

<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>
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**TRENTON CITY COUNCIL
CONFERENCE SESSION AND REGULAR MEETING**

TRENTON CITY HALL, CITY COUNCIL CHAMBERS, 319 EAST STATE STREET
THURSDAY, AUGUST 1, 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 and the Trentonian Newspapers, posted on the first-floor bulletin board in City Hall, filed in the City Clerk’s Office and posted on the City of Trenton Website. Formal action will be taken.
- IV. ROLL CALL**
- V. INVOCATION**
- VI. EXECUTIVE SESSION:** 24-330 - AUTHORIZING THE CITY COUNCIL OF THE CITY OF TRENTON TO HOLD AN EXECUTIVE SESSION WHICH EXCLUDES THE PUBLIC (CONTRACT NEGOTIATIONS)
- 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. ADJOURNMENT**

The public can join the City Council meeting by going to ZOOM.COM go to join meeting and type the meeting ID number 16003746800. If you join via cell phone, you must install the Zoom application. The Agenda is subject to change at the discretion of Council leadership.

DOCKET FOR REVIEW
THURSDAY, AUGUST 1, 2024

1. MINUTES FOR APPROVAL

APRIL 18, 2024 – REGULAR
JUNE 6, 2024 - CONFERENCE

MAY 7, 2024 – CONFERENCE

2. COMMUNICATIONS AND PETITIONS

- 2a Chapter 11 United States Bankruptcy Court Southern District of New York Order Shortening Notice with Respect to Debtors' Motion to Extend the Preliminary Injunction – Purdue Pharma, LP, et. al. vs. Commonwealth of Massachusetts, et. al.
- 2b Foreclosure Notice – Filed by Jessica Ann Berry, Esquire, Greenspoon Marder, LLP, 100 West Cypress Creek Road, Trade Centre South, Suite 700, Fort Lauderdale, Florida 33309 – Representing Longbridge Financial, LLC. Address: 38 Houghton Avenue, Trenton, New Jersey 08638, Lot(s) 34, Block 22402.
- 2c Civil Foreclosure – Request for Entry of Default and Certification – Filed by Robert W. Keyser, Esquire, Taylor and Keyser, LLC, 89 Haddon Avenue, Suite B2, Haddonfield, New Jersey – Representing KHHLK Fund, LLC vs. Warren Street Urban Renewal Partners, LP; City of Trenton and State of New Jersey.
- 2d Tort Claim Notice for Property Damage – Filed by Mershall D. Samuels, 14 Main Boulevard, Ewing, New Jersey – Against the City of Trenton.
- 2e Civil Action Complaint and Demand for Jury Trial – Filed by Arthur J. Murray, Esquire, Alterman & Associates, LLC, 8 South Maple Avenue, Marlton, New Jersey – Representing Regina Cousar vs. Peppe M. Arce.
- 2f Tort Claim Notice for Personal Damage – Filed by Anthony J. Vindigni, Esquire, Vindigni & Zeka, Law, 820 Bear Tavern Road, Suite 201, Ewing, New Jersey – Representing Everton C. Cole – Against the City of Trenton.
- 2g Civil Action Compliant and Jury Demand – Filed by Max Roseman, Esquire, The Law Offices of Barry E. Janay, P.C., 354 Eisenhower Parkway, Suite 1250, Livingston, New Jersey – Representing Christopher Laird vs. City of Trenton, Lawrence Township, PO chief John P. Oakley, et. al.
- 2h Foreclosure Notice – Filed by Brock & Scott, PLLC, 302 Fellowship Road, Suite 130, Mount Laurel, New Jersey. Address 524 Bert Avenue, Trenton, New Jersey 0829 Lot 9, Block 31502.
- 2i Civil Action Complaint and Jury Demand – Filed by Robin Kay Lord, Esquire, law Office of Robin Kay Lord, LLC, 210 South Broad Street, Suite B, Trenton, New Jersey 08608 – Representing Aaron Berstein and Amy Bernstein vs. city of Trenton, Trenton Police Department, Charles Fackenthall, Steve Wilson, et. als.
- 2j Mercer County copy of Resolution 2024-396 that will authorize counties, municipalities, school districts, and all local governments to electronically publish legal notices in a newspaper's website or digital publication.
- 2k New Jersey State DEP Permit – Fish & Wildlife application copy – Decommission No. name Dam No. 140 located on the Oldsmans Creek Tributary, Pilesgrove, Salem County, New Jersey.
- 2l Civil Compliant – Filed by Andrew Rozynski, Esquire, Eisenberg & Baum, LLP, 24 Union Square East, PH New York, New York – Representing Allison Pennypacker vs. Trenton Animal Shelter.
- 2m Tort Claim Notice for Property Damage – Filed by Vanity A. Vickers, 41 Colonial Avenue, Trenton, New Jersey c/o Mitchell L. Johnson, 41 Colonial Avenue, Trenton, New Jersey – Against the City of Trenton.

- 2n Civil Foreclosure Notice – Filed by Robert F. Thomas, Esquire, Pluese, Becker, Saltzman & Thomas, LLC, 20000 Horizon Way, Suite 900, Mount Laurel, New Jersey – Representing Wilmington Savings Fund Society, FSB, not in its individual capacity, but solely as Trustee for NRPL Trust 2019-1 vs. Elizabeth W. Teah, Her Heirs, Devisees and Personal Representatives and His, Her, Their or Any of Their Successors in Right, Title and Interest, et. al. Property Address: 822 Revere Avenue, Trenton, New Jersey 08629, Lot 27 fka 29, Block 29906 fka 355F.
- 2o Foreclosure Notice – Filed by KML Law Group, P.C., 701 Market Street, Suite 5000, Philadelphia, Pennsylvania Property Preservation Department – Property Address: 355 2nd Street, Trenton, New Jersey 08611, Block 10501, Lot 35.
- 2p Environmental Resolutions, Inc., 815 East Gate Drive, Suite 103, Mount Laurel, New Jersey – Remedial Action Type: Unrestricted Use. Case Name: Engine 9, 1100 Brunswick Avenue, Trenton, New Jersey. Block 23901, Lot 10.
- 2q Township of Long Hill, Ordinance 534-24: An Ordinance Regulating Temporary Mobile Retail Food Establishments (commonly known as “Food Trucks”) and Supplementing and Amending Chapter 4 of The Township Code Entitled “General Licensing”.
- 2r Tort Claim – Waste Management of New Jersey, Inc. vs. City of Trenton.
- 2s Civil Action – Notice of Motion to Vacate Judgment; Certification in Support of Order Vacating Judgment; Certification of Service of Motion; Proposed Form of Order – Filed by Deborah T. Feldstein, Esquire, Pellegrino & Feldstein, LLC, Denville Law Center, 290 Route 46 West, Denville, New Jersey – Representing Avalon Management Group, Inc. vs. Passaic Street Housing, LLC, et. als.
- 2t Foreclosure Notice – Filed by RAS Robertson, Anschutz, Schneid, Crane & Partners, PLLC, Law Offices, 130 Clinton Road, Suite 202, Fairfield, New Jersey. Property Address: 15 McKinley Avenue, Trenton, New Jersey 08609. Lot 15 fka 27, Block 14103 fka 117.
- 2u Remedial Action Protectiveness/Biennial Certification – Ground Water Thiokol Chemical Corporation, 40 North Enterprise Avenue, Trenton, Hamilton, and Lawrence Township, Block 601, Lot 1.01
- 2v Memorandum Mercer County TRADE Annual Public Hearing Notice
- 2w Civil Foreclosure Notice – Filed by Richard P. Haber, Esquire, McCalla Raymer Leibert Pierce, LLC, 485 F US Highway 1S, Building 300, Iseli, New Jersey – Representing Nationstar Mortgage, LLC dba Mr. Cooper, 8950 Cypress Waters Boulevard, Coppell, Texas. Property Address: 228 Wayne Avenue, Trenton, New Jersey, Lot 12 fka 224, Block 6904 fka 31.A.
- 2x Tort Claim Notice for Personal Injury – Filed by John J. Zefutie, Jr. Esquire, Colella Zefutie, LLC, 116 Village Boulevard, Suite 200, Princeton, New Jersey – Representing Noel Antonio Santiago vs. The City of Trenton.
- 2y Tort Claim Notice for Property Damage – Filed by Venetian R. Frazier, 158 Lillian Avenue, Trenton, New Jersey – Against the City of Trenton.
- 2z Foreclosure Notice – Compliant Filing – Brock & Scott, PLLC, 302 Fellowship Road, Suite 130, Mount Laurel, New Jersey – Property Address: 524 Bert Avenue, Trenton, New Jersey 08629
- 2aa Tort Claim Notice for Property Damage – Filed by Flemica Demeet Pygum, 528 North Clinton Avenue, Trenton, New Jersey – Against the City of Trenton.
- 2ab Tort Claim Notice for Other Damages – Filed by Janet Schoenhaar, 532 Route 206, Trenton, New Jersey 08638 – Against the City of Trenton.
- 2ac Tort Claim for Personal Damage – Filed by David Kwartler, 413 Marlton Pike East, Suite 300, Cherry Hill, New Jersey – Representing Cynthia Hunter Ihekire, 72 Elderberry Lane, Willingboro, New Jersey – Against the City of Trenton
- 2ad Tort Claim Notice for Personal Damage – Filed by Stachie R. Jones, 12 Oak Street, Trenton, New Jersey – Against the City of Trenton.

- 2ae The Township of Hamilton – Proposed Ordinances with copies attached) 24-031 Ordinance Amending and Supplementing the Code of the Township of Hamilton, New Jersey, Chapter 550, Land Development.

3. REPORTS

- 3a City Clerk's Office – Submitting the monthly revenue report for the month of July 2024 for funds collected by the office staff – Total \$

4. ORDINANCES - 2ND READING AND PUBLIC HEARING

- 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
- 24-045 ORDINANCE AUTHORIZING THE SALE OF A CITY-OWNED PROPERTY COMMONLY KNOWN AS 217 BREUNIG AVENUE, AND IDENTIFIED ON THE CITY TAX MAP, BLOCK 22801, LOT 9, PURSUANT TO N.J.S.A. 40A:12-13(B)(5), TO NILSA REYES FOR THE SALE PRICE OF FOUR THOUSAND (\$4,000.00) DOLLARS
- 24-048 CAPITAL ORDINANCE APPROPRIATING \$10,651,800 FROM THE CAPITAL IMPROVEMENT FUND TO PAY FOR VARIOUS IMPROVEMENTS AND ACQUISITIONS FOR AND BY THE CITY OF TRENTON, IN THE COUNTY OF MERCER, STATE OF NEW JERSEY
- 24-049 AN ORDINANCE PROVIDING FOR AND ESTABLISHING PROCEDURES FOR EXECUTIVE SESSIONS OF CITY COUNCIL

5. RESOLUTIONS

CITY CLERK'S OFFICE

- 24-329 RESOLUTION AUTHORIZING THE SALE OF ALCOHOL BEVERAGES ON CITY PROPERTY, UNITY SQUARE PARK, PURSUANT TO A SOCIAL AFFAIR PERMIT
- 24-330 AUTHORIZING THE CITY COUNCIL OF THE CITY OF TRENTON TO HOLD AN EXECUTIVE SESSION WHICH EXCLUDES THE PUBLIC (CONTRACT NEGOTIATIONS)

DEPARTMENT OF ADMINISTRATION, ADAM E. CRUZ, BUSINESS ADMINISTRATOR

- 24-308 RESOLUTION AUTHORIZING EMERGENCY UTILITY APPROPRIATIONS TO THE CY 2024 TEMPORARY BUDGETS OF THE CITY OF TRENTON IN THE TOTAL AMOUNT OF \$12,350,000
- 24-309 RESOLUTION ACCEPTING AND AWARDED A NEGOTIATED CONTRACT TO VERIZON NEW JERSEY, INC. TO PROVIDE NON-VOICE OVER INTERNET PROTOCOL TELEPHONE SERVICE THROUGH CENTREX LIKE SERVICE FOR A PERIOD OF ONE (1) YEAR FROM DATE OF AWARD IN AN AMOUNT NOT TO EXCEED \$258,000.00 BID #24-02B

- 24-310 RESOLUTION EXERCISING THE OPTION TO EXTEND THE COMPETITIVE CONTRACT AWARDED TO CBIZ INSURANCE SERVICES, INC. D/B/A CBIZ BORDEN PERLMAN TO PROVIDE BROKER INSURANCE SERVICES FOR THE CITY OF TRENTON, DEPARTMENT OF ADMINISTRATION IN AN AMOUNT NOT TO EXCEED A FLAT ANNUAL FEE AMOUNT OF \$75,000.00 PER YEAR – CC2023-12

- 24-311 RESOLUTION AUTHORIZING TEMPORARY EMERGENCY APPROPRIATIONS IN THE AMOUNT OF \$24,068,200.00 TO THE CY 2024 TEMPORARY CURRENT FUND BUDGET OF CITY OF TRENTON

- 24-312 RESOLUTION TO AUTHORIZE THE APPROPRIATION OF \$88,156.91 FROM THE FUNDS ALLOCATED TO THE CITY OF TRENTON UNDER THE AMERICAN RESCUE PLAN ACT OF 2021 TO TMARQ REAL ESTATE HOLDINGS, LLC THROUGH THE CITY'S SMALL BUSINESS FUND

- 24-313 RESOLUTION TO AUTHORIZE THE APPROPRIATION OF \$100,000.00 FROM THE FUNDS ALLOCATED TO THE CITY OF TRENTON UNDER THE AMERICAN RESCUE PLAN ACT OF 2021 TO TRENTON MAKES, INC. THROUGH THE CITY'S SMALL BUSINESS FUND

- 24-314 RESOLUTION TO AUTHORIZE THE TRANSFER OF \$500,000.00 FROM THE CITY'S AMERICAN RESCUE PLAN ACT SMALL, FOR-PROFIT, BUSINESS FUND TO THE CITY'S AMERICAN RESCUE PLAN ACT NOT-FOR-PROFIT FUND

DEPARTMENT OF POLICE, STEVE WILSON, DIRECTOR

- 24-315 RESOLUTION AWARDING A CONTRACT TO HALDEMAN FORD FOR VEHICLE AND COLLISION REPAIR SERVICES RENDERED FOR THE CITY OF TRENTON, DEPARTMENT OF POLICE IN AN AMOUNT NOT TO EXCEED \$73,482.00 THIS IS A ONE-TIME PAYMENT

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

- 24-316 RESOLUTION AUTHORIZING THE FY2024 APPLICATION AND ACCEPTANCE IF AWARDED OF \$150,000.00 FROM THE NJ DEPARTMENT OF COMMUNITY AFFAIRS FOR THE CITY OF TRENTON, DEPARTMENT OF HEALTH AND HUMAN SERVICES OFFICE OF RETURNING CITIZENS PROGRAM

- 24-317 RESOLUTION AUTHORIZING THE CITY OF TRENTON, DEPARTMENT OF HEALTH AND HUMAN SERVICES TO APPLY FOR AND ACCEPT FUNDS THROUGH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FISCAL YEAR 2023 CONTINUUM OF CARE PROGRAM IN THE AMOUNT OF \$5,544,368.00

- 24-327 RESOLUTION EXERCISING THE OPTION OF EXTEND THE CONTRACT AWARDED TO RESCUE MISSION OF TRENTON FOR EMERGENCY SHELTER FOR HOMELESS SINGLE INDIVIDUAL FOR A PERIOD OF ONE (1) YEAR FROM MARCH 9, 2024 TO MARCH 8, 2025 IN AN AMOUNT NOT TO EXCEED \$275,000.00 – CC2022-07

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

- 24-318 RESOLUTION APPROVING THE SUBSTANTIAL AMENDMENT (IV) TO THE FISCAL YEAR 2019 ANNUAL ACTION PLAN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG-CV GRANT)
- 24-328 RESOLUTION AUTHORIZING APPLICATION AND ACCEPTANCE OF A NEW JERSEY HISTORIC TRUST PRESERVATION FUND CAPITAL GRANT IN THE AMOUNT OF \$750,000.00 TO CONDUCT REHABILITATION WORK FOR THE ROEBLING MACHINE SHOP

DEPARTMENT OF PUBLIC WORKS, WAHAB ONITIRI, DIRECTOR

- 24-319 RESOLUTION AUTHORIZING THE CITY OF TRENTON TO APPLY FOR AND ACCEPT A GRANT PROGRAM WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE SOUTH WARREN AND MARKET STREET IMPROVEMENT PROJECT
- 24-320 RESOLUTION AUTHORIZING THE CITY OF TRENTON TO APPLY FOR AND ACCEPT A GRANT PROGRAM WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE HANCOCK STREET IMPROVEMENT PROJECT
- 24-321 RESOLUTION AUTHORIZING THE ACCEPTANCE OF GRANT FROM THE STATE OF NEW JERSEY, DEPARTMENT OF ENVIRONMENTAL PROTECTION, CLEAN COMMUNITIES PROGRAM IN THE AMOUNT OF \$184,910.29
- 24-322 RESOLUTION ACCEPTING A BID AND AWARDED A CONTRACT TO WALTER R. EARLE-MORRISVILLE, LLC FOR ROAD MAINTENANCE, FURNISHING AND DELIVERY OF ASPHALT MATERIALS F.O.B. PLANT FOR DEPARTMENT OF PUBLIC WORKS, DIVISION OF STREETS FOR A PERIOD OF ONE (1) YEAR FROM THE TIME OF AWARD IN AN AMOUNT NOT TO EXCEED \$800,000.00 (\$65.50 PER TON) – BID2024-40

DEPARTMENT OF WATER AND SEWER, SEAN SEMPLE, DIRECTOR

- 24-323 RESOLUTION AWARDED A CONTRACT THROUGH A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44 A-20.4 ET SEQ., TO SECURANCE CONSULTING, LLC FOR IMPLEMENTATION OF A CYBERSECURITY PROGRAM FOR TRENTON WATER WORKS IN AN AMOUNT NOT TO EXCEED \$300,000.00, FOR A PERIOD ONE (1) YEAR FROM THE DATE OF AWARD – RFP2024-08
- 24-324 RESOLUTION ACCEPTING A BID AND AWARDED A CONTRACT TO ANTHONY YAROS INDUSTRIES FOR CONSTRUCTION AND MAINTENANCE ¾ CLEAN STONE BACKFILL MATERIAL FOR TRENTON WATER WORKS, WATER FILTRATION PLANT FOR A PERIOD OF ONE (1) YEAR FROM DATE OF AWARD IN AN AMOUNT NOT TO EXCEED \$211,200.00 – BID2024-35

