


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

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

A G E N D A

- I. CALL TO ORDER**
- II. FLAG SALUTE**
- III. STATEMENT:** Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act, pursuant to Public Laws 1975, Chapter 231. This Agenda is complete to the extent known and was sent to the Trenton Times and the Trentonian Newspapers, posted on the first-floor bulletin board in City Hall, filed in the City Clerk's Office and posted on the City of Trenton Website. Formal action will be taken.
- IV. ROLL CALL**
- V. INVOCATION**
- VI. PRESENTATIONS/RECOGNITIONS**
 - Latino Merchants Association
- VII. PUBLIC COMMENT – AGENDA ITEMS ONLY**
- VIII. OLD BUSINESS [Ordinances 2nd Reading and Public Hearing]**
- IX. NEW BUSINESS:**
 - a. RESOLUTIONS
 - b. ORDINANCES [1st Reading and Introduction]
 - c. OTHER
- X. PUBLIC COMMENTS**
- XI. CIVIC COMMENTS**
- XII. ADJOURNMENT**

DOCKET
CONFERENCE MEETING TUESDAY, OCTOBER 3, 2023

1. MINUTES FOR APPROVAL

June 22, 2023 Regular Meeting

2. COMMUNICATIONS AND PETITIONS

- 2a State of New Jersey, Department of Transportation – Orders – In the matter of the review of the traffic control devices, surface features & railroad warning devices of the Highway-Rail at Grade Crossing of 1) E. State St., 2) Perry St., 3) Mulberry St. & 4) Enterprise Ave. all with Consolidated Rail Corporation's Bordentown secondary, located in the City of Trenton, County of Mercer
- 2b Civil Action Divorce Action – Filed by Borger Matez, P.A. in the matter of Craig Purvis v. Gabrielle DeSorte.
- 2c Civil Action Request to Enter Default and Certification – Filed by Pluese, Becker & Saltzman, LLC in the matter of New Jersey Housing and Mortgage Finance Agency v. Kozell E. Hodges, et al.
- 2d Civil Action Summons - Filed by Pluese, Becker & Saltzman, LLC in the matter of New Jersey Housing and Mortgage Finance Agency v. Sezzeal Ingram, et al.
- 2e Civil Action Summons – Filed by Mazie Slater Katz & Freeman, LLC in the matter of Kirk Johnson v. VLB GSGQ 1 LLC: Vessel Technologies, Inc.; Ireland Construction Co.; City of Trenton; New Jersey Department of Transportation; John & Jane Does 1-10; and ABC Entities 1-10
- 2f Civil Action Notice of Motion to Determine that Property is Abandoned – Filed by Gary C. Zeitz, L.L.C. in the matter of PRO CAP 8 FBO Firsttrust Bank vs. 509 Second St., City of Trenton, State of New Jersey
- 2g Tort Claim – Filed by KMHL & D Attorneys at Law on behalf of Sherry Williams for personal injury against the City of Trenton.
- 2h Tort Claim – Filed by Kathy J. Jones against the City of Trenton for personal injury.
- 2i Foreclosure Complaint – Right of Redemption filed by Pellegrino & Feldstein, L.L.C. in the matter of Broadway NY 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, City of Trenton, et als.
- 2j Foreclosure Complaint – Filed by Brock & Scott, PLLC for the property located at 439 Lamberton Street
- 2k Foreclosure Notice – Filed by McCalla Raymer Leibert Pierce, LLC in the matter of Specialized Loan Servicing LLC v. Robert Stoeckel, et al. for the property located at 105 Carmen Avenue
- 2l Foreclosure Complaint – Filed by Fein Such Kahn & Shepard P.C. for the property located at 720 Quinton Avenue.
- 2m Tort Claim – Filed by Marvin Joel Romero against the City of Trenton for property damages vehicle.
- 2n Tort Claim Notice – Filed by Brandon J. Broderick on behalf of Qua'asia Hallet, a minor, by her guardian Shanice Hallet.
- 2o Tort Claim – Filed by Joel R. Rosenberg, Esq., Stark & Stark on behalf of Eric L. Trammell against the City of Trenton for personal injury.
- 2p Tort Claim – Filed by Monica Ann Linton against the City of Trenton for property damages 52 Carroll Street.
- 2q Civil Action Summons – Filed by Pellegrino & Feldstein, LLC – Avalon Management Group, Inc. vs. Passaic Street Housing, LLC, City of Trenton, et als – Docket No. F-011027-23
- 2r Civil Action Summons – Filed by Pellegrino & Feldstein, LLC – Avalon Management Group, Inc. vs. Passaic Street Housing, LLC, City of Trenton, et als – Docket No. F-011095-23

- 2s Civil Action Summons – Filed by Pellegrino & Feldstein, LLC – Avalon Management Group, Inc. vs. Passaic Street Housing, LLC, City of Trenton, et als – Docket No. F-011094-23.
- 2t Civil Action – Filed by Gary C. Zeitz, L.L.C. – KHHLK Fund, LLC vs. Warren Street Urban Renewal Partners III, LP, et al – Notice of motion for entry of order fixing the amount, time, and place for redemption.
- 2u Civil Action – Filed by Gary C. Zeitz, L.L.C. – Xueliang Zhu vs. Shawniece Ponton, et al – Notice of motion for entry of order fixing the amount, time, and place for redemption.
- 2v Bankruptcy – United States Bankruptcy Court District of New Jersey, Order of Discharge – Michael B. Kaplan, United States Bankruptcy Judge for Dorothy A. Reed
- 2w Bankruptcy - United States Bankruptcy Court Southern District of New York Purdue Pharma L.P., et al Debtors, Purdue Pharma L.P., et al., Plaintiffs vs. Commonwealth of Massachusetts, et al – Notice of Adjournment of Hearing regarding motion for extension of time to file appeal.
- 2x Bankruptcy - United States Bankruptcy Court District of New Jersey – Judith F. Thompson and Bradford Thompson – Notice of filing of modification of plan after confirmation and notice of hearing thereon.
- 2y Foreclosure Notice – Filed by Parker McCay regarding the property located at 38 Tyrell Avenue
- 2z Sheriff's Sale – Notic filed by Powers Kim, LLC for the property located at 31 Middle Rose Street 29 A.
- 2aa Foreclosure Notice – Brock & Scott, PLLC re: 927 Lyndale Avenue
- 2ab Civil Action Summons – Jeffry W. Cappola, Esq. re: Cherokee Realty III, LLC vs Jas Group Enterprises, Inc., Development Management Services, Inc., 1437 E. State St., LLC City of Trenton, et als.
- 2ac Foreclosure Action – Filed by Hladik, Onorato & Federman, LLP re: 92 Evans Avenue
- 2ad Civil Action Summons – Bidlingmaier & Bidlingmaier, P.C. re: Darrell Griffin vs Gabriela A. Rodriguez, City of Trenton and John Does 1-10

3. REPORTS

- 3A CITY CLERK'S OFFICE – SUBMITTING FOR APPROVAL THE MONTHLY REVENUE REPORT FOR THE MONTH OF SEPTEMBER 2023 – TOTAL \$

4. ORDINANCES - 2ND READING AND PUBLIC HEARING

- 23-057 AN ORDINANCE AMENDING AND SUPPLEMENTING TRENTON MUNICIPAL SECTION §A316 (RULES OF COUNCIL)
- 23-058 AN ORDINANCE AMENDING SECTION 10-5(H)(2) OF THE MUNICIPAL CODE (ALCOHOLIC BEVERAGES) OF THE CITY OF TRENTON TO EXEMPT THE ENTERTAINMENT DISTRICTS WITHIN THE CITY OF TRENTON FROM CERTAIN RESTRICTIONS OF ALCOHOL SALES, AND CREATE RESTAURANT ROWS

5. RESOLUTIONS

CITY CLERK'S OFFICE

- 23-424 AUTHORIZING THE CITY COUNCIL OF THE CITY OF TRENTON TO HOLD AN EXECUTIVE SESSION WHICH EXCLUDES THE PUBLIC (FRANK FANNING V CITY OF TRENTON)

DEPARTMENT OF ADMINISTRATION, ADAM E. CRUZ, BUSINESS ADMINISTRATOR

- 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
- 23-425 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 \$98,245.50
- 23-426 RESOLUTION AUTHORIZING A SIXTY-DAY (60) CONTRACT EXTENSION TO MERCER COUNCIL ON ALCOHOLISM AND DRUG ADDICTION FOR THE EMPLOYEE ASSISTANCE PROGRAM FOR THE CITY OF TRENTON EMPLOYEES, FOR THE DEPARTMENT OF ADMINISTRATION FROM DATE OF AWARD IN AN AMOUNT NOT TO EXCEED \$8,333.34 – CC2019-09
- 23-427 RESOLUTION AUTHORIZING AN AMENDMENT TO RESOLUTION #23-338 AWARDED TO MARK GIALLELLA FOR TELEPHONE CABLING, COMPUTER CABLING, INSTALLATION, AND REPAIRS OF CENTREX FOR A PERIOD OF TWO (2) YEARS WITH AN OPTION TO EXTEND ONE (1) ADDITIONAL YEAR FROM DATE OF AWARD IN AN AMOUNT NOT TO EXCEED \$340,000.00 – BID 2023-44
- 23-428 RESOLUTION AUTHORIZING THE APPROPRIATION OF \$1,000,000.00 FROM THE FUNDS ALLOCATED TO THE CITY OF TRENTON UNDER THE AMERICAN RESCUE PLAN ACT OF 2021 TO THE NOVELLA CENTER FOR ENTREPRENEURSHIP
- 23-441 RESOLUTION AUTHORIZING THE APPROPRIATION OF \$1,000,000.00 FROM THE FUNDS ALLOCATED TO THE CITY OF TRENTON UNDER THE AMERICAN RESCUE PLAN ACT OF 2021 TO TRENTON THUNDER BALLPARK
- 23-442 RESOLUTION CONSENTING TO THE APPOINTMENT OF SEAN SEMPLE AS DIRECTOR OF THE DEPARTMENT OF WATER & SEWER FOR THE CITY OF TRENTON

DEPARTMENT OF FINANCE, RON ZILINSKI, ACTING DIRECTOR

- 23-429 RESOLUTION OF THE CITY OF TRENTON, IN THE COUNTY OF MERCER, STATE OF NEW JERSEY AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE LOCAL FINANCE BOARD REQUESTING APPROVAL TO ADOPT A BOND ORDINANCE APPROPRIATING \$33,895,350 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$32,280,650 BONDS OR NOTES FOR THE CITY RELATING TO VARIOUS 2023 CAPITAL ACQUISITIONS AND IMPROVEMENTS UNDER THE PROVISIONS OF THE MUNICIPAL QUALIFIED BOND ACT, N.J.S.A. 40A:3-1 ET SEQ. AND PURSUANT TO THE PROVISIONS OF N.J.S.A. 40A2-7(D)

- 23-430 RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF LOAN AGREEMENTS FOR THE NOT TO EXCEED \$25,000,000 WATER UTILITY BONDS, SERIES 2023 TO BE EXECUTED BY THE CITY OF TRENTON, IN THE COUNTY OF MERCER, STATE OF NEW JERSEY AND EACH OF THE NEW JERSEY INFRASTRUCTURE BANK AND THE STATE OF NEW JERSEY, ACTING BY AND THROUGH THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION, AND FURTHER AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW AGREEMENT, ALL PURSUANT TO THE STATE FISCAL YEAR 2024 NEW JERSEY WATER BANK ENVIRONMENTAL INFRASTRUCTURE FINANCING PROGRAM
- 23-431 RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF NOT EXCEEDING \$25,000,000 WATER UTILITY BONDS, SERIES 2023 OF THE CITY OF TRENTON, IN THE COUNTY OF MERCER, STATE OF NEW JERSEY, AND PROVIDING FOR THEIR SALE TO THE NEW JERSEY INFRASTRUCTURE BANK AND THE STATE OF NEW JERSEY PURSUANT TO THE STATE FISCAL YEAR 2024 NEW JERSEY WATER BANK ENVIRONMENTAL INFRASTRUCTURE FINANCING PROGRAM
- 23-432 RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF NOT EXCEEDING \$15,000,000 WATER UTILITY BONDS, SERIES 2023 OF THE CITY OF TRENTON, IN THE COUNTY OF MERCER, STATE OF NEW JERSEY, AND PROVIDING FOR THEIR SALE TO THE NEW JERSEY INFRASTRUCTURE BANK AND THE STATE OF NEW JERSEY PURSUANT TO THE STATE FISCAL YEAR 2024 NEW JERSEY WATER BANK ENVIRONMENTAL INFRASTRUCTURE FINANCING PROGRAM
- 23-433 RESOLUTION AUTHORIZING ASSIGNMENT OF 161 TAX SALE CERTIFICATES FOR LESS THAN THE REDEMPTIVE VALUE OF \$8,061,273.85 PURSUANT N.J.S.A. 54:5-114
- 23-443 RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF LOAN AGREEMENTS FOR THE NOT TO EXCEED \$15,000,000 WATER UTILITY BONDS, SERIES 2023 TO BE EXECUTED BY THE CITY OF TRENTON, IN THE COUNTY OF MERCER, STATE OF NEW JERSEY AND EACH OF THE NEW JERSEY INFRASTRUCTURE BANK AND THE STATE OF NEW JERSEY, ACTING BY AND THROUGH THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION, AND FURTHER AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW AGREEMENT, ALL PURSUANT TO THE STATE FISCAL YEAR 2024 NEW JERSEY WATER BANK ENVIRONMENTAL INFRASTRUCTURE FINANCING PROGRAM

DEPARTMENT OF WATER AND SEWER

- 23-434 RESOLUTION AUTHORIZING A CONTRACT AWARD TO FOLEY INC., FOR THE PURCHASE OF PARTS, SERVICES & REPAIRS TO THE LOADERS AND BACKHOE LOADERS FOR THE DIVISION OF CONSTRUCTION & MAINTENANCE AWARDED THROUGH NATIONAL COOPERATIVE JOINT POWERS ALLIANCE (NJPA) SOURCEWELL CONTRACT #032119-CAT FROM DATE OF AWARD TO MAY 14, 2024 IN AN AMOUNT NOT TO EXCEED \$75,000.00
- 23-435 RESOLUTION AUTHORIZING THE REDUCTION OF SEWER CHARGES OF \$589.62 AT 41 DEXTER STREET (ACCOUNT # 615-3178-305) DUE TO NON-ENTRY OF WATER INTO THE SEWER SERVICE

