

REGULAR MEETING

OF THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, NEW JERSEY, HELD IN THE COUNCIL CHAMBER, MUNICIPAL BUILDING, 630 AVENUE C, ON WEDNESDAY, SEPTEMBER 12, 2018

The Council met at 7:10 P.M.

Council President Perez announced: "I would like to advise all those present that notice of this regular meeting of the Municipal Council of the City of Bayonne of September 12, 2018, has been provided to the public in accordance with the provisions of the Open Public Meetings Act of the State of New Jersey. Notice of time and place of the meeting has been included in the annual notice of meetings, which was posted and filed with the City Clerk, and with the Jersey Journal and the Star Ledger. An additional notice of time and place was posted and filed with the City Clerk and was forwarded to the Jersey Journal and the Star Ledger by on September 7, 2018."

The Regular Meeting of the Municipal Council of the City of Bayonne is now in session.

The Clerk called the roll.

Present were: Council Members Cotter, Gullace, LaPelusa, Perez and Nadrowski.

The Council President led the Pledge of Allegiance.

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01. The Clerk announced:

AN ORDINANCE ENTITLED, "AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDON, NEW JERSEY AUTHORIZING A FIVE 5 YEAR TAX EXEMPTION ON THE ASSESSED VALUE OF NEW IMPROVEMENTS ONLY FOR NEWLY CONSTRUCTED IMPROVEMENTS WITH RESPECT TO THE PARCEL OF LAND LOCATED AT 191 BROADWAY, (BLOCK 318, LOTS 20) ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE," which was introduced and passed a first reading at a meeting held August 15, 2018, was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of September, 2018, is now before the Council for its consideration and a public hearing.

Council Member LaPelusa moved a resolution, seconded by Council Member Perez, which was read by the Clerk and adopted.

BE IT RESOLVED, that the foregoing ordinance be given a second reading.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

The Clerk read the ordinance by title: "AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDON, NEW JERSEY AUTHORIZING A FIVE 5 YEAR TAX EXEMPTION ON THE ASSESSED VALUE OF NEW IMPROVEMENTS ONLY FOR NEWLY CONSTRUCTED IMPROVEMENTS WITH RESPECT TO THE PARCEL OF LAND LOCATED AT 191 BROADWAY, (BLOCK 318, LOTS 20) ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE,"

The Council is now ready to give all persons interested in this ordinance an opportunity to be heard concerning it. The council president will recognize anyone who wishes to speak.

The following person spoke: Peter Franco – 127 West 12th Street
Mike Morris – 123 Avenue C

The Clerk made the following statement: "No protest against, objections to, or statements in favor of this ordinance or its passage have been filed with me."

Council Member LaPelusa motioned to close the hearing, seconded by Council Member Perez, which motion was adopted.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

Council Member Perez moved the resolution for final passage, seconded by Council Member LaPelusa, which was read by the Clerk and adopted.

WHEREAS, an ordinance entitled, "AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDON, NEW JERSEY AUTHORIZING A FIVE 5 YEAR TAX EXEMPTION ON THE ASSESSED VALUE OF NEW IMPROVEMENTS ONLY FOR NEWLY CONSTRUCTED IMPROVEMENTS WITH RESPECT TO THE PARCEL OF LAND LOCATED AT 191 BROADWAY, (BLOCK 318, LOTS 20) ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE," was introduced and passed a first reading at a meeting held August 15, 2018, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of September 12, 2018; and

WHEREAS, said ordinance was given a second reading at this meeting; and

WHEREAS, a hearing was held and such ordinance was considered as required by law; and

WHEREAS, no legal objections to said ordinance or to its passage were made at the said hearing; now therefore, be it

RESOLVED, that the said ordinance be passed and designated as Ordinance No. O-18-50.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

02. The Clerk announced:

AN ORDINANCE ENTITLED, "BOND ORDINANCE PROVIDING FOR VARIOUS 2018 CAPITA IMPROVERMENTS, BY AND IN THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY (THE "CITY"); APPROPRIATING \$3,650,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$3,475,000 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COSTS THEREOF," which was introduced and passed a first reading at a meeting held August 15, 2018, was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of September 12, 2018, is now before the Council for its consideration and a public hearing.

Council Member Perez moved a resolution, seconded by Council Member Cotter, which was read by the Clerk and adopted.

BE IT RESOLVED, that the foregoing ordinance be given a second reading.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

The Clerk read the ordinance by title: "BOND ORDINANCE PROVIDING FOR VARIOUS 2018 CAPITA IMPROVERMENTS, BY AND IN THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY (THE "CITY"); APPROPRIATING \$3,650,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$3,475,000 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COSTS THEREOF"

The Council is now ready to give all persons interested in this ordinance an opportunity to be heard concerning it. The council president will recognize anyone who wishes to speak.

There was no response-no person appearing to protest against or object to the ordinance or to its passage

The Clerk made the following statement: "No protest against, objections to, or statements in favor of this ordinance or its passage have been filed with me."

Council President Nadrowski motioned to close the hearing, seconded by Council Member Cotter, which motion was adopted.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

Council Member Perez moved the resolution for final passage, seconded by Council Member LaPelusa, which was read by the Clerk and adopted.

WHEREAS, an ordinance entitled, "BOND ORDINANCE PROVIDING FOR VARIOUS 2018 CAPITA IMPROVERMENTS, BY AND IN THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY (THE "CITY"); APPROPRIATING \$3,650,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$3,475,000 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COSTS THEREOF was introduced and passed a first reading at a meeting held August 15, 2018, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of September 12, 2018; and

WHEREAS, said ordinance was given a second reading at this meeting; and

WHEREAS, a hearing was held and such ordinance was considered as required by law; and

WHEREAS, no legal objections to said ordinance or to its passage were made at the said hearing; now therefore, be it

RESOLVED, that the said ordinance be passed and designated as Ordinance No. O-18-51.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

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03. The Clerk announced:

AN ORDINANCE ENTITLED, "BOND ORDINANCE PROVIDING FOR AQUEDUCT IMPROVEMENTS, BY AND IN THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY (THE "CITY"); APPROPRIATING \$11,700,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$11,700,000 BONDS OR NOTES TO FINANCE THE COST THEREOF," which was introduced and passed a first reading at a meeting held August 15, 2018, was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of September 12, 2018, is now before the Council for its consideration and a public hearing.

Council Member Gullace moved a resolution, seconded by Council President Nadrowski, which was read by the Clerk and adopted.

BE IT RESOLVED, that the foregoing ordinance be given a second reading.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

The Clerk read the ordinance by title: "BOND ORDINANCE PROVIDING FOR AQUEDUCT IMPROVEMENTS, BY AND IN THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY (THE "CITY"); APPROPRIATING \$11,700,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$11,700,000 BONDS OR NOTES TO FINANCE THE COST THEREOF"

The Council is now ready to give all persons interested in this ordinance an opportunity to be heard concerning it. The council president will recognize anyone who wishes to speak.

The following person spoke: Mike Morris – 123 Avenue A

The Clerk made the following statement: "No protest against, objections to, or statements in favor of this ordinance or its passage have been filed with me."

Council President Nadrowski motioned to close the hearing, seconded by Council Member Cotter, which motion was adopted.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

Council Member LaPelusa moved the resolution for final passage, seconded by Council Member Gullace, which was read by the Clerk and adopted.

WHEREAS, an ordinance entitled, "BOND ORDINANCE PROVIDING FOR AQUEDUCT IMPROVEMENTS, BY AND IN THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY (THE "CITY"); APPROPRIATING \$11,700,000

THEREFOR AND AUTHORIZING THE ISSUANCE OF \$11,700,000 BONDS OR NOTES TO FINANCE THE COST THEREOF” was introduced and passed a first reading at a meeting held August 15, 2018, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of September 12, 2018; and

WHEREAS, said ordinance was given a second reading at this meeting; and

WHEREAS, a hearing was held and such ordinance was considered as required by law; and

WHEREAS, no legal objections to said ordinance or to its passage were made at the said hearing; now therefore, be it

RESOLVED, that the said ordinance be passed and designated as Ordinance No. O-18-52.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

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04. The Clerk announced:

AN ORDINANCE ENTITLED, “CAPITAL IMPROVEMENT ORDINANCE TO PROVIDE FUNDING FOR IMPROVEMENTS TO THE BAYONNE WATERFRONT WALKWAY IN THE AMOUNT OF \$425,000,” which was introduced and passed a first reading at a meeting held August 15, 2018, was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of September 12, 2018, is now before the Council for its consideration and a public hearing.

Council Member LaPelusa moved a resolution, seconded by Council Member Perez, which was read by the Clerk and adopted.

BE IT RESOLVED, that the foregoing ordinance be given a second reading.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

The Clerk read the ordinance by title: “CAPITAL IMPROVEMENT ORDINANCE TO PROVIDE FUNDING FOR IMPROVEMENTS TO THE BAYONNE WATERFRONT WALKWAY IN THE AMOUNT OF \$425,000”

The Council is now ready to give all persons interested in this ordinance an opportunity to be heard concerning it. The council president will recognize anyone who wishes to speak.

The following person spoke: Mike Morris – 123 Avenue C

The Clerk made the following statement: "No protest against, objections to, or statements in favor of this ordinance or its passage have been filed with me."

Council Member Perez motioned to close the hearing, seconded by Council Member Gullace, which motion was adopted.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

Council Member Perez moved the resolution for final passage, seconded by Council President Nadrowski, which was read by the Clerk and adopted.

WHEREAS, an ordinance entitled, “CAPITAL IMPROVEMENT ORDINANCE TO PROVIDE FUNDING FOR IMPROVEMENTS TO THE BAYONNE WATERFRONT WALKWAY IN THE AMOUNT OF \$425,000” was introduced and passed a first reading at a meeting held August 15, 2018, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of September 12, 2018; and

WHEREAS, said ordinance was given a second reading at this meeting; and

WHEREAS, a hearing was held and such ordinance was considered as required by law; and

WHEREAS, no legal objections to said ordinance or to its passage were made at the said hearing; now therefore, be it

RESOLVED, that the said ordinance be passed and designated as Ordinance No. O-18-53.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

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05. The Clerk announced:

AN ORDINANCE ENTITLED, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDED REDEVELOPMENT PLAN FOR A PORTION OF THE SCATTERED SITE REDEVELOPMENT PLAN PERTAINING TO PROPERTY IDENTIFIED AS BLOCK 140, LOTS 1, 60 & 61 AS SHOWN ON THE OFFICIAL TAX MAP IN THE CITY OF BAYONNE, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ." which was introduced and passed a first reading at a meeting held August 15, 2018, was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of September 12, 2018, is now before the Council for its consideration and a public hearing.

Council Member Perez moved the following resolution, seconded by Council Member Cotter, which was ready by the Clerk and adopted.

BE IT RESOLVED, that further consideration of the foregoing ordinance be tabled to the meeting of October 17, 2018 at 7:00 P.M. or as soon thereafter as the matter can be reached, in the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey; and be it further

RESOLVED, that the City Clerk be and is hereby authorized and directed to publish said ordinance according to law, with a notice of the time and place when and where said ordinance will be further considered for final passage.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

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06. The Clerk announced:

AN ORDINANCE ENTITLED, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC", which was introduced and passed a first reading at a meeting held August 15, 2018, was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of September 12, 2018, is now before the Council for its consideration and a public hearing.

Council Member LaPelusa moved a resolution, seconded by Council Member Perez, which was read by the Clerk and adopted.

BE IT RESOLVED, that the foregoing ordinance be given a second reading.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

The Clerk read the ordinance by title: "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC"

The Council is now ready to give all persons interested in this ordinance an opportunity to be heard concerning it. The council president will recognize anyone who wishes to speak.

There was no response-no person appearing to protest against or object to the ordinance or to its passage

The Clerk made the following statement: "No protest against, objections to, or statements in favor of this ordinance or its passage have been filed with me."

Council Member LaPelusa motioned to close the hearing, seconded by Council President Nadrowski, which motion was adopted.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

Council Member Perez moved the resolution for final passage, seconded by Council Member Gullace which was read by the Clerk and adopted.

WHEREAS, an ordinance entitled, AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC” was introduced and passed a first reading at a meeting held August 15, 2018, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of September 12, 2018; and

WHEREAS, said ordinance was given a second reading at this meeting; and

WHEREAS, a hearing was held and such ordinance was considered as required by law; and

WHEREAS, no legal objections to said ordinance or to its passage were made at the said hearing; now therefore, be it

RESOLVED, that the said ordinance be passed and designated as Ordinance No. O-18-54.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

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07. The Clerk announced:

AN ORDINANCE ENTITLED, “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,” which was introduced and passed a first reading at a meeting held August 15, 2018, was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of September 12, 2018, is now before the Council for its consideration and a public hearing.

