

**DOCKET FOR CONFERENCE MEETING
TUESDAY, APRIL 16, 2024**

1. MINUTES FOR APPROVAL

i. FEBRUARY 20, 2024

ii. FEBRUARY 22, 2024

2. COMMUNICATIONS AND PETITIONS

- 2a Civil Action Summons Compliant and Jury Demand– Filed by Glen Levora, Esquire, Jonathan D’Agostino & Associates, PC, 3309 Richmond Avenue, Staten Island, New York 10312 – Filed by Isidro Ruiz and Rocio Ruiz Cajas Garcia vs. Troy Wright and/or John Does 1-10; City of Trenton and/or ABC Companies 1-10 (being fictitious entities unknown at this time), City of Trenton Department of Sanitation/Division of Solid Waste Management and/or ABC Companies 11-20 (being fictitious entities unknown at this time), City of Trenton Department of Public Works and/or ABC Companies 21-30 (being fictitious entities unknown at this time).
- 2b Civil Notice of Order Dismissing Case – United States Bankruptcy Court Middle District of North Carolina - In the Matter of Michele D. Foust.
- 2c Civil Action Notice of Motion for the Entry of An Order Setting Time, Place and Amount of Redemption – Filed by Deborah Feldstein, Esquire, Pellegrino & Feldstein, LLC, 290 West Route 46, Denville, New Jersey – Representing Avalon Management Group, Inc vs. Passaic Street Housing, LLC; City of Trenton, et. als.
- 2d Interim Order of the Government Records Council and the Findings & Recommendations of the Executive Director re: John Paff vs. City of Trenton.
- 2e Civil Action Summons Complaint & Jury Demand – Filed by Jeffrey D. Catrambone, Esquire, Sciarra & Catrambone, LLC, 1130 Clifton Avenue, Clifton, New Jersey – Representing Herbert Flowers vs City of Trenton.
- 2f Civil Action Summons Complaint – Filed by Anthony D. Giannascoli, Esquire, Lamb McErlane, Pc, 2000 Atrium Way, Suite 200, Mount Laurel, New Jersey – Representing Zaruri, LLC vs. Caroline Potter, her heirs, the State of New Jersey, Louise Potter, Executrix of the Estate and known heir, Lawrence Potter, known heir, Randolph Dunlap, known heir, City of Trenton; NJTL Capital, LLC and Allegheny AA Bail Bonds, Inc.
- 2g Civil Action Foreclosure Complaint – Filed by Deborah T. Feldstein, Esquire, Pellegrino & Feldstein, LLC, 290 Route 46 West, Denville, New Jersey – Representing Zaruri, LLC vs. Lizzie Mae Warner, Her Heirs, Devisees and Personal Representatives and His, Her, their or any of Their Successors in Right, Title and Interest; Brenda D. Mapp; et. als.
- 2h Tort Claim Notice for Personal Injury – Filed by Michael T. Heck, Esquire, Epstein Ostrove1898 Route 33, Hamilton, New Jersey – Representing Kamue Gbelama vs. Courtney P. Boone, City of Trenton, et. als.
- 2i Tort Claim Notice for Property Damage – Filed by Errol Fearon, 153 Phillips Avenue, Trenton, New Jersey – Against the City of Trenton.
- 2j Tort Claim Notice for Property Damage – Filed by Adam M. Kotlar, Esquire, Kotlar, Hernandez & Cohen, Law Offices, 16000 Commerce Parkway, Suite C, Mount Laurel, New Jersey – Representing Theresa Ragolia – Against the City of Trenton.
- 2k Tort Claim Notice for Personal Damage – Filed by Harold J. Gerr, Esquire, 47 Raritan Avenue, Highland Park, New Jersey – Representing Nana Ntiamoah, 19 Manchester Way, Burlington, New Jersey – Against the City of Trenton.
- 2l Notice of Filing of Summons and Complaint in Foreclosure – Filed by Stern & Eisenberg, PC, 1120 Route 73, Suite 400, Mt. Laurel, New Jersey – Property Address: 400 Reservoir Street, Trenton, New Jersey 08618-3625, Block 4401, Lot 12.

- 2m Classification Exception Area Notification – PSEG Former Brunswick Avenue Gas Works Site aka Mercer Wrecking Company, New York Avenue and Sylvester Stret, Trenton, New Jersey. Program ID # 033948, Remedial Action Permit # 180001.
- 2n Classification Exception Area/Well Restriction Area Associated with Historic Fill. Address: 480 Lalor Street, Trenton, Mercer County, New Jersey. Program Interest Number: PI# 1006026, Subject Item ID # CEA10000000001.
- 2o Viridian Response Action Outcome, Remedial Action Type: Limited Restricted Use with Permit Requirements. Scope of Remediation: ISRA Industrial Establishment as defined according to NJAC 7:26B Entire Site. Case# Liberty Circle F. Inc, 39-51 Meade Street, Trenton, Mercer County, Block 21501, Lots 6,7, 8, 29, 30 & 30.01. Preferred ID: G000006149. ISRA Transaction: Cessation of Operations & Sale of Property. ISRA Case # E20170199 & E20170200.
- 2p Final Equalization Table, County of Mercer for the Year 2024. Percentage Level of Taxable Value of Real Property.
- 2q Notice of Public Service Electric and Gas Company electric Customers: In the Matter of the Petition of public Service electric and Gas Company’s for Approval of Incremental COVID-19 Costs for Recovery Through a New Special Purpose Clause, and for Authorization to Recover Uncollectible Costs for Gas Through the Societal Benefits Charge.
- 2r State of New Jersey Department of Transportation - Announcement that applications will now be accepted for NJDOT Fiscal Year 2024 Mobility and Transportation Innovation Pilot Program (MATIP).
- 2s Civil Action Summons on Application to Confirm an Arbitration Award Entered Under PERC Docket # AR-2023-309.
- 2t Tort Claim Notice for Property Damage Filed by Edison B. Rivera – Against the City of Trenton.
- 2u Tort Claim Notice for Property Damage Filed by Jamiah Boateng – Against the City of Trenton.

3. REPORTS

NONE

4. ORDINANCES - 2nd Reading and Public Hearing

24-023 ORDINANCE AUTHORIZING THE HONORARY NAME OF JOSEPH AND MARY RAVENELL WAY TO NEW ROSE STREET

5. RESOLUTIONS

CITY CLERK’S OFFICE

- 24-136 RESOLUTION APPOINTING MEMBERS TO THE TRENTON ETHICS BOARD (WINSTON MILLS)
- 24-151 RESOLUTION APPOINTING MEMBERS TO THE TRENTON ETHICS BOARD (ERICKA PRESSLEY)
- 24-152 RESOLUTION APPOINTING MEMBERS TO THE TRENTON ZONING BOARD (FRED COSTANZO AND MICHAEL RAAB)
- 24-155 RESOLUTION APPOINTING A COUNCIL MEMBER LIAISONS TO A BOARD OF COMMISSION (TESKA T. FRISBY)

24-156 AUTHORIZING THE CITY COUNCIL OF THE CITY OF TRENTON TO HOLD AN EXECUTIVE SESSION WHICH EXCLUDES THE PUBLIC (HEIDI-US CHAN V. CITY OF TRENTON)

DEPARTMENT OF ADMINISTRATION, ADAM E. CRUZ, BUSINESS ADMINISTRATOR

- 24-137 RESOLUTION AUTHORIZING THE APPROPRIATION OF \$2,500,000 FROM THE FUNDS ALLOCATED TO THE CITY OF TRENTON UNDER THE AMERICAN RESCUE PLAN ACT OF 2021 FOR HIRING AND PAYMENT OF SEASONAL WORKERS
- 24-138 RESOLUTION AUTHORIZING THE APPROPRIATION OF \$2,500,000 FROM THE FUNDS ALLOCATED TO THE CITY OF TRENTON UNDER THE AMERICAN RESCUE PLAN ACT OF 2021 FOR REPAIR AND IMPROVEMENT OF VARIOUS CITY BUILDINGS
- 24-139 RESOLUTION AUTHORIZING THE APPROPRIATION OF \$1,000,000.00 FROM THE FUNDS ALLOCATED TO THE CITY OF TRENTON UNDER THE AMERICAN RESCUE PLAN ACT OF 2021 FOR THE PURCHASE OF HOT MIX ASPHALT FOR REPAVING STREETS IN THE CITY OF TRENTON
- 24-140 RESOLUTION AUTHORIZING TEMPORARY EMERGENCY APPROPRIATIONS IN THE AMOUNT OF \$88,209,590.26 TO THE CY 2024 TEMPORARY CURRENT FUND BUDGET OF THE CITY OF TRENTON
- 24-141 RESOLUTION AMENDING RESOLUTION 23-244 AUTHORIZING DEFERRING BALANCE OF PILOT PAYMENTS AND MUNICIPAL PAYMENT FOR WATER AND SEWER FOR BLOCK 9904, LOT 1 – 107 MARKET STREET A/K/A 88 COOPER STREET, TRENTON, NEW JERSEY
- 24-153 RESOLUTION AUTHORIZING THE CITY OF TRENTON, COUNTY OF MERCER, NEW JERSEY, IN THE ACCEPTANCE AND SETTING FORTH MINIMUM CONDITIONS OF THE MEMORANDUM OF UNDERSTANDING (MOU) ON THE RECEIPT OF CALENDAR YEAR 2023 CAPITAL CITY AID, IN THE AMOUNT OF \$10,000,000.00

DEPARTMENT OF LAW, WES BRIDGES, DIRECTOR

- 24-154 RESOLUTION AUTHORIZING SETTLEMENT OF A CIVIL ACTION IN THE MATTER OF HEIDI-US CHAN V. CITY OF TRENTON, IN THE TOTAL AMOUNT OF \$935,000.00

DEPARTMENT OF FINANCE

- 24-143 RESOLUTION AUTHORIZING THE CITY OF TRENTON TO ISSUE 27 TAX REFUNDS TOTALING \$54,903.56
- 24-144 RESOLUTION AUTHORIZING AND DIRECTING THE FORECLOSURE OF 1 TAX SALE CERTIFICATE PURSUANT TO THE IN-REM FORECLOSURE ACT
- 24-145 RESOLUTION AUTHORIZING THE TAX COLLECTOR OF THE CITY OF TRENTON TO FACILITATE AND EXECUTE INSTALLMENT PAYMENT AGREEMENTS ON CITY HELD LIENS

- 24-146 RESOLUTION AUTHORIZING THE CITY OF TRENTON TO CANCEL BALANCES/CREDITS +/- \$10.00
- 24-147 RESOLUTION AUTHORIZING THE CITY OF TRENTON TO CONDUCT AN ACCELERATED ELECTRONIC TAX SALE PRIOR TO DECEMBER 31, 2024 AND TO CHARGE TAX SALE MAILING FEES

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

- 24-148 RESOLUTION AUTHORIZING THE EXECUTION OF A PARTNERSHIP AGREEMENT BETWEEN THE CITY OF TRENTON AND ISLES, INC. FOR IMPLEMENTATION OF THE US ENVIRONMENTAL PROTECTION AGENCY'S ENVIRONMENTAL AND CLIMATE JUSTICE COMMUNITY CHANGE GRANT PROGRAM IN THE EAST TRENTON NEIGHBORHOOD

**DEPARTMENT OF HOUSING & ECONOMIC DEVELOPMENT
MASSIEL M. FERRARA, INTERM DIRECTOR**

- 24-126 RESOLUTION AMENDING RESOLUTION 24-023 DESIGNATING TRENTON DEVELOPMENT 11756, LLC, AS REDEVELOPER OF VARIOUS PROPERTIES (44 BREUNIG AVENUE, 317, 319, 321, 323 ST JOES AVENUE AND 14 GENERAL GREEN AVENUE) AND FURTHER DESIGNATING TRENTON DEVELOPMENT 11756, LLC, AS REDEVELOPER OF 28 HART AVENUE AND TO AUTHORIZE THE EXECUTION OF A REDEVELOPMENT AND PURCHASE AGREEMENT FOR THOSE PROPERTIES LOCATED WITHIN THE NORTH CLINTON AVENUE AND THE HERMITAGE AVENUE REDEVELOPMENT AREAS FOR THE TOTAL PURCHASE PRICE OF \$63,000.00
- 24-149 RESOLUTION AWARDED CONTRACTS THROUGH A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.4 ET SEQ., TO MULTIPLE RESPONDENTS FOR LIVE AND ONLINE AUCTION SERVICES FOR THE CITY OF TRENTON BY AND THROUGH THE DEPARTMENT OF HOUSING AND ECONOMIC DEVELOPMENT, DIVISION OF REAL ESTATE AND PROPERTY MANAGEMENT FOR A CONTRACTOR'S FEE, WHICH WILL BE PAID FROM A BUYER'S PREMIUM AND MAY NOT EXCEED SEVEN PERCENT (7%), AND FOR A PERIOD OF ONE (1) YEAR FROM DATE OF AWARD PER REP2023-26

DEPARTMENT OF WATER AND SEWER, SEAN SEMPLE, DIRECTOR

- 24-150 RESOLUTION AUTHORIZING THE REIMBURSEMENT TO COMMUNITY EDUCATION CENTERS, INC. FOR THE OVERPAYMENT OF WATER AND SEWER CHARGES IN AN TOTAL AMOUNT NOT TO EXCEED \$94,280.74

6. ORDINANCES - 1st Reading and Introduction

- 24-014 AN ORDINANCE OF THE CITY OF TRENTON AMENDING CHAPTER 10, "ALCOHOLIC BEVERAGES," SECTION 10-5, "RESTRICTIONS," OF THE CODE OF THE CITY OF TRENTON TO PERMIT A WAIVER OF DISTANCE RESTRICTIONS UNDER CERTAIN CIRCUMSTANCES
- 24-018 ORDINANCE AUTHORIZING THE SALE OF CITY-OWNED PROPERTY COMMONLY KNOWN AS BAKER ALLEY, AND IDENTIFIED ON THE CITY TAX MAP, BLOCK 23803, LOT 19, PURSUANT TO N.J.S.A. 40A:12-13(B)(5), TO EL CATADOR BAR & GRILL FOR THE SALE PRICE OF ONE THOUSAND (\$1,000,00) DOLLARS
- 24-026 AN ORDINANCE TO REVISE CERTAIN POSITIONS, FIXING THE SALARY RANGES, THEREFORE, AND SETTING CERTAIN REGULATIONS FOR THE IMPLEMENTATION OF THE SAME (CONSTRUCTION OFFICIAL)
- 24-028 AN ORDINANCE TO AMEND CHAPTER 222 OF THE CODE OF THE CITY OF TRENTON ("RENT CONTROL") TO FIX RENTAL INCREASE AT FOUR PERCENT
- 24-029 AN ORDINANCE OF THE CITY OF TRENTON TO ADOPT NJDEP'S MODEL ORDINANCE REGARDING ILLICIT CONNECTIONS TO THE MUNICIPAL SEPARATE STORM SEWER SYSTEM AND TO AMEND CHAPTER 254 OF THE CODE OF THE CITY OF TRENTON
- 24-030 AN ORDINANCE OF THE CITY OF TRENTON TO ADOPT NJDEP'S MODEL ORDINANCE REGARDING LITTERING AND TO AMEND CHAPTER 150 OF THE CODE OF THE CITY OF TRENTON
- 24-031 AN ORDINANCE OF THE CITY OF TRENTON TO ADOPT NJDEP'S MODEL ORDINANCE REGARDING PET WASTE AND TO AMEND CHAPTER 21 OF THE CODE OF THE CITY OF TRENTON
- 24-032 AN ORDINANCE OF THE CITY OF TRENTON TO ADOPT NJDEP'S MODEL ORDINANCE REGARDING FEEDING OF WILDLIFE AND TO AMEND CHAPTER 21 OF THE CODE OF THE CITY OF TRENTON
- 24-033 AN ORDINANCE OF THE CITY OF TRENTON TO ADOPT NJDEP'S MODEL ORDINANCE REGARDING PRIVATELY-OWNED REFUSE CONTAINERS AND DUMPSTERS AND TO AMEND CHAPTER 254 OF THE CODE OF THE CITY OF TRENTON
- 24-034 AN ORDINANCE OF THE CITY OF TRENTON TO ADOPT NJDEP'S MODEL ORDINANCE REGARDING YARD WASTE AND TO AMEND CHAPTER 312 AND 248 OF THE CODE OF THE CITY OF TRENTON
- 24-035 AN ORDINANCE OF THE CITY OF TRENTON TO ADOPT NJDEP'S MODEL ORDINANCE REGARDING SPILLING, DUMPING OR DISPOSAL OF MATERIALS OTHER THAN STORMWATER AND TO AMEND CHAPTER 254 OF THE CODE OF THE CITY OF TRENTON
- 24-036 AN ORDINANCE OF THE CITY OF TRENTON TO ADOPT NJDEP'S MODEL

ORDINANCE REGARDING PRIVATELY-OWNED SALT STORAGE AND TO AMEND
CHAPTER 254 OF THE CODE OF THE CITY OF TRENTON

- 24-037 AN ORDINANCE OF THE CITY OF TRENTON TO ADOPT NJDEP'S MODEL
ORDINANCE REGARDING RETROFITTING OF STORM DRAIN INLETS AND TO
AMEND CHAPTER 254 OF THE CODE OF THE CITY OF TRENTON

Public Hearing and 2nd Reading for Ordinances to be held on May 9, 2024.

