


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

TRENTON CITY COUNCIL CONFERENCE SESSION

TRENTON CITY HALL, CITY COUNCIL CHAMBERS,
319 EAST STATE STREET
TUESDAY, MAY 21, 2024 AT 5:30 PM

A G E N D A

- I. CALL TO ORDER**
- II. FLAG SALUTE**
- III. STATEMENT:** Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act, pursuant to Public Laws 1975, Chapter 231. This Agenda is complete to the extent known and was sent to the Trenton Times, posted on the first floor bulletin board in City Hall, and filed in the City Clerk's Office. Formal action will be taken.
- IV. ROLL CALL**
- V. INVOCATION**
- VI. PRESENTATION:**
Cannabis Presentation – Moe Weed
- VII. PUBLIC COMMENT**
- VIII. CIVIC COMMENTS**
- IX. COMMUNICATIONS/PETITIONS/REPORTS**
- X. OLD BUSINESS [Ordinances 2nd Reading and Public Hearing]**
- XI. NEW BUSINESS:**
 - a. RESOLUTIONS**
 - b. ORDINANCES [1st Reading and Introduction]**
 - c. OTHER**
- XII EXECUTIVE SESSION:** 24-189 - AUTHORIZING THE CITY COUNCIL OF THE CITY OF TRENTON TO HOLD AN EXECUTIVE SESSION WHICH EXCLUDES THE PUBLIC (EGGERTS CROSSING V. CITY OF TRENTON - PERSONNEL)
- XIII. ADJOURNMENT**

NEXT COUNCIL MEETING - THURSDAY, MAY 23, 2024

The public can join the City Council meeting by going to ZOOM.COM go to join meeting and type the meeting ID number 16003746800. The Agenda is subject to change at the discretion of Council leadership.

DOCKET FOR CONFERENCE SESSION

May 21, 2024

1. MINUTES FOR APPROVAL

i. MARCH 5, 2024

2. COMMUNICATIONS AND PETITIONS

- 2a Foreclosure Notice Summons and Complaint – Filed by KML Law Group, PC, 701 Market Street, Suite 5000, Philadelphia, Pennsylvania – Property Address: 131 Columbus Avenue, Trenton, New Jersey 08629, Block 29803, Lot 16.
- 2b Foreclosure Notice Filing Summons and Compliant in Mortgage – Filed by RAS Law Offices, 130 Clinton Road, Suite 202, Fairfield, New Jersey 07004 – Property Address: 782 Quinton Avenue, Trenton, New Jersey 08629, Block 29503, Lot 4.
- 2c Tort Claim Notice for Personal and Other Damages – Filed by Rand Spear, Esquire, Spear, Greenfield, Richman, Weitz & Taggart, PC, 10,000 Lincoln Drive East, One Greentree Centre, Suite 201, Marlton, New Jersey 08053 – Representing Robert Barkley, 235 Massachusetts Avenue, Apartment 215A, Hamilton, New Jersey – Against the City of Trenton.
- 2d Remedial Action Protectiveness/Biennial Certification Form – Soil. Capital Health Regional Medical Center aka Helene Fuld Medical Center, 750 Brunswick Avenue, Trenton, New Jersey.
- 2e Remedial Action Protectiveness/Biennial Certification Form – Soil. Capital Health Regional Medical Center aka Helene Fuld Medical Center, Emergency Room Parking Lot, 800 Brunswick Avenue, Trenton, New Jersey.
- 2f Civil Chapter 11 United States Southern District of New York – Filed by Skadden, Arps, Slate, Meagher & Flom, LLP – Representing Endo International, plc, et. al. vs. Debtors – Notice of (1) Entry of Confirmation Order, (2) Occurrence of Effective Date, and (3) The Administrative Expense Claims Bar Date. (Original copy on file in Clerks Office).
- 2g Civil Action Notice of Motion for Entry of Judgment – Filed by Deborah Feldstein, Esquire, Pellegrino & Feldstein, LLC, 290 Route 46 West, Denville, New Jersey – Representing Avalon Management Group, Inc vs. Passaic Stret Housing, LLC; RREF II 1B Acquisitions, LLC; City of Trenton, et. al.
- 2h Township of Lawrence Ordinance Amending the Land Use Ordinance of the Township of Lawrence to Revise Section 522 Drainage and Storm Water Management.
- 2i Intex Environmental Group, Inc copy of NJDEP Soil remedial Action Protectiveness/Biennial Certification Form with attachments Permit #200001 Site: 599 Ingham Avenue, Trenton, New Jersey
- 2j Civil Action Summons Compliant and Jury Demand Filed by Kevin C. Watkins, Esquire, 303 Elmwynd Drive, PO Box 914, Orange, New Jersey – Representing Estate of Ahsaki T. McCall, Carl McCall vs. Illora Peters Burke, City of Trenton, Reed Gusciora, In his Capacity as Mayor of the City of Trenton, City of Trenton Police Department, et. als.
- 2k Foreclosure Notice – Filed by LOGS Legal Group, LLP, Attorneys at Law, 14000 Commerce Parkway, Suite B, Mount Laurel, New Jersey – Representing Wells Fargo Bank, N.A. Property Listed: 440 Hamilton Avenue, Trenton, New Jersey 08609, Lot 1, and Block 14002.
- 2l Foreclosure Notice – Filed by Frenkel Lambert Weiss Weisman & Gordon, LLP, 80 Main Street, Suite 460, West Orange, New Jersey – Representing Loan Depot.com, LLC vs. Tyrone Brown, his heirs, devisees and personal representatives, and his/her, their, or any of their successors in right title and interest; Mrs. Brown, wife of Tyrone Brown; Dorshonda F. Brown; Portia Brown; New Jersey Housing and Mortgage Finance Agency. Property Listed: 46 Carroll Street, Trenton, New Jersey, Block 902 fka 9-D aka 9, Lot 40 fka 97.

DOCKET FOR CONFERENCE SESSION

May 21, 2024

- 2m Foreclosure Action – Summons and Compliant Mortgage – Filed by Brock & Scott, PLLC, 302 Fellowship Road, Suite 130, Mount Laurel, New Jersey 08054. Property Listed: 40 Hayes Avenue, Trenton, New Jersey 08618. Lot 10, Block 6105.
- 2n Foreclosure Action – Filed by Greenspoon Marder, LLP, Jessica Ann Berry, Esquire, 100 West Cypress Creek Road, Tade Centre South, Suite 00, Fort Lauderdale, Florida 33309. Property Listed: 64 Oak Lane, Trenton, New Jersey 08618, Lot 13, Block 35103.
- 2o Tort Claim Notice for Damages – Filed by Emily Briskin, Paralegal to Dennis Gruenke, Esquire, Law Offices of Eric Shore, 20 Brace Road, Suite 325, Cherry Hill, New Jersey – Representing Marquita Rucker vs. City of Trenton.

3. REPORTS

- 3a City Clerk’s Office – Submitting for approval the monthly revenue report for the month of April 2024 of funds collected by the office staff – Totaling \$33,961.50

4. ORDINANCES - 2nd Reading and Public Hearing

- 24-039 AN ORDINANCE PROHIBITING THE DAMAGING, DEFACING OR REMOVAL OF STREET SIGNS WITHIN THE CITY OF TRENTON CHAPTER 54, ARTICLE V
- 24-041 AN ORDINANCE OF THE CITY OF TRENTON TO ADOPT NJDEP’S MODEL ORDINANCE REGARDING STORMWATER CONTROL AND TO AMEND CHAPTER 254 OF THE CODE OF THE CITY OF TRENTON

5. RESOLUTIONS

CITY CLERK’S OFFICE

- 24-189 AUTHORIZING THE CITY COUNCIL OF THE CITY OF TRENTON TO HOLD AN EXECUTIVE SESSION WHICH EXCLUDES THE PUBLIC (EGGERTS CROSSING V. CITY OF TRENTON - PERSONNEL)
- 24-210 RESOLUTION RECOGNIZING JUNE AS PRIDE MONTH IN THE CITY OF TRENTON
- 24-211 RESOLUTION OF SUPPORT FOR THE DESIGNATION OF JUNE 7, 2024 AS NATIONAL GUN VIOLENCE AWARENESS DAY AND JUNE 2024 AS NATIONAL GUN VIOLENCE AWARENESS IN THE CITY OF TRENTON

DOCKET FOR CONFERENCE SESSION

May 21, 2024

DEPARTMENT OF ADMINISTRATION, ADAM E. CRUZ, BUSINESS ADMINISTRATOR

- 24-142 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 OF (I) A WATER UTILITY BOND ORDINANCE OF THE CITY UNDER THE PROVISIONS OF THE MUNICIPAL QUALIFIED BOND ACT, N.J.S.A. 40A:3-1 ET SEQ., (THE "ACT"), ENTITLED "BOND ORDINANCE PROVIDING FOR ROADWAY REPAIRS IN VARIOUS AREAS SERVICED BY TRENTON WATER WORKS, BY AND IN THE CITY OF TRENTON, IN THE COUNTY OF MERCER, STATE OF NEW JERSEY; APPROPRIATING \$5,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$5,000,000 OF BONDS OR NOTES TO FINANCE THE COST THEREOF", AND (II) THE ISSUANCE OF QUALIFIED BONDS UNDER THE PROVISIONS OF THE ACT.

DEPARTMENT OF LAW, WES BRIDGES, DIRECTOR

- 24-192 RESOLUTION AUTHORIZING SETTLEMENT OF A CIVIL ACTION IN THE MATTER OF EGGERTS CROSSING V. CITY OF TRENTON, IN THE TOTAL AMOUNT OF \$125,000.00

DEPARTMENT OF FINANCE

- 24-193 RESOLUTION AUTHORIZING THE CITY OF TRENTON TO ISSUE 4 REFUNDS TOTALING \$8,073.98 RELATED TO ERRONEOUS TRENTON WATER WORKS PAYMENTS
- 24-194 RESOLUTION AUTHORIZING THE CITY OF TRENTON TO CANCEL AN EXPIRED PREMIUM OF \$300.00
- 24-195 RESOLUTION AUTHORIZING THE CITY OF TRENTON TO ISSUE 3 TAX REFUNDS TOTALING \$8,945.88

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

- 24-196 RESOLUTION OF THE CITY OF TRENTON, COUNTY OF MERCER, NEW JERSEY SUPPORTING REVOLUTIONNJ
- 24-197 A RESOLUTION AUTHORIZING ADOPTION OF POLICIES AND PROCEDURES SPECIFIC TO MANAGEMENT OF AMERICAN RESCUE PLAN ACT (ARPA) STATE AND LOCAL FISCAL RECOVERY FUNDS (SLFRF) FOR THE PERIOD OF AUGUST 3, 2023 TO DECEMBER 31, 2026, IN THE AMOUNT OF \$1,899,000.00

DOCKET FOR CONFERENCE SESSION

May 21, 2024

- 24-198 RESOLUTION ACCEPTING A BID AND AWARDING A CONTRACT TO CLEAN EARTH MATTERS, LLC FOR EMERGENCY AND NON-EMERGENCY TREE SERVICES ON AN AS NEEDED BASIS, FOR THE DEPARTMENT OF RECREATION, NATURAL RESOURCES, AND CULTURE FOR A PERIOD OF TWO (2) YEARS IN AN AMOUNT NOT TO EXCEED \$125,000.00 – BID 2023-82B
- 24-199 RESOLUTION ACCEPTING BIDS AND AWARDING CONTRACTS TO MULTIPLE VENDORS FOR GENERAL MAINTENANCE AND MINOR CONSTRUCTION SERVICES ON AN AS NEEDED BASIS, FOR THE DEPARTMENT OF RECREATION, NATURAL RESOURCES, AND CULTURE FOR A PERIOD OF ONE (1) YEAR IN AN AMOUNT NOT TO EXCEED \$500,000 BID2023-83
- 24-206 RESOLUTION APPLYING FOR AND ACCEPTING THE 2023-2024 FISCAL YEAR STATE EARMARK IN THE AMOUNT OF \$400,000.00 FOR THE RENOVATION OF 73 HART AVENUE TO ESTABLISH THE LOCUST HILL CEMETERY INTERPRETIVE CENTER
- 24-208 RESOLUTION AUTHORIZING THE CITY OF TRENTON TO APPLY FOR AND ACCEPT A \$850,000 “LEAFING OUT GRANT” FOR CITYWIDE PLANTING INITIATIVES, REMOVAL OF DEAD TREES AND COMPREHENSIVE TREE INVENTORY
- 24-209 RESOLUTION AUTHORIZING APPLICATION AND ACCEPTANCE OF A NEW JERSEY HISTORIC COMMISSION PROJECT GRANT TO DEVELOP A HISTORY EXHIBITION FOR DOUGLASS HOUSE IN MILL HILL PARK, IN THE AMOUNT OF \$20,000.00

DEPARTMENT OF PUBLIC WORKS, WAHAB ONITIRI, DIRECTOR

- 24-200 RESOLUTION AUTHORIZING A CONTRACT AWARDED TO C&M AUTO PARTS, INC., FOR THE PURCHASE OF AUTO PARTS AND ACCESSORIES FOR LIGHT DUTY VEHICLES (CLASS 4 OR LOWER, 15,000 LB. GVWR OR LESS) FOR MULTIPLE DIVISIONS UNDER THE DEPARTMENT OF PUBLIC WORKS AWARDED THROUGH NEW JERSEY STATE CONTRACT# 24-FLEET-61971-T-2761- IN AN AMOUNT NOT TO EXCEED \$115,000.00 – THIS CONTRACT SHALL BE AWARDED FOR A PERIOD OF ONE (1) YEAR FROM THE DATE OF AWARD

DEPARTMENT OF WATER AND SEWER, SEAN SEMPLE, DIRECTOR

- 24-201 RESOLUTION AUTHORIZING A CONTRACT TO RAPID PUMP AND METER SERVICE CO., PUMP REPLACEMENT FOR THE TRENTON SEWER UTILITY’S COMBINED SEWAGE PUMPING STATION, AT 1502 LAMBERTON ROAD, TRENTON, NEW JERSEY 08611 AWARDED IN CONJUNCTION WITH THE NORTH JERSEY WASTEWATER COOPERATIVE, CONTRACT# B369-7. THIS CONTRACT SHALL BE AWARDED FROM THE TIME OF AWARD TO JULY 31, 2026, IN AN AMOUNT NOT TO EXCEED \$3,478.744.00

DOCKET FOR CONFERENCE SESSION

May 21, 2024

- 24-202 RESOLUTION AUTHORIZING THE CITY OF TRENTON, DEPARTMENT OF WATER AND SEWER, DIVISION OF SEWER TO APPLY AND ACCEPT A STORMWATER ASSISTANCE GRANT, IN THE AMOUNT OF \$25,000.00 FROM THE STATE OF NEW JERSEY, DEPARTMENT OF ENVIRONMENTAL PROTECTION
- 24-203 RESOLUTION AUTHORIZING PAYMENT FOR A CONTRACT WITH DEWCON, INC., P.O. BOX 439, BASKING RIDGE NEW JERSEY 07920, AWARDED ON AN EMERGENCY BASIS FOR SEWER PUMP STATION 20" MAIN REPAIR IN AN AMOUNT NOT TO EXCEED \$56,031.40 FOR THE TRENTON SEWER UTILITY
- 24-204 RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO CERTIFIED HEALTH AND SAFETY SERVICES FOR PEOSHA SAFETY TRAINING REQUIRED BY THE STATE OF NEW JERSEY FOR TRENTON WATER WORKS, WATER UTILITY FOR A PERIOD OF ONE (1) YEAR FROM DATE OF AWARD IN AN AMOUNT NOT TO EXCEED \$54,215.00 – BID2024-16
- 24-205 RESOLUTION ACCEPTING A BID AND AWARDING A CONTRACT TO AEGIS SECURITY AGENCY, LLC FOR SECURITY GUARD SERVICES AT THE TRENTON WATER WORKS DISTRIBUTION COMPLEX, 333 CORTLAND STREET, TRENTON, NJ 08638 FOR A PERIOD OF ONE (1) YEAR FROM THE DATE OF AWARD IN AN AMOUNT NOT TO EXCEED \$160,055.00 – BID2024-03
- 24-207 RESOLUTION AWARDING A CONTRACT THROUGH A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44 A-20 ET. SEQ., TO VAN NOTE HARVEY ASSOCIATES FOR THE DEVELOPMENT, PREPARATION, PRINTING AND MAILING SERVICE FOR THE CONSUMER CONFIDENCE REPORT (CCR) PER USEPA AND NJDEP FOR TRENTON WATER UTILITY IN AN AMOUNT NOT TO EXCEED \$70,000.00, FOR A PERIOD ONE (1) YEAR FROM THE DATE OF AWARD – RFP2024-07

6. ORDINANCES - 1st Reading and Introduction

- 24-027 BOND ORDINANCE PROVIDING FOR ROADWAY REPAIRS IN VARIOUS AREAS SERVICED BY TRENTON WATER WORKS INCLUDING, BY AND IN THE CITY OF TRENTON, IN THE COUNTY OF MERCER, STATE OF NEW JERSEY; APPROPRIATING \$5,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$5,000,000 OF BONDS OR NOTES TO FINANCE THE COST THEREOF
- 24-042 AN ORDINANCE CREATING CHAPTER 48 OF THE CODE OF THE CITY OF TRENTON, ENTITLED "CANNABIS CONSUMPTION"

Public Hearing and 2nd Reading for Ordinances to be held on June 6, 2024.

DOCKET FOR CONFERENCE SESSION

May 21, 2024

5. RESOLUTION TO ENTER EXECUTIVE SESSION

24-189 AUTHORIZING THE CITY COUNCIL OF THE CITY OF TRENTON TO HOLD AN EXECUTIVE SESSION WHICH EXCLUDES THE PUBLIC (EGGERTS CROSSING V. CITY OF TRENTON - PERSONNEL)

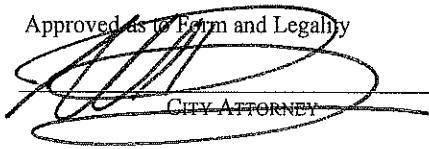
24-192 RESOLUTION AUTHORIZING SETTLEMENT OF A CIVIL ACTION IN THE MATTER OF EGGERTS CROSSING V. CITY OF TRENTON, IN THE TOTAL AMOUNT OF \$125,000.00

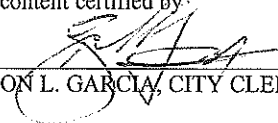
RESOLUTION No. 24-189

Date of Adoption _____

Approved as to Form and Legality

Factual content certified by:


CITY ATTORNEY


BRANDON L. GARCIA, 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 May 21, 2024 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

24-192 RESOLUTION AUTHORIZING SETTLEMENT OF A CIVIL ACTION IN THE MATTER OF EGGERTS CROSSING V. CITY OF TRENTON, IN THE TOTAL AMOUNT OF \$125,000.00

Personnel

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					FELICIANO					
FIGUEROA KETTENBURG					HARRISON										
FRISBY					WILLIAMS										

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

President of Council

City Clerk

ORDINANCE

No. 24-39

1st Reading MAY 09 2024

↓ Date to Mayor: _____

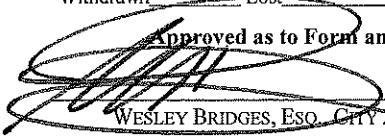
Public Hearing _____

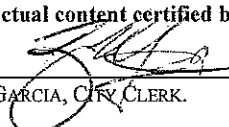
Date Returned _____

2nd Reading & Passage _____

Date Resubmitted to Council _____

Withdrawn _____ Lost _____


Approved as to Form and Legality
WESLEY BRIDGES, ESQ. CITY ATTORNEY

Factual content certified by

BRANDON GARCIA, CITY CLERK.

