

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, JULY 20, 2016

The Council met at 7:02 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 July 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 July 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. Leonard R. Kantor addressed the council regarding city finances.

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02. The clerk introduced:

AN ORDINANCE ENTITLED, “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 35, ZONING REGULATIONS,” which was introduced and passed a first reading at a meeting held June 22, 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 July 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 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: “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 35, ZONING REGULATIONS,”

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

The following person spoke: Mike Morris – 123 Avenue C

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

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

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

Council Member Perez moved a resolution for final passage, seconded by Council President Nadrowski, 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 35, ZONING REGULATIONS,” was introduced and passed a first

reading at a meeting held June 22, 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 July 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-16-38.

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

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03. The clerk introduced:

AN ORDINANCE ENTITLED, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 3, POLICE REGULATIONS," which was introduced and passed a first reading at a meeting held June 22, 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 July 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 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: "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 3, POLICE REGULATIONS,"

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: Leonard R. Kantor – 102 West 3rd 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 President Nadrowski 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, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 3, POLICE REGULATIONS," was introduced and passed a first reading at a meeting held June 22, 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 July 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-16-39.

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

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04. The clerk introduced:

AN ORDINANCE ENTITLED, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 101 EAST 23RD STREET; 103 EAST 23RD STREET; 105 EAST 23RD STREET; EAST 23RD STREET; 102-106 EAST 24TH STREET; AND 162-170 AVENUE F, WHICH PROPERTY IS IDENTIFIED AS BLOCK 445, LOTS 1, 2, 3, 4, 5 AND 7 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE," which was introduced and passed a first reading at a meeting held June 22, 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 July 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 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: "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 101 EAST 23RD STREET; 103 EAST 23RD STREET; 105 EAST 23RD STREET; EAST 23RD STREET; 102-106 EAST 24TH STREET; AND 162-170 AVENUE F, WHICH PROPERTY IS IDENTIFIED AS BLOCK 445, LOTS 1, 2, 3, 4, 5 AND 7 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE,"

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

The following persons spoke: Melanie Flora – 108 East 25th Street
Sue Mack – City Planner

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

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

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

Council Member Perez moved a resolution for final passage, seconded by Council Member Cotter, 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 THE PROPERTY LOCATED AT 101 EAST 23RD STREET; 103 EAST 23RD STREET; 105 EAST 23RD STREET; EAST 23RD STREET; 102-106 EAST 24TH STREET; AND 162-170 AVENUE F, WHICH PROPERTY IS IDENTIFIED AS BLOCK 445, LOTS 1, 2, 3, 4, 5 AND 7 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE," was introduced and passed a first reading at a meeting held June 22, 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 July 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-16-40.

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

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05. The clerk introduced:

AN ORDINANCE ENTITLED, “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDED AND EXPANDED REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 73 EAST 31st STREET, 74-78 EAST 32ND STREET AND 258-270 PROSPECT AVENUE, WHICH PROPERTY IS IDENTIFIED AS BLOCK 411 LOTS 1, 6, 7, 8, 10.01, 11, 12, 13, 14, AND 15 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE,” which was introduced and passed a first reading at a meeting held June 22, 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 July 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 AN AMENDED AND EXPANDED REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 73 EAST 31st STREET, 74-78 EAST 32ND STREET AND 258-270 PROSPECT AVENUE, WHICH PROPERTY IS IDENTIFIED AS BLOCK 411 LOTS 1, 6, 7, 8, 10.01, 11, 12, 13, 14, AND 15 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE,”

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

The following persons spoke: Leonard R. Kantor – 102 West 3rd Street
Sue Mack – City Planner
Melanie Flore – 108 East 25th Street
Greta Martin – 46th & 47th Street
Richard Colon – 270 Prospect Avenue

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

Council President Nadrowski motioned to close the hearing, seconded by Council Member LaPelusa, 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 AN AMENDED AND EXPANDED REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 73 EAST 31st STREET, 74-78 EAST 32ND STREET AND 258-270 PROSPECT AVENUE, WHICH PROPERTY IS

IDENTIFIED AS BLOCK 411 LOTS 1, 6, 7, 8, 10.01, 11, 12, 13, 14, AND 15 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE,” was introduced and passed a first reading at a meeting held June 22, 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 July 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-16-41.

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

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06. The clerk introduced:

AN ORDINANCE ENTITLED, “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDED AND EXPANDED REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 678-688 AVENUE E, WHICH PROPERTY IS IDENTIFIED AS BLOCK 402 LOTS 4, 5, 6, AND 7 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE,” which was introduced and passed a first reading at a meeting held June 22, 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 July 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: “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDED AND EXPANDED REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 678-688 AVENUE E, WHICH PROPERTY IS IDENTIFIED AS BLOCK 402 LOTS 4, 5, 6, AND 7 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE,”

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

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 Gullace, which was read by the Clerk and adopted.

WHEREAS, an ordinance entitled, “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDED AND EXPANDED REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 678-688 AVENUE E, WHICH PROPERTY IS IDENTIFIED AS BLOCK 402 LOTS 4, 5, 6, AND 7 AS SHOWN

ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE,” was introduced and passed a first reading at a meeting held June 22, 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 July 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-16-42.

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

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07. The clerk introduced:

AN ORDINANCE ENTITLED, “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT WITH 230-250 AVENUE E URBAN RENEWAL, LLC,” which was introduced and passed a first reading at a meeting held June 22, 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 July 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 APPROVING A FINANCIAL AGREEMENT WITH 230-250 AVENUE E URBAN RENEWAL, LLC,”

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 Gullace, 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 Gullace, which was read by the Clerk and adopted.

WHEREAS, an ordinance entitled, “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT WITH 230-250 AVENUE E URBAN RENEWAL, LLC,” was introduced and passed a first reading at a meeting held June 22, 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 July 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-16-43.

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

Nays – Council Member LaPelusa.