5. RESOLUTION TO ENTER EXECUTIVE SESSION

- 24-156 AUTHORIZING THE CITY COUNCIL OF THE CITY OF TRENTON TO HOLD AN
EXECUTIVE SESSION WHICH EXCLUDES THE PUBLIC (HEIDI-US CHAN V. CITY OF
TRENTON)
- 24-154 RESOLUTION AUTHORIZING SETTLEMENT OF A CIVIL ACTION IN THE MATTER
OF HEIDI-US CHAN V. CITY OF TRENTON, IN THE TOTAL AMOUNT OF \$935,000.00

RESOLUTION

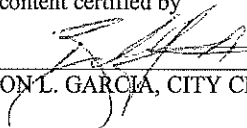
No. 24-156

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 April 16, 2024 at 5:30 p.m. that will be limited to consideration of an item or items with respect to which the public may be excluded pursuant to section 7b of the Open Public Meetings Act (N.J.S.A. 10:4-12)

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

Pending Litigation

RESOLUTION AUTHORIZING SETTLEMENT OF A CIVIL ACTION IN THE MATTER OF HEIDI-US CHAN V. CITY OF TRENTON, IN THE TOTAL AMOUNT OF \$935,000.00

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					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

ORDINANCE


No. 24-023


1st Reading APR 04 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

Councilman /woman  presents the following Ordinance:

AN ORDINANCE AUTHORIZING THE HONORARY STREET NAMING OF NEW ROSE STREET TO BISHOP JOSEPH AND MARY RAVENELL WAY

WHEREAS, On September 11, 1965, Bishop Joseph Ravenell married the late Elder Mary Jane Ravenell and together they pastored the Samaritan Baptist Church beginning April 16, 1979; and

WHEREAS, Bishop Ravenell received his Master of Divinity Degree from Princeton Theological Seminary in 1976; and

WHEREAS, Bishop Ravenell served as the Chaplin Supervisor of New Jersey State Prison until his retirement in 1994 and as Chaplain Lieutenant Colonel until his retirement from the military in 2000; and

WHEREAS, Bishop Ravenell has mentored 180 seminary students who are serving in various parts of the world; and

WHEREAS, Bishop Ravenell has been very involved in the community in many ways, including but not limited to facilitating a weekly food and clothing program, a weekly program for youth between the ages of 3 and 18, and a youth summer Christian Bible Camp; and

WHEREAS the City Council of the City of Trenton has determined that it is proper and fitting to honor Bishop and Mary Ravenell by the Honorary Street naming of New Rose Street to Bishop Joseph and Mary Ravenell Way; and

WHEREAS, the provision of Ordinance 18-76 governing honorary street naming have been complied with;

RESOLUTION No. 24-126

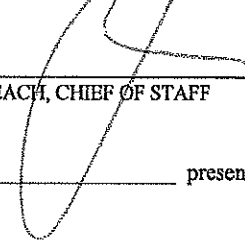
Date of Adoption _____

Approved as to Form and Legality

Factual content certified by



WESLEY BRIDGES, CITY ATTORNEY



JIM BEACH, CHIEF OF STAFF

Councilman/woman _____ presents the following Resolution:

RESOLUTION AMENDING RESOLUTION 24-023 DESIGNATING TRENTON DEVELOPMENT 11756 LLC., AS REDEVELOPER OF VARIOUS PROPERTIES (44 BREUNIG AVENUE, 317, 319, 321, 323 ST JOES AVENUE AND 14 GENERAL GREEN AVENUE) AND FURTHER DESIGNATING TRENTON DEVELOPMENT 11756 LLC. AS REDEVELOPER OF 28 HART AVENUE AND TO AUTHORIZE THE EXECUTION OF A REDEVELOPMENT AND PURCHASE AGREEMENT FOR THOSE PROPERTIES LOCATED WITHIN THE NORTH CLINTON AVENUE AND THE HERMITAGE AVENUE REDEVELOPMENT AREAS FOR THE TOTAL PURCHASE PRICE OF \$63,000.00

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

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

WHEREAS, pursuant to Resolution 24-023, Trenton Redevelopment 11756 LLC., (the "Redeveloper") was authorized to purchase and redevelop Block 22504, Lot 53; Block 22504, Lot/s 40, 39, 38 37; Block 3202, Lot 58 commonly known as 44 Breunig Avenue, 317, 319, 321, 323 St Joes Avenue and 14 General Green Avenue (the "Properties"); and

WHEREAS, per Resolution 24-023, it was proposed that the Redeveloper pay the following for each of the Properties:

44 Bruenig Avenue - \$10,000.00 (Ten Thousand Dollars)	\$10,000.00
317, 319, 321, 323 St. Joes Avenue (\$3,000.00 per (Three Thousand Dollars))	12,000.00
14 General Green Avenue - \$8,000.00 (Eight Thousand Dollars)	<u>8,000.00</u>
ALL TOTALING (Thirty Thousand Dollars)	\$30,000.00

WHEREAS, in Attachment "A" to Resolution 24-023 (the Application to Purchase City-Owned Property), the Redeveloper had also proposed to purchase and redevelop Block 21403, Lot 15, commonly known as 28 Hart Avenue, but that property was mistakenly stricken from the Application; and

RESOLUTION

WHEREAS, the Redeveloper seeks to purchase and develop 28 Hart Avenue, but upon inspection of the properties on St Joes Avenue, found them to be severely damaged, including total collapse of the roofs and the upper floors; and

WHEREAS, the Redeveloper proposes to pay **\$50,000.00 (Fifty Thousand Dollars)** for 28 Hart Avenue, but also seeks the City's agreement to reduce the proposed prices for the properties in Resolution 24-023 as follows:

44 Bruenig Avenue - \$5,000.00 (Five Thousand Dollars)

317, 319, 321, 323 St Joes Avenue (\$1,000.00 per (One Thousand Dollars))

14 General Green Avenue - \$4,000.00 (Four Thousand Dollars)

WHEREAS, the total price of the purchase, including 28 Hart Avenue and the amended prices for the properties in Resolution 24-023 is **\$63,000.00 (Sixty-Three Thousand Dollars)**; and

WHEREAS, in accordance with the Redevelopment Plan, among other things, the Redeveloper has proposed to renovate the Properties, including 28 Hart Avenue, and make them available on the local rental market; and

WHEREAS, the City wishes to designate the Redeveloper as the redeveloper of the Properties, including 28 Hart Avenue, and to commence negotiations of a redevelopment agreement, including the terms of transfer of the Properties at the amended prices indicated herein.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Trenton, County of Mercer, State of New Jersey ("City Council") as follows:

- (1) The aforementioned recitals are incorporated by reference as though fully set forth herein; and
- (2) Trenton Redevelopment 11756 LLC., is hereby designated as Redeveloper for certain city-owned properties identified on the City's tax maps as Block 22504, Lot 53; Block 22504, Lot/s 40, 39, 38 37; Block 3202, Lot 58, and Block 21403, Lot 15, commonly known as 44 Breunig Avenue, 317, 319, 321, 323 St Joes Avenue, 14 General Green Avenue, and 28 Hart Avenue, respectively; and
- (3) The negotiated Purchase and Sale and Redevelopment Agreement ("PASARA"), attached hereto as Attachment "B", between the City and the Redeveloper is hereby approved; and
- (4) The Mayor and the City Clerk of the City of Trenton are hereby authorized to take all actions to execute the PASARA, and any and all documents necessary to effectuate the transfer and redevelopment of the City-Owned Properties defined herein; and

RESOLUTION

(5) 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					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

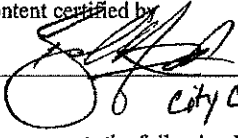
RESOLUTION No. 24-136

Date of Adoption _____

Approved as to Form and Legality

Factual content certified by

CITY ATTORNEY



City Clerk

Councilman/woman _____ presents the following Resolution:

RESOLUTION APPOINTING MEMBERS TO THE TRENTON ETHICS BOARD

WHEREAS, pursuant N.J.S.A. 40A:9-22.1 et seq., the City of Trenton has established a Municipal Ethics Board; and,

WHEREAS, the Trenton Ethics Board shall consist of six members, who are residents of Trenton, appointed by the Governing Body by virtue of their known and consistent reputation for integrity and their knowledge of local government affairs; and,

WHEREAS, a vacancy currently exists in the Trenton Ethics Board; and

WHEREAS, Winston Mills is a Trenton City resident and a Trenton Central High School graduate. He has expressed interest in being appointed to serve on the Trenton Ethics Board.

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the City of Trenton in the County of Mercer, State of New Jersey, that Winston Mills is hereby appointed to the Trenton Ethics Board for the unexpired term ending December 30, 2028

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. 24-137

Approved as to Form and Legality

Wesley Bridges, City Attorney

Councilman /woman

Date of Adoption

Factual content certified by

Adam Cruz, Business Administrator

presents the following Resolution:

**RESOLUTION AUTHORIZING THE APPROPRIATION OF \$ 2,500,000
FROM THE FUNDS ALLOCATED TO THE CITY OF TRENTON UNDER
THE AMERICAN RESCUE PLAN ACT OF 2021 FOR
HIRING AND PAYMENT OF SEASONAL WORKERS**

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 (City) over the next two years, with \$36,456,999 having been distributed during the 2021 calendar year and \$36,456,999.00 having been distributed during the 2022 calendar year; and

WHEREAS, the Final Rule for the CSLFRF promulgated by the DOT, 31 CFR Part 35 (Final Rule), authorizes the use of payments from the Fiscal Recovery Funds "to respond to the public health emergency or its negative impacts, including assistance to households, small businesses, and nonprofits . . ."; and

WHEREAS, the Final Rule has issued further guidance clarifying that "investments in parks, public plazas, and other public outdoor recreation spaces may be responsive to the needs of disproportionately impacted communities by promoting healthier living environments"; and

WHEREAS, the Final Rule has enumerated eligible uses to include development of parks, green spaces, recreational facilities, sidewalks, and projects that increase access to neighborhood cleanup and other projects to revitalize public spaces; and

WHEREAS, the City Department of Public Works seeks to hire seasonal workers to provide reliable support and scheduling backup for the maintenance of streets, public property, and solid waste removal; and

WHEREAS, the City Department of Parks and Recreation seeks to hire seasonal workers to provide support for the maintenance of park and facility restroom and grounds, as well as park security and administrative support; and

WHEREAS, other City departments seek to hire seasonal workers to help as administrative support staff and in field operations; and

RESOLUTION

No. _____

NOW, THEREFORE, IT IS RESOLVED by the City of Trenton that ARPA-21 funds totaling **\$2,500,000** shall be appropriated to pay payroll and payroll taxes for seasonal employees.

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

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

President of Council

City Clerk

CITY OF TRENTON
DEPARTMENT OF FINANCE

CERTIFICATION OF FUNDS

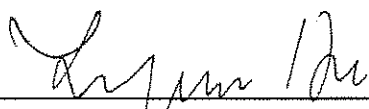
I, Lynn Au, Acting Chief Financial Officer of the City of Trenton, do hereby certify, to the best of my knowledge and belief, that there are now sufficient funds to:

APPROPRIATION FOR HIRING AND PAYMENT OF SEASONAL WORKERS

Fund: **AMERICAN RESCUE PLAN GRANT**

Account Numbers: **R-SH- -70-7010-101-**

Amount not to exceed: **\$2,500,000**



Acting Chief Financial Officer

4/1/2024

Date

RESOLUTION

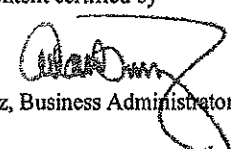
No. 24-138

Date of Adoption _____

Approved as to Form and Legality

Factual content certified by


Wesley Bridges, City Attorney


Adam Cruz, Business Administrator

Councilman /woman _____

_____ presents the following Resolution:

**RESOLUTION AUTHORIZING THE APPROPRIATION OF \$ 2,500,000.00
FROM THE FUNDS ALLOCATED TO THE CITY OF TRENTON UNDER
THE AMERICAN RESCUE PLAN ACT OF 2021 FOR
REPAIR AND IMPROVEMENT OF VARIOUS CITY BUILDINGS**

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;

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”;

WHEREAS, the State and Local Fiscal Recovery Program (SLFRP) established by ARPA-21 provides \$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;

WHEREAS, Final Rule for the SLFRP promulgated by the DOT 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”;

WHEREAS, the Final Rule recognizes “the economic impacts of COVID-19 have likely been most acute in lower-income neighborhoods, including concentrated areas of high unemployment, limited economic opportunity, and housing insecurity”;

WHEREAS, the Final Rule further provides that “recipients may use payments from the Fiscal Recovery Funds to facilitate access to resources that improve health outcomes, including services that connect residents with health care resources and public assistance programs and build healthier environments”;

WHEREAS, the Final Rule for the SLFRF promulgated by the DOT includes as “enumerated eligible uses in disproportionately impacted communities . . . projects that increase access to healthy foods, streetlights, neighborhood cleanup, and **other projects to revitalize public spaces**” (emphasis added); 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, as a Qualified Census Tract, the City of Trenton is by definition a “disproportionately impacted community” of the pandemic; and

RESOLUTION

WHEREAS, as a Qualified Census Tract, the City of Trenton is by definition a “disproportionately impacted community” of the pandemic; and

WHEREAS, the condition of the roofs in several City Buildings are in immediate need of repair and will continue to deteriorate and cause other damage if not addressed, specifically including:

- City Hall (roof and facade)
- City Hall Council Chambers (ceiling and walls)
- Traffic & Transportation Building (roof)
- Street Yard Building (Roof)

NOW THEREFORE BE IT RESOLVED by the Mayor and City Council for the City of Trenton, County of Mercer, State of New Jersey that the Department of Public Works is to submit to the Administration a capital improvement plan that addresses the repairs and improvements outlined in the preceding paragraph; and

BE IT FURTHER RESOLVED, that the Trenton Department of Finance shall be authorized to take all required actions to appropriate funds in an amount not to exceed \$ 2,500,000.00 from ARPA-21 funds received by the City of Trenton through the City Budget in account R-01- -xx-xxxx-xxx in order to create, promulgate and implement the actions outlined above.

	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent
EDWARDS					GONZALEZ					FELICIANO				
FIGUEROA KETTENBERG					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

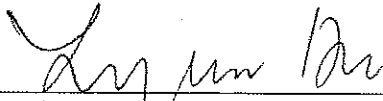
I, Lynn Au, Acting Chief Financial Officer of the City of Trenton, do hereby certify, to the best of my knowledge and belief, that there are now sufficient funds to:

Purpose: GRANT TO MAKE CAPITAL IMPROVEMENTS TO CITY BUILDINGS

Fund: GRANT

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

Amount not to exceed: \$ 2,500,000.00



Lynn Au
Acting Chief Financial Officer
City of Trenton

4/5/2024

Date

RESOLUTION No. 24-139

Date of Adoption _____

Approved as to form and legality

Factual content certified by

WESLEY BRIDGES, CITY ATTORNEY

ADAM CRUZ, BUSINESS ADMINISTRATOR

Councilman/woman _____ presents the following Resolution:

**RESOLUTION TO AUTHORIZING THE APPROPRIATION OF \$1,000,000.00
FROM THE FUNDS ALLOCATED TO THE CITY OF TRENTON UNDER
THE AMERICAN RESCUE PLAN ACT OF 2021 FOR
THE PURCHASE OF HOT MIX ASPHALT FOR REPAVING STREETS IN THE CITY OF
TRENTON**

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 includes among the eligible expenditures, investments in communities to promote improved health outcomes and public safety; 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 streets and alleys of the City of Trenton are in poor condition in many areas and neighborhoods, including City parks; and

WHEREAS, the streets and alleys need to be milled and repaved at a great expense, including the cost of hot mix asphalt for resurfacing; and

WHEREAS, the resurfaced roads and alleys will aid in an effort to mitigate the traffic dangers, including areas around parks and schools where children are frequently present; and

RESOLUTION

WHEREAS, the cost of the hot mix asphalt to complete the current repaving projects in the City is \$1,000,000.00.

NOW THEREFORE BE IT RESOLVED by the City of Trenton that ARPA-21 funds in the amount not to exceed \$1,000,000.00 shall be appropriated for the purchase of hot mix asphalt; and

BE IT FURTHER RESOLVED that:

- 1) The Department of Finance shall be authorized to take all required actions to appropriate funds in an amount not to exceed \$1,000,000.00 from ARPA-21 funds received by the City of Trenton through Account R-01- -xx-xxxx-xxx.
- 2) The Public Works Department shall retain all records in accordance with the Final Rule and accompanying guidance.

