

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, DECEMBER 19, 2018

The Council met at 7:05 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 December 19, 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 December 13, 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 Gullace, LaPelusa, Perez and Nadrowski.

Absent – Council Member Carroll.

The Council President led the Pledge of Allegiance.

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01. The Clerk announced:

AN ORDINANCE ENTITLED, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 2, ADMINISTRATION," which was introduced and passed a first reading at a meeting held November 7, 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 December 19, 2018, is now before the Council for its consideration and a public hearing.

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

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

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

Absent = Council Member Carroll.

The Clerk read the ordinance by title: "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 2, ADMINISTRATION,"

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 Gullace, LaPelusa, Perez and President Nadrowski.

Absent = Council Member Carroll.

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, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 2, ADMINISTRATION," was introduced and passed a first reading at a meeting held November 7, 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 December 19, 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-18-70.

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

Absent - Council Member Carroll.

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02. The Clerk announced:

AN ORDINANCE ENTITLED, "AN ORDINANCE TO ADOPT OFFICIAL STREET NAMES FOR NEW STREETS LOCATED IN THE BAYONNE BAY WEST DISTRICT OF THE PENINSULA AT BAYONNE HARBOR," which was introduced and passed a first reading at a meeting held November 7, 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 December 19, 2018, is now before the Council for its consideration and a public hearing.

Council Member LaPelusa 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 Gullace, LaPelusa, Perez and President Nadrowski.

Absent = Council Member Carroll.

The Clerk read the ordinance by title: "AN ORDINANCE TO ADOPT OFFICIAL STREET NAMES FOR NEW STREETS LOCATED IN THE BAYONNE BAY WEST DISTRICT OF THE PENINSULA AT BAYONNE HARBOR,"

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 President Nadrowski, which motion was adopted.

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

Absent - Council Member Carroll.

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, "AN ORDINANCE TO ADOPT OFFICIAL STREET NAMES FOR NEW STREETS LOCATED IN THE BAYONNE BAY WEST DISTRICT OF THE PENINSULA AT BAYONNE HARBOR," was introduced and passed a first reading at a meeting held November 7, 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 December 19, 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-18-71.

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

Absent = Council Member Carroll.

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03. The Clerk announced:

AN ORDINANCE ENTITLED, "AN ORDINANCE TO ADOPT OFFICIAL STREET NAMES FOR NEW STREETS LOCATED IN THE BAYONNE BAY WEST DISTRICT OF THE PENINSULA AT BAYONNE HARBOR," which was introduced and passed a first reading at a meeting held November 7, 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 December 19, 2018, is now before the Council for its consideration and a public hearing.

Council Member LaPelusa 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 Gullace, LaPelusa, Perez and President Nadrowski.

Absent = Council Member Carroll.

The Clerk read the ordinance by title: "AN ORDINANCE TO ADOPT OFFICIAL STREET NAMES FOR NEW STREETS LOCATED IN THE BAYONNE BAY WEST DISTRICT OF THE PENINSULA AT BAYONNE HARBOR,"

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

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

Absent = Council Member Carroll.

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

WHEREAS, an ordinance entitled, "AN ORDINANCE TO ADOPT OFFICIAL STREET NAMES FOR NEW STREETS LOCATED IN THE BAYONNE BAY WEST DISTRICT OF THE PENINSULA AT BAYONNE HARBOR," was introduced and passed a first reading at a meeting held November 7, 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 December 19, 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-18-72.

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

Absent = Council Member Carroll.

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04. The Clerk announced:

AN ORDINANCE ENTITLED, "AN ORDINANCE TO ADOPT OFFICIAL STREET NAMES FOR NEW STREETS LOCATED IN THE BAYONNE BAY WEST DISTRICT OF THE PENINSULA AT BAYONNE HARBOR," which was introduced and passed a first reading at a meeting held November 7, 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 December 19, 2018, is now before the Council for its consideration and a public hearing.

ORDINANCE FAILED ON THE MOTION OF SECOND READING.

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05. 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 November 7, 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 December 19, 2018, is now before the Council for its consideration and a public hearing.

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

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

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

Absent = Council Member Carroll.

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 Gullace, LaPelusa, Perez and President Nadrowski.

Absent = Council Member Carroll.

Council Member LaPelusa moved the resolution for final passage, seconded by Council Member Perez 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 November 7, 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 December 19, 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-18-73.

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

Absent = Council Member Carroll.

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PUBLIC COMMENTS

06. The following individuals addressed the Council.

Bruce Piggot addressed the council on the resolution concerning Morris Park, agenda no. R-42.

Edward “Lefty” Grimes addressed the council on the subject of the lack of handicapped accessibility in certain commercial properties.

Susan Fenzel addressed the council on the subject of the Resnick’s property development.

Jill Pustorino addressed the council on agenda no. R-42 concern Morris Park.

Peter Franco addressed the council the A & P site and the feral cat relocation.

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

Authorizing a Temporary Use agreement between the City of Bayonne and 957 Broadway Urban Renewal, LLC for a portion of Dr. Morris Park

WHEREAS, 957 Broadway Urban Renewal, LLC, with an address at 536 Broadway, Bayonne, New Jersey 07002, hereinafter referred to as "User." requests a temporary use agreement to permit entry upon and to use and occupy a portion of Dr. Morris Park designated as Block 77, Lot 25 on the City Tax Map to be used on a temporary basis by 957 Broadway Urban Renewal, LLC in connection with the development of the adjoining property (the "Project") for construction activities relating to the placement of related safety and security fencing/netting and scaffolding in connection with the Project and for no other purpose, subject to certain terms and conditions set forth in the Temporary Use Agreement; and

WHEREAS, in order to ensure that the Public maintains access to the Park and that the developer is able to provide the necessary safety precautions a portion of the Parkland will need to be utilized by the Developer (“Safety Zone”); and

WHEREAS, 957 Broadway Urban Renewal, LLC, also proposes to make significant park improvements to the Parkland at the Developer’s sole cost and for the public’s sole benefit; and

WHEREAS, 957 Broadway Urban Renewal, LLC will be posting insurance to protect the City’s interests and will defend and indemnify the City with respect to any loss or damage arising from the Temporary Use Agreement; and

WHEREAS, 957 Broadway Urban Renewal, LLC acknowledges the project design/ plans and any necessary engineering is subject to the approval of the City or its designee.

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

Section 1. Permission is hereby granted to the Mayor or his designee to enter into a Temporary Use Agreement upon terms and conditions acceptable to the Law Division and the New Jersey DEP with 957 Broadway Urban Renewal, LLC on the condition that: 1) no cost or expense shall be borne by the City relating in any way to 957 Broadway Urban Renewal, LLC's request for access and proposed scope of use; 2) 957 Broadway Urban Renewal, LLC shall abide by any and all requirements of the City deemed necessary to protect the City's property and citizens; 3) proposed work at the Site is approved by the City's engineer at 957 Broadway Urban Renewal, LLC ; and 4) valid permits to be issued by the City's Building Department prior to the start of any work, if required and not otherwise waived by City.

Section 2. This Resolution shall take effect immediately.

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

Absent = Council Member Carroll.

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08. Council Member Perez introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AMENDING THE REDEVELOPMENT PLAN FOR 8TH STREET REHABILITATION PLAN RELATED TO THE PROPERTY LOCATED AT 26 NORTH STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 297, LOT 3 AS SHOWN ON THE OFFICIAL TAX MAP OF 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 amending

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, the City of Bayonne, Division of Planning & Zoning, Department of Municipal Services in conjunction with Local and Planning Services of the Department of Community Affairs, has prepared a rehabilitation plan for the Rehabilitation Area titled "City of Bayonne 8th Street Station Rehabilitation Area Plan" dated February 3, 2015 (the "Rehabilitation Plan"); and

WHEREAS, the Planning Board of the City (the "Planning Board") has been requested by the Municipal Council to review the Rehabilitation Plan, a copy of which is attached hereto as Exhibit B, and to transmit its recommendations relating to the Rehabilitation Plan, to the Municipal Council in accordance with the provisions of *N.J.S.A. 40A:12A-7* of the Redevelopment Law; and

WHEREAS, on February 25, 2015, the Planning Board adopted a Resolution recommending the 8th Street Station Rehabilitation Area Plan to the Municipal Council and concluding that the Rehabilitation Plan is consistent with the Master Plan of the City of Bayonne (the "Resolution"); and

WHEREAS, on May 20, 2015, the Bayonne Municipal Council (the "Municipal Council") adopted Ordinance O-15-13 adopting the 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 thereafter requested and authorized the planning Board to reopen and amend the redevelopment plan in order to expand the scope of the revitalization and redevelopment efforts in the City and make modifications to the Redevelopment Plan necessary to further the goals and objectives of the Master Plan; 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 amend a Redevelopment Plan; and

WHEREAS, the Municipal Council believes that it is in the best interest of the City to amend the Redevelopment Plan for the property located at 26 North Street identified as Block 297, Lot 3 on the City's Tax Maps (the "Property"); and

WHEREAS, an amended Redevelopment Plan, which includes the Property entitled “8th Street Station Rehabilitation Plan” for 26 North Street identified as Block 297, Lot 3 on the City’s Tax Maps, has been prepared by the City Planning Department (the “Amended Redevelopment Plan”); and

WHEREAS, on November 13, 2018, the Planning Board reviewed the Amended Redevelopment Plan and recommended the adoption of the Amended Redevelopment Plan to the Municipal Council and concluded that said Amended Redevelopment Plan is consistent with the Master Plan of the City of Bayonne; and

WHEREAS, upon receipt and review of the Planning Board’s recommendations relating to the Amended Redevelopment Plan, 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 Property.

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 Property (26 North Street identified as Block 297, Lot 3).

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

Section 4. If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

Section 5. A copy of this Ordinance and the Amended Redevelopment Plan shall be available for public inspection at the office of the City Clerk during regular business hours.

Section 6. This Ordinance shall take effect in accordance with all applicable laws.

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

BE IT RESOLVED, that an ordinance entitled “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AMENDING THE REDEVELOPMENT PLAN FOR 8TH STREET REHABILITATION PLAN RELATED TO THE PROPERTY LOCATED AT 26 NORTH STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 297, LOT 3 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, January 16, 2019 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 Gullace, LaPelusa, Perez and President Nadrowski.

Absent = Council Member Carroll.

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09. Council Member LaPelusa introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AMENDING THE REDEVELOPMENT PLAN FOR 8TH STREET REHABILITATION PLAN RELATED TO THE PROPERTY LOCATED AT 281-295 BROADWAY,

WHICH PROPERTY IS IDENTIFIED AS BLOCK 264, LOTS 13-23 AS SHOWN ON THE OFFICIAL TAX MAP OF 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 amending

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, the City of Bayonne, Division of Planning & Zoning, Department of Municipal Services in conjunction with Local and Planning Services of the Department of Community Affairs, has prepared a rehabilitation plan for the Rehabilitation Area titled "City of Bayonne 8th Street Station Rehabilitation Area Plan" dated February 3, 2015 (the "Rehabilitation Plan"); and

WHEREAS, the Planning Board of the City (the "Planning Board") has been requested by the Municipal Council to review the Rehabilitation Plan and to transmit its recommendations relating to the Rehabilitation Plan, to the Municipal Council in accordance with the provisions of *N.J.S.A. 40A:12A-7* of the Redevelopment Law; and

WHEREAS, on February 25, 2015, the Planning Board adopted a Resolution recommending the 8th Street Station Rehabilitation Area Plan to the Municipal Council and concluding that the Rehabilitation Plan is consistent with the Master Plan of the City of Bayonne (the "Resolution"); and

WHEREAS, on May 20, 2015, the Bayonne Municipal Council (the "Municipal Council") adopted Ordinance O-15-13 adopting the 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 thereafter requested and authorized the planning Board to reopen and amend the redevelopment plan in order to expand the scope of the revitalization and redevelopment efforts in the City and make modifications to the Redevelopment Plan necessary to further the goals and objectives of the Master Plan; 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 amend a Redevelopment Plan; and

WHEREAS, the Municipal Council believes that it is in the best interest of the City to amend the Redevelopment Plan for the property located at 281-295 Broadway identified as Block 264, Lots 13-23 on the City's Tax Maps (the "Property"); and

WHEREAS, an amended Redevelopment Plan, which includes the Property entitled "8th Street Station Rehabilitation Plan" for 281-295 Broadway identified as Block 264, Lots 13-23 on the City's Tax Maps, has been prepared by the City Planning Department (the "Amended Redevelopment Plan"); and

WHEREAS, on November 13, 2018, the Planning Board reviewed the Amended Redevelopment Plan and recommended the adoption of the Amended Redevelopment Plan to the Municipal Council and concluded that said Amended Redevelopment Plan is consistent with the Master Plan of the City of Bayonne; and

WHEREAS, upon receipt and review of the Planning Board's recommendations relating to the Amended Redevelopment Plan, 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 Property.

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 Property (281-295 Broadway identified as Block 264, Lots 13-23).

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

Section 4. If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

Section 5. A copy of this Ordinance and the Amended Redevelopment Plan shall be available for public inspection at the office of the City Clerk during regular business hours.

Section 6. This Ordinance shall take effect in accordance with all applicable laws.

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 "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AMENDING THE REDEVELOPMENT PLAN FOR 8TH STREET REHABILITATION PLAN RELATED TO THE PROPERTY LOCATED AT 281-295 BROADWAY, WHICH PROPERTY IS IDENTIFIED AS BLOCK 264, LOTS 13-23 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, January 16, 2019 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 Gullace, LaPelusa, Perez and President Nadrowski.

Absent = Council Member Carroll.

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10. Council Member Perez introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AMENDING THE REDEVELOPMENT PLAN FOR 8TH STREET REHABILITATION PLAN RELATED TO THE PROPERTY LOCATED AT 282-284 BROADWAY, 286-288 BROADWAY, 9-13 HERRICK COURT AND 9-15 EAST 12TH ST, WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 258, LOTS 1, 2, 12 AND 13 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.* (Newark Glass)

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 amending

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, the City of Bayonne, Division of Planning & Zoning, Department of Municipal Services in conjunction with Local and Planning Services of the Department of Community Affairs, has prepared a rehabilitation plan for the Rehabilitation Area titled "City of Bayonne 8th Street Station Rehabilitation Area Plan" dated February 3, 2015 (the "Rehabilitation Plan"); and

WHEREAS, on February 25, 2015, the Planning Board adopted a Resolution recommending the 8th Street Station Rehabilitation Area Plan to the Municipal Council and concluding that the Rehabilitation Plan is consistent with the Master Plan of the City of Bayonne (the "Resolution"); and

WHEREAS, on April 22, 2015, the Bayonne Municipal Council (the "Municipal Council") adopted an Ordinance approving the 8th Street Station Rehabilitation Area 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 adopted a Resolution on February 14, 2018 authorizing the Planning Board of the City (the "Planning Board") to reopen and amend the Rehabilitation Plan and to transmit its recommendations relating to the sites contained in the Rehabilitation Plan in order to expand the scope of the revitalization and redevelopment efforts in the City and make modifications to the Redevelopment Plan necessary to further the goals and objectives of the Master Plan; 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 amend a Redevelopment Plan; and

WHEREAS, the Municipal Council believes that it is in the best interest of the City to amend the Redevelopment Plan for Rehabilitation Site #5 located at 282-284 Broadway & 286-288 Broadway; 9-13 Herrick Court and 9-15 E 12th Street identified as Block 258 Lots 1, 2, 12, and 13 on the City's Tax Maps (the "Property"); and

WHEREAS, an amended Redevelopment Plan, which includes the Property entitled "Amendment to the 8th St Rehabilitation Plan Rehabilitation Site #5: Newark Glass Site" for 282-284 Broadway, 286-288 Broadway; 9-13 Herrick Court and 9-15 E 12th Street identified as Block 258 Lots 1, 2, 12, and 13 on the City's Tax Maps, dated August 7, 2018 has been prepared by the City Planning Department (the "Amended Redevelopment Plan"); and

WHEREAS, on August 14, 2018, the Planning Board reviewed the Amended Redevelopment Plan and recommended the adoption of the Amended Redevelopment Plan to the Municipal Council and concluded that said Amended Redevelopment Plan is consistent with the Master Plan of the City of Bayonne; and

WHEREAS, upon receipt and review of the Planning Board's recommendations relating to the Amended Redevelopment Plan, 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 Property.

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 Property (282-284 Broadway, 286-288 Broadway, 9-13 Herrick Court and 9-15 E 12th Street Block 258 Lots 1, 2, 12, and 13).

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

Section 4. If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

Section 5. A copy of this Ordinance and the Amended Redevelopment Plan shall be available for public inspection at the office of the City Clerk during regular business hours.

Section 6. This Ordinance shall take effect in accordance with all applicable laws.

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

BE IT RESOLVED, that an ordinance entitled "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AMENDING THE REDEVELOPMENT PLAN FOR 8TH STREET REHABILITATION PLAN RELATED TO THE PROPERTY LOCATED AT 282-284 BROADWAY, 286-288 BROADWAY, 9-13 HERRICK COURT AND 9-15 EAST 12TH ST, WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 258, LOTS 1, 2, 12 AND 13 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, January 16, 2019 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 Gullace, LaPelusa, Perez and President Nadrowski.

Absent = Council Member Carroll.

* * * * *

11. Council Member LaPelusa introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AMENDING THE REDEVELOPMENT PLAN FOR 8TH STREET REHABILITATION PLAN RELATED TO THE PROPERTY LOCATED AT 211-217 BROADWAY, WHICH PROPERTY IS IDENTIFIED AS BLOCK 305, LOT 20 AS SHOWN ON THE OFFICIAL TAX MAP OF 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 amending

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, the City of Bayonne, Division of Planning & Zoning, Department of Municipal Services in conjunction with Local and Planning Services of the Department of Community Affairs, has prepared a rehabilitation plan for the Rehabilitation Area titled "City of Bayonne 8th Street Station Rehabilitation Area Plan" dated February 3, 2015 (the "Rehabilitation Plan"); and

WHEREAS, the Planning Board of the City (the "Planning Board") has been requested by the Municipal Council to review the Rehabilitation Plan, a copy of which is attached hereto as Exhibit B, and to transmit its recommendations relating to the Rehabilitation Plan, to the Municipal Council in accordance with the provisions of N.J.S.A. 40A:12A-7 of the Redevelopment Law; and

WHEREAS, on February 25, 2015, the Planning Board adopted a Resolution recommending the 8th Street Station Rehabilitation Area Plan to the Municipal Council and concluding that the Rehabilitation Plan is consistent with the Master Plan of the City of Bayonne (the "Resolution"); and

WHEREAS, on May 20, 2015, the Bayonne Municipal Council (the "Municipal Council") adopted Ordinance O-15-13 adopting the 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 thereafter requested and authorized the planning Board to reopen and amend the redevelopment plan in order to expand the scope of the revitalization and redevelopment efforts in the City and make modifications to the Redevelopment Plan necessary to further the goals and objectives of the Master Plan; 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 amend a Redevelopment Plan; and

WHEREAS, the Municipal Council believes that it is in the best interest of the City to amend the Redevelopment Plan for the property located at 211-217 Broadway identified as Block 305, Lot 20 on the City's Tax Maps(the "Property"); and

WHEREAS, an amended Redevelopment Plan, which includes the Property entitled "8th Street Station Rehabilitation Plan" for 211-217 Broadway identified as Block 305, Lot 20 on the City's Tax Maps, has been prepared by the City Planning Department (the "Amended Redevelopment Plan"); and

WHEREAS, on November 13, 2018, the Planning Board reviewed the Amended Redevelopment Plan and recommended the adoption of the Amended Redevelopment Plan to the Municipal Council and concluded that said Amended Redevelopment Plan is consistent with the Master Plan of the City of Bayonne; and

WHEREAS, upon receipt and review of the Planning Board's recommendations relating to the Amended Redevelopment Plan, 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 Property.