- 23-436 RESOLUTION ACCEPTING A BID AND AWARDING A CONTRACT TO FOLEY INCORPORATED, FOR NATURAL GAS ENGINE MAINTENANCE CONTRACT SERVICES FOR THE WATER FILTRATION PLANT FOR A PERIOD OF ONE (1) YEAR WITH AN OPTION TO EXTEND THE CONTRACT FOR ONE (1) ADDITIONAL YEAR FROM DATE OF AWARD IN AN AMOUNT NOT TO EXCEED \$90,575.00 BID 2023-53
- 23-437 RESOLUTION ACCEPTING A BID AND AWARDING A CONTRACT TO EMSL ANALYTICAL, INC., FOR LEGIONELLA TESTING FOR THE DEPARTMENT OF WATER & SEWER, TRENTON WATER FILTRATION PLANT FOR A PERIOD OF ONE (1) YEAR FROM DATE OF AWARD WITH AN OPTION TO EXTEND THE CONTRACT FOR ONE (1) ADDITIONAL YEAR IN AN AMOUNT NOT TO EXCEED \$111,438.00 – BID 2023-54

DEPARTMENT OF HOUSING & ECONOMIC DEVELOPMENT

- 23-438 RESOLUTION REJECTING PROPOSAL RECEIVED FOR TRENTON MOVES MOBILITY AND OPPORTUNITY VEHICULAR EQUITY SYSTEM – CC2023-10
- 23-439 RESOLUTION DESIGNATING AVALON MANAGEMENT GROUP AS REDEVELOPER OF VARIOUS PROPERTIES (NORTH CLINTON AVENUE, MONMOUTH STREET AND MONMOUTH PLACE) LOCATED WITHIN THE TRENTON STATION REDEVELOPMENT AREA
- 23-440 RESOLUTION AUTHORIZING THE APPLICATION AND ACCEPTANCE OF A BROWNFIELD IMPACT FUND GRANT OF UP TO \$300,000 TO CONDUCT A REMEDIAL ACTION ON THE FEDERATION METALS SITE LOCATED AT 300 ENTERPRISE AVENUE

6. ORDINANCES - 1ST 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
- 23-059 AN ORDINANCE CREATING THE POSITION OF PRINCIPAL MAIL CLERK IN THE DEPARTMENT OF WATER AND SEWER, FIXING THE SALARY RANGE, THEREFOR, AND SETTING FORTH CERTAIN REGULATIONS FOR THE IMPLEMENTATION OF THE SAME

Public Hearing and 2nd Reading for ordinances to be held on October 19, 2023.

5. RESOLUTION TO ENTER EXECUTIVE SESSION

- 23-424 AUTHORIZING THE CITY COUNCIL OF THE CITY OF TRENTON TO HOLD AN EXECUTIVE SESSION WHICH EXCLUDES THE PUBLIC (FRANK FANNING V CITY OF TRENTON)
- 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

RESOLUTION

No. 23-424

Date of Adoption _____

Approved as to Form and Legality

Factual content certified by

CITY ATTORNEY

BRANDON L. GARCIA, RMC, CITY CLERK

Councilman/woman _____

presents the following Resolution:

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

BE IT RESOLVED that the City Council of the City of Trenton will hold a meeting on October 3, 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

23-337 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

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.

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

SEP 21 2023

ORDINANCE

No. 23-057

1st Reading _____

Public Hearing _____

2nd Reading & Passage _____

Withdrawn _____ Lost _____

Date to Mayor _____

Date Returned _____

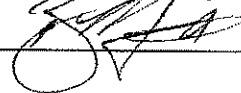
Date Resubmitted to Council _____

Approved as to Form and Legality



CITY ATTORNEY

Factual content certified by



TITLE

Councilman /woman _____ presents the following Ordinance:

AN ORDINANCE AMENDING AND SUPPLEMENTING TRENTON MUNICIPAL SECTION §A316 (RULES OF COUNCIL)

WHEREAS, the effective functioning of the Trenton City Council requires cohesive and collaborative leadership; and

WHEREAS, the Council President and Council Vice President have complimentary roles in overseeing legislative matters, including Agenda/Docket Review; and

WHEREAS, enhancing communication and cooperation between the Council President and Council Vice President will result in a more efficient and productive Agenda/Docket Review process;

IT IS HEREBY ORDAINED by the City Council of the City of Trenton that Municipal Code Section A-316, Rule II, E:

1. Subsection E. of current Rule II is hereby deleted in its entirety.
2. Subsection E. of Rule II be and hereby is amended and supplemented to read as follows:

E. Agenda and Docket Review. Following a discussion between the Council President and the Council Vice President following the annual reorganization meeting, the Council President shall designate a day and time for docket review meetings to be held during the year. Same are subject to change due to emergencies or unforeseen circumstances. The Council President, Council Vice President and another member of Council are permitted to be present during such meetings if scheduling permits, along with members of the administration. If both the Council President and Council Vice President are unable to attend the Docket Review Meeting, then the meeting shall be cancelled, and the docket shall be distributed by the Clerk to the full Council for review prior to the upcoming Council Meeting.

ORDINANCE

The Council President or the Council Vice President may decline to add an item or may remove an item from the proposed agenda/docket for further review based upon the need of obtaining necessary additional information and/or documentation from the administration. The Council President reserves the final decision as to the removal of an item from the docket. If any item is removed either the Council President or Council Vice President will notify the full Council of said items, along with the outstanding information requested. Any item not added or removed shall be included on the agenda/docket at the next regularly scheduled Council Meeting subject to the necessary information being provided by the administration not later than five calendar days prior to the date scheduled for the next agenda/docket review.

Any item placed on the Agenda by the Administration, or the Council may be withdrawn prior to the taking of official action upon it at the Public Meeting. Any items not included on the Agenda/Docket, which are considered "walk-ons," may be added to the Agenda if the Council President (or Vice President, if he or she is acting in such capacity) approve, and if not, if a majority of the Council members present so approve by roll call vote.

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

Ordinance authored and by Councilwoman Edwards and Vice President Feliciano

INTRODUCTION:				SECOND:				ORD. AUTHORED BY:				ADOPTION:				MOTION:				SECOND:			
Figueroa MOTION: Ketterburg				Williams				Edwards & Feliciano															
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	✓							WILLIAMS	✓														
KETTERBURG	✓																						

IV - NO VOTE AB - ABSENT

Adopted on first reading at a meeting of the City Council of the City of Trenton, NJ on SEP 21 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

SEP 21 2023

ORDINANCE

No. 23-058

1st Reading _____

Public Hearing _____

2nd Reading & Passage _____

Withdrawn _____ Lost _____

Date to Mayor _____

Date Returned _____

Date Resubmitted to Council _____

Approved as to Form and Legality

Factual content certified by

WESLEY BRIDGES, ESQ. CITY ATTORNEY
Department of Law

JAMES BEACH, INTERIM DIRECTOR
Department of Housing and Economic Development

Councilman / woman _____

presents the following Ordinance:

AN ORDINANCE AMENDING SECTION 10-5(H)(2) OF THE MUNICIPAL CODE (ALCOHOLIC BEVERAGES) OF THE CITY OF TRENTON TO EXEMPT THE ENTERTAINMENT DISTRICTS WITHIN THE CITY OF TRENTON FROM CERTAIN RESTRICTIONS OF ALCOHOL SALES, AND CREATE RESTAURANT ROWS

WHEREAS, the City of Trenton (the "City") by and through the Department of Housing and Economic Development ("H&ED") has researched best practices being used across the country to establish and manage "Restaurant Rows" and has determined how this type of area will benefit the City of Trenton; and

WHEREAS, establishing Restaurant Rows within the City would encourage economic growth, increase the number of Trentonians hired, increase ratables, activate our sidewalks, and encourage mutually sponsored events among merchants; and

WHEREAS, the City's Trenton250 Master Plan encourages coordinated City and community efforts to build a reputation for the City as being a safe, livable, walkable, and vibrant place/destination; and

WHEREAS, nothing herein is intended to confer any rights or entitlements otherwise not stated; and

WHEREAS, in order to create a "Restaurant Row", restaurants with liquor licenses need to be allowed to exist within close proximity of each other; and

WHEREAS, subject to the terms and limitations of this Ordinance, the City wishes to amend certain regulations within the municipal code, entitled Alcoholic Beverages.

ORDINANCE

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TRENTON, NEW JERSEY, as follows:

1. The above recitals are incorporated by reference as if set forth at length herewith.
2. City Council does hereby amend Section 10-5(H)(2) as follows:
For the sale or consumption of alcoholic beverages within 1,000 feet of another premises holding either of said licenses, said licenses being measured in the normal way that a pedestrian would probably walk from the nearest entrance from one premises to the other, except that this restriction shall NOT apply to any business within the Entertainment Districts established pursuant to Ordinance 18-11, so long as the owner(s) of the liquor license is
 - a. a restaurant (a place where the sale and service of alcoholic beverages is only incidental to the sale or consumption of food products),
 - b. the business closes by 11:00 pm, and
 - c. the sale of the alcohol is for dine-in consumption only.

Liquor stores, bars, clubs, and other entities where the sale of liquor does not meet these exceptions are still limited to one license for every 1000 feet.

These restrictions are a condition for issuance of the license and any violations after issuance are subject to charges from the City or State ABC enforcement. Review will be on a case-by-base basis subject to the scrutiny of the City Administration and the Trenton Police Department. Violations of this ordinance may result in suspension and revocation of the license as consistent with current ABC rules and regulations.

3. The City Clerk is directed to publish this Ordinance and required in accordance with applicable law.
4. Should any section, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this article.
5. All prior ordinances or parts of same inconsistent with any provisions of this article are hereby repealed to the extent of such inconsistency.
6. This ordinance shall take effect upon final adoption, publication and expiration of 20 days in accordance with applicable law.

ORDINANCE

BE IT FURTHER ORDAINED, that pursuant to N.J.S.A 52:27BBB-23, a true copy of this Ordinance shall be forwarded to the State Commissioner of Community Affairs, within three (3) business days of the adoption of this Ordinance, who shall have ten (10) days from the receipt thereof to veto this Ordinance. 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.

INTRODUCTION:	MOTION: <i>Edwards</i>				SECOND: <i>Harrison</i>				ORD. AUTHORED 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	✓								FRESBY				✓						
FELICIANO	✓								HARRISON	✓																		
FIGUEROA	✓								WILLIAMS	✓																		
KITTENBURG																												
NY - NO VOTE.					AB - ABSENT																							

NV - NO VOTE

AB - ABSENT

SEP 21 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

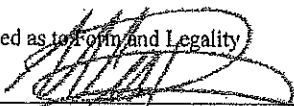
RESOLUTION

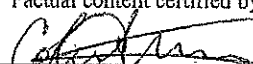
No. **23-425**

Date of Adoption _____

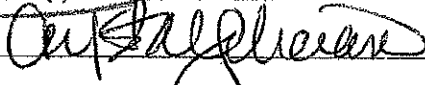
Approved as to form and legality

Factual content certified by


WESLEY BRIDGES, ESQ., DIRECTOR OF LAW


ADAM E. CRUZ, BUSINESS ADMINISTRATOR

Councilman /woman


presents the following Resolution:

RESOLUTION AUTHORIZING A CONTRACT TO 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 \$98,245.50

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 \$98,245.50; and

WHEREAS, funds in an amount not to exceed \$98,245.50 have been certified to be available in the following account number: CY'2023 3-01- -25-2540-299; 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 \$98,245.50 to Purchase the Renewal of 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: Purchase Microsoft Office 365
Fund: Current Fund

Account Number 3- 01 25-2540-299 (\$98,245.50)

Vendor ID: DELLI005
Requisition Number: Q3-04673
Amount not to exceed: \$98,245.50



Chief Financial Officer

08/29/2023

Date

RESOLUTION

No. **23-426**

Date of Adoption _____

Approved as to Form and Legality

WESLEY BRIDGES, ESQ., DIRECTOR OF LAW

Factual content certified by

ALICIA CRUZ, BUSINESS ADMINISTRATOR

Councilman /woman _____

presents the following Resolution:

**RESOLUTION AUTHORIZING A SIXTY DAY (60) CONTRACT EXTENSION
TO MERCER COUNCIL ON ALCOHOLISM AND DRUG ADDICTION FOR THE
EMPLOYEE ASSISTANCE PROGRAM FOR THE CITY OF TRENTON
EMPLOYEES, FOR THE DEPARTMENT OF ADMINISTRATION FROM DATE
OF AWARD IN AN AMOUNT NOT TO EXCEED \$8,333.34 - CC2019-09**

WHEREAS, Resolution #22-370 adopted on October 5, 2022, exercise the final option to extend the contract for an additional one (1) year to Mercer Council on Alcoholism and Drug Addiction, 1931 Brunswick Avenue, Lawrence Township, New Jersey 08648 from September 1, 2022 to August 31, 2023 in the amount not to exceed \$50,000.00; and

WHEREAS, the City of Trenton, Department of Administration, has the need to extend the current contract which expired on August 31, 2023; for an additional sixty (60) days from September 1, 2023, to October 31, 2023, until the new proposals received have been evaluated by the evaluating team, a resolution is adopted by City Council and there is a new contract in place; and

WHEREAS, additional funds in an amount not to exceed \$8,333.34 at a monthly rate of \$4,166.67 have been certified to be available in the following account number in CY' 23 3-01- -80-8010-695. This contract extension shall be awarded from September 1, 2023, to October 31, 2023.