- 24-325 RESOLUTION AUTHORIZING PAYMENT TO PRO COPS SECURITY, LLC FOR THE ADDITIONAL MONTHS OF EXTENDED SERVICES PROVIDED THROUGH RESOLUTION 22-460 FOR ARMED SECURITY GUARD SERVICES AT THE TRENTON WATER WORKS, WATER FILTRATION PLANT IN AN AMOUNT NOT TO EXCEED \$44,217.16 BID 2021-40
- 24-326 RESOLUTION AUTHORIZING A CONTRACT AWARDED TO CIVIL SOLUTIONS A DIVISION OF ARH ASSOCIATES TO PROVIDED ASSET MANAGEMENT IMPLEMENTATION, TRAINING AND MANAGEMENT SUPPORT FOR THE CITY OF TRENTON, TRENTON WATER WORKS, DEPARTMENT OF WATER AND SEWER; AWARDED THROUGH NEW JERSEY STATE CONTRACT #I9-TELE-00872 FROM DATE OF AWARD UNTIL JUNE 18, 2025 IN AN AMOUNT NOT TO EXCEED \$146,685.00

**HOUSING & ECONOMIC DEVELOPMENT
ARCH LISTON, INTERIM DIRECTOR**

- 24-331 RESOLUTION DESIGNATING HABITAT FOR HUMANITY OF SOUTH CENTRAL NEW JERSEY, AS REDEVELOPER OF CERTAIN CITY-OWNED PROPERTY, COMMONLY KNOWN AS 14, 26, 28, 31, 40, 44, 54 AND 58 MURRAY STREET LOCATED WITHIN THE HERMITAGE AVENUE REDEVELOPMENT AREA, AND APPROVING THE PURCHASE AND SALE OF SAID PROPERTY FOR NO MONETARY COST, AND APPROVING THE PURCHASE AND SALE AND REDEVELOPMENT AGREEMENT, AND AUTHORIZING THE EXECUTION OF SAID AGREEMENT

6. ORDINANCES - 1ST READING AND INTRODUCTION

- 24-050 AN ORDINANCE AMENDING CHAPTER 283 OF THE CODE OF THE CITY OF TRENTON (“TOWING AND STORAGE”) TO MODIFY THE TOWING FEE SCHEDULE
- 24-051 AN ORDINANCE AMENDING CHAPTER 146 (“LICENSING”), ARTICLE IX (“CANNABIS BUSINESSES”) OF THE CODE OF THE CITY OF TRENTON TO BAN AND PENALIZE ILLEGAL AND UNLICENSED CANNABIS OPERATIONS
- 24-052 ORDINANCE AUTHORIZING THE ACQUISITION OF CERTAIN REAL PROPERTY(IES), COMMONLY KNOWN AS 817-819, 821, 823 S. WARREN STREET, AND AS REFERENCED ON THE CITY’S TAX MAPS AS BLOCK 11102, 21, 22, AND 23
- 24-053 AN ORDINANCE CONTINUING CERTAIN POSITIONS, FIXING SALARY RANGES THEREFORE AND SETTING FORTH CERTAIN REGULATIONS FOR THE IMPLEMENTATION OF THE SAME (ASSISTANT SUPERVISOR OF BILLING & COLLECTING, EQUIPMENT OPERATOR, HEAVY EQUIPMENT OPERATOR LABORER 2, MECHANIC, SENIOR MECHANIC, SUPERVISING MECHANIC)
- 24-054 AN ORDINANCE ESTABLISHING A PROGRAM FOR THE DISSEMINATION OF CERTAIN FORMS IN SPANISH, POLISH, LIBERIAN, FRENCH CREOLE AND HAITIAN

Public Hearing and 2nd Reading for Ordinances to be held on September 5, 2024.

RESOLUTION

24-330

No. _____

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 August 3, 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:

Contract Negotiations

24-331 RESOLUTION DESIGNATING HABITAT FOR HUMANITY OF SOUTH CENTRAL NEW JERSEY, AS REDEVELOPER OF CERTAIN CITY-OWNED PROPERTY, COMMONLY KNOWN AS 14, 26, 28, 31, 40, 44, 54 AND 58 MURRAY STREET LOCATED WITHIN THE HERMITAGE AVENUE REDEVELOPMENT AREA, AND APPROVING THE PURCHASE AND SALE OF SAID PROPERTY FOR NO MONETARY COST, AND APPROVING THE PURCHASE AND SALE AND REDEVELOPMENT AGREEMENT, AND AUTHORIZING THE EXECUTION OF SAID AGREEMENT

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. 24-041

1st Reading MAY 09 2024

Date to Mayor _____

Public Hearing _____

Date Returned _____

2nd Reading & Passage _____

Date Resubmitted to Council _____

Withdrawn _____

[Signature]
Approved as to Form and Legality

Factual content certified by

[Signature]
SEAN SEMPLE, DIRECTOR OF WATER & SEWER DEPT.

WES BRIDGES, ESQ., CITY ATTORNEY

Councilman /woman

[Signature]
Jennifer C. Williams

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

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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.

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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, race-tracks, and runways.

MUNICIPALITY

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

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

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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.

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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;

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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

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first 1-inch of precipitation on impervious surfaces onsite. The standards do not apply to new 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 muhlenbergi* (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

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satisfy the green infrastructure, groundwater recharge, stormwater runoff quality and 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.

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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)
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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 ^(b)	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

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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;

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- 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 Mercer County Clerk's Office, or the registrar of deeds and mortgages. 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, 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

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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
Small-scale Sand Filter	2.5 acres

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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 stormwater shall not be recharged:
 - i. Stormwater from areas of high pollutant loading. High pollutant loading areas are areas in industrial and commercial developments where solvents and/or petroleum

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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.
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

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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.

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

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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.

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:

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- 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, 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.

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§ 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 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

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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:

<https://www.nj.gov/dep/njgs/pricelst/gsreport/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

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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
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

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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
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

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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:
 - 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.

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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 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:

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- 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.
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 horizontal to one vertical.

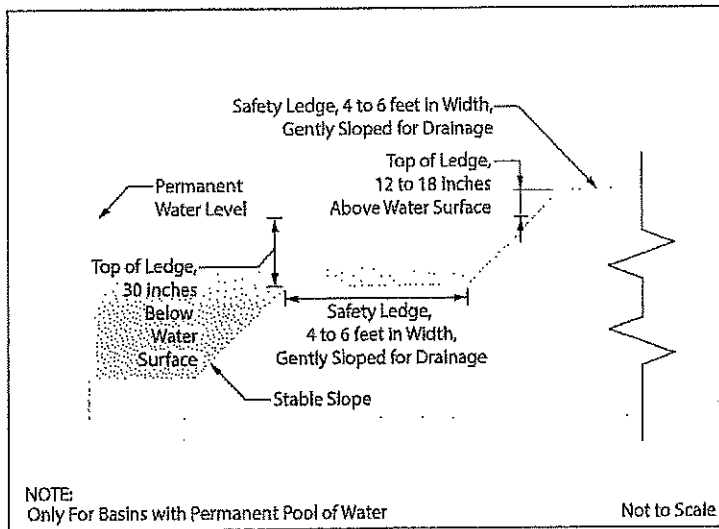
D. Variance or Exemption from Safety Standard

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

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

A. Submission of Site Development Stormwater Plan

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

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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 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.

ORDINANCE

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

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.

ORDINANCE

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 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.

ORDINANCE

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.
 - 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 City 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 their 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:

ORDINANCE

- i. Detention basin outflow structures, escape provisions as out lined 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:

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.

ORDINANCE

No. _____ Date to Mayor 24-045

1st Reading JUL 11 2024

Date Returned _____

Public Hearing _____

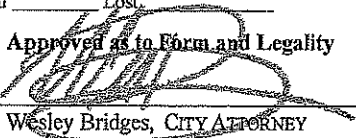
Date Resubmitted to Council _____

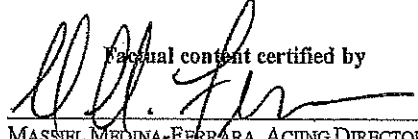
2nd Reading & Passage _____

Withdrawn _____ Lost _____

Approved as to Form and Legality

Factual content certified by


Wesley Bridges, CITY ATTORNEY


MASSIEL MEDINA-FERRARA, AClING DIRECTOR
Housing Economic Development

Councilman/woman _____ presents the following Ordinance:

SPONSORED BY: _____

**ORDINANCE AUTHORIZING THE SALE OF CITY-OWNED PROPERTY
COMMONLY KNOWN AS 217 BREUNIG AVENUE, AND IDENTIFIED ON THE
CITY TAX MAP, BLOCK 22801, LOT 9, PURSUANT TO N.J.S.A. 40A:12-13(b)(5), TO
NILSA REYES FOR THE SALE PRICE OF FOUR THOUSAND (\$4,000.00) DOLLARS**

WHEREAS, there is within the City of Trenton certain city-owned real property located at 217 Breunig Avenue, designated as Block 22801, Lot 9 on the City of Trenton Tax Map (hereinafter, the "Parcel"); and

WHEREAS, the Parcel is a small irregular shaped lot that has been unused and city owned since June/2009, does not meet the minimum lot size requirements for development under the municipal zoning ordinance, and thereby, does not allow for any other viable use other than a side lot for the contiguous property (See image, appended hereto as "**Exhibit A**"); and

WHEREAS, the City of Trenton (the "City"), pursuant to N.J.S.A. 40A:12-13(b)(5), has the statutory authority to sell undersized, vacant, city-owned property to the contiguous property owner for the fair market value, which may be negotiated when there is only one contiguous owner; and

WHEREAS, Nilsa Reyes, the contiguous property owner located at 210 East Trenton Avenue (hereinafter, the "Purchaser"), submitted an application to purchase the Parcel, for the stated purpose of cleaning, clearing and paving the lot. (See Application to Purchase city-owned Property, appended hereto as "**Attachment A**"); and

WHEREAS, upon negotiation between Purchaser and the City, the Parties have agreed to a purchase price of Four Thousand Dollars (\$4,000.00), which the City deems reasonable based upon the size, location, and condition of the Parcel.

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

1. The above recitals are incorporated herein as if set forth at length herewith.
2. Pursuant to N.J.S.A. 40A:12-13(b)(5), the City is authorized to convey 217 Breunig Avenue, designated as Block 22801, Lot 9, at private sale to the Purchaser, Nilsa Reyes for Four Thousand Dollars (\$4,000.00).

ORDINANCE

3. The Mayor is hereby authorized, upon compliance by the Purchaser with the terms and conditions of the sale, to execute any documents necessary for the conveyance of the Parcel to the Purchaser.
4. The City Clerk is hereby directed to publish this Ordinance as required by applicable law.
5. This Ordinance shall take effect after final reading, adoption and the expiration of twenty (20) days and, shall be filed in the Office of the City Clerk in accordance with applicable law.

INTRODUCTION:	MOTION: <i>Williams</i>								SECOND: <i>Edwards</i>								ORD. AUTHORED BY:	ADOPTION								MOTION:				SECOND:			
	INTRODUCTION				ADOPTION				INTRODUCTION				ADOPTION					INTRODUCTION				ADOPTION											
	AYE	NAY	NV	AB	AYE	NAY	NV	AB	AYE	NAY	NV	AB	AYE	NAY	NV	AB		AYE	NAY	NV	AB	AYE	NAY	NV	AB	AYE	NAY	NV					
EDWARDS	✓								GONZALEZ	✓				FELICIANO	✓																		
FIGUEROA	✓								HARRISON	✓																							
KETTENBURG	✓								WILLIAMS	✓																							
FRISBY	✓																																

NV - NO VOTE AB - ABSENT

Adopted on first reading at a meeting of the City Council of the City of Trenton, NJ on Jul 11 2024

Adopted on second reading after the public hearing on _____

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

 President of Council _____ City Clerk

ORDINANCE

No. 24-048

1st Reading JUL 11 2024

Public Hearing _____

2nd Reading & Passage _____

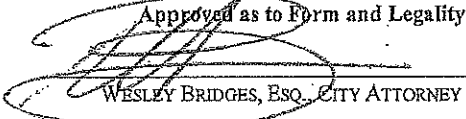
Withdrawn _____ Lost _____

Date to Mayor _____

Date Returned _____

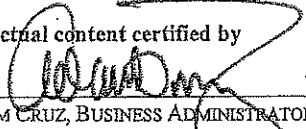
Date Resubmitted to Council _____

Approved as to Form and Legality


WESLEY BRIDGES, ESQ. CITY ATTORNEY

COUNCILMAN / WOMAN _____

Factual content certified by


ADAM CRUZ, BUSINESS ADMINISTRATOR

PRESENTS THE FOLLOWING ORDINANCE:

SPONSORED BY: _____

CAPITAL ORDINANCE APPROPRIATING \$10,651,800 FROM THE CAPITAL IMPROVEMENT FUND TO PAY FOR VARIOUS IMPROVEMENTS AND ACQUISITIONS FOR AND BY THE CITY OF TRENTON, IN THE COUNTY OF MERCER, STATE OF NEW JERSEY

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

SECTION 1. The capital improvements or purposes described in Section 2 of this capital ordinance are hereby authorized as general capital improvements or purposes to be undertaken by the City of Trenton, in the County of Mercer, State of New Jersey (the "City"). For the said improvements or purposes stated in Section 2 hereof, there is hereby appropriated the amount of \$10,651,800, said sum now being available in the Capital Improvement Fund of the City.

SECTION 2. The improvements and purposes hereby authorized are to provide for (i) information technology improvements and acquisitions, including, but not limited to, upgrades to WAN Technology, server consolidation, virtualization and software upgrades, purchasing and refreshing desktops and laptops throughout the City, including related software, and purchasing and upgrading Wi-Fi for City buildings; (ii) carpet

ORDINANCE

replacement to City Clerk's office; (iii) various improvements to the municipal court, including, but not limited to, the replacement of file units and shelving units; (iv) various improvements and acquisitions for the Fire Department, including, but not limited to, as applicable, purchases for, and upgrades to, IT equipment and ballistic vests; (v) environmental remediation to various City-owned properties, including brownfields remediation, (vi) the acquisition and/or demolition of various properties throughout the City for municipal purposes or redevelopment; (vii) the acquisition of a commercial van for weights and measure and an SUV for the Director of the Department of Inspections; (viii) various improvements and acquisitions for the Police Department, including, but not limited to, the purchase of body cameras and other technology upgrades; (ix) various improvements to the canal located within the City, including, but not limited to, slope stabilization; (x) the purchase of various vehicles and equipment for various departments of the City, including, but not limited to, a leaf collector, dump truck with a snow plow, 25 yard rear loader trash trucks, Bend Pack-PCI-18-B-6 18,000lb lifts and post lifts, ProGear Topside ladders, 95 gallon residential trash receptacles, F250 pickup trucks with lift gate and snow plow, two (2) 6x4 tandem dump trucks, and street resurfacing material; (xi) various renovations to historic sites, including, but not limited to, City Hall, and including as applicable, improvements to its structure and walls, the plaza, and courtyard, and as applicable, architectural services related to such improvements; (xii) various renovations and improvements to the Wire Works Building, including, but not limited to, the replacement of the roof; (xiii) removal of underground storage tanks at various locations throughout the City, including, but not limited to, Engine 3, Ladder 2, 225, N. Clinton, and the Sanitation Yard (xiv) renovations to various City facilities and streets, including, but not limited to,

ORDINANCE

upgrades to Solid Waste Facility; (xv) implementation and construction of ADA compliant ramps throughout the City; (xvi) the acquisition of flashing speed limit signs and solar panels; (xvii) renovations and improvements to the interior and exterior of historical sites throughout the City; (xviii) various upgrades and improvements to the HVAC system located within Ike Williams and Sam Naples; (xix) various renovations and improvements to recreational centers throughout the City, including, but not limited to, structural upgrades; (xx) various pool upgrades, including, but not limited to, pump replacements at City owned pools; (xxi) acquisition of park maintenance equipment, including, but not limited to, mowers, chippers, hand tools, and vehicles; (xxii) various improvements and renovations to City owned tennis and basketball courts throughout the City, including, but not limited to, tennis court resurfacing at Cadwalader Park and Villa Park. The improvements and purposes shall also include, but are not limited to, as applicable, all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

SECTION 3. The expenditure of \$10,651,800 from the Capital Improvement Fund of the City for the purposes set forth in Section 2 hereof is hereby authorized and approved.

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

ORDINANCE

SECTION 5. This ordinance shall take effect 20 days after the first publication of this ordinance after final adoption, as described in N.J.S.A. 40:69A-181.

INTRODUCTION:	MOTION: <i>Frisky</i>	SECOND: <i>Edwards</i>	ORD. AUTHORED BY:	ADOPTION	MOTION:	SECOND:	
INTRODUCTION		ADOPTION		INTRODUCTION		ADOPTION	
AYE	NAY	NV	AB	AYE	NAY	NV	AB
EDWARDS	✓			GONZALEZ	✓		
FIGUEROA	✓			HARRISON	✓		
KETTENBURG	✓			WILLIAMS	✓		
FRISKY	✓						

RV - NO VOTE
AB - ABSENT

Adopted on first reading at a meeting of the City Council of the City of Trenton, NJ on JUL 11 2024

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. 24-049

1st Reading JUL 11 2024

Public Hearing _____

2nd Reading & Passage _____

Withdrawn _____ Lost _____

Date to Mayor _____

Date Returned _____

Date Resubmitted to Council _____

Approved as to Form and Legality

Factual content certified by

CITY ATTORNEY

CITY CLERK Title

Councilman/woman _____ presents the following Ordinance:

SPONSORED BY: _____

AN ORDINANCE PROVIDING FOR AND ESTABLISHING PROCEDURES FOR EXECUTIVE SESSIONS OF CITY COUNCIL

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

NJSA 10:4-12 permits the City Council to move into Executive Session to discuss certain matters enumerated therein outside of the presence of the public. Any Council Member wishing to discuss such a matter shall advise the Council President and City Clerk in advance of the meeting. The Clerk shall ensure that the matter is added to the Resolution moving into Executive Session.