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

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

President of Council

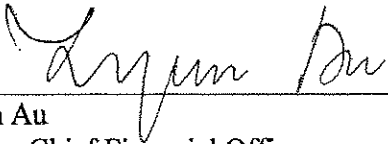
City Clerk

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:

Purpose: PURCHASE OF HOT MIX ASPHALT
Fund: GRANT
Account Numbers: R-01- -xx-xxxx-xxx
Amount not to exceed: \$1,000,000.00



Lynn Au
Acting Chief Financial Officer
City of Trenton

4/5/2024

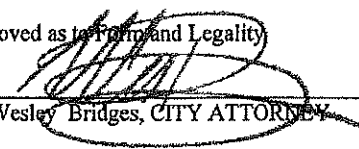
Date

RESOLUTION No. 24-140

Date of Adoption _____

Approved as to Form and Legality

Factual content certified by


Wesley Bridges, CITY ATTORNEY


Adam E. Cruz, ACTING FINANCE DIRECTOR

Councilman/woman _____ presents the following Resolution:

RESOLUTION AUTHORIZING TEMPORARY EMERGENCY APPROPRIATIONS IN THE AMOUNT OF \$88,209,590.26 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 **\$144,264,626.76**

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	114,300.00
Mayor-OE	45,000.00
City Council-SW	73,800.00
City Council-OE	11,588.00
CITY COUNCIL ATTORNEY-SW	49,000.00
City Clerk-SW	150,300.00
City Clerk-OE	24,675.00
Administration-SW	313,200.00
Administration-OE	68,695.00
Summer Youth-OE	2,200.00
Public Defender-SW	20,700.00
Public Defender -OE	350,000.00
Purchasing - SW	72,000.00
Purchasing -OE	11,144.00
Management Information Systems-SW	32,400.00
MIS -OE	200,000.00

RESOLUTION

2

Personnel - SW	90,000.00
Personnel - OE	4,250.00
Insurance - SW	18,900.00
Finance Director-SW	45,000.00
Accounts and Control-SW	147,600.00
Accounts and Control-OE	3,463.00
Treasury-SW	82,800.00
Treasury-OE	10,450.00
Tax Collection-SW	164,700.00
Tax Collection-OE	62,788.00
Assessments-SW	131,400.00
Assessments-OE	10,000.00
Revaluation-OE	16,250.00
Law-SW	365,400.00
Law-OE	200,000.00
Health & Human Services-Director-SW	163,800.00
Health & Human Services-Director-OE	10,250.00
Health Promotion & Code Enforcement-SW	216,900.00
Health Promotion & Code Enforce-OE	130,000.00
Environmental Health - SW	83,700.00
Environmental Health - OE	10,000.00
Registrar - SW	88,200.00
Registrar - OE	225,000.00
Shared Service HJA Contract OE	129,500.00
Trenton Health Team OE	40,000.00
Animal Control-SW	240,300.00
Animal Control-OE	125,000.00
Office of Adult & Family Services-SW	24,300.00
Office of Adult & Family Services -OE	30,000.00
Community Relations & Social Services-SW	208,800.00
Community Relations & Social Services-OE	60,000.00
CEAS-SW	225,000.00
COORDINATED ENTRY & ASSESSMENT SRVC-OE	10,000.00
Public Assistance-OE	25,000.00
Fire-SW	10,800,000.00
Fire-OE	178,340.00
Emergency Management-OE	12,209.00
Trenton Emergency Medical Service-OE	22,871.00

RESOLUTION

3

Police-SW	10,890,000.00
Police-OE	565,388.00
Crossing Guards - SW	364,500.00
Communications-SW	970,200.00
Communications-OE	75,296.00
Public Works-Director-SW	135,000.00
Public Works-Director-OE	17,750.00
Solid Waste Management-SW	1,376,100.00
Solid Waste Management-OE	186,000.00
Streets-SW	529,200.00
Streets-OE	158,925.00
Public Property-SW	1,092,600.00
Public Property-OE	351,011.00
Traffic & Transportation-SW	236,700.00
Traffic & Transportation-OE	54,250.00
Engineering & Operations-SW	72,900.00
Engineering & Operations-OE	45,023.00
Landfill-OE	1,625,000.00
RECYCLING-OE	475,000.00
Housing & Econ. Dev-Director-SW	98,100.00
Housing & Econ Dev-Director-OE	5,000.00
Planning Board-OE	17,457.00
R E/Property Manage-SW	117,000.00
R E/Property Manage-OE	35,000.00
Landmarks Commission-OE	463.00
Economic Development-SW	81,000.00
Planning-SW	78,300.00
Planning-OE	55,313.00
Inspections-Director-SW	115,200.00
Inspections-Director-OE	7,890.00
Technical Services-SW	233,100.00
Housing Inspections-SW	372,600.00
Housing Inspections-OE	4,198.00
Weights and Measures-SW	31,500.00
Weights and Measures-OE	713.00
Zoning Board-OE	2,500.00
Recreation, NRC-Director-SW	119,700.00
Recreation NRC-Director-OE	1,813.00
Recreation-SW	612,000.00
Recreation-OE	200,000.00

RESOLUTION

SUMMER FOOD	61,764.26
Recreation Maintenance & Nat'l. Res-SW	307,800.00
Recreation Maintenance & Nat'l Res-OE	200,000.00
Pool - SW	144,000.00
Pool - OE	465,000.00
Division of Culture-SW	22,500.00
Division of Culture-OE	85,000.00
Municipal Courts-SW	882,000.00
Municipal Courts-OE	108,425.00
Health Insurance-OE	14,509,000.00
Other Employee Benefits	17,500.00
Workers Compensation-OE	1,750,000.00
Unemployment Insurance-OE	71,250.00
Occupational Health Center-OE	50,000.00
General Liability Ins	1,250,000.00
Trenton Free Public Library-OE	625,000.00
Telephone-OE	300,000.00
Public Service-Electric-OE	600,000.00
Public Service-Street & Traffic Lights-OE	600,000.00
Postage-OE	200,000.00
Gasoline Delivery	207,718.00
Diesel Fuel Delivery	138,479.00
Heating Fuel Oil-OE	12,500.00
Ca-District Heating	100,000.00
Water Bills OE	100,000.00
Medicare-Employer Share-OE	1,500,000.00
Social Security System-OE	2,200,000.00
PF RET OE	16,613,766.00
PERS	6,677,025.00
Defined Contribution Retire Sys	750,000.00
Judgment - Westside Plaza	<u>300,000.00</u>

Total 88,209,590.26

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. 24-141

Approved as to Form and Legality

WESLEY BRIDGES, CITY ATTORNEY

Date of Adoption _____

Factual content certified by

JAMES M. BEACH, CHIEF OF STAFF

Councilman/woman _____ presents the following Resolution:

RESOLUTION AMENDING RESOLUTION 23-244 AUTHORIZING DEFERRING BALANCE OF PILOT PAYMENTS AND MUNICIPAL PAYMENTS FOR WATER AND SEWER FOR BLOCK 9904, LOT 1 – 107 MARKET STREET A/K/A 88 COOPER STREET, TRENTON, NEW JERSEY

WHEREAS, by Resolution 23-344 (attached hereto), the City of Trenton deferred until May 3, 2024, payment of certain outstanding and continuing PILOT payments and municipal payments for water for Block 9904, Lot 1, also known as 107 Market Street a/k/a 88 Cooper Street Trenton, New Jersey (“Property”); and

WHEREAS, the deferral of such payments was to allow Kingsbury Preservation LLC (the proposed purchaser of the Property (“Purchaser”)) to leverage funding through NJHMFA, which was expected to close on or before May 3, 2024; and

WHEREAS, the receipt of NJHMFA funding by the Purchaser will not occur until late in 2024.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and the Council of the City of Trenton, County of Mercer, State of New Jersey, that the City is hereby authorized to defer complete and outstanding, current and future, PILOT and water payments for the Property, until the earlier of the close of the Purchaser’s refinancing with NJHMFA or December 31, 2024.

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

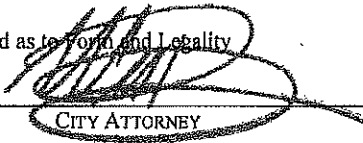
This Resolution was adopted at a Meeting of the City Council of the City of Trenton on _____

President of Council

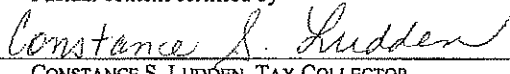
City Clerk

RESOLUTION No. 24-143

Date of Adoption _____

Approved as to Form and Legality


 CITY ATTORNEY

Factual content certified by


 CONSTANCE S. LUDDEN, TAX COLLECTOR

Councilman/woman _____ presents the following Resolution:

RESOLUTION AUTHORIZING THE CITY OF TRENTON TO ISSUE 27 TAX REFUNDS TOTALING \$54,903.56

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

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

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

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

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Trenton, County of Mercer, State of New Jersey hereby directs refunds on 27 accounts totaling \$54,903.56 to be processed by the Tax Collector.

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

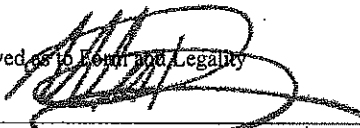
This Resolution was adopted at a Meeting of the City Council of the City of Trenton on _____

 President of Council

 City Clerk

4/18/24		Refunds							
BLOCK	LOT	PROPERTY LOCATION	AMOUNT	REFUND TO	REASON				
2901	15	34 Richey Pl.	\$3,601.85	Sunnyside Title Agency LLC	Duplicate Pymt				
3707	14	240 W State St.	\$23,376.62	Thomas Dolan, Esq	CB Appeal-2023				
6404	21	31 Elmhurst Ave.	\$919.95	Velocity Title Group, LLC	Duplicate Pymt				
6905	45	573 Roosevelt St.	\$980.40	Tamecka Moore	Duplicate Pymt				
8705	11	163 Kirkbride Ave.	\$488.77	Extra Property Mgmt, LLC	Duplicate Pymt				
11301	6	501 John Fitch Pkwy.	\$486.75	Benjamin Fleck	NJTC Appeal				
12802	18	48 Walnut Ave.	\$2,699.09	Trystone Capital Assets, LLC	Erroneous Lien Pymt				
14105	6	27 N Anderson St.	\$537.22	Moneywell Management Inc	Duplicate Pymt				
14203	12	502 Tyler St.	\$832.20	Extra Property Mgmt, LLC	Duplicate Pymt				
14302	55	37 Franklin St.	\$1,106.45	Extra Property Mgmt, LLC	Duplicate Pymt				
15101	37	117 Division St.	\$916.27	BHY Management, LLC	Erroneous Pymt				
15201	26	353 Hamilton Ave.	\$949.72	142 Garfield Ave., LLC	Overpayment				
16104	6	131 Genesee St.	\$807.97	Extra Property Mgmt, LLC	Duplicate Pymt				
16301	3	837 S Clinton Ave.	\$622.72	Extra Property Mgmt, LLC	Duplicate Pymt				
16301	14	116 Genesee St.	\$557.17	Barrientes, Vicente & Carmen	Duplicate Pymt				
16404	24	211 Emory Ave.	\$2,664.75	Extra Property Mgmt, LLC	Duplicate Pymt				
17301	2	150 Home Ave.	\$1,071.59	Extra Property Mgmt, LLC	Duplicate Pymt				
18305	12	318 Jersey St.	\$454.57	Extra Property Mgmt, LLC	Duplicate Pymt				
18305	13	316 Jersey St.	\$440.32	Extra Property Mgmt, LLC	Duplicate Pymt				
18407	8	222 Jersey St.	\$514.42	Extra Property Mgmt, LLC	Duplicate Pymt				
18408	48	739 Bearty St.	\$287.10	Extra Property Mgmt, LLC	Duplicate Pymt				
26602	29	410 Walnut Ave.	\$143.40	John Graves	100% Disabled Vet				
27004	15	123 Cleveland Ave.	\$515.84	Extra Property Mgmt, LLC	Duplicate Pymt				
30804	28	313 Commonwealth Ave.	\$936.22	Sheldene Millington	Erroneous Pymt				
32001	9	926 Edgeood Ave.	\$1,739.34	TLOA of NJ LLC	Erroneous Lien Pymt				
36301	1	101 Sullivan Way	\$254.70	Zipp & Tannenbaum, LLC	CB Appeal-2023				
Z	14		\$6,998.16	Trenton Opportunity 4 LLC	Assignment Overage				
			\$54,903.56						

RESOLUTION No. 24-144

Approved as to Form and Legality


 CITY ATTORNEY

Date of Adoption _____

Factual content certified by


 CONSTANCE S. LUDDEN, TAX COLLECTOR

Councilman/woman _____ presents the following Resolution:

RESOLUTION AUTHORIZING AND DIRECTING THE FORECLOSURE OF 1 TAX SALE CERTIFICATE PURSUANT TO THE IN-REM FORECLOSURE ACT

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Trenton in the County of Mercer, State of New Jersey, that pursuant to N.J.S.A. 54:5-104.29 et seq., 1 Tax Sale Certificate, listed as FC#27-A on the attached schedule A, held by the City of Trenton, shall be and the same are to be foreclosed by the summary proceedings In-Rem provided in said aforementioned act or by other methods as deemed appropriate, the list of said lands and premises against which such proceedings shall be instituted being annexed hereto and made part hereof and denominated foreclosure; and

BE IT FURTHER RESOLVED, that Goldenberg, Mackler, Sayegh, Mintz, Pfeffer, Bonchi & Gill, Attorneys at Law, is hereby authorized to take all necessary action, including lesser and interim procedures, toward the collection of the outstanding tax arrearages as they shall deem prudent.

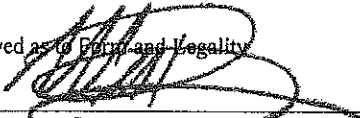
MOTION:						SECOND:									
	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent	
EDWARDS					GONZALEZ					FELICIANO					
FIGUEROA KETTENBURG					HARRISON										
FRISBY					WILLIAMS										

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

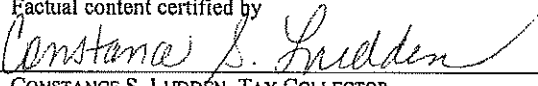
 President of Council

 City Clerk

RESOLUTION No. 24-145

Approved as to Form and Legality


 CITY ATTORNEY

Date of Adoption _____
 Factual content certified by


 CONSTANCE S. LUDDEN, TAX COLLECTOR

Councilman/woman _____ presents the following Resolution:

RESOLUTION AUTHORIZING THE TAX COLLECTOR OF THE CITY OF TRENTON TO FACILITATE AND EXECUTE INSTALLMENT PAYMENT AGREEMENTS ON CITY HELD LIENS

WHEREAS, N.J.S.A. 54:5-65 permits municipalities to authorize the redemption of a tax sale certificate through an installment plan upon passage of a Resolution by the Governing Body permitting the same; and

WHEREAS, payment plans are necessary to maintain the financial integrity of the City and to assist taxpayers trying to retain their properties.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Trenton, County of Mercer, State of New Jersey that in accordance with N.J.S.A. 54:5-65, the City of Trenton, hereby directs the tax collector to facilitate and execute installment payment agreements at her discretion.

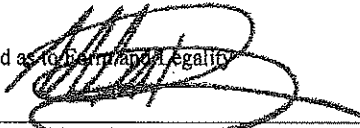
MOTION:						SECON D:								
	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent
EDWARDS					GONZALEZ					FELICIANO				
FIGUEROA KETTENBURG					HARRISON									
FRISBY					WILLIAMS									

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

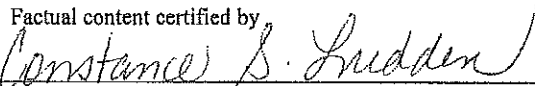
 President of Council

 City Clerk

RESOLUTION No. 24-146

Approved as to Form and Legality


 CITY ATTORNEY

Date of Adoption _____
 Factual content certified by


 CONSTANCE S. LUDDEN, TAX COLLECTOR

Councilman/woman _____ presents the following Resolution:

RESOLUTION AUTHORIZING THE CITY OF TRENTON TO CANCEL BALANCES/CREDITS +/- \$10.00

WHEREAS, N.J.S.A. 40A:5-17.1 permits municipalities to designate an employee to process/cancel tax balances/credits under ten dollars upon passage of a Resolution by the Governing Body permitting the same; and

WHEREAS, small balances/credits should be processed process on a monthly basis to improve the financial integrity of the City of Trenton.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Trenton, County of Mercer, State of New Jersey that in accordance with N.J.S.A. 40A:5-17.1, the City of Trenton, hereby directs the tax collector without further action of the governing body, to process/cancel tax balances/credits under \$10.00 at her discretion.

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 _____

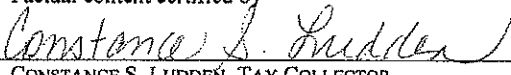
 President of Council

 City Clerk

RESOLUTION No. 24-147

Approved as to Form and Legality


 CITY ATTORNEY

Date of Adoption _____
 Factual content certified by


 CONSTANCE S. LUDDEN, TAX COLLECTOR

Councilman/woman _____ presents the following Resolution:

RESOLUTION AUTHORIZING THE CITY OF TRENTON TO CONDUCT AN ACCELERATED ELECTRONIC TAX SALE PRIOR TO DECEMBER 31, 2024 AND TO CHARGE TAX SALE MAILING FEES

WHEREAS, N.J.S.A. 54:5-19 permits municipalities to hold a tax lien sale for unpaid real property taxes and other liens or charges after the eleventh (11th) day of the eleventh (11th) month of the calendar year (November 11th) upon passage of a Resolution by the Governing Body permitting same; and

WHEREAS, the calendar year for the City of Trenton begins on January 1, 2024 and ends on December 31, 2024; and

WHEREAS, N.J.S.A. 54:5-104.8 permits municipalities to mail a notice of tax sale in lieu of up to two publications at a cost of up to \$25.00 per mailing upon passage of a Resolution by the Governing Body permitting the same; and

WHEREAS, the fees for the tax sale process should be assessed equitably to the delinquent parties and not to the general tax base.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Trenton, County of Mercer, State of New Jersey that in accordance with N.J.S.A. 54:5-19 & N.J.S.A. 54:5-104.8 the City of Trenton hereby directs that for unpaid real property taxes and/or for any other municipal lien or charges, or any part thereof in arrears as of the eleventh day of November 2024, the Tax Collector shall enforce the lien by conducting an accelerated, electronic tax sale no earlier than the last month of the fiscal year and further hereby directs the tax collector to charge a fee of \$25.00 per mailing in lieu of up to two publications for all properties included in tax sale before December 31, 2024.

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. 24-148

Date of Adoption _____

Factual content certified by

Approved as to Form and Legality

WESLEY BRIDGES, ESQ., DIRECTOR OF LAW

Maria Richardson

MARIA RICHARDSON, DIRECTOR OF RECREATION,
NATURAL RESOURCES AND CULTURE

Councilman/woman _____ presents the following Resolution:

RESOLUTION AUTHORIZING THE EXECUTION OF A PARTNERSHIP AGREEMENT BETWEEN THE CITY OF TRENTON AND ISLES, INC. FOR IMPLEMENTATION OF THE US ENVIRONMENTAL PROTECTION AGENCY'S ENVIRONMENTAL AND CLIMATE JUSTICE COMMUNITY CHANGE GRANT PROGRAM IN THE EAST TRENTON NEIGHBORHOOD

WHEREAS, the US Environmental Protection Agency (EPA) is offering an Environmental and Climate Justice Community Change Grant (EPA Community Change) to fund community-driven projects that address climate challenges and reduce pollution while strengthening communities; and

WHEREAS, the City of Trenton (the "City") is eligible to apply for this funding in partnership with a "Community Based Organization" (CBO); and

WHEREAS, Isles, Inc ("Isles") is a CBO based in Trenton, New Jersey with significant experience conducting environmental and engagement work in the East Trenton neighborhood; and

WHEREAS, the City and Isles (collectively, the "Parties") desire to partner with the intent of submitting a grant application that will fund construction of a portion of the Assumpink Greenway, green infrastructure installations, street tree planting, small business grants, and home improvement grants; and

WHEREAS, the EPA requires the execution of a Partnership Agreement between a municipality and a CBO in order to submit application; and

WHEREAS, the Parties desire to enter into this Partnership Agreement to set forth each Parties' understanding and responsibilities with respect to the roles and responsibilities of each Party.

NOW, THEREFORE IT IS RESOLVED, that the City Council of the City of Trenton, does hereby authorize the Mayor or designee as follows:

1. Apply for an EPA Community Change Grant for improvements in the East Trenton neighborhood and execute all applicable documents; and
2. Execute a Partnership Agreement with Isles in essentially the form attached for the implementation of an EPA Community Change Grant in East Trenton.
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.