Council Member Perez moved a resolution, seconded by Council President Nadrowski, which was read by the Clerk and adopted.

BE IT RESOLVED, that the foregoing ordinance be given a second reading.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

The Clerk read the ordinance by title: “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC”

The Council is now ready to give all persons interested in this ordinance an opportunity to be heard concerning it. The council president will recognize anyone who wishes to speak.

There was no response-no person appearing to protest against or object to the ordinance or to its passage

The Clerk made the following statement: "No protest against, objections to, or statements in favor of this ordinance or its passage have been filed with me."

Council Member Perez motioned to close the hearing, seconded by Council President Nadrowski, which motion was adopted.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

Member Perez moved the resolution for final passage, seconded by Council Member Cotter, which was read by the Clerk and adopted.

WHEREAS, an ordinance entitled, AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC” was introduced and passed a first reading at a meeting held August 15, 2018, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of September 12, 2018; and

WHEREAS, said ordinance was given a second reading at this meeting; and

WHEREAS, a hearing was held and such ordinance was considered as required by law; and

WHEREAS, no legal objections to said ordinance or to its passage were made at the said hearing; now therefore, be it

RESOLVED, that the said ordinance be passed and designated as Ordinance No. O-18-55.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

08. Council Member LaPelusa introduced:

AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 5, ANIMAL CONTROL

BE IT ORDAINED, by the Municipal Council of the City of Bayonne, as follows:

Section 1. That the Revised General Ordinances of the City of Bayonne, Chapter 5, Animal Control, Section 2, Licensing Provisions for Dogs, Subsection 5, Fees hereby amended and supplemented as follows: (Additions ****between asterisks and/or in bold****, deletions ~~{within brackets and/or struck through}~~):

5-2.5 Fees.

The person applying for a license shall pay a fee of fifteen (\$15.00) dollars for each dog and an additional fee of five (\$5.00) dollars for any dog of reproductive age not sterilized. A duplicate tag shall be issued for a fee of two (\$2.00) dollars. Any dog license renewed after the last day of January of the calendar year will be subject to a ~~{twenty}~~ five (~~{2}~~5.00) dollar fee.

Council Member LaPelusa moved a resolution, seconded by Council Member Perez, which was read by the Clerk and adopted.

BE IT RESOLVED, that an ordinance entitled “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 5, ANIMAL CONTROL,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, September 12, 2018 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

RESOLVED, that the City Clerk be and is hereby authorized and directed to publish said ordinance according to law, with a notice of its introduction and passage on first reading, and the time and place when and where said ordinance will be further considered for final passage.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

09. Council President Nadrowski introduced:

AN ORDINANCE AMENDING AND SUPPLEMENTING THE GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC

BE IT ORDAINED, by the Municipal Council of the City of Bayonne, as follows:

Section 1. That the Revised General Ordinances of the City of Bayonne, Chapter 7, TRAFFIC, Subsection 7-36 Traffic Control Signals is hereby amended and supplemented as follows (Additions ****between asterisks and/or in bold****, deletions ~~(within brackets and/or struck through)~~):

****Avenue C and West 12th Street****

Council President Nadrowski moved a resolution, seconded by Council Member Perez, which was read by the Clerk and adopted.

BE IT RESOLVED, that an ordinance entitled “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, September 12, 2018 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

RESOLVED, that the City Clerk be and is hereby authorized and directed to publish said ordinance according to law, with a notice of its introduction and passage on first reading, and the time and place when and where said ordinance will be further considered for final passage.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

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10. Council Member Perez introduced:

AN ORDINANCE AMENDING AND SUPPLEMENTING THE GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC

BE IT ORDAINED, by the Municipal Council of the City of Bayonne, as follows:

Section 1. That the Revised General Ordinances of the City of Bayonne, Chapter 7, TRAFFIC, Subsection 7-16.1, Parking Prohibited During Certain Hours on Certain Streets, is hereby amended and supplemented as follows (Additions ****between asterisks and/or in bold****, deletions ~~(within brackets and/or struck through)~~):

Names of Street	Sides	Hours	Location
**Juliette Street	South	Monday through Friday 6:00 a.m. to 3:00 p.m. (for use as a loading zone)	Beginning at the intersection of the southeast corner of Juliette Street and Ave. A and extending to a point 135 feet in an easterly direction. **

Council Member Perez moved a resolution, seconded by Council Member Cotter, which was read by the Clerk and adopted.

BE IT RESOLVED, that an ordinance entitled “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, September 12, 2018 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

RESOLVED, that the City Clerk be and is hereby authorized and directed to publish said ordinance according to law, with a notice of its introduction and passage on first reading, and the time and place when and where said ordinance will be further considered for final passage.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

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11. Council Member Cotter introduced:

AN ORDINANCE AMENDING AND SUPPLEMENTING THE GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC

BE IT ORDAINED, by the Municipal Council of the City of Bayonne, as follows:

Section 1. That the Revised General Ordinances of the City of Bayonne, Chapter 7, TRAFFIC, Subsection 7-15, Parking Prohibited at all times on Certain Streets, is hereby amended and supplemented as follows (Additions ****between asterisks and/or in bold****, deletions ~~(within brackets and/or struck through)~~):

Names of Streets	Sides	Location
17th Street	South	Beginning at the southeast corner of West 17 th Street and Avenue C and continuing 60 feet in an easterly direction.
Avenue C	East	Beginning at the southeast corner of Avenue C and West 17 th Street and continuing 65 feet in a southerly direction.
West 22nd St.	South	Beginning at a point 82 feet west of the southwest corner of West 22 nd Street and Avenue C and extending to a point 86 feet in a westerly direction.

Section 2. That the Revised General Ordinances of the City of Bayonne, Chapt 7, TRAFFIC, Subsection 7-16.1, Parking Prohibited During Certain Hours on Certain Streets, is hereby amended and supplemented as follows (Additions ****between asterisks and/or in bold****, deletions ~~(within brackets and/or struck through)~~):

Names of Streets	Side	Hours	Location
Prospect Ave.	West	Tuesday Through Friday 7:00 PM to 9:00 PM Sunday 10:00 AM to 3:00 PM	Beginning at a point 35 feet north of the northwest corner of Prospect Avenue and East 22 nd Street and extending to a point 38 feet north thereof.
Avenue C	East	Sunday Only 9:30 AM to 12:30 PM	Beginning at a point 23 feet north of the northwest corner of West 37 th Street and Avenue C and extending to a point 41 feet in a northerly direction.**

Council Member Cotter moved a resolution, seconded by Council Member LaPelusa, which was read by the Clerk and adopted.

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, September 12, 2018 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

RESOLVED, that the City Clerk be and is hereby authorized and directed to publish said ordinance according to law, with a notice of its introduction and passage on first reading, and the time and place when and where said ordinance will be further considered for final passage.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

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12. Council Member LaPelusa introduced:

AN ORDINANCE AMENDING AND SUPPLEMENTING THE GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC

BE IT ORDAINED, by the Municipal Council of the City of Bayonne, as follows:

Section 1. That the Revised General Ordinances of the City of Bayonne, Chapter 7, TRAFFIC, Subsection 7-13.3, Time Limited Parking, is hereby amended and supplemented as follows (Additions ****between asterisks and/or in bold****, deletions ~~{within brackets and/or struck through}~~):

d. The Parking Utility of the City of Bayonne hereby authorizes the installation of parking meters at the following locations.

1. 269 Broadway on the west side;
2. 718-724 Broadway on the east side (two meters);
3. 910-912 Broadway on the east side (two meters);
4. 1020 Broadway on the east side;
5. 1022 Broadway on the west side;
6. 1060 Broadway on the east side;
7. 156 Broadway on the east side (three meters).
8. 32nd Street & Broadway on the north east side (three meters).**

Council Member LaPelusa moved a resolution, seconded by Council Member Gullace, which was read by the Clerk and adopted.

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, September 12, 2018 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

RESOLVED, that the City Clerk be and is hereby authorized and directed to publish said ordinance according to law, with a notice of its introduction and passage on first reading, and the time and place when and where said ordinance will be further considered for final passage.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

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13. Council Member LaPelusa introduced:

AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC

BE IT ORDAINED, by the Municipal Council of the City of Bayonne, as follows:

Section 1. That the Revised General Ordinances of the City of Bayonne Chapter 7, Traffic, Section 7-37.3, Handicapped Parking on Street for Private Residences, be and is hereby amended and supplemented as follows:

RESTRICTIVE PARKING ZONES

DELETE

020. Anna Sopko, 176 West 8th Street
Beginning at a point on the south side of West 8th Street, 446 feet west of the southwest corner of 8th Street and Avenue A, and extending to a point 22 feet west thereof.

022. Gayle Meadows, 649 Broadway
Beginning at a point on the north side of West 30th Street, 25 feet west of the northwest corner of 30th Street and Broadway, and extending to a point 22 feet west thereof.

121. Dorothy Nadrowski, 471 Avenue A
Beginning at a point on the north side of Avenue A, 33 feet west of the northwest corner of 19th Street and Avenue A, and extending to a point 17 feet west thereof.

164. Roger O'Halloran, 19 Washington Parkway
Beginning at a point on the north side of Avenue A, 395 feet west of the northwest corner of Washington Parkway and Avenue A, and extending to a point 22 feet westerly direction.

276. Michael Ciano, 61 West 6th Street
Beginning at a point on the north side of West 6th Street, 98 feet east of the northeast corner of West 6th Street and Newman Avenue, and extending to a point 22 feet east thereof.

317. Emeil Shenouda, 523 Kennedy Blvd.
Beginning at a point on the south side of 20th Street, 55 feet west of the southwest corner of 20th Street and Kennedy Blvd., and extending to a point 20 feet west thereof.

386. Elaine Reichert, 22 West 45th Street
Beginning at a point on the south side of West 45th Street, 258 feet west of the southwest corner of 45th Street and Broadway, and extending to a point 18 feet west thereof.

408. Annjeanette Johnson, 308 Avenue C
Beginning at a point on the east side of West 12th Street, 60 feet north of the northwest corner of West 12th Street and Avenue C, and extending to a point 18 feet north thereof.

Council Member LaPelusa moved a resolution, seconded by Council Member Perez, which was read by the Clerk and adopted.

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, September 12, 2018 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

RESOLVED, that the City Clerk be and is hereby authorized and directed to publish said ordinance according to law, with a notice of its introduction and passage on first reading, and the time and place when and where said ordinance will be further considered for final passage.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

* * * * *

14. The Council as a whole moved the following resolution, which was read by the Clerk and adopted.

WHEREAS, Section 2-1.3 of the Revised General Ordinances of the City of Bayonne permits the Municipal Council, by an affirmative vote of the members present at a council meeting, to approve a consent agenda consisting of one or more communications or resolutions; now, therefore, be it

RESOLVED, That the following items which have been included on the agenda for this regular meeting as COMMUNICATIONS and which follow this resolution shall constitute a consent agenda for communications and that they be received and filed and included in the official minutes of this meeting as having been so ordered.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

* * * * *

15. The Council as a whole moved the following communication be received and filed, which motion was adopted.

From KELLY COLLADO, filing notice of tort claim alleging personal injuries resulting from a fall on the steps on March 26, 2018 at 7 Seaview Court.

* * * * *

16. The Council as a whole moved the following communication be received and filed, which motion was adopted.

From PEDRO A. FALCON, filing notice of tort claim alleging property damage to his automobile on June 19, 2018 resulting when it was illegally towed at Avenue B and 57th Street.

* * * * *

17. The Council as a whole moved the following communication be received and filed, which motion was adopted.

From AYVAN J. LOPEZ, filing notice of tort claim alleging property damage to his automobile on June 14, 2018 resulting from being backed into by a city employee.

* * * * *

18. The Council as a whole moved the following communication be received and filed, which motion was adopted.

From Nicholas J. Leonardis, Esq., filing notice of tort claim on behalf of CAMILO LOPEZ, alleging personal injuries on April 13, 2018 resulting from debris in roadway caused him to loss control of motorcycle at Pulaski St. and Route 440 South.

* * * * *

19. The Council as a whole moved the following communication be received and filed, which motion was adopted.

From Patrick G. Patel, Esq., filing notice of tort claim on behalf of CATHERINE CARR, alleging personal injuries sustained on June 29, 2018 resulting when her bicycle hit a pothole at 16th Street and Country Village Court.