If the matter at issue involves the Personnel exception in NJSA 10:4-12, the Council Member shall request the Clerk to send a Rice Notice to the affected employee electronically, via personal delivery, or by other means which shall ensure that said Notice is received by the employee at least 48 hours prior to the Council Meeting. Said employee may then exercise their right to have the matter discussed in Public Session, pursuant to the above statute and the case law; and

IT IS FURTHER ORDAINED that if any portion of this Ordinance is deemed invalid, the remainder shall remain in full force and effect; and

IT IS FURTHER ORDAINED that this Ordinance shall take effect pursuant to NJSA 40:69A-181 and other applicable law. (2nd Ordinance)

Figeroa Kettlenburg Williams

INTRODUCTION	MOTION: <i>Williams</i>				SECOND: <i>Edwards</i>				ORD. AUTHORED BY:	ADOPTION				MOTION:				SECOND:						
	AYE	NAY	NV	AB	AYE	NAY	NV	AB		AYE	NAY	NV	AB	AYE	NAY	NV	AB	AYE	NAY	NV	AB			
EDWARDS	✓								GONZALEZ		✓							FRISBY			✓			
FELICIANO	✓								HARRISON		✓													
FIGEROA KETTENBURG	✓								WILLIAMS	✓														

NV - NO VOTE AB - ABSENT

Adopted on first reading at a meeting of the City Council of the City of Trenton, NJ on JUL 11 2024

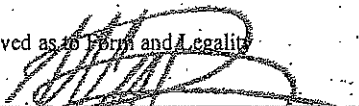
Adopted on second reading after the public hearing on _____

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

President of Council _____ City Clerk _____

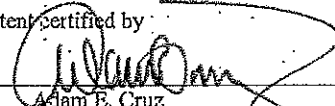
RESOLUTION No. 24-308

Approved as to Form and Legality


CITY ATTORNEY

Date of Adoption _____

Factual content certified by


Adam E. Cruz

COUNCILMAN / WOMAN

PRESENTS THE FOLLOWING RESOLUTION:

SPONSORED BY: _____

RESOLUTION AUTHORIZING EMERGENCY UTILITY APPROPRIATIONS TO THE CY 2024 TEMPORARY BUDGETS OF THE CITY OF TRENTON IN THE TOTAL AMOUNT OF 12,350,000

WHEREAS, an emergency has arisen with respect to providing funds for the operation of the City of Trenton and no adequate provision has been made in the CY 2024 Temporary Budget for certain purposes, and N.J.S.A. 40A:4-20 provides for creation of an emergency appropriation for the the certain purposes as listed below, and

WHEREAS, the total emergency temporary resolutions for all operating funds adopted for the the CY 2024 year pursuant to the provisions of Chapter 96, P.L. 1951 including this resolution total total \$12,350,000

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

WATER UTILITY OPERATING		
WATER UTILITY-SW-FINANCE		100,000.00
WATER UTILITY-OE-FINANCE		50,000.00
WATER UTILITY-SW		2,000,000.00
WATER UTILITY-OE		10,000,000.00
SOCIAL SECURITY		<u>200,000.00</u>
TOTAL WATER UTILITY		12,350,000.00

Final Totals 12,350,000.00

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. 24-309

Date of Adoption _____

Approved as to Form and Legality

Factual content certified by

Wesley Bridges, Esq. CITY ATTORNEY

Adam E. Cruz, Business Administrator

COUNCILMAN/ WOMAN _____

PRESENTS THE FOLLOWING RESOLUTION:

SPONSORED BY: _____

**RESOLUTION ACCEPTING AND AWARDING A NEGOTIATED CONTRACT
TO VERIZON NEW JERSEY, INC. TO PROVIDE NON-VOICE OVER INTERNET PROTOCOL
TELEPHONE SERVICE THROUGH CENTREX LIKE SERVICE FOR A PERIOD OF ONE (1)
YEAR FROM DATE OF AWARD IN AN AMOUNT NOT EXCEED \$258,000.00
BID# 24-02B**

WHEREAS, BID# 24-02 and BID# 24-02B have been advertised on February 13, 2024 and February 27, 2024, respectively. There were no bid proposals submitted to provide Non-Voice-Over Internet Protocol Telephone Service through Centrex Like Service for a period of one (1) year from the date of award for the City of Trenton, Department of Administration; therefore the governing body can award a contract outside the bid process; and

WHEREAS, Pursuant to N.J.S.A. 40A:11-1 et seq. (2) Bids have been advertised pursuant to section 4 of P.L.1971, c.198 (C.40A:11-4) on two occasions and (a) no bids have been received on both occasions in response to the advertisement. Any such contract may then be negotiated and may be awarded upon adoption of a resolution by a two-thirds affirmative vote of the authorized membership of the governing body authorizing such contract; provided, however, that: (i) A reasonable effort is first made by the contracting agent to determine that the same or equivalent goods or services, at a cost which is lower than the negotiated price, are not available from an agency or authority of the United States, the State of New Jersey or of the county in which the contracting unit is located, or any municipality in close proximity to the contracting unit; (ii) The terms, conditions, restrictions and specifications set forth in the negotiated contract are not substantially different from those which were the subject of competitive bidding pursuant to section 4 of P.L.1971, c.198 (C.40A:11-4); and

WHEREAS, the City of Trenton, Department of Administration has negotiated a contract with Verizon New Jersey, Inc., 700 Hidden Bridge, Irving, TX 75038 to provide Non-Voice-Over Internet Protocol Telephone Service through Centrex like Service for the City of Trenton, Department of Administration; and

WHEREAS, funds have been certified in an amount not to exceed \$258,000.00 to be available in the following account numbers: 4-01- -83-8300-211 (\$21,484); 4-01- -83-8300-212 (\$64,516); 5-01- -83-8300-211 (\$42,968); 5-01- -83-8300-212 (\$129,032)

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Trenton that the Mayor is hereby authorized to execute a negotiated contract with Verizon New Jersey, 700 Hidden Bridge, Irving, Texas 75038 in an amount not to exceed \$258,000.00 to provide Non-Voice Over Internet Protocol Telephone Service through Centrex Like Service for the City of Trenton, Department of Administration for the said purposes in the manner prescribed by law.

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 FUNDS

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

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

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

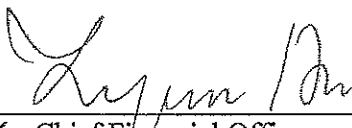
Fund: Current Fund

Account Number CY 4-01- -83-8300-211 (\$21,484), 4-01- -83-8300-212 (\$64,516),
CY 5-01- -83-8300-211 (\$42,968) 5-01- -83-8300-212 (\$129,032)

Vendor ID: VERIZ020

Requisition Number: -

Amount not to exceed: \$258,000.00



ALTFNK Chief Financial Officer

6/13/2024

Date

RESOLUTION No. 24-310

Approved as to Form and Legality

WESLEY BRIDGES, CITY ATTORNEY

COUNCILMAN / WOMAN

Date of Adoption _____

Factual content certified by

ADAM E. CRUZ, BUSINESS ADMINISTRATOR

PRESENTS THE FOLLOWING RESOLUTION:

SPONSORED BY: _____

RESOLUTION EXERCISING THE OPTION TO EXTEND THE COMPETITIVE CONTRACT AWARDED TO CBIZ INSURANCE SERVICES, INC. D/B/A CBIZ BORDEN PERLMAN TO PROVIDE BROKER INSURANCE SERVICES FOR THE CITY OF TRENTON, DEPARTMENT OF ADMINISTRATION IN AN AMOUNT NOT TO EXCEED A FLAT ANNUAL FEE AMOUNT OF \$75,000.00 PER YEAR – CC2023-12.

WHEREAS, on November 2nd 2023, Resolution No. 23-473 awarded a contract to CBIZ Insurances Services, INC. D/B/A CBIZ Borden Perlman 200 Charles Ewing Blvd. Suite 330, Ewing, NJ 08628 for the City of Trenton, Department of Administration in an amount not to exceed \$75,000.00 for a period of two (2) years from October 1st, 2023 to September 30th, 2024 with an option to extend the contract for an additional two (2) one (1) year extensions in an amount not to exceed \$75,000.00 per year; and

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

WHEREAS, The City of Trenton, Department of Administration has determined that CBIZ Insurances Services, INC. D/B/A CBIZ Borden Perlman 200 Charles Ewing Blvd. Suite 330, Ewing, NJ 08628 has performed in a satisfactory manner to provide broker insurance services, and it is in the best interest of the city to exercise the option to extend the contract for an additional one (1) year from October 1st, 2024 to September 30th, 2025; and

WHEREAS, funds in an amount not to exceed \$75,000.00 have been certified to be available in the following account number: 4-01- -80-8070-683. The City of Trenton shall exercise the option to extend this contract from October 1st, 2024, to September 30th, 2025.

NOW, THEREFORE, IT IS RESOLVED, by the City Council of the City of Trenton that the Mayor is hereby authorized to exercise the option to extend the contract for an additional one (1) year from October 1st, 2024, to September 30th, 2025 awarded to CBIZ Insurances Services, INC. D/B/A CBIZ Borden Perlman 200 Charles Ewing Blvd. Suite 330, Ewing, NJ 08628 for the City of Trenton, Department of Administration for the said purpose in the manner prescribed by law.

MOTION:						SECON					D:				
	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: CBIZ Insurances Services, INC. D/B/A CBIZ Borden Perlman
Address# 1: 200 Charles Ewing Blvd, Suite 300
Address# 2:
City: Ewing
State: NJ
Zip Code: 08628

Purpose: Broker Insurance Premium from October 1st, 2024 to September 30th, 2025. Year two.

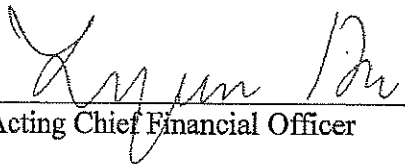
Fund: Current Fund

Account Number 4-01- -80-8070-683 (\$75,000.00) FLAT FEE Option to extend 1 year.
5-01- -80-8070-683 (\$75,000.00)

Vendor ID:

Requisition Number: -

Amount not to exceed: \$75,000.00



Acting Chief Financial Officer

6/26/2024

Date

RESOLUTION No. 24-311

Approved as to Form and Legality

Wesley Bridges, CITY ATTORNEY

Date of Adoption _____

Factual content certified by

Adam E. Cruz, ACTING FINANCE DIRECTOR

COUNCILMAN / WOMAN _____

PRESENTS THE FOLLOWING ORDINANCE:

SPONSORED BY: _____

RESOLUTION AUTHORIZING TEMPORARY EMERGENCY APPROPRIATIONS IN THE AMOUNT OF \$24,068,200.00 TO THE CY 2024 TEMPORARY CURRENT FUND BUDGET OF CITY OF TRENTON

WHEREAS, an emergency has arisen with respect to providing funds for the operation of the City of Trenton Current Fund and no adequate provision has been made in the CY 2024 Temporary Budget for certain purposes, and N.J.S.A. 40A:4-20 provides for creation of an emergency appropriation for the certain purposes as listed below, and

WHEREAS, the total emergency temporary resolutions adopted for the CY 2024 year pursuant to the provisions of Chapter 96, P.L. 1951 including this resolution total \$182,007,319.76

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

Mayor-SW	30,400.00
Mayor-OE	9,000.00
City Council-SW	22,000.00
City Council-OE	10,000.00
City Clerk-SW	35,000.00
City Clerk-OE	15,000.00
Administration-SW	65,000.00
Administration-OE	75,000.00
Summer Youth-OE	6,600.00
Public Defender-SW	12,000.00
Public Defender -OE	90,000.00
Purchasing - SW	30,000.00
Purchasing -OE	15,000.00
Management Information Systems-SW	25,000.00
MIS -OE	200,000.00

RESOLUTION

Personnel - SW	45,000.00
Personnel - OE	1,000.00
Insurance - SW	15,000.00
Accounts and Control-SW	75,000.00
Accounts and Control-OE	3,000.00
Audit-OE	6,000.00
Treasury-SW	55,000.00
Treasury-OE	9,000.00
Tax Collection-SW	80,000.00
Tax Collection-OE	80,000.00
Assessments-SW	100,000.00
Assessments-OE	2,030.00
Law-SW	200,000.00
Law-OE	100,000.00
Health & Human Services-Director-SW	65,000.00
Health & Human Services-Director-OE	10,000.00
Health Promotion & Code Enforcement-SW	150,000.00
Health Promotion&Code Enforce-OE	30,000.00
Environmental Health - SW	70,000.00
Environmental Health - OE	8,000.00
Registrar - SW	69,000.00
Registrar - OE	20,000.00
Trenton Health Team OE	65,000.00
Animal Control-SW	200,000.00
Animal Control-OE	200,000.00
Office of Adult & Family Services-SW	22,463.00
Office of Adult & Family Services -OE	54,000.00
Community Relations & Social Services-SW	160,440.00
Community Relations&Social Services-OE	62,000.00
Public Assistance-OE	25,000.00
Fire-SW	4,000,000.00
Fire-OE	300,000.00
Emergency Management-OE	36,627.00
Trenton Emergency Medical Service-OE	30,000.00

RESOLUTION

3

Police-SW	3,000,000.00
Police-OE	900,000.00
Crossing Guards - SW	35,000.00
Communications-SW	800,000.00
Communications-OE	135,000.00
Public Works-Director-SW	50,000.00
Public Works-Director-OE	21,000.00
Solid Waste Management-SW	1,250,000.00
Solid Waste Management-OE	90,000.00
Streets-SW	380,000.00
Streets-OE	150,000.00
Public Property-SW	700,000.00
Public Property-OE	450,000.00
Traffic & Transportation-SW	100,000.00
Traffic & Transportation-OE	75,000.00
Engineering&Operations-SW	54,000.00
Engineering & Operations-OE	120,000.00
Landfill-OE	1,500,000.00
RECYCLING-OE	600,000.00
Housing & Econ. Dev-Director-SW	75,000.00
Housing & Econ Dev-Director-OE	6,000.00
R E/Property Manage-SW	85,000.00
R E/Property Manage-OE	60,000.00
Landmarks Commission-OE	800.00
Economic Development-SW	50,000.00
Planning-SW	50,000.00
Planning-OE	105,000.00
Inspections-Director-SW	90,000.00
Inspections-Director-OE	15,000.00
Technical Services-SW	185,000.00
Housing Inspections-SW	270,000.00
Housing Inspections-OE	4,500.00
Weights and Measures-SW	10,000.00
Weights and Measures-OE	240.00
Zoning Board-OE	3,600.00

RESOLUTION

Recreation, NRC-Director-SW	90,000.00
Recreation-SW	300,000.00
Recreation-OE	150,000.00
SUMMER FOOD	47,500.00
SUMMER FOOD	18,000.00
Recreation Maintenance & Nat'l. Res-SW	380,000.00
Recreation Maintenance & Nat'l Res-OE	150,000.00
Division of Culture-SW	14,000.00
Division of Culture-OE	5,000.00
Municipal Courts-SW	400,000.00
Other Employee Benefits	36,000.00
Workers Compensation-OE	1,500,000.00
Occupational Health Center-OE	60,000.00
General Liability Ins	1,000,000.00
Telephone-OE	55,000.00
Public Service-Electric-OE	380,000.00
Public Service-Street & TrafficLights-OE	400,000.00
Postage-OE	54,000.00
Gasoline Delivery	150,000.00
Diesel Fuel Delivery	150,000.00
Heating Fuel Oil-OE	15,000.00
Ca-District Heating	100,000.00
Water Bills OE	100,000.00
Judgment - Westside Plaza	<u>105,000.00</u>

\$24,068,200.00

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. 24-312

Approved as to Form and Legality


WESLEY BRIDGES, CITY ATTORNEY

Date of Adoption _____

Factual content certified by


JIM BEACH, CHIEF OF STAFF

Councilman/woman _____ presents the following Resolution:

SPONSORED BY: _____

**RESOLUTION TO AUTHORIZING THE APPROPRIATION OF \$88,156.91
FROM THE FUNDS ALLOCATED TO THE CITY OF TRENTON UNDER
THE AMERICAN RESCUE PLAN ACT OF 2021 TO TMARQ REAL ESTATE HOLDINGS LLC
THROUGH THE CITY'S SMALL BUSINESS FUND**

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

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

WHEREAS, the Coronavirus State and Local Fiscal Recovery Funds (CSLFRF) established by ARPA-21 provide \$72,913,998.00 in aid to the City of Trenton over the next two years, with \$36,456,999 having been distributed for the 2021 calendar year and \$36,456,999.00 to be distributed for the 2022 calendar year; and

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

WHEREAS, the Final Rule generally includes as an eligible use of ARPA-21 funds "Small Business Economic Assistance (Expenditure Category (EC) 2.9) and more specifically articulates that such assistance includes rehabilitation of Commercial properties or other improvements (EC 2.31) and enhanced support to microbusinesses (EC 2.33); and

WHEREAS, the Final Rule "presumes that small businesses operating in QCTs [Qualified Census Tracts], . . . were disproportionately impacted by the pandemic"; and

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

WHEREAS, in July 2022, the City of Trenton introduced a fund totaling \$2,000,000 to extend the opportunity for ARP funding to Trenton-located, small, for-profit businesses, defined as having no more than 25 employees or annual revenues of less than **\$250,000** (subrecipient program); and

WHEREAS, the minimum one can receive under the subrecipient program is **\$25,000**, while the maximum allowed is **\$100,000**; and

WHEREAS, the subrecipient program is limited to certain articulated uses of the funds granted, including, without limitation, loans or grants to mitigate financial hardship such as declines in revenues or impacts of periods of business closure; loans, grants, or in-kind assistance to implement COVID-19 prevention or mitigation tactics, such as physical plant changes to enable social distancing, enhanced cleaning efforts, barriers or partitions, or COVID-19 vaccination, testing, or contact tracing programs; and technical assistance, counseling, or other services to assist with business planning needs; and

WHEREAS, TMARQ Real Estate Holdings LLC (TMARQ Real Estate), located at 57 Theresa Street, is a local business founded 21 years ago who was impacted by the COVID-19 Pandemic, and whose mixed-use property, 435 Martin Luther King Boulevard. (435 MLK Blvd.), is in need of improvements for the mini market business and tenants; and

WHEREAS, 435 MLK Blvd. has been a cornerstone for the Trenton community for over 50 years, owned by a local Trenton family; and

WHEREAS, 435 MLK Blvd. is a mixed-use building currently home to a mini market on the first floor as well as a residential space; and

WHEREAS, TMARQ Real Estate has already invested \$17,979 into the property to excavate and clear the land to prepare for a parking garage for tenants and the mini market business; and

WHEREAS, TMARQ Real Estate is seeking **\$88,156.91** in ARP funds to reimburse costs already invested into the project along with the costs of completing the parking garage, adding a storage space, putting up a fence for safety, and painting the building, which will create a better living space for tenants and improve the mini market's business; and

WHEREAS, TMARQ Real Estate has submitted the required documentation and its proposal has received a score of **81** from the Proposal Review Team, making it eligible for consideration by City Council; and

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

WHEREAS, this City Council agrees that the project funding sought by TMARQ Real Estate is consistent with the goals of the City's Subrecipient Coronavirus Local Fiscal Recovery Program.

