

REGULAR MEETING

OF THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON,
NEW JERSEY, HELD IN THE COUNCIL CHAMBER, MUNICIPAL BUILDING, 630 AVENUE C,
ON WEDNESDAY, APRIL 19, 2017

The Council met at 7:04 P.M.

The Council President Nadrowski announced: "I would like to advise all those present that notice of this regular meeting of the Municipal Council of the City of Bayonne of April 19, 2017, has been provided to the public in accordance with the provisions of the Open Public Meetings Act of the State of New Jersey. Notice of time and place of the meeting has been included in the annual notice of meetings, which was posted and filed with the City Clerk, and with the Jersey Journal and the Star Ledger. An additional notice of time and place was posted and filed with the City Clerk and was forwarded to the Jersey Journal and the Star Ledger by on April 14, 2017."

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. Megan McNally asked for answers regarding meeting videos being edited. She has an open OPRA request where half a meeting is missing. The second question was what is the plan for Morris Park.

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02. The Clerk announced:

AN ORDINANCE ENTITLED, "AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN OVERLAY AS AN AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE PENINSULA AT BAYONNE – HARBOR STATION SOUTH AS IT RELATED TO THE PORTION OF THE PENINSULA IDENTIFIED AS BLOCK 700, LOT 1, AND BLOCK 791, LOT 1 ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE, AND REFERRED TO AS 'HARBOR STATION SOUTH'," which was introduced and passed a first reading at a meeting held March 15, 2017, was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of April 19, 2017, 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 OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN OVERLAY AS AN AMENDMENT TO THE

REDEVELOPMENT PLAN FOR THE PENINSULA AT BAYONNE – HARBOR STATION SOUTH AS IT RELATED TO THE PORTION OF THE PENINSULA IDENTIFIED AS BLOCK 700, LOT 1, AND BLOCK 791, LOT 1 ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE, AND REFERRED TO AS ‘HARBOR STATION SOUTH’,”

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: Peter Franco – 127 West 12th 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 OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN OVERLAY AS AN AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE PENINSULA AT BAYONNE – HARBOR STATION SOUTH AS IT RELATED TO THE PORTION OF THE PENINSULA IDENTIFIED AS BLOCK 700, LOT 1, AND BLOCK 791, LOT 1 ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE, AND REFERRED TO AS ‘HARBOR STATION SOUTH’,” was introduced and passed a first reading at a meeting held March 15, 2017, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of April 19, 2017; 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-17-17.

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03. The Clerk announced:

AN ORDINANCE ENTITLED, “AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN PROPERTY (555 KENNEDY BOULEVARD A/K/A BLOCK 208, LOT 24 AND 557 KENNEDY BOULEVARD A/K/A BLOCK 208, LOT 25 AS SHOWN ON THE TAX MAP OF THE CITY OF

BAYONNE) OWNED BY THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY, NOT REQUIRED FOR PUBLIC PURPOSES PURSUANT TO N.J.S.A. 40A:12-13, ET SEQ.," which was introduced and passed a first reading at a meeting held March 15, 2017, was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of April 19, 2017, and was referred to the planning board for its review is now before the Council for its consideration and a public hearing.

Council Member La Pelusa 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 AUTHORIZING THE SALE OF CERTAIN PROPERTY (555 KENNEDY BOULEVARD A/K/A BLOCK 208, LOT 24 AND 557 KENNEDY BOULEVARD A/K/A BLOCK 208, LOT 25 AS SHOWN ON THE TAX MAP OF THE CITY OF BAYONNE) OWNED BY THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY, NOT REQUIRED FOR PUBLIC PURPOSES PURSUANT TO N.J.S.A. 40A:12-13, ET SEQ.,"

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: Michael Morris – 123 Avenue A

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

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

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

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

WHEREAS, an ordinance entitled, "AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN PROPERTY (555 KENNEDY BOULEVARD A/K/A BLOCK 208, LOT 24 AND 557 KENNEDY BOULEVARD A/K/A BLOCK 208, LOT 25 AS SHOWN ON THE TAX MAP OF THE CITY OF BAYONNE) OWNED BY THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY, NOT REQUIRED FOR PUBLIC PURPOSES PURSUANT TO N.J.S.A. 40A:12-13, ET SEQ.," was introduced and passed a first reading at a meeting held March 15, 2017, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of April 19, 2017; 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-17-18.

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04. The Clerk announced:

AN ORDINANCE ENTITLED , “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7 TRAFFIC,” which was introduced and passed a first reading at a meeting held March 15, 2017, was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of April 19, 2017, and was referred to the planning board for its review is now before the Council for its consideration and a public hearing.

Council President Nadrowski 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 ordinance or to its passage.

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

Council Member LaPelusa motioned to close the hearing, seconded by Council 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 Cotter, which was read by the Clerk and adopted.

WHEREAS, an ordinance entitled, “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7 TRAFFIC” was introduced and passed a first reading at a meeting held March 15, 2017, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of April 19, 2017; 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-17-19.

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

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05. Council Member Perez introduced:

BOND ORDINANCE PROVIDING FOR VARIOUS ROADWAY IMPROVEMENTS TO LEFANTE WAY IN AND BY THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY, APPROPRIATING \$1,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$550,000 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF AND DIRECTING THE SPECIAL ASSESSMENT OF THE COST THEREOF UPON COMPLIANCE WITH CERTAIN CONDITIONS

BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized as a local improvement, or purpose to be undertaken by the City of Bayonne, in the County of Hudson, State of New Jersey (the "City"). For the said improvement or purpose stated in Section 3, there is hereby appropriated the sum of \$1,000,000, which sum includes \$200,000 as the amount of a contribution from the Bayonne Golf Club (the "Contribution") and \$250,000 as the amount of grants received or expected to be received from the Urban Enterprise Zone Program and Community Development Block Grant and contributed by the City (collectively, the "Grant") which Grant is inclusive of \$47,619 as the amount of down payment for said improvement or purpose required by the Local Bond Law. Said down payment is now available therefor by virtue of moneys held by the City and previously contributed for such purpose other than by the City (through the Grant).

Section 2. For the financing of said improvement or purpose described in Section 3 hereof and to meet the part of said \$1,000,000 appropriation not provided for by application hereunder of said Contribution, Grant and down payment, negotiable bonds of the City are hereby authorized to be issued in the principal amount of \$550,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds, negotiable bond anticipation notes of the City are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and purpose for the financing of which said bonds are to be issued is various roadway improvements to a portion of LeFante Way along the following properties designated on the Official Tax Map of the City, which properties include, but are not limited to, Block 412 (Lot 3), Block 412 (Lots 4.01 and 4.02), Block 414 (Lot 2), Block 415 (Lots 1 and 2), and Block 416 (Lots 1, 2 and 3) and a portion of Avenue "J" (the "Program") (Block 412 (Lots 4.01 and 4.02) are hereby excluded from the special assessment as the owners of such parcel is making the Contribution), said Program to include, but is not limited to, as applicable, excavation, milling, paving, reconstruction and boxing out and resurfacing or full depth pavement replacement, and where necessary, the sealing of pavement cracks, the repairing and/or installation of curbs, sidewalks and driveway aprons, installation of curb ramps, resetting utility castings, drainage work, roadway painting, landscaping and aesthetic improvements including, but not limited to, seeding and installing top soil, and also including all engineering and design work, surveying, construction planning,

preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto, the portions and percentages of which are all in accordance with the plans therefor on file in the office of the City Clerk and available for public inspection and hereby approved.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for said improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of said improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The City hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the New Jersey Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement that the City lawfully may undertake as a local improvement upon obtaining those approvals set forth in N.J.S.A. 40:56-1. The cost of the local improvements will be specially assessed on properties specially benefitted thereby, which properties are designated on the Official Tax Map of the City and include, but are not limited to, Block 412 (Lot 3), Block 412 (Lots 4.01 and 4.02), Block 414 (Lot 2), Block 415 (Lots 1 and 2), and Block 416 (Lots 1, 2 and 3) and a portion of Avenue "J" (Block 412 (Lots 4.01 and 4.02) and Avenue "J" are hereby excluded from the special assessment as the owners of such parcels are making the Contribution and the Grant, as applicable).

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 20 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate

thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$550,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$200,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. Notice is hereby given to the owners of all lots and parcels of real estate benefitted by the improvement described in Section 3 hereof and affected by the improvement described therein that the City intends to make and to levy special assessments against all such lots and parcels of real estate in an aggregate amount of not exceeding \$550,000 subject to the receipt of certain approvals set forth in N.J.S.A. 40:56-1 et seq. and for not to exceed annual installments over 20 years. Accordingly, the estimated maximum amount of special assessments shall not exceed \$550,000 and shall be paid in not to exceed 20 annual installments. Such special assessments shall be made and levied in the manner provided by law and shall be as nearly as possible in proportion to and not in excess of the peculiar benefit, advantage or increase in value that the respective lots and parcels of real estate shall be deemed to receive by reason of the improvement. It is expected that the City is contributing the Grant in the amount of \$250,000 (or 25% of the cost of said improvement) to the cost of the improvement. The cost of the local improvements will be specially assessed on properties specially benefitted thereby, which properties are designated on the Official Tax Map of the City and include, but are not limited to, Block 412 (Lot 3), Block 412 (Lots 4.01 and 4.02), Block 414 (Lot 2), Block 415 (Lots 1 and 2), and Block 416 (Lots 1, 2 and 3) and a portion of Avenue "J" (Block 412 (Lots 4.01 and 4.02) and Avenue "J" are hereby excluded from the special assessment as the owners of such parcels are making the Contribution and the Grant, as applicable).

