS**, the Firm has agreed to accept \$30,000 as full payment for services rendered through Fiscal Year 2022.

# RESOLUTION

**WHEREAS**, funds in an amount not to exceed \$30,000.00 have been certified to be available the CY22 Budget in Account No. 2-01- -35-3500-290.

**NOW, THEREFORE, IT IS RESOLVED**, by the City Council of the City of Trenton, that the anticipated dispute between the City and the Firm is hereby resolved in its entirety and as necessary for the Firm to continue its representation of the City and its employees *in the above matters only*; and

**BE IT FURTHER RESOLVED**, that the City Treasurer is hereby authorized to issue a warrant for the payment of \$30,000 to the Garty Law Firm, LLC in accordance with this resolution of the Firm's outstanding legal fees and to continue the continuity of its legal representation.

MOTION:										SECOND:					
	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, Interim Chief Financial Officer for the City of Trenton, do hereby certify, to the best of my knowledge and belief that there now exists adequate funds to award a contract to The Garty Law Firm, LLC. to provide Professional Legal Services regarding General Municipal litigation and other legal matters for the City of Trenton for a period of one year in an amount not to exceed \$30,000.00. Such funds for said services shall be available in Law Department's CY22 Budget, Account Number 2-01- -35-3500-290.

Date: 7/28/2023

  
\_\_\_\_\_  
Lynn Au  
Interim Chief Financial Officer

Account Number: 2-01- -35-3500-290 - \$30,000.00

# RESOLUTION

No. 23-391

Date of Adoption \_\_\_\_\_

Approved as to Form and Legality

WESLEY BRIGGS, CITY ATTORNEY

Factual content certified by

ADAM E. CRUZ, BUSINESS ADMINISTRATOR

Councilman/woman \_\_\_\_\_

presents the following Resolution:

**RESOLUTION AUTHORIZING A PAYMENT IN THE AMOUNT OF \$20,000 TO INGLESINO,  
WEBSTER, WYCISKALA & TAYLOR, LLC. FOR SERVICES RENDERED FOR GENERAL  
MUNICIPAL LITIGATION AND OTHER LEGAL MATTERS THROUGH A FAIR AND OPEN PROCESS  
IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5 ET SEQ. DURING FY 2021 AND FY 2022.**

**WHEREAS**, in fiscal years 2021 and 2022, the City of Trenton had a continued need for professional legal services for General Municipal Litigation and other legal matters for the City of Trenton, Department of Law; and

**WHEREAS**, in July of 2020, the *Inglesino, Webster, Wyciskala & Taylor, LLC* (the "Firm") was awarded an amended contract (the "Contract") to provide services for the period of July 1, 2020, through June 30, 2021; and

**WHEREAS**, pursuant to the Contract, the Firm continued to provide the defense for the following litigation matters:

Tapia, Jorge v. City of Trenton, et.al., Docket No.: MER-L-720-20; 3:20-cv-06166-FLW-LHG

Kwessee, Fiah v. City of Trenton, et. al., Docket No.: 3:21-CV-05050-BRM-DEA

Washington, Chanzie v. City of Trenton et. al., Docket No.: Mer-L-532-19

Edwards, Tyshon v. City of Trenton, et. al., Docket No.: 3:20-CV-13552 BRM-DEA

**WHEREAS**, in May of 2021, City Council for the City of Trenton rejected a Resolution to extend a Contract in an amount of \$50,000.00 based on the number of matters assigned to the Firm; and

**WHEREAS**, there is now currently an excess of \$20,000 due to the services rendered; and

**WHEREAS**, many of the above cases were well into, if not beyond, the discovery phase such that reassigning these matters would have cost the City a great deal financially for a new firm to learn the cases in order to represent the City's and its employees' interests in these matters; and

**WHEREAS**, although the Firm very likely would have had a successful *quantum merit* cause against the City for services rendered, it did not pursue litigation while continuing to protect the City and its employees' interests in these matters to the extent possible, such litigation is inevitable of its legal fees are not addressed; and

**WHEREAS**, the Firm has agreed to accept \$20,000 as full payment for services rendered through Fiscal Year 2022.

# RESOLUTION

**WHEREAS**, funds in an amount not to exceed \$20,000.00 have been certified to be available the CY22 Budget in Account No. 2-01--35-3500-290.

**NOW, THEREFORE, IT IS RESOLVED**, by the City Council of the City of Trenton, that the anticipated dispute between the City and the Firm is hereby resolved in its entirety and as necessary for the Firm to continue its representation of the City and its employees *in the above matters only*; and

**BE IT FURTHER RESOLVED**, that the City Treasurer is hereby authorized to issue a warrant for the payment of \$20,000 to the Inglesino, Webster, Wyciskala & Taylor, LLC in accordance with this resolution of the Firm's outstanding legal fees and to continue the continuity of its legal representation.

MOTION:						SECOND:								
	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

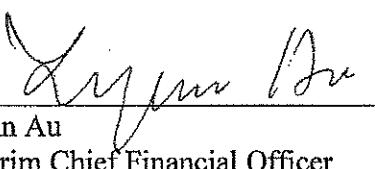
**CITY OF TRENTON**  
**DEPARTMENT OF FINANCE**

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**CERTIFICATION OF AVAILABILITY OF FUNDS**

I, Lynn Au, Interim Chief Financial Officer for the City of Trenton, do hereby certify, to the best of my knowledge and belief that there now exists adequate funds to award a contract to Inglesino, Webster, Wyciskala, & Taylor, LLC. to provide Professional Legal Services regarding General Municipal litigation and other legal matters for the City of Trenton for a period of one year in an amount not to exceed \$20,000.00. Such funds for said services shall be available in Law Department's CY22 Budget, Account Number 2-01- -35-3500-290.

Date: 8/10/2023

  
Lynn Au

Lynn Au  
Interim Chief Financial Officer

Account Number: 2-01- -35-3500-290 - \$20,000.00

# RESOLUTION

No. 23-392

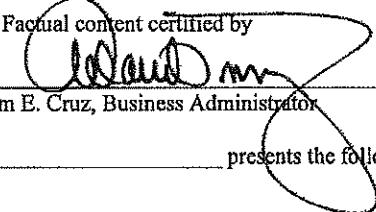
Date of Adoption \_\_\_\_\_

Approved as to Form and Legality

  
Wesley Bridges, Director of Law

Councilman /woman \_\_\_\_\_

Factual content certified by

  
Adam E. Cruz, Business Administrator

presents the following Resolution:

## **RESOLUTION AUTHORIZING SETTLEMENT OF A CIVIL ACTION IN THE MATTER OF SHIRLEY LOPREATO, et al. v. CITY OF TRENTON, et al. IN THE TOTAL AMOUNT OF \$350,000.00**

**WHEREAS**, Shirley Lopreato, Carmen Santos and Diane Rodriguez, commenced a civil suit against the City of Trenton, in Mercer County Superior Court, under Docket No. MER-L-1987-22 and

**WHEREAS**, the complaint alleges acts constituting indisputable patterns of discriminatory conduct by 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 \$350,000.00; 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 \$350,000.00 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 Shirley Lopreato, et al. v. City of Trenton be disposed of by way of settlement in the total amount of \$350,000.00 of which the City is to pay \$350,000.00.

**BE IT FURTHER RESOLVED**, that the City Treasurer is hereby authorized to issue a warrant for the payment of \$350,000.00 to the Law Offices of Costello & Mains, LLC and Plaintiffs, Shirley Lopreato, Carmen Santos and Diane Rodriguez 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 KETTENBURG					WILLIAMS									

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

President of Council

City Clerk

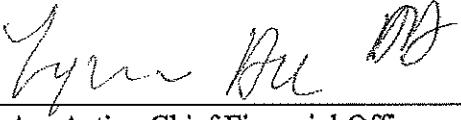
**CITY OF TRENTON**  
**DEPARTMENT OF FINANCE**

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**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 Shirley Lopreato, et al. v. City of Trenton, et al. bearing Docket Number MER-L-1987-22 in the amount of \$350,000.00. Such funds for said settlement award are available in CY2023 General Liability Self-Insurance Fund, Account Number 3-01- -80-8070-623.

Dated: \_\_\_\_\_

  
\_\_\_\_\_  
Lynn Au, Acting Chief Financial Officer

Account Number: 3-01- -80-8070-623 - \$350,000.00

# RESOLUTION

23-393

Approved as to Form and Legality

WESLEY BRIDGES, ESQ., DIRECTOR OF LAW

Date of Adoption \_\_\_\_\_

Factual content certified by

KENNETH DOUGLAS, DIRECTOR OF FIRE  
EMERGENCY SERVICES

Councilman /woman \_\_\_\_\_ presents the following Resolution:

**RESOLUTION AWARDING A CONTRACT TO AIR PURIFIERS INC., FOR THE PURCHASE AND  
INSTALLATION OF A SOURCE CAPTURE EXHAUST EXTRACTION SYSTEM FOR TALL  
FRONT-LINE APPARATUS FOR THE DEPARTMENT OF FIRE AND EMERGENCY  
SERVICES FOR A PERIOD OF ONE YEAR FROM DATE OF AWARD IN AN AMOUNT NOT  
TO EXCEED \$215,000.00 BID2023-13**

**WHEREAS**, three bids were received on March 7, 2023, in the Division of Purchasing at 11:00am by the Purchasing Agent, for the Purchase and Installation of a Source Capture Exhaust Extraction System for the Tall Front-line Apparatus for the Department of Fire and Emergency Services for a period of one (1) year; and

**WHEREAS**, the City of Trenton Department of Fire and Emergency is in need of a source capturing device to remove the carbon monoxide exhaust from inside the firehouse that is produced when fire apparatus starts their engine when leaving the building; and

**WHEREAS**, the lowest bidder, Air Purifiers Inc., 1 Pine Street, Rockaway, New Jersey 07866 is 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 amount not to exceed \$215,000.00 have been certified to be available in the following account number: G-FF-23-45-250B-420. The City of Trenton shall award this contract 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 a contract with Air Purifiers Inc., 1 Pine Street, Rockaway, New Jersey 07866 in an amount not to exceed \$215,000.00 for the Purchase and Installation of a Source Capture Exhaust Extraction System for the Tall Front-line for a period of one (1) year for the City of Trenton, Department of Fire and Emergency for the said purposes in the manner prescribed by law.

MOTION:									SECOND:					
	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 \_\_\_\_\_

**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: Air Purifiers, Inc  
Address# 1: 1 Pine Street  
City: Rockaway  
State: New Jersey  
Zip Code: 07866

Purpose: INSTALLATION OF SOURCE CAPTURE EXHAUST EXTRACTION SYSTEM FOR ALL FRONT-LINE APPARATUS

Fund: \$215,000.00

Account Numbers: G-FF-23-45-250B-420 {215,000.00}

Vendor ID: AIRPU012

Requisition Number: Q3-04054

Amount not to exceed: \$215,000.00

ACT2028

Lynn Au  
Chief Financial Officer

8/15/23

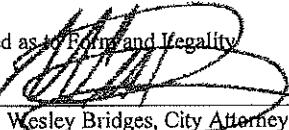
Date

8/15/23

# RESOLUTION

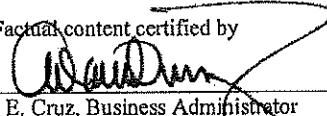
No. 23-394

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 TO APPROVE THE CY 2023 MUNICIPAL CURRENT FUND BUDGET AMENDMENTS FOR THE CITY OF TRENTON

WHEREAS, the City of Trenton Introduced Budget for the calendar year 2023 was approved on the 22nd day of June 2023; and

WHEREAS, the public hearing on said budget was held on the 7th day of September 2023; and

WHEREAS, it is desired to amend said approved introduced budget.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Trenton, County of Mercer, State of New Jersey, that following amendments to the introduced approved budget of CY2023 be made:

	FROM	TO
<b>CURRENT FUND</b>		
<b>CURRENT FUND GENERAL REVENUES</b>		
<b>3. Miscellaneous Revenues -Section B: State Aid Without Offsetting Appropriations</b>		
Municipal Relief Fund Aid	\$	\$ 6,151,567.00
<b>Total Section B: State Aid Without Offsetting Appropriations</b>	<b>94,372,139.00</b>	<b>100,523,706.00</b>
<b>3. Miscellaneous Revenues -Section F: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services- Public and Private Revenues Offset Appropriations</b>		
SNJDOH -STRENGTHENING LOCAL PUBLIC, CY 23		406,046.00
SNJDOH CHILDHOOD LEAD, CY 23		1,105,857.00
SNJDOH CRI-LINCS, CY 23		102,000.00
FEDERAL BUREAU OF INVESTIGATION SAFE STREET TASK FORCE, CY 23		19,840.75
SNDCA LOCAL RECREATION IMPROVEMENT GRANT (LRIG), CY 23		71,000.00
FEDERAL DEPT OF AGRICULTURE SUMMER FOOD SERVICE PROG, CY 23		254,674.36
AMERICAN RESCUE MONEY PLAN		36,456,999.00
SNJDCA ANTI-VIOLENCE OUT-OF-SCHOOL, CY 23		2,000,000.00
<b>Total Section F: Special Item of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services-Public and Private Revenues</b>	<b>5,985,296.86</b>	<b>46,401,713.97</b>
<b>5. Subtotal General Revenues (Item 1, 2, 3, 4)</b>	<b>163,696,358.72</b>	<b>210,264,342.83</b>

# RESOLUTION

Total General Revenues	<u>\$ 246,023,673.54</u>	<u>\$ 292,591,657.65</u>
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## CURRENT FUND APPROPRIATIONS

(A) Operations within "CAPS"		
City Council-SW	\$ 141,500.00	\$ 166,000.00
City Council-OE	41,350.00	46,350.00
Administration-OE	328,590.00	274,781.09
Police-SW	33,068,452.93	33,418,158.93
Housing & Economic Development Director-SW	341,406.00	297,341.00
Planning-SW	181,586.00	225,651.00
Inspections Director-SW	294,538.00	313,258.00
Salary & Wage Adj. Program-SW	3,113,000.00	2,721,507.00
<b>Total Operations (Item 8(A) within "CAPS"</b>	<b>166,635,847.77</b>	<b>166,588,471.86</b>

Total Operations Including Contingent - within "CAPS"	<u>166,635,847.77</u>	<u>166,588,471.86</u>
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## (E) Deferred Charges and Statutory Expenditures- Municipal within "CAPS"

(1) Deferred Charges		
Over-Expenditure Budget Appropriation-OE		5,588.91
(2) Statutory Expenditures		
Public Employees' Retirement System-OE	6,216,238.00	6,258,209.00
Police & Firemen's Retirement System of NJ-OE	16,361,728.00	16,361,544.00
<b>Total Deferred Charges and Statutory Expenditures-Municipal within "CAPS"</b>	<b>26,840,388.18</b>	<b>26,887,764.09</b>

<b>Total General Appropriation for Municipal Purposes within "CAPS"</b>	<b>193,476,235.95</b>	<b>193,476,235.95</b>
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(A) Operations-Excluded from "CAPS"		
Public Employees' Retirement System-OE	145,628.00	103,657.00
Police & Firemen's Retirement System of N-OE	853,171.00	853,355.00
Gasoline & Diesel-OE	126,875.00	168,662.00
<b>Total Other Operations-Excluded from "CAPS"</b>	<b>8,197,992.00</b>	<b>8,197,992.00</b>