NOW, THEREFORE, IT IS RESOLVED, by the City Council of the City of Trenton that the mayor is hereby authorized a sixty (60) day contract extension with Mercer Council on Alcoholism and Drug Addiction, 1931 Brunswick Avenue, Lawrence Township, New Jersey 08648, for Employee Assistance Program for the City of Trenton Employees; for the Department of Administration in an amount not to exceed \$8,333.34 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					WILLIAMS									
KETTENBURG														

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

President of Council_____
City Clerk

CITY OF TRENTON
DEPARTMENT OF FINANCE

CERTIFICATION OF FUNDS

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

Vendor Name: MERCER COUNCIL ON ALCOHOLISM & DRUG ADDICTION
Address# 1: 1931 BRUNSWICK AVENUE
Address# 2:
City: LAWRENCE TOWNSHIP
State: NEW JERSEY
Zip Code: 08648

Purpose: to provide support for employees that encounter substance related challenges

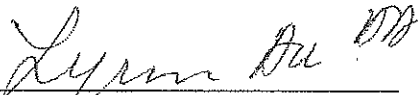
Fund: Current Fund

Account Number 3-01- -80-8010-695 (\$8,333,34)

Vendor ID:

Requisition Number:

Amount not to exceed: \$8,333.34



Chief Financial Officer

08/28/2023

Date

RESOLUTION

No. _____

23-427

Approved as to Form and Legality

WESLEY BRIDGES, ESQ., DIRECTOR OF LAW

Date of Adoption _____

Factual content certified by

ADAM E. CRUZ, BUSINESS ADMINISTRATOR

Councilman /woman _____

presents the following Resolution:

RESOLUTION AUTHORIZING AN AMENDMENT TO RESOLUTION #23-338 AWARDED TO MARK GIALLELLA FOR TELEPHONE CABLING, COMPUTER CABLING, INSTALLATION AND REPAIRS OF CENTREX FOR A PERIOD OF TWO (2) YEARS WITH AN OPTION TO EXTEND ONE (1) ADDITIONAL YEAR FROM DATE OF AWARD IN AN AMOUNT NOT TO EXCEED \$340,000.00 - BID 2023-44

WHEREAS, Resolution #23-338 adopted on August 3, 2023 was awarded to Mark Giallella, 2061 Pennington Road, Ewing, NJ 08618 in an amount not to exceed \$320,000.00 for a period of two (2) years at \$160,000.00 per year with an option to extend one (1) additional year in an amount not to exceed \$190,000.00 for Telephone Cabling, Computer Cabling, Installation and Repairs of Centrex for the Department of Administration; and

WHEREAS, this contract is amended to increase the authorized amount to \$340,000.00; \$160,000.00 (year 1) and \$180,000.00 (year 2); and

WHEREAS, it is in the best interest of the City of Trenton to amend the amount of the award on Res#23-338 to \$340,000.00 for a period of two (2) years with an option to extend one (1) additional year in an amount not to exceed \$190,000.00 awarded to Mark Giallella, 2061 Pennington Road, Ewing, NJ 08618; and

WHEREAS, funds in an amount not to exceed \$340,000.00 have been certified to be available in the following account numbers CY' 2023, 3-01- 83-8300-213 (\$80,000), CY' 2024 4-01- 8300-213 (\$80,000) CY'2025, 5-01- 83-8300-213 (\$90,000), CY' 2026, 6-01- 83-8300-213 (\$90,000) This contract shall be awarded for a period of two (2) years with an option to extend one (1) additional year in an amount not to exceed \$190,000.00 from date of award.

NOW, THEREFORE, IT IS RESOLVED, by the City Council of the City of Trenton that the Mayor is hereby authorized to amend Resolution #23-338 and the awarded contract with Mark Giallella, 2061 Pennington Road, Ewing, NJ 08618 in an amount not to exceed \$340,000.00 for two (2) years with an option to extend one (1) additional year in an amount not to exceed \$190,000.00 for Telephone Cabling, Computer Cabling, Installation and Repairs of Centrex for the City of Trenton, Department of Administration for the said purposes in the manner prescribed by law.

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

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

President of Council_____
City Clerk

CITY OF TRENTON
DEPARTMENT OF FINANCE

CERTIFICATION OF FUNDS

I, 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: Mark Giallella
Address# 1: 2061 Pennington Road
Address# 2:
City: Ewing
State: NJ
Zip Code: 08618

Purpose: Telephone Cabling, Computer Cabling, Installation and Repair of Centrex
BID2023-44

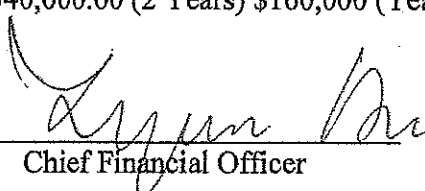
Fund: Current Fund

Account Number	3-01-	-83-8300-213	(\$80,000)
	4 01-	-83-8300-213	(\$80,000)
	5-01	-83-8300-213	(\$90,000)
	6-01-	-83-8300-213	(\$90,000)

Vendor ID: MARKG005

Requisition Number:

Amount not to exceed: \$340,000.00 (2 Years) \$160,000 (Year1), \$180,000 (Year2)


ACTING Chief Financial Officer

9/6/2023

Date

RESOLUTION

No. 23-428

Approved as to Form and Legality

WESLEY BRIDGES, CITY ATTORNEY

Date of Adoption _____

Factual content certified by

ADAM CRUZ, BUSINESS ADMINISTRATOR

Councilman/woman _____ presents the following Resolution:

**RESOLUTION AUTHORIZING THE APPROPRIATION OF \$1,000,000.00
FROM THE FUNDS ALLOCATED TO THE CITY OF TRENTON UNDER
THE AMERICAN RESCUE PLAN ACT OF 2021 TO THE NOVELLA
CENTER FOR ENTREPRENEURSHIP**

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, the Coronavirus State and Local Fiscal Recovery Funds (CSLFRF) established by ARPA-21 provide \$72,913,998.00 in aid to the City of Trenton over the next two years, with \$36,456,999 having been distributed for the 2021 calendar year and \$36,456,999.00 to be distributed for 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 Final Rule generally includes as an eligible use of ARPA-21 funds assistance to not-for-profit entities (Expenditure Category (EC) 2.34)

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, the COVID-19 pandemic exacerbated existing disparities in venture capital investments, with Black founders seeing venture capital funding decrease by 45%, compared to the 36% drop overall; and

WHEREAS, Novella Center for Entrepreneurship, (NCE) is a certified 501(c)(3) not-for-profit organization based in Baltimore, Maryland, and is dedicated to the mission of creating opportunities for diverse entrepreneurs and underrepresented communities; and

WHEREAS, through its Conscious Venture Lab Accelerator Program (Accelerator Program) NCE provides training and mentorship programs (cohorts) at no cost to participants to spur economic growth and

development of businesses, facilitating investments of \$4.5 million in its program participants, 80% of whom are women or minority founders; and

WHEREAS, NCE and its partners have secured \$7.5 million in investment capital under the Black and Latino Seed Fund program sponsored by the New Jersey Economic Development Authority (NJEDA); and

WHEREAS, in 2024, NCE will open a Novella Center in the City of Trenton to offer its Accelerator Program to diverse entrepreneurs from around the state of New Jersey, including Trenton; and

WHEREAS, NCE generates deal flow for Conscious Venture Partners and the funds it manages, and Conscious Venture Partners considers all companies that complete the Accelerator Program for investment. Conscious Venture Partners has typically invested in 5 - 7 companies per cohort that complete the Accelerator Program. NCE seeks to maintain similar metrics in the Trenton program and as such this could result in up to 140 investments or nearly \$18M invested in new businesses in New Jersey; and

WHEREAS, NCE's Novella Center and Accelerator Program will benefit the City of Trenton and its residents by putting a spotlight on entrepreneurship in Trenton and attracting quality entrepreneurs, mentors, and consultants who are focused on economic development, as well as assuring a steady stream of commerce with the consistent presence of staff, entrepreneurs and mentors in the City during the cohorts; and

WHEREAS, NCE will be required to sign a grant agreement as a condition of receiving the ARPA-21 funds and abide by the conditions of the grant agreement; and

NOW THEREFORE BE IT RESOLVED by the City of Trenton that ARPA-21 funds not to exceed the amount of \$1,000,000.00 shall be appropriated to NCE on a *reimbursement basis* for eligible costs incurred, subject to NCE:

- 1) Complying with all laws, contractual requirements, guidelines, and agreements;
- 2) Completing projects in accordance with the approved scope of work and agreed upon timeline; and
- 3) Maintaining good standing with the State of New Jersey and the City of Trenton, including being current with applicable prerequisites, e.g., 501(c)(3) status

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

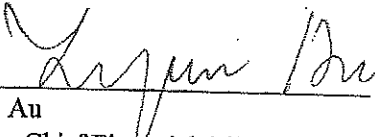
I, Lynn Au, Acting Chief Financial Officer of the City of Trenton, do hereby certify, to the best of my knowledge and belief, that there are now sufficient funds to:

Purpose: GRANT TO APPROPRIATE \$1,000,000.00 TO THE
NOVELLA CENTER FOR ENTREPRENEURSHIP FROM THE
FUNDS ALLOCATED TO THE CITY OF TRENTON UNDER
THE AMERICAN RESCUE PLAN ACT OF 2021

Fund: GRANT

Account Numbers: R-01- -

Amount not to exceed: \$ 1,000,000.00



Lynn Au
Acting Chief Financial Officer
City of Trenton

9/20/2023

Date

RESOLUTION

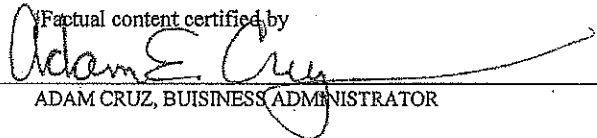
No. **23-441**

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 APPROPRIATION OF \$1,000,000.00
FROM THE FUNDS ALLOCATED TO THE CITY OF TRENTON UNDER
THE AMERICAN RESCUE PLAN ACT OF 2021 TO THE TRENTON THUNDER BALLPARK**

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, the Coronavirus State and Local Fiscal Recovery Funds (CSLFRF) established by ARPA-21 provide \$72,913,998.00 in aid to the City of Trenton over the next two years, with \$36,456,999 having been distributed for the 2021 calendar year and \$36,456,999.00 to be distributed for 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 Final Rule generally includes as an eligible use of ARPA-21 funds "[a]ssistance to tourism, travel, hospitality, . . . including . . . support for operations and maintenance of existing equipment and facilities"; 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, Trenton Thunder Ballpark is owned by the County of Mercer and has been home to the Trenton Thunder since 1994, and features 6,440 seats; and

WHEREAS, the COVID-19 pandemic resulted in the loss of over a full season's revenues for Trenton Thunder Ballpark and its resident team, the Trenton Thunder, hindering its ability to both serve Trenton residents and partner with City organizations; and

WHEREAS, in order to be eligible to host a Major League Baseball (MLB) affiliated minor league team, Minor League Stadiums must be compliant with new MLB facility standards; and

WHEREAS, as part of phase 1 of compliance with the new standards, Trenton Thunder Stadium must greatly improve and enhance the player facilities, increase the size of the home and visiting clubhouses, and add a new female clubhouse area; and

WHEREAS, the loss of revenue from the pandemic created gaps in funding necessary for the aforementioned improvements and repairs to the 30-year old ballpark; and

WHEREAS, to assist Mercer County with the costs of making the necessary improvements, the State of New Jersey has committed funds in the amount of \$5,000,000; and

WHEREAS, the City of Trenton seeks to also assist with the costs of the stadium renovations by appropriating \$1,000,000.00 from its American Rescue Plan funds; and

WHEREAS, Trenton Thunder Ballpark and the Trenton Thunder ballclub have benefited the City of Trenton and its residents, particularly its youth, by hosting and sponsoring numerous events and programs, including:

- 1) Little League programs, including the Chambersburg Little League, 6/11 Little League, and North Trenton Little League
- 2) The Grand slam We Care Community Grant Program
- 3) Hiring programs through Foundation Academy and Mercer County Community College
- 4) Multiple events highlighting local businesses and charitable organizations

WHEREAS, the return to affiliate status with a Major League Baseball team would greatly benefit the residents and businesses of the City by attracting more fans, bringing more games to Trenton, increasing stadium revenues and offering further opportunities for community employment, investment and commerce; and

WHEREAS, Trenton Thunder Ballpark will be required to sign a grant agreement as a condition of receiving the ARPA-21 funds and abide by the conditions of the grant agreement.

NOW THEREFORE BE IT RESOLVED by the City Council for the City of Trenton that ARPA-21 funds not to exceed the amount of \$1,000,000.00 shall be appropriated to Trenton Thunder Ballpark on a *reimbursement basis* for eligible costs incurred related to the Phase 1 stadium improvements, subject to Trenton Thunder Ballpark:

1. Complying with all laws, contractual requirements, guidelines, and agreements;
2. Completing projects in accordance with the approved scope of work and agreed upon timeline; and
3. Maintaining good standing with the State of New Jersey and the City of Trenton

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

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

President of Council

City Clerk

CITY OF TRENTON
DEPARTMENT OF FINANCE

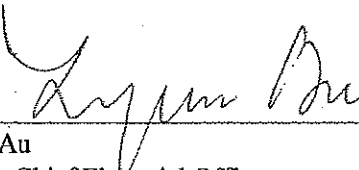
CERTIFICATION OF FUNDS

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

Purpose: GRANT TO APPROPRIATE \$1,000,000.00 TO THE
TRENTON THUNDER BALLPARK FROM THE FUNDS
ALLOCATED TO THE CITY OF TRENTON UNDER
THE AMERICAN RESCUE PLAN ACT OF 2021
Fund: GRANT

Account Numbers: R-01- -

Amount not to exceed: \$ 1,000,000.00



Lynn Au
Acting Chief Financial Officer
City of Trenton

9/21/2023
Date

RESOLUTION


No. 23-442

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 CONSENTING TO THE APPOINTMENT OF M. SEAN SEMPLE AS DIRECTOR OF THE DEPARTMENT OF WATER & SEWER FOR THE CITY OF TRENTON

WHEREAS, M. Sean Semple currently serves as Acting Director for the Department of Water & Sewer; and

WHEREAS, it is the desire of the Mayor to appoint M. Sean Semple as Director of the Department of Water & Sewer; and

WHEREAS, provided by City Code Chapter 2, Article II, Section 2-4.5, the Mayor must seek the Advice and Consent of City Council to appoint an active officer to fill a departmental Director vacancy.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Trenton hereby consents to the appointment of M. Sean Semple as Director of the Department of Water & Sewer for the City of Trenton, said term to expire December 31, 2026.

MOTION:														
	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.