Section 8. The owner of any land upon which an assessment for the local improvement shall have been made may pay such assessment in the number of equal yearly installments determined herein with legal interest on the unpaid balance of the assessment. The first of such installments shall be due and payable two months after the confirmation of the assessment, and each subsequent annual installment and interest shall be payable in each successive year at such time as the governing body shall determine by resolution, provided that any owner of land so assessed shall have the privilege of paying the whole of any assessment or any balance of installments with accrued interest thereon at one time. In case any such installment shall remain unpaid for thirty (30) days after the time it shall become due and payable, it shall draw interest at the rate imposed upon the arrearage of taxes in the City and shall be collected in the same manner as provided by law for other past-due assessments. Such assessment shall remain a lien upon the land described herein until the assessment, with all installments and accrued interest thereon, shall be paid and satisfied. Notwithstanding anything herein to the contrary, the City shall have the right to waive default as may be permitted by law.

Section 9. The City hereby declares the intent of the City to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 9 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 10. Except for the Grant, in the event the United States of America, the State of New Jersey, and/or the County of Hudson make a contribution or grant in aid to the City,

for the improvement and purpose authorized hereby and the same shall be received by the City prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Hudson. Except for the Grant, in the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Hudson, shall be received by the City after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the City as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

Section 11. The chief financial officer of the City is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the City and to execute such disclosure document on behalf of the City. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the City pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the City and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the City fails to comply with its undertaking, the City shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 12. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the City for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 13. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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

BE IT RESOLVED, that an ordinance entitled "BOND ORDINANCE PROVIDING FOR VARIOUS ROADWAY IMPROVEMENTS TO LEFANTE WAY IN AND BY THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY, APPROPRIATING \$1,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$550,000 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF AND DIRECTING THE SPECIAL ASSESSMENT OF THE COST THEREOF UPON COMPLIANCE WITH CERTAIN CONDITIONS," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, MAY 17, 2017 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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06. Council Member Perez introduced:

BOND ORDINANCE PROVIDING FOR VARIOUS 2017 CAPITAL IMPROVEMENTS, BY AND IN THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY (THE "CITY"); APPROPRIATING \$1,760,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,675,000 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COSTS THEREOF

BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the City of Bayonne, in the County of Hudson, State of New Jersey (the "City"). For the said improvements or purposes stated in Section 3, there is hereby appropriated the aggregate sum of \$1,760,000, said sum being inclusive of a down payment in the aggregate amount of \$85,000 for said improvements or purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"). The down payment is now available by virtue of a provision or provisions in a previously adopted budget or budgets of the City for down payment or for capital improvement purposes or from moneys actually held by the City.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$1,760,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the City are hereby authorized to be issued in the aggregate principal amount not exceeding \$1,675,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the City in an aggregate principal amount not exceeding \$1,675,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said obligations are to be issued include, but are not limited to, as follows:

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
(i) General Capital Improvements To Pistol Range At 16 th Street Park;	\$511,810	\$487,092	\$24,718	10 years
(ii) Various Park Improvements Throughout The City Including, But Not Limited To, Acquisition And Installation, As Applicable Of Equipment And Aesthetic Improvements;	\$78,338	\$74,555	\$3,783	15 years
(iii) Various General Capital Improvements To The 57 th Street Fire House Including, But Not Limited To, Roof Improvements, Kitchen Improvements, Day Room	\$940,060	\$894,659	\$45,401	15 years

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
Improvements, Bathroom Improvements, Ceiling Improvements, Cabinet Improvements, Window Improvements Including, But Not Limited To, Improvements To Exterior Basement Window Wells, Apparatus Floor And Apron Improvements, Improvements To Exterior Masonry And Bricks, Sidewalk Improvements, Door Improvements, And Also Including, But Not Limited To, The Acquisition And Installation, As Applicable, Of Turnout Gear Racks, A Slop Sink, Light Fixtures, And Talk Alarm And Dispatch Lights Activation INOP; And				
(iv) Improvements For The Division Of Recreation Including, But Not Limited To, The Acquisition Of Two (2) Buses.	\$229,792	\$218,694	\$11,098	10 years
TOTALS	<u>\$1,760,000</u>	<u>\$1,675,000</u>	<u>\$85,000</u>	

(b) The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$1,675,000.

(c) The aggregate estimated cost of said improvements or purposes is \$1,760,000, the excess amount thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the down payment available for said purposes.

(d) All such improvements or purposes set forth in Section 3(a) shall include, but are not limited to, as applicable, all engineering and design work, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and also shall include all work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto and all in accordance with the plans and specifications therefor on file in the Office of the Clerk of the City and available for public inspection and hereby approved.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Hudson make a contribution or grant in aid to the City for the improvements and purposes authorized hereby and the same shall be received by the City prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Hudson. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, and/or the County of Hudson shall be received by the City after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the City, provided that no note shall

mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the City shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of N.J.S.A. 40A:2-8.1. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at a public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The capital budget of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith and a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services, Department of Community Affairs, State of New Jersey, is on file in the Office of the Clerk of the City and is available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the City may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 13.69 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the City and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, Department of Community Affairs, State of New Jersey, and such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$1,675,000 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$175,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements herein before described.

SECTION 8. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy *ad valorem* taxes upon all the taxable property within the City for the payment of the principal of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The City hereby declares the intent of the City to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 9 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

SECTION 10. The City Chief Financial Officer is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the City and to execute such disclosure document on behalf of the City. The City Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the City pursuant to Rule 15c2-12 of the Securities and Exchange Commission⁴ (the "Rule") for the benefit of holders and beneficial owners of obligations of the City and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the City fails to comply with its undertaking, the City shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. The City covenants to maintain the exclusion from gross income under Section 103(a) of the Code of the interest on all bonds and notes issued under this bond ordinance.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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

BE IT RESOLVED, that an ordinance entitled "CAPITAL BOND ORDINANCE IN THE AMOUNT OF \$1,760,000.00," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, MAY 17, 2017 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.

* * * * *

07. Council Member LaPelusa introduced:

CALENDAR YEAR 2017
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO
ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Municipal Council of the City of Bayonne in the County of Hudson finds it advisable and necessary to increase its CY 2017 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Municipal Council of the City of Bayonne hereby determines that a 3.5% increase in the budget for said year, amounting to \$3,717,140.00 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law and prior to additional exceptions, is advisable and necessary; and,

WHEREAS the Municipal Council of the City of Bayonne hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years,

NOW THEREFORE BE IT ORDAINED, by the Municipal Council of the City of Bayonne, in the County of Hudson, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2017 budget year, the final appropriations of the City of Bayonne shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5% amounting to \$3,717,140.00 (exclusive of additional exceptions), and that the CY 2017 municipal budget for the City of Bayonne be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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

BE IT RESOLVED, that an ordinance entitled "CALENDAR YEAR 2017 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, MAY 17, 2017 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.

* * * * *

08. Council Member LaPelusa introduced:

AN ORDINANCE AMENDING AND SUPPLEMENTING THE GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 6, ALCOHOLIC BEVERAGE CONTROL

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

Section 1. That the Revised General Ordinances of the City of Bayonne, Chapter 6, ALCOHOLIC BEVERAGE CONTROL, is hereby amended and supplemented to include a new sub-section, 6-11, "Consumption In Retail Premises Without Liquor License," in its entirety, as follows:

6-11 CONSUMPTION IN RETAIL PREMISES WITHOUT LIQUOR LICENSE

6-11.1 Purpose and Intent

The purpose and intent of this section is for the City's restaurants to remain competitive with our neighboring municipalities who permit local restaurants and establishments to allow their patrons to bring their own alcoholic beverages on their premises, commonly known as "BYOB", and to enable the City to more effectively monitor the dispensation of alcohol with a BYOB licensing structure.

6-11.2 Prohibited acts; registration and permits required; violations and penalties.

a. It shall be unlawful for any person owning, operating, or working in a location open to the public to sell alcohol, beer, wine or other intoxicating spirits without a plenary license as set forth in Chapter 6-3, which license is properly sited in accordance with all local, state, and federal laws to sell such alcohol, beer, spirits or wine to any individual of the public.

b. It shall be unlawful for any person owning, operating, or working in a location open to the public to allow for the consumption of alcohol, beer, wine or other intoxicating liquors at a location open to the public without proper permits as provided for herein.

c. An establishment that is open to the public may allow customers of that public establishment to bring their own wine and/or malt alcoholic beverage (commonly known as "beer"), provided that they meet the criteria set forth herein and apply for proper registration and permits as provided for herein.

d. An establishment that meets and obtains all proper permits and registers shall be known as a "Bring Your Own Beer" ("BYOB") establishment.

e. Any establishment that obtains all proper permits and registers as a BYOB establishment shall not sell alcohol, beer, wine or other intoxicating spirits but may allow the

patrons to bring their own malt alcoholic beverage (beer) and/or wine to the location open to the public for consumption by the patron.

f. Any person or establishment violating this article shall be subject to any and all fines and penalties set forth under any law of the State of New Jersey and the City of Bayonne. In addition to any fine or penalty set forth by the State of New Jersey and the City of Bayonne, the City of Bayonne may impose a fine of up to \$500 per violation and revocation of the license to operate a BYOB establishment. Each bottle found at the public location shall be considered a separate and distinct violation.

6-11.3 Permitted establishments.