RESOLUTION

NOW, THEREFORE, BE IT RESOLVED, by the City of Trenton that ARPA-21 funds not to exceed the amount of **\$88,156.91** shall be appropriated to TMARQ Real Estate on a *reimbursement basis* for eligible costs incurred, subject to TMARQ Real Estate:

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

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

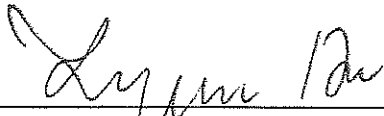
I, Lynn Au, Acting Chief Financial Officer of the City of Trenton, do hereby certify, to the best of my knowledge and belief, that there are now sufficient funds for:

Purpose: GRANT TO TMARQ REAL ESTATE HOLDINGS LLC THROUGH
THE CITY'S SMALL BUSINESS FUND OF THE SUBRECIPIENT
CORONAVIRUS LOCAL FISCAL RECOVERY PROGRAM

Fund: GRANT

Account Numbers: R-01- -

Amount not to exceed: \$88,156.91

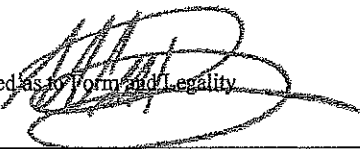


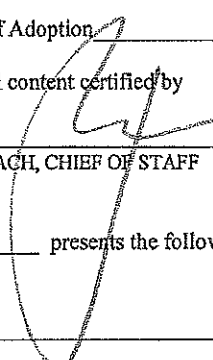
Lynn Au
Acting Chief Financial Officer
City of Trenton

9/17/2024

Date

RESOLUTION No. 24-313

Approved as to Form and Legality

WESLEY BRIDGES, CITY ATTORNEY

Date of Adoption _____
Factual content certified by

JIM BEACH, CHIEF OF STAFF

Councilman/woman _____ presents the following Resolution:

SPONSORED BY: _____

**RESOLUTION TO AUTHORIZING THE APPROPRIATION OF \$100,000.00
FROM THE FUNDS ALLOCATED TO THE CITY OF TRENTON UNDER
THE AMERICAN RESCUE PLAN ACT OF 2021 TO TRENTON MAKES INC.
THROUGH THE CITY'S SMALL BUSINESS FUND**

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

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

WHEREAS, the Coronavirus State and Local Fiscal Recovery Funds (CSLFRF) established by ARPA-21 provide \$72,913,998.00 in aid to the City of Trenton over the next two years, with \$36,456,999 having been distributed for the 2021 calendar year and \$36,456,999.00 to be distributed for the 2022 calendar year; and

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

WHEREAS, the Final Rule generally includes as an eligible use of ARPA-21 funds "Small Business Economic Assistance (Expenditure Category (EC) 2.9) and more specifically articulates that such assistance includes rehabilitation of Commercial properties or other improvements (EC 2.31) and enhanced support to microbusinesses (EC 2.33); and

WHEREAS, the Final Rule "presumes that small businesses operating in QCTs [Qualified Census Tracts], . . . were disproportionately impacted by the pandemic"; and

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

WHEREAS, in July 2022, the City of Trenton introduced a fund totaling \$2,000,000 to extend the opportunity for ARP funding to Trenton-located, small, for-profit businesses, defined as having no more than 25 employees or annual revenues of less than \$250,000 (subrecipient program); and

WHEREAS, the minimum one can receive under the subrecipient program is **\$25,000**, while the maximum allowed is **\$100,000**; and

WHEREAS, the subrecipient program is limited to certain articulated uses of the funds granted, including, without limitation, loans or grants to mitigate financial hardship such as declines in revenues or impacts of periods of business closure; loans, grants, or in-kind assistance to implement COVID-19 prevention or mitigation tactics, such as physical plant changes to enable social distancing, enhanced cleaning efforts, barriers or partitions, or COVID-19 vaccination, testing, or contact tracing programs; and technical assistance, counseling, or other services to assist with business planning needs; and

WHEREAS, Trenton Makes Inc. (Trenton Makes), located at 439 South Broad Street, has been a local business for 26 years, exhibiting a dedication to small business development, who was impacted negatively by the COVID-19 Pandemic as a result of high turnover and revenue loss; and

WHEREAS, Trenton Makes currently leases to over 27 small businesses and non-profit organizations where over half of them are minority business owners; and

WHEREAS, Trenton Makes, in summer of 2023, launched major renovation projects to fix issues affecting the business owners within the property, but the building still needs major renovations to be completed; and

WHEREAS, Trenton Makes is seeking **\$100,000** in ARP funds to reimburse costs for the previous project's improvements as well as costs for renovating the bathrooms, hallways, and staircases, installing LED lights, maintenance of the property's garden beds, roof, and brick walls, and upgrades to the parking lots to create a safer environment for the commercial tenants and their businesses; and

WHEREAS, Trenton Makes has submitted the required documentation and its proposal has received a score of **83** from the Proposal Review Team, making it eligible for consideration by City Council; and

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

WHEREAS, this City Council agrees that the project funding sought by Trenton Makes is consistent with the goals of the City's Subrecipient Coronavirus Local Fiscal Recovery Program.

RESOLUTION

NOW, THEREFORE, BE IT RESOLVED, by the City of Trenton that ARPA-21 funds not to exceed the amount of **\$100,000.00** shall be appropriated to Trenton Makes on a *reimbursement basis* for eligible costs incurred, subject to Trenton Makes:

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

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

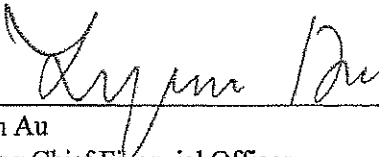
I, Lynn Au, Acting Chief Financial Officer of the City of Trenton, do hereby certify, to the best of my knowledge and belief, that there are now sufficient funds for:

Purpose: GRANT TO TRENTON MAKES INC. THROUGH
THE CITY'S SMALL BUSINESS FUND OF THE SUBRECIPIENT
CORONAVIRUS LOCAL FISCAL RECOVERY PROGRAM

Fund: GRANT

Account Numbers: R-01- -

Amount not to exceed: \$ 100,000.00

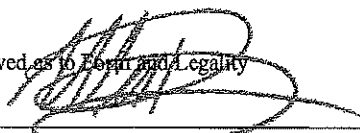


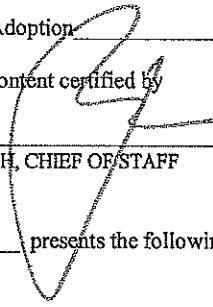
Lynn Au
Acting Chief Financial Officer
City of Trenton

7/17/2024

Date

RESOLUTION No. 24-314

Approved as to Form and Legality

WESLEY BRIDGES, CITY ATTORNEY

Date of Adoption _____
Factual content certified by

JIM BEACH, CHIEF OF STAFF

Councilman/woman _____ presents the following Resolution:

SPONSORED BY: _____

**RESOLUTION TO AUTHORIZE THE TRANSFER OF \$500,000.00
FROM THE CITY'S AMERICAN RESCUE PLAN ACT SMALL, FOR-PROFIT, BUSINESS FUND
TO THE CITY'S AMERICAN RESCUE PLAN ACT NOT-FOR-PROFIT FUND**

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

WHEREAS, the Coronavirus State and Local Fiscal Recovery Funds (CSLFRF) established by ARPA-21 provide \$72,913,998.00 in aid to the City of Trenton over the next two years, with \$36,456,999 having been distributed for the 2021 calendar year and \$36,456,999.00 to be distributed for the 2022 calendar year; and

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

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

WHEREAS, the City of Trenton, in July 2022, established two funds of \$2,000,000.00 each, one for small, for-profit businesses and one for not-for-profit organizations; and

WHEREAS, requests for funding from the not-for-profit fund is currently oversubscribed over the \$2,000,000 allotted; and

WHEREAS, the funding for small, for-profit business is severely undersubscribed as, approximately, only \$541,000 has been allocated along with \$234,000 in applications in review; and

WHEREAS, funding for the American Rescue Plan Act needs to be obligated by December 31, 2024.

RESOLUTION

NOW THEREFORE BE IT RESOLVED, by the City of Trenton that ARPA-21 funds from the City's small, for-profit, business pool in the amount not to exceed \$500,000.00 shall be transferred to the City's not-for-profit funding pool for appropriation to eligible applicants.

MOTION:					[REDACTED]	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

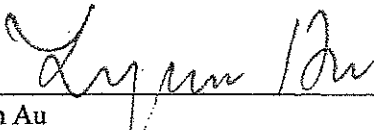
I, Lynn Au, Acting Chief Financial Officer of the City of Trenton, do hereby certify, to the best of my knowledge and belief, that there are now sufficient funds for:

Purpose: THE TRANSFER OF \$500,000.00 FROM THE CITY'S AMERICAN RESCUE PLAN ACT SMALL, FOR-PROFIT, BUSINESS FUND TO THE CITY'S AMERICAN RESCUE PLAN ACT NOT-FOR-PROFIT FUND

Fund: GRANT

Account Numbers: R-01- -xx-xxxx-xxx

Amount not to exceed: \$ 500,000.00



Lynn Au
Acting Chief Financial Officer
City of Trenton

7/17/2024
Date

RESOLUTION No. 24-315

Date of Adoption _____

Approved as to Form and Legality

Factual content certified by

WESLEY BRIDGES, ESQ., CITY ATTORNEY

STEVE E. WILSON, DIRECTOR OF POLICE

Councilman/woman _____ presents the following Resolution:

SPONSORED BY: _____

RESOLUTION AWARDING A CONTRACT TO HALDEMAN FORD FOR VEHICLE AND COLLISION REPAIR SERVICES RENDERED FOR THE CITY OF TRENTON, DEPARTMENT OF POLICE IN AN AMOUNT NOT TO EXCEED \$73,482.00 THIS IS A ONE TIME PAYMENT

WHEREAS, the City of Trenton (the "City") has a need to make an outstanding final payment to Haldeman Ford, 607 Route 33, Hamilton, New Jersey 08619 for Vehicle and Collision Repair Services Rendered in an amount not to exceed \$73,482.00 for the City of Trenton, the Department of Police; and

WHEREAS, it is in the best interest of the City of Trenton to make an outstanding final payment to Haldeman Ford, 607 Route 33, Hamilton, New Jersey 08619 for services rendered. Funds in an amount not to exceed \$73,482.00 have been certified to be available in the following account number: 4-01- -50-5000-265 for a one time payment.

NOW, THEREFORE IT IS RESOLVED, by the City Council of the City of Trenton that the Mayor is hereby authorized an outstanding final payment to Haldeman ford, 607 Route 33, Hamilton, New Jersey 08619 for services rendered in an amount not to exceed \$73,482.00 for the said purpose in the manner prescribed by law.

MOTION:							SECOND								
	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent	
EDWARDS					GONZALEZ					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, Lyn Au, Interim Chief Financial Officer of the City of Trenton, do hereby certify, to the best of my knowledge and belief, that there are now sufficient funds to Contract with:

Vendor Name: Haldeman Ford
Address: 607 Route 33
City: Hamilton
State, Zip: NJ, 08619

Purpose: collision repair and automotive repair

Account Number(s): 4-01- -50-5000-265

Vendor ID:

Requisition Number:

Amount not to exceed: \$73,482.00



ACT 2024 Chief Financial Officer

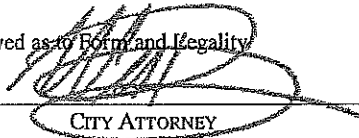
6/11/2024

Date

RESOLUTION No. 24-316

Date of Adoption _____

Approved as to Form and Legality



CITY ATTORNEY

Factual content certified by



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

COUNCILMAN / WOMAN _____ PRESENTS THE FOLLOWING RESOLUTION:

SPONSORED BY: _____

RESOLUTION AUTHORIZING THE FY2024 APPLICATION AND ACCEPTANCE IF AWARDED OF \$150,000.00 FROM THE NJ DEPARTMENT OF COMMUNITY AFFAIRS FOR THE CITY OF TRENTON, DEPARTMENT OF HEALTH AND HUMAN SERVICES OFFICE OF RETURNING CITIZENS PROGRAM

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

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

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

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

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

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

1. The Mayor is hereby authorized and directed to file a grant application on behalf of the City of Trenton to the State of New Jersey to NJ Department of Community Affairs' Reentry Program.

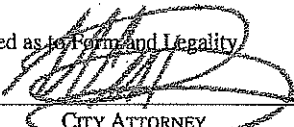
MOTION:						SECOND:									
	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent	
EDWARDS					GONZALEZ					FELICIANO					
FIGUEROA KETTENBURG					HARRISON										
FRISBY					WILLIAMS										


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

President of Council

City Clerk

RESOLUTION No. 24-317

Approved as to Form and Legality

 CITY ATTORNEY

Date of Adoption _____
 Factual content certified by

 MARIA RICHARDSON, ACTING DIRECTOR OF HEALTH AND HUMAN SERVICES

COUNCILMAN / WOMAN _____ PRESENTS THE FOLLOWING RESOLUTION:

SPONSORED BY: _____

RESOLUTION AUTHORIZING THE CITY OF TRENTON, DEPARTMENT OF HEALTH AND HUMAN SERVICES TO APPLY FOR AND ACCEPT FUNDS THROUGH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FISCAL YEAR 2023 CONTINUUM OF CARE PROGRAM IN THE AMOUNT OF \$5,544,368.00

WHEREAS, the City of Trenton wishes to apply for and accept the FY2023 Continuum of Care Program grant from the U.S. Department of Housing and Urban Development for projects to provide: Permanent Supportive Housing, Rapid Re-Housing, Coordinated Entry, Joint Transition Housing/Rapid-Rehousing, Supportive Services, Homeless Information Management System, Operating, Administrative and Continuum of Care Planning activities to prevent and end homelessness; and

WHEREAS, the U.S. Department of Housing and Urban Development has awarded the City of Trenton \$5,544,368.00 in Continuum of Care Program funding to serve individuals, families, youth, veterans, survivors of domestic violence, and pregnant or parenting youth; and

WHEREAS, this grant is aligned with the federal and Trenton/Mercer Continuum of Care goals to end homelessness; and

WHEREAS, the contract period for the FY2023 award August 1, 2024 through September 30, 2025; and

WHEREAS, no matching funds are required for this grant program.

NOW, THEREFORE, BE IT RESOLVED

1. That the City of Trenton does hereby authorize the application for and acceptance of this funding; and,
2. Upon receipt of the fully executed agreement from the U.S. Department of Housing and Urban Development, does further authorize the expenditure of funds pursuant to the terms of the agreement between the City of Trenton and the U.S. Department of Housing and Urban Development.

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

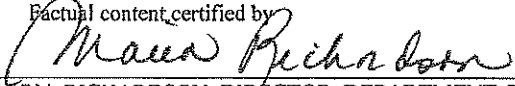
RESOLUTION No. 24-318

Date of Adoption _____

Approved as to Form and Legality


WESLEY BRIDGES, CITY ATTORNEY

Factual content certified by


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

COUNCILMAN / WOMAN _____

PRESENTS THE FOLLOWING RESOLUTION:

SPONSORED BY: _____

RESOLUTION APPROVING THE SUBSTANTIAL AMENDMENT (IV) TO THE FISCAL YEAR 2019 ANNUAL ACTION PLAN Community Development Block Grant (CDBG-CV grant)

WHEREAS, the U.S. Department of Housing and Urban Development has identified the City of Trenton, New Jersey as an entitlement grantee, and the City of Trenton has elected to accept its status as an entitlement grantee and therefore took the required steps in order to receive funding; and

WHEREAS, the City Council of the City of Trenton adopted the 2019-20 Community Development Block Grant (CDBG), Home Investment Partnership (HOME) and Emergency Solutions Grant (ESG) Program Annual Action Plan by Resolution 19-230 on June 6, 2019; and

WHEREAS, the Coronavirus Aid, Relief and Economic Security Act (CARES Act) made available \$2,592,805 in supplemental Community Development Block Grant (CDBG-CV grant) funding to prevent, prepare for, and respond to Coronavirus, which the City of Trenton has expended \$1,139,328 of in CDBG-CV funds; and

WHEREAS, the City will use \$1,453,476.00 in unexpended CDBG-CV 2019 fiscal year funds to prevent, prepare for and respond to coronavirus, by transferring the remaining funds from completed activities to fully fund an existing activity and create a new public infrastructure project; and

WHEREAS, the total resources available to prevent, prepare for and respond to coronavirus will be used to benefit low and moderate-income residents of the City of Trenton, in accordance with applicable federal regulations; and

WHEREAS, the City has prepared a Substantial Amendment to its FY 2019 Annual Action Plan to outline the proposed use of the CDBG-CV funds; and

WHEREAS, a draft of the Substantial Amendment was on display from May 10 to June 10, 2024, and the City held a virtual public hearing on the Substantial Amendment on May 22, 2024. The comments from various agencies, groups, and citizens were taken into consideration in the preparation of the final document. No oral or written public comments were received at the public hearing or during the public comment period.