* * * * *

20. The Council as a whole moved the following communication be received and filed, which motion was adopted.

From TERRENCE JOYNT, filing notice of tort claim alleging property damage to his automobile on August 7, 2018, when struck by a city owned vehicle at East 22nd Street and Church Lane.

* * * * *

21. The Council as a whole moved the following communication be received and filed, which motion was adopted.

From the United States District Court, District of New Jersey, Summons and Complaint in matter entitled, "MULCAHY vs. POPOWSKI, et al." (False Arrest)

* * * * *

22. The Council as a whole moved the following communication be received and filed, which motion was adopted.

From the Tax Court of New Jersey, Summons and Complaint in matter entitled, "455 BROADWAY ASSOCIATES, LLC vs. THE CITY OF BAYONNE."(453 Broadway, Block 216, lot 17 - commercial)

* * * * *

23. The Council as a whole moved the following communication be received and filed, which motion was adopted.

From the Tax Court of New Jersey, Summons and Complaint in matter entitled, "J & J BUILDERS, LLC vs. THE CITY OF BAYONNE." (156-160 Avenue F, Block 445, lot 8.01 – Multi-residential)

* * * * *

24. The Council as a whole moved the following communication be received and filed, which motion was adopted.

From the Tax Court of New Jersey, Summons and Complaint in matter entitled, "PROSPECT WATERVIEW HOLDINGS 18, LLC vs. THE CITY OF BAYONNE." (80 Prospect Avenue, Block 448, lot 27 – Multi-residential)

* * * * *

25. The Council as a whole moved the following resolution, which was read by the Clerk and adopted.

WHEREAS, Section 2-1.3 of the Revised General Ordinances of the City of Bayonne permits the Municipal Council, by an affirmative vote of the members present at a council meeting, to approve a consent agenda consisting of one or more communications or resolutions; now, therefore, be it

RESOLVED, That the following items which have been included on the agenda for this regular meeting as OFFICERS' REPORTS and which follow this resolution shall constitute a consent agenda for officers' reports and that they be received and filed and that any resolution incorporated within them be adopted and included in the official minutes of this meeting as having been so ordered.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

* * * * *

26. The Council as a whole moved the following communication be received and filed, which motion was adopted.

From Terrence Malloy, Chief Financial Officer, reporting on vendor payments and recommending payment of the same.

* * * * *

27. The Council as a whole moved the following communication be received and filed, which motion was adopted.

DATE: September 24, 2018

TO: Terrence Malloy, CFO
Robert Sloan, City Clerk

FROM: Janet Convery, Treasurer

Please be advised that a transfer to the Board of Ed was made on September 4, 2018

\$ 5,692,692.00 CLAIMS & PAYROLL FOR SEPTEMBER

Janet Convery
(signed)

* * * * *

WHEREAS, these taxpayers have requested refunds of the overpayments indicated; and

WHEREAS, the Director of Finance has recommended that these amounts be refunded to the taxpayers; now therefore be it

RESOLVED, that warrants be drawn to the order of the taxpayers listed, in the amounts indicated; and be it further

RESOLVED, that the warrants be forwarded to the Tax Collector for delivery to the payees.

BLOCK	LOT	PAYEE	AMOUNT
57	42	Hudson Property Holdings, LLP	632.83
88	13	Jersey Property Holdings, LLP	6,599.45
123	6	Anthony Novello	2,987.45
139	46	Lucy Scarabagio	5,273.59
161	32	Michael Evangelis	4,002.02
272	19.01	C0101Quicken Loans	1,689.00
380	11	Peter Visone	1,778.88
Total:			22,963.22

* * * * *

33. The Council as a whole moved the following resolution, which was read by the Clerk and adopted.

WHEREAS, the City is the recipient of Community Development Block Grant (CDBG) Funds from the U.S. Department of Housing and Urban Development (HUD) to benefit the City's low and moderate income families; and

WHEREAS, the Bayonne Family Community Center, 259 Avenue E, Bayonne, New Jersey 07002 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Bayonne Family Community Center has requested and submitted a formal written application dated February 2, 2018 for said CDBG Grant Funds in the amount of \$50,000.00 for the purpose of providing child care services for low and moderate income families and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said Community Development Block Grant Funds for the purpose of providing child care services for low and moderate income families is limited to the amount of \$24,000.00; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-977; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Bayonne Family Community Center, 259 Avenue E, Bayonne, New Jersey 07002 for the provision of providing child care service for low and moderate income families in the amount of \$24,000.00 for the period commencing September 1, 2018 and ending August 31, 2019.
2. Funds shall be charged to Account #CDBG-977

* * * * *

34. The Council as a whole moved the following resolution, which was read by the Clerk and adopted.

WHEREAS, the City is the recipient of Community Development Block Grant (CDBG) Funds from the U.S. Department of Housing and Urban Development (HUD) to benefit the City's low and moderate income families; and

WHEREAS, the Bayonne Economic Opportunity Foundation, 555 Kennedy Blvd, Bayonne, New Jersey 07002 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Bayonne Economic Opportunity Foundation has requested and submitted a formal written application dated February 14, 2018 for said CDBG Grant Funds in the amount of \$58,000.00 for the purpose of providing fair housing counseling services and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said Community Development Block Grant Funds for the purpose of providing fair housing counseling services is limited to the amount of \$40,00.00; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-985 now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Bayonne Economic Opportunity Foundation, 555 Kennedy Blvd, Bayonne, New Jersey 07002 for the provision of providing fair housing counseling services in the amount of \$40,000.00 for the period commencing September 1, 2018 and ending August 31, 2019.

2. Funds shall be charged to Account #CDBG-985

* * * * *

35. The Council as a whole moved the following resolution, which was read by the Clerk and adopted.

WHEREAS, the City is the recipient of Community Development Block Grant (CDBG) Funds from the U.S. Department of Housing and Urban Development (HUD) to benefit the City's low and moderate income families; and

WHEREAS, the Bayonne Economic Opportunity Foundation, 555 Kennedy Blvd, Bayonne, New Jersey 07002 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Bayonne Economic Opportunity Foundation has requested and submitted a formal written application dated February 14, 2018 for said CDBG Grant Funds in the amount of \$45,000.00 for the purpose of providing senior transportation salary and fringe benefits and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said Community Development Block Grant Funds for the purpose of providing senior transportation salary and fringe benefits is limited to the amount of \$30,000.00; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-969; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Bayonne Economic Opportunity Foundation, 555 Kennedy Blvd, Bayonne, New Jersey 07002 for the provision of providing senior transportation salary and fringe benefits in the amount of \$38,000.00 for the period commencing September 1, 2018 and ending August 31, 2019.

2. Funds shall be charged to Account #CDBG-969

* * * * *

36. The Council as a whole moved the following resolution, which was read by the Clerk and adopted.

WHEREAS, the City is the recipient of Community Development Block Grant (CDBG) Funds from the U.S. Department of Housing and Urban Development (HUD) to benefit the City's low and moderate income families; and

WHEREAS, the Bayonne Economic Opportunity Foundation, 555 Kennedy Blvd, Bayonne, New Jersey 07002 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Bayonne Economic Opportunity Foundation has requested and submitted a formal written application dated February 14, 2018 for said CDBG Grant Funds in the amount of \$6,000.00 for the purpose of providing senior transportation insurance and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said Community Development Block Grant Funds for the purpose of providing senior transportation insurance is limited to the amount of \$6,000.00; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-970; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Bayonne Economic Opportunity Foundation, 555 Kennedy Blvd, Bayonne, New Jersey 07002 for the provision of providing senior transportation insurance in the amount of \$6,000.00 for the period commencing September 1, 2018 and ending August 31, 2019.

2. Funds shall be charged to Account #CDBG-970

* * * * *

37. The Council as a whole moved the following resolution, which was read by the Clerk and adopted.

WHEREAS, the City is the recipient of Community Development Block Grant (CDBG) Funds from the U.S. Department of Housing and Urban Development (HUD) to benefit the City's low and moderate income families; and

WHEREAS, the Garden State Episcopal Community Development Corporation, 118 Summit Avenue, Jersey City, New Jersey 07304 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Garden State Episcopal Community Development Corporation has requested and submitted a formal written application dated February 21, 2018 for said CDBG Grant Funds in the amount of \$25,000.00 for the purpose of providing the Hudson County Homeless Street Outreach program; and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said Community Development Block Grant Funds for the purpose of providing the Hudson County Homeless Street Outreach program limited to the amount of \$15,000.00; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-983; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Garden State Episcopal Community Development Corporation , 118 Summit Avenue, Jersey City, New Jersey 07304 for the provision of providing the Hudson County Homeless Street Outreach program in the amount of \$15,000.00 for the period commencing September 1, 2018 and ending August 31, 2019.

2. Funds shall be charged to Account #CDBG-983

* * * * *

38. The Council as a whole moved the following resolution, which was read by the Clerk and adopted.

WHEREAS, the City is the recipient of Community Development Block Grant (CDBG) Funds from the U.S. Department of Housing and Urban Development (HUD) to benefit the City's low and moderate income families; and

WHEREAS, the Jewish Community Center of Bayonne, 1050 Kennedy Blvd, Bayonne, New Jersey 07002 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Jewish Community Center of Bayonne has requested and submitted a formal written application dated February 15, 2018 for said CDBG Grant Funds in the amount of \$7,000.00 for the purpose of providing Children’s Academy after school program for low income children; and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said Community Development Block Grant Funds for the purpose of providing Children’s Academy after school program for low income children limited to the amount of \$6,000.00; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-973; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Jewish Community Center of Bayonne , 1050 Kennedy Blvd., Bayonne, New Jersey 07002 for the provision of Children’s Academy after school program for low income families in the amount of \$6,000.00 for the period commencing September 1, 2018 and ending August 31, 2019.

2. Funds shall be charged to Account #CDBG-973

* * * * *

39. The Council as a whole moved the following resolution, which was read by the Clerk and adopted.

WHEREAS, the City is the recipient of Community Development Block Grant (CDBG) Funds from the U.S. Department of Housing and Urban Development (HUD) to benefit the City’s low and moderate income families; and

WHEREAS, the Wallace Temple Community Activity Resource Enrichment Sitr, 392 Avenue C, Bayonne, New Jersey 07002 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Wallace Temple Community Activity Resource Enrichment Site has requested and submitted a formal written application dated February 23, 2018 for said CDBG Grant Funds in the amount of \$26,100.00 for the purpose of providing the C.A.R.E.S living faith food pantry; and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said Community Development Block Grant Funds for the purpose of providing the C.A.R.E.S living faith food pantry is limited to the amount of \$5,000.00; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-982; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Wallace Temple Community Activity Resource Enrichment Site, 392 Avenue C, Bayonne, New Jersey 07002 for the provision of providing the C.A.R.E.S. living faith food pantry in the amount of \$5,000.00 for the period commencing September 1, 2018 and ending August 31, 2019.

2. Funds shall be charged to Account #CDBG-982

* * * * *

40. The Council as a whole moved the following resolution, which was read by the Clerk and adopted.

WHEREAS, the City is the recipient of Community Development Block Grant (CDBG) Funds from the U.S. Department of Housing and Urban Development (HUD) to benefit the City’s low and moderate income families; and

WHEREAS, the Waterfront Project Inc., 830 Bergen Avenue Suite 4A, Jersey City, New Jersey 07306002 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Waterfront Project Inc. has requested and submitted a formal written application dated February 15, 2018 for said CDBG Grant Funds in the amount of \$20,000.00 for the purpose of providing housing counseling and legal advocacy program and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said Community Development Block Grant Funds for the purpose of providing housing and legal advocacy program is limited to the amount of \$6,000.00; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-981; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Waterfront Project Inc., 830 Bergen Avenue Suite 4A, Jersey City, New Jersey 07306 for the provision of providing housing counseling and legal advocacy program in the amount of \$6,000.00 for the period commencing September 1, 2018 and ending August 31, 2019.