The following establishments may offer BYOB and are defined as follows:

1. RESTAURANT

An establishment regularly and principally used for the purpose of providing meals to the public, having an adequate kitchen and dining room equipped for the preparing, cooking and serving of food for its customers and in which no other business, except such as is incidental to such establishment, is conducted. In order to qualify as a restaurant, a location shall meet the following conditions:

a. A restaurant location must be licensed by the Health Department for the sale or service of food or liquid refreshments that are sold or served to the general public, and for which a license or permit authorizing the sale and/or consumption of alcoholic beverages has not been issued (even if such license or permit is suspended or in the process of being suspended);

b. That regularly employs a wait staff of at least one waiter or waitress;

c. Whose wait staff service is not confined exclusively to a counter;

d. Which maintains at least 10 dining tables and seating for a minimum of 25 patrons; and

e. Whose business is primarily engaged in the sale or service of food or liquid refreshments to the general public.

6-11.4 Application for permit.

a. Any establishment seeking to be allowed to have its patrons bring their own malt alcoholic beverages and/or wine must apply to the City Clerk on forms supplied by the Clerk for permission to allow that service to be offered to their customers.

b. Forms of the application should provide such information as the Clerk determines and, at a minimum, shall provide for the name and address of the entity seeking such permission and such other information as determined by the governing body.

6-11.5 Transfer of permit.

Under no circumstances may a permit allowing BYOB be transferred in either the ownership and/or location without the approval of the Municipal Council. Under all circumstances, the permit shall cease and terminate under such transfer. Nothing herein prevents a new or subsequent applicant from applying for a new BYOB permit for such premises.

6-11.6 Fee; duration of permit.

a. The fee to apply for such a permit shall be a nonrefundable filing fee of \$250. After the application to allow the consumption of wine or malt alcoholic beverages to the applicant is approved by a resolution of the governing body, the applicant shall pay to the City the sum of \$1,000 as a one-time permit fee.

b. The applicant shall apply for a permit for each twelve-month period of time and pay an annual renewal fee of \$500. The term for which the initial permit is issued shall commence upon the date of approval by the Municipal Council and remain in effect until December 31 of the year following the approval of this article. Thereafter, all annual renewal periods shall commence on January 1 and remain in effect until the following December 31 of the following year.

6-11.7 Posting of permit required.

Upon approval by the Municipal Council of a BYOB permit, such permit must be posted on the inside of the perimeter walls of the establishment so as to be readily visible to the general public. Additionally, restaurants that are approved for BYOB must post on their doors a decal that shall be prescribed and printed by the Bayonne Police Department.

6-11.8 General provisions.

a. Any establishment which has been approved to allow the patrons to bring their own wine or beer may supply glasses, ice, etc., but may not impose a cover, corkage, or service charge of any kind and may not advertise the fact that wine or malt alcoholic beverages may be brought onto the premises.

b. The owner or operator shall not permit the consumption of wine or malt alcoholic beverages during the hours of 12:00 midnight to 12:00 noon.

c. Persons under the age of 21 years or persons who are visibly or apparently intoxicated are prohibited from consuming wine or malt alcoholic beverages and are prohibited from bringing wine or malt alcoholic beverages onto the premises.

d. The owner must mandate that a patron who brings an alcoholic beverage to a restaurant under this article take the alcoholic beverage with him or her at the end of their patronage. Under no circumstances may an owner allow an alcoholic beverage to remain on the premises which does not belong to a patron. In the event a patron does not take the alcoholic beverage with him or her at the end of their patronage, the owner or operator must ensure the alcoholic beverage contents and bottle are discarded. There shall be no storage of alcoholic beverages on the premises. Patrons shall not be permitted to deliver alcoholic beverages to the premises in advance or to leave alcoholic beverages on the premises to be consumed or to be picked up at a later time. For each bottle of an alcoholic beverage on the premises that does not belong to a patron, the owner shall be liable for a fine of up to \$500 for each bottle found on the premises.

e. Any restaurant that opts to be a BYOB under this article irrevocably consents to allow the designated units authorized with enforcing compliance with all plenary licensing laws and their designees to conduct random inspections of BYOB restaurants to ensure compliance with this article.

f. Notwithstanding anything contained herein, a violation of this article may result in revocation of the permit to allow the consumption of wine and malt alcoholic beverages.

g. There shall be no consumption of wine or malt alcoholic beverages by employees of the premises, but only by patrons who are seated for meal service at a table. No person waiting to be seated for service may consume or possess an open container of an alcoholic beverage while waiting to be seated for service.

h. Any establishment which has been approved under this chapter may permit outdoor consumption of alcoholic beverages of by patrons, provided:

- (1) The outdoor area is fully enclosed by a permanent structure or fence.
- (2) Ingress and egress shall be through the main facility.
- (3) If ingress and egress cannot be accommodated through the main facility, then an employee, at least 21 years of age, must be stationed at the outdoor entrance.

i. No BYOB establishment or employee shall be permitted to serve, pour or distribute alcoholic beverages on the premises.

j. Patrons who desire to consume wine or malt alcoholic beverages in the premises shall bring such beverages with them to the establishment. No delivery of alcoholic beverages by any person, including a licensed alcoholic beverage establishment, shall be permitted.

k. Alcoholic beverages shall not be permitted to be stored, displayed or maintained on a service bar or service table and must be kept by the patron at the table at which the patron is seated.

l. No BYOB establishment shall permit a patron or any person to bring or deliver to the premises a large quantity of alcoholic beverages intended for consumption at a party or other special event to be attended by more than one table of patrons. Public or private parties to be attended by more than four persons and for which the host of the party provides alcoholic beverages to persons attending the function are not permitted. In these instances, a Social Affairs Permit or Catering Permit must be applied for through the New Jersey Division of Alcoholic Beverage Control.

Section 2. Ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed, but only to the extent of such inconsistency.

Section 3. This ordinance shall take effect after final passage, publication and other provisions in accordance with applicable law.

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

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 6, ALCOHOLIC BEVERAGE CONTROL," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, MAY 17, 2017 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

* * * * *

09. Council Member Perez introduced:

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

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

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

Names of Street	Sides	Location
**LeFante Way	Both	Entire length **

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

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, MAY 17, 2017 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.

* * * * *

10. Council Member Cotter introduced:

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

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

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

Names of Street	Sides	Hours	Location
West 52nd St.	South	Monday through Friday 9:00 a.m. to 5:00 p.m. (no parking only)	Beginning at a point 362 feet west of the southwest corner of 52 nd Street and Kennedy Boulevard and extending west to a point 25 feet thereof.

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

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, MAY 17, 2017 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

* * * * *

11. Council President Nadrowski introduced:

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

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

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

Names of Street	Sides	Hours	Location
East 21 st Street	North	Monday through Friday 8:00 a.m. to 4:30 p.m. (for use as a loading zone)	Beginning at a point 262 feet east of the northeast corner of East 21st Street and Prospect Avenue and extending east to a point 40 thereof.

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

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, MAY 17, 2017 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

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12. Council Member LaPelusa introduced:

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

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

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

RESTRICTIVE PARKING ZONES

DELETE

289. Scott McCarthy, 23 Dodge Street

Beginning at a point on the north side of Dodge Street, 192 feet west of the northwest corner of Dodge Street and Orient Street and, and extending to a point 20 feet west thereof.

ADD

006. Adel Hana for his daughter Marina Hana, 53 Evergreen Street
Beginning at a point on the south side of Evergreen Street, 181 feet east of the northeast corner of Evergreen Street and Orient Street, and extending to a point 16 feet east thereof.

067. Amanda Leonard for her son Avier Burgos, 437 Kennedy Boulevard
Beginning at a point on the south side of West 16th Street, 40 feet west of the southwest corner of West 16th Street and Kennedy Boulevard, and extending to a point 18 feet west thereof.

116. Cornelius Carroll, 135 West 2nd Street
Beginning at a point on the north side of West 2nd Street, 35 feet west of the northwest corner of West 2nd Street and Trask Avenue, and extending to a point 18 feet west thereof.

156. Mary Tawardos for her husband, Romamy Ramsis, 26 East 36th Street
Beginning at a point on the south side of East 36th Street, 325 feet east of the southeast corner of East 36th Street and Broadway, and extending to a point 18 feet east thereof.

158. Gwendolyn Green, 340 Broadway, Apt. 6
Beginning at a point on the east side of Broadway, 120 feet south of the southeast corner of East 16th Street and Broadway, and extending to a point 17 feet south thereof.

395. Fathi Sawirs, 86 West 18th Street
Beginning at a point on the south side of West 18th Street, 399 feet east of the southeast corner of West 18th Street and Avenue C, and extending to a point 18 feet east thereof.

396. Maureen Devlin, 131 West 33rd Street
Beginning at a point on the north side of West 33rd Street, 133 feet west of the northwest corner of West 33rd Street and Avenue A, and extending to a point 18 feet west thereof.

397. German Valdez, 160 West 49th Street
Beginning at a point on the south side of West 49th Street, 155 feet east of the southeast corner of West 49th Street and Kennedy Boulevard, and extending to a point 17 feet east thereof.

398. Henry Klarmann, 192 West 52nd Street
Beginning at a point on the south side of West 52nd Street, 81 feet east of the westerly terminus of the southerly curb line West 52nd Street and Newark Bay, and extending to a point 19 feet east thereof.

399. John O'Donnell, 25 Dodge Street
Beginning at a point on the north side of Dodge Street, 174 feet west of the northwest corner of Dodge Street and Orient Street, and extending to a point 18 feet west thereof.

400. Geraldine Rogers, 62 Trask Avenue
Beginning at a point on the east side of Trask Avenue, 130 feet north of the northeast corner of Trask Avenue and West 3rd Street, and extending to a point 18 feet north thereof.