NOW, THEREFORE, be it resolved by the City Council of the City of Trenton, New Jersey and it is hereby resolved by the authority of the same, as follows:

RESOLUTION

1. That the Substantial Amendment to the FY 2019 Annual Action Plan for the CDBG-CV, Program is hereby in all respects approved and the City Clerk is hereby to file a copy of said Substantial Amendment with minutes of this meeting.

2. That the City Council is cognizant of the conditions that are imposed in the undertaking and carrying out of CDBG-CV COVID19 Vaccination site, and CDBG-CV Sidewalk Improvements project with federal financial assistance, including those relating to (a) the relocation of site occupants, (b) the prohibition of discrimination because of race, color, age, religion, sex, disability, familial status, or national origin and other assurances as set forth under the certifications.

3. That the Mayor is authorized to execute any documents relating to the Substantial Amendment to the City's FY 2019 Annual Action Plan, including any subrecipient agreements, or any certifications and assurance documents as may be required by law, or which HUD may request in connection with its review of this matter.

Project #	Project Name	Original Plan Budget	Revised Budget	Budget Change
24	CV Legal Services/Financial Counseling	\$100,000	\$0.00	(\$100,000)
26	CDBG Food/Meal Services for COVID	\$359,966	\$125,081	(\$234,885)
28	CV CDBG Shelter Operations	\$225,000	\$31,298	(\$193,702)
29	CV Shelter- Building Rehabilitation	\$175,000	\$75,949	(\$99,051)
31	CV-Citywide Food Services	\$464,304	\$460,725	(\$3,579)
32	CDBG-CV Administration	\$156,501	\$96,953	(\$59,548)
34	CDBG-CV Rent Mortgage & Utility Relief	\$922,000	\$149,357	(\$772,643)
35	CDBG-CV COVID Vaccination Site INCREASED	\$250,000	\$750,000	\$500,000
36	CDBG-CV Sidewalk Improvements NEW	\$0	\$903,442	\$903,442

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 _____

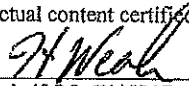
President of Council

City Clerk

RESOLUTION No. 24-319

Approved as to Form and Legality


 WESLEY BRIDGES City Attorney

Date of Adoption _____
 Factual content certified by

 On Behalf Of: WAHAB ONITIRI, DIRECTOR OF PUBLIC WORKS

COUNCILMAN / WOMAN _____ PRESENTS THE FOLLOWING RESOLUTION:

SPONSORED BY: _____

RESOLUTION AUTHORIZING THE CITY OF TRENTON TO APPLY FOR AND ACCEPT A GRANT PROGRAM WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE SOUTH WARREN AND MARKET STREET IMPROVEMENT PROJECT

WHEREAS, the Commissioner of the New Jersey Department of Transportation (NJDOT) advised the Mayor of Trenton that applications for the FY2025 Municipal Aid Grant Program were available and could be submitted to the NJ DOT; and

WHEREAS, the City of Trenton wishes to apply for an application to the NJ DOT for funds from the FY2025 Municipal Aid Grant Program; and

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Trenton formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to submit an electronic grant application identified as MA-2025-Warren and Market Street Improvement-00054 to the New Jersey Department of Transportation on behalf of the City of Trenton.

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of City of Trenton and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

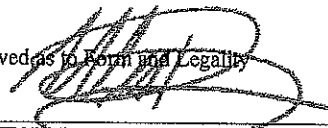
ATTEST and AFFIX SEAL _____
City Clerk Mayor

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

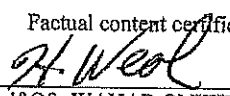
This Resolution was adopted at a Meeting of the City Council of the City of Trenton on _____

 President of Council City Clerk

RESOLUTION No. 24-320

Approved as to Form and Legality


 WESLEY BRIDGES CITY ATTORNEY

Date of Adoption _____
 Factual content certified by

 On Behalf Of: WAHAB ONITIRI, DIRECTOR OF PUBLIC WORKS

COUNCILMAN / WOMAN _____ PRESENTS THE FOLLOWING RESOLUTION:

SPONSORED BY: _____

RESOLUTION AUTHORIZING THE CITY OF TRENTON TO APPLY FOR AND ACCEPT A GRANT PROGRAM WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE HANCOCK STREET IMPROVEMENT PROJECT

WHEREAS, the Commissioner of the New Jersey Department of Transportation (NJDOT) advised the Mayor of Trenton that applications for the FY2025 Municipal Aid Grant Program were available and could be submitted to the NJ DOT; and

WHEREAS, the City of Trenton wishes to apply for an application to the NJ DOT for funds from the FY2025 Municipal Aid Grant Program; and

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Trenton formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to submit an electronic grant application identified as MA-2025-Hancock Street Improvement Project-00115 to the New Jersey Department of Transportation on behalf of the City of Trenton.

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of City of Trenton and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

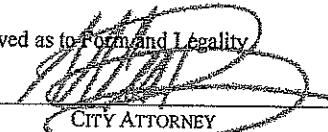
ATTEST and AFFIX SEAL _____
City Clerk Mayor

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. 24-321

Approved as to Form and Legality

 CITY ATTORNEY

 COUNCILMAN / WOMAN _____

Date of Adoption _____
 Factual content certified by

 WAHAB ONITIRI, DIRECTOR OF PUBLIC WORKS
 _____ PRESENTS THE FOLLOWING ORDINANCE:

SPONSORED BY: _____

RESOLUTION AUTHORIZING THE ACCEPTANCE OF GRANT FROM THE STATE OF NEW JERSEY, DEPARTMENT OF ENVIRONMENTAL PROTECTION, CLEAN COMMUNITIES PROGRAM IN THE AMOUNT OF \$184,910.29

WHEREAS, an application was made to the New Jersey Clean Communities Council for a FY2024 grant to fund the Clean Communities Program; and

WHEREAS, the New Jersey Clean Communities Council has awarded said grant in the amount of \$184,910.29 to the City of Trenton; and

WHEREAS, the City of Trenton is eligible to receive an annual grant under the Clean Communities Act of the State of New Jersey (N.J.S.A. 13:1E-213, et. seq.) as administered by the New Jersey Department of Environmental Protection and Energy, to create or to supplement an existing litter reduction program within the municipality; and

WHEREAS, to be eligible for this funding the governing body of the City of Trenton must adopt a model program for litter control, as required N.J.S.A. 13:1E-213, et. seq., and must certify that the said model program has been adopted.

NOW, THEREFORE, IT BE RESOLVED, by the City Council of the City of Trenton, that the Mayor is hereby authorized to execute any and all documentation pertaining to the grant, in the amount of \$184,910.29, from the New Jersey Clean Communities Council, for the City of Trenton Litter Abatement and Educational Programs and Marketing.

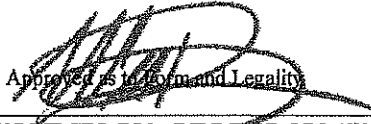
MOTION:					[REDACTED]	SECOND:									
	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent	
EDWARDS					GONZALEZ					FELICIANO					
FIGUEROA KETTENBURG					HARRISON										
FRISBY					WILLIAMS										

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

 President of Council


 City Clerk

RESOLUTION No. 24-322


Approved as to Form and Legality

WESLEY BRIDGES, ESQ., DIRECTOR OF LAW

Date of Adoption _____


Factual content certified by

WAHAB ONITIRI, DIRECTOR OF PUBLIC WORKS

Councilman /woman

presents the following Resolution:

SPONSORED BY: _____

RESOLUTION ACCEPTING A BID AND AWARDING A CONTRACT TO WALTER R. EARLE-MORRISVILLE, LLC FOR ROAD MAINTENANCE, FURNISH AND DELIVERY OF ASPHALT MATERIALS F.O.B. PLANT FOR DEPARTMENT OF PUBLIC WORKS, DIVISION OF STREETS FOR A PERIOD OF ONE (1) YEAR FROM THE TIME OF AWARD IN AN AMOUNT NOT TO EXCEED \$800,000.00 (\$65.50 PER TON)-- BID2024-40

WHEREAS, two (2) sealed bids were received in the Division of Purchasing on July 10, 2024, at 11:00am, by the Purchasing Agent for Road Maintenance, Furnish and Delivery of Asphalt Materials F.O.B. Plant for the City of Trenton, Department of Public Works, Division of Streets; and

WHEREAS, the one successful respondent, Walter R. Earle-Morrisville, LLC, P.O. Box 728, Farmington, New Jersey 07727, are made pursuant to advertisement, be and are 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 \$800,000.00 (\$65.50.00 per ton) have been certified to be available in the following account number: R-01- -55-5520-305. This contract shall be awarded for a period of one (1) year from the time of award in an amount not to exceed \$800,000.00 (\$65.50 per contractor).

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 Walter R. Earle-Morrisville, LLC, P.O. Box 728, Farmington, New Jersey 07727, for Road Maintenance, Furnish and Delivery of Asphalt Materials F.O.B. Plant in an amount not to exceed \$800,000.00 (\$65.50 per ton) for the City of Trenton, Department of Public Works, Division of Streets.

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 _____

DEPARTMENT OF FINANCE

CERTIFICATION OF AVAILABILITY OF FUNDS

I, Lynn Au, Acting ~~Comptroller~~/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: Walter R. Earle-Morrisville LLC
Address: P.O.Box 728
City/State/Zip: Farmington, NJ 07727

Purpose: Road Maintenance, Furnish and Delivery of Asphalt
Materials F.O.B. Plant

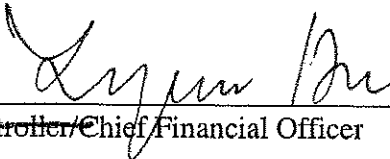
Fund: ARP

Account Number: R-01- 55-5520-305

Vendor ID: WALTE130

Requisition Number: Q4-03106

Amount not to exceed: \$800,000.00

ACTING 
~~Comptroller~~/Chief Financial Officer

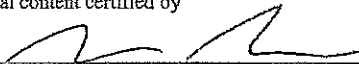
7/17/2024
Date

RESOLUTION No. 24-323

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-20.4 ET SEQ., TO SECURANCE CONSULTING LLC FOR IMPLEMENTATION OF A CYBERSECURITY PROGRAM FOR TRENTON WATER WORKS IN AN AMOUNT NOT TO EXCEED \$300,000.00, FOR A PERIOD ONE (1) YEAR FROM THE DATE OF AWARD - RFP2024-08

WHEREAS, the City has a need for the Implementation of a Cybersecurity Program for the City of Trenton, Department of Water and Sewer, Trenton Water Works for a period of one (1) year from the date of award; and

WHEREAS, a request for proposal was advertised, and seven (7) sealed proposals were received on April 11th, 2024 at 11:00AM, by the Purchasing Agent and were evaluated by a committee based on criteria that included, experience, understanding of requirements and cost; and

WHEREAS, the proposal of Securance Consulting LLC, 13916 Monroes Business Park, Suite 102, Tampa, Florida 33635 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 \$300,000.00 (at a hourly rate \$140.00) have been certified to be available in the following account number: 4-05-55-5501-899 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 Securance Consulting LLC, 13916 Monroes Business Park, Suite 102, Tampa, Florida 33635 for Implementation of a Cybersecurity Program; in an amount not to exceed \$300,000.00 (at a hourly rate \$140.00) for a period of one (1) year from the date of award for the City of Trenton, Department of Water and Sewer, Trenton Water Works; and

2. This contract is awarded pursuant to the authority set forth in the Local Public Contracts Law at N.J.S.A. 40A:11-05.
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

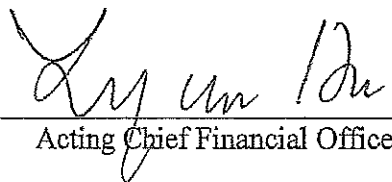
City Clerk

**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: SECURANCE CONSULTING LLC
Address: 13916 Monroes Business Park, Suite 102
City: Tampa
State: Florida
Zip Code: 33635
PURPOSE: Implementation of Cybersecurity Program for Department of Water & Sewer
Trenton Water Works RFP2024-08
REQ: Q4-03241
TOTAL: \$300,000.00
Fund: Operating
Account Number: 4-05-55-5501-899
Vendor ID: SECUR004



Acting Chief Financial Officer

OK, BT

6/13/2024

Date

RESOLUTION No. 24-324

Date of Adoption _____

[Signature]
Approved as to Form and Legality

[Signature]
Factual content certified by

WESLEY BRIDGES, ESQ., DIRECTOR OF LAW

SEAN SEMPLE, DIRECTOR OF WATER AND SEWER

Councilman /woman

presents the following Resolution:

SPONSORED BY: _____

RESOLUTION ACCEPTING A BID AND AWARDING A CONTRACT TO ANTHONY YAROS INDUSTRIES FOR CONSTRUCTION AND MAINTENANCE ¾ CLEAN STONE BACKFILL MATERIAL FOR TRENTON WATER WORKS, WATER FILTRATION PLANT FOR A PERIOD OF ONE (1) YEAR FROM DATE OF AWARD IN AN AMOUNT NOT TO EXCEED \$211,200.00 – BID2024-35

WHEREAS, four (4) sealed bids were received in the Division of Purchasing on May 24, 2024, at 11:00am, by the Purchasing Agent for Construction and Maintenance ¾ Clean Stone Backfill Material – 6,000 tons at \$35.20 per ton, for the City of Trenton, Department of Water & Sewer, Trenton Water Works, Water Filtration Plant for a period of one (1) year from the date of award; and

WHEREAS, the lowest bidder, Anthony Yaros Industries, 350 Basin Road, Trenton New Jersey 08619, 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 \$211,200.00 have been certified to be available in the following account number: 4-05-55-5504-836-007. 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 Anthony Yaros Industries, 350 Basin Road, Trenton New Jersey 08619, for Construction and Maintenance ¾ Clean Stone Backfill Material in an amount not to exceed \$211,200.00 for the City of Trenton, Department of Water and Sewer, Trenton Water Works, Water Filtration Plant for the said purposes in the manner prescribed by law.

MOTION:					SECOND										
	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent			Aye	Nay	Abstain	Absent
EDWARDS					GONZALEZ					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: ANTHONY YAROS INDUSTRIES
Address: 350 Basin Road
City: Trenton
State: New Jersey
Zip Code: 08619
PURPOSE: Furnishing & Delivery of ¾ Clean Gravel Stone and Backfill Material
BID2024-35
REQ: Q4-03298
TOTAL: \$211,200.00
Fund: Operating
Account Number: 4-05-55- -5504-836-007
Vendor ID: YAROS005

Acting Chief Financial Officer

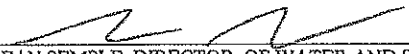
Date

RESOLUTION No. 24-325

Date of Adoption _____

Approved as to Form and Legality


 WESLEY BRIDGES, ESQ., DIRECTOR OF LAW

Factual content certified by


 SEAN SEMPLE, DIRECTOR OF WATER AND SEWER

COUNCILMAN / WOMAN _____ PRESENTS THE FOLLOWING RESOLUTION:

SPONSORED BY: _____

RESOLUTION AUTHORIZING PAYMENT TO PRO COPS SECURITY, LLC FOR THE ADDITIONAL MONTHS OF EXTENDED SERVICES PROVIDED THROUGH RESOLUTION 22-460 FOR ARMED SECURITY GUARD SERVICES AT THE TRENTON WATER WORKS WATER FILTRATION PLANT IN AN AMOUNT NOT TO EXCEED \$44,217.16 BID 2021-40

WHEREAS, on December 15, 2022, Resolution 22-460 awarded a contract to Pro Cops Security, LLC exercising the second year option to extend for the Bid No. 2021-40, Armed Security Guard Services for the Department of Water & Sewer, Water Filtration Plant.

WHEREAS, October 2023 the new Armed Security Guard contract was advertised for bid and had not made the City Council Docket until May 9, 2024.

WHEREAS, Pro Cops Security agreed to continue to provide security guard services until the passing of the new contract Resolution 24-175, awarded to Aegis Security. The remaining balance of the purchase order for Pro Cops Security exhausted in April 2024.

WHEREAS, funds in an amount not to exceed \$44,217.16 have been certified to be available in Account Number: 4-05- -55-5501-841-001 contingent upon the temporary and final adoption of CY'2024 budget, as final payment for armed security guard services for the months of April 2024 and May 2024.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Trenton that the Mayor is hereby authorized to execute payment to Pro Cops Security, LLC, 60 Park Place, Suite 1110, Newark, NJ 07102, in an amount not to exceed \$44,217.16 for additional extended armed security guard services provided for the months of April 2024 and May 2024 at the Department of Water & Sewer, Trenton Water Works, Water Filtration Plant, for the said purposes in the manner prescribed by law.