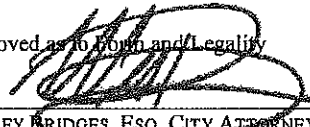
MOTION:					SECOND									
	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent
EDWARDS					GONZALEZ					FELICIANO				
FIGUEROA KETTENBURG					HARRISON									
FRISBY					WILLIAMS									

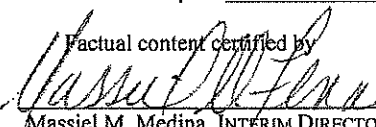
This Resolution was adopted at a Meeting of the City Council of the City of Trenton on _____

President of Council

City Clerk

RESOLUTION No. 24-149

Approved as to Form and Legality

WESLEY BRIDGES, ESQ. CITY ATTORNEY
Department of Law

Date of Adoption _____
Factual content certified by
 3/25/24
Massiel M. Medina, INTERIM DIRECTOR
Department of Housing and Economic Development

Councilman /woman _____ presents the following Resolution:

RESOLUTION AWARDING CONTRACTS THROUGH A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.4 ET SEQ., TO MULTIPLE RESPONDENTS FOR LIVE AND ONLINE AUCTION SERVICES FOR THE CITY OF TRENTON BY AND THROUGH THE DEPARTMENT OF HOUSING AND ECONOMIC DEVELOPMENT, DIVISION OF REAL ESTATE AND PROPERTY MANAGEMENT FOR A CONTRACTOR'S FEE, WHICH WILL BE PAID FROM A BUYER'S PREMIUM AND MAY NOT EXCEED SEVEN PERCENT (7%), AND FOR A PERIOD OF ONE (1) YEAR FROM DATE OF AWARD PER RFP2023-26

WHEREAS, the City of Trenton (the "City") has a need for Live and Online Auction Services to facilitate the sale of up to 500 city-owned properties for the City, by and through the Department of Housing and Economic Development, Division of Real Estate and Property Management; and

WHEREAS, a Request for Proposal was advertised, and two (2) sealed proposals were received on October 11, 2023, at 11:00 AM, by the Purchasing Agent, and subsequently were evaluated by a committee based on criteria that included, experience, understanding of requirements and cost; and

WHEREAS, the proposals of Max Spann Real Estate & Auction Company, having an address at 1325 Route 1 South, Annandale, New Jersey and Williams Worldwide Auction Holdings, LLC, having an address of 2448 East 81st Street, Suite 2000, Tulsa, Oklahoma 74137 were deemed to have the necessary qualifications and expertise for the performance of the services at the required rates; and

WHEREAS, the contractor's fee will be paid from a buyer's premium added to the purchase price, which shall not exceed 7% of the successful bid price, and both respondents have agreed to extend said pricing in accordance with applicable law; and

WHEREAS, no funds shall be utilized for this procurement; and

WHEREAS, this contract shall be awarded to both respondents for a period not to exceed one (1) year from the date of award.

RESOLUTION

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

1. The above recitals are incorporated by reference as if stated at length herewith.

2. The Mayor is hereby authorized to enter into contracts with Max Spann Real Estate & Auction Company, 1325 Route 1 South, Annandale, New Jersey and Williams Worldwide Auction Holdings, LLC, 2448 East 81st Street – Suite 2000, Tulsa, OK 74137 for Live and On-line Auction Services; for a period not to exceed one (1) year from the date of award for the City of Trenton, Department of Housing and Economic Development, Division of Real Estate and Property Management.

3. This contract is awarded pursuant to the authority set forth in the Local Public Contracts Law at N.J.S.A. 19:44A-20.4 et seq., and N.J.S.A. 40A:11-4.5.

4. 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					HARRISON									
KETTENBURG					WILLIAMS									
FRISBY														

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, to the best of my knowledge and belief that there are now adequate funds to Contract with:

Vendor Name: Max Spann

Address: 1325 Route 31

City/State/Zip: Annadale, NJ 08801

Purpose: Sale of City-owned property through live and/or auction for the City of Trenton

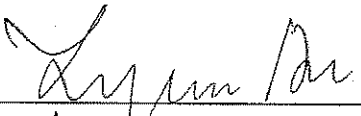
Fund: Contractor' Fee will be paid from a buyer's premium - buyer's premium may not exceed seven percent (7%)

Account Number:

Vendor ID:

Requisition Number:

Amount not to exceed:



Lynn Au,
Acting Chief Financial Officer

3/25/2024
Date

CITY OF TRENTON
DEPARTMENT OF FINANCE

CERTIFICATION OF AVAILABILITY OF FUNDS

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

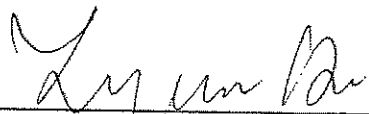
Vendor Name: Williams Worldwide
Address: 2448 East 81st Street, Suite 2000
City/State/Zip: Tulsa, OK 74137
Purpose: Sale of City-owned property through live and/or auction for the City of Trenton
Fund: Contractor' Fee will be paid from a buyer's premium - buyer's premium may not exceed seven percent (7%)

Account Number:

Vendor ID:

Requisition Number:

Amount not to exceed:



Lynn Au,
Acting Chief Financial Officer

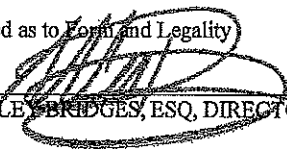
7/25/2024
Date

RESOLUTION No. 24-150

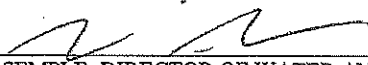
Date of Adoption _____

Approved as to Form and Legality

Factual content certified by



 WESLEY BRIDGES, ESQ, DIRECTOR OF LAW



 SEAN SEMPLE, DIRECTOR OF WATER AND SEWER

Councilman/woman _____ presents the following Resolution:

RESOLUTION AUTHORIZING THE REIMBURSEMENT TO COMMUNITY EDUCATION CENTERS, INC. FOR THE OVERPAYMENT OF WATER AND SEWER CHARGES IN AN TOTAL AMOUNT NOT TO EXCEED \$94,280.74

WHEREAS, the Geo Group on behalf of the Community Education Centers Inc. requested a reimbursement of credit balances due to overcharges related to properties located at 377 Enterprise Avenue (Account #616-5282-301 and 375 Enterprise Avenue (Account: #616-5283-301); and

WHEREAS, the Department of Water and Sewer staff reviewed the aforementioned accounts and confirms that a reimbursement of credit balances is warranted in the amounts of \$81,247.12 (Account: #616-5282-301) and \$13,033.62 (Account: #616-5283-301) due to overcharges related to properties located at 377 Enterprise Avenue and 375 Enterprise Avenue is warranted; and

WHEREAS; the Department of Water and Sewer, Division of Water Billing reviewed its documentation and acknowledges that there were equipment malfunctions and an adjustment to the aforementioned accounts should have been made; and

WHEREAS, the total amount of overpayment should be reimbursed, and representatives from the Department of Water and Sewer used the calculations based on the final bill to Community Education Centers Inc.; and

WHEREAS, funds in an amount not to exceed \$94,280.74 have been certified to be available in account number: 4-05- -55-5501-866-009.

NOW, THEREFORE, IT IS RESOLVED, by the City Council of the City of Trenton that the Mayor is hereby authorized to make payment to Community Education Centers Inc., 4955 Technology Way, Boca Raton, Florida 33431, in an total amount not to exceed \$94,280.74, in order to settle the dispute 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

RESOLUTION No. 24-151

Date of Adoption _____

Approved as to Form and Legality

Factual content certified by

CITY ATTORNEY

[Signature]
City Clerk

Councilman/woman _____ presents the following Resolution:

RESOLUTION APPOINTING MEMBERS TO THE TRENTON ETHICS BOARD

WHEREAS, pursuant N.J.S.A. 40A:9-22.1 et seq., the City of Trenton has established a Municipal Ethics Board; and,

WHEREAS, the Trenton Ethics Board shall consist of six members, who are residents of Trenton, appointed by the Governing Body by virtue of their known and consistent reputation for integrity and their knowledge of local government affairs; and,

WHEREAS, a vacancy currently exists in the Trenton Ethics Board; and

WHEREAS, Ericka Pressley is a Trenton City resident, who holds a Master's Degree in Public Administration and currently works with the New Jersey Office of School Ethics, providing her with professional experience in investigating and ruling on ethical violations and reviewing financial disclosures of board members and administrators in the State of New Jersey. She has expressed interest in being appointed to serve on the Trenton Ethics Board.

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the City of Trenton in the County of Mercer, State of New Jersey, that Ericka Pressley is hereby appointed to the Trenton Ethics Board for the unexpired term ending December 30, 2028

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

RESOLUTION No. 24-152

Date of Adoption _____

Approved as to Form and Legality

Factual content certified by

CITY ATTORNEY

[Signature]
City Clerk

Councilman/woman _____ presents the following Resolution:

RESOLUTION APPOINTING MEMBERS TO THE TRENTON ZONING BOARD

WHEREAS, the Zoning Board of Adjustment was created pursuant to NJSA 40:55D-69 et. seq.; and,

WHEREAS, members shall be residents of the City of Trenton and shall be appointed by the City Council. The term of each regular member shall be four years, and the term of each alternate member shall two years; and

WHEREAS, vacancies currently exist in the Zoning Board of Adjustment;

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the City of Trenton in the County of Mercer, State of New Jersey, that:

1. Fred Costanzo is hereby re-appointed to the Trenton Zoning Board of Adjustment as a Regular Member for a four-year term ending December 30, 2027.
2. Michael Raab is hereby re-appointed to the Trenton Zoning Board of Adjustment as a Regular Member for a four-year term ending December 30, 2026.

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

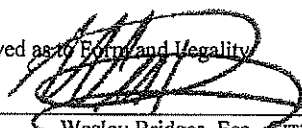
This Resolution was adopted at a Meeting of the City Council of the City of Trenton on _____

President of Council

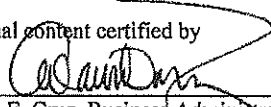
City Clerk

RESOLUTION No. 24-153

Date of Adoption _____

Approved as to Form and Legality


 Wesley Bridges, Esq. CITY ATTORNEY

Factual content certified by


 Adam E. Cruz, Business Administrator

Councilman/woman _____ presents the following Resolution:

**RESOLUTION AUTHORIZING THE CITY OF TRENTON, COUNTY OF MERCER,
 NEW JERSEY, IN THE ACCEPTANCE AND SETTING FORTH MINIMUM
 CONDITIONS OF THE MEMORANDUM OF UNDERSTANDING (MOU) ON THE
 RECEIPT OF CALENDAR YEAR 2023 CAPITAL CITY AID,
 IN THE AMOUNT OF \$10,000,000.00**

WHEREAS, the State Budget (P.L. 2021, c.133) appropriates \$10,000,000 in Capital City Aid for the City of Trenton, County of Mercer, New Jersey (the "Municipality"); and

WHEREAS, the State Budget conditions the receipt of Capital City Aid on the execution of an agreement with the Department of Community Affairs; and

WHEREAS, the agreement, as required by the State Budget, shall set forth the terms and conditions for the receipt of such aid to include the financial and operational oversight by the Director of the Division of Local Government Services in the Department of Community Affairs (the "Director"); and

WHEREAS, acceptance of the CY2023 Capital City Aid requires the execution of a Memorandum of Understanding (MOU) in the form attached hereto; and

WHEREAS, the MOU requires the approval of City Council, and for the Governing Body to acknowledge the MOU States its awareness of the MOU, as well as to acknowledge its contents.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Trenton, hereby acknowledges the contents of the MOU, its terms and conditions; and

BE IT, FURTHER, RESOLVED, that the Mayor, Chief Administrative Officer, Council President and Municipal Clerk be and hereby are authorized to execute the Memorandum of Understanding attached here to.

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. 24-154

Approved as to Form and Legality

Wes Bridges, Director of Law

Date of Adoption _____

Factual content certified by

Adam E. Cruz, Business Administrator

Councilman/woman _____ presents the following Resolution:

RESOLUTION AUTHORIZING SETTLEMENT OF A CIVIL ACTION IN THE MATTER OF HEIDI-US CHAN v. CITY OF TRENTON, IN THE TOTAL AMOUNT OF \$935,000.00

WHEREAS, Heidi-US Chan, commenced a civil suit against the City of Trenton, et al in the Superior Court of New Jersey, Mercer County, Docket No. MER-L-1523-21; and

WHEREAS, the complaint arose from a civil law suit whereby plaintiff alleges that an auto incident causing severe injuries at the intersection of Prospect and Bellevue Avenue; and

WHEREAS, said action has been reviewed and assessed by the City Attorney and the City Attorney is of the opinion that it is in the best interest of the City of Trenton to settle the case in the total amount of nine hundred, thirty-five thousand dollars (\$935,000.00); and

WHEREAS, it has been agreed that the City of Trenton will pay its self-insured retention of five hundred thousand dollars (\$500,000.00) towards the settlement and the City's excess carrier will pay four hundred, thirty-five thousand dollars (\$435,000.00); and

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

WHEREAS, the settlement in the total amount of nine hundred, twenty-five thousand dollars \$935,000.00 is inclusive of costs and attorney's fees; and

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

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Trenton that said action of Heidi-US Chan v. City of Trenton, et al be disposed of by way of settlement in the total amount of \$935,000.00 in accordance with the general release and settlement agreement executed by plaintiff(s).

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

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

President of Council

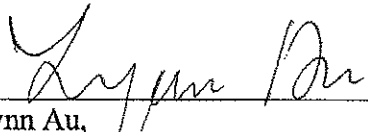
City Clerk

**CITY OF TRENTON
DEPARTMENT OF FINANCE**

CERTIFICATION OF AVAILABILITY OF FUNDS

I, Lynn Au, Acting Chief Financial Officer for the City of Trenton, do hereby certify, to the best of my knowledge and belief that there now exists adequate funds to award a settlement in the matter of Heidi-US Chan v City of Trenton, et al bearing Docket Number MER-L-1523-21 in an amount of \$500,000.00. Such funds for said settlement award are available in CY24 General Liability Self-Insurance Fund, Account Number 4-01- -80-8070-623 budget.

Date: 3/20/2024



Lynn Au,
Acting Chief Financial Officer

Account Number: 4-01- -80-8070-623 - \$500,000.00

RESOLUTION No. 24-155

Date of Adoption _____

Approved as to Form and Legality

Factual content certified by

CITY ATTORNEY

CITY CLERK

Councilman/woman _____ presents the following Resolution:

RESOLUTION APPOINTING A COUNCIL MEMBER LIAISONS TO A BOARD OR COMMISSION

BE IT RESOLVED by the Governing Body of the City of Trenton that the following Council Member is hereby appointed as liaison to the following Board or Commission for the term expiring December 31, 2024:

Hon. Teska T. Frisby

Trenton Parking Authority

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

ORDINANCE

No. 24-014

1st Reading _____

Date to Mayor _____

Public Hearing _____

Date Returned _____

2nd Reading & Passage _____

Date Resubmitted to Council _____

Withdrawn _____

Approved as to Form and Legality

Factual content certified by

WESLEY BRIDGES, ESQ., CITY ATTORNEY

ADAM CRUZ, BUSINESS ADMINISTRATOR

Councilman /woman _____ presents the following Ordinance:

AN ORDINANCE OF THE CITY OF TRENTON AMENDING CHAPTER 10, "ALCOHOLIC BEVERAGES," SECTION 10-5, "RESTRICTIONS," OF THE CODE OF THE CITY OF TRENTON TO PERMIT A WAIVER OF DISTANCE RESTRICTIONS UNDER CERTAIN CIRCUMSTANCES

WHEREAS, Chapter 10 of the Code of the City of Trenton, entitled "Alcoholic Beverages," Article I, entitled "Licensing; Regulation of Establishments," sets forth the licensing regulations and restrictions applicable to liquor establishments in the City; and

WHEREAS, Section 10-5(H)(2) of the Code of the City of Trenton prohibits new plenary retail consumption or plenary retail distribution licenses from being issued where the proposed location is "within 1,000 feet of another premises holding either of said licenses, said distance being measured in the normal way that a pedestrian would probably walk from the nearest entrance from one premises to the other, except that this restriction shall not apply within a portion of the Roebing Entertainment District as defined in § 10-5D"; and

WHEREAS, the Code of the City of Trenton does not currently permit a waiver of the above-mentioned location restriction; and

WHEREAS, there are certain situations in which a waiver of this location restriction would be warranted and beneficial to the City, particularly in instances where the proposed location previously was the site of a licensed liquor establishment; and

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

Section 1. Chapter 10, "Alcoholic Beverages," Article I, "Licensing; Regulation of Establishments," Section 10-5, "Restrictions," of the Code of the City of Trenton shall be amended as follows (additions are **emboldened and underlined** and deletions are ~~struck through~~):

§ 10-5 Restrictions.

A. Hours.

(1) Excluded hours of sale. No alcoholic beverages shall be sold, served, delivered or consumed, nor shall any licensee suffer or permit the sale, service, delivery or consumption of, any alcoholic beverage, directly or indirectly, upon the licensed premises between the following hours, prevailing time, unless otherwise exempted:

(a) Monday through Saturday: 2:00 a.m. and 9:00 a.m.

ORDINANCE

(b) Sundays: 2:00 a.m. and 12:00 noon.

(c) "Sunday Brunch" exemption. Any plenary retail consumption licensee may permit any person, patron, or customer to consume alcoholic beverages upon the licensed premises and remain upon the licensed premises during "Sunday Brunch" hours, defined as 9:00 a.m. through 12:00 noon on Sundays. Such establishments may sell, serve, and deliver alcohol to be consumed on the premises, provided that those establishments meet the definition of a "restaurant" as defined in § 10-1 as "a business establishment which is devoted to the serving of food and in which the selling and serving of alcoholic beverages for consumption by the public, guests or patrons is only incidental to the sale or consumption of food products."

(2) Closing of premises. No licensee shall permit any person, patron or customer to consume any alcoholic beverages upon the licensed premises during the hours when the sale, delivery, service or consumption of alcoholic beverages is forbidden, and said premises must remain closed and locked to all persons except for employees who clean or perform other necessary work in and about the premises during such prohibited hours, and no person other than such employees shall be permitted to remain on the premises. Exemptions to the restriction for allowance of any person, patron or customer in licensed premises are restaurants and public dining rooms in hotels and premises operated by club licenses or other licensees who could qualify for club licenses.

(3) New Year's Day exception.