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08. The clerk introduced:

AN ORDINANCE ENTITLED, “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT WITH 252-268 AVENUE E URBAN RENEWAL, LLC,” which was introduced and passed a first reading at a meeting held June 22, 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 July 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 Cotter 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: “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT WITH 252-268 AVENUE E URBAN RENEWAL, LLC,”

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: Leonard R. Kantor – 102 West 3rd 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 President Nadrowski motioned to close the hearing, seconded by Council Member LaPelusa, 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 APPROVING A FINANCIAL AGREEMENT WITH 252-268 AVENUE E URBAN RENEWAL, LLC,” was introduced and passed a first reading at a meeting held June 22, 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 July 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-16-44.

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

Nays – Council Member LaPelusa.

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09. The clerk introduced:

AN ORDINANCE ENTITLED, “AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, TO AUTHORIZE THE GRANTING OF AN EASEMENT OVER A PORTION OF INGHAM AVENUE TO DURAPORT RAIL TERMINAL, LLC,” which was introduced and passed a first reading at a meeting held June 22, 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 July 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 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: “AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, TO AUTHORIZE THE GRANTING OF AN EASEMENT OVER A PORTION OF INGHAM AVENUE TO DURAPORT RAIL TERMINAL, LLC,”

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: Leonard R. Kantor – 102 West 3rd Street
Mike Morris – 123 Avenue C

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

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

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

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

WHEREAS, an ordinance entitled, “AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, TO AUTHORIZE THE GRANTING OF AN EASEMENT OVER A PORTION OF INGHAM AVENUE TO DURAPORT RAIL TERMINAL, LLC,” was introduced and passed a first reading at a meeting held June 22, 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 July 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-16-45.

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

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10. The clerk introduced:

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 June 22, 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 July 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 Cotter 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: "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, 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," was introduced and passed a first reading at a meeting held June 22, 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 July 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-16-46.

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

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11. The clerk introduced:

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 June 22, 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 July 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: "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, 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," was introduced and passed a first reading at a meeting held June 22, 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 July 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-16-47.

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

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12. 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.

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

From PSE&G, filing notice of tort claim alleging property damage to a light pole on May 21, 2016 resulting from being struck by a fire truck at Goldsborough Drive.

* * * * *

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

From the Superior Court of New Jersey, Law Division, Summons and Complaint in matter entitled, “CARDONE vs. CIARLANDINI , et al. (Driveway construction dispute on October 14, 2014 at 94 West 53rd Street)

* * * * *

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

From the Superior Court of New Jersey, Law Division, Summons and Complaint in matter entitled, “MARTIN, et al. vs. THE CITY OF BAYONNE, et al.” (Challenge to municipal actions regarding the Resnick redevelopment)

* * * * *

16. 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, “DELAWARE DELTA, LLC vs. CITY OF BAYONNE.” (973-975 Broadway, Block 70, lot 20 - commercial)

* * * * *

17. 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, “85 W. 5TH ST., LLC vs. CITY OF BAYONNE.” (85 West 5th Street, Block 315, lot 17 – multi-family residential)

* * * * *

18. 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, “SHANE, TIM A. TRUSTEE/FLORTEK vs. CITY OF BAYONNE.” (39 West 55th Street, Block 28, lot 2 - industrial)

* * * * *

19. 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

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Bid Titled: Abandoned Building Board Up II

No bids were received. Pursuant to 40A:11-5 subsection (3) a contract can now be negotiated for this service, since bids were advertised on two occasions, 6/10/16 as well as 7/12/16, and no bids were received on both occasions.

Respectfully submitted,
Amy Dellabella, RPPO,QPA
Purchasing Agent
(signed)

* * * * *

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

BID REPORT
FOR THE MUNICIPAL COUNCIL

Date: 07/15/16 Ad Date: 06/14/16

Date bids accepted: 06/29/16 Attending: Amy Dellabella, Purchasing Agent;
John F. Coffey II Esq.

Bid titled: Waterfront Walkway Extension-Peninsula at Bayonne Harbor

Bidder:

	Base Amt	Alt. A	Alt. B	Alt. C
Union Paving & Construction Co., Inc. 1140 Globe Avenue Mountainside, NJ 07092	\$512,450.00	\$61,500.00	\$115,650.00	\$38,400.00
Simpson & Brown Inc. 119 North Avenue West Cranford, NJ 07016	\$442,549.77	\$68,059.59	\$69,767.20	\$30,969.00
Anselmi & DeCicco, Inc. 1977 Springfield, Avenue Maplewood, NJ 07040	\$488,000.00	\$63,960.00	\$175,800.00	\$28,800.00
Persistent Construction, Inc. 58 Industrial Avenue Fairview, NJ 07022	\$518,893.00	\$70,971.00	\$94,537.50	\$32,716.00
William Kohl Construction Corp. 523 Newman Springs Rd. Lincroft, NJ 07738	\$677,768.00	\$124,353.00	\$139,460.00	\$37,400.00
Berto Construction Inc. 625 Leesville Avenue Rahway, NJ 07065	\$543,058.00	\$53,136.00	\$181,300.00	\$38,700.00

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)

* * * * *

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

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

RESOLVED, That the following items which have been included on the agenda for this regular meeting as 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.

* * * * *

26. 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, June 22, 2016 be and the same are hereby approved.

* * * * *

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

RESOLVED, That the official minutes of the special council meeting held Wednesday, June 22, 2106, be and the same are hereby approved.

* * * * *

28. 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, June 15, 2016, be and the same are hereby approved.