COUNCILMAN / WOMAN _____ CRYSTAL M. FELICIANO _____ PRESENTS THE FOLLOWING ORDINANCE:

SPONSORED BY: _____

AN ORDINANCE PROHIBITING THE DAMAGING, DEFACING OR REMOVAL OF STREET SIGNS WITHIN THE CITY OF TRENTON CHAPTER 54, ARTICLE V (NEW)

WHEREAS, the City of Trenton recognizes the importance of maintaining public infrastructure for the safety and well-being of its residents, visitors, and motorists; and

WHEREAS, street signs and poles installed by the City of Trenton or any other entity, provide essential information and guidance to pedestrians and drivers; and

WHEREAS, the damage or destruction of street signs and poles results in an unnecessary financial burden on the city's resources, while also causing safety risks to drivers and pedestrians.

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

1. It shall be unlawful for any person, within the jurisdiction of the City of Trenton to willfully damage, deface, destroy, remove, or tamper any street signs, or poles installed within the City of Trenton, whether by painting, graffiti, removal, or any other means.
2. Violations of this Ordinance shall result in penalties as prescribed in the General Penalty Provision of the Trenton Code as well as the remedies set forth in Paragraph 4 below.
3. This Ordinance shall be enforced by The Trenton Police Department action against violators in accordance with the law.
4. The City of Trenton may pursue civil remedies against individuals or entities responsible the damage to city-installed infrastructure as noted above to recover the costs of repair or replacement or may seek restitution in the Municipal Court as part of the sentence of a compliant.

ORDINANCE

IT IS FURTHER ORDAINED that the Ordinance shall take effect pursuant to N.J.S.A. 40:69A-181 and other applicable law.

INTRODUCTION:	MOTION: <i>Williams</i>	SECOND: <i>Figueroa Kettenburg</i>	ORD. AUTHORED BY: <i>Crystal Feliciano</i>	ADOPTION	MOTION:	SECOND:									
INTRODUCTION				ADOPTION				INTRODUCTION				ADOPTION			
AYE	NAY	NV	AB	AYE	NAY	NV	AB	AYE	NAY	NV	AB	AYE	NAY	NV	AB
EDWARDS	✓							GONZALEZ	✓			FELICIANO	✓		
FIGUEROA KETTENBURG	✓							HARRISON	✓						
FRISBY	✓							WILLIAMS	✓						
NV - NO VOTE				AB - ABSENT											

Adopted on first reading at a meeting of the City Council of the City of Trenton, NJ on MAY 09 2024

Adopted on second reading after the public hearing on _____

 Mayor APPROVED Reconsidered by Council – Override Vote AYE
REJECTED NAY

 President of Council City Clerk

ORDINANCE

24-041

No. _____

1st Reading MAY 09 2024

Date to Mayor _____

Public Hearing _____

Date Returned _____

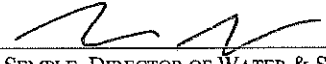
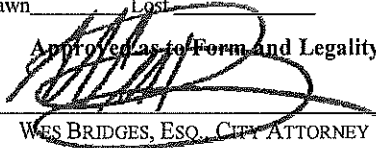
2nd Reading & Passage _____

Date Resubmitted to Council _____

Withdrawn _____ Lost _____

Approved as to Form and Legality

Factual content certified by



WES BRIDGES, ESQ., CITY ATTORNEY

SEAN SEMPLE, DIRECTOR OF WATER & SEWER DEPT.

Councilman /woman _____ presents the following Ordinance:

SPONSORED BY: _____

AN ORDINANCE OF THE CITY OF TRENTON TO ADOPT NJDEP'S MODEL ORDINANCE REGARDING STORMWATER CONTROL AND TO AMEND CHAPTER 254 OF THE CODE OF THE CITY OF TRENTON

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) has adopted updates to its Stormwater and Flood Hazard Area regulations; and

WHEREAS, municipalities are required to amend their stormwater regulations in accordance with the DEP'S updated regulations; and

WHEREAS, the City of Trenton seeks to adopt the NJDEP's model ordinance in this regard, with minor additions, such as the inclusion of a definition and regulations for "minor development".

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

Section 1.

Chapter 254 ("Stormwater Management"), Article I ("Measures and Controls"), comprised of Sections 254-1 through 254-11, **shall be repealed in its entirety** and replaced with the following:

§ 254-1 Scope and Purpose.

A. Policy Statement.

The City of Trenton contains extensive areas of paved and impervious surfaces that create increased amounts and rates of stormwater runoff during precipitation events. This runoff picks up large amounts of pollutants that collect on parking lots, roadways, rooftops, and other paved or hardened surfaces, and then flows into stormwater inlets through stormwater pipes to outfalls into streams, and the Delaware River. The increased runoff rate and volume can lead to flooding in and downstream of developed areas.

Flood control, groundwater recharge, and pollutant reduction shall be achieved through the use of stormwater management measures, including green infrastructure Best Management Practices (GI BMPs) and nonstructural stormwater management strategies. GI BMPs and low

ORDINANCE

impact development (LID) should be utilized to meet the goal of maintaining natural hydrology to reduce stormwater runoff volume, reduce erosion, encourage infiltration and groundwater recharge, and reduce pollution. GI BMPs and LID should be developed based upon physical site conditions and the origin, nature and the anticipated quantity, or amount, of potential pollutants. Multiple stormwater management BMPs may be necessary to achieve the established performance standards for water quality, quantity, and groundwater recharge.

GI BMPs and LID practices not only address stormwater runoff but may also result in multiple benefits, including providing open space and beautifying neighborhoods, cooling and cleansing the air, reducing asthma and heat-related illnesses, and saving on heating and cooling energy costs.

A. Purpose.

The purpose of this ordinance is to establish minimum stormwater management requirements and controls for “major development” and “minor development” as defined below in Section 254-2, and also to establish maintenance and repair requirements for existing Stormwater Management BMPs, as set forth in Section 254-11.

The requirements of this ordinance are intended not only to meet but also to exceed the design and performance standards found in the New Jersey Stormwater Management Rules at N.J.A.C. 7:8. The environmental objectives of these requirements are to reduce pollution in waterways from stormwater runoff, reduce flooding and streambank erosion, and promote rainwater harvesting for re-use on-site. It is the intent of the City of Trenton to fully integrate these stormwater management objectives into its plans and ordinances.

B. Applicability.

1. This ordinance shall be applicable to the following major and minor developments:
 - a. Non-residential major and minor developments; and
 - b. Aspects of residential major and minor developments that are not pre-empted by the Residential Site Improvement Standards at N.J.A.C. 5:21.
2. This ordinance shall also be applicable to all major and minor developments undertaken by the City of Trenton or any other governmental body.
3. An application required by ordinance pursuant to (c)1 above that has been submitted prior to the adoption date of this ordinance, shall be subject to the stormwater management requirements in effect on the day prior to the effective date of this ordinance.
4. An application required by ordinance for approval pursuant to (c)1 above that has been submitted on or after March 2, 2021, but prior to the adoption date of this ordinance shall be subject to the stormwater management requirements in effect on the day prior to the effective date of this ordinance.

ORDINANCE

5. Notwithstanding any rule to the contrary, a major development for any public roadway or railroad project conducted by a public transportation entity that has determined a preferred alternative or reached an equivalent milestone before July 17, 2023, shall be subject to the stormwater management requirements in effect prior to July 17, 2023.

C. Compatibility with Other Permit and Ordinance Requirements

Development approvals issued pursuant to this ordinance are to be considered an integral part of development approvals and do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act, or ordinance. In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.

This ordinance is not intended to interfere with, abrogate, or annul any other ordinances, rule or regulation, statute, or other provision of law except that, where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, the more restrictive provisions or higher standards shall control.

§ 254-2 Definitions.

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. The definitions below are the same as or based on the corresponding definitions in the Stormwater Management Rules at N.J.A.C. 7:8-1.2.

CAFRA CENTERS, CORES OR NODES

Those areas with boundaries incorporated by reference or revised by the Department in accordance with N.J.A.C. 7:7-13.16.

CAFRA PLANNING MAP

The map used by the Department to identify the location of Coastal Planning Areas, CAFRA centers, CAFRA cores, and CAFRA nodes. The CAFRA Planning Map is available on the Department's Geographic Information System (GIS).

COMMUNITY BASIN

An infiltration system, sand filter designed to infiltrate, standard constructed wetland, or wet pond, established in accordance with N.J.A.C. 7:8-4.2(c)14, that is designed and constructed in accordance with the New Jersey Stormwater Best Management Practices Manual, or an alternate design, approved in accordance with N.J.A.C. 7:8-5.2(g), for an infiltration system, sand filter designed to infiltrate, standard constructed wetland, or wet pond and that complies with the requirements of this chapter.

COMPACTION

The increase in soil bulk density.

ORDINANCE

CONTRIBUTORY DRAINAGE AREA

The area from which stormwater runoff drains to a stormwater management measure, not including the area of the stormwater management measure itself.

CORE

A pedestrian-oriented area of commercial and civic uses serving the surrounding municipality, generally including housing and access to public transportation.

COUNTY REVIEW AGENCY

An agency designated by the County Commissioners to review municipal stormwater management plans and implementing ordinance(s). The county review agency may either be:

1. A county planning agency; or
2. A county water resource association created under N.J.S.A 58:16A-55.5, if the ordinance or resolution delegates authority to approve, conditionally approve, or disapprove municipal stormwater management plans and implementing ordinances.

DEPARTMENT

The Department of Environmental Protection.

DESIGNATED CENTER

A State Development and Redevelopment Plan Center as designated by the State Planning Commission such as urban, regional, town, village, or hamlet.

DESIGN ENGINEER

A person professionally qualified and duly licensed in New Jersey to perform engineering services that may include, but not necessarily be limited to, development of project requirements, creation and development of project design and preparation of drawings and specifications.

DEVELOPMENT

The division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation or enlarge-enlargement of any building or structure, any mining excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission is required under the Municipal Land Use Law, N.J.S.A. 40:55D-1 *et seq.*

In the case of development of agricultural land, development means: any activity that requires a State permit, any activity reviewed by the County Agricultural Board (CAB) and the State Agricultural Development Committee (SADC), and municipal review of any activity not exempted by the Right to Farm Act, N.J.S.A 4:1C-1 *et seq.*

DISTURBANCE

The placement or reconstruction of impervious surface or motor vehicle surface, or exposure and/or movement of soil or bedrock or clearing, cutting, or removing of vegetation. Milling and repaving is not considered disturbance for the purposes of this definition.

DRAINAGE AREA

ORDINANCE

A geographic area within which stormwater, sediments, or dissolved materials drain to a particular receiving waterbody or to a particular point along a receiving waterbody.

ENVIRONMENTALLY CONSTRAINED AREA

The following areas where the physical alteration of the land is in some way restricted, either through regulation, easement, deed restriction or ownership such as: wetlands, floodplains, threatened and endangered species sites or designated habitats, and parks and preserves. Habitats of endangered or threatened species are identified using the Department's Landscape Project as approved by the Department's Endangered and Nongame Species Program.

ENVIRONMENTALLY CRITICAL AREA

An area or feature which is of significant environmental value, including but not limited to: stream corridors, natural heritage priority sites, habitats of endangered or threatened species, large areas of contiguous open space or upland forest, steep slopes, and well head protection and groundwater recharge areas. Habitats of endangered or threatened species are identified using the Department's Landscape Project as approved by the Department's Endangered and Nongame Species Program.

EMPOWERMENT NEIGHBORHOODS

Neighborhoods designated by the Urban Coordinating Council "in consultation and conjunction with" the New Jersey Redevelopment Authority pursuant to N.J.S.A 55:19-69.

EROSION

The detachment and movement of soil or rock fragments by water, wind, ice, or gravity.

GREEN INFRASTRUCTURE

A stormwater management measure that manages stormwater close to its source by:

1. Treating stormwater runoff through infiltration into subsoil.
2. Treating stormwater runoff through filtration by vegetation or soil; or
3. Storing stormwater runoff for reuse.

HUC 14 OR HYDROLOGIC UNIT CODE 14

An area within which water drains to a particular receiving surface water body, also known as a sub-watershed, which is identified by a 14-digit hydrologic unit boundary designation, delineated within New Jersey by the United States Geological Survey.

IMPERVIOUS SURFACE

A surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.

INFILTRATION

The process by which water seeps into the soil from precipitation.

LEAD PLANNING AGENCY

One or more public entities having stormwater management planning authority designated by the regional stormwater management planning committee pursuant to N.J.A.C. 7:8-3.2, that serves as the primary representative of the committee.

ORDINANCE

LOW IMPACT DEVELOPMENT

A development approach that uses practices to manage stormwater close to its source that results in or mimics that of natural hydrologic processes in order to preserve hydrologic and ecologic functions of receiving waters, such as preservation or natural landscape features, minimizing impervious surfaces, infiltration, evapotranspiration, or other use of stormwater.

MAJOR DEVELOPMENT

An individual “development,” as well as multiple developments that individually or collectively result in:

1. The disturbance of 1/2 acre (21,780 square feet) of land since February 2, 2004.
2. The creation of 5,000 square feet or more of “regulated impervious surface” since February 2, 2004.
3. The creation of 5,000 square feet or more of “regulated motor vehicle surface” since March 2, 2021; or
4. A combination of 2 and 3 above that totals an area of 5,000 square feet or more. The same surface shall not be counted twice when determining if the combination area equals one-quarter acre or more.

Major development includes all developments that are part of a common plan of development or sale (for example, phased residential development) that collectively or individually meet any one or more of paragraphs 1, 2, 3, or 4 above. Projects undertaken by any government agency that otherwise meet the definition of “major development” but which do not require approval under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., are also considered “major development.”

MINOR DEVELOPMENT

An individual “development” as well as multiple developments that individually or collectively result in 1,000 square feet of disturbance, but do not meet the definition for “Major Development.”

MOTOR VEHICLE

Land vehicles propelled other than by muscular power, such as automobiles, motorcycles, autocycles, and low speed vehicles. For the purposes of this definition, motor vehicle does not include farm equipment, snowmobiles, all-terrain vehicles, motorized wheelchairs, go-carts, gas buggies, golf carts, ski-slope grooming machines, or vehicles that run only on rails or tracks.

MOTOR VEHICLE SURFACE

Any pervious or impervious surface that is intended to be used by “motor vehicles” and/or aircraft, and is directly exposed to precipitation including, but not limited to, driveways, parking areas, parking garages, roads, racetracks, and runways.

MUNICIPALITY

Any city, borough, town, township, or village.

NEW JERSEY STORMWATER BEST MANAGEMENT PRACTICES (BMP) MANUAL OR BMP MANUAL

ORDINANCE

The manual maintained by the Department providing, in part, design specifications, removal rates, calculation methods, and soil testing procedures approved by the Department as being capable of contributing to the achievement of the stormwater management standards specified in this chapter. The BMP Manual is periodically amended by the Department as necessary to provide design specifications on additional best management practices and new information on already included practices reflecting the best available current information regarding the particular practice and the Department's determination as to the ability of that best management practice to contribute to compliance with the standards contained in this chapter. Alternative stormwater management measures, removal rates, or calculation methods may be utilized, subject to any limitations specified in this chapter, provided the design engineer demonstrates to the municipality, in accordance with Section 254-4.F. of this ordinance and N.J.A.C. 7:8-5.2(g), that the proposed measure and its design will contribute to achievement of the design and performance standards established by this chapter.

NODE

An area designated by the State Planning Commission concentrating facilities and activities which are not organized in a compact form.

NUTRIENT

A chemical element or compound, such as nitrogen or phosphorus, which is essential to and promotes the development of organisms.

PERSON

Any individual, corporation, company, partnership, firm, association, political subdivision of this State and any state, interstate or Federal agency.

POLLUTANT

Any dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, refuse, oil, grease, sewage sludge, munitions, chemical wastes, biological materials, medical wastes, radioactive substance (except those regulated under the Atomic Energy Act of 1954, as amended (42 U.S.C. §§ 2011 *et seq.*)), thermal waste, wrecked or discarded equipment, rock, sand, cellar dirt, industrial, municipal, agricultural, and construction waste or runoff, or other residue discharged directly or indirectly to the land, ground waters or surface waters of the State, or to a domestic treatment works. "Pollutant" includes both hazardous and nonhazardous pollutants.

PUBLIC ROADWAY OR RAILROAD

A pathway for use by motor vehicles or trains that is intended for public use and is constructed by, or on behalf of, a public transportation entity. A public roadway or railroad does not include a roadway or railroad constructed as part of a private development, regardless of whether the roadway or railroad is ultimately to be dedicated to and/or maintained by a governmental entity.

PUBLIC TRANSPORTATION ENTITY

A Federal, State, county, or municipal government, an independent State authority, or a statutorily authorized public-private partnership program pursuant to P.L. 2018, c. 90 (N.J.S.A. 40A:11-52 *et seq.*), that performs a public roadway or railroad project that includes new construction, expansion, reconstruction, or improvement of a public roadway or railroad.

ORDINANCE

RECHARGE

The amount of water from precipitation that infiltrates into the ground and is not evapotranspired.

REGULATED IMPERVIOUS SURFACE

Any of the following, alone or in combination:

1. All impervious surface within the project area limit of disturbance.
2. The total area of impervious surface collected by a new stormwater conveyance system (for the purpose of this definition, a “new stormwater conveyance system” is a stormwater conveyance system that is constructed where one did not exist immediately prior to its construction or an existing system for which a new discharge location is created);
3. The total area of impervious surface proposed to be newly collected by an existing stormwater conveyance system; and/or
4. The total area of impervious surface collected by an existing stormwater conveyance system where the capacity of that conveyance system is increased.

REGULATED MOTOR VEHICLE SURFACE

Any of the following, alone or in combination:

1. The total area of motor vehicle surface that is currently receiving water.
2. A net increase in motor vehicle surface; and/or
quality treatment either by vegetation or soil, by an existing stormwater management measure, or by treatment at a wastewater treatment plant, where the water quality treatment will be modified or removed.

SEDIMENT

Solid material, mineral or organic, that is in suspension, is being transported, or has been moved from its site of origin by air, water or gravity as a product of erosion.

SITE

The lot or lots upon which a major or minor development is to occur or has occurred.

SOIL

All unconsolidated mineral and organic material of any origin.

STATE DEVELOPMENT AND REDEVELOPMENT PLAN METROPOLITAN PLANNING AREA (PA1)

An area delineated on the State Plan Policy Map and adopted by the State Planning Commission that is intended to be the focus for much of the State’s future redevelopment and revitalization efforts.

STATE PLAN POLICY MAP

The geographic application of the State Development and Redevelopment Plan’s goals and statewide policies, and the official map of these goals and policies.

STORMWATER

ORDINANCE

Water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, or is captured by separate storm sewers or other sewage or drainage facilities or conveyed by snow removal equipment.

STORMWATER MANAGEMENT BMP

An excavation or embankment and related areas designed to retain stormwater runoff. A stormwater management BMP may either be normally dry (that is, a detention basin or infiltration system), retain water in a permanent pool (a retention basin), or be planted mainly with wetland vegetation (most constructed stormwater wetlands).

STORMWATER MANAGEMENT MEASURE

Any practice, technology, process, program, or other method intended to control or reduce stormwater runoff and associated pollutants, or to induce or control the infiltration or groundwater recharge of stormwater or to eliminate illicit or illegal non-stormwater discharges into stormwater conveyances.

STORMWATER RUNOFF

Water flow on the surface of the ground or in storm sewers, resulting from precipitation.

STORMWATER MANAGEMENT PLANNING AGENCY

A public body authorized by legislation to prepare stormwater management plans.

STORMWATER MANAGEMENT PLANNING AREA

The geographic area for which a stormwater management planning agency is authorized to prepare stormwater management plans, or a specific portion of that area identified in a stormwater management plan prepared by that agency.

TIDAL FLOOD HAZARD AREA

A flood hazard area in which the flood elevation resulting from the two-, 10-, or 100-year storm, as applicable, is governed by tidal flooding from the Atlantic Ocean. Flooding in a tidal flood hazard area may be contributed to, or influenced by, stormwater runoff from inland areas, but the depth of flooding generated by the tidal rise and fall of the Atlantic Ocean is greater than flooding from any fluvial sources. In some situations, depending upon the extent of the storm surge from a particular storm event, a flood hazard area may be tidal in the 100-year storm, but fluvial in more frequent storm events.