## Public and Private Programs Offset by Revenues

SNJDOH -STRENGTHENING LOCAL PUBLIC, CY 23	406,046.00
SNJDOH CHILDHOOD LEAD, CY 23	1,105,857.00
SNJDOH CRI-LINCS, CY 23	102,000.00
FEDERAL BUREAU OF INVESTIGATION SAFE STREET TASK FORCE, CY 23	19,840.75
SNDCA LOCAL RECREATION IMPROVEMENT GRANT (LRIG), CY 23	71,000.00
FEDERAL DEPT OF AGRICULTURE SUMMER FOOD SERVICE PROG, CY 23	254,674.36
AMERICAN RESCUE MONEY PLAN	36,456,999.00
SNJDCA ANTI-VIOLENCE OUT-OF-SCHOOL, CY 23	2,000,000.00
<b>Total Public and Private Programs Offset by Revenues</b>	<b>6,214,047.86</b>
	<b>46,630,464.97</b>

<b>Total Operations-Excluded From CAPS</b>	<b>16,624,594.86</b>	<b>57,041,011.97</b>
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# RESOLUTION

## Down Payments on Improvements

### Capital Improvement Fund

Capital Improvement Fund-Down Payment	1,000,000.00	7,151,567.00
<b>Total Capital Improvements-Excluded From "CAPS</b>	<b>1,000,000.00</b>	<b>7,151,567.00</b>
<b>(H-2) Total Gen'l Approp for Municipal Purpose Excluded CAPS</b>	<b>43,862,126.88</b>	<b>90,430,110.99</b>
<b>(O) Total General Appropriation Excluded from CAPS</b>	<b>46,400,053.70</b>	<b>92,968,037.81</b>
<b>(L) Subtotal General Appropriations {Items (H-1 and (O)}</b>	<b>239,876,289.65</b>	<b>286,444,273.76</b>
<b>Total General Appropriations</b>	<b>\$ 246,023,673.54</b>	<b>\$ 292,591,657.65</b>

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed with the Director of Local Government Services for certification of the municipal budget so amended

The budget amendment will be published in the Trenton Times in the issue of September 13th

A hearing on the budget amendment will be held at the municipal building on September 19th, 2023 at 5:30pm at which time and place objections to said Budget amendment may be presented by taxpayers or other interested persons

It is hereby certified that this is a true copy of resolution amending the budget approved by the governing body on June 22nd, 2023.

MOTION:						SECOND:								
	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 \_\_\_\_\_

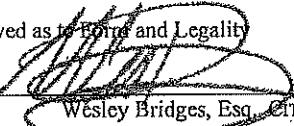
President of Council  
City Clerk

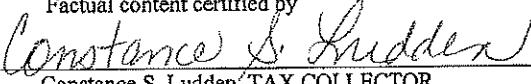
# RESOLUTION

No.

23-395

Date of Adoption \_\_\_\_\_

Approved as to Form and Legality  
  
Wesley Bridges, Esq. CITY ATTORNEY

Factual content certified by  
  
Constance S. Ludden, TAX COLLECTOR

Councilman/woman \_\_\_\_\_ presents the following Resolution:

## RESOLUTION AUTHORIZING THE CITY OF TRENTON TO ISSUE 3 TAX REFUNDS TOTALING \$7,080.28

**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 3 accounts totaling \$7,080.28 to be processed by the Tax Collector.

BLOCK	LOT	PROPERTY LOCATION	AMOUNT	REFUND TO	REASON
3002	3/T05	487-489 W State St.	\$3,564.08	Schneck Law Group FBD Luther Ventures	Tax Appeal Refund
14203	22	63 McKinley Ave.	\$755.35	FIG NJ19, LLC	Erroneous Pymt
24813	1	1422 Princeton Ave.	\$2,760.85	Alfaro Ortiz	Erroneous Pymt
			\$7,080.28		

MOTION:					SECOND:									
	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

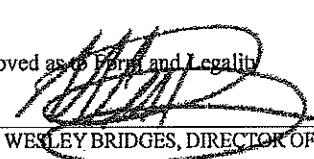
# RESOLUTION

No.

23-396

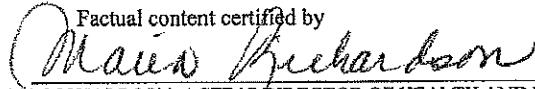
Date of Adoption \_\_\_\_\_

Approved as to Form and Legality



WESLEY BRIDGES, 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 APPLICATION FOR AND ACCEPTANCE OF FY2023 GRANT FUNDS FROM THE NEW JERSEY DEPARTMENT OF CORRECTIONS (NJDOC) LOCALLY EMPOWERED, ACCOUNTABLE, AND DETERMINED (LEAD) REENTRY INITIATIVES GRANT PROGRAM IN THE AMOUNT OF \$100,000.00**

**WHEREAS**, the City of Trenton's Office of Returning Citizens Program assists those reentering into the community with employment training and supportive services; and,

**WHEREAS**, the NJDOC created a grant funding program to implement innovative reentry career and entrepreneurial initiatives that will increase and improve the ability of the formerly incarcerated to achieve economic stability and independence; and,

**WHEREAS**, the NJDOC has awarded the City of Trenton \$100,000.00 in funding for FY2023; and,

**WHEREAS**, the City of Trenton desires funds to provide formerly incarcerated citizens with critical wrap-around services to aid with reentering into the community and obtaining and sustaining employment.

**WHEREAS**, the City of Trenton does not need to provide a match to the State to apply to this program;

**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 the "Locally Empowered, Accountable, and Determined Reentry Initiatives Grant 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 KETTENBURG					WILLIAMS									

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

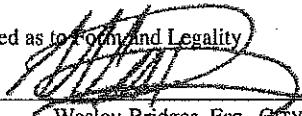
President of Council

City Clerk

# RESOLUTION

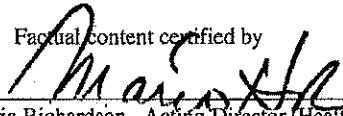
No. 23-405

Approved as to Form and Legality

  
Wesley Bridges, Esq. CITY ATTORNEY

Date of Adoption \_\_\_\_\_

Factual content certified by

  
Maria Richardson, Acting Director, Health & Human Services

Councilman/woman \_\_\_\_\_

presents the following Resolution:

**RESOLUTION AUTHORIZING A CONTRACT TO MOBILEASE MODULAR SPACE, INC., FOR THE INSTALLATION OF ELECTRICAL & PLUMBING FOR TWO MODULAR UNITS FOR TRENTON ANIMAL CONTROL FOR THE DEPARTMENT OF HEALTH & HUMAN SERVICES AWARDED THROUGH EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY #ESCNJ 20/21-43 IN AN AMOUNT NOT TO EXCEED \$193,714**

**WHEREAS**, the Division of Purchasing has reviewed and verified Educational Services Commission of New Jersey #ESCNJ 20/21-43 for purchase, repair, removal, rental, and installation of modular buildings awarded to MOBILEASE MODULAR SPACE, INC. Each participant must enter into their own contract. Educational Services Commission of New Jersey #ESCNJ 20/21-43 has awarded this contract from January 22, 2021 through January 21, 2023 and extended it through January 21, 2024; and

**WHEREAS**, N.J.S.A. 40A:11-10 (a) (1) permits the City of Trenton, Department of Health & Human Services to purchase items and provide services without the necessity of competitive bidding under the Educational Regional Educational Services Commission Cooperative Pricing Agreement #ESCNJ 20/21-43; and

**WHEREAS**, the City of Trenton, Trenton Animal Shelter has a need for additional officer space for staff and a mobile clinic for animals awarded to MOBILEASE MODULAR SPACE, INC, 201 RT 130, Pedricktown, NJ 08067 through Educational Services Commission of New Jersey #ESCNJ 20/21-43 in an amount not to exceed \$193,714; and

**WHEREAS**, funds in the amount not to exceed \$193,714 have been certified to be available in account numbers: R-01- 40-4030-401-.

**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 MOBILEASE MODULAR SPACE, INC, 201 RT 130, Pedricktown, NJ 08067 in an amount not to exceed \$193,714 for the installation of electrical and plumbing for two modular units for Trenton Animal Control for the Department of Health & Human Services.
2. The contract is awarded without competitive bidding pursuant to N.J.A.C. 40A:11-10 (a) of the Local Public Contracts Law.

MOTION:						SECOND:								
	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**

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**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: **MOBILEASE MODULAR SPACE,LLC**  
Address# 1: **201 ROUTE 130**  
City: **PEDRICKTOWN**  
State: **NEW JERSEY**  
Zip Code: **08067**

Purpose: **Dog Boarding/Office Space/Veterinarian Exam Rooms**

Account Numbers: **R-01- -40-4030-401-**

Vendor ID: **MOBIL015**

Requisition Number: **Q3-04623**

Amount not to exceed: **\$193,714**

Lynn Au *DD*  
Acting Chief Financial Officer

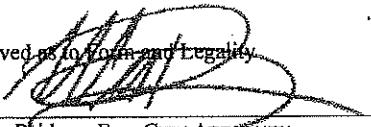
08/30/2023

Date

# RESOLUTION

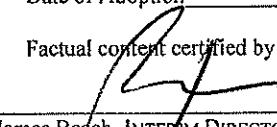
No. 23-397

Approved as to Form and Legality

  
Wesley Bridges, Esq., CITY ATTORNEY  
Department of Law

Date of Adoption \_\_\_\_\_

Factual content certified by

  
James Beach, INTERIM DIRECTOR  
Department of Housing and Economic Development

Councilman /woman \_\_\_\_\_

presents the following Resolution:

## **RESOLUTION AUTHORIZING THE CITY OF TRENTON TO APPLY FOR AND ACCEPT AN AMOUNT NOT TO EXCEED \$300,000.00 FROM THE NEW JERSEY URBAN ENTERPRISE ZONE AUTHORITY ZONE ASSISTANCE FUND (ZAF) TO CONTINUE THE BUSINESS IMPROVEMENT INCENTIVE**

**WHEREAS**, the City of Trenton (the "City") has a financial allocation from the State of New Jersey (the "State") for Fiscal Year 2022 (July 1, 2022 - June 30, 2023) that is earmarked, and must be used for Urban Enterprise Zone ("UEZ") activities within the boundaries of the UEZ in the City to help stimulate economic activity among the City's existing small businesses, attract new businesses, and increase employment among residents of the City; and

**WHEREAS**, the New Jersey Urban Enterprise Zone Authority (the "NJUEZA") has allocated to the City \$1,414,825.00 for the State Fiscal Year 2022 to be used on all UEZ activities and such funds can only be used for such dedicated purposes and no other City expenses; and

**WHEREAS**, throughout the City there are 1000 businesses who provide goods and services to City residents, support property tax payments to the City, create jobs, and create a vibrant walkable downtown; and

**WHEREAS**, the City of Trenton, Division of Economic Development seeks to assist new businesses to open and join existing businesses in the City; and

**WHEREAS**, the City has been operating a Business Improvement Incentive ("BII") program to help current businesses upgrade their commercial spaces, and incentivize prospective businesses to establish themselves in the City by assisting with their fit-out cost; and

**WHEREAS**, the BII offers to support building projects by paying 50% of eligible project costs up to a \$20,000.00 grant; and

**WHEREAS**, since the inception of this program, the BII has assisted 6 current businesses improve their commercial spaces on projects, including roof repair, facade work, electric work, flooring, and the installation of counter space and hydraulic car lifts; and

**WHEREAS**, since the inception of this program, the BII has also assisted in preparing 6 commercial spaces for incoming businesses on projects, including, interior first floor commercial space, roof work, entry ramp, facade work, bike racks, weather vestibule, water intrusion and a wall that a truck ran through in the Old Trenton Neighborhood; and

**WHEREAS**, there are another 10 applications in various stages of completeness that will be submitted soon, which are expected to exhausted the City's current funds for this grant; and

**WHEREAS**, the City can use UEZ funds to refill the BII program fund with some alterations to the program ( i.e. only businesses registered as UEZ businesses can access the grant monies); and

# RESOLUTION

**WHEREAS**, the City Council agrees that continuing the BII program would support existing and prospective businesses; and

**WHEREAS**, should the Business Improvement Incentive be approved by the NJUEZA, all the money made available for the continuation of the project would be awarded with the infusion of UEZ funds in compliance with New Jersey's Public Contract Law and the City Council would award the contract.

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

- The above recitals are incorporated by reference as if set forth at length herewith.
- The appropriate City officers are duly authorized to submit an application to the New Jersey Urban Enterprise Zone Program for the Zone Assistance Fund in the amount not to exceed Three Hundred Thousand (\$300,000.00) Dollars for the purpose of funding the Business Improvement Incentive in accordance with all pertinent terms, conditions and requirements which may be established for such an application.

**BE IT FURHTER RESOLVED**, that pursuant to N.J.S.A 52:27BBB-23, a true copy of this Resolution shall be forwarded to the State Commissioner of Community Affairs, who shall have ten (10) days from the receipt thereof to veto this Resolution. All notices of veto shall be filed in the Office of the Municipal Clerk. Within five business days thereafter, the City Council may override the veto by a two-thirds vote of the fully authorized membership thereof.