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

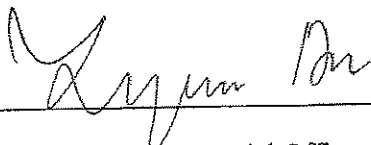
 City Clerk

CITY OF TRENTON
DEPARTMENT OF FINANCE

CERTIFICATION OF AVAILABILITY OF FUNDS

I, 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: ProCops Security, LLC
Address: 60 Park Place Suite 110
City/State/Zip: Newark, NJ 07102
Purpose: CY'2023 Armed Security Guard Services Contract Extension
(Additional Months Payment)
Fund: Operating
Account Number: 4-05- -55-5501-841-001
Vendor ID: PROCO10
Requisition Number: Q4-03201
Amount not to exceed: \$44,217.16



Acting Chief Financial Officer

OK 1/10/24

6/17/2024

Date

RESOLUTION No. 24-326

Date of Adoption _____

Approved as to Form and Legality

Factual content certified by

WELSEY BRIDGES, ESQ., DIRECTOR OF LAW

SEAN SEMPLE, DIRECTOR OF WATER AND SEWER

Councilman /woman _____ presents the following Resolution:

SPONSORED BY: _____

RESOLUTION AUTHORIZING A CONTRACT AWARDED TO CIVIL SOLUTIONS A DIVISION OF ARH ASSOCIATES TO PROVIDE ASSET MANAGEMENT IMPLEMENTATION, TRAINING AND MANAGEMENT SUPPORT FOR THE CITY OF TRENTON, TRENTON WATER WORKS, DEPARTMENT OF WATER AND SEWER; AWARDED THROUGH NEW JERSEY STATE CONTRACT #19-TELE-00872 FROM DATE OF AWARD UNTIL JUNE 18, 2025 IN AN AMOUNT NOT TO EXCEED \$146,685.00

WHEREAS, The Department of Administration, Division of Purchasing has reviewed and verified New Jersey State Cooperative Purchasing Program Contract #19-TELE-00872 to provide Asset Management Implementation, Training and Management Support awarded to Civil Solutions a division of ARH Associates for the City of Trenton. The State of New Jersey has awarded this contract to Civil Solutions a division of ARH Associates, 215 Bellevue Avenue, Hammonton, New Jersey 08037 as the requirement of the City of Trenton, Trenton Water Works, Department of Water and Sewer. The State of New Jersey has awarded this contract from June 19, 2024 to June 18, 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, Trenton Water Works, Department of Water and Sewer has a need to provide Asset Management Implementation, Training and Management Support awarded Civil Solutions a division of ARH Associates, 215 Bellevue Avenue, Hammonton, New Jersey 08037 through New Jersey State Cooperative Purchasing Program #19-TELE-00872 in an amount not to exceed \$146,685.00; and

WHEREAS, funds in an amount not to exceed \$146,685.00 to provide Asset Management Implementation, Training and Management Support have been certified to be available in the following account number: 4-05- -55-5504-841-009. This contract shall be awarded from date of award until June 18, 2025.

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

1. The Purchasing Agent is hereby authorized to execute a purchase order to Civil Solutions a division of ARH Associates, 215 Bellevue Avenue, Hammonton, New Jersey 08037 in an amount not to exceed \$146,685.00 to provide Asset Management Implementation, Training and Management Support for the City of Trenton, Department of Public Works.
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					FELJCIANO				
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

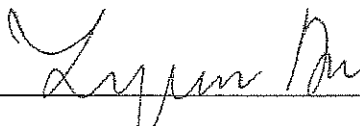
City Clerk

CITY OF TRENTON
DEPARTMENT OF FINANCE

CERTIFICATION OF AVAILABILITY OF FUNDS

I, 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: Civil Solutions a division of ARH Associates
Address: 215 Bellevue Ave
City/State/Zip: Hammonton, NJ 08037
Purpose: CY'2024 Asset Management Implementation, Training & Management Support.
State Contract: T—1841 Blanket PO #19-TELE-00872
Fund: Operating
Account Number: 04-05- -55-5504-841-009
Vendor ID: ARHAS005
Requisition Number: Q4-03285
Amount not to exceed: \$146,685.00



Acting Chief Financial Officer

OK, BT

6/13/2024

Date

WAITING FOR ORG.

RESOLUTION No. 24-327

Date of Adoption _____

Approved as to Form and Legality

Factual content certified by
Maria Richardson
MARIA RICHARDSON, ACTING DIRECTOR OF HEALTH AND HUMAN SERVICES

WESLEY BRIDGES, ESQ., DIRECTOR OF LAW

Councilman /woman _____ presents the following Resolution:

SPONSORED BY: _____

RESOLUTION EXERCISING THE OPTION TO EXTEND THE CONTRACT AWARDED TO RESCUE MISSION OF TRENTON FOR EMERGENCY SHELTER FOR HOMELESS SINGLE INDIVIDUALS FOR A PERIOD OF ONE (1) YEAR FROM MARCH 9, 2024 TO MARCH 8, 2025 IN AN AMOUNT NOT TO EXCEED \$275,000.00 -- CC2022-07

WHEREAS, on March 9, 2023, Resolution No. 23-092 awarded a contract to Rescue Mission of Trenton, 98 Carroll Street, Trenton, New Jersey 08609 for Emergency Shelter for Homeless Single Individuals for the City of Trenton, New Jersey for a period of one (1) year in an amount not to exceed \$275,000.00 with an option to extend two (2) one (1) year contract extensions for the City of Trenton, Department of Health and Human Services, Division of Community Relations and Social Services; and

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

WHEREAS, The City of Trenton, Department of Health and Human Services has determined that Rescue Mission of Trenton, 98 Carroll Street, Trenton, New Jersey 08609 for Emergency Shelter for Homeless Single Individuals has performed in a satisfactory manner and it is in the best interest of the city to exercise the option to extend the contract for an additional one (1) year from March 9, 2024 to March 8, 2025; and

WHEREAS, funds in an amount not to exceed \$275,000.00 have been certified to be available in the following account number: 4-01-40-4052-299 contingent upon the temporary and final adoption of the CY' 2024 budget This contract shall be awarded from March 9, 2024 to March 8, 2025 with an option to extend one (1) year;

NOW, THEREFORE, IT IS RESOLVED, by the City Council of the City of Trenton that the Mayor is hereby authorized to exercise the option to extend the contract for an additional one (1) year from March 9, 2024 to March 8, 2025 awarded to Rescue Mission of Trenton, 98 Carroll Street, Trenton, New Jersey 08609 for Emergency Shelter for Homeless Single Individuals for the City of Trenton in an amount not to exceed \$275,000.00 for the City of Trenton, Department of Health and Human Services, Division of Community Relations and Social Services for the said purpose in the manner prescribed by law.

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

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

Address: 98 Carroll Street, Trenton, NJ 08609

Purpose: Provision of Emergency Shelter for Homeless Single Individuals for a period of one year, from March 9, 2024 to March 8, 2025. First one (1) year extension. CC2022-07

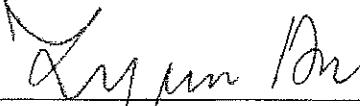
Fund: Operating Budget

Account Numbers: 4-01- -40-4052-299

Vendor ID:

Requisition Number:

Amount not to exceed: \$275,000.00



Acting Chief Financial Officer

6/21/2024

Date

RESOLUTION

No. 24-328

Date of Adoption _____

Approved as to Form and Legality

Factual content certified by
Maria Richardson

 Wesley Bridges, City Attorney

 Maria Richardson, Director
 Recreation, Natural Resources, & Culture

Councilman /woman _____ presents the following Resolution:

RESOLUTION AUTHORIZING APPLICATION AND ACCEPTANCE OF A NEW JERSEY HISTORIC TRUST PRESERVATION FUND CAPITAL GRANT IN THE AMOUNT OF \$750,000.00, TO CONDUCT REHABILITATION WORK FOR THE ROEBLING MACHINE SHOP

WHEREAS, the Roebing Machine Shop, also known as the Wireworks building, located at 675 South Clinton Avenue is in a state of disrepair, endangering its historic value; and

WHEREAS, Roebing Machine Shop as a building on the State and National Register of Historic Places is eligible to receive grant monies from the New Jersey Historic Trust (NJHT) Preserve New Jersey Historic Preservation Fund Program ; and

WHEREAS, the cost of the work has been estimated to be in excess of \$7,800,000 and therefore will be phased to address the most pressing issues; and

WHEREAS, the city is eligible to apply in 2024 for a Capital Level II grant for up to \$750,000; and

WHEREAS, funds to provide a match of \$750,000 are available in account numbers: G-FF-25-70-275B-290 (\$10,000) and G-FF-25-70-275B-299 (\$740,000); 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 NJHT grant in an amount up to \$750,000 for the rehabilitation work at the above-referenced property and execute all documents pertaining to such a grant.

The governing body/board further resolves and acknowledges:

- a. The facts, figures and information contained in the application, including all attachments, are true and correct;
- b. Any funds received will be expended in accord with the terms and conditions of N.J.A.C. 5:101 and the grant agreement to be executed with the New Jersey Historic Trust; and
- c. The organization agrees to abide by the time frame set forth in the grant guidelines.

MOTION:					SECON D:									
	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

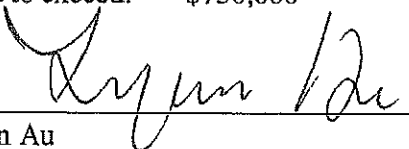
CERTIFICATION OF AVAILABILITY OF FUNDS

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 provide the required grant match for:

RESOLUTION AUTHORIZING APPLICATION AND ACCEPTANCE OF A NEW JERSEY HISTORIC TRUST PRESERVATION FUND CAPITAL GRANT TO CONDUCT REHABILITATION WORK FOR THE EXTERIOR OF THE ROEBLING MACHINE SHOP

Account Numbers: G-FF-25-70-275B-290 (\$10,000)
G-FF-25-70-275B-299 (\$740,000)

Amount not to exceed: \$750,000



Lynn Au
Chief Financial Officer

ACT

RESOLUTION No. 24-329

Date of Adoption _____

Approved as to Form and Legality

Factual content certified by

Wesley Bridges, Esq., CITY ATTORNEY

Brandon Garcia, RMC, CITY CLERK

COUNCILMAN / WOMAN

PRESENTS THE FOLLOWING ORDINANCE:

SPONSORED BY: _____

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

WHEREAS, the City of Trenton has received a request from the Ecuadorian Civic Association of Mercer County for the approval of a Social Affair Permit to sell wine, beer and spirits at the Ecuadorian Independence Day Celebration on August 18, 2024; and

WHEREAS, the Ecuadorian Civic Association of Mercer County has requested a waiver of the alcohol prohibition pursuant to Trenton City Code §10-19(D) in order to sale alcohol beverages on City property pursuant to a properly issued State ABC Social Affair Permit; and

WHEREAS, the Ecuadorian Civic Association of Mercer County has obtained the necessary insurance coverage required to serve alcohol at the public, open event; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Trenton, County of Mercer, State of New Jersey, that it hereby authorizes the public sale of wine, beer and spirits at the Ecuadorian Independence Day Celebration on August 18, 2024; and

BE IT FURTHER RESOLVED, that as a condition of this approval, the Ecuadorian Civic Association of Mercer County has provided the City of Trenton with a certificate of insurance coverage and naming the City of Trenton as an additional insured, subject to the Mayor and Administration's review and approval.

MOTION:						SECOND:									
	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent	
EDWARDS					GONZALEZ					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. 24-331

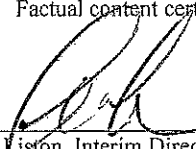
Date of Adoption _____

Approved as to Form and Legality

Factual content certified by



Wesley Bridges, CITY ATTORNEY



Arch Liston, Interim Director
Department of Housing & Economic Development

COUNCILMAN / WOMAN _____ PRESENTS THE FOLLOWING RESOLUTION:

SPONSORED BY: _____

RESOLUTION DESIGNATING HABITAT FOR HUMANITY OF SOUTH CENTRAL NEW JERSEY, AS REDEVELOPER OF CERTAIN CITY-OWNED PROPERTY, COMMONLY KNOWN AS 14, 26, 28, 31, 40, 44, 54 AND 58 MURRAY STREET LOCATED WITHIN THE HERMITAGE AVENUE REDEVELOPMENT AREA, AND APPROVING THE PURCHASE AND SALE OF SAID PROPERTY FOR NO MONETARY COST, AND APPROVING THE PURCHASE AND SALE AND REDEVELOPMENT AGREEMENT, AND AUTHORIZING THE EXECUTION OF SAID AGREEMENT

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

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

WHEREAS, the City is the fee simple owner of certain property identified on the City's tax map as Block 2605, Lots 27, 21, 20, 15, 13, 8, and 7, commonly known as 14 (vacant lot), 26, 28, 40, 44, 54 (vacant lot) and 58 Murray Street, and Block 2606, Lot 1, commonly known as 31 Murray Street (vacant lot), in the City of Trenton, State of New Jersey, respectively (hereinafter referred to collectively as the "**Property**"); and

WHEREAS, Habitat for Humanity of South Central New Jersey, (the "**Applicant**") proposes to redevelop /rehabilitate the Property and construct eight (8) new homes for families qualifying for

RESOLUTION

affordable home ownership (the "**Project**"). (See application to acquire and redevelop city-owned Property appended hereto as "**Attachment A**"); and

WHEREAS, the Applicant has proposed, and the City has agreed to the transfer of the Property for no monetary consideration because the mission and vision of the Applicant is to engage the community to build *affordable homes* for qualifying and deserving families to have a decent and safe place to live; and

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

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

1. The aforementioned recitals are incorporated by reference as though fully set forth herewith.
2. Habitat for Humanity of South Central New Jersey, is hereby designated as Redeveloper for certain city-owned property identified on the City's tax maps as Block 2605, Lots 27, 21 20, 15, 13, 8, and 7, commonly known as 14 (vacant lot), 26, 28, 40, 44, 54 (vacant lot) and 58 Murray Street, and Block 2606, Lot 1, commonly known as 31 Murray Street (vacant lot), in the City of Trenton, State of New Jersey. The negotiated PSARA between the City and the Redeveloper is hereby approved.
3. The Mayor and the City Clerk are hereby authorized to take all actions to execute the PSARA, and any and all documents necessary to effectuate the transfer and redevelopment of the Property.
4. This Resolution shall be filed in the Office of the City Clerk.

MOTION:					SECOND									
	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent
EDWARDS					GCNZALEZ					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. 24-050

1st Reading _____

Date to Mayor _____

Public Hearing _____

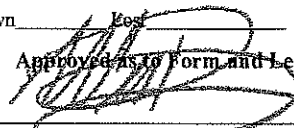
Date Returned _____

2nd Reading & Passage _____

Date Resubmitted to Council _____

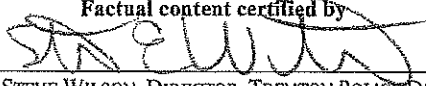
Withdrawn Yes No

Approved as to Form and Legality



WESLEY BRIDGES, Esq., CITY ATTORNEY

Factual content certified by



STEVE WILSON, DIRECTOR, TRENTON POLICE DEPARTMENT

COUNCILMAN / WOMAN _____ PRESENTS THE FOLLOWING ORDINANCE:

SPONSORED BY: _____

AN ORDINANCE AMENDING CHAPTER 283 OF THE CODE OF THE CITY OF TRENTON ("TOWING AND STORAGE") TO MODIFY THE TOWING FEE SCHEDULE

WHEREAS, N.J.S.A. 40:48-2.49 permits the City of Trenton to establish a schedule of fees or other charges which a tow operator may charge vehicle owners for towing services and storage services; and

WHEREAS, the Trenton Police Department is also permitted to charge an administrative fee for costs associated with authorizing the release of towed vehicles; and

WHEREAS, the City has established such rates at Section 283-12 of its Code, but it has not modified the rates since 2009; and

WHEREAS, the New Jersey State Police establishes towing rates that are periodically modified to account for the changing costs of such services; and

WHEREAS, the current basic New Jersey State Police towing rate for Calendar Year 2024 for standard cars is \$155.00; and

WHEREAS, the City of Trenton desires to amend Chapter 283 of the Code of the City of Trenton to modify the towing rates to be in line with the schedule of rates implemented by the New Jersey State Police, to slightly increase the administrative fee charged by the City, and to clarify the requirements for tow vendors; and

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

Section 1.

Chapter 283 ("Towing and Storage") of the Code of the City of Trenton shall be repealed in its entirety and replaced with the following:

§ 283.1. Purpose; authority; scope.

- A. Purpose. The purpose of this chapter is to provide for motor vehicle towing and storage contracts with the City on a rotating basis, and to set terms and conditions of such contracts, in order to ensure that the City of Trenton has a method of removing motor vehicles, while protecting the owners of said vehicles from unreasonable cost of loss.

ORDINANCE

- B. Authority. The authority of the City to regulate motor vehicle towing and storage contracts is generally set forth in N.J.S.A. 40:48-2.49. The authority of the City to enter into motor vehicle and towing storage contracts on a rotating basis is set forth in N.J.S.A. 40A:11-5(u).
- C. Scope. The provisions of this chapter apply to all persons who provide towing and storage charges for motor vehicles under contracts with the City. This chapter does not apply to tow operations from private property pursuant to private contracts.

§ 283-2. Definitions.

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

Abandoned Vehicle

Any motor vehicle or vessel partially dismantled or not readily capable of operation under its own power or not currently licensed or wrecked or junked. It shall also mean any vehicle whose owner has terminated the use and care of the vehicle and has either indicated by words or actions an intent to leave it abandoned and no longer claim ownership of it or left it without making arrangements for the storage with the owner, occupant, or person in control of the premises on which it is located.

Absorbents

Any group of products used to soak up spills or vehicle fluids. These would include oil dry, absorbent pads, etc.

Additional Labor

Charges for additional and/or temporary employees enlisted by the tow vendor to facilitate the unloading, relocation, and/or removal of vehicles, their cargo, debris, or other obstructions impeding traffic exceeding the labor required for a basic tow service as defined by the chapter.

Administrative Charges

Charges for post-towing services including but not limited to physical inspection, mechanical inspection, etc. These charges shall not be applied to vehicle owners or their agents, but to the City and only upon the specific request and authorization of the services by the designated Police Department supervisor.

Air Cushion Recovery

Use of any number of inflatable lifting apparatus (commonly referred to as air cushions and/or air bags). Used to lift, under controlled recovery movements, any objects (e.g. automobiles, trucks, tractors, and semi-trailer combinations) either on and/or off the roadway, aircraft, underwater recovery and realignment of shifted loads inside semi-trailers.

Automobile

A private passenger automobile. (For purposes of this chapter, this definition shall include light pickup trucks, vans, and sport utility vehicles.)

Basic Towing Services

The removal and transportation of a motor vehicle from a highway, street, other public or private road or parking area, or from a storage facility, and other services normally incidental thereto. "Basic towing services" does not include recovery of an automobile from a position

ORDINANCE

beyond the right of way or berm or being impaled upon any other object within the right of way or berm, or from an overturned position.

Bus

Any motor vehicle designated, constructed, and used for the transportation of passenger automobiles and station wagons.

City

City of Trenton

Collision Wrap

Used in an attempt to cover exposed areas from the weather elements.