(a) Any plenary retail consumption licensee may permit any person, patron or customer to consume alcoholic beverages upon the licensed premises and remain upon the licensed premises until 4:00 a.m. on New Year's Day, provided they have first registered their intent to extend their hours with the office of the City Clerk, prior to December 15 and having provided an executed contract with a certified security agency for the provision of no less than one armed security guard, to be stationed on the exterior of the licensed premises and one additional security guard on the interior of the licensed premises, for every 45 people or part thereof, allowed to legally occupy that location, between the hours of 12:00 midnight and 4:00 a.m. (i.e., if the occupancy limit is 150 people, you will be required to have four security guards).

(b) Any licensee who either by conviction or by settlement agreement, of an ABC violation, has a current and active special condition levied onto their license will remain subject to the terms and conditions outlined in the special condition and will not be permitted an exemption if it is in conflict with those terms (i.e., if the special condition requires you to close at 12:00 midnight, you must continue to close at 12:00 midnight on New Year's Eve).

ORDINANCE

(c) Any licensee who, either by conviction or by settlement agreement, has had a finding of "guilty" as to any ABC violation within the past two years shall be ineligible for the New Year's Eve exception under this section.

(d) Any person or entity who violates any provision of this section, upon conviction, shall pay a fine of not less than \$500 nor more than \$2,000 [Trenton City Code], plus costs of prosecution per violation. This shall include the business owner, person in charge, individual operator, manager, or patron as appropriate.

(e) Enforcement shall be by the Trenton Police Department, Trenton ABC Officer or the Trenton Code Enforcement Officer or their respective designee.

B. License limits. No person shall acquire a beneficial interest in more than two alcoholic beverage retail licenses. Nothing herein shall require any person who had an effective interest in two licenses on or before August 3, 1962, to surrender, dispose of or release his/her interest in any license. The provisions of this subsection shall not apply in the case of a hotel containing at least 50 sleeping rooms, or for use in connection with the operation of a restaurant, nor shall the provisions of this subsection affect the right of any person to dispose of an interest in a license by will or to transfer the same by dissent and distribution, provided that a license acquired for use in connection with a restaurant pursuant to the above exception shall be limited to the sale of alcoholic beverages for consumption on the licensed premises.

C. District regulations.

(1) Restaurant District (B Zone). Nothing contained in Subsection B above shall prevent an otherwise valid place-to-place transfer to occur to a location which is at least 400 feet from another premises holding a sale or consumption license if said premises is suitable for dining facilities and used as a restaurant with more than 50 seats or a banquet hall with a seating capacity of more than 150 people and is located in a Business B Zone. The playing of live music or the use of a DJ shall be restricted to the hire for catered events and shall not include concerts or events that require cover charges or ticket sales.

D. Building specifications. All establishments must provide for an unobstructed clear window, door, or other viable view point into the establishment from the street, except for those establishments within a portion of the district known as the "Roebling Entertainment District," which shall be known as the "Wire Rope District" and is defined as Block 15704, Lot 1, Block 15704, Lot 1.01, Block 15704, Lot 1.02, Block 15704, Lot 1.03, Block 15704, Lot 1.04, Block 15704, Lot 1.05, Block 15704, Lot 1.06, Block 15704, Lot 1.07, Block 15704, Lot 1.08, Block, 15901, Lot 1, Block 15901, Lot 2, Block 15901, Lot 3, Block 15901, Lot 4, Block 16001, Lot 1, Block 16001, Lot 10, Block 16001, Lot 12, Block, 16001, Lot 13, Block 16001, Lot 2, Block 16001, Lot 3, Block 16001, Lot 4, Block 16001, Lot 5, Block, 16001, Lot 6, Block 16001, Lot 6.01, Block 16001, Lot 6.02, Block 16001, Lot 6.03, Block 16001, Lot 7, Block 16001, Lot 8, Block 16001, Lot 9 and set forth on the attached map.¹¹ Such window, door, or view point shall be no less than 216 square inches (or 12 inches by 18 inches) at a height of between four feet to six feet from the floor level of the premises, so as not to prevent an examination of the interior from the entrance by a police officer, inspector, or other public official. The view must not be obstructed by goods, blinds, shade, advertisement or any other signage. Establishments that do not

ORDINANCE

structurally comply with this code as of June 30, 2016, shall be given an additional one-year period to meet the standard. No establishment shall be given a "grandfathered" exemption for compliance with this section at the conclusion of the June 30, 2016, to June 30, 2017, amortization period.

E. Adult entertainment. No establishment may provide entertainment, live or recorded, that involves lewd or immoral activity as defined under "adult entertainment" in § 10-1 herein.

F. Distilling apparatus. No person shall have in his/her possession or custody or under his/her control any still or distilling apparatus set up, dismantled or in the process of construction, or parts thereof, without having registered the same in accordance with the provisions of the Alcoholic Beverage Control Act.

G. Signage. No establishment shall post or allow a third party to post advertisement of special events, happy hour, live shows or any such activity that is to occur at the establishment on any public street, building (other than their own), pole or billboard.

H. Location. No new plenary retail consumption or plenary retail distribution license shall be hereafter issued, nor shall a place-to-place transfer of a license be granted, to any person, corporation or group of persons, under the following circumstances:

(1) For the sale or consumption of alcoholic beverages within 200 feet of any church or public school or private school not conducted for pecuniary profit, said distance being measured in the normal way that a pedestrian would properly walk from the nearest entrance of said church or school to the nearest entrance of the premises sought to be licensed, and in accordance with N.J.S.A. 33:1-76; provided, however, that the foregoing provision shall not prevent the future renewal or person-to-person transfer of any plenary retail distribution license that is in existence at the time of adoption of this section.

(2) For the sale or consumption of alcoholic beverages within 1,000 feet of another premises holding either of said licenses, said distance being measured in the normal way that a pedestrian would probably walk from the nearest entrance from one premises to the other, except that this restriction shall not apply within a portion of the Roebling Entertainment District as defined in § 10-5D. **Notwithstanding the foregoing, the local ABC Board may approve an application for a new license or place-to-place transfer for a licensed premises within 1,000 feet of another premises holding either of said licenses, upon adoption of a resolution by the City Council, finding that the proposed premises had previously been licensed for the sale of alcoholic beverages, and good cause exists to waive the distance requirement.**

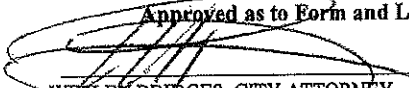
ORDINANCE

No. 24-018

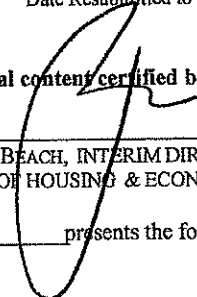
1st Reading _____
Public Hearing _____
2nd Reading & Passage _____
Withdrawn _____ Lost _____


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

Approved as to Form and Legality


WESLEY BRIDGES, CITY ATTORNEY

Factual content certified by


JAMES BEACH, INTERIM DIRECTOR
DEPT. OF HOUSING & ECONOMIC DEVELOPMENT

Councilman /woman 

presents the following Ordinance:

**ORDINANCE AUTHORIZING THE SALE OF CITY-OWNED PROPERTY
COMMONLY KNOWN AS BAKER ALLEY, AND IDENTIFIED ON THE CITY TAX
MAP, BLOCK 23803, LOT 19, PURSUANT TO N.J.S.A. 40A:12-13(b)(5), TO EL
CATADOR BAR & GRILL FOR THE SALE PRICE OF ONE THOUSAND (\$1,000.00)
DOLLARS**

WHEREAS, there is within the City of Trenton certain city-owned real property located at Baker Alley (Mulberry Street side), designated as Block 23803, Lot 19 on the City of Trenton Tax Map (hereinafter, the "Parcel"); and

WHEREAS, the Parcel is a small narrow strip of land measuring 12 feet long on the side of the contiguous property owner that has been unused by the public for a several decades, 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, El Catador Bar & Grill Properties, the contiguous property owner on all sides (hereinafter, the "Purchaser"), submitted an application to purchase the Parcel for the stated purpose of expanding the outdoor seating section of the restaurant and constructing rooftop seating above that area. (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 One Thousand Dollars (\$1,000.00), 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 the Parcel, Baker Alley (Mulberry Street side), designated as Block 23803, Lot 19, at private sale to the Purchaser, El Catador Bar & Grill Properties for One Thousand Dollars (\$1,000.00).

ORDINANCE

No. 24-026

1st Reading _____

Date to Mayor _____

Public Hearing _____

Date Returned _____

2nd Reading & Passage _____

Date Resubmitted to Council _____

Withdrawn _____

[Signature]
Approved as to Form and Legality

[Signature]
Factual content certified by

Wesley Bridges, City Attorney

Adam E. Cruz, Business Administrator

Councilman/woman _____ presents the following Ordinance:

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

WHEREAS, the City desires to adopt an ordinance updating certain salary ranges for certain 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.

<u>TITLE</u>	<u>SALARY RANGE</u>
Construction Official	[\$49,887] <u>\$57,058</u> to [\$68,851] <u>\$81,346</u>

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				
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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

Reconsidered by Council - Override Vote

President of Council

City Clerk

ORDINANCE

24-028

No. _____

1st Reading _____

Date to Mayor _____

Public Hearing _____

Date Returned _____

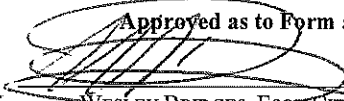
2nd Reading & Passage _____


Date Resubmitted to Council _____

Withdrawn _____ Lost _____

Approved as to Form and Legality

Factual content certified by


WESLEY BRIDGES, ESQ., CITY ATTORNEY


BRANDON GARCIA, CITY CLERK.

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

SPONSORED BY: _____

AN ORDINANCE TO AMEND CHAPTER 222 OF THE CODE OF THE CITY OF TRENTON ("RENT CONTROL") TO FIX RENTAL INCREASE AT FOUR PERCENT

WHEREAS, Chapter 222 of the Code of the City of Trenton (the "City") addresses Rent Control and other landlord/tenant issues in the City; and

WHEREAS, the stated purpose of the Rent Control provisions, in Code Section 222-1, recognizes that "Without some controls, such shortage will lead to excessive and unconscionable rents and rent increases"; and

WHEREAS, the City Council agrees that it is necessary to fix the allowable rent increase at a reasonable rate; and

WHEREAS, it is in the best interest of the City to fix maximum rental increases at four percent (4%) for a regular tenant, and two percent (2%) for a senior citizen tenant or a disabled tenant in order to protect the health and welfare of City residents; and

WHEREAS, currently, Code Section 222-6 allows for a maximum rental increase based on the "rent index," which is a statistical index computed by taking the twelve-month average of the United States Housing Component of the Consumer Price Index-U for rent, and is subject to change every six months; and

WHEREAS, the current "rent index," (i.e. allowable rent increase) for January 1, 2024 through June 30, 2024 is seven point five percent (7.5%); and

WHEREAS, the chart below shows the rent index (i.e. allowable rent increase) history for the past seven years; and

Year	January 1 to June 30 Index	July 1 to December 31 Index
2023	7.9%	7.5%
2022	2.2%	3.6%
2021	2.2%	2.3%
2020	2.9%	2.6%
2019	2.3%	2.3%
2018	1.8%	2.2%
2017	0.6%	1.5%

ORDINANCE

WHEREAS, it is apparent that the rent index (i.e. allowable rent increase) has increased significantly over the past two years, so it is counter to keeping rents affordable in the City.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Trenton that the Code of the City of Trenton shall be amended as follows to remove references to the "rent index" and to indicate that maximal rental increases are capped at four percent (4%) for a regular tenant and two percent (2%) for a senior citizen tenant or a disabled tenant (deletions are ~~struck through~~ and additions are underlined):

Section 1. Amend Chapter 222 (Rent Control)

§ 222-2 Definitions

* * *

RENT INDEX

~~The statistical index governing rent increases under this chapter. The rent index shall be subject to change every six months commencing with January 1 and July 1 of each year, and shall remain unchanged during each six month period. The rent index shall be computed by taking the twelve month average of the United States Housing Component of the Consumer Price Index - U for Rent (Residential) immediately preceding the beginning of each six month period. For example: if the twelve month average of the United States Housing Component of the Consumer Price Index - U for Rent (Residential) for the period of January 1 through December 31, 1995, was 2.83%, then the rent index in effect for the period January 1 through June 30, 1996, would be 2.83%. If the twelve month average of the United States Housing Component of the Consumer Price Index - U for Rent (Residential) for the period July 1, 1995, through June 30, 1996, is 2.90%, then the rent index for the six month period commencing July 1, 1996, will be 2.90%.~~

DISABLED TENANT

A person who has been deemed 100% disabled by the United States government or an agency operating under its authority.

REGULAR TENANT

A person who is under 62 years of age on the date of the expiration or termination of a formal lease or a periodic tenancy.

SENIOR CITIZEN TENANT

A person who is at least 62 years of age on the date of the expiration or termination of a formal lease or a periodic tenancy.

* * *

§ 222-6 ~~Rent index increase~~ Rental increase fixed rate.

At the expiration or termination of a formal lease or a periodic tenancy, no landlord may receive a percentage increase in rent for that housing space from any a regular tenant which is greater than four

ORDINANCE

~~percent (4%), and two percent (2%) for a senior citizen tenant or disabled tenant the rent index based upon the rent index in effect 90 days prior to the expiration or termination of the lease. For a periodic tenant whose base sum shall be less than one year, such tenant shall not be caused to pay any increase in any rent based upon a rent index more than once during any twelve-month period, and may only be caused to pay a rent increase based upon the rent index in effect 90 days prior to the effective date of the proposed increase.~~

§ 222-7 Tax increase.

A. In accordance with the procedural provisions of this chapter and such procedural regulations as may be adopted by the Board, a landlord may receive an increase in excess of that permitted by § 222-6 above in the rent of any dwelling unit because of a current increase in local property taxes directly affecting that dwelling, but only when such taxes increase by a percentage greater than the applicable rent index percentage increase last applied to the dwelling unit under § 222-6 over the twelve-month period immediately preceding.

B. The increase permitted under this section shall be computed in the following manner: the percentage increase in the rent index used in § 222-6 shall be subtracted from the percentage increase in property taxes for the dwelling. The percentage difference shall then be multiplied by the appropriate unit tax burden to determine the amount of increase allowable as a result of a property tax increase. If the percentage increase used in § 222-6 in the rent index used in this computation is greater than the percentage increase in property tax, no increase in rent shall be permitted. The landlord, prior to the imposition of any such increase in rent, shall notify the tenant in the manner prescribed in § 222-14 hereinafter of his/her intentions and shall provide a clear statement of the manner in which the increase was calculated.

C. No rent increase under this section may take effect until or unless the landlord has documented the increase on a form which the Board shall prescribe and make available, a copy of which form shall be completed in full and filed with the Board and copies served on all tenants affected by the rent increase prior to the effective date of the increase.

§ 222-9 Sewer and water charge increase.

A. In accordance with the procedural provision of this section and such procedural regulations as may be adopted by the Board, a landlord may receive an increase exceeding the limitation of § 222-6 above in the rent of any dwelling unit because of a current increase in local sewer and water charges directly affecting his/her dwelling only when such charges increase by a percentage greater than the applicable rent index percentage increase last applied to the dwelling unit, pursuant to § 222-6, over the twelve-month period immediately preceding. The increase permissible under this section shall be computed in the following manner.

ORDINANCE

1. Where the increase applies to a single unit, or where all of the units to which the increase applies contain the same number of bedrooms, the increase shall be applied as in § 222-7.

2. Where the increase applies to a building containing more than one unit and where units in such building contain different numbers of bedrooms, the landlord shall total the number of bedrooms in the building and divide the number of bedrooms in each unit by that total in order to obtain the pro rata share for each unit. The landlord shall allocate the increase calculated as in § 222-7 among the units in the building according to the pro rata share of each as so determined.

B. No sewer or water charge increase under this section may take effect until or unless the landlord has documented the increase on a form which the Board shall prescribe and make available, a copy of which

ORDINANCE

form shall be completed in full and filed with the Board and copies served on all tenants affected by the increase prior to the effective date of the increase.

§ 222-15 Maintenance of services.

During the term of this chapter, the landlord shall maintain the same standards of service, maintenance, furniture, furnishings and equipment in the housing space and dwelling as was provided or was required to be provided by law or lease at the date the lease was entered into. Any transfer from the landlord to the tenant of the costs or responsibilities for supplying essential services such as public utilities and heat shall be deemed a rental increase, the amount of which shall be determined by computing or estimating the average monthly costs of providing the same projected on the basis of current costs for such services or supplies and upon prior actual consumption rates to the extent known. It shall be the responsibility of the landlord to produce adequate records of prior costs and volumes equitably allocated for each rental unit for which such a transfer is sought. The projected amount of the increase in rent resulting from such transfer shall not exceed the amount resulting from application of the rent index permitted by § 222-6, except where the landlord has obtained approval of an a greater increase ~~greater than the index~~ under the provisions of § 222-10.

Section 2. Severability. Should any section, clause, sentence, phrase or provision of this article be declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this article.

Section 3. Repealer. All prior ordinances or parts of same inconsistent with any provisions of this article are hereby repealed to the extent of such inconsistency.

Section 4. Effective Date. This Ordinance shall take effect upon final adoption and publication in accordance with law.

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

 AYE Mayor APPROVED
 NAY REJECTED Reconsidered by Council - Override Vote

 President of Council City Clerk

ORDINANCE

No. 24-029

1st Reading _____

Date to Mayor _____

Public Hearing _____

Date Returned _____

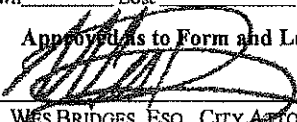
2nd Reading & Passage _____

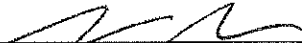
Date Resubmitted to Council _____

Withdrawn _____ Lost _____

Approved as to Form and Legality

Factual content certified by


WES BRIDGES, ESQ., CITY ATTORNEY


SEAN SEMPLE, DIRECTOR OF WATER & SEWER DEPT.