2. Funds shall be charged to Account #CDBG-981

* * * * *

41. The Council as a whole moved the following resolution, which was read by the Clerk and adopted.

WHEREAS, the City is the recipient of Community Development Block Grant (CDBG) Funds from the U.S. Department of Housing and Urban Development (HUD) to benefit the City's low and moderate income families; and

WHEREAS, the Waterfront Project Inc., 830 Bergen Avenue Suite 4A, Jersey City, New Jersey 07306 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Waterfront Project Inc. has requested and submitted a formal written application dated February 15, 2018 for said CDBG Grant Funds in the amount of \$10,000.00 for the purpose of providing wills for low income senior program and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said Community Development Block Grant Funds for the purpose of providing wills for low income senior program is limited to the amount of \$8,000.00; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-980; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Waterfront Project Inc., 830 Bergen Avenue Suite 4A, Jersey City, New Jersey 07306 for the provision of providing wills for low income senior program in the amount of \$8,000.00 for the period commencing September 1, 2018 and ending August 31, 2019.

2. Funds shall be charged to Account #CDBG-980

* * * * *

42. The Council as a whole moved the following resolution, which was read by the Clerk and adopted.

WHEREAS, the City is the recipient of Community Development Block Grant (CDBG) Funds from the U.S. Department of Housing and Urban Development (HUD) to benefit the City's low and moderate income families; and

WHEREAS, the Bayonne Family Community Center, 259 Avenue E, Bayonne, New Jersey 07002 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, Bayonne Family Community Center has requested and submitted a formal written application dated February 13, 2017 for said CDBG Grant Funds in the amount of \$8,962.35 for the purpose of providing the cost of replacing defective compressors of three HVAC units from In-Line Heating & Air Conditioning Company, 85 East 21st Street, Bayonne, NJ 07002 and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said Community Development Block Grant Funds for the purpose of providing the cost of replacing defective compressors of three HVAC units from In-Line Heating & Air Conditioning Company, 85 East 21st Street, Bayonne, NJ 07002; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-917; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Bayonne Family Community Center, 259 Avenue E, Bayonne, New Jersey 07002 for the provision of providing the cost of replacing defective compressors of three HVAC units from In-Line Heating & Air Conditioning Company, 85 East 21st Street, Bayonne, NJ 07002 in the amount of \$8,962.35 for the period commencing September 1, 2017 and ending August 31, 2018.

2. Funds shall be charged to Account #CDBG-917

* * * * *

43. The Council as a whole moved the following resolution, which was read by the Clerk and adopted.

WHEREAS, the City is the recipient of Community Development Block Grant (CDBG) Funds from the U.S. Department of Housing and Urban Development (HUD) to benefit the City's low and moderate income families; and

WHEREAS, the Hudson Milestone, 365-381 Clendenny Avenue, Jersey City, New Jersey 07304 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Hudson Milestone has requested and submitted a formal written application dated February 21, 2017 for said CDBG Grant Funds in the amount of \$14,200.00 for the purpose of providing the cost of renovations at the 333 Broadway, Bayonne, NJ location to be completed by Ridgeline Construction, 74 Echo Place, Elmwood Park, NJ 07407; and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said Community Development Block Grant Funds for the purpose of providing the cost of renovations at the 333 Broadway Bayonne, NJ location to be completed by Ridgeline Construction , 74 Echo Place , Elmwood Park, NJ 07407; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-917; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with Hudson Milestone 365-381 Clendenny Avenue, Jersey City, NJ 07305 for the provision of providing the cost of renovations at the 333 Broadway Bayonne NJ location to be completed by Ridgeline Construction , 74 Echo Place , Elmwood Park, NJ 07407 in the amount of \$14,200.00 for the period commencing September 1, 2017 and ending August 31, 2018.

2. Funds shall be charged to Account #CDBG-917

* * * * *

44. The Council as a whole moved the following resolution, which was read by the Clerk and adopted.

Whereas, the City of Bayonne desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for \$20,000.00 to carry out a project to provide inclusive recreational opportunities for teenagers and adults with disabilities as a part of Bayonne's recreational programming.

Be it therefore RESOLVED,

1) that the MAYOR AND COUNCIL OF THE CITY OF BAYONNE does hereby authorize the application for such a grant; and,

2) recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement;

and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between

THE CITY OF BAYONNE and the New Jersey Department of Community Affairs;

3) the MAYOR AND COUNCIL OF THE CITY OF BAYONNE authorizes the expenditure of the required 20% match for this grant opportunity.

Be it further RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement and any other documents necessary in connection therewith:

(signature)

James Davis
(type or print name)

Mayor
(title)

* * * * *

45. The Council as a whole moved the following resolution, which was read by the Clerk and adopted.

WHEREAS, by way of Resolution No. 16-07-20-048 adopted by the Municipal Council on July 20, 2016, the City of Bayonne (the "City") entered into an Access Agreement with Getty Properties Corp. ("Getty") and Antea USA, Inc. ("Antea"), ("Getty" and "Antea" collectively referred to as "Accessing Corporations") for access to real property owned by the City comprised of Block 57, Lot 1, more commonly known as 1028 Avenue C, in the City of Bayonne, Hudson County, New Jersey ("Bayonne Property" or "Site") for the purpose of installing two (2) groundwater monitoring wells in the sidewalks of West 49th Street and West 50th Street and two (2) soil borings in the sidewalk of West 49th Street for the limited purpose of performing remedial investigation activities of the former Getty Service Station #56031; and

WHEREAS, the aforementioned two (2) groundwater monitoring wells were installed pursuant to said Access Agreement ("Existing Groundwater Monitoring Wells"); and

WHEREAS, Antea, on behalf of Getty, has requested permission to install five (5) additional groundwater monitoring wells on West 48th, West 49th, West 50th and West 51st Streets (adjacent to the curbs) in order to delineate groundwater impacts detected in the Existing Groundwater Monitoring Wells; and

WHEREAS, Antea, on behalf of Getty, submitted to the City a proposed Scope of Work detailing the proposed monitoring well installations dated August 15, 2018 attached hereto and made a part hereof; and

WHEREAS, the installation of the aforesaid proposed groundwater monitoring wells and proposed soil borings is in the best interest of the health, safety and general welfare of the citizens of Bayonne; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. Permission is hereby granted to Antea USA, Inc., 2 Executive Drive, Suite 9, Moorestown, New Jersey on behalf of Getty Properties Corp., for access to real property owned by the City comprised of Block 57, Lot 1, more commonly known as 1028 Avenue C, in the City of Bayonne, Hudson County, New Jersey to install five (5) additional groundwater monitoring wells consistent with the proposed Scope of Work submitted by Antea dated August 15, 2018 attached hereto and made a part hereof subject to the following conditions:

a) the Accessing Corporations execute an amendment to the current Access Agreement in a form acceptable to the City and approved by the City's Law Department; and

b) the proposed Scope of Work submitted to the City by Antea dated August 15, 2018 is approved by the City's environmental consultant at the Accessing Corporations/or the contractor's expense.

2. The Mayor and City Clerk are hereby authorized to execute an Amendment to the aforesaid Access Agreement in a form or forms acceptable to the Law Department.

3. All other terms and conditions of the aforesaid Access Agreement dated February, 2017 shall remain the same.

* * * * *

46. The Council as a whole moved the following resolution, which was read by the Clerk and adopted.

WHEREAS, the City of Bayonne is in need of professional architectural services for the UEZ/SID and CDBG programs; and

WHEREAS, the City of Bayonne advertised a Request for Qualifications/Proposals for the aforesaid professional architectural services under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4 and.5; and

WHEREAS, USA Architects, Planners and Interior Designers, 20 N. Doughty Avenue, Somerville, NJ 08876 has submitted a formal written response to the City's Request for Qualifications/Proposals for the aforesaid professional architectural services; and

WHEREAS, USA Architects, Planners and Interior Designers is ready, willing and able to provide said services; and

WHEREAS, funds are certified as available in Account UEZ/SID AND CDBG; and

WHEREAS, the Local Public Contract Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, this professional services contract was determined under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4 and .5; now, therefore, be it

RESOLVED, by the Municipal Council of the City of Bayonne as follows:

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with USA Architects, Planners and Interior Designers, 20 N. Doughty Avenue, Somerville, NJ 08876 for the aforesaid professional architectural services for the UEZ/SID and CDBG programs for the period commencing September 13, 2018 and ending September 12, 2019 for an amount not to exceed \$125,000.00 in accordance with their Response to the City's Request for Qualifications.

2. Funds shall be chargeable to Account UEZ/SID AND CDBG.

3. A notice of this action shall be printed once in a newspaper of general circulation within the boundaries of the City of Bayonne.

* * * * *

47. The Council as a whole moved the following resolution, which was read by the Clerk and adopted.

RESOLVED, That a warrant in the amount of \$ 46.80 drawn of the Bureau of Rabies Control, State Department of Health, Trenton, New Jersey, covering the issuance of licenses Nos. 972-990 inclusive, 19 dog licenses, representing one dollar per license for the state fee, twenty cents per license for the state clinic and three dollars per license for non-spayed and non-neutered dogs.

* * * * *

48. The Council as a whole moved the following resolution, which was read by the Clerk and adopted.

WHEREAS, the Bayonne Chamber of Commerce is holding a networking event, in the Dorothy E. Harrington Council Chambers on Thursday, October, 11, 2018; and

WHEREAS, the above mentioned organization has requested a waiver from Section 6-3.3 of the Revised General Ordinances of the City of Bayonne, which prohibits the possession and consumption of alcoholic beverages on the grounds of any public place, and also provides that the Municipal Council of the City of Bayonne may by resolution permit the possession or consumption of alcoholic beverage in a

designated area at a designate time or times in connection with a specific event; now, therefore, be it

RESOLVED, that permission is hereby granted to the Bayonne Chamber of Commerce members and their invited guests to possess and consume alcoholic beverages at the Dorothy E. Harrington Council Chambers on Thursday, October 11, 2018, at 5:00 P.M.

* * * * *

49. The Council as a whole moved the following resolution, which was read by the Clerk and adopted.

WHEREAS, this Municipal Council held a public hearing on July 11, 2018 at the behest of John Kulik regarding the City's refusal to issue a taxicab driver's license to him in 2018; and

WHEREAS, testimony regarding the particulars of Mr. Kulik's application and the City rejection of same was heard at the July 11, 2018 meeting, with both Mr. Kulik and city representatives providing testimony and documentary evidence in support of their claims; and

WHEREAS, based upon that testimony and the documentation provided in connection therewith, this Municipal Council is satisfied that the testimony and documents presented provide sufficient a sufficient record upon which a decision on this matter can be made; and

WHEREAS, it is the opinion of this Municipal Council that the testimony and documentation presented at the hearing, in particular the age of the transgressions giving rise to the 2018 application rejection and the fact that Mr. Kulik had previously been issued a taxicab driver's license on several occasions by the City of Bayonne prior to 2018, justify a reversal of the City's rejection of Mr. Kulik's application for a taxicab license;

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, NEW JERSEY AS FOLLOWS:

Section 1. The Municipal Council of the City of Bayonne hereby reverses the determination rejecting John Kulik's 2018 application for a taxicab driver's license and directs that a taxicab driver's license be issued to him consistent with the terms and conditions of the City of Bayonne's Revised Ordinances for said licenses.

Section 2. This Resolution shall take effect immediately.

* * * * *

50. The Council as a whole moved the following resolution, which was read by the Clerk and adopted.

Whereas, the Tax Assessor for the City of Bayonne had approved the exemption application filed by a 100% Disabled Veteran who owns and occupies a one family home located at Block 46 Lot 35 (22 E 52nd St.), in the City of Bayonne, for the 2018 Tax Year, and

Whereas, the qualified veteran has filed proof of 100% disability as of July 19, 2018 by way of a letter from the Department of Veterans Affairs, and

Whereas, the Veteran through the Municipal Tax Assessor has asked that the City Council honor the exemption as of the date of his disability;

Now therefore be it resolved as follows:

1. The property taxes on the one family home located at Block 46 Lot 35 (22 E 52nd St.), in the City of Bayonne occupied by said qualifying veteran are hereby canceled effective July 19, 2018, with the assessor to revise the assessment going forward and the tax collector to calculate any resulting overpayment of the tax bills from that date to the date of passage of this resolution (estimated at a credit/refund of approximately \$1,166.16 for the current (2018) tax year EXPRESSLY SUBJECT TO the Tax Collector's records and calculations based on the final tax rate and the amount of tax actually billed and paid for the period to which to which the cancelation of taxes approved by this resolution applies.
2. The Tax Collector upon performing the above calculations is authorized to refund any overpayment amount which exceeds such outstanding taxes, so as to assure that the exemption is fully effectuated by the end of the current Tax Year. The Tax Collector is further authorized to credit or adjusting all future bills in conformance

with this resolution for the duration of the veteran's qualified status with respect to this property.