401. Deborah Kisielewski, 134 West 28th Street
Beginning at a point on the south side of West 28th Street, 254 feet east of the southeast corner of West 28th Street and Avenue A, and extending to a point 18 feet east thereof.

402. Amanda Zaky, 133 West 20th Street
Beginning at a point on the north side of West 20th Street, 123 feet east of the northeast corner of West 20th Street and Avenue A, and extending to a point 18 feet east thereof.

403. Kemuel Velasquez, 160 West 21st Street

Beginning at a point on the south side of West 21st Street, 286 feet west of the southwest corner of West 21st Street and Avenue A, and extending to a point 18 feet west thereof.

404. Omar Caal for his son Omar Caal, Jr., 76 Humphrey Avenue

Beginning at a point on the east side of Humphrey Avenue, 222 feet south of the southeast corner of West 4th Street and Humphrey Avenue, and extending to a point 18 feet south thereof.

405. Margaret Oberanowicz, 80 West 42nd Street

Beginning at a point on the south side of West 42nd Street, 311 feet west of the southwest corner of West 42nd Street and Avenue C, and extending to a point 18 feet west thereof.

406. John Wojturski, 845 Broadway

Beginning at a point on the north side of West 39th Street, 58 feet west of the northwest corner of West 39th Street and Broadway, and extending to a point 18 feet west thereof.

407. Joan Kohler for her mother, Dorothy Baldowski, 55 Trask Avenue

Beginning at a point on the west side of Trask Avenue, 40 feet west of the northwest corner of Trask Avenue and West 3rd Street, and extending to a point 18 feet west thereof.

408. Annette Johnson, 63 West 14th Street

Beginning at a point on the north side of West 14th Street, 143 feet west of the northwest corner of West 14th Street and Avenue C, and extending to a point 18 feet west thereof.

RE-ASSIGN

150. From Samir Salib to his wife Yasmin Salib, 375 Kennedy Boulevard

Beginning at a point on the south side of West 13th Street, 37 feet west of the southwest corner of West 13th Street and Kennedy Boulevard, and extending to a point 22 feet west thereof.

(Additions ****between asterisks and/or in bold****, deletions ~~{within brackets and/or struck through}~~);

~~{215.}~~ ****118.**** William Juncisin, 45 East 4th Street

Beginning at a point on the north side of East 4th Street, 35 feet west of the northwest corner of West 4th Street and Lexington Avenue, and extending to a point 18 feet west thereof.

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

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, MAY 17, 2017 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

* * * * *

13. Council Member LaPelusa introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING 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, AND COMMONLY KNOWN AS SOUTH COVE, 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, on July 20, 2016, the Municipal Council directed the Planning Board, to prepare and review a redevelopment plan for the Property and make recommendations to the Municipal Council in accordance with the Redevelopment Law; and

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Municipal Services, has prepared a redevelopment plan for the Property title "South Cove Redevelopment Plan" dated February 14, 2017 (the "Redevelopment Plan"); and

WHEREAS, the Planning Board adopted a Resolution recommending the Redevelopment Plan to the Municipal Council and concluding that the Redevelopment Plan is consistent with the Master Plan of the City of Bayonne (the "Resolution"); and

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

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

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

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

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

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

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

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

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

BE IT RESOLVED, that an ordinance entitled "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING 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, AND COMMONLY KNOWN AS SOUTH COVE, AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, May 17, 2017 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

* * * * *

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

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

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

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

* * * * *

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

From KELLEN CARSON, filing notice of tort claim alleging property damage to his automobile tire on March 16, 2017 resulting from striking a pothole on Avenue E between 33rd and 20th Streets.

* * * * *

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

From Superior Court of New Jersey, Law Division Summons and Third Party Complaint in matter entitled, "REINOEHL vs. SUNSHINE GROCERY, et al. vs. THE CITY OF BAYONNE." (Sidewalk fall down on September 13, 2015)

* * * * *

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, "INSERRA SUPERMARKETS vs. CITY OF BAYONNE." (567-589 Avenue C, Block 182, lot 11.01 - commercial)

* * * * *

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, "MPT OF BAYONNE, LLC vs. CITY OF BAYONNE." (Bayonne Medical Center, Block 159, lots 14 & 15, Block 164, lots 5 & 6, Block 420.02, lot 2, Block 504, lot 7.01 – commercial and vacant)

* * * * *

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

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

* * * * *

20. 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, "JERSAM, INC. vs. CITY OF BAYONNE." (63-67 Hook Road, Block 416, lot 3 - industrial)

* * * * *

21. 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, "McDONALDS CORP. (29/144) vs. CITY OF BAYONNE." (537-543 Broadway, Block 189, lot 24 - commercial)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, "PSE&G CO CORP PROPERTIES vs. CITY OF BAYONNE." (160 West 63rd Street, Block 3, lot 3 - industrial)

* * * * *

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

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

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

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

* * * * *

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

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

* * * * *

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

From Terrence Malloy, submitting the Supplemental Debt Statement as of April 19, 2017.

* * * * *

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

DATE: MARCH 31, 2017

TO: Terrence Malloy, CFO
Robert Sloan, City Clerk

FROM: Janet Convery, Treasurer

Please be advised that a transfer to the Board of Ed will be made on April 3, 2017.

\$5,239,669.50 CLAIMS & PAYROLL FOR APRIL 2017

Janet Convery
(signed)

* * * * *

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

April 11, 2017

Dear Council President Nadrowski
And Honorable Members of City Council

I hereby appoint the following individuals to the Rent Control Board of the City of Bayonne:

Moris N. Mekhael
17 Lord Avenue, Bayonne, NJ 07002

Term Expires December 31, 2020

Stan Komorowski
101 East 25th Street, Bayonne, NJ 07002

Term Expires December 31, 2020

In conjunction with this appointment the City Clerk has been directed to add an accompanying item on the April 19, 2017 Council Meeting agenda to be received and filed by the City Council.

Sincerely,
James M. Davis
Mayor
(signed)

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

* * * * *

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

April 11, 2017

Dear Council President Nadrowski
And Honorable Members of City Council

I hereby appoint the following individuals to the Planning Board of the City of Bayonne:

Maria I. Valado
767 Avenue A, Bayonne, NJ 07002

Term Expires December 31, 2020
(Unexpired Term of Laura Marsella)

In conjunction with this appointment the City Clerk has been directed to add an accompanying item on the April 19, 2017 Council Meeting agenda to be received and filed by the City Council.

Sincerely,
James M. Davis
Mayor
(signed)

* * * * *

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

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

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

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

* * * * *

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

RESOLVED, That the official minutes of the regular council meeting held Wednesday, March 15, 2017 be and the same are hereby approved.

* * * * *

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

RESOLVED, That the official minutes of the council caucus meeting held Wednesday, March 8, 2017, be and the same are hereby approved.

* * * * *

32. 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
71	6	Elvy Lazaro	4,638.04
75	15	Carla Marsh	311.41
80	22	David Soloway	421.12
130	22.11	James Clark	1,108.41
151	39	Christine Peters	428.99
157	42	Zareef Gebrael	336.55
158	41.03	Elyse Buonomo	557.69
159	23	Richard Svercauski	1,598.20
177	55.42	Fontano Giovanni	256.77
186	25	PNC Mortgage	2,278.97
196	1.01	Melvin Stock	7,992.89
227	19	Walter Barrett	281.84
239	1.08	Henryk Ksepko	5,344.83
246	14	Anthony Andrade	319.78
247	41	Micaela Sinay	602.78
252	10	Wells Fargo	885.48
284	16	Michael Botros	570.98
311.02	7	John Sisk	2,298.94
373	11	Geraldine Pivano	598.57
327	10	Ralph B. Feuker	892.12
357	11	Grace O'Brien	1,772.00

375	38	Jerry Hinnant	2,356.70
377	7.302	Donna Delbert	206.45
456	23	Francisco Murillo	146.93
Total:			36,206.44

* * * * *

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

RESOLVED, that a warrant be drawn and made payable to Public Employees Retirement System in the amount of \$ 2,247,541.09. Said payment represents the city's annual contribution.

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

RESOLVED, that a warrant be drawn from the Current Fund and made payable to Police & Firemen's Retirement System in the amount of \$10,592,650.42. Said payment represents the city's annual contribution.

* * * * *

35. 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 \$ 69.00 be drawn of the Bureau of Rabies Control, State Department of Health, Trenton, New Jersey, covering the issuance of licenses Nos. 976-1000 inclusive, 25 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.

* * * * *

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

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

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

WHEREAS, Bayonne Family Community Center has requested and submitted a formal written application dated February 15, 2016 for said CDBG Grant Funds in the amount of

\$5,550.00 for the purpose of providing the cost of architectural plans from Carminio Architecture LLC, 655 Jerusalem Road, Scotch Plains, NJ 07076 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 architectural plans from Carminio Architecture LLC, 655 Jerusalem Road, Scotch Plains, NJ 07076; and

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

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Bayonne Family Community Center, 259 Avenue E, Bayonne, New Jersey 07002 for the provision of providing the cost of architectural plans from Carminio Architecture, LLC, 655 Jerusalem Road, Scotch Plains, NJ 07076 in the amount of \$5,500.00 for the period commencing September 1, 2016 and ending August 31, 2017.