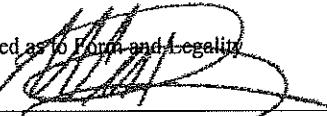
	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent
EDWARDS					GONZALEZ					FRISBY				
FELICIANO					HARRISON									
FIGUEROA KETTENBURG					WILLIAMS									

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

# RESOLUTION

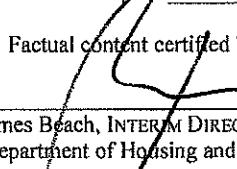
No. 23-398

Approved as to Form and Legality

  
Wesley Bridges, Esq. CITY ATTORNEY  
Department of Law

Date of Adoption \_\_\_\_\_

Factual content certified by

  
James Beach, INTERIM DIRECTOR  
Department of Housing and Economic Development

Councilman /woman \_\_\_\_\_

presents the following Resolution:

**RESOLUTION AUTHORIZING THE CITY OF TRENTON TO APPLY FOR AND ACCEPT  
AN AMOUNT NOT TO EXCEED \$150,000 FROM THE NEW JERSEY URBAN ENTERPRISE  
ZONE AUTHORITY ZONE ASSISTANCE FUND (ZAF) TO HIRE A CONSULTANT TO  
ENACT A PROACTIVE BUSINESS ATTRACTION PROJECT**

**WHEREAS**, the City of Trenton (the "City") has a financial allocation from the State of New Jersey (the "State") for Fiscal Year 2022 (July 1, 2022-June 30, 2023) that is earmarked, and must be used for Urban Enterprise Zone ("UEZ") activities within the boundaries of the UEZ in the City to help stimulate economic activity among the City's existing small businesses, attract new businesses and increase employment among residents of the City; and

**WHEREAS**, the New Jersey Urban Enterprise Zone Authority (the "NJUEZA") has allocated to the City \$1,414,825 for the State Fiscal Year 2022 to be used on all UEZ activities and such funds can only be used for such dedicated purposes and no other City expenses; and

**WHEREAS**, downtown Trenton has many vacant commercial spaces which, if brought into productive use, could provide goods and services to City residents, support property tax payments to the City, create jobs and create a vibrant walkable downtown; and

**WHEREAS**, there are expert consultants who can create and implement a plan of business attraction to (1) bring businesses that Trentonians want and (2) build a downtown attractive to the residents and patrons of the City; and

**WHEREAS**, these consultants would

- 1) Conduct an inventory of downtown commercial spaces to determine occupancy status, and evaluate physical property to identify conditions that may hinder commerce.
- 2) Conduct a commercial demand study of the people that live, work or visit Trenton. This would include interviewing key stakeholders, major property and business owners, and merchants; conducting a physical evaluation of commercial properties; reviewing existing studies and relevant regulations; and conducting a survey of residents, workforce and visitors.
- 3) Produce recruitment materials including a pre-qualified prospect list, direct mail postcards and letters, pitch remarks, social media ads, and signage.
- 4) Conduct a proactive business recruitment campaign, reaching out to targeted businesses with the aim of bringing them to Trenton; and

**WHEREAS**, projects to create jobs are the primary focus of the UEZ; and

**WHEREAS**, the City Council agrees that a Proactive Business Attraction Project would help build the downtown that Trentonians want; and

# RESOLUTION

**WHEREAS**, the City Council agrees that a Proactive Business Attraction Project would help build the downtown that Trentonians want; and

**WHEREAS**, should the Proactive Business Attraction Project be approved by the NJUEZA, all the money to undertake and complete the project would be awarded in compliance with New Jersey's Public Contract Law and the City Council would award the contract

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

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

- The above recitals are incorporated by reference as if set forth at length herewith.
- The appropriate City officers are duly authorized to submit an application to the New Jersey Urban Enterprise Zone Program for the Zone Assistance Fund in the amount not to exceed One Hundred and Fifty Thousand (\$150,000.00) Dollars for the purpose of funding the Proactive Business Attraction Project, in accordance with all pertinent terms, conditions and requirements which may be established for such an application.

**BE IT FURTHER RESOLVED**, that pursuant to N.J.S.A 52:27BBB-23, a true copy of this Resolution shall be forwarded to the State Commissioner of Community Affairs, who shall have ten (10) days from the receipt thereof to veto this Resolution. All notices of veto shall be filed in the Office of the Municipal Clerk. Within five business days thereafter, the City Council may override the veto by a two-thirds vote of the fully authorized membership thereof.

MOTION:	SECOND:													
	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 \_\_\_\_\_

# RESOLUTION

No. 23-399

Approved as to Form and Legality

Wesley Bridges, Esq. CITY ATTORNEY  
Department of Law

Councilman /woman

Date of Adoption

Factual content certified by

James Beach, INTERIM DIRECTOR  
Department of Housing and Economic Development

presents the following Resolution:

## **RESOLUTION AUTHORIZING THE CITY OF TRENTON TO APPLY FOR AND ACCEPT AN AMOUNT NOT TO EXCEED \$135,000 FROM THE NEW JERSEY URBAN ENTERPRISE ZONE AUTHORITY ZONE ASSISTANCE FUND (ZAF) TO RESTORE POWER TO THE DECORATIVE LIGHTING ALONG THE COMMERCIAL CORRIDOR ON HAMILTON AVENUE**

**WHEREAS**, the City of Trenton (the "City") has a financial allocation from the State of New Jersey (the "State") for Fiscal Year 2022 (July 1, 2022-June 30, 2023) that is earmarked, and must be used for, Urban Enterprise Zone ("UEZ") activities within the boundaries of the UEZ in the City to help stimulate economic activity among the City's existing small businesses, attract new businesses and increase employment among residents of the City; and

**WHEREAS**, the New Jersey Urban Enterprise Zone Authority ("NJUEZA") has allocated to the City of Trenton \$1,414,825 for the State Fiscal Year 2022 to be used on all UEZ activities; and

**WHEREAS**, such funds can only be used for such dedicated purposes and no other City expenses; and

**WHEREAS**, the Hamilton Avenue commercial corridor (from Chambers Street to Anderson Street) has many businesses that provides goods and services to City residents, supports property tax payments to the City, creates jobs for City residents and creates a vibrant walkable commercial corridor; and

**WHEREAS**, restoring power to the decorative lighting installed in the 1970's in this corridor would support the businesses along this corridor and thereby enhance the benefits listed above; and

**WHEREAS**, to restore this lighting, a trench needs to be dug, a new conduit and wiring needs to be installed, and damages to the fixtures need to be repaired; and

**WHEREAS**, should this Hamilton Avenue lighting project be approved by the State UEZ Authority, all the money to undertake and complete the project would be awarded in compliance with the New Jersey Public Contracts Law and the City Council would award the contract.

# RESOLUTION

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

1. The above recitals are incorporated by reference as if set forth at length herewith.
2. The appropriate city officers are duly authorized to submit an application to the New Jersey Urban Enterprise Zone Program for the Zone Assistance Fund in the amount not to exceed one hundred thirty-five thousand dollars (\$135,000) for the purpose of restoring power to the decorative lighting on Hamilton Avenue, in accordance with all pertinent terms, conditions and requirements which may be established for such an application.

**BE IT FURTHER RESOLVED**, that pursuant to N.J.S.A 52:27BBB-23, a true copy of this Resolution shall be forwarded to the State Commissioner of Community Affairs, within three (3) business days of the adoption of this Resolution, who shall have ten (10) days from the receipt thereof to veto this Resolution. All notices of the veto shall be filed in the Office of the Municipal Clerk. Within five business days thereafter, the City Council may override the veto by a two-thirds vote of the fully authorized membership thereof.

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

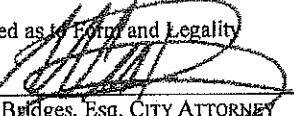
This Resolution was adopted at a Meeting of the City Council of the City of Trenton on \_\_\_\_\_

# RESOLUTION

No.

23-400

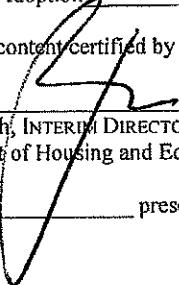
Approved as to Form and Legality

  
Wesley Bridges, Esq. CITY ATTORNEY  
Department of Law

Councilman /woman

Date of Adoption

Factual content certified by

  
James Beach, INTERIM DIRECTOR  
Department of Housing and Economic Development

presents the following Resolution:

## **RESOLUTION AUTHORIZING THE CITY OF TRENTON TO APPLY FOR AND ACCEPT AN AMOUNT NOT TO EXCEED \$20,000 FROM THE NEW JERSEY URBAN ENTERPRISE ZONE AUTHORITY ZONE ASSISTANCE FUND (ZAF) TO PROVIDE AWARDS OF RENT TO WINNERS OF A BUSINESS PLAN COMPETITION**

**WHEREAS**, the City of Trenton (the "City") has a financial allocation from the State of New Jersey (the "State") for Fiscal Year 2022 (July 1, 2022-June 30, 2023) that is earmarked, and must be used for, Urban Enterprise Zone ("UEZ") activities within the boundaries of the UEZ in the City to help stimulate economic activity among the City's existing small businesses, attract new businesses and increase employment among residents of the City; and

**WHEREAS**, the New Jersey Urban Enterprise Zone Authority ("NJUEZA") has allocated to the City of Trenton \$1,414,825 for the State Fiscal Year 2022 to be used on all UEZ activities; and

**WHEREAS**, such funds can only be used for such dedicated purposes and no other City expenses; and

**WHEREAS**, downtown Trenton has many vacant commercial spaces which, if brought into productive use, could provide goods and services to City residents, support property tax payments to the City and create jobs for City residents and create a vibrant walkable downtown; and

**WHEREAS**, one way that municipalities can attract businesses is to have a business plan competition, judged by an independent panel, the winners of which will be given a prize of rent in a commercial establishment when they open up, which notably has been done previously in New York, NY and Trenton, NJ; and

**WHEREAS**, Isles is already using NPP money to run such a contest which the City, by and through the Department of Housing and Economic Development, Division of Economic Development could support and expand; and

**WHEREAS**, the currently allocated pool of funds is ten thousand dollars (\$10,000) to be awarded in \$5,000 allotments to two (2) business plan competition winners; and

**WHEREAS**, projects to create jobs are the primary focus of the UEZ plan; and

**WHEREAS**, the City Council finds that supporting a business plan competition will help establish new businesses open in downtown Trenton; and

**WHEREAS**, should the Business Plan Competition Project be approved by the State UEZ Authority, all the money to undertake and complete the project would be awarded in compliance with the New Jersey Public Contracts Law and the City Council would be the one to award the contract.

# RESOLUTION

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

1. The above recitals are incorporated by reference as if set forth at length herewith.
2. The appropriate city officers are duly authorized to submit an application to the New Jersey Urban Enterprise Zone Program for the Zone Assistance Fund in the amount not to exceed twenty thousand dollars (\$20,000) for the purpose of increasing the prize pool for the Downtown Trenton Business Plan Competition, in accordance with all pertinent terms, conditions and requirements which may be established for such an application.

**BE IT FURTHER RESOLVED**, that pursuant to N.J.S.A 52:27BBB-23, a true copy of this Resolution shall be forwarded to the State Commissioner of Community Affairs, within three (3) business days of the adoption of this Resolution, who shall have ten (10) days from the receipt thereof to veto this Resolution. All notices of the veto shall be filed in the Office of the Municipal Clerk. Within five business days thereafter, the City Council may override the veto by a two-thirds vote of the fully authorized membership thereof.

	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. 23-401

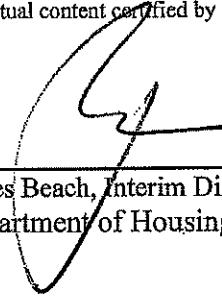
Date of Adoption \_\_\_\_\_

Approved as to Form and Legality



Wesley Bridges, City Attorney

Factual content certified by



James Beach, Interim Director  
Department of Housing & Economic Development

Councilman/Woman \_\_\_\_\_

presents the following Resolution:

**RESOLUTION DESIGNATING WAHID RAAFAT ELNASHFAN, AS REDEVELOPER OF  
CERTAIN CITY OWNED PROPERTY LOCATED AT (20 WEST END AVENUE) AND TO  
AUTHORIZE THE EXECUTION OF A REDEVELOPMENT AND PURCHASE AGREEMENT  
FOR THE PROPERTY LOCATED WITHIN THE HERMITAGE AVENUE  
REDEVELOPMENT AREA IN THE TOTAL AMOUNT OF \$8,000.00**

**WHEREAS**, the City of Trenton (the “City”) has designated that a certain area known as the Hermitage Avenue Redevelopment Area (the “Redevelopment Area”) as an area in need of redevelopment pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “Redevelopment Law”); and

**WHEREAS**, in accordance with the criteria set forth in the Redevelopment Law, the City has enacted a Redevelopment Plan entitled the “Hermitage Avenue Redevelopment Area Plan” (as amended and supplemented from time to time, the “Redevelopment Plan”) to effectuate the redevelopment of the Hermitage Avenue Redevelopment Area; and

**WHEREAS**, Wahid Raafat Elnashfan., (the “Redeveloper”) proposes to purchase and redevelop Block 2202, Lot 19, commonly known as 20 West End Avenue (the “Property”) (See Application to Purchase City-owned Property appended hereto as Attachment “A”); and

**WHEREAS**, the Redeveloper proposes to pay \$8,000.00 (Eight Thousand Dollars); and

**WHEREAS**, in accordance with the Redevelopment Plan, among other things, the Redeveloper has proposed to renovate the Property and utilize it as his primary residence and home office; and

**WHEREAS**, the City wishes to designate the Redeveloper as the redeveloper of the Property and to commence negotiations of a redevelopment agreement, including the terms of transfer of the Properties.

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

# RESOLUTION

1. The aforementioned recitals are incorporated by reference as though fully set forth herewith.
2. Wahid Raafat Elnashfan., is hereby designated as Redeveloper for certain city-owned property identified on the City's tax maps as Block 2202, Lot 19, commonly known as 20 West End Avenue, Trenton, New Jersey.
3. The negotiated Purchase Sale and Redevelopment Agreement (PSARA) between the City and the Redeveloper is hereby approved.
4. The Mayor and the City Clerk are hereby authorized to take all actions to execute the PSARA, and any and all documents necessary to effectuate the transfer and redevelopment of the Property.

MOTION:					SECOND:									
	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 \_\_\_\_\_

# RESOLUTION

No. 23-402

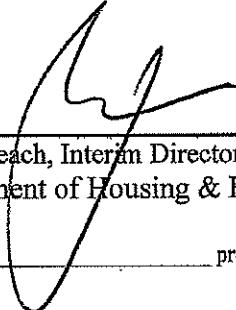
Date of Adoption \_\_\_\_\_

Approved as to Form and Legality



Wesley Bridges, City Attorney

Factual content certified by



James Beach, Interim Director  
Department of Housing & Economic Development

Councilman/Woman \_\_\_\_\_

presents the following Resolution:

**RESOLUTION DESIGNATING DAT ALLIANCE CORP LLC., AS REDEVELOPER OF CERTAIN PROPERTY COMMONLY KNOWN AS 31, 33, 106, 108, 109, 110, 110, 112, 114, & 116 CHAMBERS STREET, LOCATED WITHIN THE CENTRAL EAST REDEVELOPMENT AREA, AND APPROVING THE PURCHASE SALE AND REDEVELOPMENT AGREEMENT FOR SAID PROPERTY AND AUTHORIZING THE EXECUTION OF SAID AGREEMENT IN THE TOTAL AMOUNT OF \$10,000.00**

WHEREAS, the City of Trenton (the "City") has determined a certain area known as the Central East Redevelopment Area (the "Redevelopment Area") an area in need of redevelopment pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Redevelopment Law"); and

WHEREAS, in accordance with the criteria set forth in the Redevelopment Law, the City has enacted a Redevelopment Plan entitled the "Central East Redevelopment Area Plan" (as amended and supplemented from time to time, the "Redevelopment Plan"), to effectuate the redevelopment of the Central East Redevelopment Area; and

WHEREAS, the City is the fee simple owner of certain property identified on the City's tax maps as Block 27601, Lots 41, 40, 39, 38, 37, 36; Block 12911, Lots 5 and 6, and Block 12908, Lots 5 & 6, commonly known as 31, 33, 106, 108, 109, 110, 110, 112, 114, and 116 Chambers Street, Trenton, New Jersey, respectively (hereinafter referred to as the "Property"); and

WHEREAS, the Property is within the Redevelopment Area; and

WHEREAS, DAT Alliance Corp., LLC., (the "Redeveloper") proposes to purchase and redevelop/rehabilitate the Property (See application to purchase and redevelop city-owned Property appended hereto as "Attachment A"); and

WHEREAS, the Redeveloper proposes to pay One Thousand (\$1,000.00) Dollars each for the Property totaling Ten Thousand (\$10,000.00) Dollars; and

WHEREAS, in accordance with the Redevelopment Plan, among other things, the Redeveloper has proposed to renovate existing structures on the Property, and make available on the open real estate market; and

WHEREAS, the City wishes to designate the Redeveloper as Redeveloper of the Property and approve the Purchase Sale and Redevelopment Agreement (the "PSARA"), attached hereto as "Attachment B", and authorize the execution of said Agreement.