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 Property (211-217 Broadway identified as Block 305, Lot 20).

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

Section 4. If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

Section 5. A copy of this Ordinance and the Amended Redevelopment Plan shall be available for public inspection at the office of the City Clerk during regular business hours.

Section 6. This Ordinance shall take effect in accordance with all applicable laws.

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 "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AMENDING THE REDEVELOPMENT PLAN FOR 8TH STREET REHABILITATION PLAN RELATED TO THE PROPERTY LOCATED AT 211-217 BROADWAY, WHICH PROPERTY IS IDENTIFIED AS BLOCK 305, LOT 20 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, January 16, 2019 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 Gullace, LaPelusa, Perez and President Nadrowski.

Absent = Council Member Carroll.

* * * * *

12. Council Member LaPelusa introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY
AUTHORIZING THE VACATION OF A PORTION OF ROAD "A" A.K.A MEMORIAL
BOULEVARD

WHEREAS, the property owners whose property abuts a portion of Road "A" A.K.A. Memorial Boulevard on both sides have requested that the City of Bayonne vacate that portion of Road "A" which is adjacent to their property; and

WHEREAS, the portion of Road "A" A.K.A. Memorial Boulevard referred to herein has never been utilized by the City of Bayonne as a public street and only exists as a proposed street; and

WHEREAS, the portion of Road "A" A.K.A. Memorial Boulevard referred to herein is not needed in accordance with the new redevelopment plan for the Maritime District at the Peninsula at Bayonne Harbor; and

WHEREAS, pursuant to N.J.S.A.40:67-19, the Mayor and Council have determined that the public interest will be better served by releasing these lands and extinguishing the public right to this property; and

WHEREAS, pursuant to N.J.S.A. 40:49-6, after introduction and passage on first reading, notice of this ordinance shall be published at least once, not less than 10 days prior to the hearing when the ordinance shall be considered for final passage and at least one week prior to consideration for final passage a copy of the ordinance and notice of introduction shall be mailed to every party whose lands are affected by this ordinance; and

WHEREAS, it is the intent of the Ordinance to vacate a portion of Road "A" A.K.A. Memorial Boulevard, as more particularly set forth in the metes and bounds description set forth in this ordinance and as shown on Exhibit A attached.

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

SECTION 1. Pursuant to the authority granted by N.J.S.A.40:67-19, a portion of Road "A" A.K.A. Memorial Boulevard, as more particularly described in the metes and bounds description set forth herein, is hereby vacated:

METES AND BOUNDS DESCRIPTION OF
ROAD "A" A.K.A. MEMORIAL BOULEVARD
A MUNICIPAL RIGHT OF WAY TO BE VACATED
CITY OF BAYONNE, HUDSON COUNTY, NEW JERSEY

BEGINNING at a point in the southerly sideline of Road "A", also known as Memorial Boulevard, as shown on a map entitled "Preliminary/Final Major Subdivision Plan, The Peninsula at Bayonne Harbor, Lot 2.07, Block 404," filed in the Hudson County Clerk's Office on March 31, 2006 as Map No. 4088, said point being in the northerly line of lands now or formerly of the Port Authority of NY & NJ as described in Deed Book 8746 at Page 254, being Block 900 Tax Lot 1 and known as Lot 1 in Block 404.17 as shown on said Filed Map 4088, distant 151.58 feet on a course of South 66 degrees 16 minutes 59 seconds East from the easterly sideline of "M" Street (aka Road "J"), and running; thence

1. By a new line through said Road "A", North 09 degrees 16 minutes 24 seconds West a distance of 131.27 feet to a point in the northerly sideline of said Road "A"; thence
2. Along said northerly sideline and the southerly line of lands now or formerly of LEG-BP Bayonne Owner LLC as described in Deed Book 9309 at Page 567, being Block 1180 Tax Lot 1 and known as Lot 1 in Block 1180 as shown on a map entitled "Preliminary/Final Major Subdivision Plan, The Peninsula at Bayonne Harbor, Lot 2.01, Block 404," filed in the Hudson County Clerk's Office on April 18, 2018 as Map No. 5081, and then along lands now or formerly of the City of Bayonne as described in Deed Book 8952 at Page 477, being Block 1180 Tax Lot 2 and known as Lot 2 as shown on said Filed Map No. 5081, South 66 degrees 13 minutes 01 second East a distance of 551.78 feet, to a MAG nail with shiner, identified 'Langan' (passing over a PK nail found at the southeasterly corner of said Block 1180 Lot 2 a distance of 33.97 feet from the terminus of this course); thence

3. Continuing along said northerly sideline and said Block 1180 Lot 1, South 66 degrees 18 minutes 57 seconds East a distance of 1125.42 feet (passing over a PK nail found in the northerly sideline of Road "A" 400 feet from the terminus of this course); thence
4. Continuing along the same, South 66 degrees 16 minutes 28 seconds East a distance of 884.97 feet to a point (passing over a PK nail found in the northerly sideline of said Road "A" a distance of 250 feet from the beginning of this course); thence
5. By a new line through said Road "A", South 23 degrees 40 minutes 17 seconds West a distance of 109.98 feet to a point in the said southerly sideline of Road "A"; thence
6. Along said southerly sideline and the northerly line of lands now or formerly of the Port Authority of NY & NJ as described in Deed Book 8746 at Page 254, being Block 1000 Tax Lot 1 and known as Lot 2 in Block 404.17 as shown a map entitled "Preliminary/Final Major Subdivision Plan, The Peninsula at Bayonne Harbor, Lot 2.07, Block 404," filed in the Hudson County Clerk's Office on March 31, 2006 as Map No. 4089, North 66 degrees 16 minutes 59 seconds West a distance of 1016.54 feet to a point of curvature; thence
7. Along said southerly sideline and the northerly line of Block 1000 Lot 1 on a curve to the left having a radius of 15 feet, an arc length of 23.57 feet, a central angle of 90 degrees 02 minutes 06 seconds and a chord which bears South 68 degrees 41 minutes 58 seconds West, a distance of 21.22 feet to a point of non-tangency in the division line between said Block 1000 Tax Lot 1 and said Block 900 Tax Lot 1; thence
8. Along said Road "A" and Block 900 Tax Lot 1, North 23 degrees 40 minutes 55 seconds East a distance of 15.01 feet to a point; thence
9. Along the said southerly sideline of Road "A" and northerly line of Block 900 Lot 1, North 66 degrees 16 minutes 59 second West, a distance of 1459.24 feet, to the point and place of BEGINNING.

Containing an area of 277,655 square feet or 6.374 acres

SECTION 2. All costs and expenses incidental to the introduction, passage and publication of this ordinance, including preparation and mailing of any and all notices related to the Ordinance upon property owners whose property is affected by the proposed vacation of the above described portion of Road "A" A.K.A. Memorial Boulevard and publication shall be borne and paid for by LEG-BP Bayonne Owner LLC.

SECTION 3. LEG-BP Bayonne Owner LLC shall file this Ordinance with the Hudson County Clerk within sixty days after the Ordinance becomes effective. Upon filing with the Hudson County Clerk, title shall vest in LEG-BP Bayonne Owner LLC.

SECTION 4. This Ordinance shall be subject to the following:

1. In the event the utilities, if any, presently located under the right of way being vacated hereunder, are not moved to another location, an easement in perpetuity is reserved for the benefit of the City of Bayonne and all public utility companies, including any cable television company as defined in the "Cable Television Act" (N.J.S.A. 48:5A-1 et seq.) for the purpose of ingress and egress over and upon the area subject to this vacation ordinance in order to maintain, repair or replace existing utility facilities including water lines, sewer lines, gas lines and telephone, electrical and cable television wires and poles which may be located either beneath or above the surface of the area subject to this vacation ordinance.

SECTION 5. If any section, paragraph provision of this Ordinance shall be adjudged invalid, such adjudication shall not affect the validity of the remaining sections, paragraphs or provisions of this Ordinance, which shall otherwise remain in full force and effect.

SECTION 6. This Ordinance shall take effect upon final passage and publication as required by law.

SECTION 7. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed

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 "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING THE VACATION OF A PORTION OF ROAD "A" A.K.A MEMORIAL BOULEVARD," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, January 16, 2019 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 Gullace, LaPelusa, Perez and President Nadrowski.

Absent = Council Member Carroll.

* * * * *

13. Council Member LaPelusa introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDMENT TO THE PENINSULA AT BAYONNE HARBOR REDEVELOPMENT PLAN TO ADJUST THE BOUNDARIES OF VARIOUS REDEVELOPMENT PLAN DISTRICTS PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.*

WHEREAS, the Municipal Council of the City of Bayonne in its capacity as the redevelopment entity (the "Municipal Council") for the City of Bayonne (the "City") is responsible for implementing redevelopment plans and carrying out redevelopment projects pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Redevelopment Law"); and

WHEREAS, in accordance with the criteria set forth in the Redevelopment Law, the City identified and designated the Bayonne Military Ocean Terminal (hereinafter referred to as the "Peninsula") as an area in need of redevelopment, including certain property known as Block 830 Lot 1; Block 900, Lot 1; Block 1000 Lot 1; Block 1180, Lots 1 and 2; Block 1100, Lot 1; and Block 440, Lots 1.2 and 2.11, on the official tax map of the City of Bayonne, which is referred to as the Maritime District, the Landing District, the Loft District and the Pointe District (the "Property"); and

WHEREAS, on August 24, 2001, the Municipal Council adopted by Ordinance the Redevelopment Plan for the Peninsula at Bayonne Harbor which was superseded by a subsequent redevelopment Plan adopted on December 15, 2004 ("Redevelopment Plan"); and

WHEREAS, the City has adopted various District Specific Redevelopment Plans for the Property which reduced the geographical jurisdiction of the Redevelopment Plan; and

WHEREAS, the various owners of the Property have indicated a desire to transfer portions of various lots and have prepared a subdivision plan that would alter the boundaries of the Districts; 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 amend the Redevelopment Plan; and

WHEREAS, the Municipal Council authorized the preparation of an Amendment to the Redevelopment Plan; and

WHEREAS, the Municipal Council now believes that it is in the best interests of the City to amend the Redevelopment Plan for the Property in order to re-align the District boundaries to reflect Block and Lot line adjustments as a result of property transactions and to maintain the distinction between districts; and

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Administration has prepared an Amendment to the Peninsula at Bayonne Harbor Redevelopment Plan, dated December 7, 2018 (the "Amended Redevelopment Plan"); and

WHEREAS, on December 11, 2018, the Planning Board reviewed the amendment to the Redevelopment Plan and recommended the adoption of the amendment to the Municipal Council and concluded that said Redevelopment Plan is consistent with the Master Plan of the City of Bayonne; and

WHEREAS, upon receipt and review of the Planning Board's recommendations relating to the Amendment to the Redevelopment Plan, the Municipal Council desires to adopt the 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 Redevelopment Plan is in the best interest of the City for the redevelopment of the Property.

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 Amendment to the Redevelopment Plan is hereby adopted pursuant to the terms of N.J.S.A. 40A:12A-7 of the Redevelopment Law.

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

Section 4. If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

Section 5. A copy of this Ordinance and the Redevelopment Plan shall be available for public inspection at the office of the City Clerk during regular business hours.

Section 6. This Ordinance shall take effect in accordance with all applicable laws.

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 "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDMENT TO THE PENINSULA AT BAYONNE HARBOR REDEVELOPMENT PLAN TO ADJUST THE BOUNDARIES OF VARIOUS REDEVELOPMENT PLAN DISTRICTS PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, January 16, 2019 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 Gullace, LaPelusa, Perez and President Nadrowski.

Absent = Council Member Carroll.

* * * * *

14. Council Member Perez introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND MHP 33 PROSPECT AVENUE URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED AT 33 PROSPECT AVENUE, WHICH PROPERTY IS IDENTIFIED AS BLOCK 455, LOT 1- 3 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE

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") adopted 9802-04-040, which designated the entire City of Bayonne as an area in need of rehabilitation in accordance with the provisions of *N.J.S.A. 40A:12A-14* of the Redevelopment Law; and

WHEREAS, on March 16, 2005, the City Council adopted Resolution 05-03-16-048 authorizing and directing the Planning Board of the City of Bayonne to conduct a preliminary investigation to determine whether certain scattered sites in locations through the City, which include the properties located at 27-31 Prospect Avenue and 33-39 Prospect Avenue, which properties are identified as Block 455, Lots 1, 2 and 3, as shown on the official Tax Map of the City, constituted an area in need of redevelopment in accordance with the Redevelopment Law; and

WHEREAS, by Resolution 05-12-14-064, dated December 14, 2005, the City Council designated Block 455, Lots 1 and 2 as an area in need of redevelopment in accordance with the provisions of *N.J.S.A. 40A:12A-6* of the Redevelopment Law; and

WHEREAS, on September 13, 2017, the City Council authorized and directed the Planning Board to conduct a preliminary investigation to determine if certain property located at 41 Prospect Avenue, which property is designated as Block 455, Lot 3 on the official Tax Map of the City, constituted an area in need of redevelopment in accordance with the provisions of *N.J.S.A. 40A:12A-6* of the Redevelopment Law; and

WHEREAS, on December 13, 2017, the City Council designated Block 455, Lot 1, 2 and 3 as an area in need of redevelopment; and

WHEREAS, by Ordinance ~~0~~-18-09, on February 14, 2018, the City Council adopted a Redevelopment Plan [as defined in the New Jersey Local Redevelopment and Housing Law, *N.J.S.A. 40a:12A-1*, et seq.] titled "Redevelopment Plan Madison Hill II Block 455, Lots 1, 2, & 3" dated January 17, 2018 (the "Redevelopment Plan"); and

WHEREAS, on February 14, 2018, by Resolution, the City Council designated the Redeveloper (under its previous name of MHP 33 Prospect Avenue, LLC) to undertake the necessary development and construction of the Property for the construction of a five story multi-family residential building with 76 residential apartments and seventy seven (77) on-site parking spaces, as well as related improvements, in accordance with the Redevelopment Plan (the "Project"); and

WHEREAS, Redeveloper has prepared a site plan and architectural elevations for the Project, which plan and elevations are attached hereto as Exhibit A as part of the application; and

WHEREAS, on April 3, 2018, MHP 33 Prospect Avenue, LLC became MHP 33 Prospect Avenue Urban Renewal, LLC via an Amendment to the Certificate of Formation filed with the State of New Jersey; and

WHEREAS, MHP 33 Prospect Avenue Urban Renewal, LLC has applied to the City Council for tax exemption pursuant to the New Jersey Long Term Tax Exemption Law, *N.J.S.A. 40A:20-1 et. seq.* (the "Exemption Law") with respect to the Project; and

WHEREAS, the City Council finds that the requested tax exemptions will benefit the City and its inhabitants by furthering the redevelopment of the property which had remained underutilized and in disrepair for many years, and that the benefits would substantially outweigh the costs, if any, associated with the tax exemptions; and

WHEREAS, the City Council further finds that the requested tax exemptions are important to the City and that without the incentive of the tax exemptions, it is unlikely that the Project will be undertaken; and

WHEREAS, as part of its application for a tax exemption, MHP 33 Prospect Avenue Urban Renewal, LLC has submitted a form of Financial Agreement (the "Financial Agreement") providing for payments in lieu of taxes, a copy of which is attached to this Ordinance; and

WHEREAS, MHP 33 Prospect Avenue Urban Renewal, LLC has presented to this body certain financial information, copies of which are attached as exhibits to this Ordinance; and

WHEREAS, the City Council deems it to be in the best interest of the City to pass an Ordinance authorizing the City to enter into the proposed Financial Agreement with MHP 33 Prospect Avenue Urban Renewal, LLC on the terms and conditions stated in the applicable form of Financial Agreement attached to this Ordinance;

NOW THEREFORE, be it Ordained that the City Council of the City of Bayonne does hereby adopt the tax exemptions for MHP 33 Prospect Avenue Urban Renewal, LLC as follows:

Section 1. The development of the Project is hereby approved for the grant of

Commented [JDM1]: Need number

a tax exemption under the Exemption Law by virtue of, pursuant to and in conformity with the provisions of the Exemption Law.

Section 2. The Mayor is hereby authorized to execute the Financial Agreement with MHP 33 Prospect Avenue Urban Renewal, LLC in substantially the form attached hereto and subject to any further review, analysis or modifications that counsel may deem appropriate.

Section 3. During the term of the tax exemption with respect to MHP 33 Prospect Avenue Urban Renewal, LLC there shall be paid to the City in lieu of any taxes to be paid on the improvements of the Project, an annual service charge determined as provided in the Financial Agreement.

Section 4. Counsel is authorized to prepare, and the Mayor is hereby authorized to execute any additional documents that may be necessary to implement and carry out the intent of the Financial Agreement.

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

BE IT RESOLVED, that an ordinance entitled "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND MHP 33 PROSPECT AVENUE URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED AT 33 PROSPECT AVENUE, WHICH PROPERTY IS IDENTIFIED AS BLOCK 455, LOT 1- 3 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, January 16, 2019 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 Gullace, LaPelusa, Perez and President Nadrowski.

Absent = Council Member Carroll.

* * * * *

15. Council Member LaPelusa introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND MAHALAXMI BAYONNE URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED AT 50 FLAGSHIP STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 751, LOT 1.01 AND A PORTION OF 1.04 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE

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") adopted 9802-04-040, which designated the entire City of Bayonne as an area in need of rehabilitation in accordance with the provisions of *N.J.S.A. 40A:12A-14* of the Redevelopment Law; and

WHEREAS, MAHALAXMI BAYONNE URBAN RENEWAL, LLC (the "Entity") is the owner or Contract Purchaser of certain property identified on the Tax Maps of the City as Block 751, Lots 1.01 and 1.04 (the "Property") as more particularly described by the metes and bounds description set forth in the application submitted by the Entity (the "Application"); and

WHEREAS, the Property is located within an Urban Enterprise Zone (a "UEZ"); and

WHEREAS , the Property is located within the Harbor Station South redevelopment area (the "Redevelopment Area"), which has been designated as an area in need of redevelopment pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., as amended and supplemented (the "Local Redevelopment and Housing Law"); and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7, on January 20, 2016, the City duly adopted Ordinance 0-16-1, approving the redevelopment plan entitled "Redevelopment Plan For The Peninsula at Bayonne Harbor - Harbor Station South" as amended by such ordinance (and as same may be further amended from time to time, the "Redevelopment Plan") for the Redevelopment Area; and

WHEREAS, MAHALAXMI BAYONNE, LLC, an affiliate of Entity, is the designated redeveloper of the Property pursuant to a Development and Purchase and Sale Agreement, dated February 21, 2017 (the "Redevelopment Agreement"); and

WHEREAS, MAHALAXMI BAYONNE URBAN RENEWAL, LLC, became the designated redeveloper of the Property pursuant to an assignment from MAHALAXMI BAYONNE, LLC; and

WHEREAS, the proposed project to be undertaken on the Property consists of the construction of up to five (5) separate 11-13 stories residential buildings with approximately 1,080 apartments to be constructed in phases along with the necessary site improvements as set forth in the Application (the "Project"); and

WHEREAS, the Entity submitted an Application to the City for approval of an exemption for the Project pursuant to the Long Term Tax Exemption Law, which Application is attached hereto as *Exhibit A*; and

WHEREAS, MAHALAXMI BAYONNE URBAN RENEWAL, LLC has applied to the City Council for tax exemption pursuant to the New Jersey Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq. (the "Exemption Law") with respect to the Project; and

WHEREAS, the City Council finds that the requested tax exemptions will benefit the City and its inhabitants by furthering the redevelopment of the property which had remained underutilized and in disrepair for many years, and that the benefits would substantially outweigh the costs, if any, associated with the tax exemptions; and

WHEREAS, the City Council further finds that the requested tax exemptions are important to the City and that without the incentive of the tax exemptions, it is unlikely that the Project will be undertaken; and

WHEREAS, as part of its application for a tax exemption, MAHALAXMI BAYONNE URBAN RENEWAL, LLC has submitted a form of Financial Agreement (the "Financial Agreement") providing for payments in lieu of taxes, a copy of which is attached to this Ordinance; and

WHEREAS, MAHALAXMI BAYONNE URBAN RENEWAL, LLC has presented to this body certain financial information, copies of which are attached as exhibits to this Ordinance; and

WHEREAS, the City Council deems it to be in the best interest of the City to pass an Ordinance authorizing the City to enter into the proposed Financial Agreement with MAHALAXMI BAYONNE URBAN RENEWAL, LLC on the terms and conditions stated in the applicable form of Financial Agreement attached to this Ordinance;

NOW THEREFORE, be it Ordained that the City Council of the City of Bayonne does hereby adopt the tax exemptions for MAHALAXMI BAYONNE URBAN RENEWAL, LLC as follows:

Section 1. The development of the Project is hereby approved for the grant of a tax exemption under the Exemption Law by virtue of, pursuant to and in conformity with the provisions of the Exemption Law.