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

* * * * *

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

WHEREAS, pursuant to a Shared Services Agreement between the City of Bayonne and the Urban Enterprise Zone Corporation, the New Jersey Council of Farmers and Communities has successfully operated the Bayonne Farmers' Market for the years 2012 through 2016; and

WHEREAS; the individual vendors of the New Jersey Council of Farmers and Communities ("Individual Vendors") have requested permission to operate the 2017 Bayonne Farmer's Market within the municipal lands designated as Fitzpatrick Park located at Avenue C between 26th and 27th Streets ("Fitzpatrick Park"); and

WHEREAS, Fitzpatrick Park is not located in the Urban Enterprise Zone; and

WHEREAS, because the Farmers' Market has proven successful and a desirous event in the City of Bayonne, the City is agreeable to entering into License Agreements with the Individual Vendors allowing them to operate the 2017 Bayonne Farmers' Market within Fitzpatrick Park every Tuesday from 2:00 p.m. until 7:00 p.m. commencing May 23, 2017 through October 17, 2017 for the sum of \$35/week; now, therefore, be it

RESOLVED that the Mayor and the City Clerk are hereby authorized and directed to take all steps necessary to execute License Agreements in form and substance as is approved by the Law Director with the individual vendors of the New Jersey Council of Farmers to permit the use of municipal lands designated as Fitzpatrick Park located at Avenue C between 26th and 27th Streets pursuant to License Agreements, for the purpose of the Bayonne Farmers' Market every Tuesday from 2:00 p.m. until 7:00 p.m. commencing May 23, 2017 through October 17, 2017 for the sum of \$35/week.

* * * * *

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

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to
Implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for the 2016 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and to indicate the assent of the City of Bayonne to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW THEREFORE BE IT RESOLVED by the Municipal Council of the City of Bayonne that City of Bayonne hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Director of Public Works, Gary Chmielewski, to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

* * * * *

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

WHEREAS, the Recycling Enhancement Act, P.L.2007, chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, there is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility; and

WHEREAS, whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law", the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant moneys received by the municipality shall be expended only for its recycling program;

NOW THEREFORE BE IT RESOLVED by the City of Bayonne that City of Bayonne hereby certifies a submission of expenditure for taxes paid pursuant to P.L.2007, chapter 311,

in 2016 in the amount of \$97,087.12. Documentation supporting this submission is available at Bayonne City Hall, 630 Avenue C, Bayonne, New Jersey 07002 and shall be maintained for no less than five years from this date.

* * * * *

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

WHEREAS, Resolution No. 16-12-14-064 adopted by the Municipal Council on December 14, 2016 the City of Bayonne authorized an agreement with Alpha Dog Solutions, 335 Union Avenue, Belleville, New Jersey 07109 for website design, management and maintenance services for a one year period commencing January 1, 2017 and ending December 31, 2017 pursuant to the Fair & Open Contracting Requirements pursuant to N.J.S.A. 10:44A:20.4.5; and

WHEREAS, said Resolution No. 16-12-14-064 contained a scrivener's error reflecting a total contract amount of \$54,900.00; and

WHEREAS, the correct total contract amount is \$59,400.00; and

WHEREAS, pursuant to the aforesaid Resolution No. 16-12-14-064 the City entered into Agreement No. CY17-019 with Alpha Dog Solutions for the aforesaid website design, management and maintenance services for a total contract amount of \$54,900.00; now, and

WHEREAS, funds have been certified as available in various accounts pending adoption of the CY2017 budget; now, therefore, be it

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

1. Resolution No. 16-12-14-064 is hereby amended to reflect a total contract amount of \$59,400.00.

2. The Mayor and the City Clerk are hereby authorized and directed to execute an amendment to Agreement No. CY17-019 with Alpha Dog Solutions for the aforesaid website design, management and maintenance services reflecting same.

3. Funds shall be chargeable to various accounts.

* * * * *

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

Whereas, the Tax Assessor for the City of Bayonne had approved the exemption application dated March 28, 2017 by a 100% Disabled Veteran who occupies a ONE family home located at Block 409 Lot 11 (446 Avenue E), in the City of Bayonne, and

Whereas, the qualified veteran has filed an application with the Bayonne Tax Assessor along with proof of 100% disability as of 07/27/2016 as confirmed by letter from the Department of Veterans Affairs with respect to a one family house owned by the qualifying veteran and his wife as of 4/30/1998 as evidenced by a deed filed with the Hudson County Register in book 5281 page 69, and

Whereas, the Assessor asks the City Council to grant this request;

Now therefore be it resolved as follows:

1. The property taxes on the one family home located at Block 409 Lot 11 (446 Avenue E), in the City of Bayonne occupied by said qualifying veteran are hereby canceled effective July 27, 2016 with the assessor to revise the assessment going forward and the tax collector to calculate any resulting overpayment of the tax bills from that date to the date of passage of this resolution (estimated at approximately \$3,853.68 for the prorated portion of the prior tax year or years and \$2,641.38 for the prorated portion of the current tax year EXPRESSLY SUBJECT TO the Tax Collector's records and calculations based on the final tax rate and the amount of tax actually billed and paid for the period to which the exemption applies.
2. The Tax Collector upon performing the above calculations is authorized to refund any overpayment amount which exceeds such outstanding taxes, so as to assure that the exemption is fully effectuated. The Tax Collector is further authorized to credit or adjusting all future bills in conformance with this resolution for the duration of the veteran's qualified status with respect to this property.
3. The Tax Collector, Tax Assessor and City Treasurer are authorized to take any and all appropriate action to effectuate this resolution, including but not limited to, cancellation of taxes as set forth above and the refund or credit of any excess taxes which may have been paid by said qualifying veterans during the periods noted herein.

* * * * *

42. 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
Blessed Miriam Teresa Demjanovich Parish	19 West 13 th Street 6:00 – 11:00 PM May 2, 3, 4, 5 3:00 – 11:00 PM May 6, 2017	RL: 9182
John M. Bailey PTA	229 Broadway 10:00 AM – 12:00 PM May 7, 2017	RL: 9183
Rotary Club of Bayonne	1081 Broadway 8:00 PM June 27, 2017	RL: 9184
Unico National-Bayonne Chapter	8:00 PM 1081 Broadway June 7, 2017	RL: 9185
Trinity Parish in Bergen Point	12:00-8:00 PM 141 Broadway	RL: 9186

July 8, 2017

Hudson County Animal League	8:00 PM 290 Avenue E October 18, 2017	RL: 9187
Hudson County Animal League	2:30-6:30 PM 290 Avenue E June 3, 2017	RL: 9188 RL: 9189

* * * * *

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

WHEREAS, by way of City of Bayonne Ordinance O-17-05 passed on February 15, 2017 and effective March 7, 2017 the Municipal Council approved a Contract of Sale between the City of Bayonne and the Convent of Sisters of Saint Joseph, dated January 11, 2017, for the purchase and sale of the property known and designated as 15-19 Howard Place (Block 289, Lot 15) and 237-249 Avenue A (Block 284, Lot 2) on the Official Tax Maps of the City of Bayonne (the "Property") for the sum of \$2,500,000.00; and

WHEREAS, the City is in receipt of Invoice No. 16-10073 in the amount of \$685.00 and Invoice No. 16-10074 in the amount of \$2,950.00 from Morgan Engineering & Surveying, P.O. Box 5232, Toms River, New Jersey 08754 representing charges for two (2) surveys in connection with the purchase of said Property; and

WHEREAS, funds are certified as available in Capital Ordinance O-16-66; now, therefore, be it

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

1. The Municipal Treasurer is hereby authorized to pay \$685.00 and Invoice No. 16-10074 in the amount of \$2,950.00 to Morgan Engineering & Surveying, P.O. Box 5232, Toms River, New Jersey 08754 representing payment for charges for two (2) surveys in connection with the purchase of the aforesaid Property.

3. Funds shall be charged to Capital Ordinance O-16-66.

* * * * *

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

WHEREAS, by way of Resolution No. 14-09-17-097 adopted on September 17, 2014 the Municipal Council granted Cape Liberty Cruise Port, LLC a License for the limited purpose of maintaining signage to benefit the Royal Caribbean International Terminal Building located at the Peninsula at Bayonne Harbor at a designated area in the vicinity of the intersection of Goldsborough Drive and access road and allowed for additional conditions and terms upon which said License would be subject to payment to the City and conditioned upon certain terms as would be set forth in a formal License Agreement; and

WHEREAS, pursuant to the aforesaid Resolution No. 14-09-17-097, the City of Bayonne and Cape Liberty Cruise Port, LLC (the "Parties") entered into a License Agreement (the "License

Agreement”) for a period of thirty one (31) months commencing October 1, 2014 and terminating April 30, 2017 (the “Initial Term”) for a license fee of \$3,000 per month; and

WHEREAS, pursuant to the terms of the License Agreement, the Parties agreed that the License Agreement would automatically renew on a month to month basis unless Grantor or Grantee provided the other party with (30) days written notice of termination prior to the end of the Initial Term (the “Extension Term”); and

WHEREAS, pursuant to the terms of the License Agreement, the Parties also agreed that the license fee during the Extension Term would be \$3,000 per month in advance; and

WHEREAS, Cape Liberty Cruise Port, LLC is desirous of extending the License Agreement for an additional five (5) month period commencing May 1, 2017 and ending September 30, 2017 under the same terms and conditions of the existing License Agreement; and

WHEREAS, the Business Administrator has determined it is in the best interests of the citizens of Bayonne to extend the License Agreement with Cape Liberty Cruise Port, LLC for an additional five (5) month period commencing May 1, 2017 and ending September 30, 2017 under the same terms and conditions as the existing License Agreement; 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 execute an extension of the aforesaid License Agreement between the City of Bayonne and Cape Liberty Cruise Port, LLC extending same for a five (5) month period commencing May 1, 2017 and ending September 30, 2017 for a license fee of \$3,000 per month under the same terms and conditions as the existing License Agreement in a form acceptable to the Law Department.