23-429

Approved as to Form and Legality

CITY ATTORNEY

Date of Adoption

Factual content certified by

Councilman /woman

presents the following Resolution:

RESOLUTION OF THE CITY OF TRENTON, IN THE COUNTY OF MERCER, STATE OF NEW JERSEY AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE LOCAL FINANCE BOARD REQUESTING APPROVAL TO ADOPT A BOND ORDINANCE APPROPRIATING \$33,895,350 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$32,280,650 BONDS OR NOTES FOR THE CITY RELATING TO VARIOUS 2023 CAPITAL ACQUISITIONS AND IMPROVEMENTS UNDER THE PROVISIONS OF THE MUNICIPAL QUALIFIED BOND ACT, N.J.S.A. 40A:3-1 ET SEQ. AND PURSUANT TO THE PROVISIONS OF N.J.S.A. 40A2-7(d)

WHEREAS, THE CITY COUNCIL OF THE CITY OF TRENTON, IN THE COUNTY OF MERCER, STATE OF NEW JERSEY (the "City") desires to submit an application (the "Application") to the Local Finance Board, in the Division of Local Government Services, New Jersey Department of Community Affairs (the "Local Finance Board"), for its approval of the City's adoption of a bond ordinance (the "Bond Ordinance"), entitled "BOND ORDINANCE PROVIDING FOR VARIOUS 2023 CAPITAL ACQUISITIONS AND IMPROVEMENTS FOR THE CITY OF TRENTON, IN THE COUNTY OF MERCER, STATE OF NEW JERSEY; APPROPRIATING \$33,895,350 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$32,280,650 BONDS OR NOTES TO FINANCE PART OF THE COSTS THEREOF"; pursuant to the Municipal Qualified Bond Act, N.J.S.A. 40A:3-1 et seq., (the "MQBA"), specifically N.J.S.A. 40A:3-4(b);

WHEREAS, N.J.S.A. 40A:2-6 of the Local Bond Law provides that no bond ordinance may be finally adopted if the percentage of net debt exceeds 3.5%, in the case of a municipality; and

WHEREAS, Section 40A:2-7(d) of the Local Bond Law provides an exception to the net debt limit for municipalities if the Local Finance Board causes its consent to be endorsed upon a certified copy of the bond ordinance as passed upon first reading, if it believes that, among other things, the obligations authorized are in the public interest and will be for the health, welfare, convenience or betterment of the inhabitants of the municipality; and

RESOLUTION

WHEREAS, the City believes with respect to the Bond Ordinance:

(a) it is in the public interest to accomplish such projects authorized by the Bond Ordinance;

(b) said projects authorized by the Bond Ordinance are for the health, wealth, convenience or betterment of the inhabitants of the City;

(c) the amounts to be expended for the projects authorized by the Bond Ordinance are not unreasonable or exorbitant; and

(d) the adoption of the Bond Ordinance and the debt obligations authorized to be issued thereunder are an efficient and feasible means of providing services for the needs of the inhabitants of the City, and will not create an undue financial burden to be placed upon the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TRENTON, IN THE COUNTY OF MERCER, STATE OF NEW JERSEY, as follows:

Section 1. The submission of the Application to the Local Finance Board is hereby approved, and Wilentz, Goldman & Spitzer, P.A., Bond Counsel to the City (the "Bond Counsel"), GB Associates, LLC, Livingston, New Jersey, Financial Advisor to the City (the "Financial Advisor"), and Mercadien, P.C., Certified Public Accountants, Hamilton, New Jersey, Auditor to the City (the "Auditor"), along with other officials, professionals and representatives of the City, are hereby authorized and directed to prepare and submit such Application to the Local Finance Board and to represent the City in such matters pertaining thereto.

Section 2. The Clerk is hereby authorized and directed to prepare and file certified copies of this resolution and the Bond Ordinance, after introduction, with the Local Finance Board as part of such Application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such Application and to record its approval as provided by applicable provisions of the Local Bond Law and the MQBA.

RESOLUTION

Section 4. Any prior actions taken by, as applicable, the Chief Financial Officer, Bond Counsel, Financial Advisor, Auditor and other authorized officers and professionals of the City in relation to the preparation and submission of the Application are hereby ratified and confirmed.

Section 5. This resolution shall take effect immediately.

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

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

#13986127.1
President of Council

City Clerk

RESOLUTION

No. 23-430

Approved as to Form and Legality

Date of Adoption _____

Factual content certified by


CITY ATTORNEY

Councilman /woman _____


presents the following Resolution:

**RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF
LOAN AGREEMENTS FOR THE NOT TO EXCEED \$25,000,000 WATER
UTILITY BONDS, SERIES 2023 TO BE EXECUTED BY THE CITY OF
TRENTON, IN THE COUNTY OF MERCER, STATE OF NEW JERSEY
AND EACH OF THE NEW JERSEY INFRASTRUCTURE BANK AND
THE STATE OF NEW JERSEY, ACTING BY AND THROUGH THE NEW
JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION, AND
FURTHER AUTHORIZING THE EXECUTION AND DELIVERY OF AN
ESCROW AGREEMENT, ALL PURSUANT TO THE STATE FISCAL
YEAR 2024 NEW JERSEY WATER BANK ENVIRONMENTAL
INFRASTRUCTURE FINANCING PROGRAM**

WHEREAS, the City of Trenton (the "Local Unit"), in the County of Mercer, State of New Jersey, has determined that there exists a need within the Local Unit to finance or refinance the acquisition, construction, renovation or installation of the Project (the "Project") as defined in each of (i) that certain Loan Agreement (the "I-Bank Loan Agreement") to be entered into by and between the Local Unit and the New Jersey Infrastructure Bank (the "I-Bank") and (ii) that certain Loan Agreement (the "Fund Loan Agreement", and together with the I-Bank Loan Agreement, the "Loan Agreements") to be entered into by and between the Local Unit and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the "State"), all pursuant to the State Fiscal Year 2024 New Jersey Water Bank Environmental Infrastructure Financing Program (the "Program");

WHEREAS, the Local Unit has determined to finance or refinance the acquisition, construction, renovation or installation of the Project with the proceeds of a loan to be made by each of the I-Bank (the "I-Bank Loan") and the State (the "Fund Loan", and together with the I-Bank Loan, the "Loans") pursuant to the I-Bank Loan Agreement and the Fund Loan Agreement, respectively;

WHEREAS, to evidence and secure the Loans, each of the I-Bank and the State require the Local Unit to authorize, execute, attest and deliver the Local Unit's Water Utility Bonds, Series 2023, to the I-Bank (the "I-Bank Loan Bond") and Water Utility Bonds, Series 2023, to the State (the "Fund Loan Bond", and together with the I-Bank Loan Bond, the "Local Unit Bonds") in an aggregate principal amount not to exceed \$25,000,000, pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), other applicable law, and the Loan Agreements; and

WHEREAS, the I-Bank and the State have expressed their desire to close in escrow the making of the Loans, the issuance of the Local Unit Bonds and the execution and delivery of the Loan Agreements, all pursuant to the terms of an Escrow Agreement (the "Escrow Agreement") to be entered into by and among the I-Bank, the State, the Local Unit and the escrow agent named therein.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Local Unit as follows:

RESOLUTION

Section 1. The I-Bank Loan Agreement, the Fund Loan Agreement and the Escrow Agreement (collectively, the "Financing Documents") are hereby authorized to be executed and delivered on behalf of the Local Unit by either the Mayor, the Chief Financial Officer or Acting Chief Financial Officer in substantially the forms attached hereto as Exhibits A, B and C, respectively, with such changes as the Mayor, the Chief Financial Officer or Acting Chief Financial Officer (each an "Authorized Officer"), in their respective sole discretion, after consultation with counsel and any advisors to the Local Unit (collectively, the "Local Unit Consultants") and after further consultation with the I-Bank, the State and their representatives, agents, counsel and advisors (collectively, the "Program Consultants", and together with the Local Unit Consultants, the "Consultants"); shall determine, such determination to be conclusively evidenced by the execution of such Financing Documents by an Authorized Officer as determined hereunder. The Local Unit Clerk is hereby authorized to attest to the execution of the Financing Documents by an Authorized Officer of the Local Unit as determined hereunder and to affix, imprint or reproduce the corporate seal of the Local Unit to such Financing Documents.

Section 2. The Authorized Officers of the Local Unit are hereby further severally authorized to (i) execute and deliver, and the Local Unit Clerk is hereby further authorized to attest to such execution and to affix, imprint or reproduce the corporate seal of the Local Unit to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers or the Local Unit Clerk, as applicable, in their respective sole discretion, after consultation with the Consultants, to be executed in connection with the execution and delivery of the Financing Documents and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution and delivery thereof.

Section 3. This resolution shall take effect immediately.

Section 4. Upon the adoption hereof, the Local Unit Clerk shall forward certified copies of this resolution to Wilentz, Goldman & Spitzer, P.A., bond counsel to the Local Unit, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the I-Bank.

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

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

President of Council
City Clerk

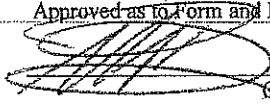
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RESOLUTION No. 23-431

Date of Adoption _____

Approved as to Form and Legality

Factual content certified by


CITY ATTORNEY

Councilman /woman _____


presents the following Resolution:

RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF NOT EXCEEDING \$25,000,000 WATER UTILITY BONDS, SERIES 2023 OF THE CITY OF TRENTON, IN THE COUNTY OF MERCER, STATE OF NEW JERSEY, AND PROVIDING FOR THEIR SALE TO THE NEW JERSEY INFRASTRUCTURE BANK AND THE STATE OF NEW JERSEY PURSUANT TO THE STATE FISCAL YEAR 2024 NEW JERSEY WATER BANK ENVIRONMENTAL INFRASTRUCTURE FINANCING PROGRAM

WHEREAS, the City of Trenton (the "Local Unit"), in the County of Mercer, State of New Jersey, has determined that there exists a need within the Local Unit to finance or refinance the acquisition, construction, renovation or installation of the Project (the "Project") as defined in each of (i) that certain Loan Agreement (the "I-Bank Loan Agreement") to be entered into by and between the Local Unit and the New Jersey Infrastructure Bank (the "I-Bank") and (ii) that certain Loan Agreement (the "Fund Loan Agreement", and together with the I-Bank Loan Agreement, the "Loan Agreements") to be entered into by and between the Local Unit and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the "State"), all pursuant to the State Fiscal Year 2024 New Jersey Water Bank Environmental Infrastructure Financing Program (the "Program");

WHEREAS, the Local Unit has determined to finance or refinance the acquisition, construction, renovation or installation of the Project with the proceeds of a loan to be made by each of the I-Bank (the "I-Bank Loan") and the State (the "Fund Loan", and together with the I-Bank Loan, the "Loans") pursuant to the I-Bank Loan Agreement and the Fund Loan Agreement, respectively;

WHEREAS, to evidence and secure the Loans, each of the I-Bank and the State require the Local Unit to authorize, execute, attest and deliver the Local Unit's Water Utility Bonds, Series 2023, to the I-Bank (the "I-Bank Loan Bond") and Water Utility Bonds, Series 2023, to the State (the "Fund Loan Bond", and together with the I-Bank Loan Bond, the "Local Unit Bonds") in an aggregate principal amount not to exceed \$25,000,000, pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), other applicable law and the Loan Agreements; and

WHEREAS, Section 27(a)(2) of the Local Bond Law allows for the sale of the I-Bank Loan Bond and the Fund Loan Bond to the I-Bank and the State, respectively, without any public offering, and N.J.S.A. 58:11B-9(a) allows for the sale of the I-Bank Loan Bond to the I-Bank and the State, respectively, without any public offering, all pursuant to the terms and conditions set forth therein and herein.

NOW, THEREFORE, BE IT RESOLVED by a 2/3 vote of the full membership of the governing body of the Local Unit as follows:

RESOLUTION

Section 1. In accordance with Section 27(a)(2) of the Local Bond Law and N.J.S.A. 58:11B-9(a), the Local Unit hereby authorizes the issuance, sale and award its I-Bank Loan Bond to the I-Bank and its Fund Loan Bond to the State, in a total aggregate principal amount not to exceed \$25,000,000, all in accordance with the provisions hereof. The obligations represented by the Local Unit Bonds have been appropriated and authorized by bond ordinance number 20-27 of the Borrower finally adopted on May 7, 2020, entitled "BOND ORDINANCE PROVIDING FOR THE LEAD SERVICE LINE REPLACEMENT PROGRAM IN THE TRENTON WATER WORKS SERVICE AREA, BY AND IN THE CITY OF TRENTON, IN THE COUNTY OF MERCER, STATE OF NEW JERSEY; APPROPRIATING \$25,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$25,000,000 BONDS OR NOTES TO FINANCE THE COST THEREOF", at which time a quorum was present and acted throughout, all pursuant to the terms of the Local Bond Law and other applicable law.

Section 2. The Chief Financial Officer or Acting Chief Financial Officer of the Local Unit (the "Chief Financial Officer") is hereby authorized to determine, in accordance with the Local Bond Law and pursuant to the terms and provisions established by the I-Bank and the State pursuant to the Loan Agreements and the terms and provisions hereof, the following terms with respect to the I-Bank Loan Bond and the Fund Loan Bond:

- (a) The principal amounts of each of the I-Bank Loan Bond and the Fund Loan Bond to be issued, which total aggregate principal amount of the Local Unit Bonds to be issued shall not exceed \$25,000,000;
- (b) The maturity and annual principal installments of each of the Local Unit Bonds, which maturity shall not exceed thirty (30) years;
- (c) The date of each of the Local Unit Bonds;
- (d) The interest rates of each of the Local Unit Bonds;
- (e) The purchase price for each of the Local Unit Bonds; and
- (f) The terms and conditions under which the Local Unit Bonds shall be subject to redemption prior to their stated maturities.

Section 3. Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Local Unit Bonds by the parties authorized pursuant to Section 4(c) hereof.

Section 4. The Local Unit hereby determines that certain terms of the Local Unit Bonds shall be as follows:

- (a) The I-Bank Loan Bond shall be issued in a single denomination and shall be numbered R-1. The Fund Loan Bond shall be issued in a single denomination and shall be numbered R-2;
- (b) The Local Unit Bonds shall be issued in fully registered form and shall be payable to the registered owners thereof as to both principal and interest in lawful money of the United States of America; and
- (c) The Local Unit Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, imprinted, engraved or reproduced thereon and attested by the manual signature of the Local Unit Clerk.