URBAN COORDINATING COUNCIL EMPOWERMENT NEIGHBORHOOD

A neighborhood given priority access to State resources through the New Jersey Redevelopment Authority.

URBAN ENTERPRISE ZONE

A zone designated by the New Jersey Enterprise Zone Authority pursuant to the New Jersey Urban Enterprise Zones Act, N.J.S.A. 52:27H-60 et. seq.

URBAN REDEVELOPMENT AREA

Previously developed portions of areas:

1. Delineated on the State Plan Policy Map (SPPM) as the Metropolitan Planning Area (PA1), Designated Centers, Cores or Nodes.

ORDINANCE

2. Designated as CAFRA Centers, Cores or Nodes.
3. Designated as Urban Enterprise Zones; and
4. Designated as Urban Coordinating Council Empowerment Neighborhoods.

WATER CONTROL STRUCTURE

A structure within, or adjacent to, a water, which intentionally or coincidentally alters the hydraulic capacity, the flood elevation resulting from the two-, 10-, or 100-year storm, flood hazard area limit, and/or floodway limit of the water. Examples of a water control structure may include a bridge, culvert, dam, embankment, ford (if above grade), retaining wall, and weir.

WATERS OF THE STATE

The ocean and its estuaries, all springs, streams, wetlands, and bodies of surface or groundwater, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

WETLANDS OR WETLAND

An area that is inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

§ 254-3 Design and Performance Standards for Stormwater Management Measures

- A. Stormwater management measures for major development shall be designed to provide erosion control, groundwater recharge, stormwater runoff quantity control, and stormwater runoff quality treatment as follows:
 1. The minimum standards for erosion control are those established under the Soil and Sediment Control Act, N.J.S.A. 4:24-39 et seq., and implementing rules at N.J.A.C. 2:90.
 2. The minimum standards for groundwater recharge, stormwater quality, and stormwater runoff quantity shall be met by incorporating green infrastructure.
- B. Stormwater management measures for minor development shall be designed to provide erosion control and stormwater runoff control, as follows:
 1. The minimum standards for erosion control are those established under the Soil and Sediment Control Act, N.J.S.A. 4:24-39 et seq., and implementing rules at N.J.A.C. 2:90.
 2. The minimum standards for stormwater runoff quantity shall be met by incorporating green infrastructure.
- C. The standards in this ordinance that apply to new major development and are intended to minimize the impact of stormwater runoff on water quality and water quantity in receiving water bodies and maintain groundwater recharge. The standards in this ordinance that apply to minor development are intended to minimize the impact of stormwater runoff by retaining the first 1-inch of precipitation on impervious surfaces onsite. The standards do not apply to new

ORDINANCE

major development or minor development to the extent that alternative design and performance standards are applicable under a regional stormwater management plan or Water Quality Management Plan adopted in accordance with Department rules.

§ 254-4 Stormwater Management Requirements for Major Development

- A. The development shall incorporate a maintenance plan for the stormwater management measures incorporated into the design of a major development in accordance with Section 254-11.
- B. Stormwater management measures shall avoid adverse impacts of concentrated flow on habitat for threatened and endangered species as documented in the Department's Landscape Project or Natural Heritage Database established under N.J.S.A. 13:1B-15.147 through 15.150, particularly *Helonias bullata* (swamp pink) and/or *Clemmys muhlnebergi* (bog turtle).
- C. The following linear development projects are exempt from the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of Section 254-4. P, Q and R:
 1. The construction of an underground utility line provided that the disturbed areas are revegetated upon completion.
 2. The construction of an aboveground utility line provided that the existing conditions are maintained to the maximum extent practicable; and
 3. The construction of a public pedestrian access, such as a sidewalk or trail with a maximum width of 14 feet, provided that the access is made of permeable material.
- D. A waiver from strict compliance from the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of Section 254-4. O, P, Q and R may be obtained for the enlargement of an existing public roadway or railroad; or the construction or enlargement of a public pedestrian access, provided that the following conditions are met:
 1. The applicant demonstrates that there is a public need for the project that cannot be accomplished by any other means.
 2. The applicant demonstrates through an alternatives analysis, that through the use of stormwater management measures, the option selected complies with the requirements of Section 254-4. O, P, Q and R to the maximum extent practicable.
 3. The applicant demonstrates that, in order to meet the requirements of Section 254-4. O, P, Q and R, existing structures currently in use, such as homes and buildings, would need to be condemned; and
 4. The applicant demonstrates that it does not own or have other rights to areas, including the potential to obtain through condemnation lands not falling under Section 254-4. D(3) above within the upstream drainage area of the receiving stream, that would provide additional opportunities to mitigate the requirements of Section 254-4. O, P, Q and R that were not achievable onsite.
- E. Tables 1 through 3 below summarize the ability of stormwater best management practices identified and described in the New Jersey Stormwater Best Management Practices Manual to satisfy the green infrastructure, groundwater recharge, stormwater runoff quality and

ORDINANCE

stormwater runoff quantity standards specified in Section 254-4. O, P, Q and R. When designed in accordance with the most current version of the New Jersey Stormwater Best Management Practices Manual, the stormwater management measures found at N.J.A.C. 7:8-5.2 (f) Tables 5-1, 5-2 and 5-3 and listed below in Tables 1, 2 and 3 are presumed to be capable of providing stormwater controls for the design and performance standards as outlined in the tables below. Upon amendments of the New Jersey Stormwater Best Management Practices to reflect additions or deletions of BMPs meeting these standards, or changes in the presumed performance of BMPs designed in accordance with the New Jersey Stormwater BMP Manual, the Department shall publish in the New Jersey Registers a notice of administrative change revising the applicable table. The most current version of the BMP Manual can be found on the Department's website at:

<https://dep.nj.gov/stormwater/bmp-manual/>.

- F. Where the BMP tables in the NJ Stormwater Management Rule are different due to updates or amendments with the tables in this ordinance the BMP Tables in the Stormwater Management rule at N.J.A.C. 7:8-5.2(f) shall take precedence.

ORDINANCE

Table 1 Green Infrastructure BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or Stormwater Runoff Quantity				
Best Management Practice	Stormwater Runoff Quality TSS Removal Rate (percent)	Stormwater Runoff Quantity	Groundwater Recharge	Minimum Separation from Seasonal High Water Table (feet)
Cistern	0	Yes	No	--
Dry Well ^(a)	0	No	Yes	2
Grass Swale	50 or less	No	No	2 ^(e) 1 ^(f)
Green Roof	0	Yes	No	--
Manufactured Treatment Device ^{(a) (g)}	50 or 80	No	No	Dependent upon the device
Pervious Paving System ^(a)	80	Yes	Yes ^(b) No ^(c)	2 ^(b) 1 ^(c)
Small-Scale Bioretention Basin ^(a)	80 or 90	Yes	Yes ^(b) No ^(c)	2 ^(b) 1 ^(c)
Small-Scale Infiltration Basin ^(a)	80	Yes	Yes	2
Small-Scale Sand Filter	80	Yes	Yes	2
Vegetative Filter Strip	60-80	No	No	--

Table 2 Green Infrastructure BMPs for Stormwater Runoff Quantity (or for Groundwater Recharge and/or Stormwater Runoff Quality with a Waiver or Variance from N.J.A.C. 7:8-5.3)
--

ORDINANCE

Best Management Practice	Stormwater Runoff Quality TSS Removal Rate (percent)	Stormwater Runoff Quantity	Groundwater Recharge	Minimum Separation from Seasonal High Water Table (feet)
Bioretention System	80 or 90	Yes	Yes ^(b) No ^(c)	2 ^(b) 1 ^(c)
Infiltration Basin	80	Yes	Yes	2
Sand Filter ^(b)	80	Yes	Yes	2
Standard Constructed Wetland	90	Yes	No	N/A
Wet Pond ^(d)	50-90	Yes	No	N/A

Table 3
BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or Stormwater Runoff Quantity
only with a Waiver or Variance from N.J.A.C. 7:8-5.3

Best Management Practice	Stormwater Runoff Quality TSS Removal Rate (percent)	Stormwater Runoff Quantity	Groundwater Recharge	Minimum Separation from Seasonal High Water Table (feet)
Blue Roof	0	Yes	No	N/A
Extended Detention Basin	40-60	Yes	No	1
Manufactured Treatment Device ^(h)	50 or 80	No	No	Dependent upon the device
Sand Filter ^(c)	80	Yes	No	1
Subsurface Gravel Wetland	90	No	No	1
Wet Pond	50-90	Yes	No	N/A

ORDINANCE

Notes to Tables 1, 2, and 3:

- (a) subject to the applicable contributory drainage area limitation specified at Section 254-4.O.2;
- (b) designed to infiltrate into the subsoil;
- (c) designed with underdrains;
- (d) designed to maintain at least a 10-foot wide area of native vegetation along at least 50 percent of the shoreline and to include a stormwater runoff retention component designed to capture stormwater runoff for beneficial reuse, such as irrigation;
- (e) designed with a slope of less than two percent;
- (f) designed with a slope of equal to or greater than two percent;
- (g) manufactured treatment devices that meet the definition of green infrastructure at Section II;
- (h) manufactured treatment devices that do not meet the definition of green infrastructure at Section 254-2.

- G. An alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate may be used if the design engineer demonstrates the capability of the proposed alternative stormwater management measure and/or the validity of the alternative rate or method to the municipality. A copy of any approved alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate shall be provided to the Department in accordance with Section 254-7.B. Alternative stormwater management measures may be used to satisfy the requirements at Section 254-4.O only if the measures meet the definition of green infrastructure at Section 254-2. Alternative stormwater management measures that function in a similar manner to a BMP listed at Section O.2 are subject to the contributory drainage area limitation specified at Section O.2 for that similarly functioning BMP. Alternative stormwater management measures approved in accordance with this subsection that do not function in a similar manner to any BMP listed at Section O.2 shall have a contributory drainage area less than or equal to 2.5 acres, except for alternative stormwater management measures that function similarly to cisterns, grass swales, green roofs, standard constructed wetlands, vegetative filter strips, and wet ponds, which are not subject to a contributory drainage area limitation. Alternative measures that function similarly to standard constructed wetlands or wet ponds shall not be used for compliance with the stormwater runoff quality standard unless a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with Section 254-4.D is granted from Section 254-4.O.
- H. Whenever the stormwater management design includes one or more BMPs that will infiltrate stormwater into subsoil, the design engineer shall assess the hydraulic impact on the groundwater table and design the site, so as to avoid adverse hydraulic impacts. Potential adverse hydraulic impacts include, but are not limited to, exacerbating a naturally or seasonally high-water table, so as to cause surficial ponding, flooding of basements, or interference with the proper operation of subsurface sewage disposal systems or other subsurface structures within the zone of influence of the groundwater mound, or interference with the proper functioning of the stormwater management measure itself.
- I. Design standards for stormwater management measures are as follows:
- 1. Stormwater management measures shall be designed to take into account the existing site conditions, including, but not limited to, environmentally critical areas; wetlands; flood-prone areas; slopes; depth to seasonal high-water table; soil type, permeability, and texture;

ORDINANCE

- drainage area and drainage patterns; and the presence of solution-prone carbonate rocks (limestone);
2. Stormwater management measures shall be designed to minimize maintenance, facilitate maintenance and repairs, and ensure proper functioning. Trash racks shall be installed at the intake to the outlet structure, as appropriate, and shall have parallel bars with one inch spacing between the bars to the elevation of the water quality design storm. For elevations higher than the water quality design storm, the parallel bars at the outlet structure shall be spaced no greater than one-third the width of the diameter of the orifice or one-third the width of the weir, with a minimum spacing between bars of one inch and a maximum spacing between bars of six inches. In addition, the design of trash racks must comply with the requirements of Section 254-9. C.
 3. Stormwater management measures shall be designed, constructed, and installed to be strong, durable, and corrosion resistant. Measures that are consistent with the relevant portions of the Residential Site Improvement Standards at N.J.A.C. 5:21-7.3, 7.4, and 7.5 shall be deemed to meet this requirement.
 4. Stormwater management BMPs shall be designed to meet the minimum safety standards for stormwater management BMPs at Section 254-9; and
 5. The size of the orifice at the intake to the outlet from the stormwater management BMP shall be a minimum of two and one-half inches in diameter.
- J. Manufactured treatment devices may be used to meet the requirements of this subchapter, provided the pollutant removal rates are verified by the New Jersey Corporation for Advanced Technology and certified by the Department. Manufactured treatment devices that do not meet the definition of green infrastructure at Section 254-2 may be used only under the circumstances described at Section 254-4.O(4).
- K. Any application for a new agricultural development that meets the definition of major development at Section II shall be submitted to the Soil Conservation District for review and approval in accordance with the requirements at Sections 254-4.O, P, Q and R and any applicable Soil Conservation District guidelines for stormwater runoff quantity and erosion control. For purposes of this subsection, "agricultural development" means land uses normally associated with the production of food, fiber, and livestock for sale. Such uses do not include the development of land for the processing or sale of food and the manufacture of agriculturally related products.
- L. If there is more than one drainage area, the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Section 254-4.P, Q and R shall be met in each drainage area, unless the runoff from the drainage areas converge onsite and no adverse environmental impact would occur as a result of compliance with any one or more of the individual standards being determined utilizing a weighted average of the results achieved for that individual standard across the affected drainage areas.
- M. Any stormwater management measure authorized under the municipal stormwater management plan or ordinance shall be reflected in a deed notice recorded in the *{insert Office of the County Clerk or the registrar of deeds and mortgages of the county in which the development, project, project site, or mitigation area containing the stormwater management measure is located, as appropriate, to the municipality}*. A form of deed notice shall be submitted to the municipality for approval prior to filing. The deed notice shall contain a description of the stormwater management measure(s) used to meet the green infrastructure, groundwater recharge,

ORDINANCE

stormwater runoff quality, and stormwater runoff quantity standards at Section 254-4.O, P, Q and R and shall identify the location of the stormwater management measure(s) in NAD 1983 State Plane New Jersey FIPS 2900 US Feet or Latitude and Longitude in decimal degrees. The deed notice shall also reference the maintenance plan required to be recorded upon the deed pursuant to Section 254-11.B(5). Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality. Proof that the required information has been recorded on the deed shall be in the form of either a copy of the complete recorded document or a receipt from the clerk or other proof of recordation provided by the recording office. However, if the initial proof provided to the municipality is not a copy of the complete recorded document, a copy of the complete recorded document shall be provided to the municipality within 180 calendar days of the authorization granted by the municipality.

N. A stormwater management measure approved under the municipal stormwater management plan or ordinance may be altered or replaced with the approval of the municipality, if the municipality determines that the proposed alteration or replacement meets the design and performance standards pursuant to Section 254-4 of this ordinance and provides the same level of stormwater management as the previously approved stormwater management measure that is being altered or replaced. If an alteration or replacement is approved, a revised deed notice shall be submitted to the municipality for approval and subsequently recorded with the office of the County Clerk of Mercer County and shall contain a description and location of the stormwater management measure, as well as reference to the maintenance plan, in accordance with Section 254-4.M above. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality in accordance with Section 254-4.M above.

O. Green Infrastructure Standards

1. This subsection specifies the types of green infrastructure BMPs that may be used to satisfy the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards.
2. To satisfy the groundwater recharge and stormwater runoff quality standards at Section 254-4.P and Q, the design engineer shall utilize green infrastructure BMPs identified in Table 1 at Section 254-4.F. and/or an alternative stormwater management measure approved in accordance with Section 254-4.G. The following green infrastructure BMPs are subject to the following maximum contributory drainage area limitations:

Best Management Practice	Maximum Contributory Drainage Area
Dry Well	1 acre
Manufactured Treatment Device	2.5 acres
Pervious Pavement Systems	Area of additional inflow cannot exceed three times the area occupied by the BMP
Small-scale Bioretention	2.5 acres
Small-scale Infiltration Basin	2.5 acres

ORDINANCE

Small-scale Sand Filter	2.5 acres
-------------------------	-----------

3. To satisfy the stormwater runoff quantity standards at Section 254-4.R, the design engineer shall utilize BMPs from Table 1 or from Table 2 and/or an alternative stormwater management measure approved in accordance with Section 254-4.G.
4. If a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with Section 254-4.D is granted from the requirements of this subsection, then BMPs from Table 1, 2, or 3, and/or an alternative stormwater management measure approved in accordance with Section 254-4.G may be used to meet the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Section 254-4.P, Q and R.
5. For separate or combined storm sewer improvement projects, such as sewer separation, undertaken by a government agency or public utility (for example, a sewerage company), the requirements of this subsection shall only apply to areas owned in fee simple by the government agency or utility, and areas within a right-of-way or easement held or controlled by the government agency or utility; the entity shall not be required to obtain additional property or property rights to fully satisfy the requirements of this subsection. Regardless of the amount of area of a separate or combined storm sewer improvement project subject to the green infrastructure requirements of this subsection, each project shall fully comply with the applicable groundwater recharge, stormwater runoff quality control, and stormwater runoff quantity standards at Section 254-4.P, Q and R, unless the project is granted a waiver from strict compliance in accordance with Section 254-4.D.

P. Onsite Retention and Groundwater Recharge Standards

1. This subsection contains the minimum design and performance standards for onsite retention and groundwater recharge for Major Developments as follows:
2. The design engineer shall, using the assumptions and factors for stormwater runoff and groundwater recharge calculations at Section 254-6, either:
 - i. Demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures maintain 100 percent of the average annual pre-construction groundwater recharge volume for the site; or
 - ii. Demonstrate through hydrologic and hydraulic analysis that the increase of stormwater runoff volume from pre-construction to post-construction for the projected 2-year storm, as defined and determined pursuant to Section 254-6.D of this ordinance is infiltrated.
 - iii. Demonstrate through hydrologic and hydraulic analysis that the onsite retention volume of 1.0 inches over all impervious surfaces is infiltrated or retained onsite.
3. This groundwater recharge requirement does not apply to projects within the “urban redevelopment area,” or to projects subject to subsection 4 below.
4. The following types of stormwaters shall not be recharged:

ORDINANCE

- i. Stormwater from areas of high pollutant loading. High pollutant loading areas are areas in industrial and commercial developments where solvents and/or petroleum products are loaded/unloaded, stored, or applied, areas where pesticides are loaded/unloaded or stored; areas where hazardous materials are expected to be present in greater than “reportable quantities” as defined by the United States Environmental Protection Agency (EPA) at 40 CFR 302.4; areas where recharge would be inconsistent with Department approved remedial action work plan approved pursuant to the Administrative Requirements for the Remediation of Contaminated Sites rules, N.J.A.C. 7:26C, or Department landfill closure plan and areas; and areas with high risks for spills of toxic materials, such as gas stations and vehicle maintenance facilities; and
 - ii. Industrial stormwater exposed to “source material.” “Source material” means any material(s) or machinery, located at an industrial facility, that is directly or indirectly related to process, manufacturing or other industrial activities, which could be a source of pollutants in any industrial stormwater discharge to groundwater. Source materials include, but are not limited to, raw materials; intermediate products; final products; waste materials; by-products; industrial machinery and fuels, and lubricants, solvents, and detergents that are related to process, manufacturing, or other industrial activities that are exposed to stormwater.
5. Where the onsite retention volume cannot be infiltrated, reused, or evapotranspired, the onsite retention volume shall be slow released at a rate of not more than .02 cfs per acre of drainage area to mimic receiving water groundwater discharge flow. The retention volume shall be released within 72 hours.