Contract Period

The one (1) year contract period begins January 1st through December 31st.

Crane/Rotator

Use of specifically manufactured vehicle that has an extendable boom that rotates to recover vehicles that need to be recovered from unusual situations.

Debris Clean-Up

1. Standard site clean-up: Refers to the amount of debris removal that should reasonably be anticipated at the scene of a motor vehicle accident or incident. The standard site cleanup is usually defined as the point of impact, the final resting point of a vehicle and the associated debris field.

2. Extended site clean-up: Refers to the removal of debris at the point of impact, as well as along the path of pre-impact and/or post impact, where vehicle disintegration and/or property damage occur as a result of the motor vehicle accident or incident.

Director

Police Director of the Trenton Police Department for the City of Trenton.

Disposable Bags

Used to carry away / dispose used absorbents, car parts, glass, etc.

Heavy Duty Tow Trucks

Used to recover large vehicles 10,001 lbs. and above.

Hydraulic Flatbed Vehicle Carrier

Commercial motor vehicle designed exclusive to transport motor vehicles that have become disabled, wrecked, recovered stolen and police impound by means of body winching motor vehicles from roadway level up onto hydraulic bed for transporting purposes.

Impoundment

The storage of a motor vehicle upon the order of a law enforcement agency.

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Incident

Any recurring or non-recurring event that created a diminished capacity to roadway function or threatens the environment.

Incident Management Escort & Support Vehicle

A truck or trailer containing assorted supplies to mitigate the impact of incidents i.e. spill control, traffic control, auxiliary lighting, clean-up materials and equipment.

Inside Secured Storage

A motor vehicle storage facility that is completely indoors, having one or more openings in the walls for storage and removal of motor vehicles and is secured by a locking device on each opening. To qualify in the context of this chapter, the inside secured facility must have all governmental approvals and must have a capacity of a minimum of five (5) automobiles.

Labor

The additional work done at the scene by the tow truck operator that is beyond that required to perform a basic tow, or any additional manpower needed to complete a recovery, winching or towing of a vehicle. Labor charge for additional manpower shall be based on a per-man, per hourly rate with a one – hour minimum.

Light Duty Tow Truck

Used to tow and recover small light duty vehicles up to 10,000 lbs.

Mileage Charges

Are calculated on a portal-to-portal basis, which consists of the following examples: when a vehicle is towed out of the City of Trenton or from another jurisdiction back to the City of Trenton.

Motor Vehicle Crash

Any occurrence in which a motor vehicle comes in contact with another object for which the motor vehicle must be towed or removed for placement in a storage facility. This includes all situations that are accidental to the vehicle owner even if they are caused by the intentional acts of a perpetrator, where the perpetrator was not the vehicle owner or not otherwise involved with the owner.

Motor Vehicles

Any vehicle propelled otherwise than by muscular power, except such vehicles as run only upon rails or tracks, motorized bicycles under 49 cc.

Outside Secured Storage

A motor vehicle storage facility that is outdoors and is secured by a fence, wall, or other man-made barrier that is at least six feet high and is protected by security measures approved by the Director. These security measures shall include recording video cameras capable of monitoring the entire storage facility and lighting at night for the facility. To qualify as an outdoor-secured facility, in the context of this chapter, the outdoor-secure facility must have all necessary government approvals and must have capacity for a minimum of 700 automobiles.

Portable Dolly's and/or Portable Go-Jac Type Dolly's

A set of wheels installed under either end of a vehicle in order to facilitate its movement. Use of this type of equipment would incur additional labor charges.

ORDINANCE

Recovery Supervisor/Coordinator

A trained individual who utilizes his expertise to facilitate a safe and effective response to an incident through direct instruction to other employees dealing with the other responders or physically created the conditions needed to terminate an incident.

Recovery Winching

Recovery winching includes but is not limited to the recovery of a motor vehicle that is overturned, over an embankment, off the roadway and not recoverable by basic winching, in water, impaled on an object, crashed into a building, or otherwise not accessible to immediate hook-up by conventional towing equipment.

Road Service

Use of a tow truck or special vehicle to attempt to repair a vehicle at the point of the breakdown.

Specialized Equipment

Use of a wide variety of primarily, but not limited to, construction type equipment not normally considered towing equipment used to access or clean-up a recovery scene of wreckage.

Storage

Storage is charged on a per-calendar day or any part thereof. A new calendar day begins at 12:01 a.m.

Storage Space

A minimum space no less than 7 feet by 12 feet to store a motor vehicle.

Tarping

Covering or re-covering a vehicle to prevent against further weather damage or unauthorized access.

Tow Truck

Commercial motor vehicle designed exclusively to lift motor vehicles that have become disabled, wrecked, recovered stolen and police impounded by means of lifting from the front or rear by the following methods:

1. Sling type: mechanical or hydraulic
2. Wheel lift type: mechanical or hydraulic

Tow Vendor

A tow truck company authorized by the Police Director to tow vehicles on the authority of the Trenton Police Department.

Tow Vendors' Base of Service

The towing vendors' place of business, where the towed vehicles are stationed when not in use.

Trailer

The use of Landoll type recovery unit to transport anything that is too large to be secured on a flatbed or would be damaged if towed in another manner.

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Vehicle Access

Owner and/or insurance adjuster must be accompanied into the secured storage yard facility to remove personal belongings, adjust and take photographs.

Vehicle Removal Charge (Yard Fee)

Charge for a motor vehicle towed into the storage facility of the primary tower that is not a moveable motor vehicle and must be towed out of the primary tower's storage facility to a designated unsecured staging area for towing by the secondary tower.

Vehicles Subject to Towing

When used in this chapter to describe a motor vehicle, shall mean any motor vehicle that requires removal by a tow vehicle including, but not limited to, motor vehicles damaged in an accident, motor vehicle recovered after theft, abandoned motor vehicles, confiscated motor vehicles, and vehicles that require towing service by order of the Police Department due to being unregistered, uninsured, illegally parked, or whose operators are unable to safely operate the motor vehicle without being in violation of the law of any federal, state, or local statutes or ordinances.

Winching

The process of moving a motor vehicle by the use of additional chains, nylon slings and additional lengths of winch cable from a position that is not accessible for direct hookup by conventional means for towing and/or loading onto a tow vehicle. Winching is not pulling a vehicle onto a flatbed carrier or lifting a motor vehicle by conventional means (tow sling, wheel lift etc.).

§ 283.3. Towing and Storage List

- A. List. The Director shall maintain a list of all tow vendors willing and able to enter into contracts to provide towing and storage services for the City, consistent with the terms of this chapter.
- B. Application fee. The application fee for a tow vendor shall be \$500.00 for a one (1) year contract, which is the cost of administering, investigating and processing the annual towing contract.

§ 283-4. Initial and Renewal Application Process

- A. Written application. A tow vendor submitting an initial application who seeks to be placed on the towing list and incumbent tow vehicle operators seeking renewal to remain on the towing list may pick up an application at the Trenton Police Department starting July 1 of year three of the contract, for the upcoming calendar year. The initial and renewal application forms must be returned fully completed with the application fee by September 15 of that year. The Police Director shall render a decision by December 15th to the tow vendors that will be included on the towing list for the upcoming calendar year.
- B. Information required. Applicants must provide information required in the Trenton Police Department Towing Application and Agreement Form, the Trenton Police Department General Order pertaining to vehicle towing as issued by the Director, and any additional information deemed appropriate by the Police Director.

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§ 283-5. Application Review

The Police Director shall review the application and conduct an investigation as he/she deems necessary, including police background check, to determine whether the applicant meets the minimum standards and qualification as defined in the general requirements section of this chapter.

§ 283-6. General Requirements of Towing Vendors

- A. The towing vendor must be able to respond to any request for assistance within 20 minutes, unless such response time is prevented by extraordinary conditions of weather or circumstances resulting in obstruction of general access to the scene. In the case where a tow vendor is unable arrive to arrive on location within 20 minutes, the Police Officer may request service from the next towing vendor in rotation.
- B. The towing vendor shall not remove any vehicle from a scene without proper authorization from the police officer in charge.
- C. A towing service beyond a basic towing service that will invoke the imposition of a specialized fee by the tow vendor shall not be performed without the authorization of an on-scene police supervisor and documentation of the specialized service in the Trenton Police Department Vehicle Report.
- D. The tow vendor must be able to provide twenty-four-hour service seven days per week.
- E. For light-duty towing, the tow vendor must have at least two (2) wheel-lift vehicles and two (2) flatbed vehicles with a GVW of 14,500 pounds or more, in good operating condition, and must be equipped with the following:
 - (1) A valid registration and, if required, a valid inspection sticker. (Dealer registration plates are not permitted).
 - (2) Must meet DOT regulations.
 - (3) A valid amber light permit.
 - (4) Valid State of New Jersey tow truck sticker and certification.
 - (5) Speedy dry or similar liquid absorbent.
 - (6) Broom, shovel, and debris container.
 - (7) A minimum of two (2) three-eighths inch safety chains.
 - (8) One fully-charged fire extinguisher.
 - (9) Proof of ownership or lease by the authorized tow vendor.
- F. For heavy-duty towing, the tow vendor must have at least one (1) heavy-duty tow vehicle that is hydraulic in nature, minimum of 25 tons, twin cable, with under-reach capability that would have the capability of towing an eighty-thousand-pound vehicle. The heavy-duty towing vehicle must have a MGWV of 33,000 pounds or better, be in good operating condition, and must be equipped with the following:
 - (1) A valid cab card (Apportioned Tags), valid registration and all other DOT required inspections.
 - (2) Must meet all DOT regulations.

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- (3) Valid State of New Jersey tow truck sticker and certification.
 - (4) A valid amber light permit.
 - (5) Speedy dry or similar liquid absorbent.
 - (6) Broom, shovel, debris container and a fire extinguisher.
 - (7) A minimum of two (2) one-half-inch safety chains.
 - (8) Proof of ownership or lease by the authorized vehicle operator.
 - (9) Air brakes.
 - (10) Connecting air lines to supply air to the towed vehicle.
 - (11) Detachable light bar with running, stop, and turn lights.
 - (12) In the event a recovery of a heavy-duty vehicle (rollover, accident, etc.) is warranted, the responding tow company shall assign a recovery supervisor, who must have received training in an industry-recognized training course.
- G. All tow vendors and tow truck operators shall have a Towing Certification issued by an industry-recognized training course. Light-Duty operators must have a Light-Duty certification. Heavy-Duty operators must have a Heavy-Duty Certification.
- H. The tow vendor must agree to remove all glass and other debris from the tow-away area, to the satisfaction of the police officer in charge, without any additional charge to the vehicle owner. Any extensive cleanup leading to the imposition of a clean-up fee shall require the authorization of the on-scene police supervisor.
- I. The tow vendor must have an inside secured storage facility with storage space to hold at least five (5) vehicles and an outside storage facility with storage space for a minimum of seven-hundred (700) vehicles within a 3-mile radius of Trenton Police Headquarters (225 N. Clinton Avenue) within the State of New Jersey and County of Mercer. The storage facility must be reasonably accessible to persons seeking to retrieve their vehicles by use of public transportation. The tow vendor must provide to the Police Director proof of ownership or lease of the storage facility.
- J. No satellite lots are permitted. All vehicles stored under the agreement with the City must be stored at the tow vendor's contracted business location.
- K. The tow vendor must agree to provide adequate security to protect vehicles being towed and stored. The storage facility must be lighted during the hours of darkness so that the entire storage area is visible. The storage area must also be surrounded by a chain link, stockade, or other such restrictive fencing or barrier, which is at least six feet in height.
- L. The tow vendor must agree to keep accurate written and electronic records of towing and storage services as set forth in this chapter, the Trenton Police Department Towing Application and Agreement, and any such directive issued by the Police Director. These records are subject to inspection at any time by Trenton Police Department personnel. The electronic record-keeping system maintained by the tow vendor should be compatible with the Trenton Police Department records management system and all records pertaining to vehicles towed under the authority of the Trenton Police Department are subject to inspection.
- M. The tow vendor must agree that inaccurate record-keeping may result in termination of the towing contract.

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- N. The tow vendor will not release a vehicle to an owner or the owner's representative without a signed release form issued by the Trenton Police Department. The tow vendor must agree to issue an itemized receipt for all services rendered to the owner or the owner's representative and provide a copy to the Trenton Police Department.
- O. The tow vendor must agree that no person shall be liable for towing or storage fees in excess of those permitted by the towing and storage fee schedule set forth in this chapter.
- P. The tow vendor must agree that the City, its agents, officers, and employees shall not be liable for any towing or storage charges, unless the motor vehicle towed or stored is owned by the City, or the motor vehicle is towed or stored for the convenience of the City and for police investigation. The tow vendor shall agree to seek payment for towing and storage fees only from the owner of the motor vehicles towed at the request of the Police Department, including snow and other emergencies.
- Q. The tow vendor must obtain and maintain insurance as set forth in §283-9.
- R. The tow vendor must agree to defend and indemnify the City, its agents, officers, and employees from any liability or claim arising out of the tow vendor's performance of the towing and storage service contract.
- S. A tow vendor unable to respond to a request for towing or requiring assistance for large scale towing/removal services shall request the approval of a police supervisor to notify the Trenton Communications Bureau to summon another authorized contracted City tow vendor prior to contacting any other towing vendor.
- T. The tow vendor and his/her employees that operate tow trucks must not have been convicted of a crime within the past five (5) years or motor vehicle infractions within the past five (5) years that would adversely affect the safety and welfare of the public and/or the owners of the vehicles towed pursuant to the contract for the City. Convictions for violent crimes and/or crimes involving moral turpitude at any time shall serve as an automatic disqualification in the application process or if incurred during the contract period.

NOTE: Drivers may be subject to random inspection and confirmation of license validity while on the scene on a call for towing.

- U. The tow vendor must be open for business, at a minimum, Monday through Friday, 8:00 a.m. to 5:00 p.m., and Saturday 9:00 a.m. to 1:00 p.m. (Holidays Excluded). The hours of operation and business contact information must be prominently displayed in a conspicuous place at the tow vendors place of business.
- V. The storage area must have a building where a permanently installed telephone is located. The building shall be within sight distance or within 100 feet of the entrance of the storage area.
- W. The entire fee schedule for towing and storage permitted under this chapter shall be prominently displayed in a conspicuous place in the tow vendors place of business along with the business contact information.

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- X. The tow vendor must agree to prominently display in a conspicuous place in the tow vendors place of business, the acceptance of electronic payments (credit/debit cards, apple pay, etc.) for all towing/special service fees.
- Y. The tow vendor shall provide the Police Director or his/her designee a list of all unclaimed vehicles towed during the prior month on/or before the twentieth day of the next month.
- Z. All tow trucks must be equipped with communications equipment (cellular telephone, public serve band frequency radio, etc.) to facilitate a prompt response.
- AA. All tow vendors must be readily available for contact by the Police Department's Communications Bureau. Whenever the Communications Bureau is unable to readily contact the authorized tow vendor on call, the next on-call tow vendor shall be notified.
- BB. All tow vendors must have a fax machine and computer with modem capable of sharing electronic information with the Trenton Police Department computer system.
- CC. Tow vendors must have a certification from the Zoning Officer that the business location is permitted pursuant to that jurisdiction's ordinances.
- DD. All tow vendors and their tow truck operators must wear a DOT approved Class 2 safety vest or reflective clothing when responding to a motor vehicle accident, or an incident that requires the tow operator to be in the roadway.
- EE. The tow vendors must have two years of municipal towing experience with references.

§283-7. Inclusion of List.

- A. The Police Director shall include the tow vendors on the towing list after the Police Director determines that the tow vendor meets the qualifications set forth in this chapter and in the Trenton Police Departments Towing Application and Agreement, and provided the application fee is paid. The list shall remain in effect for one (1) year, beginning on January 1st through December 31st, and shall rotate on a monthly basis among authorized and contracted tow vendors.
- B. The placement of the tow vendor on the towing list shall be non-transferrable.

§283-8. Suspension/Termination of Contract and Eligibility.

- A. The Police Director may suspend or terminate any contract and a tow vendor's eligibility to remain on the towing list if the Police Director determines that the tow vendor has:
 - (1) Willfully or persistently violated either the terms of this chapter, the Trenton Police Department Towing Application and Agreement, directives issued by the Police Director pertaining to towing, other laws concerning the towing and storage of vehicles, or based upon evidence that the tow vendor engaged in deceptive or unlawful practices.

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- (2) Engaged in gross negligence or gross incompetence such as but not limited to failure to answer service calls, repeated late response times and failure to properly clean debris area.
- (3) Engaged in repeated documented acts of negligence, incompetence or sustained citizen complaints.
- (4) Had a towing operation registration or license revoked or suspended by any other state or local authority for reasons consistent with this section.
- (5) Has violated or failed to comply on more than three (3) occasions with the schedule of fees regulations.

Such Tow Vendors shall remain ineligible and not be placed back on tow list.

- B. The tow vendor shall remain on the towing list for a one (1) year period commencing January 1st through December 31st or until his/her eligibility is terminated by the Director as set forth in this chapter.
- C. Hearings. Prior to any suspension or termination, the tower shall be entitled to a hearing before the Police Director for a violation of this code or any law or regulation. The contracted tow vendor shall be given at least five (5) days' notice of the violation/charge and a hearing date by personal service or by mailing the same by registered mail addressed to them at the licensed establishment or the address provided in the tow vendor's current application. A tow vendor shall have the right to legal representation. A postponement may be granted for good cause only. If any tow vendor is in need of an interpreter he/she must provide his/her own. The interpreter must speak English and the tow vendor's language fluently. A tow vendor may enter a plea of guilty, not guilty, or non vult plea, a tow vendor shall be permitted to present mitigating factors. A tow vendor may enter into a plea agreement subject to the approval the Police Director for a lesser suspension or other conditions to be imposed upon them.

§ 283-9. Insurance

- A. The tow vendor must carry automobile liability insurance in an amount not less than \$1,000,000 combined single limits.
- B. The tow vendor must carry workmen's compensation insurance as required by law.
- C. The tow vendor must carry a garage keeper's policy in the amount of \$1,000,000 combined single limit. This policy must include on-hook coverage at least \$60,000.
- D. The tow vendor must carry complete protection to the City against any and all risk of loss or liability, including comprehensive general liability insurance in an amount not less than \$1,000,000 combined single limit, naming the City as an additional insured.
- E. Each policy required shall contain an endorsement providing that ten (10) days notice shall be given to the Police Director in the event of cancellation for any cause.

