

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, APRIL 20, 2016

The Council met at 7:05 P.M.

The Council President Nadrowski 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 April 20, 2016 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 April 15, 2016."

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

The Clerk called the roll.

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

The Council President led the Pledge of Allegiance.

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01. The clerk announced, "The CY 2016 Local Municipal Budget, which was approved at a meeting held March 16, 2016, was published in the Jersey Journal and posted on the bulletin board b summary as required by law, with notice that it would be further considered following a public hearing at this meeting of April 20, 2016, is now before the Council for its consideration and a public hearing.

Council Member Perez moved that the following resolution of second reading be adopted, seconded by Council President Nadrowski, which motion was adopted.

WHEREAS, the CY 2016 Local Municipal Budget of the City of Bayonne was approved on March 20, 2016, was published in the Jersey Journal on April 7, 2016, and was posted on the bulletin board as required by law with notice that it would be the subject of a public hearing at this regular meeting of April 20, 2016, and was made available to any member of the public requesting a copy of it during the week preceding and at this public meeting; now, therefore, be it

RESOLVED, by not less than a majority of its full authorized membership, that the Municipal Council of the City of Bayonne hereby determines that the CY 2016 Local Municipal Budget of the City of Bayonne be read by its title.

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

The Clerk read the ordinance by title: "THE CY2016 LOCAL MUNICIPAL BUDGET"

The Clerk announced, "The Council is now ready to give all persons interested in this municipal budget an opportunity to be heard concerning it. The council president will recognize anyone who wishes to speak."

The following persons spoke: Peter Cresci – 917 Kennedy Blvd.
Paul D'Angelo – 2 Oak Street
Peter Franco – 127 West 12th Street

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

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

Council President Nadrowski moved the following resolution to table to such time as the council determines, seconded by Council Member Perez, which was read by the Clerk and adopted.

BE IT RESOLVED, that further consideration of the CY 2015 Local Municipal Budget be tabled to May 15, 2016 or such time as the council determines.

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

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02. The clerk announced:

AN ORDINANCE ENTITLED, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR A PORTION OF THE BROADWAY CORRIDOR REDEVELOPMENT AREA IDENTIFIED AS BLOCK 221, LOTS 8-13 ON THE TAX MAP OF THE CITY OF BAYONNE," which was introduced and passed a first reading at a meeting held March 16, 2016, 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 April 20, 2016, and was referred to the planning board for its review is now before the Council for its consideration and a public hearing.

Council Member Perez moved that the following resolution of second reading be adopted, seconded by Council Member Gullace, which motion was adopted.

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

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

The Clerk read the ordinance by title: "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR A PORTION OF THE BROADWAY CORRIDOR REDEVELOPMENT AREA IDENTIFIED AS BLOCK 221, LOTS 8-13 ON THE TAX MAP OF THE CITY OF BAYONNE"

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

There was no response - no person appearing to protest against or object to the ordinances 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 Member Cotter, which motion was adopted.

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

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

WHEREAS, an ordinance entitled, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR A PORTION OF THE BROADWAY CORRIDOR REDEVELOPMENT AREA IDENTIFIED AS BLOCK 221, LOTS 8-13 ON THE TAX MAP OF THE CITY OF BAYONNE," was introduced and passed a first reading at a meeting held March 16, 2016, 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 April 20, 2016; and

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

WHEREAS, said ordinance was referred to the Planning Board as required by the Municipal Land Use Law for a report; and

WHEREAS, the Planning Board has reviewed the said ordinance and has forwarded a resolution approving same; 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-16-17.

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

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03. The clerk announced:

AN ORDINANCED ENTITLED, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING REDEVELOPMENT PLAN FOR BLOCK 295, LOTS 16 AND 17 ALSO REFERRED TO AS NORTH STREET REAR AND NORTH STREET BETWEEN 105A AND 107 – ALSO REFERRED TO AS 105.5 NORTH STREET ON THE TAX MAPS OF THE CITY OF BAYONNE," which was introduced and passed a first reading at a meeting held March 16, 2016, 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 April 20, 2016, and was referred to the planning board for its review is now before the Council for its consideration and a public hearing.

Council Member Perez moved that the following resolution of second reading be adopted, seconded by Council President Nadrowski, which motion was adopted.

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

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

The Clerk read the ordinance by title: "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING REDEVELOPMENT PLAN FOR BLOCK 295, LOTS 16 AND 17 ALSO REFERRED TO AS NORTH STREET REAR AND NORTH STREET BETWEEN 105A AND 107 – ALSO REFERRED TO AS 105.5 NORTH STREET ON THE TAX MAPS OF THE CITY OF BAYONNE,"

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

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

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

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

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

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

WHEREAS, an ordinance entitled, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING REDEVELOPMENT PLAN FOR BLOCK 295, LOTS 16 AND 17 ALSO REFERRED TO AS NORTH STREET REAR AND NORTH STREET BETWEEN 105A AND 107 – ALSO REFERRED TO AS 105.5 NORTH STREET ON THE TAX MAPS OF THE CITY OF BAYONNE," was introduced and passed a first reading at a meeting held March 16, 2016, 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 April 20, 2016; and

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

WHEREAS, said ordinance was referred to the Planning Board as required by the Municipal Land Use Law for a report; and

WHEREAS, the Planning Board has reviewed the said ordinance and has forwarded a resolution approving same; 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-16-18.

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

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04. The clerk announced:

AN ORDINANCE ENTITLED, “AN ORDINANCE VACATING A PORTION OF WEST 6TH STREET,” which was introduced and passed a first reading at a meeting held March 16, 2016, 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 April 20, 2016, is now before the Council for its consideration and a public hearing.

Council Member Perez moved that the following resolution of second reading be adopted, seconded by Council President Nadrowski, which motion was adopted.

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

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

The Clerk read the ordinance by title: “AN ORDINANCE VACATING A PORTION OF WEST 6TH STREET”

Council Member LaPelusa moved to table further consideration of the ordinance until the meeting of June 22, 2016, receiving no second to the motion failed.

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 persons spoke: Kathleen Henderson – 88 West 6th Street
James P. Dugan – 35 Fox Hedge Rd, Saddle River
Michael Kaplan, Esq. Lowenstein Sandler, representing
West 6th Street Realty
Michael Morris – 123 Avenue C
Michael Resigno – 42B West 46th Street

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

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

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

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

WHEREAS, an ordinance entitled, “AN ORDINANCE VACATING A PORTION OF WEST 6TH STREET” was introduced and passed a first reading at a meeting held March 16, 2016, 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 April 20, 2016; 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-16-19.

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

Nay – Council Member LaPelusa.

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05. The clerk announced:

AN ORDINANCE ENTITLED, “CALENDAR YEAR 2016 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.24),” which was introduced and passed a first reading at a meeting held February 17, 2016, 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 March 16, 2016, is now before the Council for its consideration and a public hearing.

Council Member LaPelusa moved that the following resolution of second reading be adopted, seconded by Council Member Cotter, which motion was adopted.

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

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

The Clerk read the ordinance by title: "CALENDAR YEAR 2016 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.24),"

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 ordinances or to its passage.

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

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

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

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

WHEREAS, an ordinance entitled, "CALENDAR YEAR 2016 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.24)," was introduced and passed a first reading at a meeting held March 16, 2016 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 April 20, 2016; and

WHEREAS, said ordinance was forwarded to the Division of Local Government Services as required by law; 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-16-20.

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

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06. The clerk announced:

AN ORDINANCE ENTITLED, "AUTHORIZING THE DISABLED AMERICAN VETERANS CHAPTER #5 TO CONVEY BY WAY OF DEED OWNERSHIP OF BLOCK 318, LOT 25 (ALSO KNOWN AS 14-16 WEST 7TH STREET), BAYONNE, NEW JERSEY TO THE DISABLED AMERICAN VETERANS, CHAPTER #5 AND THE VIETNAM VETERANS OF AMERICA, INC., CHAPTER 151, PURSUANT TO N.J.S.A. 40A: 12-21," which was introduced and passed a first reading at a meeting held March 16, 2016, 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 April 20, 2016, is now before the Council for its consideration and a public hearing.

Council Member Perez moved that the following resolution of second reading be adopted, seconded by Council Member Gullace, which motion was adopted.

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

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

The Clerk read the ordinance by title: "AUTHORIZING THE DISABLED AMERICAN VETERANS CHAPTER #5 TO CONVEY BY WAY OF DEED OWNERSHIP OF BLOCK 318, LOT 25 (ALSO KNOWN AS 14-16 WEST 7TH STREET), BAYONNE, NEW JERSEY TO THE DISABLED AMERICAN VETERANS, CHAPTER #5 AND THE VIETNAM VETERANS OF AMERICA, INC., CHAPTER 151, PURSUANT TO N.J.S.A. 40A: 12-21,"

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 ordinances 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 Member Perez, which motion was adopted.

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

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

WHEREAS, an ordinance entitled, "AUTHORIZING THE DISABLED AMERICAN VETERANS CHAPTER #5 TO CONVEY BY WAY OF DEED OWNERSHIP OF BLOCK 318, LOT 25 (ALSO KNOWN AS 14-16 WEST 7TH STREET), BAYONNE, NEW JERSEY TO THE DISABLED AMERICAN VETERANS, CHAPTER #5 AND THE VIETNAM VETERANS OF AMERICA, INC., CHAPTER 151, PURSUANT TO N.J.S.A. 40A: 12-21," was introduced and passed a first reading at a meeting held March 16, 2016, 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 April 20, 2016; 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-16-21.

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

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07. The clerk announced:

AN ORDINANCE ENTITLED, "CAPITAL IMPROVEMENT ORDINANCE TO PROVIDE FUNDING FOR THE IMPROVEMENT OF 16TH STREET PARK IN THE AMOUNT OF \$600,000.00," which was introduced and passed a first reading at a meeting held March 16, 2016, 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 April 20, 2016, is now before the Council for its consideration and a public hearing.

Council Member LaPelusa moved that the following resolution of second reading be adopted, seconded by Council Member Perez, which motion was adopted.

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

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

The Clerk read the ordinance by title: "CAPITAL IMPROVEMENT ORDINANCE TO PROVIDE FUNDING FOR THE IMPROVEMENT OF 16TH STREET PARK IN THE AMOUNT OF \$600,000.00,"

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: Melanie Flora – 108 East 25th Street

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

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

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

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

WHEREAS, an ordinance entitled, "CAPITAL IMPROVEMENT ORDINANCE TO PROVIDE FUNDING FOR THE IMPROVEMENT OF 16TH STREET PARK IN THE AMOUNT OF \$600,000.00," was introduced and passed a first reading at a meeting held March 16, 2016, 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 April 20, 2016; 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-16-22.

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

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08. 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 March 16, 2016, 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 April 20, 2016, and was referred to the planning board for its review is now before the Council for its consideration and a public hearing.

Council Member Perez moved that the following resolution of second reading be adopted, seconded by Council Member LaPelusa, which motion was adopted.

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

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

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

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

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

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

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

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

Council Member LaPelusa moved a 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,"

which was introduced at a meeting held March 16, 2016, and which establishes restrictive parking zones, included space number 368 to be assigned to Henry M. Ashe; and

WHEREAS, space number 368 has already been assigned to another restrictive parking zone; now, therefore, be it

RESOLVED, that the foregoing ordinance be amended to replace restrictive parking zone number 368, assigned to Henry M. Ashe, with restrictive parking zone number 013.

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 March 16, 2016, 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 April 20, 2016; 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-16-23.

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

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09. 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 March 16, 2016, 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 April 20, 2016, is now before the Council for its consideration and a public hearing.

Council Member LaPelusa moved that the following resolution of second reading be adopted, seconded by Council Member Perez, which motion was adopted.

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

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

Abstain - President Nadrowski.

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

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

There was no response - no person appearing to protest against or object to the ordinances 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 Member Perez, which motion was adopted.

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

Abstain - President Nadrowski.

Council Member moved the resolution to amend, 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,"

which was introduced at a meeting held March 16, 2016, and which established restrictive parking zones, included space number 368 to be assigned to Henry M. Ashe; and

WHEREAS, space number 368 has already by assigned to another restrictive parking zone; now, therefore, be it

RESOLVED, that the foregoing ordinance be amended to replace restrictive parking zone number 368, assign to Henry M. Ashe, with restrictive parking zone number 013.

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

Abstain - President Nadrowski.

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

WHEREAS, an ordinance entitled, “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,” was introduced and passed a first reading at a meeting held March 16, 2016, 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 April 20, 2016; 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-16-24.

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

Abstain - President Nadrowski.