Q. Stormwater Runoff Quality Standards

1. This subsection contains the minimum design and performance standards to control stormwater runoff quality impacts of major development. Stormwater runoff quality standards are applicable when the major development results in an increase of 5,000 square feet or more of regulated motor vehicle surface and/or regulated impervious surface.
2. Stormwater management measures shall be designed to reduce the post-construction load of total suspended solids (TSS) in stormwater runoff generated from the water quality design storm as follows:
 - i. Eighty percent TSS removal of the anticipated load, expressed as an annual average shall be achieved for the stormwater runoff from the net increase of regulated motor vehicle surface and/or regulated impervious surface.
 - ii. If the surface is considered regulated motor vehicle surface because the water quality treatment for an area of motor vehicle surface that is currently receiving water quality treatment either by vegetation or soil, by an existing stormwater management measure, or by treatment at a wastewater treatment plant is to be modified or removed, the project shall maintain or increase the existing TSS removal of the anticipated load expressed as an annual average.

ORDINANCE

3. The requirement to reduce TSS does not apply to any stormwater runoff in a discharge regulated under a numeric effluent limitation for TSS imposed under the New Jersey Pollutant Discharge Elimination System (NJPDES) rules, N.J.A.C. 7:14A, or in a discharge specifically exempt under a NJPDES permit from this requirement. Every major development, including any that discharge into a combined sewer system, shall comply with 2 above, unless the major development is itself subject to a NJPDES permit with a numeric effluent limitation for TSS or the NJPDES permit to which the major development is subject exempts the development from a numeric effluent limitation for TSS.
4. The water quality design storm is 1.25 inches of rainfall in two hours. Water quality calculations shall take into account the distribution of rain from the water quality design storm, as reflected in Table 4, below. The calculation of the volume of runoff may take into account the implementation of stormwater management measures.

ORDINANCE

Table 4 - Water Quality Design Storm Distribution

Time (Minutes)	Cumulative Rainfall (Inches)	Time (Minutes)	Cumulative Rainfall (Inches)	Time (Minutes)	Cumulative Rainfall (Inches)
1	0.00166	41	0.1728	81	1.0906
2	0.00332	42	0.1796	82	1.0972
3	0.00498	43	0.1864	83	1.1038
4	0.00664	44	0.1932	84	1.1104
5	0.00830	45	0.2000	85	1.1170
6	0.00996	46	0.2117	86	1.1236
7	0.01162	47	0.2233	87	1.1302
8	0.01328	48	0.2350	88	1.1368
9	0.01494	49	0.2466	89	1.1434
10	0.01660	50	0.2583	90	1.1500
11	0.01828	51	0.2783	91	1.1550
12	0.01996	52	0.2983	92	1.1600
13	0.02164	53	0.3183	93	1.1650
14	0.02332	54	0.3383	94	1.1700
15	0.02500	55	0.3583	95	1.1750
16	0.03000	56	0.4116	96	1.1800
17	0.03500	57	0.4650	97	1.1850
18	0.04000	58	0.5183	98	1.1900
19	0.04500	59	0.5717	99	1.1950
20	0.05000	60	0.6250	100	1.2000
21	0.05500	61	0.6783	101	1.2050
22	0.06000	62	0.7317	102	1.2100
23	0.06500	63	0.7850	103	1.2150
24	0.07000	64	0.8384	104	1.2200
25	0.07500	65	0.8917	105	1.2250
26	0.08000	66	0.9117	106	1.2267
27	0.08500	67	0.9317	107	1.2284
28	0.09000	68	0.9517	108	1.2300
29	0.09500	69	0.9717	109	1.2317
30	0.10000	70	0.9917	110	1.2334
31	0.10660	71	1.0034	111	1.2351
32	0.11320	72	1.0150	112	1.2367
33	0.11980	73	1.0267	113	1.2384
34	0.12640	74	1.0383	114	1.2400
35	0.13300	75	1.0500	115	1.2417
36	0.13960	76	1.0568	116	1.2434
37	0.14620	77	1.0636	117	1.2450
38	0.15280	78	1.0704	118	1.2467
39	0.15940	79	1.0772	119	1.2483
40	0.16600	80	1.0840	120	1.2500

5. If more than one BMP in series is necessary to achieve the required 80 percent TSS reduction for a site, the applicant shall utilize the following formula to calculate TSS reduction:

$$R = A + B - (A \times B) / 100,$$

Where

- R = total TSS Percent Load Removal from application of both BMPs, and
- A = the TSS Percent Removal Rate applicable to the first BMP
- B = the TSS Percent Removal Rate applicable to the second BMP.

ORDINANCE

6. Stormwater management measures shall also be designed to reduce, to the maximum extent feasible, the post-construction nutrient load of the anticipated load from the developed site in stormwater runoff generated from the water quality design storm. In achieving reduction of nutrients to the maximum extent feasible, the design of the site shall include green infrastructure BMPs that optimize nutrient removal while still achieving the performance standards in Section 254-4.P, Q and R.
7. In accordance with the definition of FW1 at N.J.A.C. 7:9B-1.4, stormwater management measures shall be designed to prevent any increase in stormwater runoff to waters classified as FW1.
8. The Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-4.1(c)1 establish 300-foot riparian zones along Category One waters, as designated in the Surface Water Quality Standards at N.J.A.C. 7:9B, and certain upstream tributaries to Category One waters. A person shall not undertake a major development that is located within or discharges into a 300-foot riparian zone without prior authorization from the Department under N.J.A.C. 7:13.
9. Pursuant to the Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-11.2(j)3.i, runoff from the water quality design storm that is discharged within a 300-foot riparian zone shall be treated in accordance with this subsection to reduce the post-construction load of total suspended solids by 95 percent of the anticipated load from the developed site, expressed as an annual average.
10. The stormwater runoff quality standards do not apply to the construction of one individual single-family dwelling, provided that it is not part of a larger development or subdivision that has received preliminary or final site plan approval prior to December 3, 2018, and that the motor vehicle surfaces are made of permeable material(s) such as gravel, dirt, and/or shells.

R. Stormwater Runoff Quantity Standards

1. This subsection contains the minimum design and performance standards to control stormwater runoff quantity impacts of major development.
2. In order to control stormwater runoff quantity impacts, the design engineer shall, using the assumptions and factors for stormwater runoff calculations at Section 254-6, complete one of the following:
 - i. Demonstrate through hydrologic and hydraulic analysis that for stormwater leaving the site, post-construction runoff hydrographs for the current and projected 2-, 10-, and 100-year storm events, as defined and determined in Section 254-6.C and D, respectively, of this ordinance, do not exceed, at any point in time, the pre-construction runoff hydrographs for the same storm events.
 - ii. Demonstrate through hydrologic and hydraulic analysis that there is no increase, as compared to the pre-construction condition, in the peak runoff rates of stormwater leaving the site for the current and projected 2-, 10-, and 100-year storm events, as defined and determined pursuant to Section 254-6.C and D, respectively, of this

ORDINANCE

- ordinance, and that the increased volume or change in timing of stormwater runoff will not increase flood damage at or downstream of the site. This analysis shall include the analysis of impacts of existing land uses and projected land uses assuming full development under existing zoning and land use ordinances in the drainage area;
- iii. Design stormwater management measures so that the post-construction peak runoff rates for the current and projected 2-, 10-, and 100-year storm events, as defined and determined in Section 254-6.C and D, respectively, of this ordinance, are 50, 75 and 80 percent, respectively, of the pre-construction peak runoff rates. The percentages apply only to the post-construction stormwater runoff that is attributable to the portion of the site on which the proposed development or project is to be constructed; or
 - iv. In tidal flood hazard areas, stormwater runoff quantity analysis in accordance with 2.i, ii and iii above is required unless the design engineer demonstrates through hydrologic and hydraulic analysis that the increased volume, change in timing, or increased rate of the stormwater runoff, or any combination of the three will not result in additional flood damage below the point of discharge of the major development. No analysis is required if the stormwater is discharged directly into any ocean, bay, inlet, or the reach of any watercourse between its confluence with an ocean, bay, or inlet and downstream of the first water control structure.
3. The stormwater runoff quantity standards shall be applied at the site's boundary to each abutting lot, roadway, watercourse, or receiving storm sewer system.

§ 254-5 Stormwater Management Requirements for Minor Development

- A. The development shall incorporate a maintenance plan for the stormwater management measures incorporated into the design of a minor development in accordance with Section 254-11.
- B. This subsection contains the minimum design and performance standards for groundwater recharge for Minor Developments.
- C. The design engineer shall, using the assumptions and factors for stormwater runoff and groundwater recharge calculations at Section 254-6, address the following criteria:
 1. Demonstrate through hydrologic and hydraulic analysis that the first 1.0 inches from all impervious surfaces within the project limit of disturbance is retained onsite through infiltration, reuse, evapotranspiration or other acceptable engineering methods.

§ 254-6 Calculations of Stormwater Runoff, Onsite Retention, and Groundwater Recharge

- A. Stormwater runoff shall be calculated in accordance with the following:
 1. The design engineer shall calculate runoff using the following method:

The USDA Natural Resources Conservation Service (NRCS) methodology, including the NRCS Runoff Equation and Dimensionless Unit Hydrograph, as described in Chapters 7, 9, 10, 15 and 16 *Part 630, Hydrology National Engineering Handbook*, incorporated herein by reference as amended and supplemented. This methodology is

ORDINANCE

additionally described in *Technical Release 55 - Urban Hydrology for Small Watersheds* (TR-55), dated June 1986, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the Natural Resources Conservation Service website at:

<https://directives.sc.egov.usda.gov/viewerFS.aspx?hid=21422>

or at United States Department of Agriculture Natural Resources Conservation Service, New Jersey State Office.

2. For the purpose of calculating curve numbers and groundwater recharge, there is a presumption that the pre-construction condition of a site or portion thereof is a wooded land use with good hydrologic condition. The term “curve number” applies to the NRCS methodology above at Section 254-6.A(1). A curve number or a groundwater recharge land cover for an existing condition may be used on all or a portion of the site if the design engineer verifies that the hydrologic condition has existed on the site or portion of the site for at least five years without interruption prior to the time of application. If more than one land cover has existed on the site during the five years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption that the site is in good hydrologic condition (if the land use type is pasture, lawn, or park), with good cover (if the land use type is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation).
 3. In computing pre-construction stormwater runoff, the design engineer shall account for all significant land features and structures, such as ponds, wetlands, depressions, hedgerows, or culverts, that may reduce pre-construction stormwater runoff rates and volumes.
 4. In computing stormwater runoff from all design storms, the design engineer shall consider the relative stormwater runoff rates and/or volumes of pervious and impervious surfaces separately to accurately compute the rates and volume of stormwater runoff from the site. To calculate runoff from unconnected impervious cover, urban impervious area modifications as described in the NRCS *Technical Release 55 – Urban Hydrology for Small Watersheds* or other methods may be employed.
 5. If the invert of the outlet structure of a stormwater management measure is below the flood hazard design flood elevation as defined at N.J.A.C. 7:13, the design engineer shall take into account the effects of tailwater in the design of structural stormwater management measures.
- B. Groundwater recharge may be calculated in accordance with the following:

The New Jersey Geological Survey Report GSR-32: A Method for Evaluating Groundwater-Recharge Areas in New Jersey, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the New Jersey Stormwater Best Management Practices Manual; at the New Jersey Geological Survey website at:

ORDINANCE

<https://www.nj.gov/dep/njgs/pricelst/greport/gsr32.pdf>

or at New Jersey Geological and Water Survey, 29 Arctic Parkway, PO Box 420 Mail Code 29-01, Trenton, New Jersey 08625-0420.

C. Onsite Retention Volume

Onsite retention volume shall be calculated as the prescribed depth of precipitation over all impervious surfaces proposed as part of a major or minor development.

Onsite retention volume (ft³) = Precipitation Depth (in) x (1 ft / 12 in) x Impervious Area (ft²)

D. The precipitation depths of the current two-, 10-, and 100-year storm events shall be determined by multiplying the values determined in accordance with items 1 and 2 below:

1. The applicant shall utilize the National Oceanographic and Atmospheric Administration (NOAA), National Weather Service's Atlas 14 Point Precipitation Frequency Estimates: NJ, in accordance with the location(s) of the drainage area(s) of the site. This data is available at:

https://hdsc.nws.noaa.gov/hdsc/pfds/pfds_map_cont.html?bkmrk=nj; and

2. The applicant shall utilize Table 5: Current Precipitation Adjustment Factors below, which sets forth the applicable multiplier for the drainage area(s) of the site, in accordance with the county or counties where the drainage area(s) of the site is located. Where the major development lies in more than one county, the precipitation values shall be adjusted according to the percentage of the drainage area in each county. Alternately, separate rainfall totals can be developed for each county using the values in the table below.

Table 5: Current Precipitation Adjustment Factors

County	Current Precipitation Adjustment Factors		
	2-year Design Storm	10-year Design Storm	100-year Design Storm
Atlantic	1.01	1.02	1.03
Bergen	1.01	1.03	1.06
Burlington	0.99	1.01	1.04
Camden	1.03	1.04	1.05
Cape May	1.03	1.03	1.04
Cumberland	1.03	1.03	1.01
Essex	1.01	1.03	1.06
Gloucester	1.05	1.06	1.06
Hudson	1.03	1.05	1.09
Hunterdon	1.02	1.05	1.13

ORDINANCE

Mercer	1.01	1.02	1.04
Middlesex	1.00	1.01	1.03
Monmouth	1.00	1.01	1.02
Morris	1.01	1.03	1.06
Ocean	1.00	1.01	1.03
Passaic	1.00	1.02	1.05
Salem	1.02	1.03	1.03
Somerset	1.00	1.03	1.09
Sussex	1.03	1.04	1.07
Union	1.01	1.03	1.06
Warren	1.02	1.07	1.15

- E. Table 6: Future Precipitation Change Factors provided below sets forth the change factors to be used in determining the projected two-, 10-, and 100-year storm events for use in this chapter, which are organized alphabetically by county. The precipitation depth of the projected two-, 10-, and 100-year storm events of a site shall be determined by multiplying the precipitation depth of the two-, 10-, and 100-year storm events determined from the National Weather Service's Atlas 14 Point Precipitation Frequency Estimates pursuant to (c)1 above, by the change factor in the table below, in accordance with the county or counties where the drainage area(s) of the site is located. Where the major development and/or its drainage area lies in more than one county, the precipitation values shall be adjusted according to the percentage of the drainage area in each county. Alternately, separate rainfall totals can be developed for each county using the values in the table below.

Table 6: Future Precipitation Change Factors

County	Future Precipitation Change Factors		
	2-year Design Storm	10-year Design Storm	10-year Design Storm
Atlantic	1.22	1.24	1.39
Bergen	1.20	1.23	1.37
Burlington	1.17	1.18	1.32
Camden	1.18	1.22	1.39
Cape May	1.21	1.24	1.32
Cumberland	1.20	1.21	1.39
Essex	1.19	1.22	1.33
Gloucester	1.19	1.23	1.41
Hudson	1.19	1.19	1.23
Hunterdon	1.19	1.23	1.42
Mercer	1.16	1.17	1.36
Middlesex	1.19	1.21	1.33

ORDINANCE

Monmouth	1.19	1.19	1.26
Morris	1.23	1.28	1.46
Ocean	1.18	1.19	1.24
Passaic	1.21	1.27	1.50
Salem	1.20	1.23	1.32
Somerset	1.19	1.24	1.48
Sussex	1.24	1.29	1.50
Union	1.20	1.23	1.35
Warren	1.20	1.25	1.37

§ 254-7 Sources for Technical Guidance.

- A. Technical guidance for stormwater management measures can be found in the documents listed below, which are available to download from the Department's website at:

<https://dep.nj.gov/stormwater/bmp-manual/>.

1. Guidelines for stormwater management measures are contained in the New Jersey Stormwater Best Management Practices Manual, as amended and supplemented. Information is provided on stormwater management measures such as, but not limited to, those listed in Tables 1, 2, and 3.
2. Additional maintenance guidance is available on the Department's website at:

<https://dep.nj.gov/stormwater/maintenance-guidance/>.

- B. Submissions required for review by the Department should be mailed to:

The Division of Watershed Protection and Restoration, New Jersey Department of Environmental Protection, Mail Code 501-02A, PO Box 420, Trenton, New Jersey 08625-0420.

§ 254-8 Solids and Floatable Materials Control Standards:

- A. Site design features identified under Section 254-4.F above, or alternative designs in accordance with Section 254-4.G above, to prevent discharge of trash and debris from drainage systems shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see Section 254-8.A(2) below.

1. Design engineers shall use one of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:

ORDINANCE

- i. The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines; or
- ii. A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches or is no greater than 0.5 inches across the smallest dimension.

Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater system floors used to collect stormwater from the surface into a storm drain or surface water body.

- iii. For curb-opening inlets, including curb-opening inlets in combination inlets, the clear space in that curb opening, or each individual clear space if the curb opening has two or more clear spaces, shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.

2. The standard in A.1. above does not apply:

- i. Where each individual clear space in the curb opening in existing curb-opening inlet does not have an area of more than nine (9.0) square inches.
- ii. Where the municipality agrees that the standards would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets.
- iii. Where flows from the water quality design storm as specified in N.J.A.C. 7:8 are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:
 - a. A rectangular space four and five-eighths (4.625) inches long and one and one-half (1.5) inches wide (this option does not apply for outfall netting facilities); or
 - b. A bar screen having a bar spacing of 0.5 inches.

Note that these exemptions do not authorize any infringement of requirements in the Residential Site Improvement Standards for bicycle safe grates in new residential development (N.J.A.C. 5:21-4.18(b)2 and 7.4(b)1).

- iv. Where flows are conveyed through a trash rack that has parallel bars with one inch (1 inch) spacing between the bars, to the elevation of the Water Quality Design Storm as specified in N.J.A.C. 7:8; or
- v. Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action

ORDINANCE

to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

§ 254-9 Safety Standards for Stormwater Management Basins:

- A. This section sets forth requirements to protect public safety through the proper design and operation of stormwater management BMPs. This section applies to any new stormwater management BMP.
- B. The provisions of this section are not intended to preempt more stringent municipal or county safety requirements for new or existing stormwater management BMPs. Municipal and county stormwater management plans and ordinances may, pursuant to their authority, require existing stormwater management BMPs to be retrofitted to meet one or more of the safety standards in Section 254-9.C(1)-(3) for trash racks, overflow grates, and escape provisions at outlet structures.
- C. Requirements for Trash Racks, Overflow Grates and Escape Provisions
 - 1. A trash rack is a device designed to catch trash and debris and prevent the clogging of outlet structures. Trash racks shall be installed at the intake to the outlet from the Stormwater management BMP to ensure proper functioning of the BMP outlets in accordance with the following:
 - i. The trash rack shall have parallel bars, with no greater than six-inch spacing between the bars.
 - ii. The trash rack shall be designed so as not to adversely affect the hydraulic performance of the outlet pipe or structure.
 - iii. The average velocity of flow through a clean trash rack is not to exceed 2.5 feet per second under the full range of stage and discharge. Velocity is to be computed on the basis of the net area of opening through the rack; and
 - iv. The trash rack shall be constructed of rigid, durable, and corrosion resistant material and designed to withstand a perpendicular live loading of 300 pounds per square foot.
 - 2. An overflow grate is designed to prevent obstruction of the overflow structure. If an outlet structure has an overflow grate, such grate shall meet the following requirements:
 - i. The overflow grate shall be secured to the outlet structure but removable for emergencies and maintenance.
 - ii. The overflow grate spacing shall be no greater than two inches across the smallest dimension.
 - iii. The overflow grate shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 pounds per square foot.