* * * * *

29. 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
31	34	Cynthia Hankerson	1,379.57
96	28	Ali Hassan	2,496.00
220	36.113	Elizabeth Arrieta	154.01
225	29	Antonio Brito	1,222.00
263	32	Jose Ortiz	1,776.27
269	19	Hany Elzind	1,752.83
282	20	Paulette Goodwin	1,778.99
330	15	167 Broadway, LLC	257.52
331	8	160 Broadway, LLC	832.27
334	15	Enrique Torres & Paola Munoz	1,216.42
421	8	197 Prospect, LLC	76.63

460	5	Nicole Smith	1,887.56
Total:			14,830.07

* * * * *

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

WHEREAS, pursuant to Resolution No. 12-06-20-074 adopted on June 20, 2012, the Municipal Council authorized the Mayor and City Clerk to execute an “Interlocal Agreement between the City of Bayonne and the Hudson Regional Health Commission (re: Conducting Elevated Blood Lead EBL) Investigations)”, a true copy of which is attached hereto; and

WHEREAS, the aforesaid Resolution No. 12-06-20-074 contained a scrivener’s error in that the Agreement was intended to be for a period of three years commencing March 1, 2012 through February 28, 2015 in accordance with a prior existing contract No. FY11-087 effective from July 1, 2010 through June 30, 2015, however, the period referenced therein was erroneously referenced as a one year period commencing July 1, 2012 and ending June 30, 2013; and

WHEREAS, the Agreement provides that the Hudson Regional Health Commission (the “HRHC”) would be responsible for conducting environmental investigations related to children with elevated blood lead levels pursuant to standards set forth in the New Jersey Department of Health and Senior Services at a cost of \$600.00 for each environmental lead investigation; and

WHEREAS, the Agreement was never signed by the HRHC or the City, nonetheless, the City utilized the services of the HRHC on five (5) occasions during the contract term for purposes of performing environmental lead investigations; and

WHEREAS, there is due and owing the HRHC the sum of \$3,000.00 for said inspections as set forth on the attached redacted voucher dated December 31, 2014 for environmental lead investigations performed during the months of November and December 2014 and voucher dated March 26, 2015 for environmental lead investigations performed during the months of January and February 2015; and

WHEREAS, funds are certified in Accounts GL-204 for CY2014 and Reserve Account # 01-203-27-330-2-020 for CY2015; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Municipal Treasurer is hereby authorized to issue a warrant in the amount of \$3,000.00 payable to the Hudson Regional Health Commission representing payment of the outstanding vouchers attached hereto.
2. Funds shall be charged to Accounts GL-204 for CY2014 and Reserve Account # 01-203-27-330-2-020 for CY2015.

* * * * *

31. 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 \$ 40.20 be drawn of the Bureau of Rabies Control, State Department of Health, Trenton, New Jersey, covering the issuance of licenses Nos. 1156-1171 inclusive, 16 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.

* * * * *

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

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, by way of Resolution No. 14-11-12-036 adopted by the Municipal Council on November 12, 2014, the City entered into the Cranford Police Cooperative Pricing System

Agreement for a Cooperative Pricing System with the Township of Cranford (“Cooperative Pricing System”) pursuant to N.J.S.A. 40A-11-11(5); and

WHEREAS, on July 23, 2015 the City of Bayonne Police Department purchased twelve (12) parking lot pay stations through the aforesaid Cooperative Pricing System; and

WHEREAS, the aforesaid twelve (12) parking lot pay stations were under warranty for a one year period commencing July 23, 2015 through July 22, 2016; and

WHEREAS, the Police Department is now in need of service coverage for parts and labor for the aforesaid twelve (12) parking lot pay stations; and

WHEREAS, the Police Department is in receipt of a formal written proposal for said service coverage from Integrated Technical Systems, Inc. 8 Capital Drive, Wallingford CT 06492 in the amount of \$15,120.00 for the period commencing July 23, 2016 through July 23, 2017; and

WHEREAS, the Police Department desires to retain the services of Integrated Technical Systems, Inc. for service coverage for parts and labor for the aforesaid twelve (12) parking lot pay stations through the Cooperative Pricing System for the period commencing July 23, 2016 through July 23, 2017 for the amount of \$15,120.00; and

WHEREAS, funds are certified as available in Account #10-20120-104-2-199 pending adoption of the CY2016 and CY2017 budgets; now, therefore, be it

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

1. The Mayor and/or his designee is hereby authorized to execute any and all documents necessary to retain the services of Integrated Technical Systems, Inc., 8 Capital Drive, Wallingford, CT 06492 for the aforesaid service coverage for parts and labor for the aforesaid twelve (12) parking lot pay stations through the Cooperative Pricing System for the period commencing July 23, 2016 through July 23, 2017 for the amount of \$15,120.00.
2. The Municipal Treasurer is hereby authorized to issue a warrant in the amount of \$15,120.00 payable to Integrated Technical Systems, Inc. for the aforesaid service coverage.
3. Funds shall be charged to Account #10-201-20-104-2-199.

* * * * *

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

WHEREAS, the Police Department of the City of Bayonne has established that there is a need for maintenance of Info-Cop Licensed Mobile Computer Software pursuant to the Non-fair and Open process pursuant to N.J.S.A. 19:44A-20.4 et seq; and

WHEREAS, GTBM, Inc., 351 Paterson Avenue, East Rutherford, N.J. 07073, has previously been awarded a contract to provide said service, and is willing and able to continue to supply said service for a one year period commencing July 1, 2016 and ending June 30, 2017 at a cost of \$17,587.50; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-5 (1) (m)) authorizes the award of contracts for "Extraordinary Unspecifiable Services" without competitive bids; now, therefore, be it

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

WHEREAS, GTBM, Inc. has completed and submitted a “Business Entity Disclosure Certification for Non-Fair and Open Contracts” required Pursuant to N.J.S.A. 19:44A-20.8 which certifies that GTBM, Inc. has not made any reportable contributions to a political or candidate committee in the City of Bayonne in the previous one year, and that the contract will prohibit GTBM, Inc. from making any reportable contributions through the term of the contract; 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, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with GTBM, Inc., 351 Paterson Avenue, East Rutherford, N.J. 07073, for maintenance of Info-Cop Licensed Software, for a one year period commencing July 1, 2016 and ending June 30, 2017 at a cost of \$17,587.50 and funds are certified available in account #PS-9/01-201-25-240-2-020 of the CY 2016 budget, pending final adoption thereof.

2. The Municipal Treasurer be and is hereby authorized and directed to issue a warrant payable to G.T.B.M., Inc., in the amount of \$17,587.50 in payment for said service.

3. The Business Disclosure Entity Certification submitted by G.T.B.M., Inc. and the Determination of Value shall be placed on file with this resolution.