# RESOLUTION

1. The aforementioned recitals are incorporated by reference as though fully set forth herewith.
2. DAT Alliance Corp LLC., is hereby designated as Redeveloper for certain city-owned property identified on the City's tax maps as Block 27601, Lots 41, 40, 39, 38, 37, 36; Block 12911, Lots 5 and 6, and Block 12908, Lots 5 & 6, commonly known as 31, 33, 106, 108, 109, 110, 111, 112, 114, and 116 Chambers Street, Trenton, New Jersey.
3. The negotiated Purchase Sale and Redevelopment Agreement (PSARA) between the City and the Redeveloper is hereby approved.
4. The Mayor and the City Clerk are hereby authorized to take all actions to execute the PSARA, and any and all documents necessary to effectuate the transfer and redevelopment of the Property.

MOTION:									SECOND:					
	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 \_\_\_\_\_

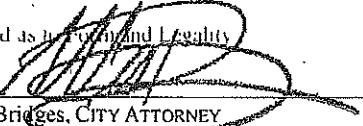
President of Council

City Clerk

# RESOLUTION

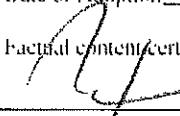
No. 23-403

Approved as to Form and Legality

  
Wesley Bridges, CITY ATTORNEY  
Department of Law

Date of Adoption \_\_\_\_\_

Factual content certified by

  
Jim Beach, Interim Director  
Department of Housing and Economic Development

Councilman/woman \_\_\_\_\_

presents the following Resolution:

**RESOLUTION ACCEPTING A BID AND AWARDING A CONTRACT TO  
MONTROSE ENVIRONMENTAL SOLUTIONS INC., FOR REMEDIATION OF  
PETROLEUM- CONTAMINATED SOIL AND GROUNDWATER AT THE  
FORMER CRANE SITE, 305 NORTH CLINTON AVENUE, FOR A PERIOD OF  
ONE (1) YEAR FROM DATE OF AWARD IN AN AMOUNT NOT TO EXCEED  
\$181,572.29 BID 2023-40**

**WHEREAS**, six (6) sealed bids were received on June 16, 2023 in the Division of Purchasing at 11:00am by the Purchasing Agent, for the Remediation of Petroleum-Contaminated Soil and Groundwater at the Former Crane Site, 305 North Clinton Avenue for a period of one (1) year for the City of Trenton, Department of Housing and Economic Development; and

**WHEREAS**, the Environmental Remediation of the former Crane Site is required by the 1999 redevelopment agreement, which includes the excavation, removal, and disposal of petroleum contamination in soil and groundwater, as well as sampling and reporting; and

**WHEREAS**, the lowest bidder, Montrose Environmental Solutions Inc., 500 Horizon Center Drive, Suite 540, Robbinsville, New Jersey 08618, 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 \$181,572.29 have been certified to be available in the following account numbers: T-21-RL-60-4602-301(\$170,570.56) and T-21-RL-60-4602-305(\$11,001.73). The City of Trenton shall award this contract 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 a contract with Montrose Environmental Solutions Inc., 500 Horizon Center Drive, Suite 540, Robbinsville, New Jersey 08618 in an amount not to exceed \$181,572.29 for the Remediation of Petroleum-Contaminated Soil and Groundwater at the Former Cane Site 300 North Clinton Avenue for a period of one (1) year for the City of Trenton, Department of Housing and Economic Development for the said purposes in the manner prescribed by law.

MOTION:					SECOND:									
	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 \_\_\_\_\_

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 to Contract with:

Vendor Name: Montröse Environmental  
Address: 500 Horizon Center Drive, Suite 540  
City/State/Zip Robbinsville, NJ 08618

Purpose: excavate, remove and dispose of petroleum contamination in soil and groundwater, and related remediation, sampling and reporting.

Fund:  
USEPA BCRLF Second Generation Funds T-21-RL-60-4602-301 \$170,570.56 ✓  
USEPA BCRLF Second Generation Funds T-21-RL-60-4602-305 \$ 11,001.73 ✓

Vendor ID:

Amount not to exceed: \$181,572.29 ✓

Lynn Au BT  
Acting Chief Financial Officer

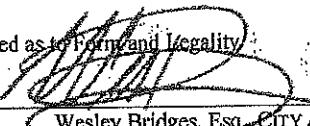
7/19/2023

Date

# RESOLUTION

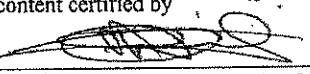
No. 23-404

Approved as to Form and Legality

  
Wesley Bridges, Esq. CITY ATTORNEY

Date of Adoption \_\_\_\_\_

Factual content certified by

  
Wahab Onitiri, DIRECTOR OF PUBLIC WORKS

Councilman/woman \_\_\_\_\_ presents the following Resolution:

## **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TRENTON, COUNTY OF MERCER, STATE OF NEW JERSEY AUTHORIZING THE MAYOR AND CLERK TO EXECUTE A FEDERAL AID AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION (NJDOT) FOR THE GREENWOOD AVENUE STREETSCAPE PROJECT**

**WHEREAS**, Resolution 20-659 passed on October 2020, authorized the City of Trenton to submit and execute a grant application to the NJDOT for their federal Transportation Set-Aside Program for the Greenwood Avenue Streetscape Project; and

**WHEREAS**, the authorization was based on the scope of work and budget agreed upon by the City of Trenton and the NJDOT Division of Local Aid; and

**WHEREAS**, the scope of work in this authorization includes Preliminary Engineering (PE) Activities will be authorized once PE activities have been completed; and

**WHEREAS**, it is necessary for the City of Trenton to enter a design contract between the City of Trenton and STV, Inc. for the Preliminary Engineering (PE) Activities; and

**WHEREAS**, work cannot begin until this funding agreement is executed by NJDOT.

**NOW THEREFORE, BE IT RESOLVED** by the City of Trenton that the Mayor and Clerk are authorized to execute the attached Federal Aid Agreement.

**BE IT FURTHER RESOLVED** that the Clerk is hereby directed to return four (4) original signed and sealed copies of the attached agreement along with three (3) signed/sealed resolutions for execution by the Department of Transportation.

**BE IT FURTHER RESOLVED** that the NJDOT will receive an initial billing (payment voucher) from the City of Trenton for the design project no later than three (3) months after the NJDOT has concurred in the award of the construction contract, and will receive subsequent bookings in accordance with the terms of the agreement.

MOTION:						SECOND:							
	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 \_\_\_\_\_

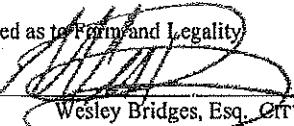
# RESOLUTION

No.

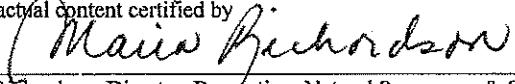
23-406

Date of Adoption \_\_\_\_\_

Approved as to Form and Legality

  
Wesley Bridges, Esq. CITY ATTORNEY

Factual content certified by

  
Maria Richardson, Director, Recreation, Natural Resources, & Culture

Councilman/woman \_\_\_\_\_

presents the following Resolution:

**RESOLUTION AUTHORIZING A CONTRACT TO CDW GOVERNMENT LLC., FOR THE PURCHASE OF SECURITY CAMERAS, HARDWARE, AND SOFTWARE FOR THE DEPARTMENT OF RECREATION, NATURAL RESOURCES & CULTURE AWARDED THROUGH EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY #ESCNJ/AEPA-22G IN AN AMOUNT NOT TO EXCEED \$147,635.85 THIS IS A ONE-TIME PURCHASE**

**WHEREAS**, the Division of Purchasing has reviewed and verified Educational Services Commission of New Jersey #ESCNJ/AEPA-22G for Security Camera Hardware and Software awarded to CDW Government, LLC. Each participant must enter into their own contract. Educational Services Commission of New Jersey #ESCNJ/AEPA-22G has awarded this contract for up to fifteen (15) months and began on June 2, 2023, and will continue until June 30, 2024, unless terminated, canceled, or extended. By mutual written agreement, the contract may be extended for two (2) additional 12-month periods after this initial contract term; and

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

**WHEREAS**, the City of Trenton, Department of Recreation, Natural Resources, & Culture has a need to upgrade and/or enhance its security cameras infrastructure at the following public swimming pools: Cooper Pool -397-551 Union Street, Trenton, NJ 08611, Roberto Clemente Pool- 342 Academy Street, Trenton, NJ 08608; Martin Luther King Pool- 347 Brunswick Avenue, Trenton, NJ 08608, Father Rocco Pool -201-207 Calhoun St., Trenton, NJ 08608, Hetzel Pool – 190 North Olden Ave., Trenton, NJ 08608 and Cadwalader Park & Pool awarded to CDW Government LLC, 75 Remittance Drive, Suite 1515, Chicago, Illinois 60675-1515 through Educational Services Commission of New Jersey #ESCNJ/AEPA-22G in an amount not to exceed \$147,635.85; and

**WHEREAS**, funds in the amount not to exceed \$147,635.85 have been certified to be available in account numbers: C-04-20-70-008G-002- (\$66,281.26) and G-SS-22-70-180B-299- (\$81,354.59). This is a one-time purchase.

**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 CDW Government LLC, 75 Remittance Drive, Suite 1515, Chicago, Illinois 60675-1515 in an amount not to exceed \$147,635.85 for the purchase of security cameras, hardware and software for the mentioned pools for the City of Trenton Department of Recreation, Natural Resources, & Culture.
2. The contract is awarded without competitive bidding pursuant to N.J.A.C. 40A:11-10 (a) of the Local Public Contracts Law.

MOTION:						SECOND:								
	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**

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**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: **CDW Government LLC**  
Address# 1: **75 Remittance Drive, Suite 1515**  
City: **CHICAGO**  
State: **ILLINOIS**  
Zip Code: **60675-1515**

Purpose: **Security Camera Hardware & Software**

Account Numbers: **C-04-20-70-008G-002 - (\$66,281.26)** *✓*  
**G-SS-22-70-180B-299 - (\$81,354.59)**

Vendor ID: **CDW-G005**

Requisition Number: **Q3-04597**

Amount not to exceed: **\$147,635.85**

*Lynn Au* / *For Lynn Au*  
Acting Chief Financial Officer

*08/23/23*  
Date

# ORDINANCE

No.

23-048

1<sup>st</sup> Reading \_\_\_\_\_

Date to Mayor \_\_\_\_\_

Public Hearing \_\_\_\_\_

Date Returned \_\_\_\_\_

2<sup>nd</sup> Reading & Passage \_\_\_\_\_

Date Resubmitted to Council \_\_\_\_\_

Withdrawn \_\_\_\_\_ Lost \_\_\_\_\_

Approved as to Form and Legality

Factual content certified by



WESLEY BRIDGES, ESQ., CITY ATTORNEY



BRANDON GARCIA, CITY CLERK

Councilman /woman \_\_\_\_\_

presents the following Ordinance:

## AN ORDINANCE AMENDING CHAPTER 146 OF THE CODE OF THE CITY OF TRENTON 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 strengthened 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**, since that time the city has experienced the impacts of the conditional licensing process, as well as feedback from the market in general, and feels it is appropriate to review and amend the ordinance in order to gain more transparency and predictability; and

**WHEREAS**, previous versions of this ordinance misnumbered the codified sections, and this version ensures the correct numbering system.

# ORDINANCE

**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 (deletions are ~~struck through~~ and additions are underlined):

## Section 1. Amend Chapter 146 Licensing

### ARTICLE IX Cannabis Businesses

#### §146-44 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.

#### §146-45 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 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

# ORDINANCE

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 DISPENSARY CANNABIS ALTERNATIVE TREATMENT CENTER**

An organization dispensary authorized through licensure issued by the NJ State Department of Health and the Board of Medical Examiners to perform activities necessary to provide 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 the 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 Resolution of Local Support endorsement by City Council to do so and appropriately zoned as deemed by the a Zoning Permit by the City's Zoning Official as an Expanded ATC.

## **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,

# ORDINANCE

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

## **REGULATED CANNABIS ITEM(S)**

Any cannabis item(s) as regulated and defined by the New Jersey Cannabis Regulatory Commission, bought, sold and used in accordance with state and local laws and regulations, including but not limited to, medical cannabis dispensed to registered qualifying patients pursuant to the Jake Honig Compassionate Use Medical Cannabis Act (the "Medical Act"), P.L.2009, c.307, N.J.S.A. 24:6I-2, et seq., and cannabis dispensed to adults twenty-one (21) years of age or older, pursuant to the New Jersey Cannabis Regulatory, Enforcement, Assistance, and Marketplace Modernization Act (the "Adult Use Act"), P.L.2021, c.16, N.J.S.A. 24:6I-31, et seq.

## **UNREGULATED CANNABIS ITEM(S)**

Any cannabis item(s), including any usable cannabis, cannabis product, cannabis extract, and any other cannabis resin as further defined in P.L.2021, c.16; hashish; and marijuana/marihuana, which is not regulated by the New Jersey Cannabis Regulatory Commission.

## **CANNABIDIOL (CBD) RELATED PRODUCTS**

A psychoactive non-intoxicating compound derived from a cannabis or hemp plant known to have many potential therapeutic benefits, including anti-inflammatory, analgesic, anti-anxiety, and seizure-suppressant properties, containing less than 0.3% Delta 9 Tetrahydrocannabinol and less than 0.1% delta 8 Tetrahydrocannabinol (THC). THC as applied to this definition includes both Delta 8 and Delta 9 limitations. Products include:

*Flower:* Combusting or vaporizing CBD weed allows users to feel the potential therapeutic effects of CBD almost immediately.

*Isolate:* CBD isolate is cannabidiol in its purest form: a fine white powder. This crystalline form of CBD is versatile and allows users to measure precise doses.

*Concentrates:* CBD can also be purchased in concentrate form, including raw CBD oil, cartridges, vape pens, syringes, and more. Concentrates bridge the gap between CBD flower and CBD isolate.

*Infusions:* Readily usable products infused with CBD, including edibles, elixirs, sublingual sprays, and topicals.

Manipulated hemp derived CBD is not permitted to be sold with synthetic additives or concentrated doses of Tetrahydrocannabinol or any regulated components of the plant.

## **CANNABIS BUSINESS or ESTABLISHMENT**

# ORDINANCE

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.

## **CANNABIS CONSUMPTION AREA “CCA”:**

A designated location operated by a licensed operator cannabis retailer or permit holder for dispensing medical cannabis, for which both a State and local endorsement license has been obtained, that is either: (1) an indoor, structurally enclosed area of the cannabis retailer, or alternative treatment center or permit holder that is separate from the area in which retail sales of cannabis items or the dispensing of medical cannabis occurs within the same building; or (2) an a separate but enclosed exterior structure on the same premises as the cannabis retailer or alternative treatment center; 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 (3) an establishment authorized to allow retail or medical cannabis to be sold and consumed under a separate license within an enclosed structure properly zoned and approved by the City of Trenton, brought by a person to the consumption area, may be consumed. Licensed cannabis retailers and medical dispensaries operators 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” a license 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

# ORDINANCE

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.