ORDINANCE

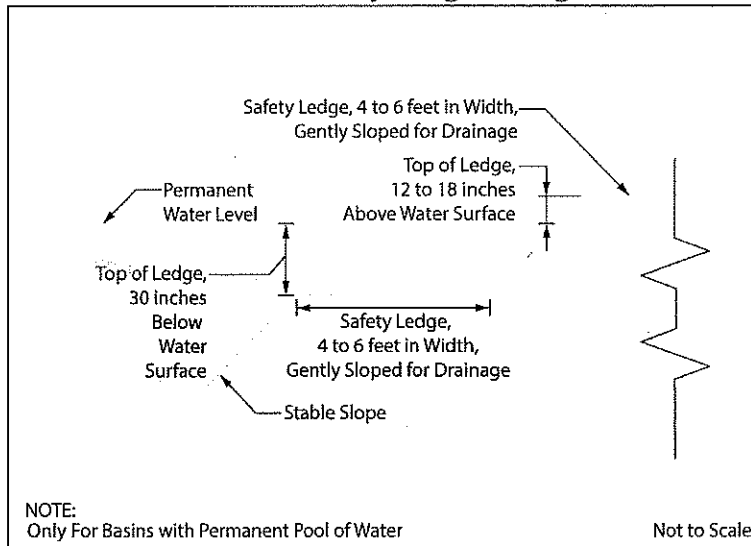
3. Stormwater management BMPs shall include escape provisions as follows:
 - i. If a stormwater management BMP has an outlet structure, escape provisions shall be incorporated in or on the structure. Escape provisions include the installation of permanent ladders, steps, rungs, or other features that provide easily accessible means of egress from stormwater management BMPs. With the prior approval of the municipality pursuant to Section 254-9.C, a free-standing outlet structure may be exempted from this requirement.
 - ii. Safety ledges shall be constructed on the slopes of all new stormwater management BMPs having a permanent pool of water deeper than two and one-half feet. Safety ledges shall be comprised of two steps. Each step shall be four to six feet in width. One step shall be located approximately two and one-half feet below the permanent water surface, and the second step shall be located one to one and one-half feet above the permanent water surface. See Section 254-9.E for an illustration of safety ledges in a stormwater management BMP; and
 - iii. In new stormwater management BMPs, the maximum interior slope for an earthen dam, embankment, or berm shall not be steeper than three horizontals to one vertical.

D. Variance or Exemption from Safety Standard

A variance or exemption from the safety standards for stormwater management BMPs may be granted only upon a written finding by the municipality that the variance or exemption will not constitute a threat to public safety.

E. Safety Ledge Illustration

Elevation View –Basin Safety Ledge Configuration



§ 254-10 Requirements for a Site Development Stormwater Plan:

A. Submission of Site Development Stormwater Plan

ORDINANCE

1. Whenever an applicant seeks municipal approval of a development subject to this ordinance, the applicant shall submit all of the required components of the Checklist for the Site Development Stormwater Plan at Section 254-10.C below as part of the submission of the application for approval.
2. The applicant shall demonstrate that the project meets the standards set forth in this ordinance.
3. The applicant shall submit three copies of the materials listed in the checklist for site development stormwater plans in accordance with Section 254-10.C of this ordinance.

B. Site Development Stormwater Plan Approval

The applicant's Site Development project shall be reviewed as a part of the review process by the municipal board or official from which municipal approval is sought. That municipal board or official shall consult the municipality's review engineer to determine if all of the checklist requirements have been satisfied and to determine if the project meets the standards set forth in this ordinance.

C. Submission of Site Development Stormwater Plan

The following information shall be required:

1. Topographic Base Map

The reviewing engineer may require upstream tributary drainage system information as necessary. It is recommended that the topographic base map of the site be submitted which extends a minimum of 200 feet beyond the limits of the proposed development, at a scale of 1"=200' or greater, showing 2-foot contour intervals. The map as appropriate may indicate the following: existing surface water drainage, shorelines, steep slopes, soils, erodible soils, perennial or intermittent streams that drain into or upstream of the Category One waters, wetlands and flood plains along with their appropriate buffer strips, marshlands and other wetlands, pervious or vegetative surfaces, existing man-made structures, roads, bearing and distances of property lines, and significant natural and manmade features not otherwise shown.

2. Environmental Site Analysis

A written and graphic description of the natural and man-made features of the site and its surroundings should be submitted. This description should include a discussion of soil conditions, slopes, wetlands, waterways and vegetation on the site. Particular attention should be given to unique, unusual, or environmentally sensitive features and to those that provide particular opportunities or constraints for development. Incorporation of nonstructural strategies demonstrates adherence to a low impact development (LID) approach. The written description should include a list of the following nonstructural strategies with a clear yes/no indication of if the strategy was included in the plan and brief description:

- i. Protect areas that provide water quality benefits or areas particularly

ORDINANCE

susceptible to erosion and sediment loss.

- ii. Minimize impervious surfaces and break up or disconnect the flow of runoff over impervious surfaces.
- iii. Maximize the protection of natural drainage features and vegetation.
- iv. Minimize the decrease in “time of concentration” from pre-construction to post-construction. “Time of concentration” is defined as the time it takes for runoff to travel from the hydraulically most distant point of the drainage area to the point of interest within a watershed.
- v. Minimize land disturbance including clearing and grading.
- vi. Minimize soil compaction.
- vii. Provide low-maintenance landscaping that encourages retention and planting of native vegetation and minimizes the use of lawns, fertilizers and pesticides.
- viii. Provide vegetated open-channel conveyance systems discharging into and through stable vegetated areas; and
- ix. Provide other source controls to prevent or minimize the use or exposure of pollutants at the site in order to prevent or minimize the release of those pollutants into stormwater runoff. These source controls include, but are not limited to:
 1. Site design features that help to prevent accumulation of trash and debris in drainage systems.
 2. Site design features that help to prevent discharge of trash and debris in drainage systems.
 3. Site design features that help to prevent and/or contain spills or other harmful accumulations of pollutants at industrial or commercial developments; and
 4. When establishing vegetation after land disturbance, applying fertilizer in accordance with the requirements established under the Soil Erosion and Sediment Control Act, N.J.S.A. 4:24-39 et seq., and implementing rules.

3. Project Description and Site Plans

A map (or maps) at the scale of the topographical base map indicating the location of existing and proposed buildings roads, parking areas, utilities, structural facilities for stormwater management and sediment control, and other permanent structures. The map(s) shall also clearly show areas where alterations will occur in the natural terrain and cover, including lawns and other landscaping, and seasonal high groundwater elevations. A written description of the site plan and justification for proposed changes in natural conditions shall also be provided.

4. Land Use Planning and Source Control Plan

This plan shall provide a demonstration of how the goals and standards of Sections 254-3 through 254-5 are being met. The focus of this plan shall be to describe how the site is being developed to meet the objective of controlling groundwater recharge, stormwater quality and stormwater quantity problems at the source by land management and source controls whenever possible.

5. Stormwater Management Facilities Map

ORDINANCE

The following information, illustrated on a map of the same scale as the topographic base map, shall be included:

- i. Total area to be disturbed, paved or built upon, proposed surface contours, land area to be occupied by the stormwater management facilities and the type of vegetation thereon, and details of the proposed plan to control and dispose of stormwater.
- ii. Details of all stormwater management facility designs, during and after construction, including discharge provisions, discharge capacity for each outlet at different levels of detention and emergency spillway provisions with maximum discharge capacity of each spillway.

6. Calculations

- i. Comprehensive hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in Section 254-4 of this ordinance.
- ii. When the proposed stormwater management control measures depend on the hydrologic properties of soils or require certain separation from the seasonal high water table, then a soils report shall be submitted. The soils report shall be based on onsite boring logs or soil pit profiles. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soils present at the location of the control measure.

7. Maintenance and Repair Plan

The design and planning of the stormwater management facility shall meet the maintenance requirements of Section 254-11.

8. Waiver from Submission Requirements

The municipal official or board reviewing an application under this ordinance may, in consultation with the municipality's review engineer, waive submission of any of the requirements in Sections 254-10.C(1) through 254-10.C(6) of this ordinance when it can be demonstrated that the information requested is impossible to obtain or it would create a hardship on the applicant to obtain and its absence will not materially affect the review process.

§ 254-11 Maintenance and Repair

A. Applicability

Projects subject to review as in Section 254-1.C of this ordinance shall comply with the requirements of Sections 254-11.B and C.

B. General Maintenance

1. The design engineer shall prepare a maintenance plan for the stormwater management measures incorporated into the design of a major development or minor development. For

ORDINANCE

existing Stormwater Management BMPs, a professional engineer shall prepare an operation and maintenance plan for the stormwater management measures incorporated into the existing stormwater management facilities.

2. The maintenance plan shall contain specific preventative maintenance tasks and schedules; cost estimates, including estimated cost of sediment, debris, or trash removal; and the name, address, and telephone number of the person or persons responsible for preventative and corrective maintenance (including replacement). The plan shall contain information on BMP location, design, ownership, maintenance tasks and frequencies, and other details as specified in Chapter 8 of the NJ BMP Manual, as well as the tasks specific to the type of BMP, as described in the applicable chapter containing design specifics.
3. If the maintenance plan identifies a person other than the property owner (for example, a developer, a public agency or homeowners' association) as having the responsibility for maintenance, the plan shall include documentation of such person's or entity's agreement to assume this responsibility, or of the owner's obligation to dedicate a stormwater management facility to such person under an applicable ordinance or regulation.
4. Responsibility for maintenance shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project, unless such owner or tenant owns or leases the entire residential development or project. The individual property owner may be assigned incidental tasks, such as weeding of a green infrastructure BMP, provided the individual agrees to assume these tasks; however, the individual cannot be legally responsible for all of the maintenance required.
5. If the party responsible for maintenance identified under Section 254-11.B(3) above is not a public agency, the maintenance plan and any future revisions based on Section 254-11.B(7) below shall be recorded upon the deed of record for each property on which the maintenance described in the maintenance plan must be undertaken.
6. Preventative and corrective maintenance shall be performed to maintain the functional parameters (storage volume, infiltration rates, inflow/outflow capacity, etc.) of the stormwater management measure, including, but not limited to, repairs or replacement to the structure; removal of sediment, debris, or trash; restoration of eroded areas; snow and ice removal; fence repair or replacement; restoration of vegetation; and repair or replacement of non-vegetated linings.
7. The party responsible for maintenance identified under Section 254-11.B(3) above shall perform all of the following requirements:
 - i. Maintain a detailed log of all preventative and corrective maintenance for the structural stormwater management measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance-related work orders;
 - ii. Evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed; and
 - iii. Retain and make available, upon request by any public entity with administrative, health, environmental, or safety authority over the site, the maintenance plan and the documentation required by Section 254-11.B(6) and (7) above.

ORDINANCE

- iv. Obtain a stormwater maintenance permit from the City Engineer by June 30th of each year; and
 - v. On an annual basis, submit to the Borough Engineer a maintenance and inspection report and certification on a form approved by the City Engineer with all required maintenance logs.
8. The requirements of Section 254-11.B(3) and (4) do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency, subject to all applicable municipal stormwater general permit conditions, as issued by the Department.
 9. In the event that the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, the municipality shall so notify the responsible person in writing. Upon receipt of that notice, the responsible person shall have fourteen (14) days to effect maintenance and repair of the facility in a manner that is approved by the municipal engineer or his designee. The municipality, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the responsible person fails or refuses to perform such maintenance and repair, the municipality or County may immediately proceed to do so and shall bill the cost thereof to the responsible person. Nonpayment of such bill may result in a lien on the property.
 10. A two year maintenance guarantee in accordance with N.J.S.A. 40:55D-53 is required for all stormwater management facilities incorporated into a major or minor development.
 11. The person responsible for maintenance shall submit an annual inspection report prepared by a professional engineer licensed in New Jersey or a New Jersey certified stormwater inspector to the City Engineer by June 30th of each year. The inspection report and log shall include and not be limited to:
 - i. Detention basin outflow structures, escape provisions as outlined in N.J.A.C. 7:8-6.2 and all components.
 - ii. Vegetation.
 - iii. Trash racks and overflow grates.
 - iv. Embankment erosion; and
 - v. Sediment removal and pond maintenance.
 12. Copies of checklist requirements for various Stormwater Management BMPs shall be available from the City Clerk.
- C. Nothing in this subsection shall preclude the municipality in which the major development, minor development, or existing Stormwater Management BMP is located from requiring the posting of a performance or maintenance guarantee in accordance with N.J.S.A. 40:55D-53.

§ 254-12 Penalties

Any person(s) who erects, constructs, alters, repairs, converts, maintains, or uses any building, structure or land in violation of this ordinance shall be subject to the following penalties:

ORDINANCE

- A. The violator shall be subject to a fine of not more than \$1,000 per violation.
- B. The violator has 30 days from the date the violation is identified to correct the issue.
- C. After 30 days, if the violation has not been corrected, the violator shall be subject to a fine of not more than \$100 per day for each violation for as long as the violator remains out of compliance.

Section 2. Referral to City of Trenton Planning Board.

A copy of this ordinance shall be referred to the City of Trenton Planning Board following its introduction for review pursuant to N.J.S.A. 40A:55D-26a.

Section 3. Repealer.

Any article, section, paragraph, subsection, clause or other provision of the Code of the City of Trenton inconsistent with the provisions of this Ordinance is hereby repealed to the extent of such inconsistency.

Section 4 Severability.

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

Section 5. Effective Date.

This Ordinance shall take effect upon its passage and publication, filing with the Mercer County Planning Board, and as otherwise provided for by law.

INTRODUCTION:	MOTION:				SECOND:				ORD. AUTHORED BY:		ADOPTION				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	
DWARDS	✓								GONZALEZ	✓				FRISBY	✓								
ELICIANO	✓								HARRISON	✓													
GUEROA ETTENBURG	✓								WILLIAMS	✓													

V - NO VOTE AB - ABSENT

Adopted on first reading at a meeting of the City Council of the City of Trenton, NJ on MAY 09 2024

Adopted on second reading after the public hearing on _____

_____ APPROVED Reconsidered by Council - Override Vote _____ AYE
 Mayor REJECTED NAY

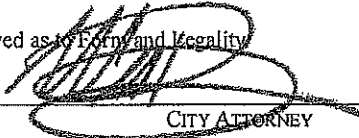
 President of Council

 City Clerk

RESOLUTION

No. 24-142

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 OF (i) A WATER UTILITY BOND ORDINANCE OF THE CITY UNDER THE PROVISIONS OF THE MUNICIPAL QUALIFIED BOND ACT, N.J.S.A. 40A:3-1 ET SEQ., (THE "ACT"), ENTITLED "BOND ORDINANCE PROVIDING FOR ROADWAY REPAIRS IN VARIOUS AREAS SERVICED BY TRENTON WATER WORKS, BY AND IN THE CITY OF TRENTON, IN THE COUNTY OF MERCER, STATE OF NEW JERSEY; APPROPRIATING \$5,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$5,000,000 OF BONDS OR NOTES TO FINANCE THE COST THEREOF", AND (ii) THE ISSUANCE OF QUALIFIED BONDS UNDER THE PROVISIONS OF THE ACT.

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"), pursuant to the Municipal Qualified Bond Act, N.J.S.A. 40A:3-1 et seq. (the "Act"), specifically N.J.S.A. 40A:3-4(b), for (i) its approval of a bond ordinance (the "Bond Ordinance"), entitled "BOND ORDINANCE PROVIDING FOR ROAD REPAIRS IN VARIOUS AREAS SERVICED BY THE TRENTON WATER WORKS BY AND IN THE CITY OF TRENTON, IN THE COUNTY OF MERCER, STATE OF NEW JERSEY; APPROPRIATING \$5,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$5,000,000 OF BONDS OR NOTES TO FINANCE THE COST THEREOF"; and (ii) the issuance of bonds under the Bond Ordinance as qualified bonds (the "Qualified Bonds") under the Act.

RESOLUTION

WHEREAS, the City believes with respect to the Bond Ordinance and the issuance of Qualified Bonds:

(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 and the customers of Trenton Water Works ("TWW"), which is a water utility 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 issuance of Qualified Bonds thereunder are an efficient and feasible means of providing services for the needs of the inhabitants of the City and users of the TWW water system, and will not create an undue financial burden to be placed upon the City and users of the TWW water system.

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, Financial Advisor to the City (the "Financial Advisor"), and Mercadien, P.C., 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 introduced Bond Ordinance 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 Act.

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					FELICIANO				
FIGUEROA KETTENBURG					HARRISON									
FRISBY					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. 24-192

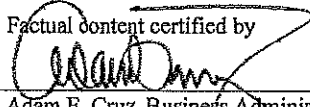
Approved as to Form and Legality


WES BRIDGES, DIRECTOR OF LAW

COUNCILMAN / WOMAN _____

Date of Adoption _____

Factual content certified by


Adam E. Cruz, Business Administrator

PRESENTS THE FOLLOWING RESOLUTION:

SPONSORED BY COUNCILMAN / WOMAN _____

RESOLUTION AUTHORIZING SETTLEMENT OF A CIVIL ACTION IN THE MATTER OF EGGERTS CROSSING v. CITY OF TRENTON, IN THE TOTAL AMOUNT OF \$125,000.00

WHEREAS, Eggerts Crossing, commenced a civil suit against the City of Trenton, et al in the Superior Court of New Jersey, Mercer County, Docket No. MER-L-878-19; and

WHEREAS, the complaint arose from a civil law suit whereby plaintiff alleges that water owned and operated by Trenton Water Works caused pinhole leaks to develop in its copper piping;

WHEREAS, said action has been reviewed and assessed by the City Attorney and the City Attorney is of the opinion that it is in the best interest of the City of Trenton to settle the case in the total amount of one hundred, twenty-five thousand dollars (\$125,000.00); and

WHEREAS, it has been agreed that the City of Trenton will pay one hundred twenty-five hundred thousand dollars (\$125,000.00); and

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

WHEREAS, the settlement in the total amount of nine hundred, twenty-five thousand dollars \$125,000.00 is inclusive of costs and attorney's fees; and

WHEREAS, the Director of Finance has certified that sufficient funds are available in the General Liability Self-Insurance Fund, Account Number 4-01- -80-8070-623, for this purpose.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Trenton that said action of Eggerts Crossing v. City of Trenton, et al. be disposed of by way of settlement in the total amount of \$125,000.00 in accordance with the general release and settlement agreement executed by plaintiff(s).

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

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

President of Council

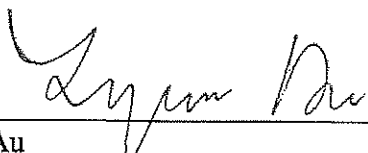
City Clerk

**CITY OF TRENTON
DEPARTMENT OF FINANCE**

CERTIFICATION OF AVAILABILITY OF FUNDS

I, Lyn Au, Acting Chief Financial Officer of the City of Trenton, do hereby certify, to the best of my knowledge and belief that there now exist adequate funds to award the settlement in the matter of Eggerts Crossing v. City of Trenton, et al bearing Docket Number MER-L-878-19 in the amount of \$125,000.00. Such funds for said settlement award are available in General Liability Self-Insurance Fund, Account Number 4-01- -80-8070-623.

Dated: 5/7/24



Lyn Au
ACTING Chief Financial Officer

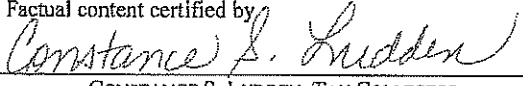
Account Number: 4-01- -80-8070-623
Amount: \$125,000.00

RESOLUTION No. 24-193

Date of Adoption _____

Approved as to Form and Legality


 CITY ATTORNEY

Factual content certified by


 CONSTANCE S. LUDDEN, TAX COLLECTOR

COUNCILMAN / WOMAN _____ PRESENTS THE FOLLOWING RESOLUTION:

SPONSORED BY: _____

RESOLUTION AUTHORIZING THE CITY OF TRENTON TO ISSUE 4 REFUNDS TOTALING \$8,073.98 RELATED TO TRENTON WATER WORKS DISCREPANCIES

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

WHEREAS, said payments were made and applied to the various TWW accounts &/or liens per the remitters at the direction of the Tax Collector's office; and

WHEREAS, it has been discovered that while the remitters relied on TWW information it has since been determined that said payments should not have been made and/or liens should not have been sold; and

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

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Trenton, County of Mercer, State of New Jersey hereby directs refunds as detailed on the listing below, on the 4 accounts totaling \$8,073.98 to be processed by the Tax Collector/Finance Department.