Section 2. The Mayor is hereby authorized to execute the Financial Agreement with MAHALAXMI BAYONNE URBAN RENEWAL, LLC in substantially the form attached hereto and subject to any further review, analysis or modifications that counsel may deem appropriate.

Section 3. During the term of the tax exemption with respect to MAHALAXMI BAYONNE URBAN RENEWAL, LLC there shall be paid to the City in lieu of any taxes to be paid on the improvements of the Project, an annual service charge determined as provided in the Financial Agreement.

Section 4. Counsel is authorized to prepare, and the Mayor is hereby authorized to execute any additional documents that may be necessary to implement and carry out the intent of the Financial Agreement.

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 "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND MAHALAXMI BAYONNE URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED AT 50 FLAGSHIP STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 751, LOT 1.01 AND A PORTION OF 1.04 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, January 16, 2019 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 Gullace, LaPelusa, Perez and President Nadrowski.

Absent = Council Member Carroll.

* * * * *

16. Council President Nadrowski introduced:

NEW JERSEY ADOPTING AND MODIFYING THE REDEVELOPMENT PLAN ENTITLED REDEVELOPMENT PLAN (FORUM) BLOCK 183 LOTS 1 & 2.01 REDEVELOPMENT FOR THE PROPERTY LOCATED AT 39-43 WEST 25TH STREET & 45 WEST 25TH STREET, WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 183, LOTS 1 & 2.01 AS SHOWN ON THE OFFICIAL TAX MAP OF 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 modifying

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, pursuant to the provisions of *N.J.S.A. 40A:12A-7(e)* and *N.J.S.A. 40A:12A-15* 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, 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 August 16, 2017, the Municipal Council directed the Planning Board, to prepare and review a redevelopment plan for the properties located at 39-43 West 25th Street & 45 West 25th Street, which properties are identified as Block 183, Lots 1 & 2.01 (the "Property") on the official tax map of the City of Bayonne and make recommendations to the Municipal Council in accordance with the Redevelopment Law; and

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Municipal Services has prepared a revised redevelopment plan for the Property titled

“Redevelopment Plan (Forum) Block 183 Lots 1 & 2.01”, dated December 4, 2017 (the “Redevelopment Plan”); and

WHEREAS, on November 14, 2017, the Planning Board reviewed the Redevelopment Plan and recommended the adoption of the Redevelopment Plan to the Municipal Council and concluded that said Redevelopment Plan is consistent with the Master Plan of the City of Bayonne; and

WHEREAS, the Municipal Council agreed with the Planning Board’s recommendation and by Ordinance 0-18-03 on January 17, 2018, the Municipal Council adopted the Redevelopment Plan; and

WHEREAS, TFG 39-43 WEST 25TH STREET, LLC, by Resolution dated May 16, 2018 was designated the Redeveloper for the purpose of implementing the Redevelopment Plan; and

WHEREAS, the Redeveloper has requested that the Municipal Council, as a redevelopment entity to authorize and direct the Planning Board to reopen and amend the existing redevelopment plan entitled “Redevelopment Plan (Forum) Block 183 Lots 1 & 2.01” to permit an increase in building height to accommodate the necessary parking; 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 amend a Redevelopment Plan; and

WHEREAS, on January___, 2019, the Planning Board reviewed the amendments to the Redevelopment Plan and recommended the adoption of the Amended Redevelopment Plan to the Municipal Council and concluded that said Redevelopment Plan is consistent with the Master Plan of the City of Bayonne; and

WHEREAS, upon receipt and review of the Planning Board’s recommendations relating to the amendments to the Redevelopment Plan, the Municipal Council desires to adopt the Redevelopment Plan as revised dated January ----, 2019 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 Redevelopment Plan is in the best interest of the City for the redevelopment of the Property.

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 Redevelopment Plan is hereby adopted as modified above pursuant to the terms of N.J.S.A. 40A:12A-7 of the Redevelopment Law.

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

Section 4. If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

Section 5. A copy of this Ordinance and the Redevelopment Plan shall be available for public inspection at the office of the City Clerk during regular business hours.

Section 6. This Ordinance shall take effect in accordance with all applicable laws.

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 “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AND MODIFYING THE REDEVELOPMENT PLAN ENTITLED REDEVELOPMENT PLAN (FORUM) BLOCK 183 LOTS 1 & 2.01 REDEVELOPMENT FOR THE PROPERTY LOCATED AT 39-43 WEST 25TH STREET & 45 WEST 25TH STREET, WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 183, LOTS 1 & 2.01 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, January 16, 2019 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 Gullace, LaPelusa, Perez and President Nadrowski.

Absent = Council Member Carroll.

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17. Council Member Perez 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

ADD

043. Joseph Mamone, 22 East 51st Street
Beginning at a point on the south side of East 51st Street, 287 feet east of the southeast corner of Broadway and East 51st Street, and extending to a point 17 feet east thereof.

044. Dolores Maratta, 99 Hobart Avenue
Beginning at a point on the west side of Hobart Avenue, 97 feet south of the southwest corner of Hobart Avenue and East 4th Street, and extending to a point 17 feet south thereof.

048. Sosy Ishak, 780 Broadway
Beginning at a point on the south side of East 35th Street, 41 feet east of the southeast corner of Broadway and East 35th Street, and extending to a point 17 feet east thereof.

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

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

Absent = Council Member Carroll.

* * * * *

18. 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 Gullace, LaPelusa, Perez and President Nadrowski.

Absent = Council Member Carroll.

* * * * *

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

From MARIA R. ORTIZ, filing notice of tort claim alleging property damage to her automobile on October 9, 2018, resulting from being struck by a fire engine at the corner of Evergreen Street and Hobart Avenue.

* * * * *

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

From JACQUELINE TORRES, filing notice of tort claim alleging property damage to her vehicle on August 30, 2018, resulting from being struck by a city owned vehicle on East 5th Street near Isabella Avenue.

* * * * *

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

From JEREMIAH STARK, filing notice of tort claim alleging property damage to a wheel rim on his automobile on November 3, 2018, resulting from a pot hole at 80 West 45th Street.

* * * * *

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

From ISIDRO CORA, filing notice of tort claim alleging property damage to his automobile on November 19, 2018, resulting from damage caused by a garbage disposal employee at 45th Street and Kennedy Boulevard.

* * * * *

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

From Superior Court of New Jersey, Law Division Summons and Complaint in matter entitled, "PETERS vs. ROH, et al., incl. THE CITY OF BAYONNE." (Automobile collision on September 10, 2016 on the entrance ramp of the New Jersey Turnpike at Exit 14A)

* * * * *

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

From Superior Court of New Jersey, Law Division Summons and Complaint in matter entitled, "PATRICK vs. THE CITY OF BAYONNE, et al." (Sidewalk fall down on March 8, 2018, at 158 West 21st Street)

* * * * *

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 Gullace, LaPelusa, Perez and President Nadrowski.

Absent = Council Member Carroll.

* * * * *

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

November 7, 2018

Dear Council President Nadrowski
And Honorable Members of City Council

I hereby appoint Terrance Malloy as Business Administrator of the City of Bayonne, subject to your consent.

In conjunction with this appointment the City Clerk has been directed to add an accompanying item on the December 19, 2018 Council meeting agenda to be received and filed by the City of Bayonne.

Sincerely,
James M. Davis
Mayor
(signed)

BE IT RESOLVED, that the Municipal Council of the City of Bayonne hereby consents to and confirms the foregoing appointment.

* * * * *

27. 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.

* * * * *

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

DATE: November 2, 2018

TO: Terrence Malloy, CFO
Sloan, City Clerk

FROM: Janet Convery, Treasurer

Please be advised that a transfer to the Board of Ed was made on , December 2, 2018

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

Janet Convery

* * * * *

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

BID REPORT
FOR THE MUNICIPAL COUNCIL

Date: 11/09/18 Ad Date: 10/29/18 Resolution #18-08-15-072

Date bids accepted: 11/08/18 Attending: Amy Dellabella, Purchasing Agent

Bid titled: Snow Removal Services During Snow Emergency II

Bidder: _____ Total Bid Price 1-3 feet of snow Total Bid Price 3-6 feet of snow

Ken's Marine Service, Inc.
1 Ingham Avenue
Bayonne, NJ 07002

\$312,000.00

\$547,200.00

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

Absent = Council Member Carroll.

* * * * *

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

RESOLVED, That the official minutes of the regular council meeting held Wednesday, November 7, 2019 be and the same are hereby approved.

* * * * *

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

RESOLVED, That the official minutes of the special council meeting held Tuesday, November 20, 2018, be and the same are hereby approved.

* * * * *

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

RESOLVED, That the official minutes of the council caucus meeting held Wednesday, October 31, 2018, be and the same are hereby approved.

* * * * *

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

WHEREAS, the properties set forth below all carry overpayments on their property tax accounts in the amounts indicated; and

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
35	28	Faten Hassani	1,972.13
40	14	Vadim Goland	6,615.92
94	16	Ronald Jankowski	306.33
144	35 Q C0404	MIKI 404, LLC	1,277.61
108	20	Ciro Benanti	3,535.80
174	7	Wells Fargo Home Mortgage	2,222.43
265	14	CoreLogic	2,077.67
269	3	Elizabeth Jordan	2,711.00
339	24	CoreLogic	1,960.18

434	26	NP2 Realty, LLC	4,309.00
Total:			26,988.07

36. 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 \$ 8.40 drawn of the Bureau of Rabies Control, State Department of Health, Trenton, New Jersey, covering the issuance of licenses Nos. 1012-1013 inclusive, 2 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.

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

RESOLVED, that the actions of the Municipal Treasurer in issuing payment from Current Fund in the amount of \$ 6,708,693.76 payable to the County of Hudson for Fourth Quarter County Taxes of 2018 and County Open Space Tax is hereby ratified and confirmed.

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

RESOLVED, that the actions of the Municipal Treasurer in issuing a warrant from the Unemployment Trust Fund in the amount of \$ 17,317.59 payable to the State of New Jersey Division of Employer Accounts is hereby ratified and confirmed. Said warrant is for the City of Bayonne unemployment bills for quarter ending 9/30/2018.

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

WHEREAS, the Law Department has filed a Summons and Complaint with the New Jersey Department of Banking and Insurance in the matter entitled City of Bayonne vs. Ace Insurance Co., et al; and

WHEREAS the Municipal Treasurer issued a check payable to the New Jersey Department of Banking and Insurance representing payment of the filing fee for same; and

WHEREAS, funds were certified as available in Account Law Department OE; now therefore, be it

RESOLVED, that the action of the Municipal Treasurer in issuing a warrant in the amount of \$30.00 payable to the New Jersey Department of Banking and Insurance is hereby ratified and affirmed.

40. 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 continued supplementation services for the Revised General Ordinances of the City of Bayonne; and

WHEREAS, Coded Systems, LLC 608 Highway 71, Spring Lake Heights, New Jersey 07762, has previously been awarded a contract for such services on an annual basis, and is willing to continue to supply said services for the period commencing January 1, 2019 and ending December 31, 2019 in accordance with the terms of a proposal dated December 11, 2018; and

WHEREAS, funds are certified as available in Account 9-01-20-121-0000-029 pending adoption of the CY 2019 budget; and

WHEREAS, bids need not be solicited for these services insofar as the Agreement complies with the statutory guidelines of N.J.S.A. 40A:11-5(1)(a)(x); now, therefore be it

RESOLVED, that the Mayor and City Clerk be and are hereby authorized to enter into an agreement with Coded Systems, LLC, 608 Highway 71, Spring Lake Heights, New Jersey 07762, for continuation of supplementation service for the Revised General Ordinances of the City of Bayonne for the period commencing January 1, 2019 and ending December 31, 2019, for a contract amount not to exceed Fifteen Thousand (\$15,000.00) Dollars; and be it further

RESOLVED, that funds are chargeable to Account 9-01-20-121-0000-029 pending the adoption of the CY 2019 budget.

* * * * *

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

WHEREAS, the Department of Public Works and Parks and Recreation of the City of Bayonne has established that there is a need for maintenance and support for the City's automated fueling system operation located at 330 Hook Road; and

WHEREAS, E.J. Ward, Inc., 6600 Queens Midtown Expressway, Flushing, New York 11378, has supplied such maintenance and support and is willing and able to continue to supply said services for a one year period commencing January 1, 2019 and ending December 31, 2019 at a cost of \$4,500.00 and has provided the City with a Maintenance and Support Agreement reflecting same; and

WHEREAS, N.J.S.A. 40A:11-3(A), allows for the award of a contract without the necessity of public advertising for bids where the municipality has a Qualified Purchasing Agent, and when the cost or price does not exceed \$40,000.00; and

WHEREAS, funds are certified as available in Account Center Garage-O.E. pending adoption of the CY 2019 budget, now, therefore be it

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

1. The Mayor and/or his designee is/are hereby authorized to execute said Maintenance and Support Agreement with E.J. Ward, Inc., 6600 Queens Midtown Expressway, Flushing, New York 11378 for maintenance and support of the City's automated fueling system operation located at 330 Hook Road for a one year period commencing January 1, 2019 and ending December 31, 2019 at a cost of \$4,500.00
2. Funds shall be charged to Account Central Garage-O.E.

* * * * *

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

WHEREAS, by way of Resolution No. 17-12-13-029 adopted by the Municipal Council on December 13, 2017, the City entered into Agreement No. CY18-029 with Reliable Paper Recycling, Inc., 1 Caven Point Avenue, Jersey City New Jersey 07305 ("Reliable") for the receipt of the City's recycling collection, specifically for the following recyclable materials: (a) Mixed Paper; and (b) Comingled Collection consisting of glass, cans and bottles; and; (c) any other material in the recycling material stream (collectively referred to as "Recycling Commodity") for a one (1) year period commencing January 1, 2018 and ending December 31, 2018 pursuant to the "Non-fair and Open Process" pursuant to N.J.S.A. 19:44A-20.4 and N.J.S.A. 19:44A-20.5 et seq.; and

WHEREAS, pursuant the terms of the aforesaid Agreement No. CY18-029, the City had the option to renew the agreement for two (2) consecutive one (1) year terms exercisable in the City's sole discretion, based on the same terms under the current contract, in a form and substance as is acceptable to the Law Director without going through the "fair and open process" pursuant to N.J.S.A. 19:44A-20.4 and N.J.S.A. 19:44A-20.5 et seq.; and

WHEREAS, during the one (1) year contract term, the Contractor has complied with its obligations under the contract, which has resulted in significant revenue to the City of Bayonne; and

WHEREAS, in light of the Contractor's successful performance and its continued agreement that the City will not be charged processing costs for recyclables regardless of the market(s), the Director of the Department of Public Works, upon consultation with the City's Recycling Coordinator, has recommended the City exercise the first one (1) year option to renew said Agreement No. CY18-029 with Reliable for the period commencing January 1, 2019 and ending December 31, 2019; and

WHEREAS, recycling markets are statutorily exempt under the Local Public Contract's Law, N.J.S.A. 40A:11-5(1)(s); and

WHEREAS, the Director of Public Works has determined and certified in writing that the value of the receivables from recycling products will exceed \$17,500; and

WHEREAS, Reliable Paper Recycling, Inc., has completed and submitted a Business Entity Disclosure Certification, wherein it certified that it has not made any reportable contributions to a political or candidate committee in the City of Bayonne in the previous one (1) year, and that the contract as amended pursuant to the first one (1) year option will prohibit the Contractor from making any reportable contributions through the term of the contract as amended, now, therefore, be it

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

1. The Mayor and City Clerk are hereby authorized to take all actions necessary to exercise the first one (1) year option under Agreement No. CY18-029 with Reliable Paper Recycling, Inc., 1 Caven Point Avenue, Jersey City, New Jersey 07305 for the receipt of the City's recycling collection, specifically for the following recyclable materials: (a) Mixed Paper; and (b) Comingled Collection consisting of glass, cans and bottles; and; (c) any other material in the recycling material stream for a one (1) year period commencing January 1, 2019 and ending December 31, 2019 pursuant to the "Non-fair and Open Process" pursuant to N.J.S.A. 19:44A-20.4 and N.J.S.A. 19:44A-20.5 *et seq.*; and

2. All other terms and conditions of Agreement No. CY18-029 as amended shall remain the same.

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

WHEREAS, the Police Department of the City of Bayonne has established that there is a need for annual support with upgrades for the POSS Enterprise Edition scheduling software, and VCS Evolution Exchange 2019 User Conference; and

WHEREAS, Visual Computer Solutions, Inc., 4400 US Highway 9 South, Suite 3500, Freehold, NJ 07728 is able to supply the aforesaid services for the period commencing January 1, 2019 and ending December 31, 2019 at a cost of \$4,749.60; and

WHEREAS, funds are certified as available in Account #PS-9/01-201-25-240-0000-020 pending adoption of the CY 2019 budget; and

WHEREAS, N.J.S.A. 40A:11-3(a), allows for the award of a contract without the necessity of public advertising for bids where the municipality has a Qualified Purchasing Agent, and when the cost or price does not exceed \$29,000.00; now, therefore, be it

RESOLVED, that the Mayor and Clerk of the City of Bayonne are hereby authorized to enter into an agreement with Visual Computer Solutions, Inc., 4400 US Highway 9 South, Suite 3500, Freehold, NJ 07728 for annual support with upgrades for the POSS Enterprise Edition scheduling software in use in the Police Department and VCS Evolution Exchange 2018 User Conference for the period commencing January 1, 2019 and ending December 31, 2019 at a cost of \$4,749.60; and be it further

RESOLVED, that funds are certified available in Account #PS-9/01-201-25-240-0000-020 pending adoption of the CY 2019 Budget; and be it further

RESOLVED, that the Municipal Treasurer be and is hereby authorized and directed to issue a warrant payable to Visual Computer Solutions, Inc., in the amount of \$4,749.60 in payment for said services.

44. 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 January 13, 2017 for said CDBG Grant Funds in the amount of \$2,475.00 for the purpose of providing the cost of A/C unit repairs at the main office located 555 Kennedy Blvd from Bloom Heating-Cooling, 513 Avenue A, 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 A/C unit repairs at the main office located 555 Kennedy Blvd from Bloom Heating-Cooling, 513 Avenue A, Bayonne, NJ 07002 and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-1002; 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 the cost of A/C unit repairs at the main office located 555 Kennedy Blvd from Bloom Heating-Cooling, 513 Avenue A, Bayonne, NJ 07002 in the amount of \$2,475.00 for the period commencing September 1, 2018 and ending August 31, 2019.