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- F. Each policy required shall be with an insurance company licensed to do business in the State of New Jersey.

§283-10. Contract with Tow Vendors

- A. The Police Director shall enter into a written contract with eligible tow vendors that have submitted a written application and application fee to enter into such contract with the City of Trenton and have been determined to meet the minimum standards and requirements set forth in this chapter and the Trenton Police Department Towing Application and Agreement.
- B. Each contract shall be for one (1) calendar year beginning on January 1st and shall rotate monthly between eligible tow vendors.
- C. Each contract shall contain the terms and conditions set forth in this chapter, the Trenton Police Department Towing Application and Agreement, and may contain any additional terms and conditions as the Police Director deems necessary to protect the City from liability and to protect the public from unreasonable charges/loss and to protect the public safety.

§ 283-11. Records of Towing and Storage Services.

The tow vendor must maintain the following records in written and electronic form for each vehicle towed and/or stored.

- A. Day, month, year, time of service and case/event number.
- B. The year, make and model of vehicle.
- C. The registration plate number and state of registration
- D. The full vehicle identification number (VIN).
- E. The Trenton Police Department's report number for the incident involving the tow.
- F. The location from which the vehicle was towed.
- G. The place to which the vehicle is towed and stored.
- H. The authority for the towing.
- I. An accurate description of the visible damage to the vehicle prior to towing.
- J. The distance of towing, if applicable.
- K. The operator of the towing vehicle.
- L. Any and all charges to the vehicle owner to include basic tow service, storage, and any additional fees for special services as defined in this chapter.

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§ 283-12. Towing and Storage Fee Schedule.

- A. All towing fees shall be set in accordance with the New Jersey State Police tow rates, which are available through the following link:

Maximum N.J. State Police rates Garden State Towing Association, Inc. (gsta.org).

As of August 2024, the rates are as follows:

LIGHT DUTY- up to 10,000 lbs.	HOOK-UP \$155
MEDIUM DUTY- 10,001-16,000 lbs.	\$300.00 PER HOUR
HEAVY DUTY- 16,001 and above	\$500.00 PER HOUR
DECOUPLING FEE (IF TOW IS NOT PERFORMED)	½ OF BASIC RATE

These rates are annually calculated by the New Jersey State Police and are subject to change. All tow vendors shall conspicuously display these rates.

- B. Storage fee schedule

- (1) Passenger vehicle: \$25 per day.
- (2) Large truck: \$70 per day.
- (3) Tractor-trailer: \$140 per day.

- C. Special services. An on-scene Trenton Police Department supervisor shall authorize all special services located herein, and those services shall be documented on the Trenton Police Department vehicle report pertaining to that towed vehicle.

- (1) Extensive cleanup: \$25.00
- (2) Disposable materials used for cleanup (example: speedy dry): current market value
- (3) Administrative charges (to only be charged to the City based upon authorization from designated police officer): \$25.00
- (4) Winching: \$150.00 per hour
- (5) Recovery winching: \$300.00 per hour per vehicle
- (6) Additional labor: \$75.00 per hour per employee to include additional equipment as required.

- D. Lot removal Fees (Inoperable and accident vehicle removal):

Light Duty: \$35.00
Medium Duty: \$125.00
Heavy Duty: \$225.00

- E. There shall be a cap on storage fees for privately owned vehicles equal to the cost of 90 days of storage for that vehicle. There shall be no cap on storage fees being paid for by corporations and/or insurance carriers. There shall be a cap of \$400.00 for storage fees charged to the City for

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vehicles converted via clear titles or vehicles converted to bids via City auctions regardless of the duration of the storage, except that a waiver may be granted for good cause upon the request of the municipality by the Division of Local Government Services in the Department of Community Affairs. Vehicles converted to the ownership of the tow vendor via clear or junk title shall have the towing and storage fees waived.

- F. Towing fees during snow removal or other emergencies. When towing services are required during snow removal, for parades or special events or during flooding other emergencies, the vehicles towed should be towed to the City of Trenton towing contractors' yard and will be required to obtain a release form provided by Trenton Police Department. Fees set forth in the towing and storage schedule shall be adhered to.

§ 283-13. Police Department Administrative Fees.

Before retrieving a towed vehicle, the owner or designee of a towed vehicle must first obtain a release form from the Trenton Police Department. The owner or designee of towed vehicle must pay a \$10.00 fee to the Trenton Police Department to obtain a release form. The tow vendor shall not release a towed vehicle without first obtaining a release form.

§ 283-14. Application for Acquisition of Clear and Junk Titles.

The tow vendor agrees to provide the City Police Department with a partially completed copy of the New Jersey Motor Vehicle Commission form titled Report of Possession of Abandoned Vehicle by Public Agency for any vehicle in its possession for which it is requesting a clear or junk title. This form shall contain the following information for each vehicle: the make, year, model, body type, vehicle identification number, weight class and present odometer reading for each vehicle. Failure to provide this information shall result in an administrative fee of \$50.00 that shall be paid to the City Police Department by the tow vendor for each application for the acquisition of a clear or junk title that is not accompanied by a partially completed form. All Junk and Clear titles received by the tow vendor, must be stored for a minimum of (5) five years.

§ 283-15. Resolution of Disputes.

The Police Director shall develop a complaint-hearing procedure that will allow any citizen to file a complaint against a tow vendor, alleging violations of this chapter, any revised ordinance of the City of Trenton, the Trenton Police Department Towing Application and Agreement. The Police Director shall designate personnel within the Police Department to investigate the complaint, or cause the complaint to be investigated, render a decision with regard to the complaint received of the tower vendor's business practices, and take required action to address the complaint. The Police Director shall be empowered to render a final decision, and that decision shall be binding on both the tow vendor and the owner of the vehicle.

§ 283-16. Gifts or Remuneration.

No reward, gratuity, gift, or any type of remuneration or consideration shall be offered to any member of the Trenton Police Department, any City Official, and/or any employee of the City of Trenton by any authorized tow vendor or its representatives/affiliates, prior to or during the application process and/or during the life of the contract.

ORDINANCE

No. 24-051

1st Reading _____

Date to Mayor _____

Public Hearing _____

Date Returned _____

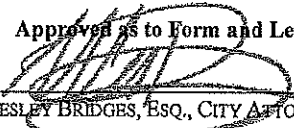
2nd Reading & Passage _____

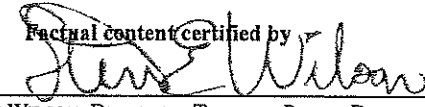
Date Resubmitted to Council _____

Withdrawn _____ Lost _____

Approved as to Form and Legality

Factual content certified by


WESLEY BRIDGES, ESQ., CITY ATTORNEY


STEVE WILSON, DIRECTOR, TRENTON POLICE DEPARTMENT

COUNCILMAN/ WOMAN _____

PRESENTS THE FOLLOWING ORDINANCE:

SPONSORED BY: _____

AN ORDINANCE AMENDING CHAPTER 146 ("LICENSING"), ARTICLE IX ("CANNABIS BUSINESSES") OF THE CODE OF THE CITY OF TRENTON TO BAN AND PENALIZE ILLEGAL AND UNLICENSED CANNABIS OPERATIONS

WHEREAS, in recent months, the first two fully licensed cannabis retailers began operating in the City of Trenton; and

WHEREAS, the City has preliminarily approved an additional six operators by issuing a Resolution of Local Support; and

WHEREAS, upon information and belief, there are several unlicensed cannabis retailers operating in the City; and

WHEREAS, the City has a vested interest in banning such illegal operations to ensure that the cannabis products being sold in the City are untainted and safe, and to protect the legal operators that have invested in this City; and

WHEREAS, the City's cannabis ordinance contains provisions to penalize licensed operators for certain violations, but it contains no such provisions to penalize unlicensed and illegal operators; and

WHEREAS, the City of Trenton seeks to amend its cannabis provisions to penalize illegal cannabis operators and the landlords that support illegal cannabis operations, to ensure the City's legal operators are protected; and

WHEREAS, the City of Trenton requests the assistance of County and State officials to help quell the proliferation of unlicensed and illegal cannabis operations in the City; and

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

Section 1.

Section 146-55 ("Disciplinary Actions; Sanctions; Penalties") of the Code of the City of Trenton is hereby amended as follows (additions are underlined and deletions are ~~struck through~~).

§146-55 Disciplinary Actions; Sanctions; Penalties for Licensed Operators.

(1) Disciplinary actions. ~~Proceedures~~ Penalties for investigation of permit violations and for

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suspension, revocation, or other permit sanctions as a result of any such violation shall be as follows:

- a) First offense: Up to \$250 per violation per day;
 - b) Second offense: Up to \$500 per violation per day;
 - c) Third violation shall result in summary suspension.
- (2) Summary suspension. Notwithstanding the foregoing section, when the City Council has reasonable grounds to believe that a licensee has engaged in deliberate and willful violation of any applicable law or regulation, or that the public health, safety, and/or general welfare has been jeopardized and requires emergency action, the Council may enter a summary suspension order for the immediate suspension of the permit and notice to the Cannabis Regulatory Commission pending further investigation.
- a) The summary suspension order shall be in writing and shall state the reasons therefore. The licensee shall be afforded an opportunity for a hearing as outlined herein.
 - b) The City Council shall convene a review panel. The hearing shall be scheduled within 45 days of the date of the order.
 - c) The review panel is authorized to impose any fines, conditions, restrictions, suspensions, or combination thereof authorized by the State of New Jersey. In the absence of State specified penalties, the City may issue fines up to, but not to exceed, \$2,500 per offense and/or suspension of license for a period not to exceed 6 months.
- (3) Inactive licenses. Following the commencement of retail sales of cannabis or cannabis products, the Administrator may suspend or revoke any permit if a licensed premise has been inactive or unoccupied by the licensee for at least 6 months.
- (4) State license. The Committee may suspend or revoke any permit if the corresponding State license for the subject location is expired, surrendered, suspended, or revoked.

Section 2.

Section 146-56 shall be added to the Code of the City of Trenton as follows:

§ 146-56 Unlicensed cannabis establishments are prohibited.

It is unlawful and it is prohibited to establish or operate a cannabis business in the City of Trenton without first obtaining the proper licensure and permission from both the State of New Jersey and the City of Trenton, as is further outlined in this Article and in the New Jersey Cannabis Regulatory, Enforcement Assistance and Marketplace Modernization Act.

- (1) **Disciplinary actions for operators and owners of unlicensed cannabis establishments.** Any owner and/or operator that is found to operate a cannabis business in the City of Trenton without the proper licensure and permission from both the State of New Jersey and the City of Trenton shall be subject to (a) \$2,000 violation per day; (b)

ORDINANCE

No. 24-052

1st Reading _____

Date to Mayor _____

Public Hearing _____

Date Returned _____

2nd Reading & Passage _____

Date Resubmitted to Council _____

Withdrawn _____

Approved as to Form and Legality

Facial content certified by

WESLEY BRIDGES - LAW DIRECTOR

JAMES BEACH - CHIEF OF STAFF

Councilman/woman _____

_____ presents the following Ordinance:

SPONSORED BY: _____

**ORDINANCE AUTHORIZING THE ACQUISITION OF CERTAIN
REAL PROPERTY(IES), COMMONLY KNOWN AS
817-819, 821, 823 S. WARREN STREET, AND AS REFERENCED ON
THE CITY'S TAX MAPS AS BLOCK 11102 LOTS 21, 22, AND 23**

WHEREAS, there is within the City of Trenton certain real property commonly known as 817-819, 821 and 823 S. Warren Street, and referenced on the City of Trenton Tax Map as Block 11102 Lots 21, 22 and 23 (the "**Property**"); and

WHEREAS, Frances P. Buhler residing at 147 Autumn Chase, Pittsboro, New Jersey 27312, (the "**Owner**", has offered the properties to the City of Trenton for no monetary consideration and has agreed to transfer clear and marketable title to the City, except for municipal charges, if any; and

WHEREAS, it is in the best interest of the City of Trenton to acquire said Property from the Owner to further its redevelopment objectives in the area.

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

ORDINANCE

1. The above recitals are incorporated as if set forth at length herewith.
2. The Mayor and City Clerk are hereby authorized to take all reasonable, necessary, and lawful action, including executing any and all documents, to facilitate the acquisition of title to the aforesaid Property in the manner and subject to the terms and conditions specified, and to cancel any and all municipal charges as defined in N.J.S.A. 54:4-110 upon transfer of title to the City.
3. This Ordinance shall take effect upon final adoption and publication in accordance with law.

INTRODUCTION:	MOTION:				SECOND:				ORD. AUTHORED BY:	ADOPTION				MOTION:				SECOND:																			
																						INTRODUCTION				ADOPTION				INTRODUCTION				ADOPTION			
																						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
REFLECTED

Reconsidered by Council - Override Vote

AYE
NAY

President of Council

City Clerk

ORDINANCE

No. 24-053

1st Reading _____
 Public Hearing _____
 2nd Reading & Passage _____
 Withdrawn _____

Date to Mayor _____
 Date Returned _____
 Date Resubmitted to Council _____

Approved as to Form and Legality

Wesley Bridges, City Attorney

Factual content certified by

Adam E. Cruz, Business Administrator

Councilman/woman _____ presents the following Ordinance:

SPONSORED BY: _____

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

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

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

SUPPLEMENT SCHEDULE A

<u>TITLE</u>	<u>UNION/RANGE</u>	<u>SALARY RANGE</u>
Assistant Supervisor of Billing & Collecting	Local 2281: Range 11	\$76,189 to \$104,863
Equipment Operator	Local 2286; Range [17] <u>26</u>	[\$49,088] \$52,209 to [\$62,774] \$67,240
Heavy Equipment Operator	Local 2286; Range [26] <u>33</u>	[\$52,209] \$57,058 to [\$67,240] \$80,179
Laborer 2	Local 2286; Range [36] <u>37</u>	[\$59,466] \$62,415 to [\$77,645] \$90,186
Mechanic	Local 2286; Range [28] <u>36</u>	[\$53,896] \$59,466 to [\$69,667] \$77,645
Senior Mechanic	Local 2286; Range [31] <u>42</u>	[\$55,651] \$63,695 to [\$72,213] \$83,644
Supervising Mechanic	Local 2286; Range [36] <u>45</u>	[\$59,466] \$67,186 to [\$77,645] \$94,675

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

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

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

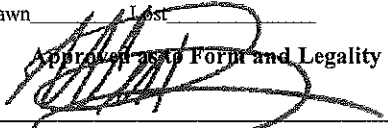
President of Council _____

City Clerk _____

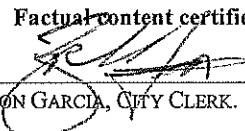
ORDINANCE

No. 24-054
Date to Mayor _____
Date Returned _____
Date Resubmitted to Council _____

1st Reading _____
Public Hearing _____
2nd Reading & Passage _____
Withdrawn _____ Lost _____

Approved as to Form and Legality


WESLEY BRIDGES, ESQ., CITY ATTORNEY

Factual content certified by


BRANDON GARCIA, CITY CLERK.

COUNCILMAN / WOMAN _____ YAZMINELLY GONZALEZ _____ PRESENTS THE FOLLOWING ORDINANCE:

SPONSORED BY: _____

AN ORDINANCE ESTABLISHING A PROGRAM FOR THE DISSEMINATION OF CERTAIN FORMS IN SPANISH, POLISH, LIBERIAN, FRENCH CREOLE AND HAITIAN

WHEREAS, the City of Trenton is a diverse community, with a large segment of its residents who speak various languages; and

WHEREAS, effective communication with our residents is crucial to fostering inclusivity, understanding, and unity within our community, and linguistic diversity enhances the cultural richness of the City by providing a sense of belonging for all residents; and

WHEREAS, on June 6, 2024, the Trenton City Council adopted "A Resolution Endorsing State Legislation Mandating State Agencies to Offer Documents and Websites in a Multilingual Format and Urging the City of Trenton to Enact an Ordinance Providing Translation into the Spanish, Polish, Liberian, French/Creole and Haitian Languages as to Certain Documents and Websites (Resolution No. 24-238); and

WHEREAS, providing official City forms in multiple languages will ensure that all residents have equal access to and understanding of essential services, resources, and civic engagement opportunities, and underscores the City of Trenton's unwavering commitment to embracing the inherent benefits of a diverse citizenry.

IT IS HEREBY ORDAINED by the City Council of the City of Trenton that there is hereby created a program, whereby the various departments in the City shall select certain forms to be translated into Spanish, Polish, Liberian, French Creole and Haitian; and

IT IS FURTHER ORDAINED that the information and documentation referenced above shall include but not be limited to the City's Website; platforms; official notices regarding available resources and opportunities; violations; fines; applications; tax sales; notices of cancellations or approvals; official advertisements; complaint forms; intake forms; letters or notices pertaining to eligibility for services or benefits, or which pertain to rights or to the reduction, denial or termination of services or benefits or which require a response from the person who may have limited English proficiency; general information; events; and any other matters that affect or provide legal information about access to, retention of or exclusion from program services or benefits which are required by law, or which explain legal rights; and

IT IS FURTHER ORDAINED that the information and documentation referenced above shall not include vital records or certified copies thereof, including birth certificates, marriage licenses, death certificates or government issued licenses or permits; and

ORDINANCE

IT IS FURTHER ORDAINED that the Administration and all City Departments, Offices, Boards and Commissions shall implement and effectuate the foregoing by January 1, 2025, and are hereby empowered to take all necessary action to ensure that the mandates of this ordinance are fully implemented; and

IT IS FURTHER ORDAINED that in the event any section of this Ordinance is deemed invalid, the remainder of said Ordinance shall remain in full force and effect; and

IT IS FURTHER ORDAINED that any Ordinances, Resolutions or City Policies inconsistent with the provisions hereof are hereby repealed and invalidated to the extent of such inconsistencies; and

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

President of Council

City Clerk