* * * * *

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

Whereas the City of Bayonne is desirous of implementing an Art Beautification project in the Broadway Shopping District, and

Whereas the project will include the purchase of bronze street appropriate art and the painting of various fire boxes and utility boxes, now therefore, be it

Resolved the UEZ Coordinator is hereby authorized to create a project entitled “Broadway Art Beautification” \$60,000 and be it further

* * * * *

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

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

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

WHEREAS, the Bayonne Family Community Center requested funds for the purpose of providing funding for on-site emergency electrical restoration services at their premises located at 259 Avenue E, Bayonne, New Jersey; and

WHEREAS, due to exigent circumstances, the Director of Community Development authorized the aforesaid on-site emergency electrical restoration services; and

WHEREAS, pursuant to said authorization, the Bayonne Family Community Center retained the services of Peninsula Electric, Inc., 23 East 47th Street, Bayonne, New Jersey to perform the aforesaid on site emergency electrical restoration services; and

WHEREAS, the Office of Community Development is in receipt of Invoice #3037 and Invoice #3038 dated March 20, 2017 for the amounts of \$16,419.90 and \$8,196.83 respectively from Peninsula Electric, Inc. representing charges for the aforesaid electrical restoration services; and

WHEREAS, the City may use funds to assist the Bayonne Family Community Center in accordance with the regulations governing the Community Block Grant Program under Sections 201(e)/208(a)(2)(i)(B) and 2(a)(4)/208(b)(2); and

WHEREAS, said CDBG Funds are certified as available in Accounts CDBG-917 and CDBG-927; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The actions of the Director of Community Development authorizing the Bayonne Family Community Center to retain the services of Peninsula Electric, Inc., 23 East 47th Street, Bayonne, New Jersey to provide the aforesaid on site emergency electrical restoration services are hereby ratified and affirmed.

2. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Bayonne Family Community Center, 259 Avenue E, New Jersey 07002 for the provision of providing the cost of the aforesaid on site electrical restoration services pursuant to Invoice # 3037 and Invoice #3038 dated March 20, 2017 for the amounts of \$16,419.90 and \$8,196.83 respectively from Peninsula Electric, Inc. for a total contract amount of \$24,626.73 for the period commencing September 1, 2016 and ending August 31, 2017.

2. Funds for Invoice #3037 and Invoice #3038 shall be charged to Accounts #CDBG-917 and #CDBG 927 respectively.

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

* * * * *

47. 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 Senior Center, 16 West 4th Street, Bayonne, New Jersey 07002 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Senior Center has requested and submitted a formal written application dated February 15, 2016 for said CDBG Grant Funds in the amount of \$8,000.00 for the purpose of providing the cost repairing the stairs from Lucciola Mason Contracting Inc., 145 Lord Avenue, Bayonne, NJ 07002 and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said Community Development Block Grant Funds for the purpose of providing the cost of repairing the stairs from Lucciola Mason Contracting Inc., 145 Lord Avenue, Bayonne, NJ 07002; and

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

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Senior Center, 16 West 4th Street, Bayonne, New Jersey 07002 for the purpose of providing the cost of repairing the stairs from Lucciola Mason Contracting Inc., 145 Lord Avenue, Bayonne, NJ 07002 in the amount of \$8,000.00 for the period commencing September 1, 2016 and ending August 31, 2017.

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

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

* * * * *

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

WHEREAS, by way of Resolution No. 17-02-15-050 the City entered into Cooperative Pricing Agreement No. 65MCESCCPS with the Educational Services Commission of New Jersey (formerly the Middlesex Regional Educational Services Commission) pursuant to N.J.S.A. 40A:11-1(5); and

WHEREAS, the City is in need of HVAC Services for Various City Buildings; and

WHEREAS, the Business Administrator has determined it is in the best interest of the City to procure the aforesaid HVAC Services for Various City Buildings from In-Line Heating & Cooling, 85 East 21st Street, Bayonne, New Jersey through the aforesaid Cooperative Pricing Agreement No. 65MCESCCPS for an eighteen (18) month period commencing July 1, 2017 and ending December 31, 2018 for an amount not to exceed \$115,000.00; and

WHEREAS, funds are certified as available in Various Accounts pending adoption of the CY2017 and CY2018 budgets; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Purchasing Agent be and is hereby authorized to procure the services of In-Line Air Conditioning for HVAC Services for Various City Buildings through the aforesaid Cooperative Pricing Agreement No. 65MCESCCPS for an eighteen (18) month period

commencing July 1, 2017 and ending December 31, 2018 for a total contract amount not to exceed \$115,000.00.

2. Funds shall be chargeable to Various Accounts.

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

* * * * *

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

WHEREAS, Resolution 15-07-22-057 adopted by the Municipal Council on July 22, 2015 awarded a contract for professional planning services to perform a Master Plan Reexamination to DMR Architects, P.C., 777 Terrace Avenue, Suite 607, Hasbrouck Heights, New Jersey 07604 for an amount not to exceed \$50,000.00; and

WHEREAS, pursuant to the aforesaid Resolution No. 15-07-22-057 the City entered into Agreement No. CY15-056 with DMR Architects, P.C.; and

WHEREAS, by way of Resolution No. 17-01-18-052 on January 18, 2017 the Municipal Council authorized an amendment to the aforesaid Agreement No. CY15-056 increasing same in the amount of in the amount of \$56,800.00, making the total contract amount not to exceed \$106,800.00; and

WHEREAS, the Business Administrator demonstrated there is a need to increase the aforesaid Agreement No. CY15-056 with DMR Architects, P.C. for the preparation of a demand and impact study for ferry service to Manhattan; and

WHEREAS, funds are certified as available in Accounts CDBG, UEZ, BA-2; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized and directed to execute a second amendment to Agreement No. CY15-016 DMR Architects, P.C., 777 Terrace Avenue, Suite 607, Hasbrouck Heights, New Jersey 07604 for the preparation of a demand and impact study for ferry service to Manhattan increasing same in the amount of \$20,000.00, making the total contract amount not to exceed \$126,800.00.

2. Funds shall be charged to Accounts CDBG, UEZ, and BA-2.

3. All other terms and conditions of Agreement No. CY15-056 shall remain the same.

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

* * * * *

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

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions: and

WHEREAS, the Annual Report of Audit for the year ended December 31, 2015 (with comparative totals for the year ended December 31, 2014) has been filed by a Registered Accountant with the Municipal Clerk as pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs, as per; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations"; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations" as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 - to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a dated fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW THEREFORE, BE IT RESOLVED, that the Municipal Council of the City of Bayonne, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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

* * * * *

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

WHEREAS, the Annual Audit for calendar year 2015 has been received by the City of Bayonne; and

WHEREAS, certain findings were made by the auditors which the city administration has determined to address; and

WHEREAS, the city administration has prepared a Corrective Action Plan designed to address such findings, a copy of which attached hereto and made part hereto; now, therefore be it

RESOLVED, by the Municipal Council of the City of Bayonne that the Corrective Action Plan attached hereto be and is hereby approved and endorsed; and be it further

RESOLVED, that the appropriate municipal officers are directed to take the corrective actions listed therein, and that a copy of the Corrective Action be maintained and available for inspection by the general public.

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

* * * * *

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

#3 TEMPORARY EMERGENCY APPROPRIATION CY 2017

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 17 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 17 budget pursuant to the provisions of Chapter 96, P.L. 1951 (NJS 40A:4-20) including this resolution total

Current Fund	\$	30,430,420.50
Parking Utility	\$	278,000.00

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	\$	20,843,000
Parking Utility	\$	192,000.00

2- That said emergency temporary appropriation will be provided for the CY 17 budget under the title of, as per attached schedule:

Current Fund	\$	20,843,000
Parking Utility	\$	192,000.00

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.

* * * * *

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

Whereas, the City of Bayonne desires to adopt a Temporary Capital Budget for CY 2017, and, therefore be it,
Resolved, that the following be and hereby is made part of CY 2017 Temporary Budget, and, also be it,
Resolved, that the following be included in the Capital Budget Section of CY 2017 Municipal Budget:

TEMPORARY CAPITAL BUDGET (CURRENT YEAR CY 2017)									
PLANNED FUNDING SERVICE FOR CURRENT YEAR CY 2017									
1 PROJECT	2 PROJECT NUMBER	3 TOTAL COST EST.	4 AMOUNTS RESERVED PRIOR YEARS	5a 2017 BUDGET APPROPRIATIONS	5b CAPITAL IMPROVEMENT FUND	5c CAPITAL SURPLUS	5d GRANTS IN AID AND OTHER FUNDS	5e DEBT AUTHORIZED	6 TO BE FUNDED IN FUTURE YEARS
Various Capital Improvements	1	1,760,000			88,000		480,000	1,675,000	
Special Assessment- Roadway Improvements- Lafayette Way	2	1,000,000						550,000	

TEMPORARY CY 2015 CAPITAL PROGRAM CY 2017 - CY 2022 ANTICIPATED PROJECT SCHEDULE AND FUND REQUIREMENTS									
1 PROJECT	2 PROJECT NUMBER	3 TOTAL COST EST.	4 EST. COMPLETION TIME	5 CY 2017	6 CY 2018	7 CY 2019	8 CY 2020	9 CY 2021	10 CY 2022
Various Capital Improvements	1	1,760,000	2017	1,760,000					
Special Assessment- Roadway Improvements- Lafayette Way	2	1,000,000	2017	1,000,000					