3. The Tax Collector, Tax Assessor and City Treasurer are authorized to take any and all appropriate action to effectuate this resolution, including but not limited to, cancellation of taxes as set forth above and the refund or credit of any excess taxes which may have been paid by said qualifying veterans during the periods noted herein.

* * * * *

51. The Council as a whole moved the following resolution, which was read by the Clerk and adopted.

Whereas, the Tax Assessor for the City of Bayonne had approved the exemption application filed by a 100% Disabled Veteran who owns and occupies a one family home located at Block 174 Lot 7 (11 Parkview Terrace), in the City of Bayonne, for the 2018 Tax Year, and

Whereas, the qualified veteran has filed proof of 100% disability as of April 6, 2018 by way of a letter from the Department of Veterans Affairs dated July 26, 2018, and

Whereas, the Veteran through the Municipal Tax Assessor has asked that the City Council honor the exemption as of the date of his disability;

Now therefore be it resolved as follows:

1. The property taxes on the one family home located at Block 174 Lot 7 (11 Parkview Terrace), in the City of Bayonne occupied by said qualifying veteran are hereby canceled effective April 6, 2018 with the assessor to revise the assessment going forward and the tax collector to calculate any resulting overpayment of the tax bills from that date to the date of passage of this resolution (estimated at a credit/refund of approximately \$3,879.72 for the current (2018) tax year EXPRESSLY SUBJECT TO the Tax Collector's records and calculations based on the final tax rate and the amount of tax actually billed and paid for the period to which the cancelation of taxes approved by this resolution applies.
2. The Tax Collector upon performing the above calculations is authorized to refund any overpayment amount which exceeds such outstanding taxes, so as to assure that the exemption is fully effectuated by the end of the current Tax Year. The Tax Collector is further authorized to credit or adjusting all future bills in conformance with this resolution for the duration of the veteran's qualified status with respect to this property.
3. The Tax Collector, Tax Assessor and City Treasurer are authorized to take any and all appropriate action to effectuate this resolution, including but not limited to, cancellation of taxes as set forth above and the refund or credit of any excess taxes which may have been paid by said qualifying veterans during the periods noted herein.

* * * * *

52. The Council as a whole moved the following resolution, which was read by the Clerk and adopted.

Whereas, the Tax Assessor for the City of Bayonne had approved the exemption application filed by a 100% Disabled Veteran who owns and occupies one unit of a TWO family home located at Block 276 Lot 33 (84 West 10th Street), in the City of Bayonne, for the 2018 Tax Year, and

Whereas, the qualified veteran has filed proof of 100% disability as of November 13, 2017 by way of a letter from the Department of Veterans Affairs dated May 17, 2018, and

Whereas, the Veteran through the Municipal Tax Assessor has asked that the City Council honor the exemption as of the date of his disability;

Now therefore be it resolved as follows:

1. The property taxes on 50% (one half) the two family home located at Block 276 Lot 33 (84 West 10th Street), in the City of Bayonne occupied by said qualifying veteran are hereby canceled effective November 13, 2017 with the assessor to revise the assessment going forward and the tax collector to calculate any resulting overpayment of the tax bills from that date to the date of passage of this resolution

(estimated at a credit/refund of approximately \$1,132.24 for the prorated portion of 2017 and an estimated pro-rated amount of \$3,690.42 for the current (2018) tax year as of the anticipated date of passage of this resolution EXPRESSLY SUBJECT TO the Tax Collector's records and calculations based on the final tax rate and the amount of tax actually billed and paid for the period to which the cancelation of taxes approved by this resolution applies.

2. The Tax Collector upon performing the above calculations is authorized to refund any overpayment amount which exceeds such outstanding taxes, so as to assure that the exemption is fully effectuated by the end of the current Tax Year. The Tax Collector is further authorized to credit or adjusting all future bills in conformance with this resolution for the duration of the veteran's qualified status with respect to this property.
3. The Tax Collector, Tax Assessor and City Treasurer are authorized to take any and all appropriate action to effectuate this resolution, including but not limited to, cancellation of taxes as set forth above and the refund or credit of any excess taxes which may have been paid by said qualifying veterans during the periods noted herein.

* * * * *

53. The Council as a whole moved the following resolution, which was read by the Clerk and adopted.

RESOLVED, That the application of the below listed organizations for RAFFLE LICENSE be granted:

LICENSEE	TIME & PLACE	LICENSE
Trinity Parish in Bayonne	12:00-5:00 PM	RL: 9303
	141 Broadway	RL: 9304
	October 13, 2018	
Hudson County Animal League	2:00-6:30 PM	RL: 9305
	290 Avenue E	RL: 9306
	October 13, 2018	

* * * * *

54. Council Member Perez moved the following resolution, seconded by Council Member Gullace, which was read by the Clerk and adopted.

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING AND DIRECTING THE PLANNING BOARD TO REOPEN AND AMEND THE SOUTH COVE REDEVELOPMENT PLAN PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET. SEQ.*

WHEREAS, the City of Bayonne, in the County of Hudson, New Jersey (the "City"), a public body corporate and politic of the State of New Jersey (the "State"), is authorized pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the "Redevelopment Law"), to determine whether certain parcels of land within the City constitute an area in need of rehabilitation and/or an area in need of redevelopment; and

WHEREAS, pursuant to the Redevelopment Law, the Municipal Council adopted Resolution No. 98-02-04-040, designating the entire City as an area in need of rehabilitation in accordance with *N.J.S.A. 40A:12A-14*; and

WHEREAS, pursuant to the provisions of *N.J.S.A. 40A:12A-7(e)* of the Redevelopment Law, the Planning Board, through the City's staff and/or Planning Board professionals, is permitted to prepare a Redevelopment Plan; and

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Municipal Services, prepared a redevelopment plan for the property located at 171-181 Lefante Way, 77-97 Lefante Way, 101-129 Lefante Way, 131-139 Lefante Way, and 191 Lefante Way, which properties are identified as Block 412, Lots 1.01, 2.01, 2.021, 2.022 and 2.03 (the "Property") titled "South Cove Redevelopment Plan" dated February 14, 2017 (the "Redevelopment Plan"); and

WHEREAS, on May 17, 2017, the Municipal Council agreeing and concurring with the Planning Board's recommendation, adopted Ordinance #O-17-20 adopting the Redevelopment Plan for the Property, and set forth their reasons on the record; and

WHEREAS, the Owner and designated Redeveloper of the subject Property has petitioned the City for certain amendments to the Redevelopment Plan which it believes are in the best interest of the Redevelopment Project; and

WHEREAS, the Municipal Council believes that it is in the best interests of the City to consider amendments to the Redevelopment Plan in order to expand the scope of the revitalization and redevelopment efforts in the City and to make modifications to the Redevelopment Plan necessary to further the goals and objectives of the City (the "Amended Redevelopment Plan"); and

WHEREAS, in accordance with the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*, the Municipal Council is desirous of directing the Planning Board to prepare an Amended Redevelopment Plan for the Property.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, NEW JERSEY AS FOLLOWS:

Section 1. The Planning Board of the City of Bayonne is hereby authorized and directed to prepare an amendment to the Amended Redevelopment Plan in accordance with the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*

Section 2. The Planning Board shall transmit the Amended and Expanded Redevelopment Plan to the Municipal Council for further consideration and action upon completion of same.

Section 3. This Resolution shall take effect immediately.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

* * * * *

55. Council Member LaPelusa moved the following resolution, seconded by Council Member Perez, which was read by the Clerk and adopted.

CHAPTER 159 NO. 1

WHEREAS, N.J.S., 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount

SECTION 1

NOW THEREFORE BE IT RESOLVED that the City of Bayonne hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the Calendar Year Budget of 2018 in the sum of \$ 17,904.00 which has been received from the County of Hudson – Department of Health & Human Services

SECTION II

BE IT FURTHER RESOLVED that a like sum of \$17,904.00 and the same is hereby appropriated under the caption of

OLDER AMERICAN ACT OF 1965

SECTION III

BE IT FURTHER RESOLVED that the above is the result of moneys received by the County of Hudson – Department of Health & Human Services.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

* * * * *

56. Council President Nadrowski moved the following resolution, seconded by Council Member Cotter, which was read by the Clerk and adopted.

CHAPTER 159 NO. 2

WHEREAS, N.J.S., 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount

SECTION 1

NOW THEREFORE BE IT RESOLVED that the City of Bayonne hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the Calendar Year Budget of 2018 in the sum of \$ 10,000.00 which has been received from the County of Hudson – Department of Health & Human Services;

SECTION II

BE IT FURTHER RESOLVED that a like sum of \$10,000.00 and the same is hereby appropriated under the caption of

Congregate Meals Program

SECTION III

BE IT FURTHER RESOLVED that the above is the result of moneys received by the County of Hudson – Department of Health & Human Services.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

* * * * *

57. Council Member LaPelusa moved the following resolution, seconded by Council Member Perez, which was read by the Clerk and adopted.

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY DESIGNATING 345-347 AVENUE A, LLC AS REDEVELOPER OF THE PROPERTY LOCATED AT 345 AVENUE A AND 345-347 AVENUE A, ALSO REFERRED TO AS BLOCK 254, LOTS 22 AND 23, AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE AND AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT WITH 345-347 AVENUE A, LLC FOR THE REDEVELOPMENT OF SUCH PROPERTY IN ACCORDANCE WITH THE REDEVELOPMENT PLAN

WHEREAS, the City of Bayonne, in the County of Hudson, New Jersey (the “City”), a public body corporate and politic of the State of New Jersey (the “State”), is authorized pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “Redevelopment Law”), to determine whether certain parcels of land within the City constitute an area in need of rehabilitation and/or an area in need of redevelopment; and

WHEREAS, *N.J.S.A. 40A:12A-6* authorizes the governing body of any municipality, by resolution, to have its Planning Board conduct a preliminary investigation to determine whether an area of the municipality is a non-condemnation “area in need of redevelopment” pursuant to the criteria contained in *N.J.S.A. 40A:12A-5*; and

WHEREAS, the Mayor and Municipal Council instructed the Planning Board of the City (the “Planning Board”) to conduct such an investigation to determine if certain properties located at 343 Avenue A and 345-347 Avenue A, which properties are identified as Block 254, Lots 22 and 23, as shown on the official Tax Map of the City (the “Study Area”), constitute a non-condemnation “area in need of redevelopment,” in accordance with the Redevelopment Law; and

WHEREAS, on December 12, 2017, the Planning Board held a public hearing, duly noticed under the Redevelopment Law, and reviewed an investigation/report titled “Area in Need of Redevelopment Preliminary Investigation Block 254 Lot 23 (345-347 Avenue A) Block 254 Lot 22 (343 Avenue A)” prepared by Suzanne Mack, PPAICP, City of Bayonne, Division of Planning & Zoning, Department of Municipal Services,

dated December 1, 2017 (the “Study”) and any persons interested in or affected by a determination that the Study Area is a non-condemnation redevelopment area were given an opportunity to be heard, and any objections to such a determination and evidence in support of those objections, were received and considered and made part of the public record; and

WHEREAS, on December 12, 2017, the Planning Board further adopted the Resolution recommending that the Study Area be determined by the Municipal Council to be a non-condemnation “area in need of redevelopment” under the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*; and

WHEREAS, on December 13, 2017, the Municipal Council adopted Resolution No. 17-12-13-080 designating the Study Area as a non-condemnation area in need of redevelopment area (“Redevelopment Area”); and

WHEREAS, the Municipal Council further instructed the Planning Board to prepare a redevelopment plan for the Study Area (the “Redevelopment Plan”); and

WHEREAS, a Redevelopment Plan titled “Block 254 Lot 22 (343 Avenue A) Block 254 Lot 23 (345-347 Avenue A)” (the “Redevelopment Plan”) dated June 19, 2018, has been prepared by the City Planning Department which incorporates the Redevelopment Area to the Redevelopment Plan; and

WHEREAS, on August 15, 2018 this Municipal Council adopted the aforesaid Redevelopment Plan by way of Ordinance O-18-43 in order to effectuate a plan that is consistent with the goals and objectives of the City for the redevelopment of the Redevelopment Area; and

WHEREAS, 345-347 AVENUE A, LLC , a limited liability company of the State of New Jersey, with an office address of C/O Mitchell Burakovsky, 540 Broadway, Bayonne, NJ 07002, (the “Redeveloper”) wishes to develop the Property and use it for the purpose of implementing the Redevelopment Plan; and

WHEREAS, the Redeveloper has requested that the Municipal Council, as a redevelopment entity, prepare a redevelopment agreement with the Redeveloper providing for the development of the Property in accordance with the Redevelopment Plan (the “Redevelopment Agreement”); and

WHEREAS, the Municipal Council desires to designate 345-347 AVENUE A, LLC as Redeveloper of the Property and enter into a Redevelopment Agreement with the Redeveloper, as provided for and in accordance with the provisions of the Redevelopment Law.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, NEW JERSEY AS FOLLOWS:

Section 1. The Municipal Council of the City of Bayonne hereby authorizes the execution of the “Redevelopment Agreement By and Between the City of Bayonne and 345-347 AVENUE A, concerning the Property identified as Block 254, Lots 22 and 23 in the City of Bayonne, in such a form deemed advisable by the City Attorney, subject to any and all conditions contained herein and such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel to the City; and

Section 2. The Municipal Council, upon the full execution of the Redevelopment Agreement recognizes 345-347 AVENUE A, LLC as Redeveloper of Block 254, Lots 22 and 23 in the City of Bayonne as provided for and in accordance with the provisions of the New Jersey Local Redevelopment and Housing Law; and

Section 3. The Mayor and Clerk are hereby authorized to execute the Redevelopment Agreement, with such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel, on behalf of the City of Bayonne, acting as the redevelopment entity for the redevelopment of the Property by 345-347 AVENUE A, LLC.