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

* * * * *

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

WHEREAS, there is a continuing need to provide membership in the Bayonne Family Community Center for members of the Police Department; now, therefore be it

RESOLVED, that the Mayor, on behalf of the City of Bayonne, be and is hereby authorized to take any and all steps necessary to effectuate payment to the Bayonne Family Community Center, 259 Avenue E, Bayonne, NJ, in the amount of \$3,500.00 for the Police Department's Annual Membership Program for one year commencing July 1, 2016 and ending June 30, 2017; and be it further

RESOLVED, that this expenditure be charged against Account PS-9/01-201-25-240-2-020 of the CY 2016 Budget, pending final adoption thereof; and be it further

RESOLVED, that the Municipal Treasurer be and is hereby authorized and directed to issue a warrant payable to the Bayonne Family Community Center in the amount of \$3,500.00 representing payment for such membership.

* * * * *

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

WHEREAS, the Chief Financial Officer has demonstrated that there is a need to acquire a budgetary/financial accounting system for the City of Bayonne; and

WHEREAS, SHI, 290 Davidson Avenue, Somerset, NJ 08873 has provided the City of Bayonne with a proposal for said budgetary/financial accounting system in the amount of \$93,024.45 under State Contract #89851; and

WHEREAS, the Chief Financial Officer has opined that the City would be best served by entering into an agreement with SHI for said budgetary/financial accounting system; and

WHEREAS, funds are certified as available in Capital Ordinance #O15-16; now, therefore be it

1. The Mayor and City Clerk are hereby authorized to execute any and all documents necessary to effectuate the purchase of the aforesaid budgetary/financial accounting system from SHI, 290 Davidson Avenue, Somerset, NJ 08873 pursuant to the proposal provided by SHI for the amount of \$93,024.45 under State Contract #89851.

2. Funds shall be chargeable to Capital Ordinance #O15-16.

* * * * *

36. 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 roadway improvements.

* * * * *

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

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

LICENSEE	TIME & PLACE	LICENSE
Trinity Parish in Bergen Point	12:00-2:00 PM 141 Broadway November 22, 2016	RL: 9122
St. Henry’s Church	5:00 PM 979 Avenue C December 18, 2016	RL: 9123
St. Vincent de Paul R.C. Church	3:30 PM 979 Avenue C December 3, 2016	RL: 9124
Order Sons of Italy (Rev. D. Delmonte Lodge 2560)	4:00-7:00 PM 979 Avenue C October 9, 2016	RL: 9125
Remember Me John Jack Santopietro, Inc.	6:00-9:00 PM 669 Broadway August 17, 2016	RL: 9126

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON,
NEW JERSEY AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO
THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR
THE NEWARK BAY COMPLEX

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

WHEREAS, the Municipal Council desires to submit a grant application to the New Jersey Department of Environmental Protection, Office of Natural Resource Restoration under the Passaic River Natural Resource Restoration Projects – Newark Bay Complex (“NJDEP”) for purposes of restoring the natural shoreline and public access infill along the City’s Newark Bay shoreline (the “Project”); and

WHEREAS, the total cost estimate for the project is \$1,800,026.00 dollars, and

WHEREAS, the City is seeking funding from NJDEP in the amount of \$900,013.00 for the Project; and

WHEREAS, if the grant is awarded and necessary funds are received the City will match the awarded grant provided it does not exceed \$900,013.00.

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 hereby authorizes the Municipal Council to submit a grant application to the New Jersey Department of Environmental Protection, Office of Natural Resource Restoration under the Passaic River Natural Resource Restoration Projects – Newark Bay Complex for the restoration of the natural shoreline and public access infill along the City’s Newark Bay shoreline.

Section 3. The City hereby authorizes the Municipal Council to match the awarded grant provided it does not exceed \$900,013.00.

Section 4. The Mayor and the Business Administrator are hereby authorized to take any actions including the negotiation and execution of any documents, agreements or instruments deemed necessary to effectuate a completed grant application deemed acceptable by NJDEP.

Section 5. This Resolution shall take effect immediately.

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

* * * * *

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

WHEREAS, the City of Bayonne is in need of the professional architectural and engineering services in connection with the reconfiguration of the existing male employee restroom on the first floor of City Hall and a new male employee restroom; and

WHEREAS, DAL Design Group, 11 West 8th Street, Bayonne New Jersey 07002 has submitted to the City of Bayonne a formal written proposal for said professional architectural and engineering services for an amount of \$4,750.00; and

WHEREAS, DAL Design Group. is qualified, ready and able to provide said services; and

WHEREAS, the anticipated contract amount for the contract 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 DAL Design Group for the aforesaid professional architectural and engineering services; and

WHEREAS, funds are certified as available in Account #CDBG 917, 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 DAL Design Group, 11 West 8th Street, Bayonne, New Jersey 07002 for professional architectural and engineering services in connection with the reconfiguration of the existing male employee restroom on the first floor of City Hall and a new male employee restroom for an amount of \$4,750.00.
2. Funds shall be charged to Account CDBG-917.
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.

* * * * *

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

WHEREAS, the Bayonne Economic Opportunity Foundation has requested and submitted a formal written application dated February 25, 2013 for said CDBG Grant Funds in the amount of \$2,450.00 for the purpose of providing the cost of air sampling/monitoring at the Head Start location at 7 West 9th Street from Atlantic Environmental Solutions, 5 Marine View Plaza, Suite 303, Hoboken, NJ 07030; 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 air sampling/monitoring at the Head Start location at 7 West 9th Street from Atlantic Environmental Solutions, 5 Marine View Plaza, Suite 303, Hoboken, NJ 07030; 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 Economic Opportunity Foundation, 555 Kennedy Blvd., Bayonne, New Jersey 07002 for the purpose of providing cost of air sampling/monitoring at the Head Start location at 7 West 9th Street from Atlantic Environmental Solutions, 5 Marine View Plaza, Suite 303, Hoboken, NJ 07030 in the amount of \$2,450.00 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.