2. Funds shall be charged to Account #CDBG-1002

45. 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 January 13, 2017 for said CDBG Grant Funds in the amount of \$13,500.00 for the purpose of providing the cost of repairing the playground surfacing at the Headstart located at 21 West 8th Street from Safety Down Under, P.O Box 522, Pittstown, NJ 08867; 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 repairing the playground surfacing at the Headstart located at 21 West 8th Street from Safety Down Under, P.O Box 522, Pittstown, NJ 08867 and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-1001; 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 the cost of repairing the playground surfacing at the Headstart located at 21 West 8th Street from Safety Down Under, PO Box 522, Pittstown, NJ 08867 for the period commencing September 1, 2018 and ending August 31, 2019.

2. Funds shall be charged to Account #CDBG-1001

46. 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 Community Mental Health, 601 Broadway, Bayonne, New Jersey 07002 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Bayonne Community Mental Health has requested and submitted a formal written application dated February 21, 2017 for said CDBG Grant Funds in the amount of \$126,400.00 for the purpose of providing the cost of reconstruction of the building located at 597 Broadway, which includes floor tiling, painting, roofing, electrical work, and plumbing from A1A Restoration Group LLC., 147 Mountain Avenue, Hawthorne, NJ;07506 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 reconstruction of the building located at 597 Broadway, which includes floor tiling, painting, roofing, electrical work, and plumbing from A1A Restoration Group LLC., 147 Mountain Avenue, Hawthorne, NJ;07506; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-994; 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 Community Mental Health, 591 Broadway, Bayonne, New Jersey 07002 for the provision of providing cost of reconstruction of the building located at 597 Broadway, which includes floor tiling, painting, roofing, electrical work, and plumbing from A1A Restoration Group LLC., 147 Mountain Avenue, Hawthorne, NJ;07506 in the amount of \$126,400.00 for the period commencing September 1, 2018 and ending August 31, 2019.

2. Funds shall be charged to Account #CDBG-994

* * * * *

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

RESOLUTION: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Bayonne Roadway Improvement Project.

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

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as LFIF-2019 Bayonne Roadway Improvement Project-00027 to the New Jersey Department of Transportation on behalf of the City of Bayonne.

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

* * * * *

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

WHEREAS, pursuant to N.J.S.A. 10:4-6, et seq., known as the Open Public Meetings Act, all meetings of all public bodies wherein formal action, decisions or discussion relating to the public business of said bodies may take place, are required to be publicly announced and schedules posted of regular meetings for the calendar year; now, therefore be it

RESOLVED, as follows:

1. The City Council of the City of Bayonne shall meet for the calendar year 2019 according to the following schedule; the meetings are hereby designated as Caucus Meetings and Regular Meetings as indicated and shall be held in the Dorothy Harrington Council Chambers, 630 Avenue C, Bayonne, New Jersey, on the dates and at the times listed:

CAUCUS MEETINGS:

REGULAR MEETINGS:

January 9 - 7:00 P.M.-Wed.
February 13 - 7:00 P.M.-Wed.

January 16 -7:00 P.M.-Wed.
February 20 -7:00 P.M.-Wed.

March 13	- 7:00 P.M.-Wed.	March 20	-7:00 P.M.-Wed.
April 10	- 7:00 P.M.-Wed.	April 17	-7:00 P.M.-Wed.
May 8	- 7:00 P.M.-Wed.	May 15	-7:00 P.M.-Wed.
June 12	- 7:00 P.M.-Wed.	June 19	-7:00 P.M.-Wed.
July 10	- 7:00 P.M.-Wed.	July 17	-7:00 P.M.-Wed.
August 14	- 7:00 P.M.-Wed.	August 21	-7:00 P.M.-Wed.
September 18	- 7:00 P.M.-Wed.	September 25	-7:00 P.M.-Wed.
October 9	- 7:00 P.M.-Wed.	October 16	-7:00 P.M.-Wed.
October 30	- 7:00 P.M.-Wed.	November 6	-7:00 P.M.-Wed.
December 11	- 7:00 P.M.-Wed.	December 18	-7:00 P.M.-Wed.

2. Caucus meetings are for the purpose of discussing matters of council business for inclusion on the agenda for the regular meeting, along with any other Council business. The public may attend but may not participate; formal action will not be taken at Caucus meetings. Formal action will be taken at Regular Meetings, which may include action on new business items not presented or discussed at the caucus meeting.

3. The City Council may adjourn any regular or adjourned meeting to a future date and may schedule such other meetings during the calendar year as its business may require. Proper notice to the public shall be given by the City Clerk regarding adjourn meetings, if any.

4. The City Clerk is hereby directed to insure that proper notice of City Council meetings of all types is provided to the public as follows:

- a) Posting a copy of the Annual Schedule (this resolution) and appropriate notices of meetings on the bulletin board in the lobby of the Municipal Building.
- b) Filing a copy of said notices in the City Clerk's Office.
- c) Mailing, faxing, or otherwise delivering copies of said notices to the Jersey Journal and the Star Ledger within the time prescribed by the Open Public Meetings Act.
- d) Complying with any additional statutory requirements not specified herein.

49. 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
Friendly Sone of St. Patrick	10:00 PM 1075 Broadway March 1, 2019	RL: 9326
Lincoln Community School	5:30-10:30 PM 33 East24th Street March 29, 2019	RL: 9327 RL: 9328
St. John Paul II/St. John Paul II Society	7:00 PM 39 East 22 nd Street April 11, 2019	RL: 9329
Hudson County Animal League	5:00-9:00 PM 151 LeFante Way April 10, 2019	RL: 9330

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

WHEREAS, the City of Bayonne received bids for Intersection Improvements to Avenue E at 34th and 35th Streets on December 5, 2018; and

WHEREAS, it has been recommended by the Purchasing Agent that the bids received that day be rejected insofar as (a) the lowest bid substantially exceeds the cost estimates for the goods and services sought and (b) the lowest bid substantially exceeds the City's appropriation for the goods and services sought; and

WHEREAS, it has been recommended by the Purchasing Agent that the Clerk be authorized to re-advertise for bids for this project;

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

Section 1. The bids received on December 5, 2018 for Intersection Improvements to Avenue E at 34th and 35th Streets are hereby rejected for the reasons set forth above.

Section 2. The City Clerk is authorized to re-advertise for bids for this project.

Section 3. This Resolution shall take effect immediately.

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

Absent - Council Member Carroll.

* * * * *

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

WHEREAS, there exists a need for professional legal services to represent the Zoning Board of the City of Bayonne at all meetings, defend any and all actions and other matters impacting on the Zoning Board; 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, Richard N. Campisano, Esq., 34-36 Jones Street Jersey City, New Jersey 07306 has submitted to the City a formal written response to the City's Request for Qualifications/Proposals for said professional legal services; and

WHEREAS, this professional services contract was advertised under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4.5; and

WHEREAS, Richard N. Campisano, Esq., is qualified, ready and able to provide said services; and

WHEREAS, this contract constitutes a "Professional Service" contract 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. 40A:11-1, et seq.) requires that the resolution authorizing the award of a contract for "Professional Services" without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, the City of Bayonne desires to retain the services of Richard N. Campisano, Esq. as attorney for the Zoning Board for the period commencing January 1, 2019 and ending December 31, 2019 for an amount of \$13,200.00 payable at the rate of \$1,100.00 per month for all legal and administrative duties associated with his function as Board attorney. There shall be additional compensation of \$150.00 per hour for escrow billings and in the event the Zoning Board is involved in litigation, said amount not to exceed \$9,000.00 for the period commencing January 1, 2019 and ending December 31, 2019, and

WHEREAS, funds are certified as available in Account #9-01-21-185-0000-028; pending adoption of CY2019 Budget; 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 Richard N. Campisano, Esq., 34-36 Jones Street Jersey City, New

Jersey 07306 to act as attorney for the Zoning Board, for an amount of \$13,200.00 payable at the rate of \$1,100.00 per month for all legal and administrative duties associated with his function as Board attorney. There shall be additional compensation of \$150.00 per hour for escrow billings and in the event the Zoning Board is involved in litigation, said amount not to exceed \$9,000.00 for the period commencing January 1, 2019 and ending December 31, 2019.

2. Funds shall be charged to Account #9-01-21-185-0000-028.

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

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

Absent - Council Member Carroll.

* * * * *

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

WHEREAS, there exists a need for professional legal services to represent the Planning Board of the City of Bayonne at all meetings, defend any and all actions and other matters impacting on the Planning Board; 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, Richard N. Campisano, Esq., 34-36 Jones Street Jersey City, New Jersey 07306 has submitted to the City a formal written response to the City's Request for Qualifications/Proposals for said professional legal services; and

WHEREAS, Richard N. Campisano, Esq., is qualified, ready and able to provide said services; and

WHEREAS, this professional services contract was advertised under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5; and

WHEREAS, this contract constitutes a "Professional Service" contract 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. 40A:11-1, et seq.) requires that the resolution authorizing the award of a contract for "Professional Services" without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, the City of Bayonne desires to retain the services of Richard N. Campisano, Esq., as attorney for the Planning Board for the period commencing January 1, 2019 and ending December 31, 2019 for an amount of \$10,800.00 payable at the rate of \$900.00 per month for all legal and administrative duties associated with his function as Board attorney. There shall be additional compensation of \$150.00 per hour for escrow billings and in the event the Planning Board is involved in litigation, said amount not to exceed \$5,000.00 for the period commencing January 1, 2019 and ending December 31, 2019, and

WHEREAS, funds are certified as available in Account #9-01-21-180-0000-028; pending adoption of the CY2019 Budget; 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 Richard N. Campisano, Esq., 34-36 Jones Street Jersey City, New Jersey 07306 to act as attorney for the Planning Board, for an amount of \$10,800.00 payable at the rate of \$900.00 per month for all legal and administrative duties associated with his function as Board attorney. There shall be additional compensation of \$150.00 per hour for escrow billings and in the event the Planning Board is involved in litigation, said amount not to exceed \$5,000.00 for the period commencing January 1, 2019 and ending December 31, 2019.

2. Funds shall be charged to Account #9-01-21-180-0000-028.

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

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

Absent - Council Member Carroll.

* * * * *

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

WHEREAS, the City of Bayonne is in need of professional legal services as 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, the law firm of Inglesino, Webster, Wyciskala & Taylor, LLC, 600 Parsippany Road, Suite 204, Parsippany, New Jersey 07054 has submitted formal written response to the City of Bayonne's Request for Qualifications/Proposals for said professional legal services; 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 Inglesino, Webster, Wyciskala & Taylor, LLC 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 various accounts pending adoption of the CY2018 budget; 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 Inglesino, Webster, Wyciskala & Taylor, LLC, 600 Parsippany Road, Suite 204, Parsippany, New Jersey 07054 for professional legal services as Redevelopment/Land Use Counsel for the period commencing January 1, 2019, and ending December 31, 2019, in accordance with its response to the City's Request for Qualifications.

2. Funds shall be charged to various 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 Gullace, LaPelusa, Perez and President Nadrowski.

Absent - Council Member Carroll.

* * * * *

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

WHEREAS, the City of Bayonne is in need of professional legal services to act as bond counsel; and

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

WHEREAS, the law firm of Archer & Greiner, P.C., 21 Main Street, Suite 353, Hackensack, New Jersey 07601-7095, has submitted a formal written response to the City's Request for Qualifications/Proposals for the aforesaid professional legal services to act as bond counsel; and

WHEREAS, the law firm of Archer & Greiner, P.C., is ready, willing and able to provide said services; and

WHEREAS, funds are certified as available from Bond Ordinances and Various Other Accounts pending adoption of CY2019 Budget; 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 the law firm of Archer & Greiner, P.C., 21 Main Street, Suite 353, Hackensack, New Jersey 07601-7095 to act as bond counsel for the period commencing January 1, 2019 and ending December 31, 2019, in accordance with their Response to the City's Request for Qualifications.

2. Funds are chargeable to Bond Ordinances and Various Other 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 Gullace, LaPelusa, Perez and President Nadrowski.

Absent - Council Member Carroll.

* * * * *

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

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

Absent - Council Member Carroll.

* * * * *

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

WHEREAS, the City of Bayonne's Rent Control Board is in need of legal representation; 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, Anthony R. Suarez, Esq., c/o Werner, Suarez & Moran, LLC, One University Plaza, Suite 117, Hackensack, New Jersey 07602 has submitted to the City of Bayonne a formal, written response to the City's Request for Qualifications/Proposals for said professional legal services; and

WHEREAS, Anthony R. Suarez, Esq. is qualified, ready, willing and able to provide said professional legal services; and

WHEREAS, funds have been certified as available in Account #9-01-20-100-0000-021 pending adoption of the CY2019 budget; and

WHEREAS, this contract constitutes a "Professional Service" contract 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, this professional services contract was advertised under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5; 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 Anthony R. Suarez, Esq., c/o Werner, Suarez & Moran, LLC, One University Plaza, Suite 117, Hackensack, New Jersey 07602 for professional legal services on behalf of the City's Rent Control Board for the period commencing January 1, 2019 through December 31, 2019, for an amount not to exceed \$15,000.00.

2. Funds shall be charged to Account #9-01-20-100-0000-021.

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 Gullace, LaPelusa, Perez and President Nadrowski.

Absent - Council Member Carroll.

* * * * *

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

WHEREAS, the City of Bayonne is in need of professional legal services in defense of the City of Bayonne in connection with State Tax Court Appeals;

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, the law firm of Chasan, Lamparello, Mallon & Cappuzzo, P.C., 300 Harmon Meadow Boulevard, Secaucus, New Jersey 07094 has submitted to the City of Bayonne a formal written response to the City's Request for Qualifications/Proposals for said professional legal services; and

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

WHEREAS, funds are certified as available in Bond Ordinance and Other Accounts pending adoption of the CY2019 budget; and

WHEREAS, this contract constitutes a "Professional Service" contract 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

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, P.C., 300 Harmon Meadow Boulevard, Secaucus, New Jersey 07094 to provide professional legal services in defense of the City of Bayonne in matters before the State Tax Court of the State of New Jersey, for a maximum contract amount not to exceed \$55,000.00, at an hourly rate of \$165.00 per hour for the period commencing January 1, 2019 and ending December 31, 2019.

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

3. Funds are chargeable to Bond Ordinance and Other Accounts.

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

Absent - Council Member Carroll.

* * * * *

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

WHEREAS, there exists a need for professional legal services as Municipal Court Prosecutor in the Bayonne Municipal Court; 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, TIMOTHY J. MORIARTY, ESQ., 88 West 31st Street, P.O. Box 3424, Bayonne, NJ 07002 and STEVEN R. HUMMELL, ESQ., 697 Kearny Avenue, Kearny, NJ 07032 have submitted to the City of Bayonne formal, written responses to the City's Request for Qualifications/Proposals for said professional legal services; and

WHEREAS, TIMOTHY J. MORIARTY, ESQ., is qualified, ready, willing and able to provide said services as Municipal Court Prosecutor for a one year period commencing January 1, 2019 and ending December 31, 2019 for an amount not to exceed \$46,200.00 to be paid at \$300.00 per session and municipal appeals requiring Superior Court appearance at an additional rate of \$75.00 per hour for a maximum of \$1,000.00 per appeal; and

WHEREAS, STEVEN R. HUMMELL, ESQ., 697 Kearny Avenue, Kearny, NJ 07032 is qualified, ready, willing and able to provide said services as Alternate Municipal Court Prosecutor for a one year period commencing January 1, 2019 and ending December 31, 2019 for an amount not to exceed \$23,700.00 to be paid at \$300.00 per session and municipal appeals requiring Superior Court appearance at an additional rate of \$75.00 per hour for a maximum of \$1,000.00 per appeal; 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, these professional services contracts were determined under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires 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 Account #9-01-25-275-0000-099 pending adoption of the CY2018 budget; now, therefore, be it

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

1. That the Mayor and the City Clerk are hereby authorized and directed to execute agreements with TIMOTHY J. MORIARTY for professional legal services as Municipal Court Prosecutor and STEVEN R. HUMMELL for professional legal services as Alternate Municipal Court Prosecutor for the period commencing January 1, 2019 and ending December 31, 2019, for total contract amounts not to exceed \$46,200.00 and \$23,700.00 respectively both to be paid at \$300.00 per session and municipal appeals requiring Superior Court appearance at an additional rate of \$75.00 per hour for a maximum of \$1,000.00 per appeal.
2. Funds shall be charged to Account #9-01-25-275-0000-099 pending adoption of the CY2019 Budget.
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 Gullace, LaPelusa, Perez and President Nadrowski.

Absent - Council Member Carroll.

* * * * *

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

WHEREAS, the City of Bayonne is in need of the professional legal services of a Municipal Public Defender in connection with the representation of indigent individuals coming before the Municipal Court of the City of Bayonne; 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, the law firm of Hughes & Finnerty, P.C., 25 West 8th Street, P. O. Box 65, Bayonne, N. J. 07002, has submitted to the City of Bayonne a formal written response to the City's Request for Qualifications/Proposals for said professional legal services; and

WHEREAS, the law firm of Hughes & Finnerty, P.C. is qualified, ready and able to provide said services; and

WHEREAS, this professional services contract was advertised under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5; 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, the City desires to retain the services of the law firm of Hughes & Finnerty, P.C. for professional legal services as Municipal Public Defender in connection with the representation of indigent individuals coming before the Municipal Court of the City of Bayonne for the period commencing January 1, 2019 and ending December 31, 201 for an amount not to exceed \$70,000.00; and

WHEREAS, the City of Bayonne is in need of the professional legal services as Alternate Municipal Public Defenders in the event that Hughes & Finnerty, P.C., is unable to provide said professional legal services; and

WHEREAS, the City is in receipt of a formal written response to the aforesaid City's Request to the City's Request for Qualifications/Proposals from Thomas J. Koehl, Esq., 203 Front Street, Secaucus, NJ 07094; and

WHEREAS, the City is in receipt of a formal written proposal from Shokry Abdelsayed, Esq, 363 Broadway, Bayonne, NJ 07002 for professional legal services to act as Alternate Public Defender for an amount not to exceed \$7,500.00; and

WHEREAS, Thomas J. Koehl, Esq. and Shokry Abdelsayed, Esq., are qualified, ready and able to provide the aforesaid professional legal services to act as Alternate Public Defender for an amount not to exceed \$7,500.00 each payable at the rate of \$300.00 per session; and

WHEREAS, the above contract amounts of \$7,500.00 for each of the contracts with Thomas J. Koehl, Esq. and Shokry Abdelsayed, Esq. do not exceed \$17,500.00 and, therefore, are not subject to the Public Contracts Law, N.J.S.A. 40A:11-1 et seq. or the New Jersey Local Unit Pay to Play Law, N.J.S.A. 19:44A:20.4 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, the City desires to retain the services of both Thomas J. Koehl, Esq. and Shokry Abdelsayed, Esq. for professional legal services as Alternate Municipal Public Defender with the representation of indigent individuals coming before the Municipal Court of the City of Bayonne for the period commencing January 1, 2019 and ending December 31, 2019 for an amount not to exceed \$7,500.00 per contract; and

WHEREAS, said funds shall be deducted from the \$70,000.00 allocated to Hughes & Finnerty, P.C. for professional legal services to act as Public Defender being considered pursuant to this Resolution, and

WHEREAS, funds are certified as available in Account #9-01-43-495-0000-028 pending adoption of the CY 2019 Budget, 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 Hughes & Finnerty, P.C., 25 West 8th Street, P.O. Box 65, Bayonne, NJ 07002 to perform professional legal services as the Municipal Public Defender in connection with the representation of indigent individuals coming before the Municipal Court of the City of Bayonne, for a total amount not to exceed \$70,000.00 for the period commencing January 1, 2019 and ending December 31, 2019.

2. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with Thomas J. Koehl, Esq., 203 Front Street, Secaucus, NJ 07094 and Shokry Abdelsayed, Esq., 363 Broadway, Bayonne, NJ 07002 to perform professional legal services as the Municipal Public Defender payable at the rate of \$300.00 per session for total contracts amounts not to exceed \$7,500.00 per each contract for the period commencing January 1, 2019 and ending December 31, 2019 payable through funds deducted from the \$70,000.00 allocated to Hughes & Finnerty, P.C. for professional legal services to act as Public Defender being considered pursuant to this Resolution.
3. Funds shall be charged to Account #8-01-43-495-0000-028
4. A notice of this award shall be published once in a newspaper of general circulation within the boundaries of the City of Bayonne.

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

Absent - Council Member Carroll.

* * * * *

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

WHEREAS, the City of Bayonne is in need of professional legal services in connection with Federal and State Grants and Funding; and

WHEREAS, the law firm of Krivit & Krivit, P.C., 1000 Potomac Street, N.W., Suite250, Washington, D.C. 20007-3501 has submitted to the City of Bayonne a formal written response to the City's Request for Qualifications/Proposals for said professional legal services; and

WHEREAS, Krivit & Krivit, P.C., is qualified, ready and willing to provide said services; and

WHEREAS, this professional services contract was determined under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A-20.4.5; and

WHEREAS, the maximum amount of the contract is \$120,000.00 for the period commencing January 1, 2019 and ending December 31, 2019; and

WHEREAS, funds have been certified in Account No. 09-01-25-240-0000-029 and other accounts pending adoption of the CY2019; 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; 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 Krivit & Krivit, P.C., 1000 Potomac Street, N.W., Suite250, Washington, D.C. 20007-3501 for professional legal services in connection with Federal and State Grants and Funding for the City for the period commencing January 1, 2019 and ending December 31, 2019 for a total contract amount not to exceed \$120,000.00.

2. Funds shall be charged to account 09-01-25-240-0000-029 and other 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 Gullace, LaPelusa, Perez and President Nadrowski.

Absent - Council Member Carroll.

* * * * *

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

WHEREAS, from time to time, the City of Bayonne is in need of skilled attorneys to act as Special Legal Counsel for criminal defense, administrative law, employment law, bankruptcy, and foreclosure matters in which the City is named as a party; and

WHEREAS, the City of Bayonne advertised a Request for Qualifications for qualified attorneys interested in acting as Special Legal Counsel to the City of Bayonne from time to time under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4 and .5; and

WHEREAS, the following attorneys/law firms have submitted responses to the City's aforesaid Request for Qualifications:

Biancamano & DeStefano, P.C.
Executive Plaza
10 Parsonage Road, Suite 300
Edison, NJ 08837

Allan C. Roth, LLC
150 Morris Avenue, Suite 303
Springfield, NJ 07081

DeCotis, FitzPatrick, Cole & Giblin, LLP
Glenpointe Centre West
500 Frank W. Burr Boulevard, Suite 31
Teaneck, NJ 07666

Florio, Kenny, Raval, LLLP
5 Marine View Plaza, Suite 109
P.O. Box 771
Hoboken, NJ 07030

Riker, Danzig, Scherer, Hyland & Perretti, LLP
Headquarters Plaza
One Speedwell Avenue
Morristown, NJ 07962

;and

WHEREAS, the aforementioned law firms are qualified, ready, willing and able to provide said legal services; now, therefore be it

RESOLVED, that the above mentioned law firms are hereby designated as qualified Panel Counsel to act as Special Legal Counsel for criminal defense, administrative law, employment law, bankruptcy, and foreclosure matters in which the City is named as a party for the period commencing January 1, 2019 and ending December 31, 2019.

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

Absent - Council Member Carroll.

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

WHEREAS, the City of Bayonne is in need of professional engineering services to act as in-house engineers including work on various projects and for various roads for the period commencing January 1, 2019 and ending December 31, 2019; and

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

WHEREAS, CME Associates, 3141 Bordentown Avenue, Parlin, NJ 08859-1162 has submitted to the City a formal written response to the City's Request for Qualifications/Proposals for said professional engineering services; and

WHEREAS, CME Associates is qualified, ready, willing and able to provide said professional engineering services; and

WHEREAS, funds have been certified as available in Various Accounts pending adoption of the CY2019 budget; and

WHEREAS, this contract constitutes a "Professional Service" contract 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, CME Associates has qualified under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5; 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 CME Associates, 3141 Bordentown Avenue, Parlin, NJ 08859-1162 to act as in-house engineers including work on various projects and for various roads for the period commencing January 1, 2019 and ending December 31, 2019 for an amount not to exceed \$750,000.00.

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

3. Funds shall be chargeable to Various Accounts.

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

Absent - Council Member Carroll.

* * * * *

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

WHEREAS, the City has a need to retain the services of a professional Environmental Consultant in connection with various upcoming potential projects during CY2018; and

WHEREAS, the City of Bayonne advertised a Request for Qualifications/Proposals for a professional Environmental Consulting and Licensed Site Remediation Specialist under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4 and.5; and

WHEREAS, the firm of Matrix New World Engineering, 26 Columbia Turnpike, Florham Park, NJ 07932, has submitted formal written response to the City's aforesaid Request for Qualifications/Proposals; and

WHEREAS, Matrix New World Engineering is qualified, ready, willing and able to provide said professional Environmental Consulting Services for the period commencing January 1, 2019 and ending December 31, 2019 for an amount not to exceed \$17,500.00; and

WHEREAS, funds have been certified as available in Various Accounts pending adoption of the CY2019 budget; and

WHEREAS, this professional services contract was determined under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A-20.4.5; 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; 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 Matrix New World Engineering, 26 Columbia Turnpike, Florham Park, NJ 07932 for professional Environmental Consulting and Licensed Site Remediation Professional services in connection with various upcoming potential projects during CY2018 for the period commencing January 1, 2019 and ending December 31, 2019 for a total contract amount not to exceed \$17,500.00.

2. Funds shall be charged to Various 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 Gullace, LaPelusa, Perez and President Nadrowski.

Absent - Council Member Carroll.

* * * * *

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

WHEREAS, the City has a need to retain the services of a professional Licensed Site Remediation Specialist in connection with various upcoming potential projects during CY2019; and

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

WHEREAS, the firm of Matrix New World Engineering, 26 Columbia Turnpike, Florham Park, NJ 07932, has submitted formal written response to the City's aforesaid Request for Qualifications/Proposals; and

WHEREAS, Matrix New World Engineering is qualified, ready, willing and able to provide said professional Licensed Site Remediation Services for the period commencing January 1, 2019 and ending December 31, 2019 for an amount not to exceed \$50,000.00; and

WHEREAS, funds have been certified as available in Various Accounts pending adoption of the CY2019 budget; and

WHEREAS, this professional services contract was determined under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A-20.4.5; 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; 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 Matrix New World Engineering, 26 Columbia Turnpike, Florham Park, NJ 07932 for Licensed Site Remediation services in connection with various upcoming potential projects during CY2019 for the period commencing January 1, 2019 and ending December 31, 2019 for a total contract amount not to exceed \$50,000.00.

2. Funds shall be charged to Various 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 Gullace, LaPelusa, Perez and President Nadrowski.

Absent - Council Member Carroll.

* * * * *

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

WHEREAS, there exists a need for real property appraisals and expert testimony services in tax appeals before the State Tax Court and Hudson County Tax Board and condemnation proceedings for residential, commercial, apartment buildings and warehouses; and

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

WHEREAS, Stack, Coolahan & Stack, LLC, 90 Hudson Street, Suite 200, Hoboken, New Jersey 07030, has submitted to the City of Bayonne a formal, written response to the City's Request for Qualifications/Proposals for said real property appraisals and expert testimony services; and

WHEREAS, Stack, Coolahan & Stack, LLC, 90 Hudson Street, Suite 200, Hoboken, New Jersey 07030, is qualified, ready, willing and able to provide said services; and

WHEREAS, Stack, Coolahan & Stack, LLC is willing to perform these services for the period commencing January 1, 2019 and ending December 31, 2019 for an amount not to exceed \$84,000.00, and

WHEREAS, funds are certified as available in Account #9-01-20-101-0000-29

pending adoption of the CY 2018 Budget; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires 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:20.4.5; now, therefore, be it

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

1. That the Mayor and the City Clerk are hereby authorized and directed to execute an agreement with Stack, Coolahan & Stack, LLC, 90 Hudson Street, Suite 200, Hoboken, New Jersey 07030, for the above mentioned real property appraisals and expert testimony services for the period commencing January 1, 2019 and ending December 31, 2019, for an amount not to exceed \$84,000.00.
2. Funds are certified as available in Account #9-01-20-101-0000-029.
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 Gullace, LaPelusa, Perez and President Nadrowski.

Absent - Council Member Carroll.

* * * * *

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

WHEREAS, the City of Bayonne is in need of professional mental health services to Low Income and Public Assistance Clients residing in the City of Bayonne; and

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

WHEREAS, the Bayonne Community Mental Health Center – A service of Trinitas Regional Medical Center (“Trinitas”), 601 Broadway, Bayonne, NJ 07002 has submitted to the City of Bayonne a formal written response to the City’s Request for Qualifications/Proposals for said professional mental health services; and

WHEREAS, the response of Trinitas, P.C. was the sole response received pursuant to the aforesaid Request for Qualifications/Proposals; and

WHEREAS, Trinitas is qualified, ready and able to provide said services; and

WHEREAS, this contract constitutes a “Professional Service” contract 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 maximum amount of the contract is \$50,000.00; the term of the contract is from January 1, 2019 through December 31, 2019; and

WHEREAS, funds have been certified as available in Account #9-01-27-330-0000-029 pending adoption of the CY2019 Budget; 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; 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 Bayonne Community Mental Health Center- A service of Trinitas Regional Medical Center, 601 Broadway, Bayonne, NJ 07002 to provide professional mental health services to Low Income and Public Assistance clients residing in the City of Bayonne, for a total amount not to exceed \$50,000.00 for a period of one year commencing January 1, 2019 and ending December 31, 2019.

2. Funds shall be charged to Account #8-01-27-330-0000-029 pending adoption of the CY2019 Budget.

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

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

Absent - Council Member Carroll.

* * * * *

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

WHEREAS, the City of Bayonne is in need of professional mental health services in connection with the City's Employee Assistance Program for City of Bayonne Municipal Employees; and

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

WHEREAS, the Bayonne Community Mental Health Center, 601 Broadway, Bayonne, NJ 07002 has submitted to the City of Bayonne a formal written response to the City's Request for Qualifications/Proposals for said professional mental health services; and

WHEREAS, the Bayonne Community Mental Health Center is qualified, ready and able to provide said services; and

WHEREAS, this contract constitutes a "Professional Service" contract 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 maximum amount of the contract is \$30,000.00; the term of the contract is from January 1, 2019 through December 31, 2019; and,

WHEREAS, funds are available in Account #9-01-27-330-0000-029 pending adoption of the CY2018 Budget, and have been certified by the Municipal Comptroller; 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; 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 Bayonne Community Mental Health Center, 601 Broadway, Bayonne, NJ 07002 for professional mental health services in connection with the City's Employee Assistance Program, for a total amount not to exceed \$30,000.00 for a period commencing January 1, 2019 and ending December 31, 2019.

2. Funds shall be charged to Account #9-01-27-330-0000-029.

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

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

Absent - Council Member Carroll.

* * * * *

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

WHEREAS, the City of Bayonne is in need of professional medical services for the City's Uniformed Employees; and

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

WHEREAS, John T. Dedousis, M.D., 1166 Kennedy Boulevard, Bayonne, New Jersey 07002 has submitted to the City of Bayonne a formal written response to the City's Request for Qualifications/Proposals for said professional medical services; and

WHEREAS, this professional services contract was advertised under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5; and

WHEREAS, John T. Dedousis, M.D. is qualified, ready and able to provide said services; and

WHEREAS, this contract constitutes a "Professional Service" contract 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; now, therefore, be it

WHEREAS, the City of Bayonne desires to retain the services of John T. Dedousis, M.D., for the period commencing January 1, 2019 and ending December 31, 2019 for maximum contract amount not to exceed \$36,000.00; and

WHEREAS, funds are available in Account #9-01-27-330-0000-029 pending adoption of the CY2018 Budget; 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 John Dedousis, M.D., 1166 Kennedy Boulevard, Bayonne, New Jersey 07002 to provide professional medical services to the City's uniformed employees, for the period commencing January 1, 2019 and ending December 31, 2019 for a total amount not to exceed \$36,000.00.
2. Funds shall be charged to Account #9-01-27-330-0000-029.
3. A notice of this award shall be published once in a newspaper of general circulation within the boundaries of the City of Bayonne.

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

Absent - Council Member Carroll.

* * * * *

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

WHEREAS, there exists a need for professional services to audit of books, accounts and financial transactions of the City of Bayonne for the Calendar Year 2018 as prescribed by N.J.S. 40A:5-4 et seq.; to audit the City's Public Assistance Trust Fund in compliance with State regulations of the Bureau of Welfare; to assist in the preparation of the Calendar Year 2019 budget preparation process, excluding department detail worksheets; to review the unaudited Calendar Year ended December 31, 2018, financial statements prior to submission to the State; to attend Municipal Council meetings, as required; to provide technical advice during the Calendar Year ending December 31, 2098, as needed, and to review the Employee's Deferred Compensation Plan; and

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

WHEREAS, Donohue, Gironda, Doria & Tomkins, LLC, 310 Broadway, Bayonne, New Jersey 07002, has submitted to the City of Bayonne a formal, written response to the City's Request for Qualifications/Proposals for said services; and

WHEREAS, Donohue, Gironda, Doria & Tomkins, LLC, is ready, willing and able to provide said services; and

WHEREAS, Donohue, Gironde, Doria & Tomkins, LLC, is willing to perform said services for the period commencing January 1, 2019 and ending December 31, 2019 for an amount not to exceed \$89,000.00, and

WHEREAS, funds are certified as available in Account 9-01-20-135-0000-028; CDBG-950 and 9-05-20-104-0000-199 pending adoption of the CY2019 Budget; now, and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires 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:20.4.5; now, therefore, be it

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

1. That the Mayor and the City Clerk are hereby authorized and directed to execute an agreement with Donohue, Gironde, Doria & Tomkins, LLC, 310 Broadway, Bayonne, New Jersey 07002 for the above mentioned services for the period commencing January 1, 2019 and ending December 31, 2019, for an amount not to exceed \$89,000.00.
2. Funds shall be charged to Account No.'s Account 9-01-20-135-0000-028; CDBG - 950 and 9-05-20-104-0000-199.
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 Gullace, LaPelusa, Perez and President Nadrowski.

Absent = Council Member Carroll.

* * * * *

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

WHEREAS, the City of Bayonne is in need of information technology, computer systems and network administration and support services; and

WHEREAS, the City of Bayonne advertised a Request for Qualifications/Proposals for the aforesaid information technology, computer systems and network administration and support services under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4 and.5; and

WHEREAS, Integrated Mirco Systems, Inc., 74 Lee Avenue, Haledon, New Jersey 07508-1202 has submitted to the City of Bayonne a formal, written Response to the City's Request for Qualifications/Proposals for said information technology, computer systems and network administration and support services; and

WHEREAS, N.J.S.A. 40A:11-2(7) provides that a contract for extraordinary and unspecifiable services may be awarded by a public entity upon certification that the services are unique, specialized, and qualitative in nature, and

WHEREAS, the Chief Financial Officer for the City of Bayonne has provided a certification of extraordinary and unspecifiable services to the Municipal Council indicating the services to be provided by Integrated Mirco Systems, Inc., 74 Lee Avenue, Haledon, New Jersey 07508-1202 are "unique, specialized and qualitative in nature requiring expertise, extensive training and a proven reputation in the field of information technology, computer systems and network administration and support services;" and

WHEREAS, this extraordinary and unspecifiable services contract was advertised under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5; now, therefore, be it

WHEREAS, Integrated Mirco Systems, Inc., 74 Lee Avenue, Haledon, New Jersey 07508-1202 is qualified, ready, willing and able to provide said services; and

WHEREAS, the maximum amount the contract is not to exceed \$50,000.00, the term of the contract is from January 1, 2019 through December 31, 2019, and

WHEREAS, funds are certified as available in Various Accounts pending adoption of the CY 2019 Budget; 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 Integrated Mirco Systems, Inc., 74 Lee Avenue, Haledon, New Jersey 07508-1202 to provide information technology, computer systems and network administration and support services for a maximum contract amount not to exceed \$50,000.00 for a period of one year commencing January 1, 2019 and ending December 31, 2019.

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

3. Funds shall be charged to Various Accounts.

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

Absent - Council Member Carroll.

* * * * *

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

WHEREAS, the City of Bayonne is in need of website design, management and maintenance services; and

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

WHEREAS, Alpha Dog Solutions, Inc., 335 Union Avenue, Belleville, New Jersey 07109 has submitted to the City of Bayonne a formal, written response to the City's Request for Qualifications/Proposals for said website design, management and maintenance services; and

WHEREAS, N.J.S.A. 40A:11-2(7) provides that a contract for extraordinary and unspecifiable services may be awarded by a public entity upon certification that the services are unique, specialized, and qualitative in nature, and

WHEREAS, the Business Administrator for the City of Bayonne has provided a certification of extraordinary and unspecifiable services to the Municipal Council indicating the services to be provided by Alpha Dog Solutions, Inc. are "unique, specialized and qualitative in nature requiring expertise, extensive training and a proven reputation in the field of information technology, computer systems and network administration and support services;" and

WHEREAS, Alpha Dog Solutions, Inc. is qualified, ready, willing and able to provide said services; and

WHEREAS, the maximum amount the contract is not to exceed \$59,400.00, the term of the contract is from January 1, 2019 through December 31, 2019, and

WHEREAS, funds are certified as available in Account #8-01-20-101-0000-028 and various other accounts pending adoption of the CY 2018 Budget; 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 Alpha Dog Solutions, Inc., 335 Union Avenue, Belleville, New Jersey 07109 to provide website design, management and maintenance services for a maximum contract amount not to exceed \$59,400.00 for the period commencing January 1, 2019 and ending December 31, 2019.

2. Funds shall be charged to Account #9-01-20-101-0000-028 and various other 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 Gullace, LaPelusa, Perez and President Nadrowski.

Absent - Council Member Carroll.

* * * * *

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

WHEREAS, there exists a need for professional planning services to act as the City's Town Planning Consultant; and

WHEREAS, CME Associates t/a Consulting and Municipal Engineers, 1460 Route 9, South, Howell, NJ 07731 has submitted to the City a formal written response to the City's Request for Qualifications/Proposals for said professional planning services; and

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

WHEREAS, CME Associates t/a Consulting and Municipal Engineers is qualified, ready, willing and able to provide said professional planning services; and

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

WHEREAS, the City of Bayonne desires to retain the services of CME Associates t/a Consulting and Municipal Engineers as Town Planning Consultant for a period of one year commencing January 1, 2019 and ending December 31, 2019, and

WHEREAS, funds have been certified as available in various escrow accounts pending adoption of the CY201 budget; 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 CME Associates t/a Consulting and Municipal Engineers, 1460 Route 9, South, Howell, NJ 07731 to act as in-house planner for the period commencing January 1, 2019 and ending December 31, 2019.