Councilman /woman _____ presents the following Ordinance:

AN ORDINANCE OF THE CITY OF TRENTON TO ADOPT NJDEP'S MODEL ORDINANCE REGARDING ILLICIT CONNECTIONS TO THE MUNICIPAL SEPARATE STORM SEWER SYSTEM AND TO AMEND CHAPTER 254 OF THE CODE OF THE CITY OF TRENTON

WHEREAS, the City of Trenton, as a Tier A municipality with respect to Stormwater Quality Management, is required by the New Jersey Department of Environmental Protection ("NJDEP") to periodically adopt certain model ordinances; and

WHEREAS, the City is required to adopt NJDEP's model ordinance regarding illicit connections to the municipal separate storm sewer system; and

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

Section 1. Chapter 254 ("Stormwater Management"), Article V ("Illicit Connections") of the Code of the City of Trenton shall be amended as follows (deletions are ~~struck through~~ and additions are underlined):

§ 254-30 Purpose.

The purpose of this article is to prohibit illicit connections to the municipal separate storm sewer system operated by the City of Trenton, so as to protect the environment, public health, safety and welfare, and to prescribe penalties for the failure to comply.

§ 254-31 Definitions.

- A. For the purpose of this article, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this article clearly demonstrates a different meaning.
- B. The word "shall" is always mandatory and not merely directory.
- C. The definitions below are the same as or based on corresponding definitions in the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at N.J.A.C. 7:14A-1.2.

ORDINANCE

ILLICIT CONNECTION

Any physical or nonphysical connection that discharges domestic sewage, noncontact cooling water, process wastewater, or other industrial waste (other than stormwater) to the municipal separate storm sewer system operated by the City of Trenton, unless that discharge is authorized under a NJPDES permit other than the Tier A Municipal Stormwater General Permit (NJPDES Permit Number NJ0141852). Nonphysical connections may include, but are not limited to, leaks, flows, or overflows into the municipal separate storm sewer system.

INDUSTRIAL WASTE

Nondomestic waste, including, but not limited to, those pollutants regulated under Section 307 (a), (b), or (c) of the Federal Clean Water Act [(33 U.S.C. § 1317(a), (b), (c))].

MUNICIPAL SEPARATE STORM SEWER SYSEM (MS4)

A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) that is owned or operated by the City of Trenton or other public body, and is designed and used for collecting and conveying stormwater. MS4s do not include combined sewer systems, which are sewer systems that are designed to carry sanitary sewage at all times and to collect and transport stormwater from streets and other sources.

NJPDES PERMIT

A permit issued by the New Jersey Department of Environmental Protection to implement the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at N.J.A.C. 7:14A.

NONCONTACT COOLING WATER

Water used to reduce temperature for the purpose of cooling. Such waters do not come into direct contact with any raw material, intermediate product (other than heat) or finished product. Noncontact cooling water may, however, contain algacides or biocides to control fouling of equipment such as heat exchangers, and/or corrosion inhibitors.

PERSON

Any individual, corporation, company, partnership, firm, association, or political subdivision of the State of New Jersey subject to municipal jurisdiction.

PROCESS WASTEWATER

Any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product. Process wastewater includes, but is not limited to, leachate and cooling water other than noncontact cooling water.

STORMWATER

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

DOMESTIC SEWAGE

Waste and wastewater from humans or household operations that is discharged to or otherwise enters a treatment works.

ORDINANCE

§ 254-32 Regulated Activity Prohibited Conduct.

No person shall discharge or cause to be discharged through an illicit connection to the municipal separate storm sewer system operated by the City of Trenton any domestic sewage, noncontact cooling water, process wastewater, or other industrial waste (other than stormwater). There are no exemptions.

§ 254-33 Enforcement.

This article shall be enforced by the City of Trenton Police Department.

§ 254-34 Violations and penalties.

Any person who is found to be in violation of the provisions of this article shall be subject to a fine not to exceed \$2,000, as stated in Chapter I, Article III (General Penalty), § 1-17, and such other penalties as prescribed thereunder.

§ 254-35 Severability.

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

Section 2. Repealer. Any article, section, paragraph, subsection, clause, or other provision of the Code of the City of Trenton inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

Section 3. Severability. If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

Section 4. Effective date. This ordinance shall take effect upon its passage and publication and as otherwise provided for by law.

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

AYE
 Mayor
NAY

APPROVED

REJECTED

Reconsidered by Council – Override Vote

 President of Council

 City Clerk

ORDINANCE

No. 24-030

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


SEAN SEMPLE, DIRECTOR OF WATER & SEWER DEPT.

WES BRIDGES, ESQ., CITY ATTORNEY

Councilman /woman _____ presents the following Ordinance:

AN ORDINANCE OF THE CITY OF TRENTON TO ADOPT NJDEP'S MODEL ORDINANCE REGARDING LITTERING AND TO AMEND CHAPTER 150 OF THE CODE OF THE CITY OF TRENTON

WHEREAS, the City of Trenton, as a Tier A municipality with respect to Stormwater Quality Management, is required by the New Jersey Department of Environmental Protection ("NJDEP") to periodically adopt certain model ordinances; and

WHEREAS, the City is required to adopt NJDEP's model ordinance regarding spilling, dumping or disposal of materials other than stormwater; and

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

Section 1. Chapter 150 ("Littering") of the Code of the City of Trenton shall be amended as follows (deletions are ~~struck through~~ and additions are underlined):

§ 150-1 Purposes.

The following regulations are established to prohibit the throwing or depositing of litter in public places in the City of Trenton; to protect the environment, public health, safety and welfare; to regulate the handling, storage, collection and disposal of municipal waste, litter and other waste materials; to authorize fees for permits issued hereunder (~~she reunder~~); to control the depositing of litter on private premises; to provide a lien for City clearance; to prevent the generation of loose trash and debris by the upsetting and unpackaging of containerized waste set out at the curb for pickup for excessive periods of time prior to the scheduled pickup; to prescribe responsibilities for owners and occupants of property within the City; and to prescribe penalties for violations.

§ 150-2 Definitions.

For the purpose of this chapter, the following terms, phrases, words and their derivations shall have the meanings given herein:

APPROVED

That which the enforcing officer designates as acceptable having been, by demonstration and/or test in the City, proven workable and safe for its intended use.

ORDINANCE

AUTHORIZED APPROVED CONTAINER

A litter storage and collection receptacle weighing not more than 50 pounds when filled, constructed of galvanized metal or plastic of equivalent strength, leakproof, not more than 34 inches in height with handles and having a tight-fitting cover, maintained in a sanitary condition. Other containers may be approved by the enforcing officer. The location of approved containers shall be subject to approval of the enforcing officer or his/her agent or agents.

COMMERCIAL ESTABLISHMENTS

Any building, structure or premises not a residence, and shall include places of business, institutions, motels, hotels, motor courts or motor hotels.

COMMERCIAL WASTE

The miscellaneous waste resulting from operation of business enterprises and institutions, including garbage, rubbish and ashes from offices and stores or the like, and construction waste, but excluding trade wastes resulting from industrial operations.

CONSTRUCTION WASTE

Waste from building construction, alteration, demolition or repair and dirt from excavations.

DOMESTIC WASTE

Waste material resulting from the usual routine of housekeeping, and shall include garbage, rubbish and ashes.

DUMPING

A. The unauthorized throwing or depositing of litter and/or other waste material in a public place or upon private premises, where the nature and/or quantity of the litter and/or waste is such as to require the use of a mechanical means of transport.

B. The unauthorized throwing or depositing of commercial waste and/or construction waste and/or industrial waste and/or solid market waste in a public place or upon private premises, where the nature and/or quantity of the litter and/or waste is such as to require the use of a mechanical means of transport.

GARBAGE

Putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.

LITTER

Any used or unconsumed substance or waste material which has been discarded, whether made of aluminum, glass, plastic, rubber, paper, or other natural or synthetic material, or any combination thereof, including, but not limited to, any bottle, jar or can, or any top, cap or detachable tab of any bottle, jar or can, any unlighted cigarette, cigar, match or any flaming or glowing material or any garbage, trash, refuse, debris, rubbish, grass clippings or other lawn or garden waste, newspapers, magazines, glass, metal, plastic or paper containers or other packaging or construction material, but does not include the waste of the primary processes of mining or other extraction processes, logging, sawmilling, farming or manufacturing.

~~Garbage, refuse and rubbish as such are defined herein, and all other waste material which, if improperly stored and thrown or deposited as herein prohibited, tends to create a danger to public health, safety and~~

ORDINANCE

welfare. "Litter" shall also mean and include domestic garbage and trash placed for curbside or alley pickup in violation of the approved regulations for such pickup, either as to set out time or manner, as prescribed in Chapter 248, Solid Waste, of the Code of the City of Trenton, and all amendments thereto.

LITTER RECEPTACLE

A container suitable for the depositing of litter.

MUNICIPAL WASTES

Certain discarded products incident to household keeping and commercial enterprises, and further defined as commercial waste or domestic waste and construction waste.

PERSON

Any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

PRIVATE PREMISES

Any dwelling house, building or other structure, designed or used either wholly or in part for private residential purposes, whether inhabited or temporarily or continuously uninhabited or vacant, and shall include any yard, grounds, walks, driveway, garage, porch, steps, vestibule, mailbox, alleyway or easement belonging or appurtenant to such dwelling house, building or other structure.

PUBLIC PLACE

All streets, sidewalks, boulevards, alleys or other public ways and all public parks, squares, spaces, grounds and buildings.

REFUSE

All putrescible and nonputrescible solid wastes, except body wastes, including garbage, rubbish, ashes, street cleanings, dead animals and solid market and industrial wastes, specifically including abandoned furniture and household equipment and scrap building materials.

RUBBISH

Nonputrescible solid wastes consisting of both combustible and noncombustible wastes, such as paper, wrappings, cigarettes, cigars and tobacco wastes, leaves, wood, glass, bedding, crockery and similar materials.

§ 150-3 Regulated Activities Public places.

- A. No person shall throw or deposit litter in or upon any street, alley, sidewalk or other public place, except in authorized receptacles for collection or in official municipal disposal areas.
- B. Whenever any litter is thrown or discarded or allowed to fall from a vehicle or boat in violation of this ordinance, the operator or owner, or both, of the motor vehicle or boat shall be deemed to have violated this ordinance.
- C. There are no exemptions.

§ 150-4 Occupied private property.

No person shall throw or deposit litter on any occupied private property, whether owned by him/her or not, except that the owner or person in control of private property shall maintain authorized private receptacles for collection in such a manner that litter will not be carried or deposited by the elements upon any other public place or private premises.

§ 150-5 Owner to maintain premises free of litter.

ORDINANCE

The owner, agent or occupant of any private property shall at all times maintain the premises free of litter. This section shall not be construed to prohibit the storage of litter in authorized private receptacles for collection, but shall be construed to prohibit the placing of garbage, litter, rubbish and refuse out for collection at any times other than those specified in Chapter 248, Solid Waste, of this Code, or any other law or regulation of the City.

§ 150-6 Vacant lots.

A. Litter on vacant lots. No person shall throw or deposit litter on any open or vacant private property, whether owned by such person or not, nor in or upon any publicly owned open vacant property.

B. Grass, weeds and other impediments. It shall be the duty of the owner or owners of all vacant or unoccupied lands, and of the tenant or tenants of all occupied lands abutting or bordering upon the sidewalks and gutters of any of the public streets, avenues or highways of the City, to remove from the sidewalks and gutters all grass, weeds and other impediments.

§ 150-7 Clearing of litter from open private property by City.

A. Notice to remove. The enforcing officer, or his/her duly designated agent or agents, is authorized and empowered to notify the owner of any open or vacant private property, or the lessee or agent of the owner, to properly dispose of litter or remove grass, weeds or other impediments located on the property which is dangerous to public health, safety and welfare.

B. Service of notice. Notice shall be by registered or certified mail, addressed to the lessee, owner or his/her agent at his/her last known address, or served personally upon the lessee, owner or agent.

C. Noncompliance. Upon the failure, neglect or refusal of any lessee, owner or agent so notified to properly dispose of any litter, grass, weeds or other impediments within 10 days after receipt of the written notice specified in Subsection A of this section; or within 10 days after the date of the notice in the event it is returned to the City by the Post Office Department because of inability to make delivery thereof, provided that the notice was properly addressed to the last known address of the lessee, owner or agent. Whenever in the opinion of the Health Officer such nuisance constitutes an actual menace to health, (s)he shall proceed forthwith to cause the nuisance to be abated.

D. Charges added to tax bill. When the City has effected the removal of litter and grass, weeds or other impediments, or has paid for its removal, the actual cost thereof shall, unless paid by the owner prior thereto, be charged to the owner of the property on the next regular tax bill forwarded to the owner by the City. The charge shall be due and payable by the owner at the time set for payment of the tax bill.

E. Recorded statement constitutes lien. Where the full amount due the City is not paid by the owner within 30 days after the disposal of such litter or removal of grass, weeds or other impediments as specified in Subsections A, B and C of this section, then and in that case the Director of Public Works shall cause to be recorded in the City Clerk's office a sworn statement showing the cost and expense incurred for the work, the date the work was done and the location of the property on which the work was done. The recording of this sworn statement shall constitute a lien on the property and shall remain in full force and effect for the amount due in principal and interest, plus costs of court, if any, for collection, until final payment has been made. The costs and expenses shall be collected in the manner fixed by law for the collection of taxes and shall be subject to a delinquent penalty at the same rate of taxes in the event they are not paid in full on or before the date the tax bill upon which the charge appears becomes delinquent. Sworn statements recorded in accordance with the provisions hereof shall be prima facie evidence that all legal formalities have been complied with and that the work has been done properly and satisfactorily, and shall be full notice to every person concerned that the amount of the statement, plus interest, constitutes a charge against the property designated or described in the statement and that the same is due and collectible as provided by law.

ORDINANCE

§ 150-8 Sweeping litter into gutters.

No person shall sweep into or deposit in any gutter, street or other public place the accumulation of litter from any building or lot or from any public or private sidewalk or driveway. Every person who owns, occupies or is responsible for property shall keep the sidewalk and curb area in front of his/her premises clean and free of litter and weeds. This is meant to include the rear of his/her property and adjoining alleyway and/or easement as well. Nothing contained herein shall require the abatement of natural leaf accumulation in streets, sidewalks or gutters, nor shall any person deposit leaves in such places to facilitate leaf collection, or other forms of disposal, within a reasonable time of such deposit.

§ 150-9 Placement in approved containers.

A. Prevention of scattering. Litter shall be placed in approved containers in such a manner as to prevent it from being scattered, carried or deposited by the elements upon any street, sidewalk or other public place or private premises.

B. Public receptacles and approved containers.

(1) Litter other than garbage shall be placed in public receptacles or in approved containers. Commercial or manufacturing establishments shall flatten all cartons, crates, boxes, etc., and prepare such litter for convenient loading and removal. Such establishments may use cardboard boxes to contain litter if collections are made daily, but the boxes must be of sufficient strength and securely tied so as to prevent the contents from being scattered, carried or deposited by the elements upon any street, sidewalk or any public place or private premises.

(2) No person shall drop, throw, place or deposit any collected rubbish, garbage, household or commercial refuse or other waste products of any kind in any open mesh litter baskets or in any other receptacles placed in the streets or upon the sidewalks by the Department of Public Works. The use of such receptacles shall be limited as containers for newspapers, paper scraps, candy wrappers, cigarette packages and containers, fruit skins and other personal trash items.

C. Prohibitions. No person shall place any trash, refuse or garbage receptacle on any property adjacent to a residential property in such a manner that it is closer than six feet from any property line at its closest point and in such a manner that it is visible from ground level or from any portion of the improvement of the residential property. Appropriate screening materials shall conform to existing code requirements. This subsection shall not pertain to thirty-two-gallon or smaller domestic waste receptacles, nor larger receptacles while temporarily in active use in connection with any building project for which a permit has been issued.

§ 150-10 Truck loads causing litter.

No person shall drive or move any truck or other vehicle unless the vehicle is so constructed or loaded as to prevent leakage and any contents from being blown or deposited upon any street, alley or other public place or private premises. No person shall drive or move any vehicle or truck if the wheels or tires carry onto or deposit in any street, alley or public place, any mud, dirt, sticky substances or foreign matter of any kind. Contractors are responsible for the cleanliness of streets during and upon completion of construction.

§ 150-11 Litter thrown by persons in vehicles.

No person, while a driver or passenger in a vehicle, shall throw or deposit litter upon any street or other public place within the City or upon private property.

§ 150-12 Handbills and circulars.

ORDINANCE

No person shall cast or place, or cause to be cast or placed, in any of the streets of the City or on the sidewalks thereof, or into vestibules or yards, or upon porches of any dwelling houses or other buildings, or on private property within the limits of the City or into any vehicle while on the public highways or public places thereof any paper, advertisement, handbill, circular or wastepaper; provided, however, that nothing contained herein shall be held to apply to newspapers and addressed envelopes delivered to subscribers and addressees.

§ 150-13 Violations and penalties.

A. Any person who violates the provisions of this chapter with respect to litter shall be subject to a fine of \$100 for a first offense and, for subsequent offenses, shall be subject to the penalties provided in Chapter 1, Article III, General Penalty, provided that the court shall have the discretion in all cases to modify any penalties provided herein upon a showing by the defendant that the offense occurred despite reasonable and diligent efforts made to prevent the offense from occurring and/or to maintain the property in compliance with the trash set-out regulations.

B. Any person who violates the provisions of this chapter with respect to dumping shall be subject to a fine of \$2,500 for a first offense and, for subsequent offenses, to a fine not exceeding \$10,000 pursuant to N.J.S.A. 40:49-5.

§ 150-14 Enforcement.

This chapter shall be enforced by the Police Department of the City of Trenton and/or other designated City officials.

ORDINANCE

Section 2. Repealer. Any article, section, paragraph, subsection, clause, or other provision of the Code of the City of Trenton inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

Section 3. Severability. If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

Section 4. Effective date. This ordinance shall take effect upon its passage and publication and as otherwise provided for by law.