* * * * *

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

WHEREAS, the Hudson Regional Health Commission (the "HRHC") is duly authorized to provide certain Public Health Programs to its member municipalities; and

WHEREAS, the Commission possesses specialized training and expertise in the area of lead abatement investigations; and

WHEREAS, member municipalities may choose to have the Commission perform specialized services such as those related to the investigation of reported cases of elevated lead levels in blood and environmental monitoring for lead in paint; and

WHEREAS, the law requires that the municipality investigate reported cases of elevated lead levels in blood and environmental monitoring for lead in paint when there is a complaint of a suspected or confirmed presence of elevated blood levels of our citizens; and

WHEREAS, it is economically beneficial for the City of Bayonne to utilize the services of the Commission rather than to contract for the work to a private third party entity performing similar services; and

WHEREAS, nonetheless, the City of Bayonne has in the past contracted with the HRHC to perform similar services; and

WHEREAS, said contract expired February 28, 2015; and

WHEREAS, due to an oversight, the contract was not renewed for the 2015 – 2016 term; and

WHEREAS, the City utilized the services of the HRHC on four (4) occasions for purposes of performing environmental lead investigations; and

WHEREAS, there is due and owing the HRHC the sum of \$2,400.00 for said inspections as set forth on the attached redacted vouchers for environmental lead investigations performed during the months of November 2015 and April, May and June 2016; and

WHEREAS, the City of Bayonne and the HRHC now wish to enter into an agreement retroactive to March 1, 2015 to reflect the understandings and agreements of the parties, a true copy of which is attached hereto and made a part hereof; and

WHEREAS, funds are certified as available in Accounts #01-203-27-330-2-020 for 2015 and #01-201-27-330-2-020 for CY2016 pending adoption of the CY2016 budget and future budgets; now therefore be it

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

1. The Mayor and City Clerk are hereby authorized to enter into an Interlocal Agreement with the Hudson Regional Health Commission for a three year period commencing March 1, 2015 and ending February 28, 2018 for an amount of \$600.00 for each

environmental lead investigation, inclusive of clearance inspection and laboratory costs where warranted for an amount not to exceed \$6,000.00.

2. The Municipal Treasurer is hereby authorized to issue a warrant in the amount of \$2,400.00 payable to the Hudson Regional Health Commission representing payment of the outstanding vouchers attached hereto.

3. Funds shall be charged to Accounts #01-203-27-330-2-020 for 2015 and #01-201-27-330-2-020 for CY2016 pending adoption of the CY2016 budget and future budgets.

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

* * * * *

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

#6 TEMPORARY EMERGENCY APPROPRIATION CY 2016

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	\$	57,267,838.00
Parking Utility	\$	554,000.00

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	\$	6,325,896.00
Parking Utility	\$	72,000.00

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

Current Fund	\$	6,325,896.00
Parking Utility	\$	72,000.00

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.

* * * * *

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

RESOLUTION DESIGNATING PARKVIEW REALTY HOLDINGS, LLC AS REDEVELOPER OF THE PROPERTY LOCATED AT 101 EAST 23RD STREET; 103 EAST 23RD STREET; 105 EAST 23RD STREET; EAST 23RD STREET; 102-106 EAST 24TH STREET; AND 162-170 AVENUE F, WHICH PROPERTY IS IDENTIFIED AS BLOCK 445, LOTS 1, 2, 3, 4, 5 AND 7 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE AND AUTHORIZING THE NEGOTIATION AND PREPARATION OF A REDEVELOPMENT AGREEMENT WITH PARKVIEW REALTY HOLDINGS, LLC FOR THE REDEVELOPMENT OF SUCH PROPERTY IN ACCORDANCE WITH THE REDEVELOPMENT PLAN

WHEREAS, the City of Bayonne, in the County of Hudson, New Jersey (the "City"), a public body corporate and politic of the State of New Jersey (the "State"), is authorized pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the

“Redevelopment Law”), to determine whether certain parcels of land within the City constitute an area in need of rehabilitation and/or an area in need of redevelopment; and

WHEREAS, by Resolution dated June 22, 2016, the Municipal Council of the City (the “Municipal Council”) designated the property located at 101 East 23rd Street; 103 East 23rd Street; 105 East 23rd Street; East 23rd Street; 102-106 East 24th Street; and 162-170 Avenue F, which property is identified as Block 445, Lots 1, 2, 3, 4, 5 and 7 on the Tax Map of the City of Bayonne 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, the City of Bayonne, Division of Planning & Zoning, Department of Municipal Services has prepared a redevelopment plan for the Redevelopment Area titled “Redevelopment Plan Block 445, Lots 1, 2, 3, 4, 5 and 7” dated June 3, 2016 (the “Redevelopment Plan”); and

WHEREAS, by Resolution dated May 18, 2016, the Planning Board of the City (the “Planning Board”) has been directed by the Municipal Council to prepare and review the Redevelopment Plan, and to 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 Planning Board reviewed the Redevelopment Plan and, in accordance with the Redevelopment Law, on June 14, 2016 conducted a public hearing wherein the Planning Board recommended the adoption of the Redevelopment Plan; and

WHEREAS, the Municipal Council agreed with the Planning Board’s recommendation and by Ordinance O-11, dated July 20, 2016 the Municipal Council adopted the Redevelopment Plan; and

WHEREAS, Parkview Realty Holdings, LLC, a limited liability company of the State of New York, with an office address of 1441 Brooklyn, New York 11219, (the “Redeveloper”) wishes to develop the Redevelopment Area and use it for the purpose of implementing the Redevelopment Plan; and

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

WHEREAS, the Municipal Council desires to designate Parkview Realty Holdings, LLC as redeveloper of the Redevelopment Area and to authorize the negotiation and preparation of a Redevelopment Agreement with Parkview Realty Holdings, LLC for redevelopment of the aforesaid Property which will set forth the rights and obligations of the respective parties as well as the anticipated time frame for the completion of certain tasks.

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

Section 1. Parkview Realty Holdings, LLC, is hereby designated as the Redeveloper of the Redevelopment Area, which is designated as Block 445, Lots 1, 2, 3, 4, 5 and 7 on the Tax Maps of the City of Bayonne subject to the execution of a mutually agreeable Redevelopment Agreement.

Section 2. The Municipal Council, through its attorneys and staff, is hereby authorized to negotiate and prepare a mutually agreeable Redevelopment Agreement between Parkview Realty Holdings, LLC, and the City of Bayonne, which Redevelopment Agreement must be approved by this Municipal Council.