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10. Council Member Perez introduced:

AN ORDINANCE OF THE CITY OF BAYONNE DISSOLVING THE BAYONNE MUNICIPAL UTILITIES AUTHORITY PURSUANT TO N.J.S.A. 40A:5A-20 AND MAKING ADEQUATE PROVISION FOR THE PAYMENT OF CREDITORS OR OBLIGEEES OF THE AUTHORITY AND THE ASSUMPTION OF THE SERVICES PROVIDED BY THE AUTHORITY

WHEREAS, the governing body of the City of Bayonne, in the County of Hudson, New Jersey (the "City"), created The Bayonne Municipal Utilities Authority (the “Authority”) in accordance with the provisions of Chapter 183 of the Laws of 1957 of the State of New Jersey, Chapter 14B of Title 40 of the Revised Statutes of the State of New Jersey and acts amendatory thereof or supplemental thereto; and

WHEREAS, after a careful examination and analysis, the City has determined that it is in the best interests of the residents of the City and the users of the system of the Authority to dissolve the Authority, and for the City to assume the utility services provided by the Authority and to provide for the financial obligations of the Authority as set forth herein; and

WHEREAS, the City desires to dissolve the Authority in accordance with and in fulfillment of the provisions of N.J.S.A. 40A:5A-20.

NOW, THEREFORE, BE IT ORDAINED, by the Municipal Council of the City of Bayonne, in the County of Hudson, State of New Jersey, as follows

Section 1. Dissolution.

The Bayonne Municipal Utilities Authority, created by the City by ordinance adopted in 1997 (Ordinance #O-97-42), as amended, be and the same is hereby dissolved, subject to the terms and conditions hereof.

Section 2. Transfer of Title to All Facilities.

Upon the effective date of the dissolution as set forth in Section 5 of this ordinance, all real and personal property, facilities and contracts of the Authority, and all monies and funds held by or for the Authority shall be deemed transferred to and become the property of the City. The existing officers of the Authority are hereby authorized and directed to execute any and all documents or instruments necessary to transfer legal title to any and all real property, personal property, facilities, contracts and monies and funds of the Authority to the City upon the effective date of the dissolution herein, notwithstanding the dissolution of the Authority. All documents and records of the Authority shall be delivered to the City Clerk prior to the effective date of the dissolution.

Section 3. Payment of All Creditors and Obligees.

Upon the effective date of the dissolution as set forth in Section 5 of this ordinance, the City shall assume all legal obligations to pay all existing and outstanding creditors and obligees of the Authority. The City shall issue appropriate debt obligations of the City in accordance with N.J.S.A. 40A:2-1 et seq. and N.J.S.A. 40A:5A-20 in order to defease the outstanding bonds of the Authority. Simultaneous with the adoption of this ordinance the City shall adopt a bond ordinance for the refunding of all outstanding obligations of the Authority

Section 4. Assumption of Services Provided by the Authority.

Upon the effective date of the dissolution as set forth in Section 5 of this ordinance, the City shall own and operate the facilities previously owned by the Authority as a water and sewer utility, and effective as of said date, the City hereby creates a water and sewer utility. The City shall amend its ordinances to effectuate the operation of said facilities as a water and sewer utility. Upon the effective date of the dissolution as set forth in Section 5 of this ordinance, the City shall assume the operation of the services previously provided by the Authority, which services are necessary for the health, safety and welfare of the users of the system.

Section 5. Effective Date of Dissolution.

The dissolution of the Authority shall take effect simultaneously with the issuance of debt obligations of the City to refund the Authority Debt to be Defeased, the defeasance of the Authority Debt to be Defeased, and the transfer of all funds from the Authority to the City.

Section 6. Limitation on Actions by Authority.

So as to provide for an orderly transition of the services provided by the Authority, the ordinance creating the Authority is hereby amended to provide that the Authority shall not be authorized to issue or authorize any obligations, to approve or enter into any contracts or to take any other actions which may impair or affect the City's operation of the water and sewer facilities without the prior consent of the City as evidenced by a resolution of the Municipal Council; provided, however, that the Authority may pay its legally due debt and bills incurred in the ordinary course without the prior consent of the City, and, provided further, that this provision will not affect the Authority's obligations under its existing contracts or its obligations to the holders of its bonds.

Section 7. Authorization of City and Authority to Take all Necessary Action.

The City shall prepare a closing audit of the Authority after the dissolution of the Authority is effectuated.

Additionally, the members of the Municipal Council, the Mayor, Business Administrator, Chief Financial Officer, City Clerk and other employees, as directed by the Business Administrator and/or the Mayor, are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this ordinance. The members of the Authority, its officers, employees, engineer and counsel are hereby authorized and directed to take all steps necessary to effectuate the purposes of this ordinance.

Section 8. Approval of Local Finance Board; Filing.

This ordinance shall be submitted to and approved by the Local Finance Board of the State of New Jersey prior to final adoption in accordance with the requirements of N.J.S.A. 40A:5A-20 and the final adoption of this ordinance by the City shall represent conclusive proof of the fact that this ordinance has received the approval of the Local Finance Board. Immediately upon adoption of this ordinance, this ordinance shall be filed with the Local Finance Board and with the Secretary of State of New Jersey, in accordance with N.J.S.A.

40A:5A-20.

Section 9. Severability.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

Section 10. Repeal of All Inconsistent Ordinances;

All ordinances of the City which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Section 11. Effective Date.

This ordinance shall take effect immediately upon the adoption hereof and shall not be subject to referendum.

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

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE OF THE CITY OF BAYONNE DISSOLVING THE BAYONNE MUNICIPAL UTILITIES AUTHORITY PURSUANT TO N.J.S.A. 40A:5A-20 AND MAKING ADEQUATE PROVISION FOR THE PAYMENT OF CREDITORS OR OBLIGEEES OF THE AUTHORITY AND THE ASSUMPTION OF THE SERVICES PROVIDED BY THE AUTHORITY," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, May 18 2016 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

* * * * *

11. Council Member Cotter introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR BAYONNE ENERGY CENTER URBAN RENEWAL, LLC, FOR PROPERTY THAT IS GENERALLY LOCATED ON CONSTABLE HOOK (A/K/A NEW HOOK ROAD), AND MORE SPECIFICALLY KNOWN AS INCLUDING BLOCK 482, LOTS 10 AND 11 AS SHOWN ON THE TAX MAP OF THE CITY OF BAYONNE AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT

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

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

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

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

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

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

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

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

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

WHEREAS, upon receipt and review of the Planning Board’s recommendations relating to the Redevelopment Plan, the Municipal Council believes that the adoption of the Redevelopment Plan is in the best interests of the City for the redevelopment of the Property (collectively, referred to as the “Redevelopment Area”);

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

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

Section 2. The Redevelopment Plan titled “Redevelopment Plan For Block 482, Lots 10 and 11, City of Bayonne, Hudson County, New Jersey,” is hereby adopted pursuant to the terms of *N.J.S.A. 40A:12A-7* of the Redevelopment Law. Further, the Redevelopment Plan shall amend, replace and supersede any prior redevelopment plans with respect to Redevelopment Area.

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

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 Cotter moved the following 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 A REDEVELOPMENT PLAN FOR BAYONNE ENERGY CENTER URBAN RENEWAL, LLC, FOR PROPERTY THAT IS GENERALLY LOCATED ON CONSTABLE HOOK (A/K/A NEW HOOK ROAD), AND MORE SPECIFICALLY KNOWN AS INCLUDING BLOCK 482, LOTS 10 AND 11 AS SHOWN ON THE TAX MAP OF THE CITY OF BAYONNE AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, May 18 2016 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

* * * * *

12. Council Member Perez introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY
ADOPTING A REDEVELOPMENT/REHABILITATION PLAN FOR BLOCK 458, LOTS 12
AND 13 LOCATED AT 206-220 AVENUE E AND 222 AVENUE E

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, the Municipal Council of the City (the “Municipal Council”) adopted 98-02-04-040, designated the entirety of the 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 February 17, 2016, the Municipal Council, pursuant to Resolution No. 16-02-17-053, directed the Planning board, to prepare and review a Rehabilitation Plan for Block 458, Lots 12 and 13 (the “Rehabilitation Area”) and make recommendations to the Municipal Council in accordance with the Redevelopment Law; and

WHEREAS, the Rehabilitation Area consists of property located at 206-220 Avenue E and 222 Avenue E; and

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Municipal Services has prepared a rehabilitation plan for the Rehabilitation Area titled “Rehabilitation Plan Block 458, Lots 12-13” dated April 12, 2016, (the “Rehabilitation Plan”); and

WHEREAS, on April 12, 2016, the Planning Board adopted a Resolution recommending the Rehabilitation 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, upon review of the Planning Board’s Resolution and recommendations relating to the Rehabilitation Plan, the Municipal Council believes that the adoption of the Rehabilitation Plan is in the best interests of the City for the redevelopment of the Rehabilitation Area.

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

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

Section 2. The Rehabilitation Plan is hereby adopted pursuant to the terms of *N.J.S.A. 40A:12A-7* and *N.J.S.A. 40A:12A-15* of the Redevelopment Law.

Section 3. The zoning district map in the zoning ordinance of the City is hereby amended to include the “Rehabilitation Area” per the boundaries described in the Rehabilitation Plan and the provisions therein.

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 Rehabilitation 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 the following resolution, seconded by Council Member Cotter, 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 A REDEVELOPMENT/REHABILITATION PLAN FOR BLOCK 458, LOTS 12 AND 13 LOCATED AT 206-220 AVENUE E AND 222 AVENUE E," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, May 18 2016 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

* * * * *

13. Council Member Cotter introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR THE FORMER BEST FOODS LOCATED AT BLOCK 301.01, LOT 7; BLOCK 310, LOTS 1-13 (LOT 1- "BAY"); BLOCK 311.01, LOT 1 ("39-55 BAYVIEW CT"); BLOCK 333.01, LOTS 3-6 (LOT 4- "22-46 BAYVIEW CT," LOT 5- "97-103 AVENUE A," LOT 6- "AVENUE A") AND BLOCK 333.02, LOT 1 ("97-103 AVENUE A") ON THE 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") identified certain properties in the City, designated as Block 301.01, Lot 7; Block 310, Lots 1-13 (Lot 1- "Bay"); Block 311.01, Lot 1 ("39-55 Bayview CT"); Block 333.01, Lots 3-6 (Lot 4- "22-46 Bayview CT," Lot 5- "97-103 Avenue A," Lot 6- "Avenue A"); and Block 333.02, Lot 1 ("97-103 Avenue A") on the City's Tax Maps (the "Study Area"), to be considered for designation as an "area in need of redevelopment" under the Redevelopment Law; and

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

WHEREAS, John D. Fussa, P.P., then City Planner of the City of Bayonne, Division of Planning & Zoning, and Clarke Caton Hintz, prepared a written report and redevelopment plan which included the Property, entitled "City of Bayonne: Scattered Site Redevelopment Project Phase II: Site 9" dated June 21, 2011 (the "Redevelopment Study and Plan"); and

WHEREAS, on July 10, 2012, the Planning Board held a public hearing, duly noticed under the Redevelopment Law, and any persons interested in or affected by a determination that the Property is an area in need of redevelopment were given an opportunity to be heard, and any objections to such a determination and evidence in support of those objections, were received and considered and made part of the public record; and

WHEREAS, by Resolution __12-07-018-045 July 18, 2012, the Municipal Council adopted a Resolution formally designating the Property as an "area in need of redevelopment" (the "Redevelopment Area"); and

WHEREAS, the Redevelopment Area includes certain properties located at Block 301.01, Lot 7; Block 310, Lots 1-13 (Lot 1- "Bay"); Block 311.01, Lot 1 ("39-55 Bayview CT"); Block 333.01, Lots 3-6 (Lot 4- "22-46 Bayview CT," Lot 5- "97-103 Avenue A," Lot 6- "Avenue A"); and Block 333.02, Lot 1 ("97-103 Avenue A"), on the official Tax Map of the City (the "Property");

WHEREAS, by Resolution 16-03-16-078 council authorized the preparation of an amended redevelopment plan

WHEREAS, on April 12, 2016, the Planning Board reviewed the Redevelopment Plan and recommended the adoption of the Redevelopment Plan to the Municipal Council and

concluded that said Plan is consistent with the Master Plan of the City of Bayonne (the “Resolution”); and

WHEREAS, upon receipt and review of the Planning Board’s recommendations relating to the Redevelopment Plan, the Municipal Council believes that the adoption of the Redevelopment Plan is in the best interests of the City for the redevelopment of the Property (collectively, referred to as the “Redevelopment Area”);

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

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

Section 2. The Redevelopment Plan titled “City of Bayonne: Scattered Site Redevelopment Project Phase II: Site 9” dated June 21, 2011, is hereby adopted pursuant to the terms of N.J.S.A. 40A:12A-7 of the Redevelopment Law. Further, the Redevelopment Plan shall amend, replace and supersede any prior redevelopment plans with respect to Redevelopment Area.

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

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 Cotter moved the following 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 A REDEVELOPMENT PLAN FOR THE FORMER BEST FOODS LOCATED AT BLOCK 301.01, LOT 7; BLOCK 310, LOTS 1-13 (LOT 1- “BAY”); BLOCK 311.01, LOT 1 (“39-55 BAYVIEW CT”); BLOCK 333.01, LOTS 3-6 (LOT 4- “22-46 BAYVIEW CT,” LOT 5- “97-103 AVENUE A,” LOT 6- “AVENUE A”) AND BLOCK 333.02, LOT 1 (“97-103 AVENUE A”) ON THE 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, May 18 2016 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

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14. Council President Nadrowski introduced:

ORDINANCE AUTHORIZING THE VACATION OF HOOK ROAD (A PAPER STREET)

WHEREAS, IMTT-Bayonne, the property owner whose property abuts Hook Road (more particularly described as that certain paper road running perpendicular to East 22nd Street and Constable’s Hook Bridge as reflected on Sheet 137 on the Tax Map of the City of Bayonne prepared by Richard A. Moralle, P.E., P.L.S., dated August 2003) on both sides, has requested that the City of Bayonne vacate Hook Road; and

WHEREAS, the portion Hook Road referred to herein has never been utilized by the City of Bayonne as a public street and, therefore, 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 Hook Road as more particularly described above.