Section 4. This Resolution shall take effect immediately.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

* * * * *

58. Council Member Cotter moved the following resolution, seconded by Council Member Perez, which was read by the Clerk and adopted.

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY DESIGNATING TGF 115-117 W 2ND STREET URBAN RENEWAL, LLC AS REDEVELOPER OF THE PROPERTY LOCATED AT 115-117 W 2ND STREET, ALSO REFERRED TO AS BLOCK 365, LOT 9 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE AND AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT WITH TGF 115-117 W 2ND STREET URBAN RENEWAL, LLC FOR THE REDEVELOPMENT OF SUCH PROPERTY IN ACCORDANCE WITH THE REDEVELOPMENT PLAN

WHEREAS, the City of Bayonne, in the County of Hudson, New Jersey (the "City"), a public body corporate and politic of the State of New Jersey (the "State"), is authorized pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the "Redevelopment Law"), to determine whether certain parcels of land within the City constitute an area in need of rehabilitation and/or an area in need of redevelopment; and

WHEREAS, pursuant to the Redevelopment Law, the Municipal Council of the City (the "Municipal Council") adopted Resolution No. 98-02-04-040, designating the entire City as an area in need of rehabilitation in accordance with *N.J.S.A. 40A:12A-14*; and

WHEREAS, *N.J.S.A. 40A:12A-6* authorizes the governing body of any municipality, by resolution, to have its Planning Board conduct a preliminary investigation to determine whether an area of the municipality is a non-condemnation "area in need of redevelopment" pursuant to the criteria contained in *N.J.S.A. 40A:12A-5*; and

WHEREAS, on August 16, 2017 by Resolution 17-08-16-075, the Municipal Council authorized and directed the Planning Board of the City (the "Planning Board") to conduct such an investigation to determine if certain property located at 115-117 West 2nd Street, which property is identified as Block 365, Lot 9 as shown on the Official Tax Map of the City (the "Study Area"), constitutes a non-condemnation "area in need of redevelopment," in accordance with the Redevelopment Law; and

WHEREAS, on December 12, 2017, the Planning Board held a public hearing, duly noticed under the Redevelopment Law, and reviewed an investigation/report titled "City of Bayonne: Preliminary Investigation Non-Condensation Area in Need of Redevelopment Silklofts Expansion Study" prepared by the City of Bayonne, 630 Avenue C Bayonne, NJ 07002, dated June 19, 2017 (the "Study") and any persons interested in or affected by a determination that the Study Area is a non-condemnation redevelopment area were given an opportunity to be heard, and any objections to such a determination and evidence in support of those objections, were received and considered and made part of the public record; and

WHEREAS, on December 12, 2017, the Planning Board further adopted the Resolution recommending that the Study Area be determined by the Municipal Council to be a non-condemnation "area in need of redevelopment" under the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*; and

WHEREAS, on December 13, 2017 by Resolution No. 17-12-13-081, the Municipal Council by resolution designated the Study Area as a non-condemnation "area in need of redevelopment" (the "Redevelopment Area") and authorized the Planning Board to prepare and review a Redevelopment Plan for the Redevelopment Area pursuant to *N.J.S.A. 40A:12A-7*; and

WHEREAS, a Redevelopment Plan titled "Redevelopment Plan Chris's Corner" (the "Redevelopment Plan") dated July 12, 2018, has been prepared by the City Planning Department which incorporates the Redevelopment Area to the Redevelopment Plan; and

WHEREAS, on August 15, 2018 this Municipal Council adopted the aforesaid Redevelopment Plan by way of Ordinance O-18-44 in order to effectuate a plan that is consistent with the goals and objectives of the City for the redevelopment of the Redevelopment Area; and

WHEREAS, TFG 115-117 W 2ND Street Urban Renewal, LLC , a limited liability company of the State of New Jersey, with an office address of C/O Kessler Law, 354 Eisenhower Parkway, Plaza I, Suite 2250, Livingstone, New Jersey 07039, (the "Redeveloper") wishes to develop the Property and use it for the purpose of implementing the Redevelopment Plan; and

WHEREAS, the Redeveloper has requested that the Municipal Council, as a redevelopment entity, prepare a redevelopment agreement with the Redeveloper providing for

the development of the Property in accordance with the Redevelopment Plan (the “Redevelopment Agreement”); and

WHEREAS, the Municipal Council desires to designate TFG 115-117 W 2ND Street Urban Renewal, LLC as Redeveloper of the Property and enter into a Redevelopment Agreement with the Redeveloper, as provided for and in accordance with the provisions of the Redevelopment Law.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, NEW JERSEY AS FOLLOWS:

Section 1. The Municipal Council of the City of Bayonne hereby authorizes the execution of the “Redevelopment Agreement By and Between the City of Bayonne and TFG 115-117 W 2ND Street Urban Renewal, LLC concerning the Property identified as Block 365, Lot 9 in the City of Bayonne, in such a form deemed advisable by the City Attorney, subject to any and all conditions contained herein and such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel to the City; and

Section 2. The Municipal Council, upon the full execution of the Redevelopment Agreement recognizes TFG 115-117 W 2ND Street Urban Renewal, LLC as Redeveloper of Block 365, Lot 9 in the City of Bayonne as provided for and in accordance with the provisions of the New Jersey Local Redevelopment and Housing Law; and

Section 3. The Mayor and Clerk are hereby authorized to execute the Redevelopment Agreement, with such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel, on behalf of the City of Bayonne, acting as the redevelopment entity for the redevelopment of the Property by TFG 115-117 W 2ND Street Urban Renewal, LLC .

Section 4. This Resolution shall take effect immediately.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

* * * * *

59. Council Member Perez moved the following resolution, seconded by Council President Nadrowski, which was read by the Clerk and adopted.

RESOLUTION AUTHORIZING TRANSFER OF THE CONTROLLING INTEREST OF BAYONNE ENERGY CENTER URBAN RENEWAL II, LLC AS REDEVELOPER OF THE PROPERTY LOCATED AT CONSTABLE HOOK (A/K/A NEW HOOK ROAD), WHICH PROPERTY IS IDENTIFIED AS BLOCK 482, LOTS 10 AND 11 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE, COUNTY OF HUDSON, STATE OF NEW JERSEY

WHEREAS, the City of Bayonne, in the County of Hudson, New Jersey (the “City”), a public body corporate and politic of the State of New Jersey (the “State”), is authorized pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “Redevelopment Law”), to determine whether certain parcels of land within the City constitute an area in need of rehabilitation and/or an area in need of redevelopment; and

WHEREAS, the Municipal Council of the City (the “Municipal Council”) identified certain properties in the City, designated as Block 482, Lots 10 and 11 on the City’s Tax Maps (the “Study Area”), to be considered for designation as a non-condemnation “area in need of redevelopment” under the Redevelopment Law; and

WHEREAS, by Resolution No. 16-02-17-052 adopted on February 17, 2016, the Municipal Council authorized and directed the Planning Board of the City (the “Planning Board”) to conduct a preliminary investigation to determine whether the Study Area constitutes a non-condemnation “area in need of redevelopment” according to the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, Suzanne T. Mack, P.P., AICP, then City Planner of the City of Bayonne, Division of Planning & Zoning, and Peter Van den Kooy, P.P., AICP, of Matrix New World Engineering, P.C. prepared a written report, which included the Property, entitled “Area in Need of Redevelopment Study Block 482, Lots 10 and 11, City of Bayonne, New Jersey” dated February 22, 2016; and

WHEREAS, on March 15, 2016, the Planning Board held a public hearing, duly noticed under the Redevelopment Law, and any persons interested in or affected by a determination that the Study Area is a non-condemnation area in need of redevelopment were given an opportunity to be heard, and any objections to such a determination and evidence in support of those objections, were received and considered and made part of the public record; and

WHEREAS, by Resolution 16-06-16-064 adopted on March 16, 2016, the Municipal Council agreed and concurred with the Planning Board and designated the Study Area as a non-condemnation “area in need of redevelopment” (the “Redevelopment Area”), and, further directed the Planning Board to prepare and review a redevelopment plan, and transmit its recommendations relating to the redevelopment plan to the Municipal Council in accordance with the provisions of N.J.S.A. 40A:12A-7 of the Redevelopment Law; and

WHEREAS, the Redevelopment Area includes certain properties located at Constable Hook (A/K/A New Hook Road), which properties are identified as Block 482, Lots 10, and 11, on the official Tax Map of the City (the “Property”); and

WHEREAS, the City of Bayonne, Division of Planning and Zoning, Department of Municipal Services, prepared a redevelopment plan entitled the “Redevelopment Plan For Block 482, Lots 10 and 11, City of Bayonne, Hudson County, New Jersey” dated March 29, 2016, (the “Redevelopment Plan”) for the Municipal Council’s consideration; and

WHEREAS, on April 12, 2016, the Planning Board reviewed the Redevelopment Plan and, concluding that the Redevelopment Plan is consistent with the City’s Master Plan, adopted a Resolution, which recommended the adoption of the Redevelopment Plan to the Municipal Council (the “Resolution”); and

WHEREAS, on May 18, 2016, the Municipal Council agreeing and concurring with the Planning Board’s recommendation, adopted Ordinance #0-16-25 adopting the Redevelopment Plan for the Property, and set forth their reasons on the record; and

WHEREAS, Bayonne Energy Center Urban Renewal II, LLC is a lessee of the Property and has contracted with Bayonne Energy Center, LLC, its affiliate, to install and operate an approximately 130-megawatt electric power generating plant (the “Project”) on the Property consistent with the Redevelopment Plan; and

WHEREAS, by Resolution dated August 24, 2016, the City designated Bayonne Energy Center Urban Renewal II, LLC (hereinafter the “Redeveloper”) as the official Redeveloper of the Redevelopment Area in accordance with the Redevelopment Plan and authorized the execution of Redevelopment Agreement; and

WHEREAS, on or about October 21, 2016, the City and Redeveloper executed a Redevelopment Agreement (the “Redevelopment Agreement”) for the redevelopment of the Redevelopment Area in accordance with the adopted Redevelopment Plan; and

WHEREAS, pursuant to Article 8 of the Redevelopment Agreement, any transfer of the controlling interest of the Redeveloper shall be subject to the review and approval of the City; and

WHEREAS, the Redeveloper has notified the City of a pending control transaction with involving the Redeveloper; and

WHEREAS, more particularly, the control transaction will occur pursuant to a Purchase and Sale Agreement dated July 27, 2018 pursuant to which MIC Thermal Power Holdings, LLC, A Delaware limited liability company (“MIC Holdings”) and the indirect parent company of the Redeveloper , has agreed to sell to NHIP II Bayonne Holdings, LLC, a Delaware limited liability company (“NHI”) and affiliate of Morgan Stanley Infrastructure II, Inc., 100% of the equity interest of Thermal Bayonne Holdings, LLC, a Delaware limited liability company (“Thermal Holdings”). Thermal Holdings indirectly owns 100 % of the equity interest of the Redeveloper; and

WHEREAS, effective upon the closing of the transaction, NHI will be the indirect beneficial owner of all of the rights, title and interest in and to all of the equity interest in the Redeveloper; and

WHEREAS, notwithstanding the foregoing transfer of the controlling interest in the Redeveloper, Bayonne Energy Center Urban Renewal II, LLC will remain the designated Redeveloper of the Redevelopment Project pursuant to the Redevelopment Agreement; and

WHEREAS, the Municipal Council has reviewed the matter, and desires to consent to the transfer of the controlling interest in the Redeveloper entity as outlined hereinabove.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, NEW JERSEY AS FOLLOWS:

Section 1. Pursuant to Article 8, Sections 8.02 and/or 8.03 of the Redevelopment Agreement, the Municipal Council hereby consents to the transfer of the controlling beneficial and equity interests in Bayonne Energy Center Urban Renewal II, LLC to NHIP II Bayonne Holdings,

LLC to as set forth in greater detail in the WHEREAS clauses set forth hereinabove which are hereby adopted and incorporated as set if set forth in detail herein.