RESOLUTION

Section 5. The I-Bank Loan Bond and the Fund Loan Bond shall be substantially in the form set forth in the I-Bank Loan Agreement and the Fund Loan Agreement, respectively.

Section 6. The law firm of Wilentz, Goldman & Spitzer, P.A. is hereby authorized to arrange for the printing of the Local Unit Bonds, which law firm may authorize McCarter & English, LLP, bond counsel to the I-Bank for the Program, to arrange for same. The Local Unit auditor is hereby authorized to prepare the financial information necessary in connection with the issuance of the Local Unit Bonds. The Mayor, the Chief Financial Officer and the Local Unit Clerk are hereby authorized to execute any certificates necessary or desirable in connection with the issuance of the Local Unit Bonds and the submission of financial and other information related to the Local Unit.

Section 7. The terms of the Local Unit Bonds authorized to be set forth by the Chief Financial Officer in accordance with Section 2 hereof are hereby delegated by the governing body of the Local Unit to the Chief Financial Officer, such determination to be conclusively evidenced by the execution of an award certificate by the Chief Financial Officer.

Section 8. The Mayor and the Chief Financial Officer are hereby severally authorized to execute any certificates or documents necessary or desirable in connection with the issuance, sale and award of the Local Unit Bonds, and are further authorized to deliver same to the I-Bank and the State, respectively, upon delivery of the Local Unit Bonds and the receipt of payment therefor in accordance with the respective Loan Agreements.

Section 9. This resolution shall take effect immediately.

Section 10. Upon the adoption hereof, the Local Unit Clerk shall forward certified copies of this resolution to Wilentz, Goldman & Spitzer, P.A., bond counsel to the Local Unit, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the I-Bank.

MOTION:					SECOND:									
	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent
EDWARDS					GONZALEZ					FRISBY				
PELICIANO					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

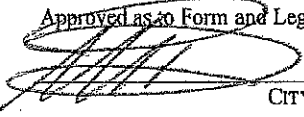
RESOLUTION

No. 23-432

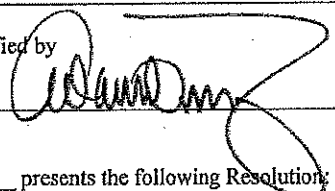
Date of Adoption _____

Approved as to Form and Legality

Factual content certified by


CITY ATTORNEY

Councilman / woman _____


presents the following Resolution:

RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF NOT EXCEEDING \$15,000,000 WATER UTILITY BONDS, SERIES 2023 OF THE CITY OF TRENTON, IN THE COUNTY OF MERCER, STATE OF NEW JERSEY, AND PROVIDING FOR THEIR SALE TO THE NEW JERSEY INFRASTRUCTURE BANK AND THE STATE OF NEW JERSEY PURSUANT TO THE STATE FISCAL YEAR 2024 NEW JERSEY WATER BANK ENVIRONMENTAL INFRASTRUCTURE FINANCING PROGRAM

WHEREAS, the City of Trenton (the "Local Unit"), in the County of Mercer, State of New Jersey, has determined that there exists a need within the Local Unit to finance or refinance the acquisition, construction, renovation or installation of the Project (the "Project") as defined in each of (i) that certain Loan Agreement (the "I-Bank Loan Agreement") to be entered into by and between the Local Unit and the New Jersey Infrastructure Bank (the "I-Bank") and (ii) that certain Loan Agreement (the "Fund Loan Agreement", and together with the I-Bank Loan Agreement, the "Loan Agreements") to be entered into by and between the Local Unit and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the "State"), all pursuant to the State Fiscal Year 2024 New Jersey Water Bank Environmental Infrastructure Financing Program (the "Program");

WHEREAS, the Local Unit has determined to finance or refinance the acquisition, construction, renovation or installation of the Project with the proceeds of a loan to be made by each of the I-Bank (the "I-Bank Loan") and the State (the "Fund Loan", and together with the I-Bank Loan, the "Loans") pursuant to the I-Bank Loan Agreement and the Fund Loan Agreement, respectively;

WHEREAS, to evidence and secure the Loans, each of the I-Bank and the State require the Local Unit to authorize, execute, attest and deliver the Local Unit's Water Utility Bonds, Series 2023, to the I-Bank (the "I-Bank Loan Bond") and Water Utility Bonds, Series 2023, to the State (the "Fund Loan Bond", and together with the I-Bank Loan Bond, the "Local Unit Bonds") in an aggregate principal amount not to exceed \$15,000,000, pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), other applicable law, and the Loan Agreements; and

WHEREAS, Section 27(a)(2) of the Local Bond Law allows for the sale of the I-Bank Loan Bond and the Fund Loan Bond to the I-Bank and the State, respectively, without any public offering, and N.J.S.A. 58:11B-9(a) allows for the sale of the I-Bank Loan Bond to the I-Bank and the State, respectively, without any public offering, all pursuant to the terms and conditions set forth therein and herein.

NOW, THEREFORE, BE IT RESOLVED by a 2/3 vote of the full membership of the governing body of the Local Unit as follows:

Section 1. In accordance with Section 27(a)(2) of the Local Bond Law and N.J.S.A. 58:11B-9(a), the Local Unit hereby authorizes the issuance, sale and award its I-Bank Loan Bond to the I-Bank and its Fund Loan Bond to the State, in a total aggregate principal amount not to exceed \$15,000,000, all in accordance with the provisions hereof. The obligations represented by the Local Unit Bonds have been appropriated and authorized by bond ordinance number 19-16 of the Borrower finally adopted on

RESOLUTION

February 21, 2019, entitled "BOND ORDINANCE PROVIDING FOR THE LEAD SERVICE LINE REPLACEMENT PROGRAM IN THE TRENTON WATER WORKS SERVICE AREA, BY AND IN THE CITY OF TRENTON, IN THE COUNTY OF MERCER, STATE OF NEW JERSEY; APPROPRIATING \$15,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$15,000,000 BONDS OR NOTES TO FINANCE THE COST THEREOF", as amended by bond ordinance number 19-47 of the Borrower finally adopted on September 5, 2019, entitled "AN ORDINANCE OF THE CITY OF TRENTON, IN THE COUNTY OF MERCER, STATE OF NEW JERSEY, PROVIDING FOR THE SPECIAL ASSESSMENT OF A PORTION OF THE COST RELATING TO THE LEAD SERVICE LINE REPLACEMENTS, AMENDING BOND ORDINANCE #19-16 ADOPTED FEBRUARY 21, 2019, AND APPROVING THE EXECUTION OF A SHARED SERVICES AGREEMENT IN CONNECTION THEREWITH", at which times quorums were present and acted throughout, all pursuant to the terms of the Local Bond Law and other applicable law.

Section 2. The Chief Financial Officer or Acting Chief Financial Officer of the Local Unit (the "Chief Financial Officer") is hereby authorized to determine, in accordance with the Local Bond Law and pursuant to the terms and provisions established by the I-Bank and the State pursuant to the Loan Agreements and the terms and provisions hereof, the following terms with respect to the I-Bank Loan Bond and the Fund Loan Bond:

- (a) The principal amounts of each of the I-Bank Loan Bond and the Fund Loan Bond to be issued, which total aggregate principal amount of the Local Unit Bonds to be issued shall not exceed \$15,000,000;
- (b) The maturity and annual principal installments of each of the Local Unit Bonds, which maturity shall not exceed thirty (30) years;
- (c) The date of each of the Local Unit Bonds;
- (d) The interest rates of each of the Local Unit Bonds;
- (e) The purchase price for each of the Local Unit Bonds; and
- (f) The terms and conditions under which the Local Unit Bonds shall be subject to redemption prior to their stated maturities.

Section 3. Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Local Unit Bonds by the parties authorized pursuant to Section 4(c) hereof.

Section 4. The Local Unit hereby determines that certain terms of the Local Unit Bonds shall be as follows:

- (a) The I-Bank Loan Bond shall be issued in a single denomination and shall be numbered R-1. The Fund Loan Bond shall be issued in a single denomination and shall be numbered R-2;
- (b) The Local Unit Bonds shall be issued in fully registered form and shall be payable to the registered owners thereof as to both principal and interest in lawful money of the United States of America; and
- (c) The Local Unit Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, imprinted,

RESOLUTION

engraved or reproduced thereon and attested by the manual signature of the Local Unit Clerk.

Section 5. The I-Bank Loan Bond and the Fund Loan Bond shall be substantially in the form set forth in the I-Bank Loan Agreement and the Fund Loan Agreement, respectively.

Section 6. The law firm of Wilentz, Goldman & Spitzer, P.A. is hereby authorized to arrange for the printing of the Local Unit Bonds, which law firm may authorize McCarter & English, LLP, bond counsel to the I-Bank for the Program, to arrange for same. The Local Unit auditor is hereby authorized to prepare the financial information necessary in connection with the issuance of the Local Unit Bonds. The Mayor, the Chief Financial Officer and the Local Unit Clerk are hereby authorized to execute any certificates necessary or desirable in connection with the issuance of the Local Unit Bonds and the submission of financial and other information related to the Local Unit.

Section 7. The terms of the Local Unit Bonds authorized to be set forth by the Chief Financial Officer in accordance with Section 2 hereof are hereby delegated by the governing body of the Local Unit to the Chief Financial Officer, such determination to be conclusively evidenced by the execution of an award certificate by the Chief Financial Officer.

Section 8. The Mayor and the Chief Financial Officer are hereby severally authorized to execute any certificates or documents necessary or desirable in connection with the issuance, sale and award of the Local Unit Bonds, and are further authorized to deliver same to the I-Bank and the State, respectively, upon delivery of the Local Unit Bonds and the receipt of payment therefor in accordance with the respective Loan Agreements.

Section 9. This resolution shall take effect immediately.

Section 10. Upon the adoption hereof, the Local Unit Clerk shall forward certified copies of this resolution to Wilentz, Goldman & Spitzer, P.A., bond counsel to the Local Unit, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the I-Bank.

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

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

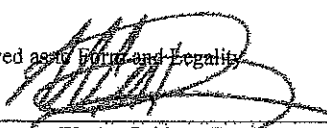
President of Council
City Clerk

RESOLUTION

No. _____

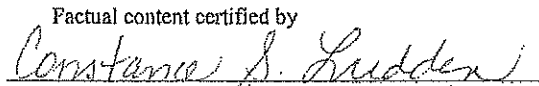
23-433

Approved as to Form and Legality


Wesley Bridges, Esq. CITY ATTORNEY

Date of Adoption _____

Factual content certified by


Constance S. Ludden, TAX COLLECTOR

Councilman/woman _____ presents the following Resolution:

RESOLUTION AUTHORIZING ASSIGNMENT OF 161 TAX SALE CERTIFICATES FOR LESS THAN THE REDEMPTIVE VALUE OF \$8,061,273.85 PURSUANT N.J.S.A. 54:5-114

WHEREAS, pursuant to the provisions of N.J.S.A. 54:5-114 et seq, the City of Trenton desires to sell the 161 tax sale certificates on the attached listing, whose full redemptive value inclusive of all tax arrearages, interest, costs and other municipal charges represented by the tax sale certificates per said list, totaling \$8,061,273.85 and;

WHEREAS, said tax sale certificates on the attached listing will be sold in batches as per the lot schedule, to the highest bidder at a live bid auction sale to be held on October 19, 2023 @ 10am or at such other time/place as the Tax Collector deems appropriate; and

WHEREAS, said bids shall be reviewed, considered, and accepted or rejected by City Council at a meeting to be held on November 2, 2023.

NOW, THEREFORE, IT IS RESOLVED, by the City Council of the City of Trenton that it does hereby authorize the assignment of said Tax Sale Certificates for the purposes aforesaid.

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

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

President of Council_____
City Clerk

10/5/23 Resolution Jones Act Foreclosure Property List

LOT 1					
Block #	Lot #	Cert #	Property Location	Owner of Record	TOTAL LIEN
2302	13	15-01534	422 W Hanover St.	Burrell Sr, Samuel	\$48,521.23
3302	36	15-01643	31 Cumberland Ave.	Iluz, Rachel & Michael	\$55,681.53
6102	51	18-01308	56 Ellsworth Ave.	Door Key Properties	\$24,809.13
27701	9	15-03460	240 Euclid Ave.	Jones, Johnie L.	\$44,694.52
					\$173,706.41

LOT 2					
Block #	Lot #	Cert #	Property Location	Owner of Record	TOTAL LIEN
2202	38	14-01668	58 West End Ave.	Amerigreen Corps	\$53,943.84
2602	15	15-01562	30 Boudinot St.	Reid, Orville Fabian	\$54,060.56
2604	12	16-01715	26 N Hermitage Ave.	Bridgeforth Tiffany	\$41,908.63
2605	18	13-01411	34 Murray St.	Rosenbaum Yehuda Menacem	\$57,111.45
2605	22	16-01716	24 Murray St.	Scipio, Iris	\$50,332.52
3102	22	20-01036	486 Riverside Ave.	Pasha Naim & Clarke Kimberly	\$5,315.39
4904	19	13-01554	430 Rutherford Ave.	Baxter Dennnis	\$53,121.79
5403	7	15-01792	829 Prospect Ave.	Tradevision, LLC	\$42,366.01
6101	31	11-01831	137 Hoffman Ave.	Calhoun, Arthur & Anna	\$87,866.22
6102	49	18-01307	52 Ellsworth Ave.	Hollywood Dora N	\$18,507.52
6102	50	14-00254	54 Ellsworth Ave.	Johnson Bernadette	\$57,456.77
6103.02	6	11-01846	43 Christoph Ave.	Hare Orlando EST	\$46,424.35
13804	39	20-01589	237 Pearl St.	Fawole, Babajide A	\$1,448.34
24907	8	15-03291	1310 Princeton Ave.	Melvin, Rosalind & Natasha	\$9,696.29
26401	32	16-01144	855 E State St.	Reyes, Jose	\$30,629.06
					\$610,188.74