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, Hook Road in the City of Bayonne, more particularly described as that certain paper road running perpendicular to East 22nd Street and Constable's Hook Bridge as reflected on Sheet 137 on the Tax Map of the City of Bayonne prepared by Richard A. Moralle, P.E., P.L.S., dated August 2003, is hereby vacated.

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 Hook Road and publication shall be borne and paid for by IMTT-Bayonne .

SECTION 3. IMTT-Bayonne 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 IMTT-Bayonne.

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

BE IT RESOLVED, that an ordinance entitled "ORDINANCE AUTHORIZING THE VACATION OF HOOK ROAD (A PAPER STREET)," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, May 18 2016 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

* * * * *

15. Council Member Cotter introduced:

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

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

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

Names of Street	Sides	Location
16th Street	East	Beginning at a point 485 feet west of the southwest corner of East 16 th Street and Avenue E and continuing 38 feet in a westerly direction.

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

BE IT RESOLVED, that an ordinance entitled “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, May 18 2016 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

* * * * *

16. Council Member LaPelusa introduced:

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

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

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

RESTRICTIVE PARKING ZONES

DELETE

066. Gertrude Falcicchio, 7 Elna Court
Beginning at a point on the south side of West 33rd Street, 228 feet west of the southwest corner of Broadway and West 33rd Street, and extending to a point 22 feet west thereof.
355. Stanley Marko, 77 East 25th Street
Beginning at a point on the north side of East 25th Street, 191 feet west of the northwest corner of Avenue F and East 25th Street, and extending to a point 10 feet west thereof.

ADD

066. Melia Mamone, 22 East 51st Street
Beginning at a point on the south side of East 51st Street, 284 feet east of the southeast corner of East 51st Street and Broadway, and extending to a point 16 feet east thereof.
127. Ann Zientek, 37 Newman Avenue
Beginning at a point on the north side of Newman Avenue, 181 feet north of the northwest corner of Newman Avenue and West 2nd Street, and extending to a point 17 feet north thereof.

355. Joan Rogers, 34 East 15th Street

Beginning at a point on the south side of East 15th Street, 107 feet east of the southeast corner of Chase Court and East 15th Street, and extending to a point 20 feet east thereof.

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

BE IT RESOLVED, that an ordinance entitled “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, May 18 2016 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

* * * * *

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

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

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

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

* * * * *

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

From Renee C. Rivas, Esq., filing notice of tort claim on behalf of JOSHUA OZUNA, alleging injuries sustained January 11, 2016 in a pedestrian/auto accident at or near 209 Broadway.

* * * * *

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

From Robert M. Anderson, Esq., filing notice of tort claim on behalf of ANTOINETTE LOPEZ, alleging injuries sustained December 31, 2015 in a fall on the sidewalk at 17 Broadway.

* * * * *

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

From Seth Malkin, Esq., filing notice of tort claim on behalf of NANCY CORNELIO, alleging injuries sustained February 9, 2016 when struck by a snow plow at Avenue C and West 40th Street.

* * * * *

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

From NORA KAHLE, filing notice of tort claim alleging property damage to her automobile on January 23, 2016 resulting from being struck by a snow plow at 33 East 42nd Street.

* * * * *

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

From MARISOL PINEIRO, filing notice of tort claim alleging property damage to her automobile on January 23, 2016 resulting from being struck by a snow plow at 31 Benmore Terrace.

* * * * *

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

From SAHAR ELSADAMI, filing notice of tort claim alleging property damage to his automobile on January 24, 2016 resulting from being struck by a snow plow at 177 West 48th Street.

* * * * *

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

From ATHENA SANTOS, filing notice of tort claim alleging property damage to her automobile on January 23, 2016 resulting from being struck by a snow plow at East 49th Street between Broadway and Avenue E.

* * * * *

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

From FRANK CARABALLO, filing notice of tort claim alleging property damage to his window on an unspecified date resulting from being struck by a baseball at 189 West 25th Street .

* * * * *

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

From MALE ALMODOVAR, filing notice of tort claim alleging property damage to his automobile on January 23, 2016 resulting from being struck by a payloador pulling a garbage truck that was stuck at 12 East 49th Street.

* * * * *

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

From the Superior Court of New Jersey, Chancery Division, Summons and Complaint in matter entitled, “BANK OF AMERICA vs. HERRERA, et al., incl. THE CITY OF BAYONNE.” (Mortgage foreclosure – Bayonne Housing Authority has a judgment)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “PSIP AVENUE A, LLC vs. CITY OF BAYONNE.” (Best Foods property, Block 6 parcels – industrial & vacant)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “528, LLC vs. CITY OF BAYONNE.” (New Hook Road & 22nd Street, Block 452.02, lot 5 - commercial)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “RMDG SORBARA, LLC vs. CITY OF BAYONNE.” (512-514 Broadway, Block 197, lot 4 - commercial)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “PDQ PLASTIC, INC. vs. CITY OF BAYONNE.” (7 Lower Hook Road, Block 479, lot 1 - industrial)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “THE FOUR B’S vs. CITY OF BAYONNE.” (688-692 Broadway, Block 154, lot 47 - commercial)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “INSERRA SUPERMARKETS vs. CITY OF BAYONNE.” (567-589 Avenue C, Block 182, lot 11.01 - commercial)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “SUBHA REALTY, INC. vs. CITY OF BAYONNE.” (2nd Street & Lexington Avenue, Block 359, lot 4.04 - industrial)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “ENGEL HOLDING COMPANY vs. CITY OF BAYONNE.” (48-52 New Hook Road, Block 427, lot 1 - industrial)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “ONE COMMERCE ST, LLC vs. CITY OF BAYONNE.” (Hook Road, Block 482, lot 1 - industrial)

* * * * *

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

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

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

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

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

Dear Council President Nadrowski
And Honorable Members of City Council

Elizabeth Jessen Term expiring on December 31, 2017
11 Pavonia Court, Bayonne, NJ 07002

Sincerely,
James M. Davis
(Mayor)
(signed)

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

Dear Council President Nadrowski
And Honorable Members of City Council

Alejandro Rodriguez Term expiring on February 1, 2016
66 East 4th Street, Bayonne, NJ 07002

Sincerely,
James M. Davis
(Mayor)
(signed)

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

Dear Council President Nadrowski
And Honorable Members of City Council

Alternate #1 Frank Pellitteri 57 West 5 th Street, Bayonne, NJ 07002	Term expiring on December 31, 2017 <i>(Unexpired Term of David Rivera)</i>
Alternate #2 Matt Dorans	Term expiring on December 31, 2017

36 West 43rd Street, Bayonne, NJ 07002 (Unexpired term of Frank Pellitteri)
*Reassignments due to resignations of Dave Rivera (former alternate #1)

It should also be noted that at the time of this letter Barry Kushnir, listed as Alternate #4, has resigned his position as well.

In conjunction with this appointment the City Clerk is directed to add an accompanying item on the April 13, 2016 Council Caucus Meeting agenda for consideration by the City Council.

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.

* * * * *

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

April 5, 2016

Dear Council President Nadrowski
And Honorable Members of City Council

I hereby appoint the following individual to the Zoning Board of Adjustment of the City of Bayonne as Alternte #3 and request the City Council's consenting actions:

Joe Pineiro Term expiring on December 31, 2016
78 East 28th Street, Bayonne, NJ 07002

In conjunction with this appointment the City Clerk is directed to add an accompanying item on the April 13, 2016 Council Caucus Meeting agenda for consideration by the City Council.

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.

* * * * *

42. 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 same.

* * * * *

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

DATE: MARCH 4, 2016

TO: Terrence Malloy, CFO
Robert Sloan, City Clerk

CC: Leo J. Smith, Jr., School Business Administrator

FROM: Janet Convery, Treasurer

Please be advised that I have transferred the following to the Board of Education:

\$5,097,854.00 CLAIMS & PAYROLL FOR MARCH 2016

Janet Convery
(signed)

* * * * *

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

DATE: APRIL 5, 2016

TO: Terrence Malloy, CFO
Robert Sloan, City Clerk

CC: Leo J. Smith, Jr., School Business Administrator

FROM: Janet Convery, Treasurer

Please be advised that I have transferred the following to the Board of Education:

\$5,097,854.00 CLAIMS & PAYROLL FOR APRIL 2016

Janet Convery
(signed)

* * * * *

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

BID REPORT
FOR THE MUNICIPAL COUNCIL

Date: 04/13/16 Ad Date: 03/16/16 Date bids accepted: 03/29/16

Attending: Amy Dellabella, Purchasin Agent, Susan Ferraro, Esq.

Bid titled: A Breathing Air Fill Station

Bidders:

Continental Fire & Safety Inc. \$54,975.00
2740 Kuser Road
Hamilton, NJ 08691

Airpower International Inc. \$59,000.00
7303 River Road
Pennsauken, NJ 08110

Air & Gas Technologies Inc. \$59,995.00
42 Industrial Drive
Cliffwood Beach, NJ 07735

After review by the Department Director, the Purchasing Department will prepare a request for contract award and forward it to the City Clerk for inclusion in future Council Agenda. If other than the lowest bidder is recommended, an explanation will be provided with that report. If bids are to be rejected, an appropriate report will be prepared. Please retain this report, as the information above may not be repeated in the request for award documents or in the event of a bid rejection.

Respectfully submitted,
Amy Dellabella, R.P.P.O., Q.P.A.
Purchasing Agent
(signed)

* * * * *

46. 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 RESOLUTIONS and which follow this resolution shall constitute a consent agenda for resolutions and that they be adopted and included in the official minutes of this meeting as having been so ordered.

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

* * * * *

47. 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, March 16, 2016 be and the same are hereby approved.

* * * * *

48. 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, March 9, 2016, be and the same are hereby approved.

* * * * *

49. 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
63	2.214	Lillie Stafford	312.63
78	23	Jenny Fernandez	413.46
102	2	Corelogic	2,951.77
125	37	Gabe Poalucci	748.23
128	5	Scott Duprex	413.00
137	21	K. Wignarajan	2,181.94
154	33	Ralph Citarella	2,465.37
172	35	Marjorie Berger	531.92
186	21	George & Rose Montes	2,690.97
224	31	Jolanta Drapinski	250.00

225	36.0111	Tiffany Reid	561.23
231	1	James Beaver	629.94
253	12	Stella Miller	533.92
285	19	Anna Usowicz	2,915.62
322	12	Porfirio Castro	250.00
340	23	Vincent Cuseglio	661.60
354	18	Ellen Jones	412.68
430	5	Anna Fedorochko	2,570.56
Total:			21,494.84

* * * * *

50. 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 \$ 77.40 be drawn of the Bureau of Rabies Control, State Department of Health, Trenton, New Jersey, covering the issuance of licenses Nos. 1088-1114 inclusive, 27 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.

* * * * *

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

RESOLVED, that pursuant to and consistent with a State Training Fee Report dated April 1, 2016 by Richard Bielinski, Construction Official, the Municipal Treasurer is hereby authorized and directed to issue a warrant drawn to the order of the State of New Jersey, in the amount of \$23,926.00 representing payment of state surcharge fees on new construction and alterations collected during the first quarter of 2016; and be it further

* * * * *

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

RESOLVED, that said warrant be forwarded to the Construction Official for transmittal to the New Jersey Department of Community Affairs; and be it further

RESOLVED, that this expense to be charged to Account - Trust Funds, State Training Fees with the Tax Collector, Account #12-286-56-312-2-199.

RESOLVED, that the actions of the Business Administrator in ordering a warrant for \$ 2,086.86 to the Treasurer-State of New Jersey for a site remediation fee is hereby ratified and confirmed. Warrant is charged to UEZ Project Fees.

* * * * *

53. 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 a software license maintenance agreement for the Police Department's VeriPic digital photo management software; and

WHEREAS, VeriPic, Inc., is willing and able to supply said service for a one year period commencing July 1, 2016 and ending June 30, 2017 at a cost of \$2,140.00; and

WHEREAS, funds are certified as available in Account #PS-9/01-201-25-240-2-020 pending approval of the CY 2016 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 City Clerk are hereby authorized to enter into an agreement with VeriPic, Inc., 2360 Walsh Avenue, Santa Clara, CA 95051-1301 for a software license maintenance agreement for the Police Department's VeriPic digital photo management software for a one year period commencing July 1, 2016 and ending June 30, 2017 at a cost of \$2,140.00, and funds are certified available in account #PS-9/01-201-25-240-2-020 pending approval of the CY 2016 Budget; and be it further

RESOLVED, that the Municipal Treasurer be and is hereby authorized and directed to issue a warrant payable to VeriPic, Inc., in the amount of \$2,140.00 in payment for said services.