TEMPORARY CY 2017 PROGRAM CY 2017- CY 2022 SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS									
1 PROJECT	2 TOTAL COST EST.	3 BUDGET APPROPRIATIONS	4 CAPITAL IMPROVEMENT FUND	5 CAPITAL SURPLUS	6 GRANTS IN AID AND OTHER FUNDS	7 BONDS AND NOTES* A B C D *	8 (A) GENERAL (B) SELF LIQUIDATING (C) ASSESSMENT (D) SCHOOL		
Various Capital Improvements	1,760,000		88,000			1,675,000	(A)		
Special Assessment- Roadway Improvements- Lafayette Way	1,000,000				480,000	550,000	(D)		

RECORDED VOTE (INSERT LAST NAMES)									
AYES	Cotter	1	NAYES	Gullace	0	ABSTAIN	LaPelusa	0	ABSENT
	Gullace	0			Perez		0		
	Perez	0					0		
		0					0		

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

* * * * *

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

CONSENT RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING THE PERMITTED TRANSFER OF THE REDEVELOPMENT AGREEMENT FROM 975 BROADWAY OWNER, LLC TO 957 BROADWAY URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED AT 9 WEST 46TH STREET, 11 WEST 46TH STREET, 13 WEST 46TH STREET, 15 WEST 46TH STREET, 957 BROADWAY, 959 BROADWAY, 961 BROADWAY, 963 BROADWAY, AND 965 BROADWAY, WHICH PROPERTY IS IDENTIFIED AS BLOCK 77, LOTS 16, 17, 18, 19, 20, 21, 22, 23 AND 24 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE FOR THE REDEVELOPMENT OF SUCH PROPERTY IN ACCORDANCE WITH THE REDEVELOPMENT PLAN

WHEREAS, the City of Bayonne entered into a Redevelopment Agreement with 975 Broadway Owner, LLC on February 24, 2017 for the properties located at 9 West 46th Street, 11 West 46th Street, 13 West 46th Street, 15 West 46th Street, 957 Broadway, 959 Broadway, 961 Broadway, 963 Broadway, and 965 Broadway, which property is identified as Block 77, Lots 16, 17, 18, 19, 20, 21, 22, 23 and 24 as shown on the Official Tax Map of the City of Bayonne; and

WHEREAS, by letter dated April 5, 2017, 975 Broadway Owner, LLC has placed the City of Bayonne on notice that it has transferred all rights, duties and interests as Redeveloper to 957

Broadway Urban Renewal, LLC, having its offices at 534 Broadway, Bayonne, New Jersey 07002; and

WHEREAS, Section 8.03(h) ("Permitted Transfers") of the above noted Redevelopment Agreement expressly permits the transfer of redevelopment rights.

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

Section 1. The Mayor and the City Clerk are hereby authorized and directed to execute an amendment to the February 24, 2017 Redevelopment Agreement effectuating the transfer of all rights, duties and interests as Redeveloper from 975 Broadway Owner, LLC to 957 Broadway Urban Renewal, LLC consistent with Section 8.04 of the Redevelopment Agreement.

Section 2. This Resolution shall take effect immediately.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY DESIGNATING BAYONNE EQUITIES URBAN RENEWAL, LLC AS REDEVELOPER OF THE PROPERTY LOCATED AT 477 AND 479-481 BROADWAY, AND 19-25 W 22ND ST, WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 204, LOTS 2 & 3, AND BLOCK 203, LOT 4 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE AND THE EXECUTION OF A REDEVELOPMENT AGREEMENT WITH BAYONNE EQUITIES URBAN RENEWAL, LLC FOR THE REDEVELOPMENT OF SUCH PROPERTY IN ACCORDANCE WITH THE REDEVELOPMENT PLAN

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

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

WHEREAS, the City believes that the property located at 477 and 479-481 Broadway, and 19-25 W 22nd Street, which properties are identified as Block 204, Lots 2 and 3, and Block 203, Lot 4 (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, on March 16, 2005, the Bayonne Municipal Council (the "Municipal Council") adopted Resolution 05-03-16-048 requesting the Planning Board of the City (the "Planning Board") to conduct a preliminary investigation pursuant to *N.J.S.A. 40A:12A-6* to determine whether the subject area, which consists of 34 sites including the Property (the "Scattered Site Study Area"), qualified as 'an area in need of redevelopment' in accordance with the criteria set forth in *N.J.S.A. 40A: 12A-5*, and if so, to prepare a redevelopment plan; and

WHEREAS, H2M Associates, Inc., on behalf of the Planning Board, prepared a report entitled the 'Scattered Site Redevelopment Study' dated December 7, 2005 (the "Scattered Site Redevelopment Study") for the Municipal Council's consideration; and

WHEREAS, on December 14, 2005, the Municipal Council adopted Resolution 05-12-14-064 designating the Scattered Site Study Area, which included the Property, as an area in need of redevelopment (the "Scattered Site Redevelopment Area"); and

WHEREAS, on January 25, 2006, the Municipal Council passed Ordinance O-06-02 which adopted the Scattered Site Redevelopment Plan prepared by H2M Associates, Inc. for the Scattered Site Redevelopment Area in accordance with the Redevelopment Law (the "Redevelopment Plan"); and

WHEREAS, on October 19, 2016, the Municipal Council directed the Planning Board, to prepare and review an amended Redevelopment Plan for the Property and make recommendations to the Municipal Council in accordance with the Redevelopment Law; and

WHEREAS, on March 15, 2017, the Municipal Council passed Ordinance O-17-10 which adopted an amended Redevelopment Plan prepared by the City Planning Department which incorporates the properties located at Block 204, Lots 2 and 3, and Block 203, Lot 4 to the Redevelopment Plan (the "Amended Redevelopment Plan"), and

WHEREAS, Bayonne Equities Urban Renewal, LLC, a limited liability company of the State of New Jersey, with an office address of 4615 Center Boulevard, Apt. 2508, Long Island City, NY 11109 (the "Redeveloper") is the owner of those certain parcel of land located at 477 and 479-481 Broadway, designated as Block 204, Lots 2 and 3 on the Official Tax Map of the City of Bayonne; and

WHEREAS, the City is the owner of that certain parcel of land located at 19-25 W 22nd Street, designated as Block 203, Lot 4, and

WHEREAS, Bayonne Equities Urban Renewal, LLC, wishes to develop the Property and use it for the purpose of implementing the Amended Redevelopment Plan; and

WHEREAS, the Municipal Council is permitted to contract with redevelopers for the undertaking of any project or redevelopment work pursuant to *N.J.S.A. 40A:12A-8(f)*; and

WHEREAS, the Amended Redevelopment Plan permits the Municipal Council, as a redevelopment entity, to authorize the negotiation and execution of a redevelopment agreement with the Redeveloper providing for the development of the Property in accordance with the Amended Redevelopment Plan (the "Redevelopment Agreement"); and

WHEREAS, the Municipal Council desires to designate Bayonne Equities Urban Renewal, LLC as Redeveloper of the Property and enter into a Redevelopment Agreement with the Redeveloper, as provided for and in accordance with the provisions of the Redevelopment Law.

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

Section 1. The Municipal Council of the City of Bayonne hereby authorizes the execution of the "Redevelopment Agreement By and Between the City of Bayonne and Bayonne Equities Urban Renewal, LLC," concerning the Property identified as Block 204, Lots 2 and 3, and Block 203, Lot 4 in the City of Bayonne, in such a form deemed advisable by the City

Attorney, subject to any and all conditions contained herein and such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel to the City; and

Section 2. The Municipal Council, upon the full execution of the Redevelopment Agreement designates Bayonne Equities Urban Renewal, LLC as Redeveloper of Block 204, Lots 2 and 3, and Block 203, Lot 4 in the City of Bayonne as provided for and in accordance with the provisions of the New Jersey Local Redevelopment and Housing Law; and

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

Section 4. This Resolution shall take effect immediately.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING AND DIRECTING THE PLANNING BOARD TO CONDUCT A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER CERTAIN PROPERTY LOCATED ON NORTH ST, WHICH PROPERTY IS IDENTIFIED AS BLOCK 295, LOTS 16 AND 17, WITHIN THE CITY CONSTITUTES A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.*

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

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

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

WHEREAS, the Mayor and Municipal Council consider it to be in the best interest of the City to have the Planning Board of the City (the "Planning Board") conduct such an investigation to determine if certain properties located on North Street, which property is identified as Block 295, Lots 16 and 17 as shown on the official Tax Map of the City (the "Study Area"), constitute a non-condemnation "area in need of redevelopment," in accordance with the Redevelopment Law; and

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

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

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

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

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

Section 2. The Planning Board is hereby directed to conduct a preliminary investigation to determine whether the Study Area, or any portions thereof, constitute a non-condemnation “area in need of redevelopment” according to the criteria set forth in *N.J.S.A. 40A:12A-5*.

Section 3. The Planning Board is hereby directed to study the property located on North Street, which property is identified as Block 295, Lots 16 and 17 on the City’s Tax Maps; to develop a map reflecting the boundaries of the proposed non-condemnation redevelopment area; to provide public notice and conduct public hearings pursuant to *N.J.S.A. 40A:12A-6*; and to draft a report/Resolution to the Mayor and Municipal Council containing its findings.