LOT 3					
Block #	Lot #	Cert #	Property Location	Owner of Record	TOTAL LIEN
2602	20	15-01563	40 Boudinot St.	Ransom, Signa Yvonne	\$64,142.86
2604	16	15-01568	34 N Hermitage Ave.	Williams, Therese & Widmark H/W	\$54,946.84
2805	13	17-02191	34 N Overbrook Ave.	Dickerson, Rodney & WF	\$47,230.12
3101	37	18-01158	56 Colonial Ave.	West Investments LLC	\$37,841.55
3201	24	15-01622	43 General Greene Av	Dewaters, Karalyn A.	\$34,490.41
3201	35	11-01615	65 General Greene Av	Cosme Norberto	\$83,843.00
4002	53	14-01778	20 Spring St.	Sluka, Stephen, c/o McWhite, Irene	\$40,854.86
4601	36	15-01745	331 Rutherford Ave.	Weisz, Rivka	\$57,527.89
5001	5	11-01770	135 Exton Ave.	Pack, Annie & Samuel	\$68,659.31
5801	38	11-01804	160 Rosemont Ave.	Steward, Jonathan	\$89,108.16
5802	10	11-01811	181 Rosemont Ave.	Reed, Eric A.	\$74,482.38
					\$653,127.38

LOT 4					
Block #	Lot #	Cert #	Property Location	Owner of Record	TOTAL LIEN
5902	9	11-01819	566 Rutherford Ave.	Bagley Samuel E & Alma	\$80,446.59
6101	10	13-01609	41 Ellsworth Ave.	Howard Capital LLC	\$53,521.69
6101	19	11-01827	23 Ellsworth Ave.	Natram Inc.	\$90,078.21
6101	42	18-02256	327 Gardner Ave.	Veterans Affairs c/o Reaves, Joseph	\$53,133.83
6103	6	15-01854	33 Christoph Ave.	Alvaranga, Ina Hall & Russell, Y	\$42,223.84
6104	13	12-01665	21 Hayes Ave.	Lehet, John L	\$66,425.75
6105	3	15-01864	58 Hayes Ave.	Lewis, Cleo Ann	\$26,616.93
6201	13	15-01871	61 Bryn Mawr Ave.	Walker Rosetta	\$39,890.07
6201	40	11-01862	214 Highland Ave.	Solomon, Aharon	\$57,494.08
6201	50	15-01877	234 Highland Ave.	Lynch, Nehemiah	\$50,752.87
6201	51	11-01854	236 Highland Ave.	Jackson Carl T	\$89,401.27
					\$649,985.13

LOT 5					
Block #	Lot #	Cert #	Property Location	Owner of Record	TOTAL LIEN
6104	7	11-01850	41 Hayes Ave.	Opara Osondu	\$35,986.01
6104	17	16-01925	5 Hayes Ave.	Vickers EST c/o A Vickers	\$29,372.47
6602	6	14-01927	483 Mrtn King Jr Blvd	Vaughan Johnnie & Johnnis Jr	\$45,887.21
6603	12	15-01941	447 Mrtn King Jr Blvd	Allen, Anothony & Aaaron	\$53,370.49
6604	18	17-02466	30 Humboldt St.	Jackson, Betty J	\$66,749.01
6905	11	17-02495	320 Pennington Ave.	Salley, Brian	\$43,530.03
7005	6	15-01990	34 Wainwright Ave.	Hogan, Barry	\$46,742.02
8101	5	11-02044	212 Brunswick Ave.	Moreh, Avraham, c/o Flaishman, Efi	\$26,034.66
8301	52	12-01813	460 Mrtn King Jr Blvd.	460 MLK BLVD, LLC	\$56,792.95
8301	57	15-02044	470 Mrtn King Jr Blvd.	Redmond Sr Martin L	\$50,087.97
8301	58	17-02542	472 Mrtn King Jr Blvd	CTS Financial, LLC	\$38,638.60
8403	18	12-01821	32 Rose St-MIDDLE	Schutz, Simuel Brent Jr	\$52,374.67
8404	45	13-01789	49 Rose St-MIDDLE	Estate of Brown, Quillies & Louise	\$60,596.82
8404.03	8	18-01433	45 Rose St-MIDDLE	Hodges, Bettie	\$19,093.02
					\$625,255.93

LOT 6					
Block #	Lot #	Cert #	Property Location	Owner of Record	TOTAL LIEN
6602	2	13-01679	495 Mrtn King Jr Blvd.	SQ Club Dora Lodge 11 & Rising, The	\$76,086.18
6905	43	18-01381	587 Roosevelt St.	Fale, Tunde Adizat, c/o Fale, Michael	\$28,298.50
7006	13	13-01729	645 Mrtn King Jr Blvd.	Warren, Mattie c/o Warren, Latonya	\$63,546.03
7008	5	15-02001	53 Wayne Ave.	Robinson, Tracy & Teresa	\$51,430.55
7008	10	11-01997	43 Wayne Ave.	Capital City Investments, LLC	\$77,161.69
7008	22	15-02004	19 Wayne Ave.	Mims, Carl	\$68,839.49
7013	7	11-02011	523 Mrtn King Jr Blvd.	Willie, James F	\$63,398.14
7013	11	15-02013	515 Mrtn King Jr Blvd.	Dessalines, Alfred & Michel, Louise	\$25,887.39
8101	3	11-02042	216 Brunswiwick Ave.	Hollingshead, Mildred	\$76,373.62
8203	11	17-02541	130 Rost St-OLD	Terry Christopher	\$49,815.86

8302	10	18-01423	31 Sanford St.	31 Sanford LLC	\$28,975.87
8302	41	12-01816	494 Mrtn King Jr Blvd.	Burrell, Hazel	\$59,093.67
8403	33	17-02561	620 Mrtn King Jr Blvd.	Delgado Jose A	\$28,253.30
8403	34	15-02054	622 Mrtn King Jr Blvd.	Garden State Property LLC	\$31,193.23
8403	35	15-02055	624 Mrtn King Jr Blvd.	Agugliaro, Jeff	\$45,524.77
					\$773,878.29

LOT 7					
Block #	Lot #	Cert #	Property Location	Owner of Record	TOTAL LIEN
8501	12	15-02064	652 Mrtn King Jr Blvd.	Cruz, Rafael	\$33,494.82
8603	27	11-02133	616 N Willow St.	Caver, Bryan C.	\$50,786.92
8603	28	11-02134	618 N Willow St.	Taylor Harrison	\$52,125.03
8605	12	17-02597	124 W Ingham Ave.	Williams, Annie B c/o McCall, Denise	\$28,225.58
8807	29	17-02618	108 Vine St.	Rommy, Johan	\$19,124.12
8807	34	15-02127	49 Chase St.	Severain Property Investments LLC	\$30,623.39
8807	56	11-02175	3 Chase St.	Komin, Joseph	\$41,908.05
8808	85	13-01839	77 Vine St.	Lee, Jennifer	\$35,890.38
8808	87	11-02187	81 Vine St.	Hamilton, Valeria M	\$52,555.19
8808	106	11-02189	119 Vine St.	Brundage, Josh	\$57,864.19
8902	69	03-00521	23 Race St.	Johnson, Mary L	\$53,602.08
8903	7	11-02208	670 Southard St.	Lewis, Angela Roshele	\$60,242.76
9405	3	17-02674	1219 Mrtn King Jr Blvd	Reaves, Jasper	\$32,013.02
11006	51	10-02035	563 Lamberton St.	Faba Construction LLC	\$41,398.47
21401	18	11-03018	50 Poplar St.	ZYN Group LLC	\$46,503.59
21401	19	09-02659	48 Poplar St.	48 Popler, LLC	\$46,967.75
					\$683,325.34

LOT 8					
Block #	Lot #	Cert #	Property Location	Owner of Record	TOTAL LIEN
21402	15	13-02513	38 Taylor St.	Kerrigan, Lawrence S & Louise	\$36,728.88
21404	30	09-02673	85-87 Poplar St.	Roberts, Anthony	\$76,789.70
22401	83	17-03454	400 St Joes Ave.	Bachman, Genowefa c/o Tudisco, Lo	\$19,272.42
22501	7	13-02576	105 Girard Ave.	Hall, Mark	\$43,639.02
22502	70	16-02897	270 Courtland St.	Cabrera, Ricardo	\$13,711.50
22804	4	14-02759	221 Mulberry St.	MSTA 4th & 5th Generation	\$26,924.07
26301	17	14-02836	856 E State St.	Turner, Magdalene	\$51,455.68
27301	11	11-03373	451 Walnut Ave.	Williams, Therese & Widmark	\$78,276.62
27301	13	15-03425	447 Walnut Ave.	Jackson, Betty c/o Arthur Charlotte	\$44,042.40
32001	12	18-02518	942 Edgewood Ave.	Arthur Page	\$68,318.76
32603	14	15-03656	1310 Riverside Ave.	McElroy, Lawson R	\$59,861.39
					\$519,020.44

LOT 9					
Block #	Lot #	Cert #	Property Location	Owner of Record	TOTAL LIEN

8404	33	16-02051	512 Mrtn King Jr Blvd.	Counts, Furman & WF c/o Manahan, Jan	\$77,477.93
8404	34	07-01387	514-516 Mrtn King Jr E	Crawford, Cornelius	\$69,737.04
8502	13	11-02098	698 Mrtn King Jr Blvd.	Cherry, James E	\$77,351.05
8502	14	16-02058	696 Mrtn King Jr Blvd.	Williams, Melvin & WF c/o Foundatio	\$48,299.30
8503	7	11-02104	7 Burton Ave.	Growcorp, LLC	\$55,092.50
8505	20	17-02583	108 E Ingham Ave.	Gelt Financial Corp.	\$54,121.95
8506	20	11-02122	385 Brunswick Ave.	Addison, Cleo	\$67,371.66
8603	6	13-01804	683 Mrtn King Jr Blvd.	Gaines, John A	\$93,178.88
8604	24	11-02138	152 Trent St.	White, Francine c/o White, Keith B	\$59,477.14
8605	4	12-01848	617 N Willow St.	Capstone Corporation	\$50,978.69
8701	8	15-02092	963 Mrtn King Jr Blvd.	Pilato, Dean	\$45,574.50
8703	12	11-02149	901 Mrtn King Jr Blvd.	Hoyle, Joseph Emanuel Jr	\$72,429.47
8805	24	13-01823	81 Chase St.	Holman, Aquil c/o Stewardship Fund	\$40,360.74
8806	9	14-02061	82 Vine St.	Miles, Sidney A c/o Irene Forrester	\$29,961.14
					\$841,411.99

LOT 10					
Block #	Lot #	Cert #	Property Location	Owner of Record	TOTAL LIEN
8808	54	12-01874	956 Mrtn King Jr Blvd.	Gordon, Neville & Nikita	\$54,077.38
8902	17	15-02149	78 Evans Ave.	Potter, Caroline, EST	\$42,804.23
8902	23	15-02150	64 Evans Ave.	Fowler, Earnest & Wife	\$43,290.46
9003	30	16-02124	20 E. Paul Ave.	Jersey General Contractor	\$21,410.11
10302	11	11-02285	146 Turpin St.	Mihalow, Victor A	\$68,447.56
10306	23	11-02304	17 Furman St.	Brisita, Francisco	\$57,793.49
10505	44	15-02284	614 Lamberton St.	Mayer, Carl F & Teresa M	\$43,452.03
11003	46	16-02215	27 Daymond St.	Lister, Lori	\$22,572.57
11003	48	12-02009	31 Daymond St.	Chambliss, Moses	\$49,201.19
11006	4	11-02370	232 Federal St.	Yales, Jorge R & Garcia, Gladys S	\$53,670.14
11201	20	12-02025	603 Lamberton St.	DeLeon, Angel	\$44,964.05
13701	21	18-01719	312 S Clinton Ave.	Craig David R Jr.	\$42,386.98
18801	13	12-02393	1009 S. Clinton Ave.	Powers, Edna Heater & Episcopo, M	\$54,231.18
19402	21	12-02426	1204 Anderson St.	Levy, Yehoshua c/o Raintree Hldgs	\$31,202.56
21401	16	09-02658	54 Poplar St.	Kellan, Dellwood	\$63,016.89
					\$692,520.82

LOT 11					
Block #	Lot #	Cert #	Property Location	Owner of Record	TOTAL LIEN
6202	25	12-01685	114 Hoffman Ave.	Cherokee Properties, LLC	\$67,529.26
6306	20	11-00212	229 Highland Ave.	Thompson, Alfred H, EST	\$82,141.32
21603	26	15-03129	632 N. Olden Ave.	Williams Dawn	\$37,014.75
21603	38	12-02548	606 N. Olden Ave.	Livingston Lois EST	\$57,676.63
22403	30	09-02739	40 Mechanics Ave.	Muomah, Agiliga	\$62,400.01
24607	5	13-02643	725 Brunswick Ave.	Gizzi, Samuel & Wife	\$43,075.60
24808	11	15-03286	1456 Princeton Ave.	Glenn, Bessie M	\$46,557.18
25901	16	09-02855	109 Ward Ave.	Dominique, Nicolas & Michel, Louise	\$48,894.49

25902	1	11-03251	17 N. Logan Ave.	Severain Property Investment #1 LLC	\$44,032.15
26002	8	18-02302	1158 E. State St.	Martinez Adalio	\$28,015.49
26003	14	12-02693	25 N. Olden Ave.	Argueta Argueta Andres	\$32,953.65
26901	6	14-02871	1257 E. State St.	Leonard, Joseph H	\$64,550.02
26904	2	10-02830	88 S Logan Ave.	Weinberg, Linda	\$78,640.69
26904	3	17-03599	86 S Logan Ave.	Grimsley, Elijah	\$31,449.51
					\$724,930.75

LOT 12					
Block #	Lot #	Cert #	Property Location	Owner of Record	TOTAL LIEN
6202	3	13-01634	160 Hoffman Ave.	Harden, Joseph & Murray, Helen	\$64,362.63
6202	8	15-01886	150 Hoffman Ave.	Hoffman Equities LLC c/o Farkas, Y	\$52,104.25
6202	24	17-02424	116 Hoffman Ave.	Wisniewski, Frank	\$34,178.37
27602	18	11-03415	220 Tloga St.	Richardson, Mrs. Kim	\$66,714.81
27602	22	08-02462	573 Roosevelt St.	Williams, Andre & Collier, Jermaine	\$67,343.32
33304	28	13-02914	68 Kelsey Ave.	Fleming, James E	\$51,337.81
33401	15	18-02552	491 Pennington Ave.	Charleston, Walter	\$24,295.24
33701	23	18-02556	327 Gardner Ave.	Janin-Miska Laura	\$52,550.47
34103	1	16-03298	10 LaSalle Ave.	Webster, Terry & Angelicia	\$55,619.76
34103	15	14-03115	12 LaSalle Ave.	Smith, Dessie M	\$66,247.56
34202	5	15-03729	21 N. Westfield Ave.	Warner J B EST	\$56,243.86
					\$590,998.08

LOT 13					
Block #	Lot #	Cert #	Property Location	Owner of Record	TOTAL LIEN
8903	10	15-02165	676 Southard St.	Grades, James & Mary	\$20,344.85
9002	16	11-02217	1210 Mrt'n King Jr Blvd	Sharon, Nati	\$65,622.43
9301	30	10-01929	21 W Paul Ave.	Peterman, Alistair & Turner, Willie H	\$89,388.54
10302	13	11-02286	142 Turpin St.	Mihalow, Andrew & WF c/o Mihalow	\$52,627.95
10302	23	04-00683	114 Turpin St.	Sullivan, Justin	\$94,723.62
					\$322,707.39

LOT 14					
Block #	Lot #	Cert #	Property Location	Owner of Record	TOTAL LIEN
10306	22	19-01315	15 Furman St.	Osoria-Perez Jorge C	\$13,069.26
10307	4	19-01316	458 1/2 Lamberton St.	Tapia Amado V	\$9,326.69
10307	5	17-02727	458 Lamberton St.	Tapia, Amado	\$14,479.16
13702	6	11-02539	45 Hudson St.	Martins, Fernando	\$77,309.26
14005	5	11-02577	128 Hanford Pl.	Gelt Properties, LLC	\$86,033.24
					\$200,217.61

RESOLUTION

No.