* * * * *

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

RESOLVED, that pursuant to N.J.S.A. 40A:11-36 and LFN-2008-9, the Municipal Council of the City of Bayonne hereby authorizes the purchasing agent to put up for auction Online at US GOV BID or by any other means, as scrap or otherwise, the vehicles and other equipment listed on the attached memorandum, which are no longer needed for public use under the terms posted on the City of Bayonne's website at www.Bayonnenj.org and in the office of the City Clerk; and be it further

RESOLVED, that the property is being sold "As is/Where is".

* * * * *

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

Whereas, the Tax Assessor for the City of Bayonne had approved the exemption application dated February 16, 2016 by a 100% Disabled Veteran who occupies a one family home located at Block 371 Lot 30 (48 Lord Avenue), in the City of Bayonne as of February 3, 2016, having moved from a previous property located at Block 192 Lot 37 (172 West 24th Street) with the exemption on that prior property cancelled as of the move, and

Whereas, the qualified veteran has asked the City Council effectuate the exemption at his new property as of February 3, 2016 the date he owned and occupied the new property, and

Whereas, the City Council desires to grant this request;

Now therefore be it resolved as follows:

1. The property taxes on the one family home located at Block 371 Lot 30 (48 Lord Avenue), in the City of Bayonne occupied by said qualifying veteran are hereby canceled effective February 3, 2016 with the assessor to revise the assessment going forward and the tax collector to calculate any resulting overpayment of the tax bills from that date to the date of passage of this resolution (estimated at approximately \$1,522 for the prorated portion of the 2016 tax year EXPRESSLY SUBJECT TO THE TAXES FOR THE PERIOD FOLLOWING THE EXEMPTION DATE WHICH WERE ACUTALLY PAID (IF ANY and to the Tax Collector's records and calculations based on the final tax rate and the amount of tax actually billed and paid for the period to which the exemption applies.
2. The Tax Collector upon performing the above calculations is authorized to refund any overpayment amount which exceeds such outstanding taxes, so as to assure that the exemption is fully effectuated for the remainder of 2016. The Tax Collector is further authorized to credit or adjusting all future bills in conformance with this resolution for the duration of the veteran's qualified status with respect to this property.
3. The Tax Collector, Tax Assessor and City Treasurer are authorized to take any and all appropriate action to effectuate this resolution, including but not limited to, cancellation of taxes as set forth above and the refund or credit of any excess taxes which may have been paid by said qualifying veterans during the periods noted herein.

* * * * *

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

Whereas, the Tax Assessor for the City of Bayonne had approved the exemption application dated February 19, 2016 by a 100% Disabled Veteran who occupies a one family home located at Block 283 Lot 35 (44 W 9th Street), in the City of Bayonne, and

Whereas, the qualified veteran has asked the City Council effectuate the exemption as of the date of ownership by him 11/15/2015 (which is in the prior year) and prior to the date of application; and

Whereas, the City Council desires to grant this request;

Now therefore be it resolved as follows:

1. The property taxes on the one family home located at Block 283 Lot 35 (44 W 9th Street), in the City of Bayonne occupied by said qualifying veteran are hereby canceled effective November 15, 2015 with the assessor to revise the assessment going forward and the tax collector to calculate any resulting overpayment of the tax bills from that date to the date of passage of this resolution (estimated at approximately \$755.00 for the prorated portion of the 2015 tax year AND an additional refund of any taxes actually paid on the property in the 2016 Tax Year (estimated at approximately \$1,510 per quarter), EXPRESSLY SUBJECT TO the Tax Collector's records and calculations based on the final tax rate and the amount of tax actually billed and paid for the period to which the exemption applies.
2. The Tax Collector upon performing the above calculations is authorized to refund any overpayment amount which exceeds such outstanding taxes, so as to assure that the exemption is fully effectuated for 2015 and 2016. The Tax Collector is further authorized to credit or adjusting all future bills in conformance with this resolution for the duration of the veteran's qualified status with respect to this property.
3. The Tax Collector, Tax Assessor and City Treasurer are authorized to take any and all appropriate action to effectuate this resolution, including but not limited to, cancellation of taxes as set forth above and the refund or credit of any excess taxes which may have been paid by said qualifying veterans during the periods noted herein.

* * * * *

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

Whereas, on February 17, 2016, the City of Bayonne obtained ownership, for the City's public purpose, of property located at Block 71 Lot 16 by deed dated 2/17/2016 and recorded in the office of the Hudson County Register of Deeds on 2/26/2016 in deed book 9102 and page 512, and

Whereas, the City Council desires to cancel taxes on the property and refund any overpayment after the date of transfer to the City;

Now therefore be it resolved as follows:

1. The property taxes on the lot owned by the City of Bayonne at Block 71 Lot 16 are cancelled effective February 17, 2016 with the tax collector to calculate any resulting overpayment of tax bills by the prior owner from February 17, 2016 EXPRESSLY SUBJECT TO the Tax Collector's records and calculations confirming any actual overpayment based on the final tax rate and the amount of tax actually billed and paid for the period after the date of acquisition.
2. The Tax Collector, Tax Assessor and City Treasurer are authorized to take any and all appropriate action to effectuate this resolution, including but not limited to, cancellation of taxes as set forth above and the refund or credit of any excess taxes which may have been paid.

* * * * *

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

RESOLUTION AUTHORIZING THE CANCELLATION OF TAX LIEN CERTIFICATE #13-0545, REFUNDING THE SUM OF \$50,094.36 TO ORIX PUBLIC FINANCE, LLC, CANCELLING ALL TAXES IN CONNECTION WITH SAID LIEN AND RESTORING THE PROPERTY DESIGNATED AS BLOCK 219, LOT 41 (92 WEST 20TH STREET) TO THE LIST OF TAX EXEMPT PROPERTIES

WHEREAS, on December 6, 2012 a Final Judgment was entered by the Superior Court of the State of New Jersey, Chancery Division (Docket No. F-001999-12) in favor of Royal Tax Lien Services d/b/a Crusader Lien Services against Pride of Bayonne, Lodge 461, Improved Benevolent Protective Order of Elks of the World, foreclosing the latter of any right to the property designated as Block 219, Lot 41 as the result of the latter failing to redeem tax sale certificate #07-131; and

WHEREAS, based upon said Final Judgment, the City of Bayonne subsequently removed the property designated as Block 219, Lot 41 from its list of tax exempt properties, removed from its records Pride of Bayonne, Lodge 461, Improved Benevolent Protective Order of Elks of the World as the property's record owner and listed Royal Tax Lien Services, LLC as the owner of record; and

WHEREAS, on April 12, 2013 an Order Granting Defendant's Motion to Vacate Final Judgment was entered rendering the Judgment entered December 6, 2012 a nullity; and

WHEREAS, this Order of April 12, 2013 was not served upon the City of Bayonne; and

WHEREAS, in the interim and subsequent thereto the City of Bayonne continued to treat the property as a non-exempt property and a subsequent tax sale certificate (#13-0545) issued and was sold at tax sale on April 25, 2014 to ORIX Public Finance, LLC; and

WHEREAS, on July 27, 2015 a Corrective Order was entered by the Superior Court of the State of New Jersey, Chancery Division, correcting the order dated April 12, 2013 properly vacating the initial Final Judgment dated December 6, 2012; and

WHEREAS, the Pride of Bayonne, Lodge 461, Improved Benevolent Protective Order of Elks of the World has established that at all times relevant since the acquisition of the property in 1941 the Pride of Bayonne, Lodge 461, Improved Benevolent Protective Order of Elks of the World City has operated as a tax exempt and not for profit organization and has utilized the property designated as Block 219, Lot 41 as such, including from December 6, 2012 through July 27, 2015; and

WHEREAS, the net effect of the litigation set forth above is that the Pride of Bayonne, Lodge 461, Improved Benevolent Protective Order of Elks of the World should have never been removed as owner of record and the property should have never been removed from the list of tax exempt properties;

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 if fully set forth herein.

Section 2. The Tax Collector is hereby authorized to refund the amount of \$50,094.36 to ORIX Public Finance, LLC in connection with Tax Sale Certificate #13-0545.

Section 3. The Tax Collector is hereby authorized to cancel all taxes in connection with Tax Sale Certificate #13-0545 and all taxes billed subsequent thereto.

Section 4. The Tax Collector is hereby authorized to restore the property to the list of tax exempt properties retroactive to December 6, 2012.

Section 5. This Resolution shall take effect immediately.

* * * * *

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

WHEREAS, the American Red Cross is dedicated to helping families protect themselves from home fires through the Red Cross Home Fire Campaign; and

WHEREAS, in partnership with local fire departments, community groups and corporate supporters, the American Red Cross through its Home Fire Campaign provides fire preparedness literature, fire alarms and the installation of free fire alarms to participating residents; and

WHEREAS, Red Cross volunteers and participating organizations who participate in the Home Fire Campaign have access to the organization's corporate insurance program when they are acting under the direct control and supervision of the Red Cross and within the scope of their Red Cross duties; and

WHEREAS, it is in the best interest of the health, safety and welfare of the citizens of the City of Bayonne to partner with the American Red Cross in the adoption of the Home Fire Campaign through the Bayonne Fire Department as a participating organization; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The City of Bayonne is hereby authorized to partner with the American Red Cross in connection with its Home Fire Campaign the Bayonne Fire Department.

2. The Mayor and/or any other appropriate City Official is/are hereby authorized to take any and all actions and/or sign any and all documents in to order to effectuate same.

* * * * *

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

WHEREAS, by way of Resolution No. 16-03-16-044 adopted by the Municipal Council on March 16, 2016 the City Council awarded a contract for DiDomenico Park fixed dock to Marbro, Inc., 127 Pine Street, P.O. Box 134, Montclair, NJ 07042 for the amount of \$591,117.00 chargeable to Capital Improvement Ordinance O-16-14 adopted at said Municipal Council meeting of March 16, 2016 and pending approval by the Mayor; and

WHEREAS, said contract amount of \$591,117.00 is to be charged to "Capital Improvement Ordinance to Provide Funding for the Improvement of 16th Street Park in the amount of \$600,000.00" introduced at said Municipal Council meeting of March 16, 2016 pending adoption of said ordinance at the Municipal Council meeting of April 20, 2016; now, therefore, be it

RESOLVED, by the Municipal Council of the City of Bayonne that Resolution No. 16-03-16-04 is hereby amended to reflect that the contract amount of \$591,117.00 for the contract for DiDomenico Park fixed dock awarded to Marbro, Inc., 127 Pine Street, P.O. Box 134, Montclair, NJ 07042 is chargeable to "Capital Improvement Ordinance to Provide Funding for the Improvement of 16th Street Park in the amount of \$600,000.00" introduced at the Municipal Council meeting of March 16, 2016 pending adoption of said Ordinance at the Municipal Council meeting of April 20, 2016 and pending approval by the Mayor.

* * * * *

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

WHEREAS, the Director of Public Safety has determined that the following vehicles are out of service and beyond repair:

1989 Mack Aerialscope -Vin #1M2A150C9KM001390
1990 Jeep Cherokee - Vin #1J4FJ28L5LL244001
1977 GMC fire engine -Vin #TH1907V568084
1972 White Freightliner Tractor - Vin #CB113HP10599; and
1975 Pen/TRL - Vin #1 21194711; and

WHEREAS, the Director of Public Safety has further determined that the City no longer has a need for the aforesaid vehicles and that said vehicles should be sold to the highest bidder at auction as scrap; now, therefore, be it

RESOLVED by the Municipal Counsel as follows:

The Director of Public Safety and/or any other appropriate City Official is/are hereby authorized to auction off the above listed vehicles to the highest bidder as scrap subject to the applicable statutes and regulations governing such sales.

* * * * *

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

BE IT RESOLVED, That the City Clerk be and is hereby authorized to advertise for bids for heavy equipment rental.

* * * * *

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

BE IT RESOLVED, That the City Clerk be and is hereby authorized to advertise for bids for street paving.

* * * * *

64. 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
Midtown Community School PTO	10:00 PM 1081 Broadway June 21, 2016	RL: 9106

* * * * *

65. Council Member La Pelusa moved the following resolution, seconded by Council Member Perez, which was read by the Clerk and adopted.

WHEREAS, the city clerk, in accordance with Resolution 16-01-20-038 adopted on January 20, 2016 advertised in the Jersey Journal on March 16, 2016 that Bids for A Breathing Air Fill Station would be received on March 29, 2016; and

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

Continental Fire & Safety Inc. 2740 Kuser Road Hamilton, NJ 08691	\$54,975.00
Airpower International Inc. 7303 River Road Pennsauken, NJ 08110	\$59,000.00
Air & Gas Technologies Inc. 42 Industrial Drive Cliffwood Beach, NJ 07735;	\$59,995.00

and

WHEREAS, the Purchasing Agent and Public Safety Director have examined the bids or proposals and have determined that the bid of Continental Fire & Safety, Inc. is a regular bid and is the lowest responsible bid for A Breathing Air Fill Station; and

WHEREAS, the Municipal Comptroller has filed a certification with the city clerk that funds are available in the following accounts:

\$45,455.00 federal - FEMA GRANT (EMW-2014-FO-0529) and
\$ 9,520.00 City match - Account Fire O.E.;

now, therefore, be it

RESOLVED, that the contract for A Breathing Air Fill Station is hereby awarded to: Continental Fire & Safety Inc., 2740 Kuser Road, Hamilton, NJ 08691for a total contract amount of \$54,975.00; and be it further

RESOLVED, that the contract be executed in the name of the City of Bayonne by the proper city officials and that the said sum be charged to the following accounts:

\$45,455.00 federal - FEMA GRANT (EMW-2014-FO-0529) and
\$ 9,520.00 City match - Account Fire O.E.