Section 3. The Mayor and/or his designees is/are authorized take all necessary steps to negotiate any additional terms, conditions and/or or agreements as are necessary in connection with and in furtherance of this resolution.

Section 4. This Resolution shall take effect immediately.

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

* * * * *

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

RESOLVED, that pursuant to and consistent with a State Training Fee Report dated July 5, 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 \$16,748.00 representing payment of state surcharge fees on new construction and alterations collected during the second quarter of 2016; and be it further

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.

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

* * * * *

45. 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 PLANNING BOARD TO PREPARE A REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 171-181 LEFANTE WAY; 77-97 LEFANTE WAY; 101-129 LEFANTE WAY; 131-139 LEFANTE WAY; AND 191 LEFANTE WAY, WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 412, LOTS 1.01, 2.01, 2.021, 2.022 AND 2.03 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE

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

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

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

WHEREAS, the City is desirous of directing the Planning Board to prepare a Redevelopment Plan; and

WHEREAS, the City believes that the property located at 171-181 LeFante Way, 77-97 LeFante Way, 101-129 LeFante Way, 131-139 LeFante Way, and 191 LeFante Way, which properties are identified as Block 412, Lots 1.01, 2.01, 2.021, 2.022 and 2.03 (the "Property") on the City's Tax Maps is potentially valuable for contributing to, serving, and protecting the public health, safety and welfare and for the promotion of smart growth within the City; and

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

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

Section 1. The Planning Board of the City of Bayonne is hereby authorized and directed to prepare a Redevelopment Plan for the Property identified as Block 412, Lots 1.01, 2.01, 2.021, 2.022 and 2.03 as shown on the official Tax Map of the City in accordance with the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*

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

Section 3. This Resolution shall take effect immediately.

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

* * * * *

46. Council President Nadrowski introduced

AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING AND AUTHORIZING THE EXECUTION OF A TEMPORARY CONSTRUCTION AND ACCESS EASEMENT AGREEMENT FOR THE BENEFIT OF BAYONNE 19TH STREET URBAN RENEWAL ASSOCIATES, LLC

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

WHEREAS, by Resolution 04-11-10-082 dated November 10, 2004, the Municipal Council adopted a Resolution formally designating the property located at 13-27 East 19th Street, 12-22 East 21st Street, 426-428 Broadway and 434-436 Broadway in the City, which properties are identified as Block 221, Lots 1, 2, 3, 4, 5, 15, 16, 17, 18, 19, 24 and 26 on the official Tax Map of the City (the “Property”) as an “area in need of redevelopment” (the “Broadway Corridor Redevelopment Area”); and

WHEREAS, on August 19, 2015, the Planning Board was directed by the Municipal Council pursuant to Resolution No. 15-05-19-066 to prepare and review a redevelopment plan, and to transmit its recommendations relating to said 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 City of Bayonne, Division of Planning and Zoning, Department of Municipal Services, prepared a redevelopment plan entitled the “Redevelopment Plan for a Portion of the Broadway Corridor Site Redevelopment Area, Block 221, Lots 1-5, 15-19, 24, and 26 13-27 East 19th Street, 12-22 East 21st Street, 426-428 and 434-436 Broadway” revised through September 9, 2015, (the “Redevelopment Plan”) for the Municipal Council’s consideration; and

WHEREAS, on October 21, 2015, the Municipal Council pursuant to Ordinance O-15-35 adopted the Redevelopment Plan, upon receipt of the Planning Board’s recommendation to the Municipal Council; and

WHEREAS, the City is the owner of certain portions of real property designated as Block 221, Lot 26 on the Tax Map of the City of Bayonne, County of Hudson, New Jersey (“City Property”); and

WHEREAS, on November 10, 2015, the Municipal Council designated Ingerman Development Company, LLC and Bayonne 19th Street Urban Renewal Associates, LLC (collectively referred to as “Ingerman”) as the redeveloper of the Property pursuant to Section 8 of the Redevelopment Law to undertake redevelopment of the Property consistent with Redevelopment Plan; and

WHEREAS, Ingerman desires to have the right to use the City Property for construction staging while Ingerman constructs a residential project, which includes the construction of multifamily dwelling units in accordance with the Redevelopment Plan (the “Project”) on certain real property located adjacent to the City’s Property formerly designated as Block 221, Lots 2-5, 15-19, and a portion of property formerly designated as Lots 1, 24, and 26 (the Ingerman Property”) as outlined in the Redevelopment Agreement entered into on December 29, 2015, by and between the City and Ingerman; and

WHEREAS, in doing so, Ingerman will need to access all or a portion of the City Property from time to time during the period of construction, in order to facilitate the construction, maintenance and upkeep of the Project to be erected on the Ingerman Property; and

WHEREAS, Ingerman requested that the City grant a temporary construction and access easement over, upon and across portions of the City Property to facilitate the installation and construction of the Project (the “Easement”); and

WHEREAS, the City desires to grant Ingerman a Temporary Access and Construction Easement over portions of the City Property for such purpose as hereinstated.

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 proposed Temporary Access and Construction Easement Agreement between the City of Bayonne and Bayonne 19th Street Urban Renewal Associates, LLC is hereby approved.

Section 3. The Mayor or his designee is hereby authorized to execute the Temporary Access and Construction Easement Agreement Easement on behalf of the City of Bayonne.

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 Temporary Access and Construction Easement Agreement shall be available for public inspection at the office of the City Clerk during regular business hours.

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

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

BE IT RESOLVED, that an ordinance entitled “AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING AND AUTHORIZING THE EXECUTION OF A TEMPORARY CONSTRUCTION AND ACCESS EASEMENT AGREEMENT FOR THE BENEFIT OF BAYONNE 19TH STREET URBAN RENEWAL ASSOCIATES, LLC,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, August 24, 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.

* * * * *

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

WHEREAS, the City is in need of professional animal control and sheltering services to be performed within the borders of the City of Bayonne by a New Jersey licensed New Jersey Animal Control Officer, now, therefore, be it

RESOLVED, the Municipal Council hereby authorizes the advertisement of a Request for Qualifications/Proposals for the aforesaid professional animal control and sheltering services to be performed within the borders of the City of Bayonne by a New Jersey licensed New Jersey Animal Control Officer pursuant to the fair and open contracting provisions set forth in *N.J.S.A. 19:44A-20.4* and *N.J.S.A. 19:44A-20.5*.