Section 2. Bayonne Energy Center Urban Renewal II, LLC shall remain the designated redeveloper and bound to the terms and conditions set forth in the Redevelopment Agreement dated October 21, 2016.

Section 3. This Resolution shall take effect immediately.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

* * * * *

60. Council President Nadrowski moved the following resolution, seconded by Council Member Perez, which was read by the Clerk and adopted.

WHEREAS, pursuant to Resolution No. 18-02-14-038 adopted by the Municipal Council on February 14, 2018, the city clerk, advertised in the Jersey Journal on April 25, 2018 that sealed bids for Improvements to Neil A. DeSena Park be received on May 10, 2018; and

WHEREAS, pursuant to such advertisement, three (3) proposals were received from:

Bidders:	Total Base Bid	Del 1A	Add 1A	Total Using Del/Add
		RECIRCULATION, FILTER AND CHEMICAL SYSTEM, INCLUDING 'RAIN MAKER' CONTROL SYSTEM (INCLUDING PIPING AND UTILITY CONNECTIONS) COMPONENT SYSTEM INSTALLATION AND ACTIVATION		WATER TO WASTE SYSTEM
<hr/>				
PICERNO-GIORDANO CONSTRUCTION, LLC 200 MARKET STREET KENILWORTH, NJ 07033	\$784,138.00	-\$121,000.00)	\$60,000.00	\$723,138.00
APPLIED LANDSCAPING TECHNOLOGIES P.O. BOX 608 MONTVILLE, NJ 07045	\$990,500.00	-\$293,620.00)	\$7,200.00	\$704,080.00
ZENITH CONSTRCTION SERVICES INC. 365 THOMAS BLVD ORANE, NJ 07050	\$1,049,953.00	-\$125,000.00)	\$20,000.00	\$944,953.00

; and

WHEREAS, Amy Dellabella, R.P.P.O., Q.P.A. and Gary Chmielewski, Director of Public Works and Parks have examined the bids or proposals and have determined that the bid of Picerno-Giordano Construction, LLC, - Total Base Bid (\$784,138.00) utilizing Add/Delete Item 1A -(\$121,000.00) in the amount of \$723,138.00- is a regular bid and is most advantageous to the City of Bayonne for Improvements to Neil A. DeSena Park; and

WHEREAS, the Chief Financial Officer has filed a certification with the city clerk that funds are available in the Hudson County Open Space Grant, CDBG, and the Various 2018 Bond Ordinances pending adoption and the effective date thereof; now, therefore, be it

RESOLVED, that the contract for Improvements to Neil A. DeSena Park be awarded to:

Picerno-Giordano Construction, LLC
200 Market Street
Kenilworth, NJ 07033

for the following bid price:

\$723,138.00, Total Base Bid (\$784,138.00) utilizing Delete Item 1A -(\$121,000.00) and Add Item 1A (\$60,000.00) and that the contract be executed in the name of the City of Bayonne by the proper city officials and that the said sum be charged to the Hudson County Open Space Grant, CDBG, and the Various 2018 Capital Improvements Bond Ordinance; and be it further

RESOLVED, that the award of this contract is subject to adoption of the Various 2018 Bond Ordinances and the effective date thereof.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

* * * * *

61. Council Member Perez moved the following resolution, seconded by Council President Nadrowski, which was read by the Clerk and adopted.

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY DESIGNATING JMF PROPERTIES, LLC AS CONDITIONAL REDEVELOPER OF THE PROPERTY LOCATED ON A PORTION OF THE EASTERN PART OF PORT TERMINAL BLVD., WHICH PROPERTY IS IDENTIFIED AS BLOCK 900 LOT 1, BLOCK 930 LOT 1, BLOCK 970 LOT 1, BLOCK 1000 LOT 1, BLOCK 1030 LOT 1, BLOCK 1060 LOT 1, BLOCK 1100 LOT 1, BLOCK 1131 LOT 1, BLOCK 1132 LOT 1, BLOCK 1150 LOT 1 and BLOCK 1160 LOT 1 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE AND AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT WITH JMF PROPERTIES, LLC. FOR THE REDEVELOPMENT OF SUCH PROPERTY IN ACCORDANCE WITH THE REDEVELOPMENT PLAN

WHEREAS, the City of Bayonne, in the County of Hudson, New Jersey (the "City"), a public body corporate and politic of the State of New Jersey (the "State"), is authorized pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the "Redevelopment Law"), to determine whether certain parcels of land within the City constitute an area in need of rehabilitation and/or an area in need of redevelopment; and

WITNESSETH

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

WHEREAS, pursuant to a decision by the United States of America to decommission its facilities at the Bayonne Military Ocean Terminal (hereinafter referred to as the "Peninsula"), the Peninsula was conveyed to the City of Bayonne Redevelopment Agency, also known as the Bayonne Local Redevelopment Authority (and hereinafter referred to as the "BLRA"), pursuant to certain Quitclaim Deeds (dated September 28, 2001 and December 11, 2002, respectively, and recorded on October 3, 2001 and January 24, 2003, respectively); and

WHEREAS, in accordance with the criteria set forth in the Act, the City identified and designated the Peninsula as an area in need of redevelopment; and

WHEREAS, the BLRA was designated as the "redevelopment entity" for the Peninsula pursuant to *N.J.S.A. 40A:12A-4(c)*, with responsibility for the implementation of redevelopment plans and the carrying out of redevelopment projects on the Peninsula; and

WHEREAS, by Ordinance No. 0-13-22, adopted on August 14, 2013, the City dissolved the BLRA pursuant to the Local Fiscal Control Law, *N.J.S.A. 40:51-20*, and the City became, as a matter of law, the successor-in-interest of all properties owned by the BLRA as of the date of the dissolution, including without limitation, all properties located on the Peninsula owned by BLRA as of such date; and

WHEREAS, such properties owned by BLRA included the portion of the Peninsula consisting of Block 900 Lot 1, Block 930 Lot 1, Block 970 Lot 1, Block 1000 Lot 1, Block 1030 Lot 1, Block 1060 Lot 1, Block 1100 Lot 1, Block 1131 Lot 1, Block 1132 Lot 1, Block 1150 Lot 1 and Block 1160 lot 1 (hereinafter referred to as the "property"); and

WHEREAS, the City has determined to act as the "redevelopment entity" for the property and

WHEREAS, pursuant to Ordinance passed on August 24, 2001, the City adopted a redevelopment plan with respect to property entitled "Redevelopment Plan for the Peninsula at Bayonne Harbor, New Jersey" (hereinafter referred to as the "Redevelopment Plan"); and

WHEREAS, the Act authorizes the City to arrange or contract for the planning, construction or undertaking of any development project or redevelopment work in an area designated "as an area in need of redevelopment" pursuant to *N.J.S.A. 40A:12A-8*; and

WHEREAS, the Redeveloper informed the City of its interest in acquiring and redeveloping the portion of the Redevelopment Area consisting of Block 900 Lot 1, Block 930 Lot 1, Block 970 Lot 1, Block 1000 Lot 1, Block 1030 Lot 1, Block 1060 Lot 1, Block 1100 Lot 1, Block 1131 Lot 1, Block 1132 Lot 1, Block 1150 Lot 1 and Block 1160 Lot 1; and

WHEREAS, JMF PROPERTIES LLC, with an office address of 80 South Jefferson Rd. Suite 202 Whippany, NJ 07981, (the “Redeveloper”) wishes to develop the Redevelopment Area and use it for the purpose of implementing the Redevelopment Plan; and

WHEREAS, the Redeveloper has requested that the Municipal Council, as a redevelopment entity, prepare a redevelopment agreement with the Redeveloper providing for the development of the Property in accordance with the Redevelopment Plan (the “Redevelopment Agreement”); and

WHEREAS, the Municipal Council desires to designate JMF PROPERTIES LLC as conditional redeveloper of the Redevelopment Area and enter into a Redevelopment Agreement with the redeveloper, as provided for and in accordance with the provisions of the Redevelopment Law.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, NEW JERSEY AS FOLLOWS:

Section 1. The Municipal Council of the City of Bayonne hereby authorizes the execution of the “Redevelopment Agreement By and Between the City of Bayonne and JMF PROPERTIES LLC,” concerning the Redevelopment Area identified as Block 900 Lot 1, Block 930 Lot 1, Block 970 Lot 1, Block 1000 Lot 1, Block 1030 Lot1, Block 1060 Lot 1, Block 1100 Lot 1, Block 1131 Lot 1, Block 1132 Lot 1, Block 1150 Lot 1 and Block 1160 Lot 1 in the City of Bayonne, in such a form deemed advisable by the City Attorney, subject to any and all conditions contained herein and such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel to the City; and

Section 2. The Municipal Council, upon the full execution of the Redevelopment Agreement recognizes JMF PORPERTIES LLC, as conditional redeveloper of Block 900 Lot 1, Block 930 Lot 1, Block 970 Lot 1, Block 1000 Lot 1, Block 1030 Lot1, Block 1060 Lot 1, Block 1100 Lot 1, Block 1131 Lot 1, Block 1132 Lot 1, Block 1150 Lot 1 and Block 1160 Lot 1, in the City of Bayonne (the “Redeveloper”) as provided for and in accordance with the provisions of the New Jersey Local Redevelopment and Housing Law for a term of one year to be extend upon a showing good faith effort in the development of the property and with consent for one year; and

Section 3. The Mayor and Clerk are hereby authorized to execute the Redevelopment Agreement, with such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel, on behalf of the City of Bayonne, acting as the redevelopment entity for the redevelopment of the Redevelopment Area by Parkview Realty Holdings, LLC.

Section 4. This Resolution shall take effect immediately.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

* * * * *

62. Council Member LaPelusa moved the following resolution, seconded by Council Member Perez, which was read by the Clerk and adopted.

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY DESIGNATING PANEPINTO PROPERTIES, INC. AS REDEVELOPER OF THE PROPERTY LOCATED AT 276 PROSPECT AVE, WHICH PROPERTY IS IDENTIFIED AS BLOCK 407, LOT 1 AND BLOCK 408, LOTS 1 AND 2 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE AND AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT WITH PANEPINTO PROPERTIES, INC. FOR THE REDEVELOPMENT OF SUCH PROPERTY IN ACCORDANCE WITH THE REDEVELOPMENT PLAN

WHEREAS, the City of Bayonne, in the County of Hudson, New Jersey (the “City”), a public body corporate and politic of the State of New Jersey (the “State”), is authorized pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “Redevelopment Law”), to determine whether certain parcels of land within the City constitute an area in need of rehabilitation and/or an area in need of redevelopment; and

WHEREAS, pursuant to the Redevelopment Law, the Municipal Council (the “Municipal Council”)adopted Resolution No. 98-02-04-040, designating the entire City as an area in need of rehabilitation in accordance with *N.J.S.A. 40A:12A-14*; and

WHEREAS, on March 16, 2005, the City of Bayonne (the “City”) Municipal Council adopted Resolution 05-03-16-048 authorizing and directing the Planning Board to (i) conduct investigations pursuant to *N.J.S.A. 40A:12A-6* to determine whether certain scattered sites in locations throughout the City and described on the Tax Map of the City of Bayonne, State of New Jersey, satisfy the criteria to be designated as areas in need of redevelopment under *N.J.S.A. 40A:12A-5* and (ii) prepare a redevelopment plan for the Study Areas; and

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Municipal Services has prepared a redevelopment plan for the Redevelopment Area titled "Scatter Site Redevelopment Plan" dated December 7, 2005 (the "Redevelopment Plan"); and