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

* * * * *

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

WHEREAS, Resolution No. 15-12-16-070 adopted by the Municipal Council on December 16, 2015 awarded contracts to Florio, Kenny & Raval, LLP, 5 Marine View Plaza, Suite 103, Hoboken, NJ 07030 and Roth D'Aquanni, LLC, 150 Morris Avenue, Suite 206, Springfield, NJ 07081 and for professional legal services to conduct arbitration hearings, litigation before the courts, and negotiations and PERC hearings involving various unions and the City of Bayonne for the period commencing February 1, 2016 and ending December 31, 2016; and

WHEREAS, subsequent thereto, the City entered into Agreement No. CY16-018 with Florio, Kenny & Raval, LLP and CY16-019 with Roth D'Aquanni, LLC for the aforesaid professional legal services, and

WHEREAS, it is necessary to amend the terms of the aforesaid contracts from February 1, 2016 ending December 31, 2016 to January 1, 2016 and ending December 31, 2016 for quantum meruit work performed by Florio, Kenny & Raval, LLP and Roth D'Aquanni, LLC in the month of January, 2016 on behalf of the City of Bayonne; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to execute amendments to Agreement No. CY16-018 with Florio, Kenny & Raval, LLP and Agreement No. CY16-019 with Roth D'Aquanni, LLC for the aforesaid professional legal services to reflect contract terms commencing January 1, 2016 and ending December 31, 2016.

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

* * * * *

67. 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 legal services in defense of the City of Bayonne in connection with State Tax Court Appeals;

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

WHEREAS, funds are certified as available in Account #01-201-20-156-2-020 pending adoption of the CY2016 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 the law firm of Chasan, Leyner & Lamparello, P.C., 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 April 21, 2016 and ending December 31, 2016.

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 Account #01-201-20-156-2-020.

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

* * * * *

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 the professional legal services as Alternate Municipal Public Defender in connection with the representation of indigent individuals coming before the Municipal Court of the City of Bayonne; and

WHEREAS, Shokry Abdelsayed, Esq., 363 Broadway, Bayonne, New Jersey 07002, has submitted to the City of Bayonne a formal written proposal for said professional legal services; and

WHEREAS, Shokry Abdelsayed, Esq.. is qualified, ready and able to provide said services; and

WHEREAS, the anticipated contract amount for the contract term does not exceed \$17,500 and therefore is 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 Shokry Abdelsayed, Esq. for professional legal services to act as Alternate 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 May 1, 2016 and ending December 31, 2016 for an amount not to exceed \$7,500.00; and

WHEREAS, funds are certified as available in Account #01-201-43-495-2-028 pending adoption of the CY 2016 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 Shokry Abdelsayed, Esq., 363 Broadway, Bayonne, New Jersey 07002 to perform professional legal services as the Alternate 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 \$7,500.00 for the period commencing May 1, 2016 and ending December 31, 2016.

2. Funds shall be charged to Account #01-201-43-495-2-028 pending adoption of the CY2016 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 Cotter, Gullace, LaPelusa , Perez and President Nadrowski.

* * * * *

69. 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 Bayonne Community Mental Health Center, 601 Broadway, Bayonne, NJ 07002 has submitted to the City of Bayonne a formal written proposal 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, 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 maximum amount of the contract is \$22,500.00; the term of the contract is from April 1, 2016 through December 31, 2016; and, the funds are available in Account #HW-4 01-201-27-330-2-020 pending adoption of the CY CY2016 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 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 \$22,500.00 for a period of one year commencing April 1, 2016 and ending December 31, 2016.
2. Funds shall be charged to Account #HW-4 01-201-27-330-2-020 pending adoption of the CY2016 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 Cotter, Gullace, LaPelusa , Perez and President Nadrowski.

* * * * *

70. 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 professional mental health services in connection with the City's Employee Assistance Program for City of Bayonne Municipal Employees; and

WHEREAS, the Bayonne Community Mental Health Center, 601 Broadway, Bayonne, NJ 07002 has submitted to the City of Bayonne a formal written proposal 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, 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 maximum amount of the contract is \$20,250.00; the term of the contract is from April 1, 2016 through December 31, 2016; and, the funds are available in Account #HW-4 01-201-27-330-2-020 pending adoption of the CY2016 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 \$20,250.00 for a period commencing April 1, 2016 and ending December 31, 2016.

2. Funds shall be charged to Account #HW-4 01-201-27-330-2-020 pending adoption of the CY2016 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 Cotter, Gullace, LaPelusa , Perez and President Nadrowski.

* * * * *

71. Council Member Perez moved the following resolution, seconded by Council President Nadrowski, 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 October 6, 2015 for said CDBG Grant Funds in the amount of \$162,000.00 for the purpose of providing the cost of reconstruction of the building which includes a security system, HVAC system, roofing, electrical work, work to the sanitary pipe and façade demo from AA-ABCO Construction, 47 Newman Avenue, Bayonne NJ; 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 which includes a security system, HVAC system, roofing, electrical work, work to the sanitary pipe and façade demo from AA-ABCO Construction, 47 Newman Avenue, Bayonne NJ; and

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

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Bayonne Community Mental Health, 591 Broadway, Bayonne, New Jersey 07002 for the provision of providing cost of reconstruction to the building which includes a security system, HVAC system, roofing, electrical work, work to the sanitary pipe and façade demo from AA-ABCO Construction, 47 Newman Avenue, Bayonne NJ in the amount of \$162,000 for the period commencing September 1, 2015 and ending August 31, 2016.

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

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

* * * * *

72. Council Member Perez moved the following resolution, seconded by Council Member LaPelusa, 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 Masonic Lodge, 888 Avenue C, Bayonne, New Jersey 07002 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Bayonne Masonic Lodge has requested and submitted a formal written application dated February 18, 2015 for said CDBG Grant Funds in the amount of \$7,222.50 for the purpose of providing the cost of removal of one 2,000 gallon underground heating oil tank from Ken's Marine Service Inc., P.O. Box 4001, Bayonne NJ; 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 removal of one 2,000 gallon underground heating oil tank from Ken's Marine Service Inc., P.O. Box 4001, Bayonne NJ; and

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

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Bayonne Masonic Lodge, 888 Avenue C, Bayonne, New Jersey 07002 for the provision of providing cost of removal of one 2,000 gallon underground heating oil tank from Ken's Marine Service Inc., P.O. Box 4001, Bayonne NJ in the amount of \$7,222.50 for the period commencing September 1, 2015 and ending August 31, 2016.

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

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

* * * * *

73. Council Member LaPelusa moved the following resolution, seconded by Council Member Perez, 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 Masonic Lodge, 888 Avenue C, Bayonne, New Jersey 07002 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Bayonne Masonic Lodge has requested and submitted a formal written application dated February 18, 2015 for said CDBG Grant Funds in the amount of \$48,175.00 for the purpose of providing the cost of removal and replacement of three oil boilers with three gas burning boilers from J.P. Plumbing and Heating Corp., 116 Linnet Street, Bayonne NJ; 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 removal and replacement of three oil boilers with three gas burning boilers from J.P. Plumbing and Heating Corp., 116 Linnet Street, Bayonne NJ; and

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

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Bayonne Masonic Lodge, 888 Avenue C, Bayonne, New Jersey 07002 for the provision of providing cost of removal and replacement of three oil boilers with three gas burning boilers from J.P. Plumbing and Heating Corp., 116 Linnet Street, Bayonne NJ in the amount of \$48,175.00 for the period commencing September 1, 2015 and ending August 31, 2016.

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

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

* * * * *

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

WHEREAS, BCB Community Bank, 104-110 Avenue C, Bayonne New Jersey (the "Grantee") is the fee owner of improved real property located in City of Bayonne ("Grantor"), County of Hudson and State of New Jersey commonly known as 104-110 Avenue C designated as Lot 25-29 in Block 354 on the official tax map of the City of Bayonne, currently used as a financial institution known as BCB Community Bank; and

WHEREAS, Grantee submitted an application to the City of Bayonne Building Department for a permit to install a Sidewall-Mounted Bracket Design clock at the above property, specifications for which are attached hereto and made a part hereof; and

WHEREAS, according to Chapter 35, Section 25.4 (c)(2) of the Revised General Ordinances of the City of Bayonne, business signs are not permitted to project a distance

greater than twelve (12) inches from the building to which are on file with the Building Department incorporated herein and made a part hereof; and

WHEREAS, a license agreement is required in order to comply with the Revised General Ordinances of the City of Bayonne and to permit the installation of a clock, which will add aesthetic value to and benefit equally the Grantor, Grantee and the surrounding neighborhood; and

WHEREAS, Grantee has requested Grantor, to grant a license providing a right of way to Grantee, allowing construction and installation of the clock over the public right of way; now, therefore, be it

RESOLVED, by the Municipal Council of the City of Bayonne

1. The Mayor is hereby authorized to execute a License Agreement with BCB Community Bank, 104-110 Avenue C, Bayonne New Jersey to permit the installation of a Sidewall Mounted Bracket Design clock at the property known as 104-110 Avenue C, designated as Lot 25-29 in Block 354 on the official tax map of the City of Bayonne, currently used as a financial institution known as BCB Community Bank pursuant to the specifications submitted by BCB Community Bank on file with the Building Department for a yearly license fee mutually agreed upon by the City of Bayonne and BCB Community Bank payable to the City and in a form acceptable to the Law Division.

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

* * * * *

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

WHEREAS, by way of Resolution No. 15-07-22-060 adopted by the Municipal Council on July 22, 2015 the Municipal Council authorized the Mayor to execute a License Agreement with New Bay, LLC, 104-110 Avenue C, Bayonne New Jersey (the "Grantee") to permit the installation of a Sidewall Mounted Bracket Design clock at the property known as 860 Broadway, designated as Lot 42 in Block 106 on the official tax map of the City of Bayonne, currently used as a financial institution known as BCB Community Bank pursuant to the specifications submitted by New Bay, LLC on file with the Building Department for a yearly license fee mutually agreed upon by the City of Bayonne and New Bay, LLC payable to the City and in a form acceptable to the Law Division; and

WHEREAS, pursuant to the aforesaid Resolution No. 15-07-22-060 the Mayor did executed said License Agreement which was recorded in the Office of the Hudson County Register on September 9, 2015 in Book 9062, Page 486; and

WHEREAS, New Bay, LLC has requested the License Agreement be amended to permit the installation of a different Sidewall Mounted Bracket Design clock pursuant to new specifications submitted by New Bay, LLC attached hereto and made a part hereof; and

WHEREAS, the City of Bayonne is agreeable to amending the aforesaid License Agreement with New Bay, LLC to permit the installation of Sidewall Mounted Bracket Design clock pursuant to the new specifications submitted by New Bay, LLC; now, therefore, be it

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

1. The Mayor is hereby authorized to execute an Amended License Agreement with New Bay, LLC, 104-110 Avenue C, Bayonne New Jersey to permit the installation of a Sidewall Mounted Bracket Design clock at the property known as 860 Broadway, designated as Lot 42 in Block 106 on the official tax map of the City of Bayonne, currently used as a financial institution known as BCB Community Bank pursuant to the new specifications submitted by New Bay, LLC on file with the Building Department.

2. All other terms and conditions of the License Agreement shall remain the same.

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

* * * * *

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

WHEREAS, Resolution No. 15-02-18-037 adopted by the Municipal Council on February 18, 2015 authorized an Agreement with All Covered IT Services from Konica Minolta,

100 Dobbs Lane, Suite 208, Cherry Hill, New Jersey 08037 (the "Contractor") for information technology, computer system and network administration and support services for the period commencing March 1, 2015 through February 29, 2016 for an amount not to exceed \$25,000.00; ;and

WHEREAS, subsequent thereto, the City entered into Agreement No. CY15-024 with the Contractor for the aforesaid information technology, computer system and network administration and support services; and

WHEREAS, Resolution No. 15-12-16-087 authorized an Amendment to the aforesaid Agreement No. CY15-024 increasing same in the amount of \$65,000.00 due to additional services rendered outside the scope of services of the original contract making the total contract amount not to exceed \$90,000.00; and

WHEREAS, the Business Administrator has requested the City extend the aforesaid Agreement No. CY15-024 with the Contractor for an additional six (6) month period commencing March 1, 2016 and ending August 31, 2016 and increase same in an amount not to exceed \$25,000.00 making the total contract amount not to exceed \$115,000.00; and

WHEREAS, funds are certified as available in Various Accounts; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to execute a second amendment to Agreement No. CY15-024 with All Covered IT Services from Konica Minolta, 100 Dobbs Lane, Suite 208, Cherry Hill, New Jersey 08037 for information technology, computer system and network administration and support services extending same for a six month period commencing March 1, 2016 and ending August 31, 2016 and increasing same in an amount not to exceed \$25,000.00, making the total contract amount not to exceed \$115,000.00.
2. Funds shall be charged to Various Accounts.
3. All other terms and conditions of Agreement No. CY15-024 shall remain the same.