## **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.

## **DIVERSELY OWNED BUSINESS**

A business that is minority-owned, woman-owned, or disabled veteran-owned and certified as such by the New Jersey Department of the Treasury in one or more of the listed categories.

## **EXPANDED ALTERNATIVE TREATMENT CENTER or EXPANDED ATC**

Is a permitted ATC pursuant to P.L. 2019, c. 153 and N.J.A.C. 17:30A that is authorized to operate a cannabis business or businesses pursuant to that Act and that chapter, in addition to its medicinal cannabis operations. An expanded alternative treatment center shall be deemed to have all the rights and privileges of a cannabis dispensary or retailer (Class 5 License) cannabis establishment as defined in this ordinance and shall be subject to all those requirements unless explicitly stated otherwise. The requirements of corporate structure and alternative treatment center physical requirements under P.L. 2019, c. 153 and that ensuing request for applications by the State of New Jersey shall supersede local Class 5 License requirements pursuant to Section 1, 146-23(1)(g).

## **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

# ORDINANCE

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 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 in accordance with CRC regulations for microbusinesses; 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

# ORDINANCE

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; (3) have at least one person with significant ownership interest as a resident of the City of Trenton.

## **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.

## **SOCIAL EQUITY BUSINESS**

# ORDINANCE

A business owned by people who have lived in an Economically Disadvantage Area of the state as defined by State legislation, or who have convictions for cannabis-only related offenses (expunged or not).

## USABLE CANNABIS

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 or majority ownership: cultivation, manufacturing, and dispensing. While NJCREAMMA does not permit vertically integrated cannabis facilities with to be licensed as such with regard regard to adult use cannabis, multiple licenses may be assembled as rules and regulations permit over time.

## §146-46 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 door to door walking distance the subject property line to property line, except that the minimum distance requirement for those Cannabis Dispensaries appropriately zoned and approved in the Roebling Redevelopment Area (The Entertainment District) or the Business A District south-west of Rt 206 (The Downtown District) may be 500 feet.
- b) Established ATC's (Medical Cannabis Dispensaries) seeking to become an Expanded ATC Adult Use may not do so if in violation with the City's buffer requirements. ATC's may however signal their intention to include adult sales upon seeking endorsement from the City, and in advance of CRC approval, by stating its desire for such use to be included within City Council's endorsement of an application.
- c) Cannabis dispensaries shall not be located within 750 feet from all schools where children are routinely present, which shall be generally measured from door-to-door walking distance, excluding daycare centers that are co-located within a mixed-use commercial and/or industrial building.
- d) Cannabis Dispensaries shall not be located within 200 feet from the front entrance to a place of worship.
- e) Standalone cultivation centers and manufacturing facilities are not included within these buffering prohibitions this prohibition if the secured facility is properly zoned within an Industrial zone and does not contain a Cannabis Dispensary or have public access or visible signage and is and is otherwise properly situated in accordance with this Chapter.

# ORDINANCE

(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 retail Cannabis Dispensary or and does not have public access and is otherwise properly situated in accordance with this Chapter.

(3) (2) 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. The City will not accept applications in violation of any part of this ordinance or is incomplete in any way.

(4) (3) The City encourages the transition of legacy operators to apply for endorsement. However, the City will not accept applications by applicants that are in violation of any part of this ordinance or are otherwise incomplete in any way.

§146-47 Local licensing authority. The City Council 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 seeking a Resolution of Local Support for its State licensing application and local licensure. Pursuant to CAC regulations, as part of the state license application, each cannabis applicant must receive a Resolution of Local Support from the municipality's governing body. 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. City Council may appoint a upon recommendation by the sign off by the City Cannabis Advisory Committee to advise them on all cannabis related matters. and authorized by the City's Governing Body.

(1) Members of said CAC shall include five at least three (3) 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 such persons, of whom two (2) shall be recommendations by the Mayor, annually by resolution, 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 Department, Police Department, and City Planning, and Zoning Official. Office.

# ORDINANCE

- (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 community development and philanthropic aspects of the Cannabis Businesses within the City of Trenton as to the issuance of Cannabis Business Permits within the City of Trenton based on the information issued required of all applicants by the Governing Body and consistent with §146-5023. The Council may also authorize the Committee to finalize the terms of any Local Host Agreement pertaining to community development and philanthropic activities proposed by the operator prior to Council's ratification of same.
- (8) The Committee shall provide a written report to the City Council may request a written report on a quarterly basis, or at any rate no fewer than four (4) times per year, on the status of their work the City's Cannabis industry, 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-public shareholders displayed in an ownership structure chart;
  - d. Proof of New Jersey Local residency;
  - e. The owner(s)' gender; and
  - f. The owner(s)' race, nationality, or ethnic group.
  - g. Programs and/or community benefits derived through the Local Host Agreements.
- (9) The Committee shall be advisory only and volunteer only to the City Council.
- (10) The City Council may dissolve such committee as deemed appropriate and/or circumstances allow.

**§146-48 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 license(s) 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. Once the City has granted a Resolution in Support of an application, the actual license to operate will be subject to State CRC approval and an executed Local Host Agreement once all appropriate approvals are obtained, including but not limited to Planning Board approval, Certificate of Occupancy through the Code Enforcement office in addition to any other requisite agencies associated with land development in the State of NJ, Mercer County, or the City of Trenton.

- (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

# ORDINANCE

municipal permits to operate a cannabis establishment. The City Council shall set the number of local cannabis licenses issued annually but may not exceed the total number of such permitted at any given time, which shall be as follows for each license class:

Class I: Cannabis Cultivator – Limit of 15. After a five-year period, Council may increase to a total not to exceed 20.

Class II: Cannabis Manufacturer – Limit of 15. After a five-year period, Council may increase to a total not to exceed 20.

Class III: Cannabis Wholesaler – Limit of 2

Class IV: Cannabis Distributor – Limit of 2

Class V: Cannabis Retailer – including alternative treatment centers, microbusiness retailers, and those connected to vertically integrated businesses – Limit of 10

Class VI: Cannabis Delivery – Limit of 10

Cannabis Consumption Areas – Limited to ATCs and Expanded ATCs

(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 alternative treatment centers and microbusiness retailers – 10

Class VI: Cannabis Delivery – 2 10

## §146-49 Application Process.

While the State of New Jersey Cannabis Regulatory Commission vets all applicants with regard to much of the information being asked for herein, particularly with regard to compliance with financials rules, collusion with certain foreign governments, and criminal history, the City's application seeks to understand who its future business owners may be. The City Council and its review Committee will process this information, but will primarily focus on what an applicant may propose that will benefit the citizens of the Capital City as found within Section §146-50 "Evaluation" below.

Persons wishing to obtain any Resolution of Local Support classification of cannabis license shall first file a license application with the City Committee Clerk, on a standardized form established by the City Committee

# ORDINANCE

Council 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 shall be rolling until such time as the Council notifies the public via the City's website that no more applications will be accepted. An application shall be deemed incomplete and shall not be processed by the Clerk and transmitted to the Council and/or its Committee, until all documents and application fees are submitted. Once complete, the applicant shall receive a response no longer than 45 days upon receipt of a complete application.

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. No application will be accepted unless the applicant is fully compliant with applicable rules and regulations, including but not limited to the unregulated sales of cannabis, including hemp-derived infused THC cannabis products.
- (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) A letter from the Zoning Officer that 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 and shall include verification that the property conforms, or may be able to conform with all applicable planning and zoning related rules and regulations upon Planning or Zoning Board approval. The report from the Zoning Officer shall also include: bulk standards (e.g. parking, setbacks, etc.), how the property meets buffering requirements, as well as any other preliminary insight related to any Site Plan application to the Planning Board that may be required. The Zoning Officer, or appropriate official, shall also provide the applicant with a certified property owner list of those within 200 feet of the property to be utilized for the operation.
- (4) The applicant shall submit proof within the application for Local Support that the applicant has delivered by certified mail notice that the property is intended to be utilized for cannabis and that the applicant will be petitioning the City Council for a Resolution of Support for its State CRC licensing application. The notice shall also contain:
  - i. Name and address of the business;
  - ii. The type of license being pursued;
  - iii. Owner's (or representative) contact information;
  - iv. Any other information the owner wishes to share with the community highlighting its intent in being a good neighbor.
- (5) The applicant shall submit, to the satisfaction of the Council or 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

# ORDINANCE

determined by the requirements of the CRC.

- (6) The applicant shall submit a fee for the application for a conditional permit in the amount of \$10,000. If the application is denied, applicants shall receive a refund of \$5,000. Micro-licenses shall submit a fee of \$1,000 application fee. Trenton residents that are social equity applicant may petition to receive a 50% discount of local license fees. A petition for discount shall include proof of residency and any associated documents that reveal the applicant's eligibility in meeting State CRC definitions.
- (7) Transfer Fees. Shall be 10% of sale of the license or \$10,000 \$50,000, whichever is greater. Any entity assuming the transfer of classification license must adhere to the same state and city cannabis laws/regulations.
- (8) 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.
- (9) Bi-annual Annual Registration Fees. Upon obtaining a State license shall submit bi-annual annual registration fees of \$10,000. Micro-licenses shall submit a fee of \$2,000-\$5,000.
- (10) The applicant and the application shall otherwise comply with any, and all qualification standards set forth in the State and City laws or regulations.

## §146-50 Evaluation.

- (1) The Committee City Council shall evaluate all applicants and may ask its Cannabis Advisory Committee for review and recommendations issue a recommendation of award after consideration and evaluation of the following criteria to the City Council. Presentation before the City Council is required. 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 Council and its Committee shall utilize the following upon finalizing criteria for publication, the purpose of which is to understand the applicant and its operations, with particular focus on how the operator/operation plans to become a corporate citizen contributing to the well-being of the City of Trenton:

# ORDINANCE

- 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 institutions of higher learning dedicated to cannabis research or occupational training;
- e) Applicant's or its owners' demonstrated commitment or sufficient experience as and plans to become 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 within 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;

# ORDINANCE

- 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 regardless of the licensing category, including but not limited to contracting for service for 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, and/or plans to be as responsible employers, defined as the applicant including but not limited to, an entity entering into being a party to a labor peace agreement or the applicant entity or its parent company being a party to a collective bargaining agreement with a union 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 City.municipality (twenty present in total: five points for a labor peace agreement, full twenty points for collective bargaining agreement in effect for at least one year);

(2) Upon receipt, review, and evaluation, the City Council shall vote on whether to issue a Resolution of Local Support to the applicant.  
~~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.~~

## §146-51 Award of Township City Cannabis License

- (1) Term of Application Endorsement. Notwithstanding the any foregoing competitive application process, a Resolution of Local Support 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/or reevaluate all the applicant applications for licensure under the above criteria.
- (2) The City Clerk's office shall issue a local cannabis license only upon receipt and confirmation that the applicant has received state licensure approval, Planning Board or Zoning Board approval, and has paid the annual license fee.
- (3) Term of Permit License and Permit License renewals.
  - a) Any local Permit License 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

# ORDINANCE

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 Council 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.

(3) Award Limitations - 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.

**§146-52 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.

**§146-53 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.

## **§146-54 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.

# ORDINANCE

- 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.
  - b) All other City sign regulations must be complied with the Land Development Ordinance.
- 4) Must adhere to the provisions of the ~~Development plan applicable zoning or redevelopment standards to the extent feasible and gain site plan approval.~~
- 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.

# ORDINANCE

- 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.
- 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 for the exclusive use of medical patients only, 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.~~
  - ~~(c) (d) The Consumption Area shall be limited to those licensed cannabis retailers, alternative treatment centers and Expanded alternative treatment centers and medical dispensaries, or other establishment and endorsed by the State Cannabis Regulatory Commission.~~
  - ~~d) Each licensed Cannabis Dispensary may operate only one Cannabis Consumption Area.~~
  - ~~(d) (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.
  - b) Businesses shall properly dispose of all materials and other substances in a safe and sanitary manner in accordance with state regulations.

# ORDINANCE

- 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 the Planning or Zoning Board grants site plan approval, amended, or a major change to a cannabis business is approved, the Board 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 the type of unregulated 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.
- i) Local Host Agreements shall be a Condition of Approval if an executed agreement does not exist at the time of application.

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 \$2,500 \$1,000. Each day that a violation is committed, exists or continues shall be deemed a separate and

# ORDINANCE

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.

## §146-55 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 45 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.

(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 and redevelopment areas. 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*

# ORDINANCE

Street, North Willow, and East State Street (between Warren and Hogan).

Coalport Redevelopment Area (as amended September 2000) "Conditional Uses," Class I: Cannabis Cultivator, Class II: Cannabis Manufacturer, Class III: Cannabis Wholesaler, Class IV: Cannabis Distributor.

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

Marine Terminal Redevelopment Area "Permitted Uses," Class I: Cannabis Cultivator, Class II: Cannabis Manufacturer, Class III: Cannabis Wholesaler, Class IV: Cannabis Distributor.

Pennington Redevelopment Area (as amended September 2000) "Conditional Uses," Class I: Cannabis Cultivator, Class II: Cannabis Manufacturer, Class III: Cannabis Wholesaler, Class IV: Cannabis Distributor within the Industrial IA Zone, Class V: Cannabis Retail within the IA/BB-1 Zone.

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

Roebling Complex Redevelopment Plan (as amended November 1997): Section B (2), "Conditional Uses," Class I: Cannabis Cultivator, Class II: Cannabis Manufacturer, Class V: Retail, Alternative Treatment Centers, Academic Medical Center, Vocational Training Facility. Generally, Dispensaries are permitted within major retail areas and Cultivation within other areas where existing industrial structures are to remain. Design of such a facility all cannabis facilities within the Plan's area must be sought to be positioned to generate an inclusive environment aimed at promoting health, wellness, and most importantly 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. Redevelopment Agreements are required.

Train Station Redevelopment Area (as amended October 2009): Section B (e), amend to include: Conditional Uses. Class I: Cannabis Cultivator, Class II: Cannabis Manufacturer - within existing industrial structures. And amend Section 3. Master Planning, (e) "Wall and Monmouth Street" add bullet under opportunities "Create local job opportunities."

New York Avenue Redevelopment Plan (as amended February 2008): Add Section B (2) (c), "Conditional Uses," Class I: Cannabis Cultivator, Class II: Cannabis Manufacturer, Class III: Cannabis Wholesaler, Class IV: Cannabis Distributor, Alternative Treatment Centers and Expanded Alternative Treatment Centers. Generally, Dispensaries are permitted within established retail areas and the other classes of cultivation, manufacturing, wholesaling and distribution within other areas where existing industrial structures are prevalent.

2) Cannabis Dispensaries where permitted as Conditional Uses within the Redevelopment Areas are also subject to the following criteria:

- a) Adherence to the permitted uses and site design standards of the respective City Land Development Ordinance and Redevelopment Plan, and/or the City Land Development Ordinance as they stand or may act as underlying their respective redevelopment area plan.