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

3. Funds shall be chargeable to various escrow accounts.

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

Absent - Council Member Carroll.

* * * * *

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

WHEREAS, there exists a need for professional planning services as Council on Affordable Housing (COAH) Consultant; and

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

WHEREAS, Clarke, Caton, Hintz, 100 Barrack Street, 3rd Floor, Trenton, New Jersey 08608 has submitted to the City a formal written response to the City's Request for Qualifications/Proposals for the aforesaid professional planning services; and

WHEREAS, Clarke, Caton, Hintz is qualified, ready and able to provide said services; and

WHEREAS, this contract constitutes a "Professional Service" contract 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. 40A:11-1, et seq.) requires that the resolution authorizing the award of a contract for "Professional Services" without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, the City of Bayonne desires to retain the services of Clarke, Caton, Hintz for professional planning services as Counsel on Affordable (COAH) Consultant for the period commencing January 1, 2019 and ending December 31, 2019 for an amount not to exceed \$36,000.00, and

WHEREAS, funds are certified as available in Account #T-12-56-814-368B-199; 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 Clarke, Caton, Hintz, 100 Barrack Street, 3rd Floor, Trenton, New Jersey 08608 for professional planning services as Counsel on Affordable Housing (COAH) Consultant for the period commencing January 1, 2019 and ending December 31, 2019 for a total contract amount not to exceed \$36,000.00.
2. Funds shall be charged to Account #T-12-56-814-368B-199.
3. Notice of the action shall be printed once in a newspaper of general circulation within the boundaries of the City of Bayonne.

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

Absent - Council Member Carroll.

* * * * *

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

WHEREAS, the City of Bayonne is in need of financial advisory services for the preparation and selling of Municipal debt instruments such as Municipal Bonds, Refunding Bonds, Bond Anticipation Notes, and other Notes; assistance in the preparation of and review of the City's Official Statement; conducting and providing the necessary calculations for Bonds and Notes sales; providing assistance to and interacting with Bond Counsel with regard to all relevant past, present and future City of Bayonne Bonds and Notes issues, and all required financial matters; assist City personnel during Bonds and Notes rating processes; representation at any required Local Finance Board Meetings; assistance in the production of applications to the Local Finance Board; assistance in obtaining Bond Insurance; providing financial analyses when required by the City and with regard to the timing of Bond Refundings, Notes sales, and the permanent financing of temporary debt; and advising the City with regard to legislation affecting Municipal Finance Matters; and

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

WHEREAS, NW Financial Group, LLC, 2 Hudson Place, 3rd Floor, Hoboken, New Jersey 07030 has submitted to the City of Bayonne a formal, written response to the City's Request for Qualifications/Proposals for said financial advisory services; and

WHEREAS, N.J.S.A. 40A:11-2(7) provides that a contract for extraordinary and unspecifiable services may be awarded by a public entity upon certification that the services are unique, specialized, and qualitative in nature, and

WHEREAS, the Business Administrator for the City of Bayonne has provided a certification of extraordinary and unspecifiable services to the Municipal Council indicating the services to be provided by NW Financial Group, LLC are "unique, specialized and qualitative in nature requiring expertise, extensive training and a proven reputation in the field of financial advisory services;" and

WHEREAS, this extraordinary and unspecifiable services contract was advertised under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5; now, therefore, be it

WHEREAS, NW Financial Group, LLC is qualified, ready, willing and able to provide said services; and

WHEREAS, the term of the contract is for the period commencing January 1, 2019 and ending December 31, 2019, and

WHEREAS, funds are certified as available in Accounts Various Accounts pending adoption of the CY 2019 budget; 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 NW Financial Group, LLC, 2 Hudson Place, 3rd Floor, Hoboken, New Jersey 07030 to provide financial advisory services for the period commencing January 1, 2019 and ending December 31, 2019.
2. A notice of this action shall be printed once in a newspaper of general circulation within the boundaries of the City of Bayonne.
3. Funds shall be charged to Various Accounts.

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

Absent - Council Member Carroll.

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

WHEREAS, there exists a need for services to perform lead based paint inspections and risk assessments as required under CDBG regulations for residential properties being rehabilitated under the Block Grant Program; and

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

WHEREAS, Matrix New World Engineering, 26 Columbia Turnpike, Florham Park, New Jersey 07932, has submitted to the City a formal written response to the City's Request for Qualifications/Proposals for said services; and

WHEREAS, Matrix New World Engineering is qualified, ready, willing and able to provide said services for the period commencing January 1, 2019 and ending December 31, 2019 for an amount not to exceed \$20,000.00; 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:20.4.5; now, therefore, be it

WHEREAS, funds are certified as available in Account T-03-56-108-0000-199 and Other Accounts; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk of the City of Bayonne are hereby authorized to enter into an agreement with Matrix New World Engineering, 26 Columbia Turnpike, Florham Park, New Jersey 07932 to perform lead based paint inspections and risk assessments as required under CDBG regulations at a cost not to exceed \$20,000.00 for a period of one year commencing January 1, 2019 and ending December 31, 2019.
2. Funds shall be charged to Account T-03-56-108-0000-199 and Other 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 Gullace, LaPelusa, Perez and President Nadrowski.

Absent - Council Member Carroll.

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

RESOLVED, that the budgetary transfers as set forth below pertaining to the CY 2018 appropriations be and the same are hereby authorized, and be it further

RESOLVED, that the Comptroller be, and is hereby authorized and directed to make the said transfers in accordance herewith:

CURRENT FUND

No.	Account	Amount	Account	Amount
1	Board of Health-S&W	\$100,000.	Law Dept.-O.E.	2,000.
	Water/Sewer-S&W	40,000.	City Clerk-S&W	500.
	Bus. Administration-S&W	50,000.	Bus. Administration-O.E.	40,000.
	Primary & General Elec-O.E.	101,500.	Fire Dept. - O.E.	20,000.
			Law Enfor-Uniform-O.E.	45,000.
			Bldg. & Grounds - S&W	30,000.
			Bldg. & Grounds-O.E.	20,000.
			Vehicle Maint. - S&W	3,000.
			Vehicle Maint. - O.E.	30,000.
			Other Public Works-S&W	16,000.
			Other Public Works O.E.	5,000.
			Maint. Of Parks - S&W	40,000.
			Parks & Playgrounds-S&W	5,000.
			Telephone Services	20,000.
			Municipal Court-O.E.	15,000.

PARKING UTILITY

1	Parking Utility O.E.	\$2, 000.	Parking Utility-S&W	2,000.
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Yeas - Council Members Gullace, LaPelusa, Perez and President Nadrowski.

Absent - Council Member Carroll.

77. Council President Nadrowski 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 AUTHORIZING AND DIRECTING THE PLANNING BOARD TO CONDUCT A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER CERTAIN PROPERTY HAVING AN ADDRESS OF 9 AVENUE E, 13- 15 AVENUE E AND 22-30 EAST 10TH STREET IDENTIFIED AS BLOCK 278, LOTS 2, 3 AND 4 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE WITHIN THE CITY CONSTITUTES A NONCONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.* (BAYONNE POOL CENTER)

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, the Mayor and Municipal Council consider it to be in the best interest of the City to have the Planning Board of the City (the "Planning Board") conduct such an investigation to determine if certain property located at 9 Avenue E, 13-15 Avenue E, and 22-30 East 10th Street, which property is identified as Block 278, Lots 2, 3, and 4 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, the City believes the property within the Study Area is potentially valuable for contributing to, serving, and protecting the public health, safety and welfare and for the promotion of smart growth within the City; and

WHEREAS, the preliminary investigation will be designed to evaluate the area to determine whether designation of the Study Area as a non-condemnation "area in need of redevelopment" is appropriate and in conformance with the statutory criteria contained in *N.J.S.A. 40A:12A-5*; and

WHEREAS, the City is desirous of continuing revitalization and redevelopment efforts in the City.

NOW THEREFORE, BE IT RESOLVED 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 Planning Board is hereby directed to conduct a preliminary investigation to determine whether the Study Area, or any portions thereof, constitute a non-condemnation "area in need of redevelopment" according to the criteria set forth in *N.J.S.A. 40A:12A-5*.

Section 3. The Planning Board is hereby directed to study the property located at 276 Prospect Ave, which property is identified as 9 Avenue E, 13-15 Avenue E, and 22-30 East 10th Street, which property is identified as Block 278, Lots 2, 3, and 4 on the City's Tax Maps; to develop a map reflecting the boundaries of the proposed non-condemnation redevelopment area; to provide public notice and conduct public hearings pursuant to *N.J.S.A. 40A:12A-6*; and to draft a report/Resolution to the Mayor and Municipal Council containing its findings.

Section 4. The results of such preliminary investigation shall be submitted to the Mayor and Municipal Council for review and approval in accordance with the provisions of the Redevelopment Law.

Section 5. This Resolution shall take effect immediately.

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

Absent - Council Member Carroll.

* * * * *

78. 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 AUTHORIZING AND DIRECTING THE PLANNING BOARD TO CONDUCT A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER CERTAIN PROPERTY HAVING AN ADDRESS OF 175 AVENUE A AND 219 WEST 5TH STREET WHICH ARE DESIGNATED AS CITY BLOCK 300.01 LOTS 2 AND 3 AND BLOCK 301.01 LOT 1 WITHIN THE CITY CONSTITUTES AN AREA IN NEED OF REDEVELOPMENT WITH A LIMITED POWER OF CONDEMNATION RELATIVE TO VARIOUS EASEMENTS AND RESTRICTIONS ON THE PROPERTY PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ. (NACIREMA AND A&P SITE)

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 an "area in need of redevelopment" with limited power of condemnation pursuant to the criteria contained in *N.J.S.A. 40A:12A-5*; and

WHEREAS, the Mayor and Municipal Council consider it to be in the best interest of the City to have the Planning Board of the City (the "Planning Board") conduct such an investigation to determine if certain property located at 175 Avenue A and 219 West 5th Street, which are designated as City Block 300.01, Lots 2 and 3 and Block 301.01 Lot 1 constitute an area in need of redevelopment with a limited power of condemnation relative to various easements and restrictions on the property as shown on the official Tax Map of the City (the "Study Area"), in accordance with the Redevelopment Law; and

WHEREAS, the City believes the property within the Study Area is potentially valuable for contributing to, serving, and protecting the public health, safety and welfare and for the promotion of smart growth within the City; and

WHEREAS, various historical easements and restrictions concerning several utilities and pipelines are within the Study Area that may limit development; and

WHEREAS, the preliminary investigation will be designed to evaluate the area to determine whether designation of the Study Area as a limited condemnation "area in need of redevelopment" is appropriate and in conformance with the statutory criteria contained in *N.J.S.A. 40A:12A-5*; and

WHEREAS, the City is desirous of continuing revitalization and redevelopment efforts in the City.

NOW THEREFORE, BE IT RESOLVED 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 Planning Board is hereby directed to conduct a preliminary investigation to determine whether the Study Area, or any portions thereof, constitute an "area in need of redevelopment" with the limited power of condemnation related to easements and restrictions on the property according to the criteria set forth in *N.J.S.A. 40A:12A-5*.

Section 3. The Planning Board is hereby directed to study the property located at 276 Prospect Ave, which property is identified 175 Avenue A and 219 West 5th Street, which are designated as City Block 300.01, Lots 2 and 3 and Block 301.01 Lot 1 on the City's Tax Maps; to develop a map reflecting the boundaries of the proposed redevelopment area; to provide public notice and conduct public hearings pursuant to *N.J.S.A. 40A:12A-6*; and to draft a report/Resolution to the Mayor and Municipal Council containing its findings.

Section 4. The results of such preliminary investigation shall be submitted to the Mayor and Municipal Council for review and approval in accordance with the provisions of the Redevelopment Law.

Section 5. This Resolution shall take effect immediately.

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

Absent - Council Member Carroll.

* * * * *

79. 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 AUTHORIZING AND DIRECTING THE PLANNING BOARD TO REOPEN AND AMEND THE REDEVELOPMENT PLAN ENTITLED REDEVELOPMENT PLAN (FORUM) BLOCK 183 LOTS 1 & 2.01 REDEVELOPMENT FOR THE PROPERTY LOCATED AT 39-43 WEST 25TH STREET & 45 WEST 25TH STREET, WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 183, LOTS 1 & 2.01 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE

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, pursuant to the provisions of *N.J.S.A. 40A:12A-7(e)* and *N.J.S.A. 40A:12A-15* 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, on August 16, 2017, the Municipal Council directed the Planning Board, to prepare and review a redevelopment plan for the properties located at 39-43 West 25th Street & 45 West 25th Street, which properties are identified as Block 183, Lots 1 & 2.01 (the "Property") on the official tax map of the City of Bayonne and make recommendations to the Municipal Council in accordance with the Redevelopment Law; and

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Municipal Services has prepared a revised redevelopment plan for the Property titled "Redevelopment Plan (Forum) Block 183 Lots 1 & 2.01", dated December 4, 2017 (the "Redevelopment Plan"); and

WHEREAS, on November 14, 2017, the Planning Board reviewed the Redevelopment Plan and recommended the adoption of the Redevelopment Plan to the Municipal Council and concluded that said Redevelopment Plan is consistent with the Master Plan of the City of Bayonne; and

WHEREAS, the Municipal Council agreed with the Planning Board's recommendation and by Ordinance O-18-03 on January 17, 2018, the Municipal Council adopted the Redevelopment Plan; and

WHEREAS, TFG 39-43 WEST 25TH STREET, LLC, by Resolution dated May 16, 2018 was designated the Redeveloper for the purpose of implementing the Redevelopment Plan; and

WHEREAS, the Redeveloper has requested that the Municipal Council, as a redevelopment entity to authorize and direct the Planning Board to reopen and amend the existing redevelopment plan entitled "Redevelopment Plan (Forum) Block 183 Lots 1 & 2.01" to permit an increase in building height to accommodate the necessary parking; 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 amend a Redevelopment Plan; and

WHEREAS, the Municipal Council believes that it is in the best interest of the City to reopen and amend the Redevelopment Plan for the property located at 39-43 West 25th Street & 45 West 25th Street, which properties are identified as Block 183, Lots 1 & 2.01 (on the City's Tax Maps in order to expand the scope of the revitalization and redevelopment efforts in the City and make modifications to the Redevelopment Plan necessary to further the goals and objectives of the Master Plan.

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 and directs the Planning board to reopen the existing redevelopment plan entitled "Redevelopment Plan (Forum) Block 183 Lots 1 & 2.01" and make any modifications or changes to the redevelopment plan necessary to further the goals and objectives of the Master Plan; and

Section 2. This Resolution shall take effect immediately.

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

Absent - Council Member Carroll.

80. 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 AUTHORIZING AND DIRECTING THE PLANNING BOARD TO PREPARE A REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 240 AND 256 KENNEDY BLVD WHICH PROPERTY IS IDENTIFIED AS BLOCK 297, LOTS 1 AND 2 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.* (SCHULMAN FUEL)

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, pursuant to *N.J.S.A. 52:27h-60* et seq. the City has included property located at 240 and 256 Kennedy Blvd, Block 297, Lots 1 and 2 (the "Property") as part of the City's Urban Enterprise Zone, and

WHEREAS, the Property is located within an area in need of Rehabilitation the designation of the Property as a non-condemnation "area in need of redevelopment" is appropriate and in conformance with the statutory criteria contained in *N.J.S.A. 40A:12A-5*; and

WHEREAS, the City believes the Property is potentially valuable for contributing to, serving, and protecting the public health, safety and welfare and for the promotion of smart growth within the City; and

WHEREAS, the City is desirous of continuing revitalization and redevelopment efforts in the City.

WHEREAS, the Municipal Council concurs and agrees that the Property constitutes and meets the criteria under the Redevelopment Law and that the Property should be determined and declared a non-condemnation "area in need of redevelopment", which determination shall, among other things, authorize the City to use all of the powers provided by the Legislature for use in a redevelopment area, however, it shall not authorize the City to exercise the power of eminent domain to acquire all or any portion of such Property; and

WHEREAS, the City is desirous of directing the Planning Board to prepare a redevelopment plan for the Property (the "Redevelopment Plan"); and

WHEREAS, the City believes that the Property is potentially valuable for contributing to, serving, and protecting the public health, safety and welfare and for the promotion of smart growth within the City; and

WHEREAS, the Municipal Council believes that the preparation of a Redevelopment Plan is in the best interests of the City for the redevelopment of the Property.

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

Section 1. 240 and 256 Kennedy Blvd, Block 297, Lots 1 and 2, as shown on the official Tax Map of the City are hereby designated a non-condemnation "area in need of redevelopment" under the Redevelopment Law, *N.J.S.A. 40A:12A-1* et seq.

Section 2. The Municipal Council hereby directs the City Clerk to transmit a copy of the within resolution to the Commissioner of the Department of Community Affairs and to serve notice that 240 and 256 Kennedy Blvd, Block 297, Lots 1 and 2, is designated a non-condemnation redevelopment area on the owners of such Property and other parties within ten (10) days of the date hereof, in accordance with *N.J.S.A. 40A:12A-6.b(5)*.

Section 3. The Planning Board of the City of Bayonne is hereby authorized and directed to prepare a Redevelopment Plan for the Property identified as 240 and 256 Kennedy Blvd, Block 297, Lots 1 and 2 as shown on the official Tax Map of the City in accordance with the Redevelopment Law, *N.J.S.A. 40A:12A-1* et seq.

Section 4. The Planning Board shall transmit the Redevelopment Plan to the Municipal Council for further consideration and action upon completion of same.

Section 5. This Resolution shall take effect immediately.

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

Absent - Council Member Carroll.

81. 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 AUTHORIZING AND DIRECTING THE PLANNING BOARD TO CONDUCT A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER CERTAIN PROPERTY LOCATED AT 551-561 BROADWAY, 549-555 BROADWAY, 563-567 BROADWAY AND 18 WEST 26TH STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 183, LOTS 15, 16, 17 AND 18 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE WITHIN THE CITY CONSTITUTES A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT 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 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, the Mayor and Municipal Council consider it to be in the best interest of the City to have the Planning Board of the City (the "Planning Board") conduct such an investigation to determine if certain property located at 551-561 Broadway, 549-555 Broadway, 563-567 Broadway and 18 West 26th Street, which property is identified as Block 183, Lots 15,16,17 and 18 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, the preliminary investigation will be designed to evaluate the area to determine whether designation of the Study Area as a non-condemnation "area in need of redevelopment" is appropriate and in conformance with the statutory criteria contained in *N.J.S.A. 40A:12A-5*; and

WHEREAS, the City is desirous of continuing revitalization and redevelopment efforts in the City.

NOW THEREFORE, BE IT RESOLVED 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 Planning Board is hereby directed to conduct a preliminary investigation to determine whether the Study Area, or any portions thereof, constitute a non-condemnation "area in need of redevelopment" according to the criteria set forth in *N.J.S.A. 40A:12A-5*.

Section 3. The Planning Board is hereby directed to study the area known as Block 183 Lots 15, 16, 17 and 18 on the City's Tax Maps; to develop a map reflecting the boundaries of the proposed non-condemnation redevelopment area; to provide public notice and conduct public hearings pursuant to *N.J.S.A. 40A:12A-6*; and to draft a report/Resolution to the Mayor and Municipal Council containing its findings.

Section 4. The results of such preliminary investigation shall be submitted to the Mayor and Municipal Council for review and approval in accordance with the provisions of the Redevelopment Law.

Section 5. This Resolution shall take effect immediately.

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

Absent - Council Member Carroll.