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

* * * * *

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

WHEREAS, the City of Bayonne participates in the Community Development Block Grant (CDBG) and Hearth Emergency Solutions (HESG) Programs directly through the U.S. Department of Housing and Urban Development (HUD) and the HOME Program as part of the Hudson County Consortium; and

WHEREAS, the U.S. Department of Housing and Urban Development requires the City of Bayonne to submit certain documents and certifications in connection with said programs; now, therefore, be it

RESOLVED, that the Mayor is hereby authorized to sign all documents and certifications relating to the City's FY 2016 CDBG and HESG Programs for the amounts listed below; and be it further

RESOLVED, that the City of Bayonne is hereby authorized to submit its FY 2016 Annual Action Plan to the U.S. Department of Housing and Urban Development for the following anticipated amounts:

2016 CDBG Program	\$1,482,796
2016 CDBG Anticipated Program Income	\$60,000

RESOLVED, that if the 2016 funding is reduced a result of the U.S. Department of Housing and Urban Development allocation to the City of Bayonne, the CDBG Committee is authorized to adjust the proposed activity funding for each project.

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

* * * * *

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

WHEREAS, an emergency condition has arisen with respect to providing appropriations to pay various costs, as per attached schedule, and no adequate provision has been made in the CY 16 Temporary Budget for the aforesaid purposes and N.J.S.:4-20 provides for the creation of an emergency temporary appropriation for the purposes above mentioned, and

WHEREAS, the total emergency resolution adopted in the CY 16 budget pursuant to the provisions of Chapter 96, P.L. 1951 (NJS 40A:4-20) including this resolution total

Current Fund \$ 34,462,942.00
Parking Utility \$ 317,000.00

NOW THEREFORE, BE IT RESOLVED (not less than two-thirds of all members therefore affirmatively concurring) that in accordance with NJS 40A:4-20

1- An emergency temporary appropriation be and the same is hereby made as per attached schedule:

Current Fund \$ 7,880,800.00
Parking Utility \$ 58,000.00

2- That said emergency temporary appropriation will be provided for the CY 16 budget under the title of, as per attached schedule:

Current Fund \$ 7,880,800.00
Parking Utility \$ 58,000.00

3- That one certified copy of this resolution be filed with the Director of Local Government Services

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

* * * * *

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

RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$12,000,000 TAX ANTICIPATION NOTES OF 2016 OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY

BE IT RESOLVED, by the City Council of the City of Bayonne (the “City”), in the County of Hudson, State of New Jersey, as follows:

Section 1: It is hereby determined and declared that the Chief Financial Officer made and filed in the office of the City Clerk a certificate pursuant to the provisions of Section 40A:4-66 of the Local Budget Law, N.J.S.A. 40A:4-1 et seq., certifying as follows:

- (A) The gross borrowing power of the City in respect to tax anticipation notes of the fiscal year beginning January 1, 2016, being thirty percent (30%) of the tax levy for all purposes of the next preceding fiscal year, which ended December 31, 2015, for all purposes, plus thirty percent (30%) of the amount of miscellaneous revenues realized in cash during such next preceding fiscal year, is \$63,997,908.
- (B) There are no notes of the City outstanding in anticipation of the collection of taxes of such fiscal year beginning January 1, 2016.
- (C) The net borrowing power of the City is \$63,997,908.

Section 2: Pursuant to the Local Budget Law, the City shall borrow not to exceed \$12,000,000 in anticipation of the collection of taxes levied in and for the fiscal year beginning January 1, 2016, and in anticipation of other revenues for such fiscal year.

Section 3: The notes issued pursuant to this Resolution shall be negotiable notes issued in registered form or payable to bearer, shall be issued in an aggregate principal amount not to exceed \$12,000,000 (with the final principal amount of each note to be determined by the Chief Financial Officer and may be issued in more than one series) and shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law, and shall be payable at maturity, all as shall be determined by the Chief Financial Officer of the City in accordance with the provisions of Section Five (5) below. Any instrument issued pursuant to this resolution shall be a general obligation of the City, and the full faith and credit of the City are hereby pledged to the punctual payment of the principal of and interest on the obligations.

Section 4: The Chief Financial Officer is hereby designated as the financial officer to sign said notes, and the Mayor and the Chief Financial Officer are hereby authorized and directed to execute said notes, and the City Clerk or Deputy City Clerk are each hereby authorized and directed to affix the seal of said City to each of such notes and to attest such seal and said notes, and said officers, notwithstanding any resolution theretofore adopted by the City Council, are hereby authorized to issue said notes in such form as they may adopt in conformity with law and to recite therein that all requirements and conditions of law have been complied with in the issuance of said notes and that said notes are within every debt and other limit prescribed by the Constitution or statutes of New Jersey.

Section 5: The power to determine any matter with respect to said notes not determined by this Resolution and also the power to sell said notes from time to time as funds are granted is hereby granted to the Chief Financial Officer of the City, who is authorized to sell said notes at not less than par and accrued interest and to deliver said notes upon receiving the purchase price to be paid therefor. After the sale of the notes, the Chief Financial Officer shall make a report of such sale to the City Council pursuant to N.J.S.A. 40A:4-72.

Section 6: All sums borrowed by the issuance of said notes shall be applied only to purposes provided for in either (a) the budget adopted for the fiscal year beginning January 1, 2016, or (b) the purposes for which taxes are levied or are to be levied for such fiscal year.

Section 7: Said notes may be renewed from time to time but such notes and any renewals thereof shall mature not later than April 30, 2017.

Section 8. The Chief Financial Officer is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the City and to execute such disclosure document on behalf of the City. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the City pursuant

to Rule 15c2-12 of the Securities and Exchange Commission (the “Rule”) for the benefit of holders and beneficial owners of obligations of the City and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the City fails to comply with its undertaking, the City shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 9. The City covenants to comply with the provisions of the Internal Revenue Code of 1986, as amended, necessary to maintain the exclusion from interest of the notes for Federal income tax purposes.

Section 10. This resolution shall take effect immediately.

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

* * * * *

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

RESOLUTION DESIGNATING 195 EAST 22nd STREET URBAN RENEWAL, LLC REDEVELOPER OF PROPERTY LOCATED AT BLOCK 452.01, LOTS 1, 2, AND 9 IN THE CITY OF BAYONNE RELATING TO THE ROUTE 440 CORRIDOR EAST REDEVELOPMENT AREA AND AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT WITH 195 EAST 22nd STREET URBAN RENEWAL, LLC FOR THE REDEVELOPMENT OF SUCH PROPERTY IN ACCORDANCE WITH THE REDEVELOPMENT PLAN

WHEREAS, the Municipal Council of the City of Bayonne in its capacity as the redevelopment entity (the “Municipal Council”) for the City of Bayonne 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, on October 6, 2004 and January 19, 2005, the municipal council of the City (the “City Council”) adopted Resolution Number 04-10-06-003 designating the property commonly known as Block 452, Lots 1, 2, 3, 4 and 9; Block 453, Lots 1, 5, 6, 7, 8, 9, 10 and 11; Block 503, Lots 8 and 9 on the tax map of the city as an area in need of redevelopment (the “Redevelopment Area”) pursuant to the provisions of the Redevelopment Law; and

WHEREAS, in furtherance of redeveloping the Redevelopment Area, on June 15, 2005, the City adopted Ordinance Number O-05-20 adopting a redevelopment plan entitled, “Redevelopment Plan Route 440 Corridor East Redevelopment Area”, as amended on December 6, 2006. February 18, 2009 and August 12, 2009 (“Redevelopment Plan”) establishing the development and construction standards within the Redevelopment Area; and

WHEREAS, pursuant to the Redevelopment Law, the City adopted Ordinance No. O-06-44 on December 6, 2006 designating the Bayonne Local Redevelopment Agency (“BLRA”) as the “redevelopment entity” (as defined in the Redevelopment Law) for the Redevelopment Area; and

WHEREAS, on January 25, 2007, the BLRA adopted Resolution Number 012507-03 authorizing a redevelopment agreement with Cameron Bayonne Urban Renewal, LLC f/k/a Cameron Bayonne, LLC (“CBUR”) which designated CBUR as the exclusive redeveloper for the Redevelopment Area; and

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

WHEREAS, the City has determined to act as the “redevelopment entity” for the Property; and

WHEREAS, in accordance with the Redevelopment Plan, the redevelopment agreement, and government approvals, CBUR redeveloped the majority of the Redevelopment Area, consisting of approximately 57 acres, with the retail development commonly known as the Bayonne Crossings Shopping Mall Project, which is substantially complete; and

WHEREAS, one remaining parcel within the Redevelopment Area, consisting of approximately 2.7 acres at the southeast corner of Route 440 and 22nd Street, which is separate from the bulk of the aforementioned portion of the Redevelopment Area, remains underutilized and in need of redevelopment. That parcel which, to reiterate, is within the Redevelopment Area, is identified as Block 452.01 (formerly Tax Block 452), Lots 1, 2 & 9 (the "Project Premises"); and

WHEREAS, the Redeveloper and/or an affiliated entity is the owner of Lots 1 & 2 in the Project Premises; and

WHEREAS, the City is the owner of Lot 9 in the Project Premises; and

WHEREAS, the Redeveloper has expressed an interest in and has submitted a proposal for the redevelopment of the Project Premises with a mixed use commercial project; and

WHEREAS, at the request and instruction of the City, the City Planner prepared an amendment to the Redevelopment Plan, entitled "Redevelopment Plan, 2014 Amendment to Amended & Restated Redevelopment Plan – Route 440 East Redevelopment Area (January 2009), Block 452.01, Lots 1, 2 & 9" ("Amended Redevelopment Plan"); and

WHEREAS, the Amended Redevelopment Plan constitutes an overlay plan for the Project Premises, and allows for the Project Premises to be developed under either the Redevelopment Plan (last amended in 2009) or in accordance with the Amended Redevelopment Plan; and

WHEREAS, at a public hearing held on November 10, 2014, the Planning Board of the City of Bayonne ("Planning Board") reviewed the proposed Amended Redevelopment Plan and the City of Bayonne Master Plan. The Planning Board concluded that the Redevelopment Plan and the Master Plan are consistent and resolved to recommend to the City Council that the Amended Redevelopment Plan be adopted; and

WHEREAS, on December 10, 2014, the City Council adopted Ordinance O-14-41 formally adopting the Amended Redevelopment Plan; and

WHEREAS, the Redeveloper has submitted information to the city outlining its financial capabilities, experience, expertise and project concept descriptions to design and construct a project on the Property and has requested designation by the City as the redeveloper for the Project Premises; and

WHEREAS, in accordance with its proposal, the Redeveloper shall be required to acquire Block 452.01, Lot 9 ("City Lot") which lot is owned in fee by the City; and

WHEREAS, Redeveloper submitted to the City a conceptual site plan and architectural elevations (collectively, the "Concept Plan"), for a retail project that would be developed and constructed by the Redeveloper on the Property (the "Project"); and

WHEREAS, the City legally terminated CBUR as the exclusive redeveloper for the Project Premises; and

WHEREAS, the Amended Redevelopment Plan was adopted on December 10, 2014; and

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

WHEREAS, Section 2.12.1 of the Redevelopment Plan, entitled "Redeveloper Selection," allows for the selection of redevelopers of specific sites, blocks or districts in any number or combination as is deemed necessary; and

WHEREAS, 195 East 22nd Street Urban Renewal, LLC of 130 LeFante Way, PO Box 1009, Bayonne, New Jersey 07002 (herein after the "Redeveloper") has submitted information to the City outlining its, experience, expertise and financial capabilities to design and construct a project on the property referenced above and has requested designation by the City as the "redeveloper" for said Property; and

WHEREAS, this Municipal Council desires to designate 195 East 22nd Street Urban Renewal, LLC as the redeveloper of the aforesaid Redevelopment Area pursuant to Section 8 of the Redevelopment Law to undertake redevelopment of the Property consistent with the Redevelopment Plan and any subsequent amendments thereto, if applicable; and

WHEREAS, the Project shall conform to the Redevelopment Plan and shall be in conformance with the Master Plan of the City of Bayonne and any amendments thereto; and

WHEREAS, the Municipal Council desires to enter into a Redevelopment Agreement with the Redeveloper, and recognize 195 East 22nd Street Urban Renewal, LLC as redeveloper of the Property identified as Block 452.01, Lots 1, 2, and 9, in the City of Bayonne, as provided for and in accordance with the provisions of the Redevelopment Law.