BLOCK	LOT	PROPERTY LOCATION	AMOUNT	REFUND TO	REASON
601	6	32 Wood St.	\$3,914.18	FIG 20, LLC	TWW Payment after lien redeemed
5201	3	151 Oakland St.	\$1,611.28	Rajendra Gupta	TWW certified charges on vacant land
11603	21	237 Third St.	\$597.82	FIG NJ19, LLC	TWW Payment after lien redeemed
13703	1	256 Hamilton Ave.	\$1,950.70	Pine Valley One RE	TWW certified charges on wrong property
			<u>\$8,073.98</u>		

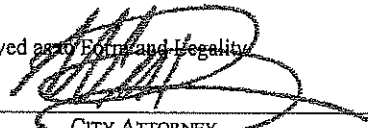
MOTION:					SECON D:									
	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent
					GONZALEZ					FELICIANO				
FIGUEROA					HARRISON									
KETTENBURG														
FRISBY					WILLIAMS									

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

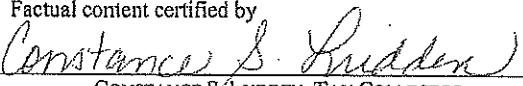
 President of Council

 City Clerk

RESOLUTION No. 24-194

Approved as to Form and Legality


 CITY ATTORNEY

Date of Adoption _____
 Factual content certified by


 CONSTANCE S. LUDDEN, TAX COLLECTOR

COUNCILMAN / WOMAN _____ PRESENTS THE FOLLOWING RESOLUTION:

SPONSORED BY: _____

RESOLUTION AUTHORIZING THE CITY OF TRENTON TO CANCEL AN EXPIRED PREMIUM OF \$300.00

WHEREAS, N.J.S.A. 54:5-33 states that when redemption of a tax lien is not made within 5 years from the date of sale, the premium payment shall be turned over to the treasurer of the municipality and become part of the municipal funds; and

WHEREAS, on a property known as block 4802, lot 2, a.k.a. 65 Prospect St., certificate #15-00168 was sold 1/21/2015 for a premium of \$300.00; and

WHEREAS, said certificate has not redeemed within 5 years.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Trenton, County of Mercer, State of New Jersey that in accordance with N.J.S.A. 54:5-33, the City of Trenton, hereby directs that the \$300.00 premium be turned over to the general fund of the City and become a part thereof.

MOTION:						SECON					D:				
	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent	
EDWARDS					GONZALEZ					FELICIANO					
FIGUEROA					HARRISON										
KETTENBURG															
FRISBY					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. 24-195

Date of Adoption _____

Approved as to Form and Legality

[Signature]
CITY ATTORNEY

Factual content certified by

[Signature]
CONSTANCE S. LUDDEN, TAX COLLECTOR

COUNCILMAN / WOMAN _____ PRESENTS THE FOLLOWING RESOLUTION:

SPONSORED BY: _____

RESOLUTION AUTHORIZING THE CITY OF TRENTON TO ISSUE 3 TAX REFUNDS TOTALING \$8,945.88

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

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

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

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

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Trenton, County of Mercer, State of New Jersey hereby directs refunds on 3 accounts totaling \$8,945.88 to be processed by the Tax Collector.

BLOCK	LOT	PROPERTY LOCATION	AMOUNT	REFUND TO	REASON
14705	14	132 Kent St.	\$8,604.59	Stavitsky & Associates LLC	NJTC Appeal 2022
14705	20	114 Kent St.	\$158.88	Stavitsky & Associates LLC	NJTC Appeal 2022
14901	40	129 Kent St.	\$182.41	Stavitsky & Associates LLC	NJTC Appeal 2022
			\$8,945.88		

MOTION:					SECON D:									
	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent
EDWARDS					GONZALEZ					FELJICIANO				
FIGUEROA KETTENBURG					HARRISON									
FRISBY					WILLIAMS									

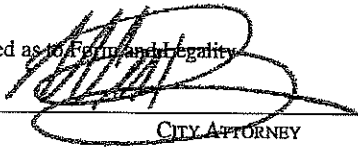
This Resolution was adopted at a Meeting of the City Council of the City of Trenton on _____

President of Council

City Clerk

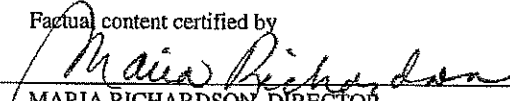
RESOLUTION No. 24-196

Approved as to Form and Legality


CITY ATTORNEY

Date of Adoption _____

Factual content certified by


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

COUNCILMAN / WOMAN _____ PRESENTS THE FOLLOWING RESOLUTION:

SPONSORED BY: _____

RESOLUTION OF THE CITY OF TRENTON, COUNTY OF MERCER, NEW JERSEY SUPPORTING REVOLUTIONNJ

WHEREAS, Governor Philip Murphy and the New Jersey State Legislature created RevolutionNJ in 2018 to plan, encourage, develop, and coordinate the commemoration of the 250th anniversary of the founding of the United States, New Jersey's pivotal role in the American Revolution, and the contributions of its diverse peoples to the nation's past, present, and future; and

WHEREAS, the New Jersey Historical Commission, under the leadership of Secretary of State Tahesha Way, with its non-profit partner, Crossroads of the American Revolution, established RevolutionNJ to advance the role that history plays in public discourse, community engagement, education, tourism, and scholarship in New Jersey; and

WHEREAS, RevolutionNJ will engage New Jerseyans in all 21 counties and 564 municipalities through its officially recognized programs, initiatives, and events over the next ten years; and

RESOLUTION

WHEREAS, it is fitting and desirable that we commemorate the beginning of the Nation and the role New Jersey played over the past 250 years as well as its present and future role as part of the United States, with particular focus on the individuals, ideas, and events that shaped our Country, State, and City of Trenton; and

WHEREAS, RevolutionNJ will consider the role New Jersey played during the American Revolution when it saw more battles and skirmishes than any other state and was truly the Crossroads of the American Revolution; and

WHEREAS, RevolutionNJ will highlight the role New Jerseyans played beyond the battlefield during the American Revolution when people of diverse backgrounds contributed to the development of the State and the Nation in various ways and fought for the right to life, liberty, and the pursuit of happiness; and

WHEREAS, preserving, studying, and enjoying state history strengthens communities and builds bonds between New Jersey residents as we work together toward the goals of justice and equality embedded in the United States Constitution;

NOW THEREFORE, BE IT RESOLVED, that the City of Trenton hereby endorses RevolutionNJ and its mission to advance the role that history plays in public discourse, community engagement, education, tourism and scholarship in New Jersey.

RESOLUTION

IT IS FURTHER RESOLVED that:

1. The City of Trenton commemorates the 250th anniversary of the establishment of the United States as an independent Nation.

2. The City of Trenton authorizes the appointment of a committee to develop a plan for this commemoration that will promote the maximum involvement of our residents, neighborhoods, businesses, schools, civic organizations, and institutions in the commemorations.

3. The City of Trenton further urges all its residents to reflect upon the significance of this event and the role that our State and its diverse people have played in the history and development of our Nation and to participate in this important commemoration, endeavoring to include the stories of all those whose lives are part of the history of what we now know as New Jersey, and understanding that the revolution continues today as we uphold the revolutionary ideals articulated in our founding documents.

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

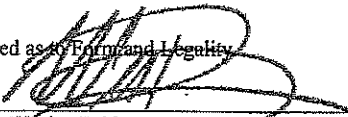
This Resolution was adopted at a Meeting of the City Council of the City of Trenton on _____

President of Council

City Clerk

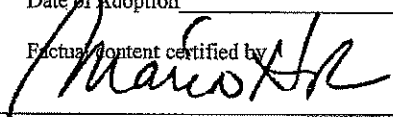
RESOLUTION No. 24-198

Approved as to Form and Legality


Wesley Bridges, Esq. CITY ATTORNEY

Date of Adoption _____

Factual content certified by


Maria Richardson, Director of Recreation, Natural Resources & Culture

Councilman/woman _____ presents the following Resolution:

RESOLUTION ACCEPTING A BID AND AWARDING A CONTRACT TO CLEAN EARTH MATTERS, LLC FOR EMERGENCY AND NON-EMERGENCY TREE SERVICES ON AN AS NEEDED AS BASIS, FOR THE DEPARTMENT OF RECREATION, NATURAL RESOURCES, AND CULTURE FOR A PERIOD OF TWO (2) YEARS IN AN AMOUNT NOT TO EXCEED

\$125,000.00 PER YEAR - BID2023-82B

WHEREAS, two (2) sealed bids were received on December 12, 2023, by the Purchasing Agent for Emergency and Non-Emergency Tree Services on an as needed basis for the Department of Recreation, Natural Resources, and Culture for a period of two (2) years with an option to extend one (1) additional year; and

WHEREAS, work to be performed will be as follows: the trimming of trees to include the removal of dead, dying, diseased, interfering, objectionable, or weak branches; and/or the complete removal of dead or dangerously growing trees; and

WHEREAS, the low bid of Sowsian Landscapes, 190 Wertsville Road, Hopewell, NJ 08525 did not submit a bid guarantee as required in the request for bid. This bid is considered a fatal flaw.

WHEREAS, the bid of Clean Earth Matters, LLC, 208 Brunswick Avenue, Trenton, NJ 08618 pursuant to advertisement, be and is hereby accepted, as the lowest and legally responsible bidder complying with the terms and specifications on file in the Division of Purchasing; and

WHEREAS, funds in an amount not to exceed \$125,000.00 per year for two (2) years has been certified to be available in the following grant account: G-SS-24-70-110B-299. The contract shall be awarded for a period of two (2) years from the date of award; with an option to extend the contract for one (1) additional year in an amount not to exceed \$125,000.00; contingent upon the adoption of the CY'24, CY'25 and CY'26 temporary/final budget.

NOW, THEREFORE, IT IS RESOLVED, by the City Council of the City of Trenton that the Mayor is hereby authorized to execute a contract to Clean Earth Matters, LLC, 208 Brunswick Avenue, Trenton, NJ 08618 on an as needed basis; for a period of two (2) years @ \$125,000.00 per year with an option to extend the contract for one (1) additional year @ \$125,00.00 per year on an as needed basis, for the Department of Recreation, Natural Resources, and Culture 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					FELICIANO				
FIGUEROA					HARRISON									
KETTENBURG														
FRISBY					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 Contract with:

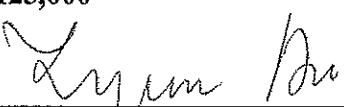
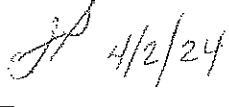
VENDOR NAME: **CLEAN EARTH MATTERS LLC.**

Purpose: **Emergency & Non-Emergency Tree Services**

Account Numbers: **G-SS-24-70-110B-299-**

Requisition Number: **Q4-01931**

Amount not to exceed: **\$125,000**

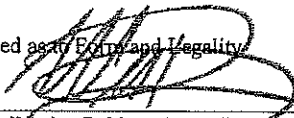
Acting Chief Financial Officer

4/3/2024

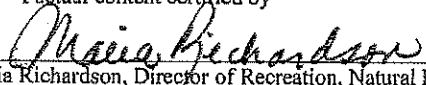
Date

RESOLUTION No. 24-199

Date of Adoption _____

Approved as to Form and Legality


 Wesley Bridges, Esq. CITY ATTORNEY

Factual content certified by


 Maria Richardson, Director of Recreation, Natural Resources & Culture

Councilman/woman _____ presents the following Resolution:

RESOLUTION ACCEPTING BIDS AND AWARDING CONTRACTS TO MULTIPLE VENDORS FOR GENERAL MAINTENANCE AND MINOR CONSTRUCTION SERVICES ON AN AS NEEDED BASIS, FOR THE DEPARTMENT OF RECREATION, NATURAL RESOURCES, AND CULTURE FOR A PERIOD OF ONE (1) YEAR IN AN AMOUNT NOT TO EXCEED \$500,000 BID2023-83

WHEREAS, five (5) sealed bids were received on December 13, 2023, by the Purchasing Agent for General Maintenance and Minor Construction Services on an as needed basis for the Department of Recreation, Natural Resources & Culture for a period of one (1) year with an option to extend one (1) additional year; and

WHEREAS, the Department of Recreation, Natural Resources, and Culture will contact the awarded contractors on an as needed basis; to request pre-quotes on specific maintenance and construction projects to be performed throughout the City of Trenton. The lowest quote per contractor will be selected to execute said maintenance and construction projects; and

WHEREAS, the bids of JH Williams Enterprises, Inc., 513 Pleasant Valley Avenue, Moorestown, NJ 08057, Golden Crown Contractors, Inc., 4099 South Broad Street, Yardville, NJ 08620, Seacoast Construction, Inc., 15 Addington Court, East Brunswick, NJ 08816, and Job One Contractors, 53 Stout Avenue, Ewing, NJ 08638 pursuant to advertisement, be and are hereby accepted, as the lowest and legally responsible bidders complying with the terms and specifications on file in the Division of Purchasing; and

WHEREAS, funds in an amount not to exceed \$500,000.00 for one (1) year have been certified to be available in the following accounts: R-01- -70-7010-280-001 (\$253,607.10), G-CC-19-70-660B-299 (\$139,463.02) and R-01- -70-7020-418-001 (\$106,929.88). These contracts shall be awarded for a period of one (1) year from the date of award; with an option to extend the contracts for one (1) additional year in an amount not to exceed \$500,000.00.

NOW, THEREFORE, IT IS RESOLVED, by the City Council of the City of Trenton that the Mayor is hereby authorized to execute multiple contracts on an as needed basis to JH Williams Enterprises, Inc, Golden Crown Contractors, Inc, Seacoast Construction, Inc, and Job One Contracting for General Maintenance and Minor Construction Services on an as needed basis; for the Department of Recreation, Natural Resources, and Culture 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					FELICIANO				
FIGUEROA KETTENBURG					HARRISON									
FRISBY					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 Contract with:

Vendors: JH WILLIAMS ENTERPRISES, INC, 513 Pleasant Valley Avenue, Moorestown, NJ 08057,
GOLDEN CROWN CONTRACTORS, INC, 4099 South Broad Street, Yardville, NJ 08620,
SEACOAST CONSTRUCTION, INC, 15 Addington Court, East Brunswick, NJ 08816,
JOB ONE CONTRACTING, 53 Stout Avenue, Ewing, NJ 08638

Purpose: The primary work to be performed is building repairs including walls, flooring, windows, roofing, bathrooms, doors, and construction of storage facilities.

Account Numbers:

R-01- -70-7010-280-001	\$253,607.10
G-CC-19-70-660B-299	\$139,463.02
R-01- -70-7020-418-001	\$106,929.88

JS 4/2/24

Vendor ID: JHWIL011, GOLCR005, SEACO005, JOBON005

Requisition Number: Q4-01729, Q4-01731, Q4-01732, Q4-01733

Amount not to exceed: \$500,000



Acting Chief Financial Officer

4/3/2024

Date

RESOLUTION

24-200

No. _____

Approved as to Form and Legality



WEISEY BRIDGES, ESQ., DIRECTOR OF LAW

Councilman /woman _____

Date of Adoption _____

Factual content certified by



WAHAB ONITIRI, DIRECTOR OF PUBLIC WORKS

_____ presents the following Resolution:

RESOLUTION AUTHORIZING A CONTRACT AWARDED TO C & M AUTO PARTS, INC., FOR THE PURCHASE OF AUTO PARTS AND ACCESSORIES FOR LIGHT DUTY VEHICLES (CLASS 4 OR LOWER, 15,000 LB. GVWR OR LESS) FOR MULTIPLE DIVISIONS UNDER THE DEPARTMENT OF PUBLIC WORKS AWARDED THROUGH NEW JERSEY STATE CONTRACT# 24-FLEET-61971-T-2761- IN AN AMOUNT NOT TO EXCEED \$115,000.00 – THIS CONTRACT SHALL BE AWARDED FOR A PERIOD OF ONE (1) YEAR FROM THE DATE OF AWARD

WHEREAS, The Department of Administration, Division of Purchasing has reviewed and verified New Jersey State Cooperative Purchasing Program #24-FLEET-61971- T-2761 for Non-OEM Automobile Parts and Accessories for Light Duty Vehicles (Class 4 or Lower, 15,000lb. GVWR or less) for multiple divisions under the Department of Public Works. The State of New Jersey has awarded this contract to C & M Auto Parts, Inc., 610 Plum Street, Trenton, NJ 08638 as the requirement of the City of Trenton, Department of Public Works, Division of Public Property, Streets, and Solid Waste Management. The State of New Jersey has extended this contract from February 26, 2024, to February 25, 2025; 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, Department of Public Works, Division of Public Property, Streets, and Solid Waste Management have a need to purchase Non-OEM Automobile Parts and Accessories for Light Duty Vehicles (Class 4 or Lower, 15,000lb. GVWR or less) awarded to C & M Auto Parts, Inc., 610 Plum Street, Trenton, NJ 08638 through New Jersey State Cooperative Purchasing Program #24-FLEET-61971- T-2761 in an amount not to exceed \$115,000.00; and

WHEREAS, funds in an amount not to exceed \$115,000.00 have been certified to be available in the following account numbers: CY'24 Public Property \$5,000.00 4-01- -55-5530-265, Streets \$30,000.00 4-01- -55-5520-310, and Solid Waste Management \$80,000.00 4-01- -55-5510-265. This contract shall be awarded for a period of one (1) year from the date of the award.

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

1. The Purchasing Agent is hereby authorized to execute purchase orders to C & M Auto Parts, Inc., 610 Plum Street, Trenton, NJ 08638 for the purchase of Non-OEM Automobile Parts and Accessories for Light Duty Vehicles (Class 4 or Lower, 15,000lb. GVWR or less) awarded through New Jersey State Cooperative Purchasing Program #24-FLEET-61971- T-2761 in an amount not to exceed \$115,000.00 for the City of Trenton, Department of Public Works, Division of Public Property, Streets, and Solid Waste Management.
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					FELICIANO				
FIGUEROA KETTENBURG					HARRISON									
FRISBY					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, Actin 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: C&M Auto Parts, Inc.