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

Nays – Council Member Cotter.

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

WHEREAS, Antea Group USA, Inc. (“Antea”), on behalf of Getty Properties Corp. (“Getty”) is performing remedial investigation activities at the former Getty Service Station #56031 located at 1028 Avenue C (“Former Getty Service Station”); and

WHEREAS, during the course of the remedial investigations, elevated levels of volatile organic compounds (VOC's) were observed in the vicinity of the subject property; and

WHEREAS, Antea, on behalf of Getty, is requesting permission to install two (2) groundwater monitoring wells in the sidewalks of West 49th Street and West 50th Street in connection with the aforesaid remedial investigations; and

WHEREAS, the proposed groundwater monitoring wells are being installed to delineate impacted groundwater as a result of historic activities at the Former Getty Service Station; and

WHEREAS, Antea, on behalf of Getty is also requesting permission to install two (2) soil borings in the sidewalk of West 49th Street for the purpose of collecting samples; and

WHEREAS, the aforesaid soil borings will be properly backfilled and resurfaced following sample collection; and

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

WHEREAS, Antea. has provided the City with a Scope of Work, Site Maps, a diagram illustrating construction details of a typical groundwater monitoring well, and street view images of proposed monitoring locations; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. Permission is hereby granted to Antea USA, Inc., 2 Executive Drive, Suite 9, Moorestown, New Jersey on behalf of Getty Properties Corp. to install two (2) groundwater monitoring wells in the sidewalks of West 49th Street and West 50th Street and two (2) soil borings in the sidewalk of West 49th Street pursuant to the Scope of Work Scope, Site Maps, diagram illustrating construction details of a typical groundwater monitoring well, and street view images of proposed monitoring locations attached hereto and made a part hereof on the condition that: 1) Antea USA, Inc. enters into a Right of Entry/Access Agreement in a form acceptable to the City and approved by the City's Law Department; 2) No cost or expense shall be borne by the City relating in any way to Antea USA, Inc.'s request for access; 3) the proposed Scope of Work is approved by the City's engineer and LSRP at the property owner's expense; 4) no permits will issue without a fully executed Right of Entry/Access Agreement; 5) valid permits to be issued by the City's Building Department prior to the start of any work; and 6) Antea USA, Inc.'s shall abide by any and all requirements of the City deemed necessary to protect the City's property and citizens.

2. The Mayor and City Clerk hereby authorized to sign any and all documents necessary to effectuate same.

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

* * * * *

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

WHEREAS, pursuant to the Municipal Services Act, N.J.S.A. 40:67-23.2 to -23.8, every municipality in New Jersey is required to either provide certain services to each qualified private community within its borders or reimburse the community for these services; and

WHEREAS, the Pointe Homeowners Association, Inc., 201 West 21st Street,, Bayonne, New Jersey 07002 is a qualified private community as defined under N.J.S.A. 40:67-23.3 within the City of Bayonne; and

WHEREAS, the Pointe Homeowners Association, Inc. and the City of Bayonne desire to enter into a Municipal Services Reimbursement Agreement for the purpose of establishing the rights and obligations of the parties in connection with the aforementioned Municipal Services Act; and

WHEREAS, there is due and owing the Pointe Homeowners Association, Inc. the amount of \$10,152.13 representing reimbursement of electricity bills arising out of streetlights and snow removal for the period commencing March 2010 through March 2016 pursuant to the aforesaid Municipal Services Act, N.J.S.A. 40:67-23.2 to 23.8; and

WHEREAS, the Pointe Homeowners Association, Inc. is agreeable to reimbursement of said \$10,152.13 in twenty-three (23) monthly installments of \$424.00 and (1) payment of \$400.13 until the balance is paid in full; and

WHEREAS, funds are certified as available in Various Accounts pending adoption of the CY2016 budget and future budgets; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to execute a Municipal Services Reimbursement Agreement with the Pointe Homeowners Association, Inc., 201 West 21st Street,, Bayonne, New Jersey 07002 for the purpose of establishing the rights and obligations

of the parties in connection with the aforementioned Municipal Services Act in a form substantially similar to that attached hereto and acceptable to the Law Department.

2. The Municipal Treasurer is hereby authorized to issue payments to the Pointe Homeowners Association, Inc. representing reimbursement of said \$10,152.13 payable in twenty-three (23) monthly installments of \$424.00 and (1) payment of \$400.13 until the balance is paid in full.

3. Funds shall be charged to Various Accounts.

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

* * * * *

50. Council President Nadrowski introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY
APPROVING A FINANCIAL AGREEMENT WITH MHP 222 AVENUE E URBAN
RENEWAL LLC

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

WHEREAS, the Municipal Council of the City (the "Municipal Council") adopted 98-02-04-040, designating 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 is located within an Urban Enterprise Zone ("UEZ") and 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 that the Municipal Council adopt the Rehabilitation Plan and concluding that the Rehabilitation Plan is consistent with the Master Plan of the City of Bayonne (the "Resolution"); and

WHEREAS, on May 18, 2016, the Municipal Council pursuant to Ordinance O-16-26 adopted the Rehabilitation Plan, upon receipt of the Planning Board's recommendation to the Municipal Council; and

WHEREAS, MHP 222 AVENUE E URBAN RENEWAL LLC proposes to construct a five (5) story residential building with off-street parking (the "Project") on the property consistent with the Rehabilitation Plan; and

WHEREAS, MHP 222 AVENUE E URBAN RENEWAL LLC has applied to the City Council for tax exemption pursuant to the New Jersey Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et. seq. (the "Exemption Law") with respect to the Project; and

WHEREAS, the City Council finds that the requested tax exemptions will benefit the City and its inhabitants by furthering the redevelopment of the property which had remained 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, MHP 222 AVENUE E URBAN RENEWAL LLC has submitted a form of Financial Agreement (the "Financial Agreement")

providing for payments in lieu of taxes, a copy of which is attached to this Ordinance; and

WHEREAS, MHP 222 AVENUE E URBAN RENEWAL LLC has presented to this body certain financial information, copies of which are attached as exhibits to this Ordinance; and

WHEREAS, the City Council deems it to be in the best interest of the City to pass an Ordinance authorizing the City to enter into the proposed Financial Agreement with MHP 222 AVENUE E URBAN RENEWAL LLC on the terms and conditions stated in the applicable form of Financial Agreement attached to this Ordinance.