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

Section 1. The Municipal Council of the City of Bayonne hereby authorizes the execution of the “Redevelopment and Purchase and Sale Agreement by and between the City of Bayonne as Redevelopment Entity and 195 East 22nd Street Urban Renewal, LLC as Redeveloper” (the “Redevelopment Agreement”), concerning the Property identified as Block 452.01, Lots 1, 2, and 9, in the City of Bayonne in such a form deemed advisable by the City Attorney, subject to any and all conditions contained herein and such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel to the City; and

Section 2. The Municipal Council, upon the full execution of the Redevelopment Agreement by the City of Bayonne and 195 East 22nd Street Urban Renewal, LLC recognizes 195 East 22nd Street Urban Renewal, LLC, as Redeveloper of Block 452.01, Lots 1, 2, and 9, in the City of Bayonne as provided for and in accordance with the provisions of the New Jersey Local Redevelopment and Housing Law; and

Section 3. The Mayor and Clerk are hereby authorized to execute the Redevelopment Agreement, with such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel, on behalf of the City of Bayonne, acting as the redevelopment entity for the redevelopment of the Property by 195 East 22nd Street Urban Renewal, LLC.

Section 4. This Resolution shall take effect immediately.

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

* * * * *

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

RESOLUTION DESIGNATING 662 AVENUE C URBAN RENEWAL, LLC AS REDEVELOPER OF PROPERTY LOCATED AT BLOCK 163, LOT 45, IN THE CITY OF BAYONNE (COMMONLY REFERRED TO AS 662-666 AVENUE C) AND AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT WITH 662 AVENUE C URBAN RENEWAL, LLC FOR THE REDEVELOPMENT OF SUCH PROPERTY IN ACCORDANCE WITH THE REDEVELOPMENT PLAN

WHEREAS, the Municipal Council of the City of Bayonne in its capacity as the redevelopment entity (the “Municipal Council”) for the City of Bayonne 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, on January 25, 2006, the Municipal Council passed Ordinance O-06-02 which adopted the Scattered Site Redevelopment Plan prepared by H2M Associates, Inc. for the Scattered Site Redevelopment Area in accordance with the Redevelopment Law;

WHEREAS, the Scattered Site Redevelopment Area consists of 34 sites ranging from small vacant lots on Broadway to large former industrial lots near Route 169, including the subject parcel, which is known as Block 163, Lot 45 (the “Parcel”) on the Tax Map of the City (commonly referred to as 662-666 Avenue C);

WHEREAS, the Municipal Council, pursuant to Resolution No. 15-02-18-52, directed the Planning board, to review those portions of the Scattered Sites Redevelopment Plan (the “Redevelopment Plan”) relating to the Parcel known as Block 163, Lot 45, and make recommendations to the Municipal Council regarding an update to the Redevelopment Plan in accordance with the Redevelopment Law; and

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Municipal Services has prepared an amendment to the Redevelopment Plan for the Parcel titled “Amendment To The Scattered Site Redevelopment Plan To Provide For An Overlay Zone for Block 163, Lot 45) dated April 10, 2015 (the “Amended Redevelopment Plan”); and

WHEREAS, on April 14, 2015, the Planning Board of the City (the “Planning Board”) reviewed the Amended Redevelopment Plan and adopted a Resolution recommending the adoption of the Amended Redevelopment Plan to the Municipal Council and concluding that the Amended Redevelopment Plan is consistent with the Master Plan of the City of Bayonne (the “Resolution”); and

WHEREAS, upon review of the Planning Board’s Resolution and recommendations relating to the Amended Redevelopment Plan, the Municipal Council believes that the adoption of the Amended Redevelopment Plan is in the best interests of the City for the redevelopment of the.

WHEREAS, the Amended Redevelopment Plan was adopted on November 9, 2015; and

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

WHEREAS, Section 2.12.1 of the Redevelopment Plan, entitled “Redeveloper Selection,” allows for the selection of redevelopers of specific sites, blocks or districts in any number or combination as is deemed necessary; and

WHEREAS, 662 Avenue C Urban Renewal, LLC of 130 LeFante Way, PO Box 1009, Bayonne, New Jersey 07002 (herein after the “Redeveloper”) has submitted information to the City outlining its, experience, expertise and financial capabilities to design and construct a project on the property referenced above and has requested designation by the City as the “redeveloper” for said Property; and

WHEREAS, this Municipal Council desires to designate 662 Avenue C Urban Renewal, LLC as the redeveloper of the aforesaid Redevelopment Area pursuant to Section 8 of the Redevelopment Law to undertake redevelopment of the Property consistent with the Redevelopment Plan and any subsequent amendments thereto, if applicable; and

WHEREAS, the Project shall conform to the Redevelopment Plan and shall be in conformance with the Master Plan of the City of Bayonne and any amendments thereto; and

WHEREAS, the Municipal Council desires to enter into a Redevelopment Agreement with the Redeveloper, and recognize 662 Avenue C Urban Renewal, LLC as redeveloper of the Property identified as Block 163, Lot 45, in the City of Bayonne, as provided for and in accordance with the provisions of the Redevelopment Law.

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

Section 1. The Municipal Council of the City of Bayonne hereby authorizes the execution of the “Redevelopment and Purchase and Sale Agreement by and between the City of Bayonne as Redevelopment Entity and 662 Avenue C Urban Renewal, LLC as Redeveloper” (the “Redevelopment Agreement”), concerning the Property identified as Block 163, Lot 45, in the City of Bayonne in such a form deemed advisable by the City Attorney, subject to any and all conditions contained herein and such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel to the City; and

Section 2. The Municipal Council, upon the full execution of the Redevelopment Agreement by the City of Bayonne and 662 Avenue C Urban Renewal, LLC recognizes 662 Avenue C Urban Renewal, LLC, as Redeveloper of Block 163, Lot 45, in the City of Bayonne as provided for and in accordance with the provisions of the New Jersey Local Redevelopment and Housing Law; and

Section 3. The Mayor and Clerk are hereby authorized to execute the Redevelopment Agreement, with such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel, on behalf of the City of Bayonne, acting as the redevelopment entity for the redevelopment of the Property by 662 Avenue C Urban Renewal, LLC.

Section 4. This Resolution shall take effect immediately.

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

* * * * *

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

RESOLUTION RESCINDING ANY AND ALL RESOLUTIONS AND/OR ORDINANCES DESIGNATING KATE HOWARD, LTD, ASSIGNEE SKYLINE HARBOR, LLC, AND ANY OF THEIR AFFILIATES AS REDEVELOPER FOR HARBOR STATION SOUTH AT THE PENINSULA AT BAYONNE HARBOR REFERRED TO AS BLOCK 700, LOT 1; BLOCK 720, LOT 1; BLOCK 730, LOT 1; BLOCK 731, LOT 1; BLOCK 751, LOT 1; BLOCK 770, LOT 1; BLOCK 780, LOT 1; BLOCK 790, LOT 1; AND BLOCK 730, LOT 2 IN THE CITY OF BAYONNE

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

WHEREAS, in accordance with the criteria set forth in the 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 that certain property known as Block 700 Lot 1; Block 720, Lot 1; Block 730 Lot 1; Block 731, Lot 1; Block 751, Lot 1; Block 770, Lot 1; Block 780, Lot 1; Block 790, Lot 1; and Block 730, Lot 2, on the official tax map of the City of Bayonne, which is also referred to as Harbor Station South (the “Property”); and

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

WHEREAS, Bayonne Local Redevelopment Agency Redevelopment Plan for the Peninsula at Bayonne Harbor was adopted on July 19, 2006 (the “Redevelopment Plan”); and

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

WHEREAS, the City’s fee ownership of all properties owned by BLRA, including those on the Peninsula, was confirmed by Quitclaim Deed from BLRA to the City dated October 16, 2013 and recorded in the Register of Deeds of Hudson County, New Jersey on January 9, 2014, in Deed Book 8952, Page 477 et seq.; and

WHEREAS, the City has determined to act as the “redevelopment entity” for the Property located on the Peninsula; and

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

WHEREAS, Section 2.12.1 of the Redevelopment Plan, entitled “Redeveloper Selection,” allows for the selection of redevelopers of specific sites, blocks or districts in any number or combination as is deemed necessary; and

WHEREAS, on November 10, 2015, the Municipal Council passed Resolution designating Kate Howard, LTD as the Redeveloper of the Property subject to the negotiation and preparation of a Redevelopment Agreement; and

WHEREAS, Kate Howard, LTD was chosen as the result of a public request for expression of interest issued by the City in December 2013 for the development of the Property, after which Kate Howard, LTD and other potential redevelopers made presentations to members of the Municipal Council of their respective proposals; and

WHEREAS, Kate Howard, LTD, of 135 West 36th Street, 3rd Floor, New York, New York 10018 has submitted information to the City outlining its, experience, expertise and financial capabilities to design and construct a project on the property referenced above and has requested designation by the City as the “redeveloper” for said Property referred to as Harbor Station South; and

WHEREAS, Kate Howard, LTD, has assigned its rights to Skyline Harbor, LLC, an entity affiliated with Kate Howard, LTD; and

WHEREAS, this Municipal Council designated Skyline Harbor, LLC (the “Redeveloper”) as the redeveloper of the aforesaid Redevelopment Area pursuant to Section 8 of the Redevelopment Law to undertake redevelopment of the Property consistent with an amendment to the Redevelopment Plan (“Amended Redevelopment Plan”) adopted by the Municipal Council on February 17, 2016; and

WHEREAS, notwithstanding the foregoing, the parties were unable to reach agreement on the terms of a Redevelopment Agreement, and Skyline Harbor, LLC notified the City that it would not be proceeding with 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. The Municipal Council rescinds its approval of the Resolution dated November 10, 2015, conditionally designating Kate Howard, LTD, as the Redeveloper of the Property subject to the negotiation and preparation of a Redevelopment Agreement; and

Section 2. The Municipal Council rescinds its approval of the Resolution dated February 17, 2016, designating Kate Howard, LTD affiliate, Skyline Harbor, LLC, as the Redeveloper of the Property; and

Section 3. The Municipal Council rescinds its approval of any and all other affiliates of Kate Howard, LTD, and Skyline Harbor, LLC, as the Redeveloper of the Property.

Section 4. This Resolution shall take effect immediately.

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

* * * * *

83. 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 AUTHORIZING AND DIRECTING THE CITY OF BAYONNE TO SOLICIT REQUESTS FOR PROPOSALS FOR A REDEVELOPER FOR HARBOR STATION SOUTH AT THE PENINSULA AT BAYONNE HARBOR REFERRED TO AS BLOCK 700, LOT 1; BLOCK 720, LOT 1; BLOCK 730, LOT 1; BLOCK 731, LOT 1; BLOCK 751, LOT 1; BLOCK 770, LOT 1; BLOCK 780, LOT 1; BLOCK 790, LOT 1; AND BLOCK 730, LOT 2 IN THE CITY OF BAYONNE

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

WHEREAS, in accordance with the criteria set forth in the 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 that certain property known as Block 700 Lot 1; Block 720, Lot 1; Block 730 Lot 1; Block 731, Lot 1; Block 751, Lot 1; Block 770, Lot 1; Block 780, Lot 1; Block 790, Lot 1; and Block 730, Lot 2, on the official tax map of the City of Bayonne, which is referred to as Harbor Station South (the “Property”); and

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

WHEREAS, Bayonne Local Redevelopment Agency Redevelopment Plan for the Peninsula at Bayonne Harbor was adopted on July 19, 2006 (the “Redevelopment Plan”); and

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

WHEREAS, the City’s fee ownership of all properties owned by BLRA, including those on the Peninsula, was confirmed by Quitclaim Deed from BLRA to the City dated October 16, 2013 and recorded in the Register of Deeds of Hudson County, New Jersey on January 9, 2014, in Deed Book 8952, Page 477 et seq.; and

WHEREAS, the City has determined to act as the “redevelopment entity” for the Property located on the Peninsula; and

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

WHEREAS, the Redevelopment Plan, entitled “Redevelopment Plan for the Peninsula at Bayonne Harbor- Harbor Station South,” allows for the selection of redevelopers.

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 if fully set forth herein.

Section 2. The City of Bayonne is authorized and directed to issue a Request for Proposals (the “RFP”) for one or more redevelopers to undertake the redevelopment of one, all or any combination of lots at the Property.

Section 3. The applicants are to outline their experience, expertise, and financial capabilities to design and construct a project on the Property referenced above and in accordance with the goals, objectives, and criteria outlined in the Redevelopment Plan.

Section 3. The RFP is not an offer and does not commit the City to a contract/agreement nor is the City under any obligation to pay the costs, in whole or in part, incurred during the preparation of a response to this RFP.

Section 4. The City reserves the right to accept or reject any and all proposals, to correct any computational errors in the proposal(s), to utilize any or all ideas from the proposals and to adopt all or any part of the proposal(s) submitted.

Section 5. Notwithstanding anything contained herein to the contrary, neither this Resolution nor the RFP shall preclude the City from entering into agreements with one or more redevelopers that responded to the prior redevelopment RFP for the Property or with whom the City has otherwise been engaged in discussions prior or subsequent to the date of this Resolution and/or the issuance of the RFP.

Section 6. All proposals shall become the property of the City.

Section 7. This Resolution shall take effect immediately.