WHEREAS, the Planning Board passed a resolution adopting the findings of the Redevelopment Study and recommending to the City Council that the Study Areas be designated an area in need of redevelopment pursuant to *N.J.S.A. 40A:12A-6* with the exception of the properties commonly known as Block 402, Lot 3 and Block 297, Lot 3 on the Tax Map of the City of Bayonne, State of New Jersey (the "Revised Study Areas"); and

WHEREAS, the Municipal Council agreed with the Planning Board's recommendation and by Ordinance 0-06-02 on January 25, 2006, the Municipal Council adopted the Redevelopment Plan; and

WHEREAS, PANEPINTO PROPERTIES, INC, with an office address of 3 2nd St, Jersey City, NJ 07302, (the "Redeveloper") wishes to develop the Redevelopment Area and use it for the purpose of implementing the Redevelopment Plan; and

WHEREAS, the Redeveloper has requested that the Municipal Council, as a redevelopment entity, prepare a redevelopment agreement with the Redeveloper providing for the development of the Property in accordance with the Redevelopment Plan (the "Redevelopment Agreement"); and

WHEREAS, the Municipal Council desires to designate PANEPINTO PROPERTIES, INC. as redeveloper of the Redevelopment Area and enter into a Redevelopment Agreement with the redeveloper, as provided for and in accordance with the provisions of the Redevelopment Law.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, NEW JERSEY AS FOLLOWS:

Section 1. The Municipal Council of the City of Bayonne hereby authorizes the execution of the "Redevelopment Agreement By and Between the City of Bayonne and PANEPINTO PROPERTIES, INC.," concerning the Redevelopment Area identified as Block 407 Lots 1 and Block 408, Lots 1 and 2 in the City of Bayonne, in such a form deemed advisable by the City Attorney, subject to any and all conditions contained herein and such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel to the City; and

Section 2. The Municipal Council, upon the full execution of the Redevelopment Agreement recognizes PANEPINTO PROPERTIES, INC. as redeveloper of 407 Lots 1 and Block 408, Lots 1 and 2, in the City of Bayonne (the "Redeveloper") as provided for and in accordance with the provisions of the New Jersey Local Redevelopment and Housing Law; and

Section 3. The Mayor and Clerk are hereby authorized to execute the Redevelopment Agreement, with such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel, on behalf of the City of Bayonne, acting as the redevelopment entity for the redevelopment of the Redevelopment Area by Panepinto Properties, Inc.

Section 4. This Resolution shall take effect immediately.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

* * * * *

63. Council Member Perez moved the following resolution, seconded by Council President Nadrowski, which was read by the Clerk and adopted.

WHEREAS, by way of Resolution No. 18-06-20-067 adopted by the Municipal Council on June 20, 2018, the Municipal Council authorized the preparation and execution of a Redevelopment Agreement by and between the City of Bayonne and LEG-BP Bayonne Investors, LLC, concerning the Property identified as Block 1180, Lots 1 and 2 in the City of Bayonne (the "Property") and designated LEG-BP Bayonne Investors, LLC, as Redeveloper of the Property as provided for and in accordance with the provisions of the New Jersey Local Redevelopment and Housing Law upon the full execution of said Redevelopment Agreement; and

WHEREAS, the City has been advised that title to the property was acquired in the name of LEG-BP Bayonne Owner, LLC, which is an affiliate of LEG-BP Investors, LLC; and

WHEREAS, the Law Director and Mayor executed a Redevelopment Agreement for the redevelopment of the Block 1180, Lots 1 and 2 with LEG-BP Bayonne Owner, LLC, on September 5, 2018; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The actions of the Law Director and Mayor in executing the Redevelopment Agreement for the redevelopment of Block 1180, Lots 1 and 2 with LEG-BP Bayonne Owner, LLC are hereby ratified and affirmed.

2. LEG-BP Bayonne Owner, LLC, is hereby designated as Redeveloper of the Property as of September 5, 2018.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

* * * * *

64. Council Member LaPelusa introduced:

AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDED REDEVELOPMENT PLAN FOR A PORTION OF THE SCATTERED SITE REDEVELOPMENT PLAN PERTAINING TO PROPERTY LOCATED AT 736 AVENUE E, 738 AVENUE E AND 742 AVENUE E IDENTIFIED AS BLOCK 393, LOTS 3, 4 & 5 AS SHOWN ON THE OFFICIAL TAX MAP IN THE CITY OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET. SEQ.*

WHEREAS, the City of Bayonne, in the County of Hudson, New Jersey (the "City"), a public body corporate and politic of the State of New Jersey (the "State"), is authorized pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the "Redevelopment Law"), to determine whether certain parcels of land within the City constitute an area in need of rehabilitation and/or an area in need of redevelopment; and

WHEREAS, in or about December of 2005, the Municipal Council of the City (the "Municipal Council") adopted a Redevelopment Plan known as the Scattered Site Redevelopment Plan for an area that included a number of municipal tax block and lots, including property located at 736 Avenue E, 738 Avenue E and 742 Avenue E, which property is identified as Block 393, Lots 3, 4 & 5 (the "Redevelopment Area") as shown on the official tax map of the City of Bayonne; and

WHEREAS, on August 16, 2017, by Resolution 17-08-16-078, the Municipal Council authorized and directed the Planning Board of the City (the "Planning Board") to reopen and consider amendments to the Scattered Site Redevelopment Plan as it pertained to the Redevelopment Area; and

WHEREAS, in response thereto the City Division of Planning & Zoning prepared an amended plan titled, "Amendment to the Scattered Site Redevelopment Plan for a Portion of the Plan Located at 736-742 Avenue E, Block 393, Lots 3, 4 & 5 Beacon Oil (Known as the Gulf Oil Site Lots 1, 2, 3,4,5)" (the "Amended Redevelopment Plan"); and

WHEREAS, on September 11, the Planning Board held a public hearing, duly noticed under the Redevelopment Law, and reviewed the Amended Redevelopment Plan, and recommended its adoption to the Municipal Council; and

WHEREAS, the Municipal Council desires to adopt the Amended Redevelopment Plan in order to effectuate a plan that is consistent with the goals and objectives of the City for the redevelopment of the Property; and

WHEREAS, the Municipal Council believes that the adoption of the Amended Redevelopment Plan is in the best interest of the City for the redevelopment of the Redevelopment Area.

NOW THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, NEW JERSEY AS FOLLOWS:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. The Amended Redevelopment Plan is hereby adopted pursuant to the terms of *N.J.S.A. 40A:12A-7* of the Redevelopment Law. Further, the Amended Redevelopment Plan shall amend, replace and supersede any prior redevelopment plans with respect to the Redevelopment Area.

Section 3. The zoning district map in the zoning ordinance of the City is hereby amended to include the Redevelopment Area per the boundaries described in the Amended Redevelopment Plan and the provisions thereon.

WHEREAS, Enerchange Power and Gas (“EP&G”), 322 N. Shore Drive Building 200, Pittsburgh, PA 15212 is willing to provide said services at no cost to the City of Bayonne; and

WHEREAS, EP&G has provided the City with a Letter of Representation to act on behalf of the City as its sole broker/consultant to assist the City in obtaining price quotes and evaluating competing offers and energy service agreements; and

WHEREAS, the Assistant Business Administrator has determined and certified in writing that the value of said services will exceed \$17,500; and,

WHEREAS, EP&G must complete and submit a “Business Entity Disclosure Certification for Non-Fair and Open Contracts” required Pursuant to N.J.S.A. 19:44A-20.8 which certifies that EP&G has not made any reportable contributions to a political or candidate committee in the City of Bayonne in the previous one year, and that the contract will prohibit EP&G from making any reportable contributions through the term of the contract; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and/or his designee is/are hereby authorized to execute said Letter of Representation provided by EP&G to act on behalf of the City as its sole broker/consultant to assist the City in obtaining price quotes and evaluating competing offers and energy service agreements.

2. The Business Disclosure Entity Certification and the Determination of Value must be filed and placed on file with this resolution prior to the execution of the Letter of Representation. The execution of the Letter of Representation shall not take place without the Business Disclosure Entity Certification and the Determination of Value.

3. Notice of this action shall be printed once in a newspaper of general circulation within the boundaries of the City of Bayonne

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

* * * * *

67. Council Member Perez moved the following resolution, seconded by Council Member Gullace, which was read by the Clerk and adopted.

WHEREAS, the Municipal Council is in need of professional legal services as Special Redevelopment/Land Use Attorney; and

WHEREAS, the City of Bayonne advertised a Request for Qualifications/Proposals for the aforesaid professional legal services under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4 and.5; and

WHEREAS, on September 7, 2018 the City of Bayonne received eight proposals for this position from the following firms:

- Florio, Kenny, Raval, LLP
- Eric Bernstein & Associates, LLC
- Marziti Falcon, LLP
- Chasan, Lamparello, Mallon & Cappuzzo, PC
- Kaufman Semeraro & Leibman, LLC
- Boggio & Boggio, LLC
- William J. Ward, PC
- Ansel Grimm & Aaron, PC

;and

WHEREAS, the formal written response of the law firm of Chasan, Lamparello, Mallon & Cappuzzo, 300 Lighting Way, Suite 200, Secaucus, NJ 07094 to the City of Bayonne’s Request for Qualifications/Proposals for said professional legal services has been adjudged to be the most advantageous to the City of Bayonne; and

WHEREAS, this professional services contract was determined under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4 and .5; and

WHEREAS, the law firm of Chasan, Lamparello, Mallon & Cappuzzo is qualified, ready and able to provide said services; and

WHEREAS, these contracts constitute “Professional Service” contracts under the provisions of the Local Public Contracts Law because the service is a recognized profession,

licensed and regulated by the State of New Jersey, and therefore, may be awarded without competitive bidding pursuant to N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, the Local Public Contract Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, funds are certified as available in DL-4 and various escrow accounts; now, therefore, be it

RESOLVED, by the Municipal Council of the City of Bayonne as follows:

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with the law firm of Chasan, Lamparello, Mallon & Cappuzzo, 300 Lighting Way, Suite 200, Secaucus, NJ 07094 for professional legal services as Special Redevelopment/Land Use Counsel for the period commencing September 15, 2018, and ending September 14, 2019 at a cost of not more than \$75,000.00 to be paid from developer's escrow accounts.

2. Funds shall be charged to DL-4 and various escrow accounts.

3. A notice of this action shall be printed once in a newspaper of general circulation within the boundaries of the City of Bayonne.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

68. Council President Nadrowski moved the following resolution, seconded by Council Member Gullace, which was read by the Clerk and adopted.

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING AND DIRECTING THE PLANNING BOARD TO REOPEN AND AMEND THE REDEVELOPMENT PLAN FOR 554-556 BROADWAY AND 11 EAST 25TH STREET FOR THE PROPERTIES IDENTIFIED AS BLOCK 184, LOTS 5 AND 10 AS SHOWN ON THE OFFICIAL TAX MAP IN THE CITY OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 *ET. SEQ.*

WHEREAS, the City of Bayonne, in the County of Hudson, New Jersey (the "City"), a public body corporate and politic of the State of New Jersey (the "State"), is authorized pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.* (the "Redevelopment Law"), to determine whether certain parcels of land within the City constitute an area in need of rehabilitation and/or an area in need of redevelopment; and

WHEREAS, on or about December 13, 2017 the Municipal Council of the City (the "Municipal Council") adopted a Redevelopment Plan known as the Redevelopment Plan for 554-556 Broadway, 11 East 25th Street, Block 184, Lots 5 & 10; and

WHEREAS, the Municipal Council now believes that it is in the best interest of the City to reopen and amend the said Redevelopment Plan; and

WHEREAS, in accordance with the Redevelopment Law, N.J.S.A. 40A:12A-1 *et seq.*, the Municipal Council is desirous of directing the Planning Board to prepare an Amended Redevelopment Plan for said site to reflect a change in the parking radius set forth in Paragraph 2.3A.3.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, NEW JERSEY AS FOLLOWS:

Section 1. The Planning Board of the City of Bayonne is hereby authorized and directed to reopen and prepare an amendment to the Redevelopment Plan for 554-556 Broadway, 11 East 25th Street, Block 184, Lots 5 & 10 in accordance with the Redevelopment Law, N.J.S.A. 40A:12A-1 *et seq.*

Section 2. The Planning Board shall transmit the Amended Redevelopment Plan to the Municipal Council for further consideration and action upon completion of same.

Section 3. This Resolution shall take effect immediately.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

At 8:02 P.M., Council Member Perez motioned to adjourn, seconded by Council President Nadrowski, which motion was adopted.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

* * * * *

President-Sharon A. Nadrowski

A/Clerk-Madelene Medina