# ORDINANCE

- b) Issuance of Trenton City Cannabis Business Permit.
- c) Site plan approval is required, except for a business that is an Expanded ATC which previously received site plan approval to operate as an ATC.
- 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.
- e) Cannabis Dispensaries shall not be located within 1,000 feet of another Cannabis Dispensary. Medical ONLY Alternative Treatment Centers (ATC) ONLY Dispensaries are not subject to this provision.
- f) Cannabis Dispensaries, except ATCs and Expanded ATCs, must be located on properties with frontage on main thoroughfares (e.g., Hermitage, Calhoun, Chambers, Olden Avenue, Route 206, 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 main thoroughfare.
- g) Alternative Treatment Centers and Expanded Alternative Treatment Centers within redevelopment areas may also be located in areas otherwise not permitted, but within 1,500 feet to a complimentary use or populations in need. Such locations include, but are not necessarily limited to: areas proximate to healthcare facilities, walking distance to populations in need of access, adjacent to retail goods and services. Such facilities must be positioned to generate an inclusive environment aimed at promoting health, wellness, and economic opportunity for area residents. These ATCs and Expanded ATCs are permitted to also hold Class V Dispensary licenses as Expanded ATCs as well.
- h) Alternative Treatment Centers, Expanded ATCs, or Dispensaries that are located, or proposed to be located, on properties that have portions of it located within another zone (split-zoned) are permitted. In such event, the use is permitted such that any conflicts with adjacent uses, particularly residential are corrected through buffering, such as, but necessarily limited to: installation of fencing, landscaping, community improvements, but that the facility and its orientation is primarily located within the appropriately zoned portion.
- i) Blank street walls are not permitted. Architectural treatments in coordination with landscaping and/or street art will be required. Street art is highly encouraged. Such art is not to be counted against the businesses sign limitations.
- j) Cannabis Dispensaries shall not be located within 200 feet of the main pedestrian entryway into a house of worship.

3) Vertically Integrated Cannabis Facilities, Academic Medical Center, and Cannabis Training Facility, where permitted as Conditional Uses are also 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 within the same structure as a cultivation or manufacturing center use, 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

# ORDINANCE

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 Thoroughfare where retail is prevalent within the zone. Dispensaries may not be located in areas where retail is not permitted.
- f) Cultivation and manufacturing are permitted in vertically integrated structures but may not be located in areas where retail is the predominate use. Such uses may be located behind the storefront, or on an upper or lower floor.
- g) All facilities shall be Secured in accordance with all applicable provisions as defined in the Act and outlined in Subsection G below.
- h) Unusual odors, smells, fragrances or other olfactory stimulants shall be prohibited. Odor mitigation filtration systems must be installed and maintained in perfect working order.
- i) Light pollution, glare or brightness resulting from glow lamps must be 0.5 candle or less at the property line
- j) Noise beyond the decibel level permitted by City noise ordinances shall be prohibited.

4) Cannabis Cultivation Centers, Manufacturing, Distribution, Wholesalers, and Delivery, where permitted as Conditional are also 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) Facilities being purchased or leased in whole or in part or purchased that are compliant with current land development regulations and/or have obtained variances since January 1, 2010, and still meet the requirements set forth in the Resolution of Approval may forgo Site Plan approval as verified and certified by the City Zoning Official. Such a determination will require approval by the City Engineer to determine whether or not odor mitigation systems and sewer discharge in collaboration with the appropriate utility authority, being proposed will adequately meet the provisions of the ordinance. The Zoning Official may require landscaping in need of replacement, as well as any property maintenance issues that need to be addressed. In the event that the zoning official cannot make such a determination, Site Plan approval will be required.
- e) Cultivation centers shall not be located immediately adjacent to school property used for school purposes where children are present.
- f) All facilities shall be secured in accordance with all applicable provisions as defined in the Act and outlined in Subsection G below.
- g) 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.
- h) Unusual odors, smells, fragrances or other olfactory stimulants shall be prohibited. Odor

# ORDINANCE

mitigation filtration systems must be installed and maintained in perfect working order.

- i) Sewer discharge and any effluent discharged from the facility shall be coordinated with the appropriate utility.
- j) Light pollution, glare or brightness resulting from glow lamps must be 0.5 candle or less at the property line.
- k) 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. Micro-businesses that are co-located within another licensee's structure must be physically separated in addition to being a separate corporate structure as permitted by the State CRC.

6) Properties in industrial use that were granted a variance to be an industrial use prior to January 1, 2010 may be afforded the same conditional use rights as outlined in §215-35(18)(c) so long as they can comply with the bulk standards of IP1 zone as well as the conditions set forth therein. §215-35(18)(d) Standalone Distribution and Warehousing are excluded from this provision.

## (7) 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.
- 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 where appropriate.
- e) Parking shall be provided as provided below:
  - i. Parking for Dispensaries shall be provided for as retail businesses.

# ORDINANCE

- ii. Parking for Cultivation Centers shall be provided for as industrial or manufacturing establishment, laboratory use, or storage warehouse.
- (8) 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.

- (9) Local Host Agreement or Redevelopment Agreement shall be a Condition of Approval if an executed agreement does not exist at the time of application.

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

- 1) 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. If and when the city updates its Land Development Ordinance, an overlay map will be created and any areas in conflict with any residential rezoning, the areas will be removed from the permitted cannabis areas. The following zones are amended 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

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

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

- 2) In addition to any conditions that are imposed by the zoning identified above, Section 3, Item 1 above, those

# ORDINANCE

conditions detailed in Section 2, Items 2 through 9 of this ordinance apply.

3) Properties in industrial use that were granted a variance to be an industrial use prior to 2012 may be afforded the cultivation and manufacturing conditional use rights as outlined in in this ordinance so long as they can comply with the bulk standards of the Industrial A zone as well as the conditions set forth therein. Standalone Distribution and Warehousing are excluded from this provision.

**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.
- (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.).

# ORDINANCE

## **§ 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.
- (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.

# ORDINANCE

## § 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.

## § 487-27 487-26. 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."

# ORDINANCE

**Section 5** 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.

**Section 6** 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 7** Effective Date. This ordinance shall take effect upon final adoption and publication in accordance with law.

INTRODUCTION:	MOTION:				SECOND:				ORD. AUTHORED BY:	COUNCIL V.P. FELCIANO								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									
FELCIANO									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 \_\_\_\_\_

APPROVED  
REJECTED

Reconsidered by Council - Override Vote

AYE  
NAY

President of Council

City Clerk

23-049

## ORDINANCE

1<sup>st</sup> Reading \_\_\_\_\_

No. \_\_\_\_\_

Public Hearing \_\_\_\_\_

Date to Mayor \_\_\_\_\_

2<sup>nd</sup> Reading & Passage \_\_\_\_\_

Date Returned \_\_\_\_\_

Withdrawn \_\_\_\_\_ Lost \_\_\_\_\_

Date Resubmitted to Council \_\_\_\_\_

Approved as to Form and Legality

Factual content certified by

CITY ATTORNEY

Title

Councilman/woman \_\_\_\_\_

presents the following Ordinance:

**AN ORDINANCE AMENDING AND SUPPLEMENTING SECTION 248-8d OF THE  
CITY OF TRENTON CITY CODE RELATIVE TO THE TIME OF PLACEMENT OF  
GARBAGE AND TRASH CONTAINERS FOR PICK-UP**

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

1. The portion of the Trenton City Code Section 248-8D stating "not earlier than 10:00 p.m. of the day preceding the day of collection" be and hereby is rescinded.
2. The above phrase be and hereby is revised and amended to state not earlier than 7:00 p.m. of the day preceding the day of collection except on October 30<sup>th</sup> and October 31<sup>st</sup> garbage shall be placed outside not earlier than 10:00 p.m.
3. All remaining provisions of said Code Section shall remain in full force and effect.

**IT IS FURTHER ORDAINED** that this Ordinance shall take effect pursuant to NJSA 40:69A-181 and other applicable law.

Ordinance authored by Vice President Feliciano

INTRODUCTION:	MOTION:				SECOND:				ORD. AUTHORIZED BY:	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
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President of Council

City Clerk

# ORDINANCE

No. 23-050

1<sup>st</sup> Reading \_\_\_\_\_

Date to Mayor \_\_\_\_\_

Public Hearing \_\_\_\_\_

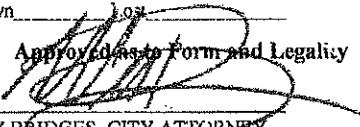
Date Returned \_\_\_\_\_

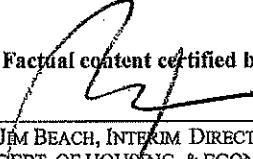
2<sup>nd</sup> Reading & Passage \_\_\_\_\_

Date Resubmitted to Council \_\_\_\_\_

Withdrawn \_\_\_\_\_

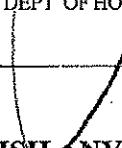
Approved as to Form and Legality

  
WESLEY BRIDGES, CITY ATTORNEY

  
Factual content certified by

JIM BEACH, INTERIM DIRECTOR  
DEPT OF HOUSING & ECONOMIC DEVELOPMENT

Councilman /woman \_\_\_\_\_

  
presents the following Ordinance:

## **ORDINANCE TO RELEASE, VACATE AND EXTINGUISH ANY AND ALL PUBLIC RIGHTS IN AND TO THE REMAINING PORTION OF BAKER ALLEY**

**WHEREAS**, the City of Trenton (the "City") is desirous of releasing, vacating, and extinguishing the public rights to the remaining portion of city-owned property, commonly known as Baker Alley; and

**WHEREAS**, the City, having previously vacated most of Baker Alley in 1959, (excepting a 12 foot portion), and after investigation by the City's Chief of Traffic and Maintenance, and due consideration, has determined that the present public use versus giving up our rights to public interest to be promoted is such as to warrant the releasing, vacating, and extinguishing of the remaining part of Baker Alley (See "Public Works - plans to vacate Baker Alley appended hereto as Attachment "A"); and

**WHEREAS**, it is in the best interest of the City to approve the release, vacating and extinguishing of the public rights and interest in the Baker Alley.

**NOW, THEREFORE, IT IS ORDAINED**, by the City Council of the City of Trenton as follows;

1. The above recitals are incorporated as if fully set forth herewith.
2. The City is authorized to release, vacate and extinguish the public right to all that certain tract of land situate in the City of Trenton, County of Mercer and State of New Jersey, designated as Block 23803, Lot 12, bounded and described as follows:

Beginning at a point on the Southwesterly sideline of Mulberry Street, said point being 113.94 feet Northwesterly from the corner formed by the intersection of the same with the Northwesterly sideline of New York Avenue; thence from said BEGINNING POINT.

- a. South 54 degrees 37 minutes 07 seconds West, a distance of 943.03 feet. To a point; thence
- b. North 38 degrees 12 minutes 00 second West, a distance of 12.26 feet to a point; thence
- c. North 54 degrees 40 minutes 00 seconds East, a distance of 93.30 to a point on Southwesterly sideline of Mulberry Street; thence

# ORDINANCE

d. South 41 degrees 37 minutes 08 seconds East, a distance of 12.24 feet along the same to the point and place BEGINNING, containing an area of 1,143.29 square feet or 0.026 acre.

3. Any existing rights of public utilities and CATV companies are expressly reserved and excepted from this Ordinance in accordance with N.J.S.A 40:67-1 *et seq.*

4. The City Clerk shall file a duly authenticated copy of this Ordinance, together with proof of publication in the Office of the County Clerk as required by applicable law.

5. This Ordinance shall become effective twenty (20) days after second reading, passage and publication pursuant to applicable law.

INTRODUCTION:	MOTION:			SECOND:			ORD. AUTHORIZED BY:												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	AYE	NAY	NV	AB	
EDWARDS																													
FELICIANO																													
FIGUEROA KETTENBURG																													
NV - NO VOTE				AB - ABSENT				GONZALEZ												FRISBY									

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
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# ORDINANCE

23-051

1<sup>st</sup> Reading \_\_\_\_\_

No. \_\_\_\_\_

Public Hearing \_\_\_\_\_

Date to Mayor \_\_\_\_\_

2<sup>nd</sup> Reading & Passage \_\_\_\_\_

Date Returned \_\_\_\_\_

Withdrawn \_\_\_\_\_

Date Resubmitted to Council \_\_\_\_\_

*Approved as to Form and Legality*

WESLEY BRIDGES, CITY ATTORNEY

*Factual content certified by*

Jim Beach, INTERIM DIRECTOR  
DEPT. OF HOUSING & ECONOMIC DEVELOPMENT

Councilman /woman \_\_\_\_\_

*presents the following Ordinance:*

**ORDINANCE AUTHORIZING THE SALE OF CITY-OWNED PROPERTY  
IDENTIFIED ON THE CITY TAX MAP AS 63-65 HILLS PLACE ALLEY, BLOCK  
10308, LOTS 28 & 29, PURSUANT TO N.J.S.A. 40A:12-13(b)(5), TO TENISHA RUFFIN  
FOR THE SUM OF \$2,080.00**

**WHEREAS**, there is within the City of Trenton certain real property located at 63-65 Hills Place Alley, designated as Block 10308, Lots 28 & 29 on the City of Trenton Tax Map (hereinafter, the "Parcel"); and

**WHEREAS**, the Parcels are vacant strips of land measuring 12.5 X 65 respectively (1624 sq ft combined) in the rear of the contiguous property owner that have been vacant for over 20 years (March 2003), and do not meet the minimum lot size requirements for development under the municipal zoning ordinance, and thereby, does not allow for any other viable use other than a side lot for the contiguous property; and

**WHEREAS**, the City of Trenton, pursuant to N.J.S.A. 40A:12-13(b)(5), has the statutory authority to sell undersized vacant, City-owned property to the contiguous owner who has made the highest bid for the property; and

**WHEREAS**, Tenisha Ruffin, the contiguous property owner (hereinafter, the "Purchaser"), submitted the highest bid to purchase the Parcels. Her stated purpose in acquiring the Parcels are to expand the existing footprint of her property and to fence off the Parcels (see Application to Purchase City-owned Property, appended hereto as Attachment "A"); and

**WHEREAS**, based upon negotiations between Purchaser and the City, the parties arrived at an agreed upon purchase price of \$2,080.00 (Two Thousand Eighty Dollars), which is the half the assessed value, and the City deems reasonable based upon the size, location, and condition of the Parcel; and

# ORDINANCE

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

1. Pursuant to N.J.S.A. 40A:13-12(b)(5), 63-65 Hills Place Alley, be and are hereby sold by private sale to the Purchaser, Tenisha Ruffin for the price of \$2,080.00.
2. The Mayor is hereby authorized, upon compliance by the Purchaser with the terms and conditions of the sale, to execute any documents necessary for the conveyance of the Parcels to the Purchaser for the amount of \$2,080.00 (Two Thousand Eighty Dollars).
3. The City Clerk is hereby directed to publish this Ordinance as required by applicable law.