23-443

Approved as to Form and Legality

CITY ATTORNEY

Date of Adoption

Factual content certified by

Councilman /woman

presents the following Resolution:

**RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF
LOAN AGREEMENTS FOR THE NOT TO EXCEED \$15,000,000 WATER
UTILITY BONDS, SERIES 2023 TO BE EXECUTED BY THE CITY OF
TRENTON, IN THE COUNTY OF MERCER, STATE OF NEW JERSEY
AND EACH OF THE NEW JERSEY INFRASTRUCTURE BANK AND
THE STATE OF NEW JERSEY, ACTING BY AND THROUGH THE NEW
JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION, AND
FURTHER AUTHORIZING THE EXECUTION AND DELIVERY OF AN
ESCROW AGREEMENT, ALL PURSUANT TO THE STATE FISCAL
YEAR 2024 NEW JERSEY WATER BANK ENVIRONMENTAL
INFRASTRUCTURE FINANCING PROGRAM**

WHEREAS, the City of Trenton (the "Local Unit"), in the County of Mercer, State of New Jersey, has determined that there exists a need within the Local Unit to finance or refinance the acquisition, construction, renovation or installation of the Project (the "Project") as defined in each of (i) that certain Loan Agreement (the "I-Bank Loan Agreement") to be entered into by and between the Local Unit and the New Jersey Infrastructure Bank (the "I-Bank") and (ii) that certain Loan Agreement (the "Fund Loan Agreement", and together with the I-Bank Loan Agreement, the "Loan Agreements") to be entered into by and between the Local Unit and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the "State"), all pursuant to the State Fiscal Year 2024 New Jersey Water Bank Environmental Infrastructure Financing Program (the "Program");

WHEREAS, the Local Unit has determined to finance or refinance the acquisition, construction, renovation or installation of the Project with the proceeds of a loan to be made by each of the I-Bank (the "I-Bank Loan") and the State (the "Fund Loan", and together with the I-Bank Loan, the "Loans") pursuant to the I-Bank Loan Agreement and the Fund Loan Agreement, respectively;

WHEREAS, to evidence and secure the Loans, each of the I-Bank and the State require the Local Unit to authorize, execute, attest and deliver the Local Unit's Water Utility Bonds, Series 2023, to the I-Bank (the "I-Bank Loan Bond") and Water Utility Bonds, Series 2023, to the State (the "Fund Loan Bond", and together with the I-Bank Loan Bond, the "Local Unit Bonds") in an aggregate principal amount not to exceed \$15,000,000, pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), other applicable law, and the Loan Agreements; and

WHEREAS, the I-Bank and the State have expressed their desire to close in escrow the making of the Loans, the issuance of the Local Unit Bonds and the execution and delivery of the Loan Agreements, all pursuant to the terms of an Escrow Agreement (the "Escrow Agreement") to be entered into by and among the I-Bank, the State, the Local Unit and the escrow agent named therein.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Local Unit as follows:

RESOLUTION

Section 1. The I-Bank Loan Agreement, the Fund Loan Agreement and the Escrow Agreement (collectively, the "Financing Documents") are hereby authorized to be executed and delivered on behalf of the Local Unit by either the Mayor, the Chief Financial Officer or Acting Chief Financial Officer in substantially the forms attached hereto as Exhibits A, B and C, respectively, with such changes as the Mayor, the Chief Financial Officer or Acting Chief Financial Officer (each an "Authorized Officer"), in their respective sole discretion, after consultation with counsel and any advisors to the Local Unit (collectively, the "Local Unit Consultants") and after further consultation with the I-Bank, the State and their representatives, agents, counsel and advisors (collectively, the "Program Consultants", and together with the Local Unit Consultants, the "Consultants"), shall determine, such determination to be conclusively evidenced by the execution of such Financing Documents by an Authorized Officer as determined hereunder. The Local Unit Clerk is hereby authorized to attest to the execution of the Financing Documents by an Authorized Officer of the Local Unit as determined hereunder and to affix, imprint or reproduce the corporate seal of the Local Unit to such Financing Documents.

Section 2. The Authorized Officers of the Local Unit are hereby further severally authorized to (i) execute and deliver, and the Local Unit Clerk is hereby further authorized to attest to such execution and to affix, imprint or reproduce the corporate seal of the Local Unit to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers or the Local Unit Clerk, as applicable, in their respective sole discretion, after consultation with the Consultants, to be executed in connection with the execution and delivery of the Financing Documents and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution and delivery thereof.

Section 3. This resolution shall take effect immediately.

Section 4. Upon the adoption hereof, the Local Unit Clerk shall forward certified copies of this resolution to Wilentz, Goldman & Spitzer, P.A., bond counsel to the Local Unit, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the I-Bank.

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

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

 President of Council
 City Clerk

RESOLUTION

No.

23-434

Date of Adoption _____

Approved as to Form and Legality

Factual content certified by


WESLEY BRIDGES, ESQ. DIRECTOR OF LAW.


SEAN SEMPLE, ACTING DIRECTOR, WATER AND SEWER

Councilman /woman _____

presents the following Resolution:

RESOLUTION AUTHORIZING A CONTRACT AWARD TO FOLEY INC., FOR THE PURCHASE OF PARTS, SERVICES, & REPAIRS TO THE LOADERS AND BACKHOE LOADERS FOR THE DIVISION OF CONSTRUCTION & MAINTENANCE AWARDED THROUGH NATIONAL COOPERATIVE JOINT POWERS ALLIANCE (NJPA) SOURCEWELL CONTRACT #032119-CAT FROM DATE OF AWARD TO MAY 14, 2024 IN AN AMOUNT NOT TO EXCEED \$75,000.00

WHEREAS, this contract was awarded from May 13, 2019 to May 14, 2024 for the purchase of parts, services, and repairs for the Construction and Maintenance Garage awarded through SOURCEWELL Contract #032119-CAT Foley Inc., 855 Centennial Ave, P.O. BOX 1555, Piscataway, New Jersey 08855. The vendor and Sourcewell acknowledged and agreed that extending the contract for a fifth-year benefits all parties and each participant must enter into their own contract; and

WHEREAS, the City of Trenton, Department of Water and Sewer will enter into a National Cooperative Joint Power Alliance (NJPA) SOURCEWELL Contract #032119-CAT with Foley Inc., for the purchase of parts, services, and repairs to loaders and backhoe loaders for the Department of Water and Sewer, Construction and Maintenance Garage; and

WHEREAS, the Department of Water and Sewer, Water Utility Distribution Complex has a need to purchase parts, services, and repairs to loaders and backhoe loaders from Foley Inc., 855 Centennial Ave, P.O. BOX 1555, Piscataway, New Jersey 08855 awarded through SOURCEWELL Contract #032119-CAT, in an amount not to exceed \$75,000.00 from date of award to May 14, 2024; and

WHEREAS, funds in an amount not to exceed \$75,000.00 have been certified to be available in the following account number: 3-05-55-5504-839-001 from date of award.

NOW, THEREFORE, IT IS RESOLVED, by the City Council of the City of Trenton that the Mayor is hereby authorized to execute a contract with Foley Inc., 855 Centennial Ave, P.O. BOX 1555, Piscataway, New Jersey 08855 in an amount not to exceed \$75,000.00 for the purchase of parts, services, and repairs to loaders and backhoe loaders for the Department of Water and Sewer, Construction and Maintenance Garage 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 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 AVAILABILITY OF FUNDS

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

Vendor Name: FOLEY INC.
Address: 855 Centennial Ave PO BOX 1555
City: Piscataway
State: New Jersey
Zip Code: 08855
PURPOSE: Parts, Service, & Repairs to the Loaders and Backhoe Loaders for
Construction & Maintenance
REQ: Q3-03553
TOTAL: \$75,000.00
Fund: Operating
Account Number: 3-05-55-5504-839-001
Vendor ID: FOLEY005

Lynn Au
Acting Chief Financial Officer

OK, BY

8/21/23

Date

RESOLUTION

No. 23-435

Approved as to Form and Legality

Wesley Bridges, Esq. CITY ATTORNEY

Date of Adoption _____

Factual content certified by

Sean Semple - Acting Director, Water & Sewer

Councilman/woman _____ presents the following Resolution:

RESOLUTION AUTHORIZING THE REDUCTION OF SEWER CHARGES OF \$589.62 AT 41 DEXTER STREET (ACCOUNT # 615-3178-305) DUE TO NON-ENTRY OF WATER INTO THE SEWER SERVICE

WHEREAS, Trenton Water Works billed 41 Dexter Street (Account # 615-3178-305) in March 2023 for 187 cubic feet of water and sewerage in the amount of \$1,087.72; and

WHEREAS, it was determined that the high usage was caused by a broken water heater in the basement; and

WHEREAS, the Department of Water and Sewer has determined that the water from the broken water heater drained directly into the floor of the basement and was pumped out into the backyard; and

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

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

1. The Sewer charges for 41 Dexter Street (Account # 615-3178-305) shall be reduced for \$589.62 from the bill date noted above.

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

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

President of Council

City Clerk

RESOLUTION

No. _____

23-436

Approved as to Form and Legality

WESLEY BRIDGES, ESQ., DIRECTOR OF LAW

Date of Adoption _____

Factual content certified by

SEAN SEMPLE, ACTING DIRECTOR OF WATER & SEWER

Councilman /woman _____

presents the following Resolution:

**RESOLUTION ACCEPTING A BID AND AWARDING A CONTRACT TO
FOLEY INCORPORATED, FOR NATURAL GAS ENGINE MAINTENANCE CONTRACT
SERVICES FOR THE WATER FILTRATION PLANT FOR A PERIOD OF ONE (1) YEAR
WITH AN OPTION TO EXTEND THE CONTRACT FOR ONE (1) ADDITIONAL YEAR
FROM DATE OF AWARD IN AN AMOUNT NOT TO EXCEED \$90,575.00
BID 2023-53**

WHEREAS, one (1) sealed bid was received on August 23, 2023 in the Division of Purchasing at 11:00am by the Purchasing Agent, for Natural Gas Engine Maintenance Contract Services for a period of one (1) year with an option to extend one (1) additional year for the City of Trenton, Department of Water and Sewer., Trenton Water Filtration Plant; and

WHEREAS, this contract is necessary to provide emergency service, testing, and preventative maintenance for the two natural gas generators that are located at the central pumping station. If utility power is lost, the generators provide electricity to the pumping stations; and

WHEREAS, the sole bid of Foley Incorporated, 855 Centennial Ave, Piscataway, NJ 08854, 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 \$90,575.00 have been certified to be available in the following account number: CY' 2023, 3-05- -55-5506-813-013 contingent upon the temporary and final adoption of CY'2023 budget. This contract shall be awarded for a period of one (1) year from date of award with an option to extend one (1) additional year.

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 Foley Incorporated, 855 Centennial Ave, Piscataway, NJ 08854 in an amount not to exceed \$90,575.00 for Natural Gas Engine Maintenance Contract Services for a period of one (1) year with an option to extend the contract for one (1) additional year for the City of Trenton, Department of Water and Sewer, Water Filtration Plant for the said purposes in the manner prescribed by law.