Address: 610 Plum Street

City/State/Zip: Trenton, New Jersey 08638

Purpose: Non-OEM Automotive Parts and Accessories for Light Duty Vehicles

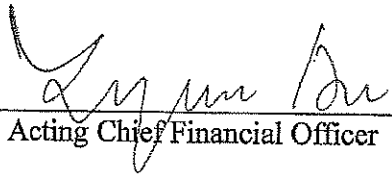
Fund: Operating Budget

Account Number: 4-01- -55-5510-265 \$80,000.00 (Solid Waste)
 4-01- -55-5520-310 \$30,000.00 (Streets)
 4-01- -55-5530-265 \$5,000.00 (Public Property)

Vendor ID: CMAUT005

Requisition Number:

Amount not to exceed: \$115,000.00



Acting Chief Financial Officer

4/8/2024

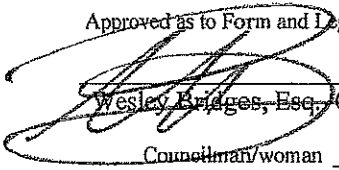
Date

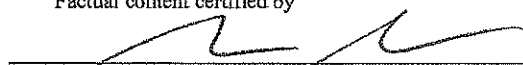
RESOLUTION No. 24-201

Date of Adoption _____

Approved as to Form and Legality

Factual content certified by


Wesley Bridges, Esq., CITY ATTORNEY
Councilman/woman _____


Sean Semple, Director of Water & Sewer

_____ presents the following Resolution:

RESOLUTION AUTHORIZING A CONTRACT TO RAPID PUMP AND METER SERVICE CO., FOR PUMP REPLACEMENT FOR THE TRENTON SEWER UTILITY'S COMBINED SEWAGE PUMPING STATION, AT 1502 LAMBERTON ROAD, TRENTON, NEW JERSEY 08611 AWARDED IN CONJUNCTION WITH THE NORTH JERSEY WASTEWATER COOPERATIVE, CONTRACT# B369-7. THIS CONTRACT SHALL BE AWARDED FROM THE TIME OF AWARD TO JULY 31, 2026, IN AN AMOUNT NOT TO EXCEED \$3,478,744.00

WHEREAS, the City of Trenton is a member of the North Jersey Wastewater Cooperative Contract Purchasing System Agreement (NJWCPS) with the Passaic Valley Sewage Commission (PVSC) as the Lead Agency. Each participant must enter into their own contracts with North Jersey Wastewater Cooperative Contract Purchasing System Agreement (NJWCPS) with the Passaic Valley Sewage Commission (PVSC) as the Lead Agency. Effective July 7, 2022, and, that such membership shall be for the period ending November 24, 2024, and each renewal, thereafter of the system, unless the City of Trenton elects to formally withdraw from the system; and

WHEREAS, N.J.S.A 40A11-11 (5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and permits registered members of the Cooperative Pricing System to purchase items and provide services without the necessity of competitive bidding under the North Jersey Wastewater Cooperative Contract Purchasing System Agreement B369-7; and

WHEREAS, Rapid Pump & Meter Services Co., P.O. Box AY, 285 Straight Street, Patterson, New Jersey 07509 is a vendor under the North Jersey Wastewater Cooperative Purchasing System Agreement B369-7 and has submitted a quote to provide pump replacement at the City of Trenton, Department of Water and Sewer, Trenton Sewer Utility's Combined Sewage Pumping Station, 1502 Lambertson Road, Trenton, New Jersey 08611; and

WHEREAS, funds in an amount not to exceed \$3,478,744.00 have been certified to be available in the following account number R-08- -55-5500-400. This contract shall be awarded from the time of award to July 31, 2026.

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 in an amount not to exceed \$3,478,744.00 to Rapid Pump & Meter Services Co., P.O. Box AY, 285 Straight Street, Patterson, New Jersey 07509 for pump replacement for the Trenton Sewer Utility's Combined Sewage Pumping Station at 1502 Lambertson Road, Trenton, New Jersey 08611; for the City of Trenton, Department of Water & Sewer, Trenton Sewer Utility.
2. The contracts are awarded without competitive bidding Pursuant to N.J.S.A.40A:11-10 (a) (1) of the Local Public Contracts Law.

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

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

President of Council

City Clerk

CITY OF TRENTON
DEPARTMENT OF FINANCE

CERTIFICATION OF AVAILABILITY OF FUNDS

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

Vendor Name: Rapid Pump & Meter Service Co.
Address: P.O. Box AY, 285 Straight Street
City/State/Zip Paterson, NJ 07509

Purpose: Combined Sewage Pumping Station Pump Replacement

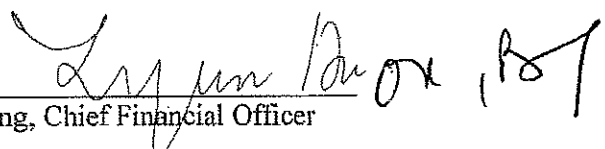
Fund: ARP

Account Number: R-08- -55-5500-400

Vendor ID: RAPID020

Requisition Number: Q4-01416

Amount not to exceed: \$3,478,744.00




Acting, Chief Financial Officer

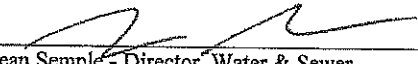
2/28/2024
Date

RESOLUTION No. 24-202

Date of Adoption _____

Approved as to Form and Legality


 Wesley Bridges, Esq. CITY ATTORNEY

Factual content certified by


 Sean Semple - Director, Water & Sewer

Councilman/woman _____ presents the following Resolution:

RESOLUTION AUTHORIZING THE CITY OF TRENTON, DEPARTMENT OF WATER AND SEWER, DIVISION OF SEWER TO APPLY AND ACCEPT A STORMWATER ASSISTANCE GRANT, IN THE AMOUNT OF \$25,000.00 FROM THE STATE OF NEW JERSEY, DEPARTMENT OF ENVIRONMENTAL PROTECTION

WHEREAS, the State of New Jersey Department of Environmental Protection (NJDEP) is providing grants to assist Municipal Separate Storm Sewer System (MS4) permittees with upgrades to their MS4 stormwater programs in order to comply with the requirements of the 2023 Teir A MS4 Permit renewal; and

WHEREAS, the NJDEP has provided the City of Trenton with the grant funding in the amount of \$25,000.00 for upgrades to their MS4 stormwater program for the City of Trenton; and

WHEREAS, the City of Trenton desires to further the public interest by applying and accepting the grant funding; and

WHEREAS, the Stormwater Assistance Grant will be put towards the completion of a Stormwater Infrastructure Map and upgrading of its Municipal Stormwater Program

NOW, THEREFORE, IT IS RESOLVED, by the City Council of the City of Trenton that the Mayor and/or the designated City of Trenton agency is hereby authorized to execute any agreements and other documents necessary to accept the grant.

MOTION:					SECOND:									
	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent
EDWARDS					GONZALEZ					FELICIANO				
FIGUEROA KETTENBURG					HARRISON									
FRISBY					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. 24-203

Date of Adoption _____

Approved as to Form and Legality

Factual content certified by

WESLEY BRIDGES, CITY ATTORNEY

SEAN SIMPLE, DIRECTOR WATER & SEWER

Councilman /woman _____ presents the following Resolution:

RESOLUTION AUTHORIZING PAYMENT FOR A CONTRACT WITH DEWCON, INC., P.O. BOX 439, BASKING RIDGE NEW JERSEY 07920, AWARDED ON AN EMERGENCY BASIS FOR SEWER PUMP STATION 20" MAIN REPAIR IN AN AMOUNT NOT TO EXCEED \$56,031.40 FOR THE TRENTON SEWER UTILITY

WHEREAS, a need existed for the emergency services of Dewcon Inc. for Sewer Pump Station 20" Main Repair for the Trenton Sewer Utility; and

WHEREAS, the maximum amount of the contract is not to exceed \$56,031.40 and funds have been certified to be available in Account 4-07- -55-5500-290; and

WHEREAS, the Local Public Contracts Law at N.J.S.A. 40A:11-6 provides that "[a]ny contract may be negotiated or awarded . . . without public advertising for bids and bidding therefore, notwithstanding that the contract price will exceed the bid threshold, when an emergency affecting the public health, safety and welfare requires the immediate . . . performance of services", subject to the award being made pursuant to the manner set forth therein; and

WHEREAS, upon the furnishing of such goods or services, in accordance with the terms of the contract, the contractor furnishing such goods or services shall be entitled to be paid therefore and the contracting unit shall be obligated for said payment. The governing body of the contracting unit shall take such action as shall be required to provide for the payment of the contract price per statute 40A:11-6(b).

WHEREAS, the official in charge Joseph McIntyre, General Superintendent – Sewer Utility submitted the attached certification that an emergency existed, and that immediate services to remedy the emergency were required.

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

1. The Mayor is hereby authorized to execute payment in an amount not to exceed \$56,031.40 to Dewcon Inc.; P.O. Box 439, Baskin Ridge, NJ 07920 for the Sewer Pump Station 20" Main Repair for the Trenton Sewer Utility.
2. This contract was awarded without competitive bidding as an emergency pursuant to N.J.S.A. 40A:11-6 of the Local Public Contracts Law.
3. A notice of this action shall be printed once in the official newspaper for the City of Trenton, and the resolution and contract shall remain on file in the City Clerk's office.

	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent
EDWARDS					GONZALEZ					FELICIANO				
FIGUEROA KETTENBURG					HARRISON									
FRISBY					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 Contract with:

Vendor Name: Dewcon Inc.
Address# 1: P.O. Box 439
City: Basking Ridge
State: New Jersey
Zip Code: 07920

Purpose: Sewer Pump Station 20" Main Repair

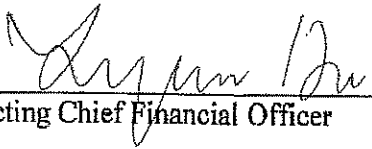
Fund: 2023 Operating Budget

Account Numbers: 4-07- -55-5500-290

Vendor ID: DEWCO010

Requisition Number: Q4-00702

Amount not to exceed: \$56,031.40



Acting Chief Financial Officer

OK, BT

3/26/2024

Date

RESOLUTION No. 24-204

Date of Adoption _____

Approved as to Form and Legality

Factual content certified by

WESLEY BRIDGES, ESQ., DIRECTOR OF LAW

SEAN SEMPLE, DIRECTOR OF WATER AND SEWER

Councilman /woman

presents the following Resolution:

RESOLUTION ACCEPTING A BID AND AWARDING A CONTRACT TO CERTIFIED HEALTH AND SAFETY SERVICES FOR PEOSHA SAFETY TRAINING REQUIRED BY THE STATE OF NEW JERSEY FOR TRENTON WATER WORKS, WATER UTILITY FOR A PERIOD OF ONE (1) YEAR FROM DATE OF AWARD IN AN AMOUNT NOT TO EXCEED \$54,215.00 – BID2024-16

WHEREAS, two (2) sealed bids were received in the Division of Purchasing on March 14, 2024, at 11:00am, by the Purchasing Agent for PEOSHA Safety Training Services for the City of Trenton, Department of Water & Sewer, Trenton Water Works, Water Utility for a period of one (1) year from the date of award; and

WHEREAS, the low bidder, Certified Health & Safety Services, 1902 Taylor’s Lane, Suite A, Cinnaminson, New Jersey 08077 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 \$54,215.00 have been certified to be available in the following account number: 4-05- -55-5504-841-007 contingent upon the temporary/final adoption of CY’2024 budget. This contract shall be awarded for a period of one (1) year from the date of the award.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Trenton that the Mayor is hereby authorized to execute a contract with Certified Health & Safety Services, 1902 Taylor’s Lane, Suite A, Cinnaminson, New Jersey 08077 for PEOSHA Safety Training in an amount not to exceed \$54,215.00 for the City of Trenton, Department of Water and Sewer, Trenton Water Works, Water Utility 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					FELICIANO					
FIGUEROA KETTENBURG					HARRISON										
FRISBY					WILLIAMS										

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

President of Council

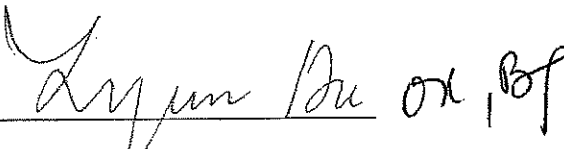
City Clerk

CITY OF TRENTON
DEPARTMENT OF FINANCE

CERTIFICATION OF AVAILABILITY OF FUNDS

I, Ronald Zilinski, 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: Certified Health & Safety Services
Address: 1902 Taylor's Lane, Suite A
City/State/Zip: Cinnaminson, NJ 08077
Purpose: CY'2024 PEOSHA Job Safety Training (Bid No. 2024-16)
Fund: Operating
Account Number: 04-05- -55-5504-841-007
Vendor ID: CERTI025
Requisition Number: Q4-01909
Amount not to exceed: \$54,215.00



ACTING Chief Financial Officer

4/9/2024

Date

RESOLUTION No. 24-205

Date of Adoption _____

Approved as to Form and Legality

Factual content certified by

WESLEY BRIDGES, ESQ., DIRECTOR OF LAW

SEAN SEMPLE, DIRECTOR OF WATER AND SEWER

Councilman /woman

presents the following Resolution:

**RESOLUTION ACCEPTING A BID AND AWARDING A CONTRACT TO
AEGIS SECURITY AGENCY, LLC FOR SECURITY GUARD SERVICES AT THE TRENTON
WATER WORKS DISTRIBUTION COMPLEX, 333 CORTLAND STREET, TRENTON, NJ 08638
FOR A PERIOD OF ONE (1) YEAR FROM THE DATE OF AWARD IN AN AMOUNT NOT TO
EXCEED \$160,055.00 – BID2024-03**

WHEREAS, nine (9) sealed bids were received in the Division of Purchasing on February 27, 2024, at 11:00am, by the Purchasing Agent for Security Guard Services for the City of Trenton, Department of Water and Sewer, Trenton Water Works, Water Distribution Complex for a period of one (1) year from the date of award with an option to extend the contract for one (1) additional year; and

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

WHEREAS, funds in an amount not to exceed \$160,055.00 at an hourly rate of \$22.97 have been certified to be available in the following account number: 4-05- -55-5501-841-001 contingent upon the temporary/final adoption of CY'2024 budget. This contract shall be awarded for a period of one (1) year from the date of award; with an option to extend the contract for an additional one (1) year contingent upon the temporary/final adoption of CY'2025 budget.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Trenton that the Mayor is hereby authorized to execute a contract with Aegis Security Agency, LLC, 22 Smallbrook Circle, Randolph, New Jersey 07869 for armed security guard services in an amount not to exceed \$160,055.00 for the City of Trenton, Department of Water and Sewer, Trenton Water Works, Water Distribution Complex 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					FELICIANO					
FIGUEROA KETTENBURG					HARRISON										
FRISBY					WILLIAMS										

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

President of Council

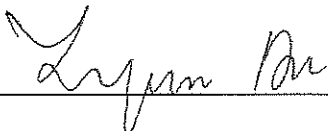
City Clerk

CITY OF TRENTON
DEPARTMENT OF FINANCE

CERTIFICATION OF AVAILABILITY OF FUNDS

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

Vendor Name: Aegis Security Agency, LLC
Address: 22 Smallbrook Circle
City/State/Zip: Randolph, NJ 07869
Purpose: CY'2024 Security Guard Service, Trenton Water Works,
Distribution Complex. Bid No. 2024-03
Fund: Operating
Account Number: 4-05- -55-5501-841-001
Vendor ID: AESA001
Requisition Number: Q4-01677
Amount not to exceed: \$160,055.00



Acting Chief Financial Officer

ot 181

4/9/2024

Date

RESOLUTION

24-206

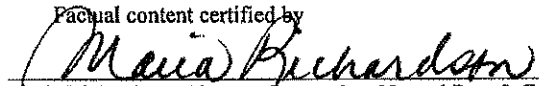
No. _____

Date of Adoption _____

Approved as to Form and Legality


Wesley Bridges, Director of Law

Factual content certified by


Maria Richardson, Director, Recreation, Natural Res. & Culture

SPONSORED BY: _____



RESOLUTION APPLYING FOR AND ACCEPTING THE 2023-2024 FISCAL YEAR STATE EARMARK IN THE AMOUNT OF \$400,000.00 FOR THE RENOVATION OF 73 HART AVENUE TO ESTABLISH THE LOCUST HILL CEMETERY INTERPRETIVE CENTER

WHEREAS, the City of Trenton shall accept the sum of \$400,000.00 from the State of New Jersey appropriated to the City of Trenton in the 2023-2024 Fiscal Year Budget, which is to be dedicated to renovation and operation of the property located at 73 Hart Avenue ("the premises") to become the Locust Hill Cemetery Interpretive Center; and

WHEREAS, the City of Trenton recognizes the historical significance and importance of the Locust Hill Cemetery, particularly as it serves as the resting grounds for at least 10 African American Civil War veterans;

WHEREAS, there exists on the premises a structure that can be renovated to serve as an interpretive center and museum; and

WHEREAS, due to the City of Trenton's financial restraints, the associated renovation costs of the Locust Hill Cemetery Interpretive Center cannot exceed \$400,000.00 earmarked by the State of New Jersey in its 2023 Budget. No additional funding can be budgeted by the City of Trenton to cover renovation costs over this initial acceptance of the \$400,000.00 earmark; and

WHEREAS, the City of Trenton shall serve as the Construction Manager for the Locust Hill Cemetery Interpretive Center Renovation Project. In serving as Construction Manager, all expenditures for the project will be spent at the decision and discretion of the City of Trenton; and

WHEREAS, staffing and training for the Locust Hill Cemetery Interpretive Center shall be conducted by volunteers under the direction and supervision of the City of Trenton Department of Recreation, Natural Resources, and Culture; and

WHEREAS, the City of Trenton will operate the Locust Hill Cemetery Interpretive Center through July 4, 2026, the Semi quincennial Celebration of the United States of America, and will thereafter reevaluate the mission of the Center to determine how the premises should be utilized moving forward, including for historical, recreational, health, housing or other purposes; and

RESOLUTION

WHEREAS, funds in an amount not exceeding \$400,000.00 have been certified in the State of New Jersey FY 2023-2024 State Earmark and in need of receipt by the City of Trenton; and

WHEREAS, the City of Trenton Department of Recreation, Natural Resources, and Culture shall officially accept this \$400,000.00 earmark from the State of New Jersey for dedication to the renovation of Locust Hill Cemetery Interpretative Center; and

WHEREAS, no match is required to accept the funding.

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

1. The above recitals are incorporated by reference as if set forth at length herewith.
2. The Director of the Department of Recreation, Natural Resources and Culture is empowered to take any actions necessary to accept and utilize the funds from the State of New Jersey.
3. This resolution shall take effect immediately and be filed in the Office of the City Clerk in the accordance with applicable law.

MOTION:						SECOND									
	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent	
EDWARDS					GONZALEZ					FELICIANO					
FIGUEROA KETTENBURG					HARRISON										
FRISBY					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. 24-207

Approved as to Form and Legality


WESLEY BRIDGES, ESQ., CITY ATTORNEY

Date of Adoption _____

Factual content certified by


SEAN SEMPLE, DIRECTOR OF WATER AND SEWER

Councilman/woman _____ presents the following Resolution:

SPONSORED BY: _____

RESOLUTION AWARDING A CONTRACT THROUGH A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44 A-20 ET SEQ., TO VAN NOTE HARVEY ASSOCIATES, INC. FOR THE DEVELOPMENT, PREPARATION, PRINTING AND MAILING SERVICES FOR THE CONSUMER CONFIDENCE REPORT (CCR) PER USEPA AND NJDEP FOR TRENTON WATER UTILITY IN AN AMOUNT NOT TO EXCEED \$70,000.00, FOR A PERIOD ONE (1) YEAR FROM THE DATE OF AWARD - RFP2024-07

WHEREAS, the City has a need for the Development, Preparation, Printing, and Mailing Services for the Consumer Confidence Report (CCR) per USEPA and NJDEP for the City of Trenton, Department of Water and Sewer, Trenton Water Utility for a period of one (1) year from the date of award; and

WHEREAS, a request for proposal was advertised, and two (2) sealed proposals were received on February 23, 2024 at 11:0AM, by the Purchasing Agent and were evaluated by a committee based on criteria that included, experience, understanding of requirements and cost; and

WHEREAS, Graphic Imaging Inc., 561 Boston Post Road, Milford, CT 06460, did not meet the requirements of the scope of work in item #21: (the vendor shall provide postage for postmaster). Graphic Image Inc. did not include a postage fee in their final cost; and

WHEREAS, the proposal of Van Note Harvey Associates, Inc., 103 College Road East, 3rd Floor, Princeton, NJ 08540 was deemed to have the necessary qualifications and expertise for the performance of the services at the rates budgeted; and

WHEREAS, funds in an amount not to exceed \$70,000.00 have been certified to be available in the following grant account number: 4-05-55-5507-861-005 for a period of one (1) year from date of award.

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

1. The Mayor is hereby authorized to enter into a contract with Van Note Harvey Associates, Inc. 103 College Road, East, 3rd Floor, Princeton, New Jersey 08540 for the Development, Preparation, Printing, and Mailing Services for Consumer Confidence Report (CCR) per USEPA and NJDEP; in an amount not to exceed \$70,000.00 for a period of one (1) year from the date of award for the City of Trenton, Department of Water and Sewer, Trenton Water Utility; and

2. This contract is awarded pursuant to the authority set forth in the Local Public Contracts Law at N.J.S.A. 40A:11-5.
3. A Notice of this action shall be printed once in the official newspaper for the City of Trenton and the Resolution and contract shall remain on file in the City Clerk's Office.