INTRODUCTION:	MOTION:				SECOND:				ORD. AUTHORED BY:	INTRODUCTION				ADOPTION				ADOPTION	MOTION:				SECOND:							
	INTRODUCTION				ADOPTION					INTRODUCTION				ADOPTION					INTRODUCTION				ADOPTION							
	AYE	NAY	NV	AB	AYE	NAY	NV	AB		AYE	NAY	NV	AB	AYE	NAY	NV	AB		AYE	NAY	NV	AB	AYE	NAY	NV	AB	AYE	NAY	NV	AB
EDWARDS									GONZALEZ									FELICIANO												
IGUEROA JETTENBURG									HARRISON																					
RISBY									WILLIAMS																					
IV - NO VOTE	AB - ABSENT																													

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

Adopted on second reading after the public hearing on _____

AYE
Mayor
NAY
APPROVED
REFLECTED
Reconsidered by Council -- Override Vote

President of Council

City Clerk

ORDINANCE

No. 24-031

1st Reading _____

Date to Mayor _____

Public Hearing _____

Date Returned _____

2nd Reading & Passage _____


Date Resubmitted to Council _____

Withdrawn _____


Approved as to Form and Legality

Factual content certified by

WES BRIDGES, ESQ., CITY ATTORNEY



SEAN SEMPLE, DIRECTOR OF WATER & SEWER DEPT.

Councilman /woman _____ presents the following Ordinance:

AN ORDINANCE OF THE CITY OF TRENTON TO ADOPT NJDEP'S MODEL ORDINANCE REGARDING PET WASTE AND TO AMEND CHAPTER 21 OF THE CODE OF THE CITY OF TRENTON

WHEREAS, the City of Trenton, as a Tier A municipality with respect to Stormwater Quality Management, is required by the New Jersey Department of Environmental Protection ("NJDEP") to periodically adopt certain model ordinances; and

WHEREAS, the City is required to adopt NJDEP's model ordinance regarding pet waste; and

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

Section 1. Chapter 21 ("Animals"), Article II ("Removal of Waste"), comprised of Sections 21-17, 21-18, 21-19 and 21-20, shall be repealed in its entirety and replaced with the following:

Article II – Pet Waste

§ 21-17 Purpose

An ordinance to establish requirements for the proper disposal of pet solid waste in the City of Trenton to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

§ 21-18 Definitions

PET

Any domesticated animal kept for companionship.

PET SOLID WASTE

Feces from any domesticated animal.

ORDINANCE

§ 21-19 Regulated Activities

All pet owners and keepers are required to immediately and properly dispose of their pet's solid waste deposited on any property, public or private, not owned or possessed by that person.

§ 21-20 Exemptions

Any owner or keeper who requires the use of a disability assistance animal for disabilities such as vision and/or hearing loss, or other physical disabilities, shall be exempt from the provisions of this section while such animal is being used for that purpose. This exemption is not applicable to pets that are exclusively emotional support animals.

§ 21-21 Enforcement

The inclusion of this provision within this chapter shall not be considered to vest exclusive jurisdiction to the Department of Health in terms of enforcement of this provision; violations of this article may be enforced by other City officials, including the uniformed members of the Police Department.

§ 21-22 Violations and Penalties

Violations of this Article shall be punishable as provided in Chapter 1, Article III, General Penalty.

Section 2. The remainder of the codified sections in Chapter 21 ("Animals") shall be renumbered as follows:

Article III – Keeping of Birds and Animals

- § 21-23 Keeping of birds and animals regulated.
- § 21-24 Exceptions.
- § 21-25 Sanitary requirements.
- § 21-26 License required; inspections; suspension of license.
- § 21-27 Nuisances declared.
- § 21-28 License fees.
- § 21-29 Limitation on number of animals.
- § 21-30 Administrative hearing.
- § 21-31 Violations and penalties.

Article IV – Feeding of Wildlife

- § 21-32 Purpose.
- § 21-33 Definitions.
- § 21-34 Regulated Activities.
- § 21-35 Exemptions
- § 21-36 Enforcement
- § 21-37 Violations and penalties.

ORDINANCE

No. 24-032

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


WES BRIDGES, ESQ., CITY ATTORNEY


SEAN SEMPLE, DIRECTOR OF WATER & SEWER DEPT.

Councilman /woman _____ presents the following Ordinance:

AN ORDINANCE OF THE CITY OF TRENTON TO ADOPT NJDEP'S MODEL ORDINANCE REGARDING FEEDING OF WILDLIFE AND TO AMEND CHAPTER 21 OF THE CODE OF THE CITY OF TRENTON

WHEREAS, the City of Trenton, as a Tier A municipality with respect to Stormwater Quality Management, is required by the New Jersey Department of Environmental Protection ("NJDEP") to periodically adopt certain model ordinances; and

WHEREAS, the City is required to adopt NJDEP's model ordinance regarding the feeding of wildlife; and

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

Section 1. Chapter 21 ("Animals"), Article IV ("Feeding of Wildlife") of the Code of the City of Trenton shall be renamed and amended as follows (deletions are ~~struck through~~ and additions are underlined):

§ ~~21-30~~ 21-32 Purpose.

The purpose of this article is to prohibit the feeding of unconfined wildlife in any public park or on any other property owned or operated by the City of Trenton, so as to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

§ ~~21-31~~ 21-33 Definitions.

For the purpose of this article, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this article clearly demonstrates a different meaning. The word "shall" is always mandatory and not merely directory.

FEED

To give, place, expose, deposit, distribute or scatter any edible material with the intention of feeding, attracting or enticing wildlife. Feeding does not include baiting in the legal taking of fish and/or game.

PERSON

Any individual, corporation, company, partnership, firm, association, or political subdivision of this state subject to municipal jurisdiction.

ORDINANCE

WILDLIFE

All animals that are neither human nor domesticated.

§ ~~21-32~~ 21-34 Regulated Activities Prohibited conduct.

No person shall feed, in any public park or on any other property owned or operated by the City of Trenton, any wildlife, ~~excluding confined wildlife (for example, wildlife confined in zoos, parks or rehabilitation centers, or unconfined wildlife at environmental education centers).~~

§ ~~21-33~~ 21-35 Exemptions.

Exemptions include unconfined wildlife at environmental education centers and feral cats as part of an approved Trap-Neuter-Release program.

§ ~~21-33~~ 21-36 Enforcement.

A. This article shall be enforced by the City of Trenton Police Department.

B. Any person found to be in violation shall be ordered to cease the prohibited activity immediately.

§ ~~21-34~~ 21-37 Violations and penalties.

Any person who is found to be in violation of the provisions of this article shall be subject to a fine not to exceed \$2,000, as stated in Chapter 1, Article III, General Penalty, § 1-17.

Section 2. Repealer. Any article, section, paragraph, subsection, clause, or other provision of the Code of the City of Trenton inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

Section 3. Severability. If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

ORDINANCE

No. 24-033

1st Reading _____

Public Hearing _____

2nd Reading & Passage _____

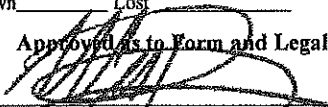
Withdrawn _____ Lost _____

Date to Mayor _____

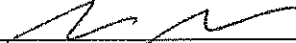
Date Returned _____

Date Resubmitted to Council _____

Approved as to Form and Legality


WES BRIDGES, ESQ., CITY ATTORNEY

Factual content certified by


SEAN SEMPLE, DIRECTOR OF WATER & SEWER DEPT.

Councilman /woman _____ presents the following Ordinance:

AN ORDINANCE OF THE CITY OF TRENTON TO ADOPT NJDEP'S MODEL ORDINANCE REGARDING PRIVATELY-OWNED REFUSE CONTAINERS AND DUMPSTERS AND TO AMEND CHAPTER 254 OF THE CODE OF THE CITY OF TRENTON

WHEREAS, the City of Trenton, as a Tier A municipality with respect to Stormwater Quality Management, is required by the New Jersey Department of Environmental Protection ("NJDEP") to periodically adopt certain model ordinances; and

WHEREAS, the City is required to adopt NJDEP's model ordinance regarding privately-owned refuse containers and dumpsters; and

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

Section 1. Chapter 254 ("Stormwater Management"), Article IV ("Covering of Dumpsters and Other Refuse Containers") of the Code of the City of Trenton shall be renamed and amended as follows (deletions are ~~struck through~~ and additions are underlined):

Article IV Privately-Owned Refuse Containers and Dumpsters ~~Covering of Dumpsters and Other Refuse Containers~~

§ 254-24 Purpose.

The purpose of this article is to require dumpsters and other refuse containers that are outdoors or exposed to stormwater to be covered at all times and to prohibit the spilling, dumping, leaking, or otherwise discharging of liquids, semi-liquids or solids from the containers to the municipal separate storm sewer system operated by the City of Trenton and the waters of the State of New Jersey so as to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

§ 254-25 Definitions and word usage.

For the purpose of this article, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this article clearly demonstrates a different meaning. The word "shall" is always mandatory and not merely directory.

ORDINANCE

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)

A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) that is owned or operated by the City of Trenton or other public body and is designed and used for collecting and conveying stormwater. MS4s do not include combined sewer systems, which are sewer systems that are designed to carry sanitary sewage at all times and to collect and transport stormwater from streets and other sources.

PERSON

Any individual, corporation, company, partnership, firm, association, or political subdivision of the State of New Jersey subject to municipal jurisdiction.

REFUSE

Matter thrown away or rejected as waste, trash.

REFUSE CONTAINER

Any waste container that a person controls, whether owned, leased, or operated, including dumpsters, trash cans, garbage pails, and plastic trash bags.

STORMWATER

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

WATERS OF THE STATE

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

§ 254-26 Regulated Activities Prohibited-conduct.

- A. Any person who controls, whether owned, leased, or operated, a refuse container or dumpster must ensure that such container or dumpster is covered at all times and shall prevent refuse from spilling out or overflowing.
- B. Any person who owns, leases or otherwise uses a refuse container or dumpster must ensure that such container or dumpster does not leak or otherwise discharge liquids, semi-liquids or solids to the municipal separate storm sewer system operated by the City of Trenton.

§ 254-27 Exemptions. Exceptions to prohibitions.

- A. Permitted temporary demolition containers.
- B. Litter receptacles (other than dumpsters or other bulk containers).
- C. Individual homeowner trash and recycling containers.
- D. Refuse containers at facilities authorized to discharge stormwater from dumpsters at a site that is authorized under a valid NJPDES permit.

ORDINANCE

E. Large bulky items (e.g., furniture, bound carpet and padding, or household appliances and white goods) placed curbside for pickup.

§ 254-28 Enforcement.

- A. This article shall be enforced by the City of Trenton Police Department.
- B. Any person found to be in violation shall be ordered to cease the prohibited activity immediately.

§ 254-29 Violations and penalties.

Any person who is found to be in violation of the provisions of this article shall be subject to a fine not to exceed \$2,000, as stated in Chapter 1, Article III, General Penalty, § 1-17.

Section 2. Repealer. Any article, section, paragraph, subsection, clause, or other provision of the Code of the City of Trenton inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

Section 3. Severability. If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

Section 4. Effective date. This ordinance shall take effect upon its passage and publication and as otherwise provided for by law.

INTRODUCTION:	MOTION:				SECOND:				ORD. AUTHORED BY:	ADOPTION				MOTION:	SECOND:							
																			INTRODUCTION			
	AYE	NAY	NV	AB	AYE	NAY	NV	AB		AYE	NAY	NV	AB		AYE	NAY	NV	AB	AYE	NAY	NV	AB
EDWARDS									GONZALEZ					FELICIANO								
IGUEROA JETTENBURG									HARRISON													
RISBY									WILLIAMS													
IV - NO VOTE	AB - ABSENT																					

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

Adopted on second reading after the public hearing on _____

APPROVED

REJECTED

Reconsidered by Council - Override Vote

President of Council

City Clerk

ORDINANCE

No. 24-034

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


WES BRIDGES, ESQ., CITY ATTORNEY


SEAN SEMPLE, DIRECTOR OF WATER & SEWER DEPT.

Councilman /woman _____ presents the following Ordinance:

AN ORDINANCE OF THE CITY OF TRENTON TO ADOPT NJDEP'S MODEL ORDINANCE REGARDING YARD WASTE AND TO AMEND CHAPTERS 312 AND 248 OF THE CODE OF THE CITY OF TRENTON

WHEREAS, the City of Trenton, as a Tier A municipality with respect to Stormwater Quality Management, is required by the New Jersey Department of Environmental Protection ("NJDEP") to periodically adopt certain model ordinances; and

WHEREAS, the City is required to adopt NJDEP's model ordinance regarding yard waste; and

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

Section 1. Chapter 312 ("Yard Waste") of the Code of the City of Trenton shall be amended as follows (deletions are ~~struck through~~ and additions are underlined):

§ 312-1 Purpose.

The purpose of this chapter is to establish requirements for the proper handling of yard waste in the City of Trenton, so as to protect the environment, public health, safety and welfare, and to prescribe penalties for the failure to comply.

§ 312-2 Definitions and word usage.

For the purpose of this chapter, 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. The word "shall" is always mandatory and not merely directory.

CONTAINERIZED

The placement of yard waste in a trash can, bucket, bag or other vessel, such as to prevent the yard waste from spilling or blowing out into the street and contaminating stormwater. ~~coming into contact with stormwater.~~

PERSON

Any individual, corporation, company, partnership, firm, association, or political subdivision of this state subject to municipal jurisdiction.

ORDINANCE

STREET

Any street, avenue, boulevard, road, parkway, viaduct, drive, or other way, which is an existing state, county, or municipal roadway, and includes the land between the street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, curbs, sidewalks, parking areas, and other areas within the street lines.

YARD WASTE

Loose leaves and grass clippings.

§ 312-3 Regulated Activities Prohibited conduct; exceptions.

A. No person shall sweep, rake, blow, or otherwise place yard waste into the street unless it is for a scheduled collection. The owner or occupant of any property, or any employee or contractor of such owner or occupant engaged to provide lawn care or landscaping services, shall not sweep, rake, blow or otherwise place yard waste, unless the yard waste is containerized, in the street. If yard waste that is not containerized is placed in the street, the party responsible for placement of yard waste must remove the yard waste from the street or said party shall be deemed in violation of this chapter.

B. For non-containerized (loose) yard waste collection: Placement of loose yard waste must be at least 10 feet away from any storm drain inlet and no sooner than 7 days prior to a scheduled and announced collection. Exceptions: Areas scheduled for leaf collection through the Leaf Collection Program are exempt from the containerized yard waste ordinance, provided that the noncontainerized yard waste placed at the curb or along the street is more than 10 feet away from any storm drain inlet. Additionally, noncontainerized yard waste cannot be placed at the curb or along the street at any time prior to the scheduled pick up date, except as described in the Leaf Collection Program.

C. For containerized yard waste collection: Yard waste shall be placed in an appropriate container at the curb or along the street for collection.

D. For information on the procedure for leaf collection for residential premises, see Section 248-18 of this Code.

Placement of such yard waste on the street at any other time or in any other manner is a violation of this ordinance. If such placement of yard waste occurs, the person responsible for placement of the yard waste shall be in violation of this ordinance and must remove the yard waste immediately. There are no exemptions.

§ 312-4 Enforcement.

This chapter shall be enforced by the City of Trenton Police Department.

§ 312-5 Violations and penalties.

Any person who is found to be in violation of the provisions of this chapter shall be subject to a fine not to exceed \$2,000, as stated in Chapter 1, Article III, General Penalty, § 1-17.

Section 2. Chapter 248 ("Solid Waste"), Article II ("Recycling"), Section 248-18 of the Code of the City of Trenton shall be amended as follows (deletions are ~~struck through~~ and deletions are underlined):

§ 248-18 Leaf collection system for residential premises.

ORDINANCE

A. All residents, including residents of multifamily complexes, shall source-separate leaves from solid waste generated at those premises, and, unless such leaves are stored for recycling, composting or mulching by the generator, shall place the leaves for collection in the manner provided below.

B. The Director of the Department of Public Works shall collect leaves generated from residential premises from September 1 to December 31 of each year. The Director of the Department of Public Works shall dispose of all leaves so collected in a manner consistent with the recycling plan.

C. For information on yard waste collection generally, see Chapter 312 of this Code.

Section 3. Repealer. Any article, section, paragraph, subsection, clause, or other provision of the Code of the City of Trenton inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

Section 4. Severability. If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

Section 5. Effective date. This ordinance shall take effect upon its passage and publication and as otherwise provided for by law.

INTRODUCTION:	MOTION:				SECOND:				ORD. AUTHORED BY:	INTRODUCTION				ADOPTION				ADOPTION	MOTION:				SECOND:							
	INTRODUCTION				ADOPTION					INTRODUCTION				ADOPTION					INTRODUCTION				ADOPTION							
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EDWARDS									GONZALEZ									FELICIANO												
TIGUEROA JETTENBURG									HARRISON																					
TRISBY									WILLIAMS																					
IV - NO VOTE	AB - ABSENT																													

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

Adopted on second reading after the public hearing on _____

 AYE
 Mayor
 NAY

 APPROVED

 REJECTED
 Reconsidered by Council - Override Vote

President of Council

City Clerk

ORDINANCE

No. 24-035

1st Reading _____

Date to Mayor _____

Public Hearing _____

Date Returned _____

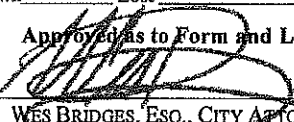
2nd Reading & Passage _____


Date Resubmitted to Council _____

Withdrawn _____ Lost _____

Approved as to Form and Legality

Factual content certified by


WES BRIDGES, ESQ., CITY ATTORNEY


SEAN SEMPLE, DIRECTOR OF WATER & SEWER DEPT.

Councilman /woman _____ presents the following Ordinance:

AN ORDINANCE OF THE CITY OF TRENTON TO ADOPT NJDEP'S MODEL ORDINANCE REGARDING SPILLING, DUMPING OR DISPOSAL OF MATERIALS OTHER THAN STORMWATER AND TO AMEND CHAPTER 254 OF THE CODE OF THE CITY OF TRENTON

WHEREAS, the City of Trenton, as a Tier A municipality with respect to Stormwater Quality Management, is required by the New Jersey Department of Environmental Protection ("NJDEP") to periodically adopt certain model ordinances; and

WHEREAS, the City is required to adopt NJDEP's model ordinance regarding spilling, dumping or disposal of materials other than stormwater; and

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

Section 1. Chapter 254 ("Stormwater Management"), Article VI ("Spilling, Dumping or Disposal of Materials other than Stormwater") of the Code of the City of Trenton shall be amended as follows (deletions are ~~struck through~~ and additions are underlined):

§ 254-36 Purpose.

The purpose of this article is to prohibit the spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm system (MS4) operated by the City of Trenton, so as to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

§ 254-37 Definitions.