82. Council Member LaPelusa 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 AUTHORIZING AND DIRECTING THE PLANNING BOARD TO CONDUCT A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER CERTAIN PROPERTY IDENTIFIED AS BLOCK 477.01, LOT 3 AND BLOCK 478, LOT 1 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE WITHIN THE CITY CONSTITUTES A CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.* (EXXON BAYONNE TERMINAL)

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 "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 consider it to be in the best interest of the City to have the Planning Board of the City (the "Planning Board") conduct such an investigation to determine if certain property identified as Block 477.01, Lot 3 and Block 478, Lot 1 as shown on the official Tax Map of the City (the "Study Area"), constitute a condemnation "area in need of redevelopment," in accordance with the Redevelopment Law; and

WHEREAS, the City believes the Study Area is potentially valuable for contributing to, serving, and protecting the public health, safety and welfare and for the promotion of smart growth within the City; and

WHEREAS, the preliminary investigation will be designed to evaluate the area to determine whether designation of the Study Area as a condemnation "area in need of redevelopment" is appropriate and in conformance with the statutory criteria contained in *N.J.S.A. 40A:12A-5*; and

WHEREAS, the City is desirous of continuing revitalization and redevelopment efforts in the City and remediating contaminated sites.

NOW THEREFORE, BE IT RESOLVED 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 Planning Board is hereby directed to conduct a preliminary investigation to determine whether the Study Area, or any portions thereof, constitute a condemnation "area in need of redevelopment" according to the criteria set forth in *N.J.S.A. 40A:12A-5*.

Section 3. The Planning Board is hereby directed to study the property identified as Block 477.01, Lot 3 and Block 478, Lot 1 on the City's Tax Maps; to develop a map reflecting the boundaries of the proposed condemnation redevelopment area; to provide public notice and conduct public hearings pursuant to *N.J.S.A. 40A:12A-6*; and to draft a report/Resolution to the Mayor and Municipal Council containing its findings.

Section 4. The results of such preliminary investigation shall be submitted to the Mayor and Municipal Council for review and approval in accordance with the provisions of the Redevelopment Law.

Section 5. This Resolution shall take effect immediately.

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

Absent - Council Member Carroll.

* * * * *

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

WHEREAS, Columbia Group requests a temporary license to permit entry upon and to use and occupy a portion of unimproved property located in the City consisting of an area designated as Harbor Station North and South located at the Peninsula at Bayonne Harbor designated as Block 680 Lot 1, Block 660 Lot 1, Block 645 Lot 1 and Block 751 Lot 1.01," (the "Licensed Area"), to be used on a temporary basis by Columbia Group in connection with the operation of a Chassis Yard ("Project") for parking, staging and repair activities relating to the Project and for no other purpose, subject to certain terms and conditions set forth in the License Agreement; and

WHEREAS, the existence of a chassis yard in proximity to Global Terminals and other port related facilities is a critical link in the operation of the Port; and

WHEREAS, a chassis yard within the former MOTBY will also help reduce truck traffic on City and state roadways and will add to the local economy; and

WHEREAS, the permission granted by the City may be revoked at any time by the City, with or without cause, upon thirty (30) days' written notice to Columbia Group or may be terminated at any time by the Columbia Group, without cause, upon forty-eight (48) hours' written notice to the City;

WHEREAS, in cases of emergency or for any reason within its sole discretion, the City reserves the right to terminate this license without notice and immediately and revocation, termination or expiration of the License shall not relieve Columbia Group of any liabilities or obligations that shall have accrued prior to the effective date of such revocation, termination or expiration;

WHEREAS, Columbia Group will be posting insurance to protect the City's interests and will defend and indemnify the City with respect to any loss or damage arising from the issuance of the License;

WHEREAS, there is a fee for the License and Columbia Group shall pay Columbia Group, forty five thousand dollars (\$45,000.00) in lieu of tax for the use of raw land subject to allowable reductions under the terms of the agreement;

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

Section 1.

1. Permission is hereby granted to the Mayor or his designee to enter into a certain License Agreement upon terms and conditions acceptable to the Law Division with Columbia Group on the condition that: 1) no cost or expense shall be borne by the City relating in any way to Columbia Group's request for access and proposed scope of use; 2) Columbia Group shall pay the required monthly fee of \$45,000 starting on or about February 1, 2019 for the Property and 3) Columbia Group shall abide by any and all requirements of the City deemed necessary to protect the City's property and citizens.

2. Permission is hereby granted to the Business Administrator or his designee to enter into a certain License Agreement upon terms and conditions acceptable to the Law Division with Skanska on behalf of PANYNJ on the condition that: 1) Skanska will enter into a License Agreement in a form acceptable to the City and approved by the City's Law Division; 2) no cost or expense shall be borne by the City relating in any way to Skanska's request for access and proposed scope of use; 3) proposed work at the Site is approved by the City's engineer at Skanska's expense ; 4) no permits will issue without a fully executed License Agreement; 5) valid permits to be issued by the City's Building Department prior to the start of any work, if required and not otherwise waived by City; 6) Skanska shall pay the required fee starting when it was first given preliminary access to the Property on or about December 1, 2014 pending approval and execution of the License Agreement and 7) Skanska shall abide by any and all requirements of the City deemed necessary to protect the City's property and citizens.

3. The Business Administrator is hereby authorized to sign any and all documents necessary to effectuate same.

Section 2. This Resolution shall take effect immediately.

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

Absent - Council Member Carroll.

* * * * *

84. Council Member LaPelusa 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 REMOVING THE DESIGNATION OF K-LAND CORP. AS REDEVELOPER FOR THE PROPERTY COMMONLY REFERRED TO AS THE "TEXACO PROPERTY" IDENTIFIED AS BLOCK 322, LOT 3; BLOCK 360, LOT 2; BLOCK 373, LOTS 1, 2 AND 13-15; BLOCK 390, LOTS 1 AND 67; BLOCK 391, LOTS 1 AND 2 AND BLOCK 511, LOTS 5 AND 6 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE AND TERMINATING THE REDEVELOPMENT AGREEMENT WITH K-LAND CORP. FOR THE REDEVELOPMENT OF SUCH PROPERTY ("TEXACO")

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 accordance with the criteria set forth in the Redevelopment Law, the City by resolution number 03-03-20-070 identified and designated the Texaco site consisting of the property known as Block 332, Lot 3; Block 360, Lot 2; Block 373, Lots 1, 2 and 13-15; Block 390, Lots 1 and 67; Block 391, Lots 1 and 2 and Block 511, Lots 5 and 6 on the tax maps of the City (the "Redevelopment Area") as an area in need of redevelopment and

WHEREAS, by ordinance number 0-04-12, dated March 24, 2004 the City adopted a Redevelopment Plan for the Redevelopment Area entitled the "Redevelopment Plan Texaco Redevelopment Area," as the same may be further amended and supplemented from time to time ("Redevelopment Plan"); and

WHEREAS, K-Land Corp., a New Jersey corporation ("K-Land"), an affiliate of Kaplan-Promenade at Bayonne, LLC ("Redeveloper," formerly known as Kaplan at Bergen Pointe, LLC), was the contract purchaser of substantially all of the Redevelopment Area; and

WHEREAS, the Bayonne Local Redevelopment Agency ("BLRA") at its January 25, 2007 meeting, adopted a resolution entitled "Resolution of the Bayonne Local Redevelopment Authority Designating K-Land Corp. as Redeveloper of the Texaco Redevelopment Area and Authorizing the Execution of a Redevelopment Agreement with Kaplan at Bergen Pointe, LLC, an Affiliate of K-Land Corp.," which designated K-Land as the redeveloper of the Redevelopment Area and authorized the execution of a redevelopment agreement with Redeveloper, as an affiliate of K-Land as permitted by the Redevelopment Law; and

WHEREAS, the BLRA entered a redevelopment agreement with Redeveloper dated January 25, 2007 ("Original Redevelopment Agreement") with respect to the development of a residential project on the Redevelopment Area; and

WHEREAS, the BLRA was dissolved by ordinance number 0-13-22 adopted by the Municipal Council on August 14, 2013 and the City was designated as the successor to the BLRA and the "redevelopment entity" for the Redevelopment Area; and

WHEREAS, pursuant to *N.J.S.A. 40A:12-4*, the City has determined to act as the "Redevelopment Entity" (as such term is defined at *N.J.S.A. 40A:12A-3*) for the Redevelopment Area to exercise the powers contained in the Redevelopment Law; and

WHEREAS, the Municipal Council of the City ("Municipal Council") on June 18, 2014 adopted a resolution affirming the designation of K-Land Corp as the redeveloper of the Redevelopment Area and to amend and restate the Redevelopment Agreement with Redeveloper; and

WHEREAS, by correspondence dated November 8, 2018 K-Land Corp. and Kaplan-Promenade at Bayonne LLC requested to withdraw as Redeveloper and terminate the Redevelopment Agreement; and

WHEREAS, the Municipal Council also desires to remove the designation and terminate the agreement for the Redevelopment Area with the Redeveloper.

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

Section 1. The Redevelopment agreement and all amendments between K-land Corp. and Kaplan-Promenade at Bayonne LLC and the City of Bayonne is hereby terminated; and

Section 2. Any and all designations of K-land Corp. and Kaplan-Promenade at Bayonne LLC as redeveloper of Block 332, Lot 3; Block 360, Lot 2; Block 373, Lots 1, 2 and 13-15; Block 390, Lots 1 and 67; Block 391, Lots 1 and 2 and Block 511, Lots 5 and 6 commonly referred to as the Texaco property are withdrawn and removed; and

Section 3. The Mayor and Clerk are hereby authorized to execute any documents necessary to terminate the Redevelopment Agreement and the removal of the designation of the Redeveloper, as deemed advisable by the City Attorney or Special Redevelopment Counsel, on behalf of the City of Bayonne.

Section 4. This Resolution shall take effect immediately.

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

Absent - Council Member Carroll.

* * * * *

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

CONSENT RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING THE PERMITTED TRANSFER OF THE REDEVELOPMENT AND FINANCIAL AGREEMENTS FROM 151 CENTRE STREET URBAN RENEWAL LLC, TO 275 CHOSIN FEW WAY URBAN RENEWAL LLC, FOR THE PROPERTY LOCATED AT 275 CHOSIN FEW WAY WHICH PROPERTY IS IDENTIFIED AS BLOCK 600 LOT 2 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE FOR THE REDEVELOPMENT OF SUCH PROPERTY IN ACCORDANCE WITH THE REDEVELOPMENT PLAN

WHEREAS, Fidelco Bayonne Realty LLC entered into an Amended and Restated Redevelopment and Purchase and Sale Agreement dated March 16, 2015, with the City of Bayonne ("City"), for the following Property: Portions of the Bayonne Military Ocean Terminal (the "Peninsula") Block 600, Lot 1; Block 630, Lot 1; Block 645, Lot 1; Block 660, Lot 1; Block 680, Lot 1, the paper street identified as Road "B" (located between Blocks 600 and 630 and between Blocks 645 and 660) and the paper street known as Memorial Boulevard that runs to the north of Blocks 645 and 680 and to the south of Block 680 (which paper street runs from the eastern border of Blocks 660 and 680 due west to Road "C"); and

WHEREAS, Fidelco Bayonne Realty LLC assigned its interest in the Redevelopment Agreement to Centre Street Redeveloper LLC pursuant to an Assignment and Assumption Agreement dated June 28, 2018, who further assigned its interest in the Redevelopment Agreement to 151 Centre Street Urban Renewal LLC pursuant to the Assignment and Assumption Agreement dated June 28, 2018; and

WHEREAS, pursuant to Section 8.01 of the Redevelopment Agreement, 151 Centre Street Urban Renewal LLC desires to assign to 275 Chosin Few Way Urban Renewal, LLC all of its right, title, and interest in the Redevelopment Agreement with respect to Phase I, under the Redevelopment Agreement pertaining to Block 600, Lot 2 as referenced on the Harbor Station North Preliminary and Final Major Subdivision Plan approved by the Planning Board of the City of Bayonne, and filed in the Hudson County Register's Office on July 6, 2018 as Map No. 8-18, (the "Property") and

WHEREAS, KRE Fleet Bayonne Urban Renewal LLC entered into a Financial Agreement dated March 16, 2015 ("Financial Agreement") with the City for the Property (Block 600, Lot 2), and

WHEREAS, The Financial Agreement was assigned by KRE Fleet Bayonne Urban Renewal LLC to 151 Centre Street Urban Renewal LLC by Assignment and Assumption Agreement dated June 28, 2018; and

WHEREAS, pursuant to Section 8.01 of the Financial Agreement, 151 Centre Street Urban Renewal LLC desires to assign to 275 Chosin Few Way Urban Renewal, LLC all of its rights, title and interest and obligations under the Financial Agreement to the extent that the Financial Agreement pertains to the Property (Block 600, Lot 2) commonly known as 275 Chosin Few Way in accordance with the filing of the Harbor Station North Preliminary and

Final Major Subdivision Plan recorded in the Hudson County Register's Office on July 6, 2018 as Map No. 8-18.

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

Section 1. The Mayor and the City Clerk are hereby authorized and directed to execute the ASSIGNMENT AND ASSUMPTION AGREEMENT and any other documents deemed necessary by the Law Director, between 151 CENTRE STRREET URBAN RENEWAL LLC, a New Jersey limited liability company, having an office at 520 U.S. Highway 22, Post Office Box 6872, Bridgewater, New Jersey 08807 and 275 CHOSIN FEW WAY URBAN RENEWAL LLC, a New Jersey limited liability company, having an office at 520 U.S. Highway 22, Post Office Box 6872, Bridgewater, New Jersey 08807 effectuating the transfer of all rights, duties and interests as Redeveloper under the terms of the Redevelopment Agreement and Financial Agreement.

Section 2. This Resolution shall take effect immediately.

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

Absent - Council Member Carroll.

* * * * *

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

Resolution effectuating the Payment in Lieu of Tax Agreement for the project at Block 452.01 Lots 1.01 thru 1.03 (AutoZone, Quick Check and Other Commercial Space).

Whereas, the City of Bayonne previously (By Ordinance O-16-12 on March 17, 2016) approved a Payment in Lieu of Tax Agreement (the "PILOT" or the Agreement") with respect to the development of the commercial project at Block 452.01 Lots 1.01, 1.02 and 1.03 (also known as 173 to 197 East 22nd Street) in order to incentivize a change from use as a rock crushing yard to retail commercial ad service space, and

Whereas, in addition to the continuation of land taxes the agreement provides for an annual service charge on the newly constructed buildings following substantial completion of same as defined in said agreement, and

Whereas, the new buildings involved have been constructed and partially occupied and are subject to payments calculated under the agreement;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Business Administrator or his designee along with the Tax Collector are empowered to effectuate the agreement by calculating and collecting the annual service charge payments due during the "lease up period" as defined in the agreement, which began in January 2018 following issuance of the first temporary certificate of occupancy for the property and providing a credit against said amount for the prior year land taxes and as well as any actual payment in 2018 of conventional taxes paid on the improvements subject to the annual service charge.
2. The Tax Collector, Tax Assessor, Business Administrator/CFO and City Treasurer, and City Attorney are authorized to take any and all appropriate action within their official capacity to effectuate this resolution and the agreement referenced herein, including but not limited to, calculation and collection of the annual service charge payments (subject to the application of the above credits), as well as cancellation of conventional taxes on the completed improvements which will be subject instead to the annual service charges for the 2019 tax year.
3. This resolution shall take effect immediately.

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

Absent - Council Member Carroll.

* * * * *

87. 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
ACKNOWLEDGING CONTRIBUTION FROM BAYVIEW, JV, LLC FOR ANIMAL CONTROL
SERVICES RELATED TO BLOCK 300.01 LOTS 2 AND 3 (A&P SITE)

WHEREAS, Bayview JV, LLC is the owner of the property located at Block 300.01, Lots 2 and 3 in the City of Bayonne (the "Property"); and

WHEREAS, an issue exists on the Property relating to a feral cat colony ; and

WHEREAS, Bayview JV, LLC as the owner of the Property is in the process of demolishing the existing buildings and plans to redevelop the Property over the next several years; and

WHEREAS, the construction activities will deny public access to the site and cause disruption to the cat colony; and

WHEREAS, the City of Bayonne and Bayview JV, LLC desire to provide a safe location for the cat colony and recognize the need to relocate the colony; and

WHEREAS, by way of letter dated November 21, 2018, Bayview JV, LLC has agreed to offer financial assistance in the amount of ten thousand dollars (\$10,000) based upon certain conditions set forth therein (a copy of the correspondence dated November 21, 2018 is attached hereto and incorporated herein); and

WHEREAS, the Municipal Council desires to accept the contribution from Bayview JV, LLC and will provide animal control services for the relocation of the colony and maintenance of the Property related to feral cats.

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 accepts a \$10,000 contribution from Bayview JV, LLC for the relocation of the cat colony under conditions provided in the correspondence dated November 21, 2018.

Section 2. The Municipal Council of the City of Bayonne hereby authorizes its Officers, Employees and/or Representatives to take all action necessary to effectuate the within Resolution, including but not limited to the preparation and execution of a formal agreement, if deemed necessary by the City Attorney, under the terms and conditions provided in the correspondence dated November 21, 2018

Section 3. This Resolution shall take effect immediately.

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

Absent - Council Member Carroll.

* * * * *

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

CONSENT RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING THE PERMITTED TRANSFER OF THE REDEVELOPMENT AND PARKING AGREEMENTS FROM EOM REALTY, LLC TO EOM 554 BROADWAY URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED AT 554-556 BROADWAY AND 11 EAST 25TH STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 184 LOTS 5 AND 10 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE FOR THE REDEVELOPMENT OF SUCH PROPERTY IN ACCORDANCE WITH THE REDEVELOPMENT PLAN

WHEREAS, on May 16, 2018, EOM REALTY, LLC, via resolution #18-05-16-055 was designated redeveloper and the City was authorized to execute a redevelopment agreement by and between the City and the Redeveloper (the "Redevelopment Agreement") for the properties located at 554-556 Broadway and 11 East 25th Street which property is identified as Block 184 Lots 5 and 10 as shown on the official tax maps of the City of Bayonne; and

WHEREAS, by Ordinance dated August 15, 2018, the Municipal Council authorized the designated redeveloper and the City to enter into a parking agreement for the use of a municipal parking lot; and

WHEREAS, EOM Realty, LLC has placed the City of Bayonne on notice that it has transferred all rights, duties and interests as Redeveloper to EOM 554 Broadway Urban Renewal, LLC; and

WHEREAS, the Redevelopment Agreement and the Parking Agreement permit the transfer of the rights and obligations under the terms of the redevelopment plan and agreements.

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

Section 1. The Mayor and the City Clerk are hereby authorized and directed to execute the Redevelopment Agreement and Parking Agreement effectuating the transfer of all rights, duties and interests as Redeveloper from EOM Realty, LLC to EOM 554 Broadway Urban Renewal, LLC, consistent with terms of the Redevelopment Agreement and Parking Agreement.

Section 2. This Resolution shall take effect immediately.

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

Absent - Council Member Carroll.