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

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

President of Council

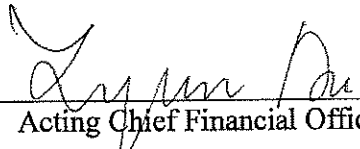
City Clerk

**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: Van Note Harvey Associates, Inc
Address: 103 College Road East 3rd Floor
City: Princeton
State: New Jersey
Zip Code: 08540
PURPOSE: Development, Preparation, Printing and Mailing Services (Consumer Confidence Report) for the City of Trenton, Department of Water and Sewer, Trenton Water Works RFP2024-07
REQ: Q4-01466
TOTAL: \$70,000.00
Fund: CY 24 Operating
Account Number: 4-05-55-5507-861-005
Vendor ID: VANNO005



Acting Chief Financial Officer OK, DT

4/9/2024

Date

RESOLUTION

No. 24-208

Date of Adoption _____

Approved as to Form and Legality



 WESLEY BRIDGES, ESQ., CITY ATTORNEY

Factual content certified by:



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

Councilman/woman _____ presents the following Resolution:

RESOLUTION AUTHORIZING THE CITY OF TRENTON TO APPLY FOR AND ACCEPT A \$850,000 "LEAFING OUT GRANT" FOR CITYWIDE PLANTING INITIATIVES, REMOVAL OF DEAD TREES AND COMPREHENSIVE TREE INVENTORY

WHEREAS, the New Jersey Urban & Community Forestry Program ("State") has made available Leafing Out Grants ("LOGs") for Overburdened Communities ("OBCs"); and

WHEREAS, the City of Trenton is eligible to apply for these grants; and

WHEREAS, the City of Trenton desires to further the public interest by obtaining grant funding in an amount up to \$850,000.00 from the State to fund ongoing public urban forestry initiatives, including the removal of dead trees, planting of new trees, and the development of a comprehensive tree inventory; and

NOW, THEREFORE IT IS RESOLVED, by the City Council of the City of Trenton, does hereby authorize the Mayor to:

1. Make an application for such a grant;
2. Provide additional application information and furnish such documents as may be required,
3. Execute an agreement and any amendment thereto for such grant;
4. Act as the authorized corresponded of the above-named applicant; and
5. That this resolution shall take effect immediately.

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

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

 President of Council

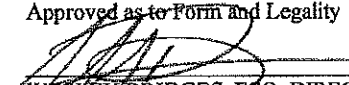
 City Clerk

RESOLUTION

No. 24-209

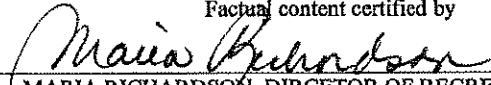
Date of Adoption _____

Approved as to Form and Legality



 WESLEY BRIDGES, ESQ., DIRECTOR OF LAW

Factum content certified by



 MARIA RICHARDSON, DIRECTOR OF RECREATION,
 NATURAL RESOURCES AND CULTURE

Councilman/woman _____ presents the following Resolution:

RESOLUTION AUTHORIZING APPLICATION AND ACCEPTANCE OF A NEW JERSEY HISTORIC COMMISSION PROJECT GRANT TO DEVELOP A HISTORY EXHIBITION FOR DOUGLASS HOUSE IN MILL HILL PARK, IN THE AMOUNT OF \$20,000.00

WHEREAS, the City completed rehabilitation to the Douglass House, located in Mill Hill Park for the purpose of being a visitor center for the public; and

WHEREAS, Douglass House is on the State and National Register of Historic Places for its significance as a Revolutionary War site; and

WHEREAS, Douglass House has no permanent exhibits; and

WHEREAS, the State has a priority to commemorate and observe the Semi quincennial (250th Anniversary) of the United States; and

WHEREAS, the city is eligible to apply in 2024 for a Project grant for up to \$20,000, with a match requirement of \$10,000; and

WHEREAS, funds to provide the required \$10,000 match are available in account number: C-04-20-70-008J-001; and

NOW, THEREFORE, IT IS RESOLVED, by the City Council and the City of Trenton, that the Mayor is hereby authorized to apply for and accept the NJHC grant in an amount up to \$20,000 for the planning of a public exhibition at the above-referenced property and execute all documents pertaining to such a grant.

MOTION:					SECOND :									
	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent
EDWARDS					GONZALEZ					FELICIANO				
FIGUEROA					HARRISON									
KETTENBURG														
FRISBY					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: Provide the required grant match for a New Jersey Historic Commission Project Grant to develop a History Exhibition for the Douglass House in Mill Hill Park

Account Number: C-04-20-70-008J-001- (\$10,000)

Amount not to exceed: \$10,000.00

Vendor: TBD

Requisition: Q4-01922



Acting Chief Financial Officer

4/1/2024

Date

RESOLUTION No. 24-210

Date of Adoption _____

Approved as to Form and Legality

Factual content certified by

CITY ATTORNEY

CITY CLERK

COUNCILMAN / WOMAN _____ CRYSTAL FELICIANO _____ PRESENTS THE FOLLOWING ORDINANCE:

SPONSORED BY: _____

RESOLUTION RECOGNIZING JUNE AS PRIDE MONTH IN THE CITY OF TRENTON

WHEREAS, the City Council of the City of Trenton, County of Mercer is committed to encouraging the Capital City to remain a safe and welcoming community for all residents and visitors; and

WHEREAS, June 2024 marks the 55th anniversary of the Stonewall Uprising in New York City, an event that many consider the start of the gay rights movement in the United States; and

WHEREAS, freedom of expression is a fundamental Constitutional right in the United States; and

WHEREAS, in June 1999, President Bill Clinton issued a Proclamation officially designating June as Gay and Lesbian Pride Month; and

WHEREAS, the City of Trenton strives to be a community where every citizen feels safe, respected, and inherently valued regardless of their lifestyle, ethnicity, beliefs, or abilities; and

WHEREAS, the City recognizes the many contributions of members of the LGBTQIA+ community and the courage and resilience of the LGBTQIA+ community's hard-fought victories to advance acceptance and equality; and

WHEREAS, the Trenton City Council stands united against, and condemns all forms of intolerance, discrimination, bigotry, and hate-filled efforts targeting the LGBTQIA+ community and other minority groups.

NOW THEREFORE BE IT RESOLVED by the Council of the City of Trenton, County of Mercer, State of New Jersey, that we recognize the month of June as Pride Month. The City Council encourages all residents to learn more about the history of this human rights movement and recognize the many and varied contributions of Trenton citizens who identify as members of the LGBTQIA+ community.

MOTION:						SECOND:									
	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent	
EDWARDS					GONZALEZ					FELICIANO					
FIGUEROA KETTENBURG					HARRISON										
FRISBY					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. 24-211

Date of Adoption _____

Approved as to Form and Legality

Factual content certified by

CITY ATTORNEY

CITY CLERK

COUNCILMAN / WOMAN CRYSTAL M. FELICIANO PRESENTS THE FOLLOWING RESOLUTION:

SPONSORED BY: _____

**RESOLUTION OF SUPPORT for the DESIGNATION of JUNE 7, 2024, as
NATIONAL GUN VIOLENCE AWARENESS DAY and JUNE 2024 as
NATIONAL GUN VIOLENCE AWARENESS MONTH in the CITY OF TRENTON**

WHEREAS, each year in the United States, more than—

- (1) 43,000 individuals are killed, and 76,000 individuals are wounded by gunfire; and
- (2) 17,000 individuals are killed in homicides involving guns; and
- (3) 25,000 individuals die by suicide using a gun; and
- (4) 500 individuals are killed in unintentional shootings; and

WHEREAS, since 1968, more individuals have died from guns in the United States than have died on the battlefields of all the wars in the history of the United States; and

WHEREAS, the National Institute for Healthcare Management reported over 42,000 people died as the result of gun injuries in the U.S. in 2023; and

WHEREAS, in 2023, 35% of gun deaths were homicides, 56% were suicides, nearly 4% were unintentional shootings, 3% were police shootings and less than 2% were mass shootings; and

WHEREAS, the annual total of mass shootings has spiked from 414 in 2019 to over 650 in 2023; and

WHEREAS, every day, on average, at least 327 people are shot across the US, including roughly 23 children and adolescents; and

WHEREAS, approximately 9,300 people in the United States under the age of 25 die because of gun violence annually, including Hadiya Pendleton, who, in 2013, was killed at 15 years of age in Chicago, Illinois, while standing in a park; and

RESOLUTION

WHEREAS, on June 7, 2024, to recognize the 27th birthday of Hadiya Pendleton (born June 2, 1997), people in the City of Trenton will recognize “National Gun Violence Awareness Day” and wear orange in tribute to Hadiya Pendleton, other victims of gun violence, and the loved ones of those victims.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Trenton, County of Mercer, reaffirms its commitment to promoting awareness, educating the residents, and working with Federal, State and County Legislators, community partners and stakeholders such as Moms Demand Action for Gun Sense in America, and the Tre’ Devon Lane Foundation, to provide support and resources that will aid our residents within the home, school, and workplace regarding gun violence, grief service and counseling, and promoting a safe community.

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

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

President of Council

City Clerk

ORDINANCE

No. 24-027

1st Reading _____

Public Hearing _____

2nd Reading & Passage _____

Withdrawn _____

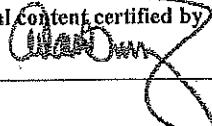
Date to Mayor _____

Date Returned _____

Date Resubmitted to Council _____


Approved as to Form and Legality

Factual Content certified by



CITY ATTORNEY

TITLE

Councilman /woman _____ Vaughn _____

presents the following Ordinance:

**BOND ORDINANCE PROVIDING FOR ROADWAY REPAIRS
IN VARIOUS AREAS SERVICED BY TRENTON WATER
WORKS INCLUDING, BY AND IN THE CITY OF TRENTON,
IN THE COUNTY OF MERCER, STATE OF NEW JERSEY;
APPROPRIATING \$5,000,000 THEREFOR AND
AUTHORIZING THE ISSUANCE OF \$5,000,000 OF BONDS
OR NOTES TO FINANCE THE COST THEREOF**

BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF
TRENTON, IN THE COUNTY OF MERCER, STATE OF NEW JERSEY (not less than two-
thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1. The improvements or purposes described in Section 3(a) of this
bond ordinance are hereby authorized to be undertaken by Trenton Water Works
("TWW"), which is a water utility of the City of Trenton, in the County of Mercer, State of
New Jersey (the "City"), as general improvements. For the said improvements or purposes
stated in Section 3(a), there is hereby appropriated the principal amount of \$5,000,000 of
the City in the budget of TWW. Pursuant to the provisions of N.J.S.A. 40A:2-7(h) and 40A:2-
11(c) of the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"), no down

ORDINANCE

payment is required as TWW is a self-liquidating water utility of the City.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof, negotiable bonds of the City are hereby authorized to be issued in the aggregate principal amount not exceeding \$5,000,000 pursuant to, and within the limitations prescribed by, said Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes authorized herein, negotiable notes of the City in an aggregate principal amount not exceeding \$5,000,000 are hereby authorized to be issued pursuant to, and within the limitations prescribed by, said Local Bond Law. The obligations authorized herein are deductible from gross debt of the City, as more fully described in Section 7(e) of this bond ordinance.

SECTION 3. (a) The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued are for roadway repairs to areas serviced by the TWW.

(b) The improvements and purposes set forth in Section 3(a) shall also include the following, as applicable, all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, environmental testing and remediation, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(c) The estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$5,000,000.

(d) The estimated cost of said improvements or purposes is \$5,000,000.

ORDINANCE

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Mercer make a contribution or grant in aid to the City for the improvements and purposes authorized in Section 3 hereof, and the same shall be received by the City prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Mercer. In the event that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Mercer shall be received by the City after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the City as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such time as may be determined by the Chief Financial Officer of the City, provided that no note shall mature later than one (1) year from its date unless such notes are permitted to mature at such later date in accordance with the provisions of the New Jersey Infrastructure Trust Act, N.J.S.A. 58:11B-1 et seq (the "NJIT Act"). The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the City shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local

ORDINANCE

Bond Law and, as applicable, the provisions of the NJIT Act. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The City hereby certifies that it has adopted a capital budget or a temporary capital budget of the TWW, as applicable. The capital budget or temporary capital budget of the TWW of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget of the TWW of the City, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the City may lawfully undertake as general improvements for the TWW of the City, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

ORDINANCE

(b) The period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 10 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the City and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$5,000,000, but such amount shall constitute a deduction from gross debt to the extent permitted by law, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$1,000,000 for items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

(e) This bond ordinance authorizes obligations of the City solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for purposes that are deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from gross debt pursuant to N.J.S.A. 40A:2-44(c).

SECTION 8. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City and, unless paid from other sources, including fees and charges collected from the users of the City's

ORDINANCE

TWW service area, the City shall be obligated to levy *ad valorem* taxes upon all the taxable property within the City for the payment of the obligations authorized herein and the interest thereon without limitation as to rate or amount.

SECTION 9. The City reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any tax-exempt bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the City's official intent to reimburse any expenditure toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of tax-exempt bonds or notes authorized herein in accordance with Treasury Regulations Section 150-2.

SECTION 10. The Chief Financial Officer of the City is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the City, which are authorized herein, and to execute such disclosure document on behalf of the City. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the City pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the City, which are authorized herein, and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the City fails to comply with its undertaking,

ORDINANCE

the City shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. The City covenants to maintain the exclusion from gross income under Section 103(a) of the Internal Revenue Code of 1986, as amended, of the interest on all tax-exempt bonds and bond anticipation notes issued under this bond ordinance.

SECTION 12. The bonds authorized herein shall be designated as "Qualified Bonds", pursuant to the Municipal Qualified Bond Act, N.J.S.A. 40A:3-1 et seq. (the "Municipal Qualified Bond Act"), and shall contain a recital that it is issued pursuant to Title 40A of the New Jersey Statutes and is entitled to the benefits of the provisions of the Municipal Qualified Bond Act. The City shall certify to the State Treasurer the name and address of the paying agent, the maturity schedule, the interest rate and the dates of payment of debt service on such Qualified Bonds within ten (10) days after the date of issuance of such Qualified Bonds.

SECTION 13. This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, and approval by the Mayor, as provided by the Local Bond 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					FELICIANO												
FIGUEROA KETTENBURG									HARRISON																	
FRISBY									WILLIAMS																	
NV - NO VOTE				AB - ABSENT																						

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

Adopted on second reading after the public hearing on _____

Mayor

APPROVED
REJECTED

Reconsidered by Council - Override Vote

AYE
NAY

President of Council

City Clerk

ORDINANCE

No. 24-042

1st Reading _____

Date to Mayor _____

Public Hearing _____

Date Returned _____

2nd Reading & Passage _____

Date Resubmitted to Council _____

Withdrawn _____ Lost _____

Approved as to Form and Legality

WESLEY BRIDGES, ESQ., CITY ATTORNEY

Factual content certified by

STEVE WILSON, POLICE DIRECTOR

COUNCILMAN / WOMAN _____

PRESENTS THE FOLLOWING ORDINANCE:

SPONSORED BY: _____

AN ORDINANCE CREATING CHAPTER 48 OF THE CODE OF THE CITY OF TRENTON, ENTITLED "CANNABIS CONSUMPTION"

WHEREAS, section 46 of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, P.L. 2021, c. 16 (the "Act") codified at N.J.S.A. 2C:35-10A, provides that "nothing in this section shall permit a person to smoke, vape or aerosolize any cannabis item in a public place . . . and any indoor public place as that term is defined in section 3 of P.L. 2005, c.383 (C. 26:3D-57), or portion thereof, even if the smoking of tobacco is otherwise permitted in that place or portion thereof pursuant to the "New Jersey Smoke-Free Air Act"; and

WHEREAS, pursuant to N.J.S.A 40:48-2, a municipality may make, amend, repeal, and enforce such other ordinances, regulations, rules and by-laws not contrary to the laws of this state or of the United States, as it may deem necessary and proper for the good government, order and protection of person and property, and for the preservation of the public health, safety, and welfare of the municipality and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any law; and

WHEREAS, the City Council of the City of Trenton determines that it is necessary and proper for good government, order and protection of persons and for the preservation of the public health, safety and welfare of the City and its inhabitants to enact an ordinance to prohibit the smoking, vaping or aerosolization of any cannabis item in a public place (including the public streets) and indoor public place and to provide for a civil penalty for a violation in accordance with the Act.

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

SECTION 1

Chapter 48 of the Code of the City of Trenton, entitled "Cannabis Consumption", shall be added to the Code of the City of Trenton as follows:

§ 48-1 Definitions.

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

ORDINANCE

CANNABIS, CANNABIS ITEM

Any usable cannabis, cannabis product, cannabis extract and any other cannabis resin, all parts of the plant *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, 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 hemp or a hemp product cultivated, handled, processed, transported, or sold pursuant to the New Jersey Hemp Farming Act, P.L. 2019, c. 238 (N.J.S.A. 4:28-6 et seq.).

ELECTRONIC SMOKING DEVICE

An electronic device that can be used to deliver cannabis or other substances to the person inhaling from the device, including, but not limited to, an electronic cigarette or vape.

INDOOR PUBLIC PLACE

A structurally enclosed place of business, commerce or other service-related activity, whether publicly or privately owned or operated on a for-profit or nonprofit basis, which is generally accessible to the public, including, but not limited to: a theater or concert hall; public library; museum or art gallery; bar; restaurant or other establishment where the principal business is the sale of food for consumption on the premises, including the bar area of the establishment; garage or parking facility; any public conveyance; any facility used for the holding of sporting events; recreational facility, shopping mall or retail store; hotel, motel or other lodging establishment; apartment building lobby or other public area in an otherwise private building.

MARIJUANA

All parts of the plant *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 products cultivated, handled, processed, transported, or sold pursuant to the New Jersey Hemp Farming Act, P.L. 2019, c. 238 (N.J.S.A. 4:28-6 et seq.).

PUBLIC PLACE

Any place to which the public has access that is not privately owned; or any place to which the public has access, including, but not limited to, a public street, road, thoroughfare, sidewalk, bridge, alley, plaza, park, playground, swimming pool, shopping area, public transportation facility, vehicle used for public transportation, parking lot, public library, or any other public building, structure; or any other public area.

SMOKING

The smoking, vaping, aerosolizing, burning of, inhaling from, exhaling the smoke from, or the possession of a lighted cigar, cigarette, pipe or any other matter or substance which contains tobacco or any other matter that can be smoked, or the inhaling or exhaling of smoke or vapor from an electronic smoking device.

ORDINANCE

§ 48-2 Smoking of marijuana and cannabis items prohibited.

It shall be unlawful for any person to engage in the smoking of marijuana or cannabis items in or on any public place or indoor public place.

§ 48-3 through 48-6. (Reserved)

§ 48-7 Violations and Penalties.

A. Any person violating any of the provisions of this chapter, upon conviction thereof, shall be subject to a civil penalty of not less than \$250 for the first offense, \$500 for the second offense and \$1,000 for each subsequent offense.

B. Penalties provided for herein shall be recoverable in a civil action by a summary proceeding in the Municipal Court of the City of Trenton.

SECTION 2

All other ordinances in conflict with or inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3

If any portion of this ordinance is adjudged unconstitutional by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of this ordinance but shall be confined in its effect to the provision directly involved in the controversy in which such judgment shall have been rendered.

SECTION 4

This Ordinance shall take effect upon its passage and publication and as otherwise provided for by 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	AYE	NAY	NV	AB	
EDWARDS									GONZALEZ					FELICIANO																
FIGUEROA KETTENBURG									HARRISON																					
FRISBY									WILLIAMS																					
NV - NO VOTE				AB - ABSENT																										

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

Adopted on second reading after the public hearing on _____

Mayor

APPROVED
REJECTED

Reconsidered by Council -- Override Vote

AYE
NAY

President of Council

City Clerk