	INTRODUCTION				ADOPTION					INTRODUCTION				ADOPTION					INTRODUCTION				ADOPTION				
	AY E	NA Y	N V	A B	AY E	NA Y	N V	A B		AY E	NA Y	N V	A B	AY E	NA Y	N V	A B		AY E	NA Y	N V	A B	AY E	NA Y	N V	A B	
EDWARDS									GONZALEZ									FRISBY									
PELICIANO									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

# ORDINANCE

23-052

1<sup>st</sup> Reading \_\_\_\_\_

No. \_\_\_\_\_

Public Hearing \_\_\_\_\_

Date to Mayor \_\_\_\_\_

2<sup>nd</sup> Reading & Passage \_\_\_\_\_

Date Returned \_\_\_\_\_

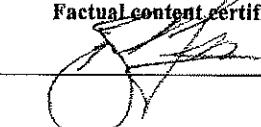
Withdrawn \_\_\_\_\_ Lost \_\_\_\_\_

Date Resubmitted to Council \_\_\_\_\_

Approved as to Form and Legality

Factual content certified by

  
CITY ATTORNEY

  
TITLE

Councilman /woman \_\_\_\_\_

presents the following Ordinance:

## AN ORDINANCE AMENDING AN SUPPLEMENTING CHAPTER 2, ARTICLE XI (BOARDS BODIES AND COMMISSIONS OF THE TRENTON CITY CODE) TO RENAME AND AMEND THE CULTURAL RESOURCES COUNCIL TO THE MULTICULTURAL HERITAGE BOARD

WHEREAS, The City of Trenton has living within its jurisdiction many diverse, unique cultural populations, *including among others*: African – American, Hispanic, Italian, Polish, African, Asian, Caribbean, and Native American populations; and

WHEREAS, the City Council of the City of Trenton deems it appropriate and in the best interests of Trenton’s residents to create an advisory body to City Council focusing primarily on the cultural populations located within the City of Trenton *including but not limited to*: African – American, Hispanic, Italian, Polish, African, Asian, Caribbean, and Native American populations; and

WHEREAS, the City of Trenton now seeks to rename the Cultural Resources Council, the Multicultural Heritage Board encompassing all cultural populations, *including but not limited to*: African – American, Hispanic, Italian, Polish, African, Asian, Caribbean, and Native American populations.

**NOW IT IS HEREBY ORDAINED** by the City Council of the City of Trenton that a Multicultural Heritage Board be and is hereby created; and **IT IS FURTHER ORDAINED AS FOLLOWS:**

- A. Duties of Multicultural Heritage Board. To ensure the goal of fostering civic pride and promoting the cultural and historical resources available in the City, the Multicultural Heritage Board shall:
  - (1) Serve as the primary advisory Board to the Mayor on all matters pertaining to cultural and historic resources and opportunities, including matters related to policy, and promotion.
  - (2) Assist the Mayor in developing a short- and long-term strategy to make the City a vibrant cultural center, building upon existing resources and institutions.
  - (3) Generate ideas and assist in identifying public and private resources to promote cultural and historic institutions and programs.
  - (4) Facilitate a regular system of communication among cultural and heritage institutions in the greater Trenton area through regular meetings and occasional conferences and workshops.
  - (5) Encourage the use of our cultural facilities to increase usage and maximize rental income whenever possible.
  - (6) Encourage and facilitate the work of the many private and public arts and heritage organizations around Trenton.
  - (7) Encourage agencies such as the Trenton Downtown Association, the Mercer County Chamber of Commerce, Latino Merchants Association, and similar organizations to promote cultural and heritage facilities and activities.
  - (8) Develop good strategic working relationships with organizations like the Mercer County Cultural and Heritage Commission, the New Jersey Council on the Arts and the New Jersey Historical Commission, and others.

# ORDINANCE

- B. Board membership, appointments, procedures.
  - (1) The Multicultural Heritage Board shall consist of 15 members, appointed by the Mayor, with the advice and consent of City Council.
  - (2) There shall also be 3 citizens at large with an interest in Trenton's development as a cultural center.
  - (3) Member of City Council. There shall be a member of City Council, appointed by a vote of Council to the board.
- C. Residency. At least half of the members of the Multicultural Heritage Board shall be residents of the City of Trenton.
- D. Officers. The Director of Recreation, Natural Resources and Culture, or his/her designee, shall serve as Chairperson of the Multicultural Heritage Board. The Director of Recreation, Natural Resources and Culture shall appoint his/her designee to serve as Vice Chair of the Board.
- E. Length of Term. All citizen appointments whether from organizations or at-large, shall be for one-year terms. A member of City Council shall be appointed by Council vote each year its designee to the Multicultural Heritage Board. Members of the Council who are either directors or their designees or from the Secretary of State's office shall have terms which coexist with their terms of office.
- F. Meetings. The Board shall meet monthly at a time and place established by the Chairperson in public meeting rooms in City Hall or other appropriate locations including: virtual meetings, as determined necessary by the Chairperson.
- G. Reports. The Board shall prepare an annual report for the Mayor and City Council on its activities, goals, accomplishments, and recommendations and shall submit the report for review on or before December 15th of each calendar year.
- H. By-Laws. The Board may promulgate by-laws governing the procedure of the Board which are not in conflict with statute or the Trenton City Code.
- I. Roberts Rules. Board meetings shall be conducted in accordance with Roberts Rules unless such rules are otherwise inconsistent with statute or the Trenton City Code.
- J. Compensation of the Board. Members of the Multicultural Heritage Board shall serve without compensation.

**IT IS FURTHER ORDAINED THAT THIS ORDINANCE SHALL TAKE EFFECT PURSUANT TO NJSA 40:69a-181 AND OTHER APPLICABLE LAW.**

Ordinance authored by: Councilwoman Feliciano.

INTRODUCTION	MOTION:				SECOND:				ORD. AUTHORED BY:	ADOPTION												ADOPTION	MOTION:				SECOND:						
	INTRODUCTION				ADOPTION					INTRODUCTION				ADOPTION				INTRODUCTION					ADOPTION				SECOND:						
	AYE	NAY	NV	AB	AYE	NAY	NV	AB		AYE	NAY	NV	AB		AYE	NAY	NV	AB		AYE	NAY	NV	AB		AYE	NAY	NV	AB		AYE	NAY	NV	AB
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FELICIANO									HARRISON																								
IGUEROA ETTENBURG									WILLIAMS																								
IV - 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

# ORDINANCE

No. 23-053

1<sup>st</sup> Reading \_\_\_\_\_

Date to Mayor \_\_\_\_\_

Public Hearing \_\_\_\_\_

Date Returned \_\_\_\_\_

2<sup>nd</sup> Reading & Passage \_\_\_\_\_

Date Resubmitted to Council \_\_\_\_\_

Withdrawn \_\_\_\_\_ Lost \_\_\_\_\_

Approved as to Form and Legality

  
CITY ATTORNEY

Factual content certified by

  
Title

Councilman/woman \_\_\_\_\_

presents the following Ordinance:

## AN ORDINANCE CONTINUING CERTAIN POSITIONS, FIXING SALARY RANGES THEREFORE AND SETTING FORTH CERTAIN REGULATIONS FOR THE IMPLEMENTATION OF THESE RANGES

WHEREAS, the City desires to adopt an ordinance fixing the updated salary for these positions; and

WHEREAS, said Ordinances, recognizing the position, titles and salary ranges as duly created and existing in the City of Trenton, the following be either deleted, amended, and/or supplemented as herewith set forth.

### SUPPLEMENT SCHEDULE A

<u>TITLE</u>	<u>UNION/RANGE</u>	<u>SALARY RANGE</u>
Sewage Plant Superintendent	Local 2281; Range 6	\$85,468 to \$117,689
Sewage Plant Superintendent	Local 2281; Range 2	\$95,403 to \$131,036
Sewer Superintendent	Local 2281; Range 6	\$85,468 to \$117,689
Sewer Superintendent	Local 2281; Range 2	\$95,403 to \$131,036

NOW, THEREFORE, BE IT ORDAINED, that this ordinance shall be effective upon final reading and passage and publication as provided by law.

INTRODUCTION:	MOTION:				SECOND:				ORD. AUTHORED BY:	ADOPTION								MOTION:				SECOND:					
										ADOPTION				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 \_\_\_\_\_

Approved by \_\_\_\_\_

APPROVED  
REJECTED

Reconsidered by Council – Override Vote

AYE  
NAY

President of Council

City Clerk

# ORDINANCE

23-054

1<sup>st</sup> Reading \_\_\_\_\_

No. \_\_\_\_\_

Public Hearing \_\_\_\_\_

Date to Mayor \_\_\_\_\_

2<sup>nd</sup> Reading & Passage \_\_\_\_\_

Date Returned \_\_\_\_\_

Withdrawn \_\_\_\_\_

Date Resubmitted to Council \_\_\_\_\_

*[Signature]* *Lost*  
Approved as to Form and Legality

WESLEY BRIDGES, CITY ATTORNEY

Factual content certified by

*[Signature]*  
JAMES BEACH, INTERIM DIRECTOR  
DEPT. OF HOUSING & ECONOMIC DEVELOPMENT

Councilman /woman \_\_\_\_\_

*[Signature]*  
presents the following Ordinance:

**ORDINANCE AUTHORIZING THE SALE OF CITY-OWNED PROPERTY  
IDENTIFIED ON THE CITY TAX MAP AS 528 LAMBERTON STREET, BLOCK  
10308, LOT 13, PURSUANT TO N.J.S.A. 40A:12-13(b)(5), TO NICOLE K. NOLAN FOR  
THE SUM OF \$2,850.00**

**WHEREAS**, there is within the City of Trenton certain real property located at 528 Lamberton Street, designated as Block 10308, Lot 13 on the City of Trenton Tax Map (hereinafter, the "Parcel"); and

**WHEREAS**, the Parcel is a vacant strip of land measuring 28 X 78 (2184 sq ft) on the side of the contiguous property owner that has been vacant for over 20 years (March 2003), does not meet the minimum lot size requirements for development under the municipal zoning ordinance, and thereby, does not allow for any other viable use other than a side lot for the contiguous property; and

**WHEREAS**, the City of Trenton, pursuant to N.J.S.A. 40A:12-13(b)(5), has the statutory authority to sell undersized vacant, City-owned property to the contiguous owner who has made the highest bid for the property; and

**WHEREAS**, Nicole K. Nolan, the contiguous property owner (hereinafter, the "Purchaser"), submitted the highest bid to purchase the Parcel. Her stated purpose in acquiring the Parcel is to expand the existing footprint of her property and to fence off the Parcel (see Application to Purchase City-owned Property, appended hereto as Attachment "A"); and

**WHEREAS**, based upon negotiations between Purchaser and the City, the parties arrived at an agreed upon purchase price of \$2,850.00 (Two Thousand Eight Hundred Fifty Dollars), which is the half the assessed value, and the City deems reasonable based upon the size, location, and condition of the Parcel; and

# ORDINANCE

**NOW, THEREFORE, IT IS ORDAINED** by the City Council of the City of Trenton, State of New Jersey as follows:

1. Pursuant to N.J.S.A 40A:13-12(b)(5), the Parcel, 528 Lambert Street, be and are hereby sold by private sale to the Purchaser, Nicole K. Nolan for the price of \$2,850.00.
2. The Mayor is hereby authorized, upon compliance by the Purchaser with the terms and conditions of the sale, to execute any documents necessary for the conveyance of the Parcel to the Purchaser for the amount of \$2,850.00 (Two Thousand Eight Hundred Fifty Dollars).
3. The City Clerk is hereby directed to publish this Ordinance as required by applicable law.

INTRODUCTION	MOTION:				SECOND:				ORD. AUTHORIZED BY:				ADOPTION				MOTION:				SECOND:										
	INTRODUCTION				ADOPTION								INTRODUCTION				ADOPTION								INTRODUCTION						
	AYE	NAY	NV	AB	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																						
FELCIANO									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 AYE  
NAY  
\_\_\_\_\_  
APPROVED  
REJECTED

Reconsidered by Council – Override Vote

# ORDINANCE

23 - 055

1<sup>st</sup> Reading \_\_\_\_\_

No. \_\_\_\_\_

Public Hearing \_\_\_\_\_

Date to Mayor \_\_\_\_\_

2<sup>nd</sup> Reading & Passage \_\_\_\_\_

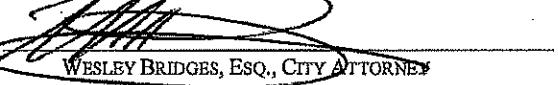
Date Returned \_\_\_\_\_

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Date Resubmitted to Council \_\_\_\_\_

Approved as to Form and Legality

Factual content certified by



WESLEY BRIDGES, ESQ., CITY ATTORNEY

JAMES BEACH, INTERIM DIRECTOR OF HOUSING & ECONOMIC DEVELOPMENT

Councilman /woman \_\_\_\_\_

presents the following Ordinance:

## AN ORDINANCE AMENDING CHAPTER 42 OF THE CODE OF THE CITY OF TRENTON TO ADJUST CONSTRUCTION AND INSPECTION FEES

WHEREAS, the City of Trenton desires to adjust certain construction and inspection fees to ensure that the City Inspection Division can continue to operate efficiently; and

WHEREAS, such fees have not been increased since 2013; and

WHEREAS, the inflation rate since 2014 is 29%; and

WHEREAS, the City of Trenton shall adjust all permit and inspection fees in Chapter 42 of the Code of the City of Trenton accordingly.

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 (deletions are struck-through and additions are underlined):

### **Section 1. Amending Chapter 42-12 (Permit Fees)**

#### **§ 42-12. Permit fees.**

##### **A. Construction fees.**

(1) Fees for new construction and additions shall be based upon the volume of the structure. Volume shall be computed in accordance with N.J.A.C. 5:23-2.28.

(a) For new construction for Use Groups B, E, H-1, H-2, H-3, H-4, I-1, I-2, I-3, M, R-1, R-2, R-3, R-4, R-5, T and U, the fee shall be \$0.054 \$0.07 per cubic foot of volume; and

(b) For new construction for Use Groups A-1, A-2, A-3, A-4, F-1, F-2, S-1 and S-2, the fee shall be \$0.030 \$0.04 per cubic foot of volume.

(2) Other work.

(a) For all other work, fees shall be as based on estimated cost as follows:

\$50,000 or less	\$40 <u>\$54</u> per \$1,000
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\$50,001 to \$100,000	\$37 <u>\$48</u> per \$1,000
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\$100,001 and above	\$30 <u>\$39</u> per \$1,000
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# ORDINANCE

- (b) For the purposes of determining estimated cost of the work, the applicant shall submit such cost data as may be available as produced by the architect or engineer of record, by a recognized estimating firm or by the contractor. The Construction Official shall make the final decision regarding estimated cost.
  - (a) The minimum fee for a permit for alteration, renovation and minor work shall be \$35 \$45.
- (3) For additions, the fee shall be computed on the same basis as for new construction for the added portion.
- (4) For a combination of renovations and additions, the fee shall be computed as the sum of the fees compounded separately.
- (5) For modular homes, the fee shall be a flat rate of \$503 \$648 plus \$0.05 \$0.07 per cubic foot for foundations and attached garages.

## B. Plumbing fixtures and equipment.

- (1) For all fixtures and appliances, except as listed below, the fee shall be \$53 \$68 for the first three fixtures. Thereafter, each additional fixture shall be \$25 #32 for residential uses and #35 \$45 for commercial uses, except for water heaters, which shall be \$80 \$103 for residential uses and \$100 \$129 for commercial uses (\$25 \$32 for new homes).
- (2) For active solar systems, backflow preventers, gas piping, grease traps, hot water boilers (excluding those for domestic water heating), interceptors and fuel oil piping, oil separators, refrigeration units, sewer pumps, steam boilers, utility services connections, LP gas tanks and water-cooled air-conditioning units, the fee shall be \$114 \$147 per special device. There shall be no inspection fee for gas service entrances.