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

* * * * *

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

RESOLUTION AUTHORIZING AND DIRECTING THE PLANNING BOARD OF THE CITY OF BAYONNE TO SOLICIT REQUESTS FOR PROPOSAL FOR A REDEVELOPMENT STUDY/PRELIMINARY INVESTIGATION OF THE PROPERTY COMMONLY KNOWN AS THE TEXACO SITE (BLOCK 332, LOT 3; BLOCK 360, LOT 2; BLOCK 373, LOTS 1, 2, 13, 14 AND 15; BLOCK 390, LOTS 1 AND R667; BLOCK 391, LOTS 1 AND 2; AND BLOCK 511, LOTS 5 AND 6)

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

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

WHEREAS, in August 2003, the Municipal Council of the City (the “Municipal Council”) previously designated the property known as the Texaco site, which is identified as Block 332, Lot 3; Block 360, Lot 2; Block 373, Lots 1, 2, 13, 14 and 15; Block 390, Lots 1 and R667; Block 391, Lots 1 and 2; and Block 511, Lots 5 and 6, on the tax map of the City of Bayonne (the “Property”) as an area in need of redevelopment under the Redevelopment Law in accordance with the provisions of *N.J.S.A. 40A:12A-6* of the Redevelopment Law (the “Redevelopment Area”); 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 Redevelopment Area” pursuant to the criteria contained in N.J.S.A. 40A:12A-5; and

WHEREAS, the redevelopment area determination initiated hereunder intends to authorize the City and Municipal Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, including the power of eminent domain (referred to as a “Condemnation Redevelopment Area”);

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 the Property constitutes a Condemnation Redevelopment Area; 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 preliminary investigation will be designed to evaluate the area to determine whether designation of the Property an “area in need of redevelopment,” is appropriate and in conformance with the statutory criteria contained in N.J.S.A. 40A:12A-5;

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 if fully set forth herein.

Section 2. The Planning Board is authorized to solicit Requests for Proposal (the “RFP”) for a redevelopment study / preliminary investigation report from professional planning firms and/or consultants of the Property.

Section 3. The applicants are to outline their experience, expertise, and financial capabilities to design and construct a redevelopment study / preliminary investigation report on the Property referenced above and in accordance with the goals, objectives, and criteria outlined in the Master Plan.

Section 3. The RFP is not an offer and does not commit the Planning Board to a contract/agreement nor is the Planning Board under any obligation to pay the costs, in whole or in part, incurred during the preparation of a response to this RFP.

Section 4. The Planning Board reserves the right to accept or reject any and all proposals, to correct any computational errors in the proposal(s), to utilize any or all ideas from the proposals and to adopt all or any part of the proposal(s) submitted.

Section 5. All proposals shall become the property of the Planning Board.

Section 6. This Resolution shall take effect immediately.

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

* * * * *

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

WHEREAS, on April 20, 2016, the City of Bayonne introduced an Ordinance entitled “AN ORDINANCE OF THE CITY OF BAYONNE DISSOLVING THE BAYONNE MUNICIPAL UTILITIES AUTHORITY PURSUANT TO N.J.S.A. 40A:5A-20 AND MAKING ADEQUATE PROVISION FOR THE PAYMENT OF CREDITORS OR OBLIGES OF THE AUTHORITY AND THE ASSUMPTION OF THE SERVICES PROVIDED BY THE AUTHORITY” ; and

WHEREAS, Section 8 of said ordinance requires that the ordinance shall be submitted to and approved by the Local Finance Board of the State of New Jersey prior to final adoption in accordance with the requirements of N.J.S.A. 40A:5A-20; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to submit for approval to the Local Finance Board of the State of New Jersey the Ordinance entitled “AN ORDINANCE OF THE CITY OF BAYONNE DISSOLVING THE BAYONNE MUNICIPAL UTILITIES AUTHORITY PURSUANT TO N.J.S.A. 40A:5A-20 AND MAKING ADEQUATE PROVISION FOR THE PAYMENT OF CREDITORS OR OBLIGES OF THE AUTHORITY AND THE ASSUMPTION OF THE SERVICES PROVIDED BY THE AUTHORITY” introduced on April 20, 2016.

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

* * * * *

86. Council Member Perez introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT WITH BARNABAS BAYONNE DEVELOPMENT URBAN RENEWAL CORP.

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

WWHEREAS, on April 9, 2014, the municipal council of the City (the “City Council”) adopted Resolution No. 14-04-09-004 designating the property commonly known as Block 195, Lot 2 and Block 196, Lots 1-7 on the tax map of the city as an area in need of redevelopment pursuant to the provisions of the Redevelopment Law; and

WHEREAS, on September 10, 2014, the Municipal Council adopted Resolution No. 14-12-10-053 rescinding the designation of Block 196, Lot 3 as an area in need of redevelopment, and affirming the prior designation of Block 195, Lot 2 and Block 196, Lots 1-2 and 4-7 (the “Redevelopment Area”) as an area in need of redevelopment under the Redevelopment Law; and

WHEREAS, the Redevelopment Area encompasses approximately 2.1452 acres of land located on the western side of Broadway between W. 23rd and W. 24th Streets, including that portion of Del Monte Drive between W. 23rd and W.24th Streets; and

WHEREAS, Pursuant to N.J.S.A. 40A:12A-7, on March 18, 2015, the City duly adopted Ordinance No. 0-15-06 approving a redevelopment plan entitled “Redevelopment Plan for Block 195, Lot 2; Block 196, Lots 1-2 and 4-7 Del Monte Drive” as amended by such ordinance (and as same may be further amended from time to time, the “Redevelopment Plan”) for the aforesaid Redevelopment Area; and

WHEREAS, on December 1, 2015 the City of Bayonne entered into a Redevelopment Agreement with Bayonne Landco, LLC in connection with a redevelopment project concerning the property designated as Block 195, Lot 2 and Block 196, Lots 1 through 7 on the tax maps of the City of Bayonne (Broadway between 23rd and 24th streets, including a portion of Del Monte Drive); and

WHEREAS, as set forth within the body of the aforesaid Redevelopment Agreement, Bayonne Landco, LLC had been acting as an agent for an entity known as “Barnabas Health Realty – Bayonne Project, LLC” in connection with this redevelopment project; and

WHEREAS, Barnabas Health Realty – Bayonne Project, LLC requested that the City of Bayonne permit the former to transfer the aforesaid Redevelopment Agreement and the designation of Redeveloper from Bayonne Landco, LLC to Barnabas Bayonne Development Corp., a wholly owned affiliate of Barnabas Health Realty - Bayonne Project, LLC; and

WHEREAS, Bayonne Landco, LLC further sought approval from the City of Bayonne that once the transfer and re-designation to Barnabas Bayonne Development Corp. was approved, Barnabas Health Realty – Bayonne Project, LLC would transfer title to the Project Premises and the appurtenant ground lease to Barnabas Bayonne Development Corp. which, in turn, would be reconstituted as an urban renewal entity; and

WHEREAS, on March 16, 2016, The City Council of the City of Bayonne passed Resolution 16-03-16-070 approving of the transfers noted above in order to allow for Barnabas Bayonne Development Urban Renewal Corp. to be the title owner and Redeveloper of the Project and/or Redevelopment Area; and

WHEREAS, the Redeveloper proposes to redevelop the Redevelopment Area with an approximately 80,000 square foot, three story ambulatory care center, including a satellite emergency department, outpatient imaging facility, outpatient laboratory and medical office clinic space (the “Medical Facility”), a structured parking facility (the “Parking Garage”) and all related improvements (the “Project”); and

WHEREAS, Barnabas Bayonne Redevelopment Urban Renewal Corp. 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 vacant 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, Barnabas Bayonne Development Urban Renewal Corp. 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, Barnabas Bayonne Development Urban Renewal Corp. 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 Barnabas Bayonne Development Urban Renewal Corp. 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 Barnabas Bayonne Development Urban Renewal Corp. 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 Barnabas Bayonne Development Urban Renewal Corp. 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 Barnabas Bayonne Development Urban Renewal Corp. 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 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 APPROVING A FINANCIAL AGREEMENT WITH BARNABAS BAYONNE DEVELOPMENT URBAN RENEWAL CORP.," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, May 18 2016 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

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

WHEREAS, Resolution No. 16-03-16-068 adopted by the Municipal Council on March 16, 2016 ratified and affirmed the actions of the Mayor and City Clerk in executing a Right of Entry/Access Agreement to Antea USA, Inc., 2 Executive Drive, Suite 9, Morristown, New Jersey ("Antea") to install four (4) groundwater monitoring wells in the sidewalks of Avenue C and West 15th Street adjacent to the former Getty Service Station #95153 property in connection with remedial investigation activities at the aforesaid former Getty Service Station #95153 located at 354 Avenue C under certain terms and conditions and in a form acceptable to the Law Department; and

WHEREAS, in furtherance of the aforesaid remedial investigation activities, Antea has requested permission to install an additional ground water monitoring well in the Sidewalk of West 15th Street adjacent to 352 Avenue C; and

WHEREAS, Antea has provided the City with a Scope of Work, Site Map and a diagram illustrating construction details of a typical groundwater monitoring well which was approved by the City's engineer and Licensed Site Remediation Professional; and

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

RESOLVED, by the Municipal Council as follows:

The Mayor and City Clerk are hereby authorized to execute an amendment to the aforesaid Right of Entry/Access Agreement with Antea USA, Inc., 2 Executive Drive, Suite 9, Morristown, New Jersey granting permission to Antea to install one (1) additional groundwater monitoring well in the sidewalk of West 15th Street in connection with the aforesaid remedial investigation activities consistent with the Scope of Work, Site Map and diagram attached hereto and made a part hereof in a form acceptable to the Law Department.

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

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

WHEREAS, the Bayonne Urban Enterprise Zone Corporation (the “UEZ”) was created by the adoption of City Ordinance No. 0-09-10 as amended from time to time, pursuant to the provisions of N.J.S.A. 52:27H-60 et seq; and

WHEREAS, pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., the City of Bayonne (the “City”) is authorized to enter into a shared services agreement with the UEZ; and

WHEREAS, the City and the UEZ determined that it would be more efficient, economical and in the best interests of the citizens of Bayonne to utilize the personnel and resources of the UEZ to operate, manage and promote both the Bayonne Hometown Fair and the Farmer’s Market pursuant to a Shared Services Agreement; and

WHEREAS, pursuant to Resolution 12-07-18-046 adopted July 18, 2012 the Municipal Council authorized the Mayor and City Clerk to take the necessary action to negotiate, execute and implement a Shared Services Agreement between the City and the UEZ, pursuant to which the UEZ would manage and promote the Farmer’s Market and enter into license agreements with individual vendors for the use and occupancy of municipal lands, in exchange for which, the City agreed to reimburse the UEZ for its expenses in an amount not to exceed the license fees and to equally share the profits, if any, with the UEZ; and

WHEREAS, in the subsequent years 2013, 2014 and 2015, the Municipal Council adopted resolutions authorizing the renewal of the Shared Services Agreement for the Farmer’s Market for those years; and

WHEREAS, the 2015 Resolution 15-04-22-059 adopted by the Municipal Council on April 22, 2015 authorized the amendment of the Shared Services Agreement to further include within its scope, the operation and management of the Bayonne Hometown Fair, a similar undertaking consisting of a two (2) day event during which local vendors offered for sale goods and services from various stalls set up in the City’s right-of-way; and

WHEREAS, because the Farmer’s Market and Hometown Fair have proven successful and desirous events in the City of Bayonne, the New Jersey Council of Farmer’s and Communities is interested in facilitating a 2016 Farmer’s Market at Church Lane every Tuesday from 2:00 p.m. until 7:00 p.m., commencing May 24th through October 25th and the City is interested in facilitating a 2016 Hometown Fair on June 11, 2016 and June 12, 2016 at a time and location to be determined; now, therefore, be it

RESOLVED that the Mayor and the City Clerk are hereby authorized and directed to take all steps necessary and execute any and all documents to renew the Shared Services Agreement for The Bayonne Farmer’s Market and the Hometown Fair between the City of Bayonne and the Bayonne Urban Enterprise Zone Corporation from May 24, 2016 through October 25, 2016, inclusive of the dates for the Hometown Fair, and to permit the use of municipal lands, to be determined as appropriate in the discretion of the UEZ with the consent of the Law Department, by individual vendors pursuant to license agreements, for purposes of the Bayonne Farmer’s Market and Hometown Fair.

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

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89. Council Member LaPelusa moved the following resolution, not seconded.

Whereas, the City of Bayonne has a structural deficit of 24 million dollars:

Whereas, the Mayor presented a 2016 Municipal Budget with approximately a 25 municipal tax increase:

Whereas, the City Council must vote and decide on the Municipal Budget that affects over 65, 000 citizens;

Whereas, the City Council should be their best to lessen the taxpayers of Bayonne of their tax burden:

Therefore, be it resolved, that the City Council of the City of Bayonne, support an immediate hiring freeze on all professional and civil service employment.

Council President Nadrowski moved to table to May 18, 2016 and to implement a 30 day temporary budget, seconded by Council Member Perez.

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

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At 9:48 P.M., Council President Nadrowski moved to adjourn, seconded by Council Member Perez, which motion was adopted.

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

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President – Sharon Nadrowski

Clerk – Robert F. Sloan