NOW THEREFORE, be it Ordained that the City Council of the City of Bayonne does hereby adopt the tax exemptions for MHP 222 AVENUE E URBAN RENEWAL LLC as follows:

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

Section 2. The Mayor is hereby authorized to execute the Financial Agreement with MHP 222 AVENUE E URBAN RENEWAL LLC in substantially the form attached hereto and subject to any further review, analysis or modifications that counsel may deem appropriate.

Section 3. During the term of the tax exemption with respect to MHP 222 AVENUE E URBAN RENEWAL LLC there shall be paid to the City in lieu of any taxes to be paid on the improvements of the Project, an annual service charge determined as provided in the Financial Agreement.

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

Council President Nadrowski 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 APPROVING A FINANCIAL AGREEMENT WITH BAYONNE ENERGY CENTER URBAN RENEWAL, LLC,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, August 24, 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.

* * * * *

51. Council President Nadrowski introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY
APPROVING A FINANCIAL AGREEMENT WITH BAYONNE ENERGY CENTER
URBAN RENEWAL, LLC

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 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”); and

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

WHEREAS, on April 12, 2016 the Planning Board reviewed the Redevelopment Plan and 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, on May 18, 2016, the Municipal Council adopted Ordinance #0-16-25 adopting a Redevelopment Plan for the Property; and

WHEREAS, BAYONNE ENERGY CENTER URBAN RENEWAL, LLC proposes to install and operate an approximately 130-megawatt electric power generating plant (the “Project”) on the property consistent with the Redevelopment Plan; and

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

WHEREAS, the City Council finds that the requested tax exemptions will benefit the City and its inhabitants by furthering the redevelopment of the property which had remained 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, BAYONNE ENERGY CENTER URBAN RENEWAL, LLC has submitted a form of Financial Agreement (the “Financial Agreement”) providing for payments in lieu of taxes, a copy of which is attached to this Ordinance; and

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

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

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

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

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

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

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

Council President Nadrowski 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 APPROVING A FINANCIAL AGREEMENT WITH BAYONNE ENERGY CENTER URBAN RENEWAL, LLC," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, August 24, 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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52. Council President Nadrowski introduced:

AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING THE EXECUTION OF AN EASEMENT TO 662 AVENUE C URBAN RENEWAL, LLC

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 the owner of a public right of way known as Avenue C in the City of Bayonne, County of Hudson, and State of New Jersey, (the "City's Property"); and

WHEREAS, 662 Avenue C Urban Renewal, LLC (the "Redeveloper") is the owner in fee simple of real property located to the west of Avenue C and designated as Block 163, Lot 45 in the City of Bayonne, County of Hudson, State of New Jersey (the "Redeveloper's Property") shown on the official tax map of the City of Bayonne; and

WHEREAS, the Redeveloper intends to construct a residential multiple dwelling building on the Redeveloper's Property (the "Project") that requires the construction of storm water piping and related storm water facilities (the "Storm Water Retention Facilities") for the installation, maintenance, repair, replacement and operation of the Project ; and

WHEREAS, the City wishes to convey an easement to Redeveloper to permit the construction of the Storm Water Retention Facilities over, under and across the City's Property for the installation, maintenance, repair, replacement and operation of the Storm Water Retention Facilities, which description is annexed hereto as Exhibit A ("Easement Premises"); and

WHEREAS, the City believes that the conveyance of an easement over and on the City's Property will allow for a building design that offers improved planning and zoning perspective that will benefit the City and its residents; and

WHEREAS, the Municipal Council of the City of Bayonne agrees that conveyance of the easement to the Redeveloper is necessary, and as such execution and recording of said easement is appropriate.

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. An easement by the City of Bayonne for the benefit of 662 Avenue C Urban Renewal, LLC for the purposes set forth herein is hereby approved.

Section 3. The Mayor or his designee is hereby authorized to execute an easement by the City of Bayonne for the benefit of 662 Avenue C Urban Renewal, LLC on behalf of the City of Bayonne.

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 easement by the City of Bayonne for the benefit of 662 Avenue C Urban Renewal, LLC, shall be available for public inspection at the office of the City Clerk during regular business hours.

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

Council President Nadrowski moved 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 OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING THE EXECUTION OF AN EASEMENT TO 662 AVENUE C URBAN RENEWAL, LLC," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, August 24, 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.

* * * * *

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

WHEREAS, Resolution No. 16-03-16-046 adopted by the Municipal Council on March 16, 2016 authorized the lease of ten (10) fully equipped Interceptor Patrol Vehicles to be used in various divisions within the Police Department for the amount of \$356,780.00 pursuant to a quotation provided by Winner Ford, Cherry Hill, New Jersey under NJ State Contract #A88728; and

WHEREAS, by way of correspondence dated July 19, 2016, Winner Ford, Cherry Hill, New Jersey has advised the City that the original quote sheet sent regarding the purchase of the Police Interceptor Sedans stated 2017 models in error and should have stated 2016 models as the 2016 Sedan order date does not expire until September 9, 2016; and

WHEREAS, Winner Ford has also advised that the pricing for the 2017 Models will remain the same as the 2016 Models and there will be no changes to the vehicle; now, therefore, be it

RESOLVED, Resolution No. 16-03-16-046 is hereby amended to authorize the lease of the aforesaid ten (10) fully equipped Interceptor Patrol Vehicles pursuant to the original quotation provided by Winner Ford, Cherry Hill, New Jersey as revised pursuant to the aforesaid correspondence from Winner Ford, Cherry Hill, New Jersey dated July 19, 2016.

At 9:37 P.M., Council President Nadrowski moved the following resolution, seconded by Council Member Perez, which was read by the Clerk and adopted.

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

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President-Sharon A. Nadrowski

Clerk – Robert F. Sloan