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

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

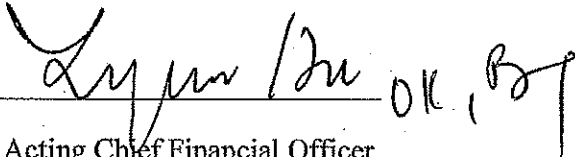
President of Council_____
City Clerk

CITY OF TRENTON
DEPARTMENT OF FINANCE

CERTIFICATION OF AVAILABILITY OF FUNDS

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

Vendor Name: Foley, Inc.
Address: 855 Centennial Ave
City/State/Zip: Piscataway, NJ
Purpose: CY' 2023 Natural Gas Engine Generator Maintenance Contract
Bid No. 2023-53
Fund: Operating
Account Number: 3-05- -55-5506-813-013
Vendor ID: FOLEY005
Requisition Number: Q3-04902
Amount not to exceed: \$90,575.00



Acting Chief Financial Officer

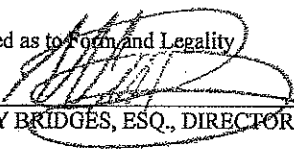
9/11/2023

Date

RESOLUTION

No. 23-437

Approved as to Form and Legality


WESLEY BRIDGES, ESQ., DIRECTOR OF LAW

Date of Adoption _____

Factual content certified by


SEAN SEMPLE, ACTING DIRECTOR OF WATER & SEWER

Councilman /woman _____

_____ presents the following Resolution:

**RESOLUTION ACCEPTING A BID AND AWARDING A CONTRACT TO
EMSL ANALYTICAL INC., FOR LEGIONELLA TESTING FOR THE
DEPARTMENT OF WATER & SEWER, TRENTON WATER FILTRATION PLANT
FOR A PERIOD OF ONE (1) YEAR FROM DATE OF AWARD WITH AN OPTION
TO EXTEND THE CONTRACT FOR ONE (1) ADDITIONAL YEAR IN AN AMOUNT
NOT TO EXCEED \$111,438.00 BID 2023-54**

WHEREAS, seven (7) sealed bids were received on August 23, 2023 in the Division of Purchasing at 11:00am by the Purchasing Agent, for Legionella Testing for a period of one (1) year with an option to extend one (1) additional year for the City of Trenton, Department of Water and Sewer, Trenton Water Filtration Plant; and

WHEREAS, the Department of Water and Sewer, Trenton Water Works has a requirement that samples be examined for Legionella by a contracted laboratory. Every year, samples must be examined for legionella in the service districts of Trenton, Hamilton, Ewing, Lawrence, and Hopewell, according to Trenton Water Works Unilateral Administration Order with the NJDEP; and

WHEREAS, the first low bidder Garratt Callahan, 306 Talmadge Rd, Edison, NJ 08817 and second low bidder Klenzoid Inc., 912 Spring Hill Avenue, Conshohocken, PA 19428 did not submit the required laboratory certification as requested by the New Jersey Department of Environmental Protection and the specification requirements which is a fatal defect; and

WHEREAS, the third low bid of EMSL Analytical Inc., 200 Route 130 North, Cinnaminson, NJ 08077, is made pursuant to advertisement, be and is hereby accepted, as the responsible, responsive bidder complying with terms and specifications on file in the Division of Purchasing; and

WHEREAS, funds in an amount not to exceed \$111,438.00 have been certified to be available in the following account number: CY' 2023, 3-05- -55-5506-824-003 contingent upon the temporary and final adoption of CY'2023 budget. This contract shall be awarded for a period of one (1) year from date of award with an option to extend one (1) additional year.

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 EMSL Analytical Inc., 200 Route 130 North, Cinnaminson, NJ 08077 in an amount not to exceed \$111,438.00 for Legionella Testing for a period of one (1) year from date of award with an option to extend the contract for one (1) additional year for the City of Trenton, Department of Water and Sewer, Trenton Water Filtration Plant for the said purposes in the manner prescribed by law.

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

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

President of Council

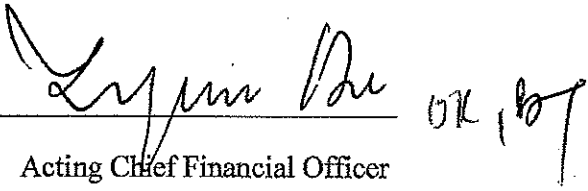
City Clerk

CITY OF TRENTON
DEPARTMENT OF FINANCE

CERTIFICATION OF AVAILABILITY OF FUNDS

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

Vendor Name: EMSL Analytical Inc.
Address: 200 Route 130 North
City/State/Zip: Cinnaminson, NJ 08077
Purpose: CY'2023 Legionella Testing Contract, Bid No. 2023-54
Fund: Operating
Account Number: 03- 05- -55-5506-824-003
Vendor ID: EMSLA005
Requisition Number: Q3-04910
Amount not to exceed: \$111,438.00



Acting Chief Financial Officer

9/11/2023

Date

RESOLUTION

No. **23-438**

Approved as to Form and Legality

WESLEY BRIDGES, ESQ., DIRECTOR OF LAW

Councilwoman

Date of Adoption

Factual content certified by

JIM BEACH, CHIEF OF STAFF

presents the following Resolution:

RESOLUTION REJECTING PROPOSAL RECEIVED FOR TRENTON MOVES MOBILITY AND OPPORTUNITY VEHICULAR EQUITY SYSTEM CC2023-10

WHEREAS, one (1) sealed proposal was received in the Division of Purchasing on July 20, 2023, at 11:00A.M. by the Purchasing Agent for CC2023-10 Trenton Moves Mobility and Opportunity Vehicular Equity System for the City of Trenton, Department of Housing and Economic Development for period of two (2) years with an option to extend one (1) additional year; and

WHEREAS, pursuant to Local Public Contract Law N.J.S.A. 40A:11-13.2d the contracting unit wants to substantially revise the specifications for the goods or services. It is the best interest of the City of Trenton to reject the proposal received and re-advertise the procurement process.

NOW, THEREFORE, IT IS RESOLVED, by the City Council of Trenton that the proposal received be rejected and the Division of Purchasing will re-advertise the procurement process.

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

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

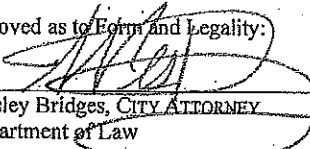
President of Council

City Clerk

RESOLUTION

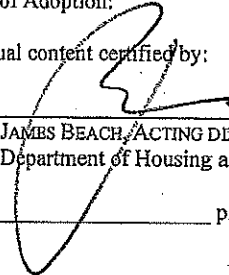
No. **23-439**

Approved as to Form and Legality:


Wesley Bridges, CITY ATTORNEY
Department of Law

Date of Adoption:

Factual content certified by:


JAMES BEACH, ACTING DIRECTOR
Department of Housing and Economic Development

Councilman /woman _____

_____ presents the following Resolution:

RESOLUTION DESIGNATING AVALON MANAGEMENT GROUP AS REDEVELOPER OF VARIOUS PROPERTIES (NORTH CLINTON AVENUE, MONMOUTH STREET AND MONMOUTH PLACE) LOCATED WITHIN THE TRENTON STATION REDEVELOPMENT AREA

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (as amended and supplemented the "**Redevelopment Law**"), provides a process for municipalities to participate in the redevelopment and improvement of areas designated by the municipality as in need of redevelopment; and

WHEREAS, pursuant to the provisions of the Redevelopment Law, the City is vested with responsibility for implementing redevelopment plans and carrying out redevelopment projects in the City; and

WHEREAS, in accordance with the criteria set forth in the Redevelopment Law, the City established an area in need of redevelopment, commonly known as TRENTON STATION REDEVELOPMENT AREA (the "**Redevelopment Area**"), and adopted and subsequently amended a redevelopment plan for the Redevelopment Area entitled the "Trenton Station Redevelopment Area Plan" (as same may be further amended and supplemented from time to time, the ("**Redevelopment Plan**")); and

WHEREAS, the City of Trenton (the "City") is the fee simple owner of certain property identified on the City's tax maps as follows:

Block 1403, Lot/s 26-37, 46

Block 1402, Lot/s 3-5, 7-8

with the foregoing Properties commonly known as 70, 72, 74, 76, 78, 80, 82 and 84 North Clinton Avenue, 1-BEF Monmouth Place, 1 Monmouth Place and 23, 125, 127, 131, 133 and 135 Monmouth Street (hereinafter referred to as the "**City-Owned Property**"); and

WHEREAS, the City-Owned Property (collectively the "Properties") are within the Redevelopment Area; and

WHEREAS, Avalon Management Group, (the "**Redeveloper**") proposes to purchase and redevelop the Properties. (See Redeveloper's application to purchase city-owned property appended hereto as Attachment "A")

WHEREAS, the Redeveloper proposes to pay Three Hundred Thousand (\$300,000.00) Dollars for the Properties; and

WHEREAS, in furtherance of the objectives of the Redevelopment Plan the Redeveloper has proposed, among other things, a combination of quality studios, 1-bedroom, 2-bedroom and 3-bedroom apartments at the North Clinton site (market rate and affordable housing), as well as refurbishment or construction of single-family homes on Monmouth Street and adequate parking for all of the dwellings; and

WHEREAS, the Redeveloper desires to be designated and the City wishes to designate the Redeveloper as Redeveloper of the Properties, contingent upon the negotiation of a mutually acceptable Purchase and Sale, and Redevelopment Agreement (the "Agreement").

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

1. The aforementioned recitals are incorporated by reference as though fully set forth at length herewith.
2. Avalon Management Group is hereby designated as Redeveloper of the Property contingent upon the negotiation of the Agreement.
3. The City, by and through the Director of Housing and Economic Development, is hereby authorized to negotiate the terms of the Agreement with the Redeveloper. Both the City and the Redeveloper shall use best efforts and operate in good faith to create a final Agreement. Said Agreement shall be brought to City Council in final form for approval prior to execution thereof.
4. The Mayor and/or the Director of Housing and Economic Development are hereby authorized to take any and all actions, consistent with applicable law, to execute any and all documents necessary to effectuate this Resolution.

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

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

President of Council

City Clerk

RESOLUTION

No.

23-440

Approved as to Form and Legality

WESLEY BRIDGES, 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 APPLICATION AND ACCEPTANCE OF A BROWNFIELD IMPACT FUND GRANT OF UP TO \$300,000 TO CONDUCT A REMEDIAL ACTION ON THE FEDERATED METALS SITE LOCATED AT 300 ENTERPRISE AVENUE

WHEREAS, the New Jersey Economic Development Authority (NJEDA) through the Brownfield Impact Fund, has grant funding available for the purpose of funding remedial actions to support economic development; and

WHEREAS, prior to the redevelopment of the above referenced property, additional remedial action is necessary; and

WHEREAS, the Federated Metals Site is eligible to receive grant monies from the NJEDA's Brownfield Impact Fund to perform environmental remediation; and

WHEREAS, the City of Trenton may apply to the NJEDA to receive grant monies from the aforementioned fund for the performance of remedial actions; and

WHEREAS, there is no matching fund requirement for this grant; and

WHEREAS, the cost of such remedial action has been determined to be approximately \$300,000;

NOW, THEREFORE, IT IS RESOLVED, by the City Council of the City of Trenton, that the Mayor is hereby authorized to execute any and all documents necessary in order to apply to the NJEDA for funding and accept the grant for the purposes of conducting remedial action on the above referenced property and execute all documents pertaining to such grant; and

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

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

President of Council

City Clerk

ORDINANCE

No. 23-048

1st Reading _____

Public Hearing _____

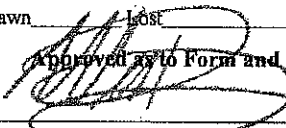
2nd Reading & Passage _____

Withdrawn _____

Date to Mayor _____

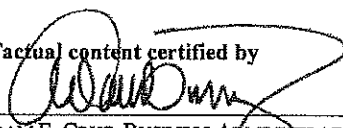
Date Returned _____

Date Resubmitted to Council _____

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 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. 24:61-2, 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. 24:61-31, 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, 146-50(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

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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~~

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~~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

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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.

(+) 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 250 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.

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- (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 CRC 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 (35)~~ 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.~~

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- (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

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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

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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, genderexpression, 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

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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:~~

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- 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 oneshareholder'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;

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- 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

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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.

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- ~~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.

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- 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.).
 - ~~e) 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.

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- 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

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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

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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 is 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 is 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.

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- 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 250 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

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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 ~~Therofare~~ 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 determinations, 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

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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.

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- 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

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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 VIII, CANNABIS TRANSFER TAX, to read as follows:

§ ~~487-21~~ 268-44 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~~ 268-45 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~~ 268-46 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.).

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§ 487-24 ~~268-47~~. 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 ~~268-48~~ 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.

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§ 487-26 ~~268-49~~ 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.~~

(1) Ten percent (10%) of all revenue collected through Chapter 268, Article VIII, Cannabis Transfer Tax shall be dedicated toward identifying and addressing healthcare disparities affecting Trentonians through the City of Trenton Department of Health & Human Services.

§ 487-27, ~~268-50~~ 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."

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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:												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									WILLIAMS																						
KETTENBURG																															
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

No. **23-059**1st Reading _____

Public Hearing _____

2nd Reading & Passage _____

Withdrawn _____ Lost _____

Date to Mayor _____

Date Returned _____

Date Resubmitted to Council _____

Approved as to Form and Legality

Factual content certified by

WESLEY BRIDGES, DIRECTOR OF LAW

SEAN SEMPLE, ACTING DIRECTOR OF WATER & SEWER

Councilman /woman _____ presents the following Ordinance:

AN ORDINANCE CREATING THE POSITION OF PRINCIPAL MAIL CLERK IN THE DEPARTMENT OF WATER AND SEWER, FIXING THE SALARY RANGE, THEREFORE, AND SETTING FORTH CERTAIN REGULATIONS FOR THE IMPLEMENTATION OF THE SAME

WHEREAS, the City of Trenton provides water and sewer service to Trenton and the surrounding municipalities; and

WHEREAS, the specifications for the Principal Mail Clerk title includes: taking the lead in the work involved in the receipt, date stamping, and intradepartmental distribution of incoming letters and packages; ensures that proper signatures are obtained where necessary.

WHEREAS, the City of Trenton needs the title of Principal Mail Clerk to lead in the preparation of outgoing mail for delivery to a state department post office; stamp, deliver outgoing mail directly to the Federal Post Office.

WHEREAS, the title of Principal Mail Clerk is not currently in existence in any City of Trenton salary ordinance; therefore

The City Council of the City of Trenton does ordain as follows:

1. That from and after the effective dates herein, the schedule below showing the salary range for Principal Mail Clerk, be recognized as duly created and existing in AFSCME Local 2286 in the City of Trenton.

SUPPLEMENT SCHEDULE A

<u>TITLE</u>	<u>RANGE</u>	<u>SALARY</u>
Principal Mail Clerk	17	\$48,125 - \$61,543

2. The salary range shall be effective only upon the availability of funds as appropriated in the budget or budgets, including the temporary budget, as adopted by the City Council of the City of Trenton.

ORDINANCE

3. Any Ordinance or parts of Ordinances inconsistent with this Ordinance are hereby repealed.
4. This Ordinance shall be effective after final passage and publication
5. This Ordinance shall be codified within the City of Trenton Code.

INTRODUCTION:	MOTION:				SECOND:				ORD. AUTHORED 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									WILLIAMS																	
KETTENBURG																										
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