## C. Electric fixtures and devices.

- (1) For one to 20 receptacles or fixtures, the fee shall be \$63 \$75, and \$10 \$13 for each additional 20 receptacles or fixtures. For the purpose of computing this fee, receptacles or fixtures and motors or devices of one horsepower or one kilowatt or less.
- (2) For each motor or electrical device:
  - (a) Greater than one horsepower and less than or equal to 10 horsepower, and for transformers and generators greater than one kilowatt and less than or equal to 10 kilowatts: \$25 \$32.
  - (b) Greater than 10 horsepower and less than or equal to 50 horsepower, for each service entrance or subpanel less than or equal to 200 amperes, and for all transformers and generators greater than 10 kilowatts and less than or equal to 45 kilowatts: \$90 \$116.
  - (c) Greater than 50 horsepower and less than or equal to 100 horsepower, for each service panel, service entrance or subpanel greater than 200 amperes and less than or equal to 1,000 amperes, and for each transformer or generator greater than 45 kilowatts and less than or equal to 112.5 kilowatts: \$175 \$226.
  - (d) Greater than 100 horsepower, for each service panel, service entrance or subpanel greater than 1,000 amperes, and for each transformer or generator greater than 112.5 kilowatts: \$820 \$1,058.
- (3) For the purposes of computing these fees, all motors, except those in plug-in appliances, shall be counted, including control equipment, generators, transformers and all heating, cooking or other devices consuming or generating electrical current.

# ORDINANCE

D. Fire protection and hazardous equipment. The minimum fee for items in this section shall be \$100.

(1) Detectors,

(a) For detectors (smoke, heat and sprinkler heads), the fees shall be as follows:

Heads or Detectors	Fee
20 or fewer	\$120 <u>\$175</u>
21 to 100	\$250 <u>\$322</u>
101 to 200	\$450 <u>\$606</u>

Heads or Detectors	Fee
201 to 400	\$1,100 <u>\$1,419</u>
401 to 999	\$1,550 <u>\$2,000</u>
1,000 to 1,999	\$2,625 <u>\$3,386</u>
2,000 to 2,999	\$4,375 <u>\$5,645</u>
3,000 or greater	\$5,250 <u>\$6,773</u>

(b) In computing these fees, the number of each shall be counted separately, and two separate fees shall be charged.

(2) For each standpipe: \$401 \$517.

(3) For each independent pre-engineered system: \$161 \$208.

(4) For each gas or oil fired appliance that is not connected to the plumbing system: \$81 \$104.

(5) For each kitchen exhaust system: \$81 \$105.

(6) For incinerator: \$365 \$471.

(7) For each crematorium: \$365 \$471.

(8) For fire pump installation, the fees shall be set forth in Subsection A(2)(a) of this § 42-12.

(9) Spray booths: \$350

(10) Underground water service: \$400

(11) Underground water storage: \$200

(12) Jockey pump: \$250

(13) Fire Extinguishers

- (a) 1-20 extinguishers: \$75
- (b) 21-50 extinguishers: \$100
- (c) 51-100 extinguishers: \$175

(14) Fire Alarm Control Panel (FACP): \$200

(15) Air sampling smoke detector: \$450

(16) Smoke control system: \$450

(17) Solar Systems

- (a) R3/R5 solar system: \$125
- (b) All other solar systems: \$250

E. Other permits.

(1) For a demolition permit for Use Group R-3:

- (a) For a structure of less than 5,000 square feet and less than 30 feet in height for one- or two-family residences: \$132 \$170, plus \$250 for each sidewall repair.
- (b) For all other use groups: \$242 \$312.

# ORDINANCE

- (2) For permit for the removal of a building or structure from one lot to another or to a new location on the same lot, the fee shall be \$24 \$31 per \$1,000 of the estimated cost of the work. For new foundation placement in a completed condition in the new location, the fee shall be based on the cubic content.
- (3) For a permit to construct a sign, the fee shall be \$2.42 \$3.12 per square foot of surface area of the sign, computed on one side only for double-faced signs.
- (4) The minimum fee shall be: \$84 \$105.

## F. Certificates and other fees.

- (1) For certificate of occupancy.
  - (a) For all use groups, except those listed below, the fee shall be 10% of the new construction permit fee that would be charged pursuant to these regulations. The minimum fee shall be \$120 \$155. For Use Group R-2 there will be an additional charge of \$25 \$32 per unit.
  - (b) For Use Group R-3 of less than 5,000 square feet in area and less than 30 feet in height, the fee shall be 10% of the new construction permit fee that would be charged pursuant to these regulations. The minimum fee shall be \$65 \$84.
- (2) For a certificate of occupancy granted pursuant to a change of use group, the fee shall be \$174 \$225. For Use Group R-2, there will be an additional charge \$25 \$32 per unit.
- (3) The fee for the renewal of a temporary certificate of occupancy shall be \$30 \$39 each time that it is renewed. There shall be no fee for the initial issuance of a temporary certificate of occupancy.
- (4) For a plan review of a building for compliance under the alternate systems and nondepletable energy source provisions of the energy subcode, for one- and two-family homes (Uses Group R-3), and for light commercial structures which have the indoor temperature controlled from a single point, the fee shall be \$274 \$353. For all other structures, the fee shall be \$1,369 \$1,766.
- (5) For application for a variation in accordance with N.J.A.C. 5:23-2.10, the fee shall be:
  - (a) Class I structures: \$549 \$708.
  - (b) Class II and III structures: \$120 \$155.
- (6) For resubmission of an application for a variation:
  - (a) Class I structures: \$229 \$295.
  - (b) Class II and III structures: \$65 \$84.
- (7) For cross connections and backflow preventers subject to testing and which require reinspection every 12 months, the fee shall be:
  - (a) For each device when tested annually: \$46 \$59.
  - (b) For each device when broken down tested annually: \$20 \$26.
- (8) For asbestos hazard abatement projects and the certificate of occupancy, the fee shall be a flat fee schedule:
  - (a) An administrative fee for each construction permit issued for an asbestos hazard abatement project: \$100 \$129.
  - (b) An administrative fee for each certificate of occupancy issued following the successful completion of an asbestos hazard abatement project: \$20 \$26.

# ORDINANCE

## G. Elevators.

(1) For witnessing acceptance tests and performing inspections, the fees shall be:  
(a) For elevator devices in structures not in Use Groups R-3 or R-4 or in an exempted Use Group R-2 structure, the fee shall be as follows:

Structure	Fee
Traction and winding drum elevator	
One to 10 floors	\$243.00 <u>\$313</u>
Over 10 floors	\$405.00 <u>\$522</u>
Hydraulic elevators	\$216.00 <u>\$279</u>
Roped hydraulic elevators	\$243.00 <u>\$313</u>
Escalators, moving walks	\$216.00 <u>\$279</u>
Dumbwaiters	\$54.00 <u>\$70</u>
Stairway chairlifts, inclined and vertical wheelchair lifts	\$54.00 <u>\$70</u>

(b) For devices equipped with the following features, the additional fees shall be as follows:

Feature	Fee
Oil buffers, charge per oil buffer	\$43.00 <u>\$55</u>
Counterweight governor and safeties	\$108.00 <u>\$139</u>
Auxiliary power generator	\$81.00 <u>\$104</u>

(c) For elevator devices in structures in Use Group R-3 or Use Group R-4: \$162 \$209.  
(d) For witnessing acceptance tests of, and performing inspection of, alterations: \$54 \$70.  
(2) For routine and periodic tests and inspections for elevator devices in structures not in Use Groups R-3 or R-4 or otherwise exempt devices in Use Groups R-2 structures, the fees shall be as follows:

(a) For the six-month routine inspection of elevator devices the fee shall be:

Device	Fee
Traction and winding drum elevator	
One to 10 floors	\$151.00 <u>\$195</u>
Over 10 floors	\$194.00 <u>\$250</u>
Hydraulic elevators	\$106.00 <u>\$137</u>
Roped hydraulic elevators	\$151.00 <u>\$195</u>
Escalators, moving walks	\$151.00 <u>\$195</u>

# ORDINANCE

(b) For the one-year periodic inspection and witnessing of tests of elevator devices, which shall include a six-month routine inspection, the fee shall be:

Device	Fee
Traction and winding drum elevator	
One to 10 floors	\$216.00 <u>\$279</u>
Over 10 floors	\$259.00 <u>\$384</u>
Hydraulic elevators	\$162.00 <u>\$209</u>
Dumbwaiters	\$86.00 <u>\$111</u>
Manlifts, stairway chairlifts, inclined and vertical wheelchair lifts	\$130.00 <u>\$168</u>

(c) For the yearly periodic inspection of elevator devices equipped with the following features, the additional fees shall be:

Device	Fee
Oil buffers, charge per oil buffer	\$43.00 <u>\$55</u>
Counterweight governor and safeties	\$86.00 <u>\$111</u>
Auxiliary power generator	\$54.00 <u>\$70</u>

(d) For the three-year or five-year inspection of elevator devices the fee shall be as follows:

[1] Traction and winding drum elevators, five-year inspection:

[a] One to 10 floors: \$367 \$473.

[b] Over 10 floors: \$410 \$529.

[2] Hydraulic and roped hydraulic elevators:

[a] Three-year inspection: \$270 \$345.

[b] Five-year inspection: \$162 \$209.

(3) The fee for inspection of elevators used for construction shall be as follows:

(a) Witnessing acceptance and test:

[1] Traction elevator:

[a] One to 10 floors: \$367 \$473.

[b] Over 10 floors: \$410 \$529.

[2] Hydraulic elevators: \$216 \$279.

(b) Additional charges for devices equipped with the following features shall be as follows:

[1] Oil buffers, charge per oil buffer: \$43 \$55.

# ORDINANCE

(c) The fee for the ninety-day inspection shall be as follows:

[1] Traction elevators:

[a] One to 10 floors: \$151 \$239.

[b] Over 10 floors: \$194 \$250.

[2] Hydraulic elevators: \$108 \$139.

(d) The fee for one-year periodic inspection and witnessing of test shall be as follows:

[1] Traction elevators:

[a] One to 10 floors: \$216 \$279.

[b] Over 10 floors: \$259 \$334.

[2] Hydraulic elevators: \$162 \$209.

(e) The fee for the inspection and witnessing of the five-year test shall be as follows:

[1] Traction elevators:

[a] One to 10 floors: \$367 \$473.

[b] Over 10 floors: \$410 \$528.

[2] Hydraulic elevators: \$162 \$209.

(f) Additional charges for elevators equipped with the following features shall be as follows:

[1] Oil buffers, charge per oil buffer: #43 \$55.

## H. Solar Panels.

(1) For solar panels from 1 kw to 10 kw: \$125

(2) For each additional 5 kw: \$125

(3) For each solar panel disconnect:

(4) For each inverter: \$125

(5) For each inverter over 50 kw: \$125

(6) For each microinverter: \$10

## I. Miscellaneous permit fees:

(1) Registration of contractors. The annual fee for registration of contractors shall be \$200 \$250.

(2) Fence construction. The fee for a permit to construct a fence shall be \$35 \$45 per \$1,000 of estimated cost of the work. A plot plan, survey and/or other documentation detailing the location of the fence shall accompany all applications.

# ORDINANCE

- (3) Change of contractor. For each change of contractor, the fee shall be \$75.
- (4) Annual pool inspection. The annual pool inspection fee shall be \$150.
- (5) Oil tank removal. The above-ground oil tank removal fee shall be \$129. The below ground oil tank removal fee shall be \$181.

J. Surcharge to state, In order to provide for the training, certification and technical support programs required by the Uniform Construction Code Act and the applicable regulations, the City shall collect in addition to the fees specified above, a surcharge fee of \$0.00334 per cubic foot of volume of new construction and \$0.00170 times the estimated cost of construction for alterations. Such surcharge fee shall be remitted to the Bureau of Construction Code Enforcement, New Jersey Department of Community Affairs, on a quarterly basis for the fiscal quarter ending September 30, December 31, March 31 and June 30, and no later than one month next succeeding the end of the quarter for which it is due.

**Section 2** 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.

**Section 3** 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 4** Effective Date. This ordinance shall take effect upon final adoption and publication in accordance with law.

INTRODUCTION:	MOTION:				SECOND:				ORD, AUTHORED BY:	COUNCIL: V.P. FELCIANO								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	AYE	NAY	NV	AB
EDWARDS									GONZALEZ									FRISBY												
FELCIANO									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
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AYE  
NAY

# ORDINANCE

23-056

1<sup>st</sup> Reading \_\_\_\_\_

No. \_\_\_\_\_

Public Hearing \_\_\_\_\_

Date to Mayor \_\_\_\_\_

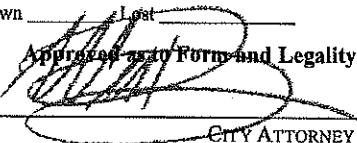
2<sup>nd</sup> Reading & Passage \_\_\_\_\_

Date Returned \_\_\_\_\_

Withdrawn \_\_\_\_\_

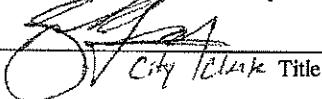
Date Resubmitted to Council \_\_\_\_\_

Approved as to Form and Legality



CITY ATTORNEY

Factual content certified by



City Clerk Title \_\_\_\_\_

Councilman/woman \_\_\_\_\_

presents the following Ordinance:

## AN ORDINANCE ESTABLISHING AND AMENDING THE SALARIES AND COMPENSATION OF THE TRENTON CITY COUNCIL

WHEREAS, pursuant to NJSA 40:69A-180 and NJSA 40A:9-165, the salaries and compensation of the members of the Trenton City Council are required to be established by Ordinance; and

WHEREAS, pursuant to NJSA 40:69A-36j, the City of Trenton establishes the salaries of its employees, including its Legislative Aides; and

WHEREAS, since City Council salaries have not increased since 2003, and the City now desires to amend the salary ranges for the members of City Council.

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

1. The annual salary of each member of the Trenton City Council is hereby fixed and established at \$30,000 per year effective July 1, 2023;
2. The annual salary of the Council President is hereby fixed and established at \$32,000 per year effective July 1, 2023;
3. Council Members or employees no longer holding such positions upon adoption of this Ordinance shall not be eligible to receive any retroactive salary payments;
4. All Ordinances or parts thereof which are inconsistent with the provisions of this Ordinance are hereby repealed. If any section, paragraph, subdivision or portion of this Ordinance is adjudged invalid, the remainder of this Ordinance shall remain operative and in full force and effect;
5. This Ordinance shall take effect, pursuant to NJSA 40:69A-181(b) and NJSA 40A:9-165, 20 days after the publication thereof, following final passage.

INTRODUCTION:	MOTION:				SECOND:				ORD. AUTHORED BY:	ADOPTION								ADOPTION	MOTION:				SECOND:					
										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																			
PIGUEIROA KETTENHURO									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
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