* * * * *

89. Council Member Perez introduced:

AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, STATE OF NEW JERSEY, AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-53 FOR PREPARATION OF A CITY WIDE REVALUATION

WHEREAS, in Order to comply with the Revaluation Order issued to the City of Bayonne by Hudson County Tax Board as approved by the State Division of Taxation, it has been found necessary to make an Emergency Appropriation to meet the extraordinary expenses incurred, or to be incurred, by reason of the implementation of a City wide Property Revaluation; and

WHEREAS, N.J.S.A. 40A:4-53 provides that it shall be lawful to make such appropriations, which appropriations shall be provided for in succeeding annual budgets by the inclusion of an appropriation of at least one-fifth of the amount authorized pursuant to this act; and

WHEREAS, a separate resolution of this date confirms a contract award for conducting a City Wide Revaluation in the total amount of \$747,890.00:

NOW, THEREFORE BE IT ORDAINED by the Municipal Council of the City of Bayonne, County of Hudson, State of New Jersey, that pursuant to N.J.S.A.40A:4- 55 as follows:

1. An emergency appropriation be and the same is hereby made for preparation of an approved tax map in the total amount of \$747,890.00, and
2. Said emergency appropriation shall be provided for in full in the budgets of the next succeeding years by the inclusion of not less than one-fifth of the total amount (\$149,578.00) in each of the next succeeding annual budgets.
3. The City's Chief Financial Officer acting in concert with the City Administration is hereby authorized to finance such emergency appropriation from surplus funds available.

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

BE IT RESOLVED, that an ordinance entitled "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, STATE OF NEW JERSEY, AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-53 FOR PREPARATION OF A CITY WIDE REVALUATION," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, January 16, 2019 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 Gullace, LaPelusa, Perez and President Nadrowski.

Absent - Council Member Carroll.

* * * * *

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

WHEREAS, the City of Bayonne, has been Ordered by the Hudson County Board of taxation to perform a City Wide Property Tax Revaluation to take effect for the Tax Year 2020; and

WHEREAS, in compliance with said Order has completed a new tax map (approved by the State of New Jersey in December 2018) as well as solicited competitive contracting requests for proposals to perform said City Wide Property Revaluations; and

WHEREAS, proposals to conduct said revaluation were submitted by the following firms:

Firm Name	Location	Lump Sum Price per RFP
Appraisal Systems, Inc.	Morristown, NJ	\$747,890.00
Realty Appraisal, Co.	West New York, NJ	\$830,000.00
Tyler Technologies, Inc.	Moraine, Ohio	\$ 1,398,320.00; and

WHEREAS, after due consideration of the proposals submitted by the above firms in accordance with the criteria set forth in the requests for proposals the review committee consisting of the Tax Assessor, Deputy Assessor, Council President, Chief Financial Officer and City Law Director recommend an award to Appraisal Systems, Inc., and

WHEREAS, the Municipal Council of the City of Bayonne agrees with and adopts the above recommendation of an award to Appraisal Systems, Inc. in that the firm has more recent experience with cities similar to Bayonne and which is also the lowest responsible bidder;

NOW, THEREFORE BE IT RESOLVED, that:

1. Subject to the required approval by the State Division of Taxation and the authorization of a special emergency appropriation by this municipal council to finance funding of the contract, the City of Bayonne awards a contract for a City Wide Property Tax Revaluation to Appraisal Systems, Inc., Morristown, New Jersey, in accordance with the scope of services, terms, conditions and timeline described in the request for proposals published on or about October 11, 2018 and returnable November 15, 2018 for a total amount not to exceed \$747,890.00, subject to adjustments provided in Appendix A-1 of the submission for line items found to exceed or be less than the number stated in said Request for Proposals.

2. The City Law Director, Tax Assessor and Chief Financial Officer are authorized to take any action and sign any documents necessary to effectuate an agreement in accordance with the above.

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

Absent - Council Member Carroll.

* * * * *

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

WHEREAS, the City of Bayonne is in need of professional consulting services relating to planning and implementation of the City's Community Development Block Grant Program; and

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

WHEREAS, Triad Advisory Services, Inc., 1301 West Forest Grove Road, Vineland, New Jersey 08360 has submitted to the City of Bayonne a formal written response to the City's Request for Qualifications/Proposals for said professional consulting services; and

WHEREAS, Triad Advisory Services, Inc., is qualified, ready, willing and able to provide said services for the period commencing January 1, 2019 and ending December 31, 2019 for an amount not to exceed \$49,500.00; and

WHEREAS, funds are certified as available in Account CDBG-950;

WHEREAS, this contract constitutes a "Professional Service" contract 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, this professional services contract was advertised under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4.5; 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 Triad Advisory Services, Inc., 1301 West Forest Grove Road, Vineland, New Jersey 08360 for professional consulting services relating to the planning and implementation of the City's Community Development Block Grant Program for a maximum contract amount not to exceed \$49,500.00 for the period commencing January 1, 2019 and ending December 31, 2019.

2. Funds are certified as available in Account #CDBG-950.

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 Gullace, LaPelusa, Perez and President Nadrowski.

Absent - Council Member Carroll.

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

WHEREAS, the City of Bayonne is in need of professional engineering services for various special projects for the period commencing January 1, 2019 and ending December 31, 2019; and

WHEREAS, Matrix New World Engineering, 26 Columbia Turnpike, Florham Park, NJ 07932, has submitted to the City a formal written response to the City's Request for Qualifications/Proposals for said professional engineering services; and

WHEREAS, Matrix New World Engineering is qualified, ready, willing and able to provide said professional engineering services; and

WHEREAS, funds have been certified as available in Various Accounts pending adoption of the CY2019 budget; and

WHEREAS, this contract constitutes a "Professional Service" contract 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, Matrix New World Engineering has qualified under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5; 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 Matrix New World Engineering, 26 Columbia Turnpike, Florham Park, NJ 07932 for various special projects for the period commencing January 1, 2019 and ending December 31, 2019 for an amount not to exceed \$300,000.00.

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

3. Funds shall be chargeable to Various Accounts.

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

Absent - Council Member Carroll.

* * * * *

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

WHEREAS, the City of Bayonne is in need of professional engineering services as Special Project Engineer on an on-call basis during CY2019; and

WHEREAS, Jacobs Engineering Group, Inc., 208 Voorhis Avenue, River Edge, New Jersey 07661 has submitted to the City of Bayonne a formal written response to the City's Request for Qualifications/Proposals for said professional consulting services; and

WHEREAS, Jacobs Engineering Group, Inc., is qualified, ready, willing and able to provide said professional engineering and planning services; and

WHEREAS, funds are certified as available in various accounts pending adoption of the CY 2019 budget; and

WHEREAS, this contract constitutes a "Professional Service" contract 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, Jacobs Engineering Group, Inc., has qualified pursuant to N.J.S.A.19:44A:20.4.5 to the Fair & Open Contracting Requirements; 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 Jacobs Engineering Group, Inc., 208 Voorhis Avenue, River Edge, New Jersey 07661 for professional engineer and planning services on an on-call basis for the period commencing January 1, 2019 and ending December 31, 2019 for an amount not to exceed \$30,000.00.

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

3. Funds are certified as available in various accounts pending adoption of the CY 2019 budget.

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

Absent - Council Member Carroll.

* * * * *

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

WHEREAS, there exists a need for professional legal services as Municipal Court Prosecutor in the Bayonne Municipal Court; and

WHEREAS, the Law Director determined that the City of Bayonne Law Department can operate in a more cost effective and efficient manner by appointing Municipal Prosecutors by contract through the fair and open process in addition to the current Assistant City Attorneys and Law Director who are also responsible for addressing the day to day legal issues that arise on behalf of the City of Bayonne; and

WHEREAS, Timothy J. Moriarty, Esq., and Steven R. Hummell, Esq., have submitted responses to the City's Request for Qualifications through the Fair and Open Contracting Requirements to N.J.S.A. 19:44A-1 *et seq* and have been deemed qualified to serve as Municipal Prosecutors for the City of Bayonne; and

WHEREAS, the Law Director has requested that the Municipal Council adopt a Resolution at this Municipal Council meeting awarding contracts to Timothy J. Moriarty, Esq. and Steven R. Hummell, Esq. for professional legal services as Municipal Prosecutor and Alternate Municipal Prosecutor respectively for the period commencing January 1, 2019 and ending December 31, 2019; now, therefore be it

RESOLVED, by the Municipal Council as follows:

1. Timothy J. Moriarty, Esq., and Steven R. Hummell, Esq. are hereby appointed as the Chief Municipal Prosecutor and Alternate Municipal Prosecutor, respectively, for the City of Bayonne Municipal Court for the period commencing January 1, 2019 and ending December 31, 2019.

2. Assistant City Attorneys, Donna Russo, Esq., Susan Ferraro, Esq., Karla Garcia, Esq., Jessica H. Connors, Esq., and Law Director John F. Coffey II, Esq. are hereby appointed as Alternate Municipal Prosecutors for the City of Bayonne Municipal Court.

3. The appointed Municipal Prosecutor's shall be responsible for all of the matters heard in the Bayonne Municipal Court and any Municipal Appeals not handled by the County Prosecutor's office.

4. This resolution is subject to the adoption of the aforesaid requested Resolution awarding contracts to Timothy J. Moriarty, Esq. and Steven R. Hummell, Esq. for professional legal services as Municipal Prosecutor and Alternate Municipal Prosecutor respectively for the period commencing January 1, 2019 and ending December 31, 2019.

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

Absent - Council Member Carroll.

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

WHEREAS, pursuant to N.J.A.C. 17:27-3.3, the City of Bayonne is required to designate a Public Agency Compliance Officer ("P.A.C.O.") no later than January 10th of each year; now, therefore be it

RESOLVED, by the Municipal Council that Assistant City Attorney Donna M. Russo is hereby designated as Public Agency Compliance Officer ("P.A.C.O.") for the City of Bayonne for the period commencing January 1, 2019 and ending December 31, 2019.

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

Absent - Council Member Carroll.

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

WHEREAS, this Municipal Council has been advised that the Mayor desires to appoint Terrence Malloy as the City's Business Administrator effective as of December 19, 2018 subject to the advice and consent of this body; and

WHEREAS, in furtherance of same, Terrence Malloy will be taking a leave of absence from his position as Chief Financial Officer effective December 19, 2018; and

WHEREAS, in furtherance of same, the Mayor has appointed Janet Convery to be the Acting Chief Financial Officer until such time as a permanent Chief Financial Officer is appointed; now, therefore, be it

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

1. Terrence Malloy's appointment to the position of Business Administrator and his leave of absence are hereby approved.
2. This resolution shall take effect immediately.

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

Absent - Council Member Carroll.

* * * * *

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

WHEREAS, the City of Bayonne (the "City") has been a member of the New Jersey Intergovernmental Insurance Fund (hereinafter the "Fund" or "NJIF") established pursuant to Chapter 372, Laws of 1983 (N.J.S.A. 40A:10-36 et seq.), pursuant to an Indemnity and Trust Agreement most recently effective December 31, 2015 and terminating December 31, 2018; and

WHEREAS, the NJIF has, since September 1, 2011, efficiently and effectively provided the City with the following types of insurance, through the City's membership in the NJIF:

- a) Workers Compensation and Employers Liability
- b) General Liability (including Police Professional & Public Officials Liability);
- c) Motor Vehicle and Equipment Liability Coverage;
- d) Property Damage (including Building & Contents, Automobile Physical Damage, Contractors Equipment and Boiler & Machinery)
- e) Environmental Impairment Liability;

and

WHEREAS, the NJIF has agreed to renew the City's membership contract (the Trust and Indemnity Agreement) for a period of 3 years commencing December 31, 2018 and terminating December 31, 2021 at a yearly assessment of \$2,022,105; and

WHEREAS, the NJIF has further agreed to reduce the City's per claim deductibles to \$25,000 per claim for Workers Compensation claims, \$20,000 per claim for general liability claims (excluding police professional liability claims), and \$30,000 per claim for public official liability claims; and

WHEREAS, Fairview Insurance Agency, Inc., the City's Risk Management Consultant/Insurance Broker has obtained competitive quotes for alternate insurance programs and determined it is in the best interest of the City to continue its membership in the NJIF; and

WHEREAS, the procurement of insurance coverage is an exception to the Local Public Contract Law as an extraordinary unspicifiable service and the Local Public Contracts Law (N.J.S.A. 40A:11-5 (1) (m)) authorizes the award of contracts for "Extraordinary Unspicifiable Services" without competitive bids; and

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

WHEREAS, funds are certified as available in the Insurance Commission Fund pending future adopted budgets;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Mayor and City Clerk are hereby authorized to execute the Indemnity and Trust Agreement for the period commencing on December 31, 2018 and terminating on December 31, 2021, in the form attached hereto as Exhibit 1 and such other documents as are or become necessary for the City to continue participation as a member in the NJIF for the following types of insurance coverage:

- a) Workers Compensation and Employers Liability
- b) General Liability (including Police Professional & Public Officials Liability);
- c) Motor Vehicle and Equipment Liability Coverage;
- d) Property Damage (including Building & Contents, Automobile Physical Damage, Contractors Equipment and Boiler & Machinery)
- e) Environmental Impairment Liability

2. The Bylaws of the New Jersey Intergovernmental Insurance Fund are hereby adopted and accepted by the City and the City hereby agrees to conduct its membership in the "Fund" according to the rights and obligations set forth therein.

3. Funds are chargeable to the Insurance Commission Fund Account.

4. The Determination of Value shall be placed on file with this resolution.

5. 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 Gullace, LaPelusa, Perez and President Nadrowski.

Absent = Council Member Carroll.

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

WHEREAS, the Municipal Council of the City of Bayonne has authorized the City to enter into an Indemnity and Trust Agreement effective December 31, 2018 through December 31, 2021 pursuant to Resolution No. 18-12-19-097 for continued membership in the New Jersey Intergovernmental Insurance Fund ("NJIIIF") established in accordance with Chapter 372, Laws of 1983 (N.J.S.A. 40A:10-36 et seq.); and

WHEREAS, NJIIF prefers its members utilize the services of a Risk Management Professional; and

WHEREAS, the City advertised a Request for Qualifications/Proposals for the aforesaid Professional Risk Management Services under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20-.4 and .5; and

WHEREAS, Fairview Insurance Agency Associates, Inc., 25 Fairview Avenue, Verona, NJ 07044 has submitted to the City of Bayonne a formal, written response to the City's Request for Qualifications/Proposals for said services; and

WHEREAS, Fairview Insurance Agency, Inc., is qualified, ready, willing and able to provide said Professional Risk Management services for the period commencing January 1, 2019 and ending December 31, 2019 for a risk management fee of 5% of the City's premium assessment as quoted by NJIIF and approved by the aforesaid Resolution No. 18-12-19-097, which amount equals \$95,257.00; and

WHEREAS, Fairview Insurance Agency, Inc., has qualified pursuant to N.J.S.A.19:44A:20.4 and .5 to the Fair & Open Contracting Requirements; 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 Fairview Insurance Agency Associates, Inc., 25 Fairview Avenue, Verona, NJ 07044 for the aforesaid Professional Risk Management services for the period commencing January 1, 2019 and ending December 31, 2019 for a risk management fee of 5% of the City's premium assessment as quoted by NJIIF and approved by the aforesaid Resolution No. 18-12-19-097, which amount equals \$95,257.00.
2. 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 Gullace, LaPelusa, Perez and President Nadrowski.

Absent = Council Member Carroll.

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

WHEREAS, the City of Bayonne is in need of professional mental health services to Low Income and Public Assistance Clients residing in the City of Bayonne; and

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

WHEREAS, the Bayonne Community Mental Health Center – A service of Trinitas Regional Medical Center (“Trinitas”), 601 Broadway, Bayonne, NJ 07002 has submitted to the City of Bayonne a formal written response to the City’s Request for Qualifications/Proposals for said professional mental health services; and

WHEREAS, the response of Trinitas, P.C. was the sole response received pursuant to the aforesaid Request for Qualifications/Proposals; and

WHEREAS, Trinitas is qualified, ready and able to provide said services; and

WHEREAS, this contract constitutes a “Professional Service” contract 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 maximum amount of the contract is \$50,000.00; the term of the contract is from January 1, 2019 through December 31, 2019; and

WHEREAS, funds have been certified as available in Account #9-01-27-330-0000-029 pending adoption of the CY2019 Budget; 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; 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 Bayonne Community Mental Health Center- A service of Trinitas Regional Medical Center, 601 Broadway, Bayonne, NJ 07002 to provide professional mental health services to Low Income and Public Assistance clients residing in the City of Bayonne, for a total amount not to exceed \$50,000.00 for a period of one year commencing January 1, 2019 and ending December 31, 2019.
2. Funds shall be charged to Account #8-01-27-330-0000-029 pending adoption of the CY2019 Budget.
3. A notice of this award shall be published once in a newspaper of general circulation within the boundaries of the City of Bayonne.

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

Absent - Council Member Carroll.

* * * * *

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

WHEREAS, the City of Bayonne Department of Public Works is in need of a fork lift to use on a temporary basis pending the repair or replacement of the City’s existing fork lift; and

WHEREAS, GCT Bayonne, L.P., A Delaware Corporation doing business in New Jersey, with an address at 302 Port Jersey Boulevard, Jersey City, New Jersey 07305 (hereinafter “Global”) has offered to lend the City a fork lift at no cost to the City, but provided the City release, defend, indemnify and hold Global harmless for and against any claims arising from the City’s use of the fork lift; and

WHEREAS, the City has obtained a certificate of insurance from the NJIIF, which affords coverage to the City of Bayonne for its use of the equipment and names Global as an additional insured; now, therefore, be it

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

The Mayor and City Clerk are authorized to enter into a Release, Defense, Indemnification and Hold Harmless Agreement in form and substance as is approved by the Law Director, for the benefit of GCT Bayonne, L.P., A Delaware Corporation doing business in New Jersey, with an address at 302 Port Jersey Boulevard, Jersey City, New Jersey 07305 in exchange for the use of Global's fork lift for a temporary period of time pending the repair or replacement of the City's fork lift.

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

Absent - Council Member Carroll.

* * * * *

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

WHEREAS, the City of Bayonne has a need for the administration, execution and oversight of the City of Bayonne's Community Development Block Grant Programs and/or other HUD programs: and

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

WHEREAS, the Bayonne Economic Opportunity Foundation, 555 Kennedy Boulevard, Bayonne, New Jersey 07002 has submitted to the City of Bayonne a formal, written response to the City's Request for Qualifications/Proposals for said administration, execution and oversight of the City of Bayonne's Community Development Block Grant Programs and/or other HUD programs services; and

WHEREAS, N.J.S.A. 40A:11-2(7) provides that a contract for extraordinary and unspecifiable services may be awarded by a public entity upon certification that the services are unique, specialized, and qualitative in nature, and

WHEREAS, the Chief Financial Officer of the City of Bayonne has provided a certification of extraordinary and unspecifiable services to the Municipal Council indicating the services to be provided by the Bayonne Economic Opportunity Foundation are "unique, specialized and qualitative in nature requiring expertise, extensive training and a proven reputation in the field of administration, execution and oversight of the Community Development Block Grant Programs and/or other HUD programs; and

WHEREAS, this extraordinary and unspecifiable services contract was advertised under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5; now, therefore, be it

WHEREAS, the Bayonne Economic Opportunity Foundation is qualified, ready, willing and able to provide said services; and

WHEREAS, the maximum amount the contract is not to exceed \$240,000.00, the term of the contract is from January 1, 2019 through December 31, 2019, and

WHEREAS, funds are certified as available in Account CDBG 950; 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 Bayonne Economic Opportunity Foundation, 555 Kennedy Boulevard, Bayonne, New Jersey 07002 to provide administration, execution and oversight of the City of Bayonne's Community Development Block Grant Programs and/or other HUD programs services for a maximum contract amount not to exceed \$240,000.00 for a period of one year commencing January 1, 2019 and ending December 31, 2019.

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

3. Funds shall be charged to Account CDBG - 950.

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

Absent - Council Member Carroll.

* * * * *

At 9:23 P.M., Council Member LaPelusa motion to adjourn, seconded by Council Member Gullace, which motion was adopted.

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

Absent = Council Member Carroll.

* * * * *

President – Sharon A. Nadrowski

A/Clerk-Madelene C. Medina