For the purpose of this article, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this article clearly demonstrates a different meaning. The word "shall" is always mandatory and not merely directory.

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)

A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) that is owned or operated by the City of Trenton or other public body, and is designed and used for collecting and conveying stormwater. MS4s do not include combined sewer systems, which are sewer systems that are designed to carry sanitary sewage at all times and to collect and transport stormwater from streets and other sources.

ORDINANCE

PERSON

Any individual, corporation, company, partnership, firm, association, or political subdivision of the State of New Jersey subject to municipal jurisdiction.

STORMWATER

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

§ 254-38 Regulated Activities Prohibited conduct.

The spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system operated by the City of Trenton is prohibited. The spilling, dumping, or disposal of materials other than storm water in such a manner as to cause the discharge of pollutants to the municipal separate storm sewer system is also prohibited.

§ 254-39 Exceptions to prohibition.

A. Potable water line flushing and discharges from potable water sources, excluding the discharge of filter backwash and first flush water from potable well development/redevelopment activities utilizing chemicals in accordance with N.J.A.C. 7:9D. The volume of first flush water, which is a minimum of three times the volume of the well water column, shall be handled and disposed of properly. Water-line flushing and discharges from potable water sources.

B. Uncontaminated groundwater (e.g., infiltration, crawl space or basement sump pumps, foundation or footing drains, rising groundwaters).

C. Air-conditioning condensate (excluding contact and non-contact cooling water; and industrial refrigerant condensate) including landscape and lawn watering runoff).

D. Irrigation water (including landscape and lawn watering runoff). (excluding contact and noncontact cooling water).

E. Flows from springs, riparian habitats and wetlands, water reservoir discharges and diverted stream flows.

F. Residential car-washing water, and dechlorinated residential swimming pool discharges from single-family residential homes.

G. Sidewalk, driveway and street wash water.

H. Flows from firefighting activities including the washing of fire-fighting vehicles.

I. Flows from rinsing of the following equipment with clean water:

(1) Beach maintenance equipment immediately following their use for their intended purposes, such that rinsing of beach maintenance equipment is limited to exterior, undercarriage, and exposed parts and does not apply to engines or other enclosed machinery; and

(2) Equipment used in the application of salt and de-icing materials immediately following salt and de-icing material applications.

ORDINANCE

(a) Prior to rinsing with clean water, all residual salt and de-icing materials must be removed from the equipment and vehicles to the maximum extent practicable using dry cleaning methods (e.g., shoveling and sweeping). Recovered materials are to be returned to storage for reuse or properly discarded.

(b) Rinsing of equipment, as noted in the above situation, is limited to exterior, undercarriage, and exposed parts and does not apply to engines or other enclosed machinery.

§ 254-40 Enforcement

A. This article shall be enforced by the City of Trenton Police Department.

B. Any person found to be in violation shall be ordered to cease the prohibited activity immediately.

§ 254-41 Violations and penalties.

Any person who is found to be in violation of the provisions of this article shall be subject to a fine not to exceed \$2,000, as stated in Chapter 1, Article III (General Penalty), § 1-17, and such other penalties as prescribed thereunder.

§ 254-42 Severability.

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

ORDINANCE

Section 3. Repealer. Any article, section, paragraph, subsection, clause, or other provision of the Code of the City of Trenton inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

Section 4. Severability. If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

Section 5. Effective date. This ordinance shall take effect upon its passage and publication and as otherwise provided for by law.

INTRODUCTION:	MOTION:				SECOND:				DRD. AUTHORED BY:	ADDITION:				MOTION:				SECOND:								
	INTRODUCTION				ADOPTION					INTRODUCTION				ADOPTION				INTRODUCTION				ADOPTION				
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EDWARDS									GONZALEZ					FELICIANO												
IGUEROA JETTENBURG									HARRISON																	
RISBY									WILLIAMS																	
IV - NO VOTE	AB - ABSENT																									

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

Adopted on second reading after the public hearing on _____

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

_____ President of Council
 _____ City Clerk

ORDINANCE

No. 24-036

1st Reading _____

Date to Mayor _____

Public Hearing _____

Date Returned _____

2nd Reading & Passage _____

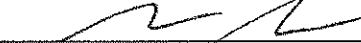
Date Resubmitted to Council _____

Withdrawn _____ Lost _____

Approved as to Form and Legality

Factual content certified by


Wes BRIDGES, ESQ., CITY ATTORNEY


SEAN SEMPLE, DIRECTOR OF WATER & SEWER DEPT.

Councilman /woman _____ presents the following Ordinance:

AN ORDINANCE OF THE CITY OF TRENTON TO ADOPT NJDEP'S MODEL ORDINANCE REGARDING PRIVATELY-OWNED SALT STORAGE AND TO AMEND CHAPTER 254 OF THE CODE OF THE CITY OF TRENTON

WHEREAS, the City of Trenton, as a Tier A municipality with respect to Stormwater Quality Management, is required by the New Jersey Department of Environmental Protection ("NJDEP") to periodically adopt certain model ordinances; and

WHEREAS, the City is required to adopt NJDEP's model ordinance regarding privately-owned salt storage; and

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

Section 1. Chapter 254 ("Stormwater Management"), Article VII ("Privately-Owned Salt Storage") shall be added to the Code of the City of Trenton as follows:

Article VII Privately-Owned Salt Storage

§ 254-43 Purpose.

The purpose of this ordinance is to prevent stored salt and other solid de-icing materials from being exposed to stormwater. This ordinance establishes requirements for the storage of salt and other solid de-icing materials on properties not owned or operated by the municipality (privately-owned), including residences, in the City of Trenton to protect the environment, public health, safety and welfare; and to prescribe penalties for failure to comply.

§ 254-44 Definitions and word usage.

For the purpose of this article, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this article clearly demonstrates a different meaning. When consistent 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.

ORDINANCE

DE-ICING MATERIALS

Any granular or solid material such as melting salt or any other granular solid that assists in the melting of snow.

IMPERVIOUS SURFACE

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

PERMANENT STRUCTURE

A. A permanent building or permanent structure that is anchored to a permanent foundation with an impermeable floor and that is completely roofed and walled (new structures require a door or other means of sealing the access way from wind-driven rainfall).

B. A fabric frame structure is a permanent structure if it meets the following specifications:

- (1) Concrete blocks, jersey barriers or other similar material shall be placed around the interior of the structure to protect the side walls during loading and unloading of de-icing materials;
- (2) The design shall prevent stormwater run-on and run-through, and the fabric cannot leak;
- (3) The structure shall be erected on an impermeable slab;
- (4) The structure cannot be open-sided; and
- (5) The structure shall have a roll-up door or other means of sealing the access way from wind-driven rainfall.

PERSON

Any individual, corporation, company, partnership, firm, association, or political subdivision of this state subject to municipal jurisdiction.

STORM DRAIN INLET

The point of entry into the storm sewer system

§ 254-44 Deicing Material Storage Requirements

A. Temporary outdoor storage of de-icing materials in accordance with the requirements below is allowed between October 15th and April 15th:

1. Loose materials shall be placed on a flat, impervious surface in a manner that prevents stormwater run-through;
2. Loose materials shall be placed at least 50 feet from surface water bodies, storm drain inlets, ditches and/or other stormwater conveyance channels;

ORDINANCE

3. Loose materials shall be maintained in a cone-shaped storage pile. If loading or unloading activities alter the cone-shape during daily activities, tracked materials shall be swept back into the storage pile, and the storage pile shall be reshaped into a cone after use;

4. Loose materials shall be covered as follows:

- a. The cover shall be waterproof, impermeable, and flexible;
- b. The cover shall extend to the base of the pile(s);
- c. The cover shall be free from holes or tears;
- d. The cover shall be secured and weighed down around the perimeter to prevent removal by wind; and
- e. Weight shall be placed on the cover(s) in such a way that minimizes the potential of exposure as materials shift and runoff flows down to the base of the pile.

(1) Sandbags lashed together with rope or cable and placed uniformly over the flexible cover, or poly-cord nets provide a suitable method. Items that can potentially hold water (e.g., old tires) shall not be used;

5. Containers must be sealed when not in use; and

6. The site shall be free of all de-icing materials between April 16th and October 14th.

B. De-icing materials should be stored in a permanent structure if a suitable storage structure is available. For storage of loose de-icing materials in a permanent structure, such storage may be permanent, and thus not restricted to October 15 - April 15.

C. All such temporary and/or permanent structures must also comply with all other local ordinances, including building and zoning regulations, in this Code.

D. The property owner, or owner of the de-icing materials if different, shall designate a person(s) responsible for operations at the site where these materials are stored outdoors, and who shall document that weekly inspections are conducted to ensure that the conditions of this ordinance are met. Inspection records shall be kept on site and made available to the municipality upon request.

1. Residents who operate businesses from their homes that utilize de-icing materials are required to perform weekly inspections.

§ 254-45 Exemptions.

A. Residents may store de-icing materials outside in a solid-walled, closed container that prevents precipitation from entering and exiting the container, and which prevents the de-icing materials from leaking or spilling out. Under these circumstances, weekly inspections are not necessary, but repair or replacement of damaged or inadequate containers shall occur within 2 weeks.

B. If containerized (in bags or buckets) de-icing materials are stored within a permanent structure, they are not subject to the storage and inspection requirements in Section 254-44 above. Piles of de-icing materials are not exempt, even if stored in a permanent structure.

ORDINANCE

C. This ordinance does not apply to facilities where the stormwater discharges from de-icing material storage activities are regulated under another NJPDES permit.

§ 254-46 Enforcement.

This article shall be enforced by the City of Trenton Police Department.

§ 254-47 Violations and penalties.

Any person who is found to be in violation of the provisions of this article shall be subject to a fine not to exceed \$2,000, as stated in Chapter 1, Article III, General Penalty, § 1-17.

Section 2. Repealer. Any article, section, paragraph, subsection, clause, or other provision of the Code of the City of Trenton inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

Section 3. Severability. If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

Section 4. Effective date. This ordinance shall take effect upon its passage and publication and as otherwise provided for by law.

INTRODUCTION:	MOTION:				SECOND:				ORD. AUTHORED BY:	ADOPTION				MOTION:				SECOND:								
	INTRODUCTION				ADOPTION					INTRODUCTION				ADOPTION				INTRODUCTION				ADOPTION				
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EDWARDS									GONZALEZ					FELICIANO												
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RISBY									WILLIAMS																	
IV - NO VOTE																										
AB - ABSENT																										

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

Adopted on second reading after the public hearing on _____

AYE APPROVED
NAY REJECTED
NAY Reconsidered by Council – Override Vote

 President of Council

 City Clerk

ORDINANCE

No. 24-037

1st Reading _____

Date to Mayor _____

Public Hearing _____

Date Returned _____

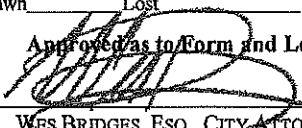
2nd Reading & Passage _____


Date Resubmitted to Council _____

Withdrawn _____ Lost _____

Approved as to Form and Legality

Factual content certified by


WES BRIDGES, ESQ., CITY ATTORNEY


SEAN SEMPLE, DIRECTOR OF WATER & SEWER DEPT.

Councilman /woman _____ presents the following Ordinance:

AN ORDINANCE OF THE CITY OF TRENTON TO ADOPT NJDEP'S MODEL ORDINANCE REGARDING RETROFITTING OF STORM DRAIN INLETS AND TO AMEND CHAPTER 254 OF THE CODE OF THE CITY OF TRENTON

WHEREAS, the City of Trenton, as a Tier A municipality with respect to Stormwater Quality Management, is required by the New Jersey Department of Environmental Protection ("NJDEP") to periodically adopt certain model ordinances; and

WHEREAS, the City is required to adopt NJDEP's model ordinance regarding retrofitting of storm drain inlets; and

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

Section 1. Chapter 254 ("Stormwater Management"), Article II ("Retrofitting of Storm Drain Outlets") of the Code of the City of Trenton shall be amended as follows (deletions are ~~struck through~~ and additions are underlined):

Article II Retrofitting of Storm Drain Inlets ~~Outlets~~

§ 254-12 Purpose.

The purpose of this article is to require the retrofitting of existing storm drain inlets which are in direct contact with repaving, repairing, reconstruction, or resurfacing or alterations of facilities on private property, to prevent the discharge of solids and floatables (such as plastic bottles, cans, food wrappers and other litter) to the municipal separate storm sewer system operated by the City of Trenton so as to protect the environment, public health, safety and welfare, and to prescribe penalties for the failure to comply. Installation of all new storm drain inlets must include a catch basin or other BMP designed for solids collection in areas which drain to surface waters and that do not have any other downstream BMPs prior to the surface water discharge.

§ 254-13 Definitions and word usage.

For the purpose of this article, the following terms, phrases, words, and their derivations shall have the meanings stated herein, unless their use in the text of this article clearly demonstrates a different meaning. The word "shall" is always mandatory and not merely directory.

ORDINANCE

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)

A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) that is owned or operated by the City of Trenton or other public body and is designed and used for collecting and conveying stormwater. MS4s do not include combined sewer systems, which are sewer systems that are designed to carry sanitary sewage at all times and to collect and transport stormwater from streets and other sources.

PERSON

Any individual, corporation, company, partnership, firm, association, or political subdivision of the State of New Jersey subject to municipal jurisdiction.

STORM DRAIN INLET

An opening in a storm drain used to collect stormwater runoff and includes, but is not limited to, a grate inlet, curb-opening inlet, slotted inlet, and combination inlet.

WATERS OF THE STATE

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

§ 254-14 Regulated Activities. ~~Prohibited conduct.~~

A. No person in control of private property (except a residential lot with one single-family house) shall authorize the repaving, repairing (excluding the repair of individual potholes), resurfacing (including top coating or chip sealing with asphalt emulsion or a thin base of hot bitumen) reconstructing or altering any surface that is in direct contact with an existing storm drain inlet on that property unless the storm drain inlet either:

1. Already meets the design standard below to control passage of solid and floatable materials; or
2. Is retrofitted or replaced to meet the standard herein in § 254-15 below prior to the completion of the project.

B. The below design standard applies to the following types of storm drain inlet retrofit projects unless a more stringent standard is specified by the City's Stormwater Control Ordinance:

1. Privately-owned or operated storm drain inlets (e.g., condominium association) must be retrofitted where the storm drains are:

a. In direct contact with any repaving, repairing (excluding individual pothole repair), or resurfacing (including top coating or chip sealing with asphalt emulsion or a thin base of hot bitumen); or

b. In direct contact with any reconstruction or alteration of facilities. This does not include single family homes.

C. Grates in pavement or other ground surfaces shall meet either of the following standards:

1. The New Jersey Department of Transportation (NJDOT) bicycle safe grate standards described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning

ORDINANCE

and Design Guidelines (see www.state.nj.us/transportation/about/publicat/pdf/BikeComp/introtofac.pdf); or

2. A grate where each individual clear space in that grate has an area of no more than seven (7.0) square inches or is not greater than 0.5 inches across the smallest dimension. Note that the Residential Site Improvement Standards at N.J.A.C. 5:21 include requirements for bicycle safe grates.

a. 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 basin floors used to collect stormwater from the surface into a storm drain or surface water body.

b. For curb-openings inlets, including curb-opening inlets in combination inlets, the clear space in the 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.

§ 254-15 Exemptions. Design standard; exceptions.

The following exemptions from the design standard apply:

A. Where each individual clear space in the curb opening in existing curb-opening inlets does not have an area of more than nine (9.0) square inches;

B. Where the review agency determines that the standards would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets;

C. Where flows from the water quality design storm as specified in N.J.A.C. 7:8 are conveyed through any device (e.g., 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:

1. A rectangular space four and five-eighths inches long and one and one-half inches wide; or

2. A bar screen having a bar spacing of 0.5 inches;

a. 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).

D. Where flows are conveyed through a trash rack that has parallel bars with one inch (1") spacing between the bars, to the elevation of the water quality design storm as specified in N.J.A.C. 7:8; or

E. Where the Department 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 the standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

ORDINANCE

~~A. Storm drain inlets identified in § 254-14 above shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this section, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids.~~

~~(1) Design engineers shall use either 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:~~

~~(a) 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 (April 1996); or~~

~~(b) A different grate, if each individual clear space in that grate has an area of no more than seven square inches or is no greater than 0.5 inch across the smallest dimension.~~

~~(2) Whenever design engineers use a curb opening inlet, 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 square inches or be no greater than two inches across the smallest dimension.~~

~~B. This standard does not apply:~~

~~(1) Where the Municipal Engineer agrees that this standard would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets that meet these standards;~~

~~(2) Where flows 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 solids and floatable materials that could not pass through one of the following:~~

~~(a) A rectangular space 4 5/8 inches long and 1 1/2 inches wide; or~~

~~(b) A bar screen having a bar spacing of 0.5 inch.~~

§ 254-16 Enforcement.

This article shall be enforced by the City of Trenton Police Department.

§ 254-17 Violations and penalties.

Any person who is found to be in violation of the provisions of this article shall be subject to a fine not to exceed \$2,000, as stated in Chapter 1, Article III, General Penalty, § 1-17.

ORDINANCE

Section 2. Repealer. Any article, section, paragraph, subsection, clause, or other provision of the Code of the City of Trenton inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

Section 3. Severability. If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

Section 4. Effective date. This ordinance shall take effect upon its passage and publication and as otherwise provided for by law.

INTRODUCTION:	MOTION:				SECOND:				ORD. AUTHORED BY:	ADOPTION				MOTION:				SECOND:								
	INTRODUCTION				ADOPTION					INTRODUCTION				ADOPTION				INTRODUCTION				ADOPTION				
	AYE	NAY	NV	AB	AYE	NAY	NV	AB		AYE	NAY	NV	AB	AYE	NAY	NV	AB	AYE	NAY	NV	AB	AYE	NAY	NV	AB	
EDWARDS									GONZALEZ					FELICIANO												
IGUEROA									HARRISON																	
LETTENBURG																										
RISBY									WILLIAMS																	
IV - NO VOTE				AB - ABSENT																						

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

Adopted on second reading after the public hearing on _____

AYE
 Mayor
 NAY

 APPROVED

 REJECTED

 Reconsidered by Council – Override Vote

President of Council
City Clerk