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

Section 5. This Resolution shall take effect immediately.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING AND DIRECTING THE PLANNING BOARD TO CONDUCT A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER CERTAIN PROPERTY LOCATED AT 105 E 24TH ST AND 107-113 E 24TH ST, WHICH PROPERTY IS IDENTIFIED AS BLOCK 443, LOTS 3 AND 5.01, WITHIN THE CITY CONSTITUTES A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.*

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

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

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

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

WHEREAS, the Mayor and Municipal Council consider it to be in the best interest of the City to have the Planning Board of the City (the “Planning Board”) conduct such an investigation to determine if certain properties located at 105 E 24th Street and 107-113 E 24th Street, which property is identified as Block 443, Lots 3 and 5.01 as shown on the official Tax Map of the City (the “Study Area”), constitute a non-condemnation “area in need of redevelopment,” in accordance with the Redevelopment Law; and

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

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

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

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

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

Section 2. The Planning Board is hereby directed to conduct a preliminary investigation to determine whether the Study Area, or any portions thereof, constitute a non-condemnation “area in need of redevelopment” according to the criteria set forth in *N.J.S.A. 40A:12A-5*.

Section 3. The Planning Board is hereby directed to study the property located at 105 E 24th Street and 107-113 E 24th Street, which property is identified as Block 443, Lots 3 and 5.01 on the City’s Tax Maps; to develop a map reflecting the boundaries of the proposed non-condemnation redevelopment area; to provide public notice and conduct public hearings pursuant to *N.J.S.A. 40A:12A-6*; and to draft a report/Resolution to the Mayor and Municipal Council containing its findings.

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

Section 5. This Resolution shall take effect immediately.

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

* * * * *

58. 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 PREPARATION OF A REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT SECOND STREET (PAPER STREET) FROM AVENUE A WESTERLY TO NEWARK BAY PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.*

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

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

WHEREAS, pursuant to the provisions of *N.J.S.A. 40A:12A-7(e)* and *N.J.S.A. 40A:12A-15* of the Redevelopment Law, the Planning Board, through the City's staff and/or Planning Board professionals, is permitted to prepare a redevelopment plan; and

WHEREAS, the City is desirous of directing the Planning Board to prepare a redevelopment plan in order to ensure the success of rehabilitation in conformity with the City's objectives; and

WHEREAS, the City believes that the property located at Second Street (Paper Street) from Avenue A Westerly to the Newark Bay (the "Property") is potentially valuable for contributing to, serving, and protecting the public health, safety and welfare and for the promotion of smart growth within the City; and

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

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 located at Second Street (Paper Street) from Avenue A Westerly to the Newark Bay 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.

* * * * *

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

WHEREAS, the City of Bayonne is party to an Amended Consent Decree as the Successor in Interest to The Bayonne Municipal Utilities Authority in connection with the matter known as "The Remediation of the New Jersey City University Redevelopment Area" A/K/A Consolidated Docket No. 05-5955 (DMC-PS); and

WHEREAS, it is necessary that the City of Bayonne designate signatories to sign said Amended Consent Decree on behalf of the City of Bayonne; now, therefore, be it

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

1. Mayor James M. Davis and/or Timothy Boyle, former Executive Director of the Bayonne Municipal Utilities Authority, are hereby authorized to execute the Amended Consent Decree on behalf of the City of Bayonne in connection with the matter known as "The Remediation of the New Jersey City University Redevelopment Area" A/K/A Consolidated Docket No. 05-5955 (DMC-PS) in a form acceptable to the Law Department.

2. Mayor James M. Davis and/or Timothy Boyle, former Executive Director of the Bayonne Municipal Utilities Authority, are hereby further authorized to execute any and all documents necessary to effectuate any mandates or other obligations arising out of the terms of the aforesaid Amended Consent Decree.

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

* * * * *

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

WHEREAS, Bowman Consulting is process the sanitary sewer applications for the Redevelopment Project at Harbor Station North on behalf of KRE Fleet Urban Renewal, LLC; and

WHEREAS, in furtherance of same it was necessary for Bowman Consulting to submit an NJDEP TWA-1 Application, an NJDEP WQM-003 Statement of Consent Form and an NJDEP WQM-006 Engineer's Report for Domestic Treatment Works Approval Application, all of which require the signature of a City official; and

WHEREAS, due to exigent circumstances, it was necessary for the City's Business Administrator, Joseph DeMarco, to sign each of these documents prior to obtaining approval by way of resolution; now, therefore, be it

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

1. The actions of Joseph DeMarco, Business Administrator of the City of Bayonne, in signing an NJDEP TWA-1 Application, an NJDEP WQM-003 Statement of Consent Form and an NJDEP WQM-006 Engineer's Report for Domestic Treatment Works Approval Application in furtherance of KRE Fleet Urban Renewal, LLC's sanitary sewer application for the Redevelopment Project at Harbor Station North are hereby ratified and affirmed.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY DESIGNATING 19TH STREET REALTY, LLC AS REDEVELOPER OF THE PROPERTY LOCATED AT 33 E 19TH ST, 35-37 E 19TH ST, 197-205 AVE E REAR, 39-43 E 19TH ST, AND 4 STANDARD PLACE, WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 221, LOTS 8, 9, 10, 11, 12, & 13 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE AND THE EXECUTION OF A REDEVELOPMENT AGREEMENT WITH 19TH STREET REALTY, 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, the Municipal Council of the City (the "Municipal Council") identified certain properties in the City, designated as Block 211, Lots 16, 17, 18 and 19, Block 221, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28 and 29, Block 226, Lots 30, 31, 32, 33, 34 and 35, and Block 458, Lots 12 and 13 on the City's Tax Maps (the "Study Area"), to be considered for designation as an "area in need of redevelopment" under the Redevelopment Law; and

WHEREAS, by Resolution No. 03-07-16-071 adopted on July 16, 2003, the Municipal Council authorized and directed the Planning Board to conduct a preliminary investigation to determine whether the Study Area constitutes an "area in need of redevelopment" according to the criteria set forth in *N.J.S.A. 40A:12A-5*; and

WHEREAS, John Fussa, P.P., then City Planner of the City of Bayonne, Division of Planning & Zoning, prepared a written report, which included the Property, entitled "Redevelopment Study – Broad Corridor Study Area, City of Bayonne, Hudson County, New Jersey" dated August 2004; and

WHEREAS, by Resolution 04-11-10-082 adopted on November 10, 2004, the Municipal Council adopted a Resolution formally designating the Property as an "area in need of redevelopment" (the "Broadway Corridor Redevelopment Area"); and

WHEREAS, the Broadway Corridor Redevelopment Area includes certain properties located at 33-43 East 19th Street, 197-205 Avenue E Rear and 4 Standard Place in the City, which properties are identified as Block 221, Lots 8, 9, 10, 11, 12 and 13, 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 Block 221, Lots 8, 9, 10, 11, 12, 13 Villa Nova Site Known as 33-43 East 19th Street, 197-205 Avenue E Rear and 4 Standard Place" dated March 8, 2016, (the "Redevelopment Plan") for the Municipal Council's consideration; and

WHEREAS, on March 8, 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 April 20, 2016, the Municipal Council passed Ordinance O-16-17, which adopted the Redevelopment Plan for the Property; and

WHEREAS, 19th Street Realty, LLC, a limited liability company of the State of New Jersey, with an office address of 85 East 2nd St, Bayonne NJ (the "Redeveloper") is the owner of those certain parcels of land located at 197-205 Ave E Rear and 39-43 E 19th Street designated as Block 221, Lots 10, 11, and 12 on the Official Tax Map of the City of Bayonne; and

WHEREAS, 19th Street Realty, LLC, is the contract purchaser of those certain parcels of land located at 33 E 19th Street, 35-37 E 19th Street, and 4 Standard Place designated as Block 221, Lots 8, 9, and 13; and

WHEREAS, 19th Street Realty, LLC, wishes to develop the property located at 33 E 19th Street, 35-37 E 19th Street, 197-205 Ave E Rear, 39-43 E 19th Street, and 4 Standard Place, which properties are identified as Block 221, Lots 8, 9, 10, 11, 12, & 13 as shown on the Official Tax Map of the City of Bayonne (the "Property") and use it for the purpose of implementing the Redevelopment Plan; and

WHEREAS, the Municipal Council is permitted to contract with redevelopers for the undertaking of any project or redevelopment work pursuant to *N.J.S.A. 40A:12A-8(f)*; and

WHEREAS, the Redevelopment Plan permits the Municipal Council, as a redevelopment entity, to authorize the negotiation and execution of 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 19th Street Realty, LLC as Redeveloper of the Property and enter into a Redevelopment Agreement with the Redeveloper, as provided for and in accordance with the provisions of the Redevelopment Law.

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

Section 1. The Municipal Council of the City of Bayonne hereby authorizes the execution of the "Redevelopment Agreement By and Between the City of Bayonne and 19th Street Realty, LLC," concerning the Property identified as Block 221, Lots 8, 9, 10, 11, 12, & 13 in the City of Bayonne, in such a form deemed advisable by the City Attorney, subject to any and all conditions contained herein and such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel to the City; and

Section 2. The Municipal Council, upon the full execution of the Redevelopment Agreement designates 19th Street Realty, LLC as Redeveloper of the Property as provided for and in accordance with the provisions of the New Jersey Local Redevelopment and Housing Law; and

Section 3. The Mayor and Clerk are hereby authorized to execute the Redevelopment Agreement, with such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel, on behalf of the City of Bayonne, acting as the redevelopment entity for the redevelopment of the Property by 19th Street Realty, LLC.

Section 4. This Resolution shall take effect immediately.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY DESIGNATING PENINSULA VIEW, LLC AS REDEVELOPER OF THE PROPERTY LOCATED AT 73 E 31ST ST, 75 E 31ST ST, 77 E 31ST ST, 79-87 E 31ST ST, 80 E 32ND ST, 78 E 32ND ST, 76 E 32ND ST, 74 E 32ND ST, 268-270 PROSPECT AVE, 266 PROSPECT AVE, 264 PROSPECT AVE, 262 PROSPECT AVE, 260 PROSPECT AVE, AND 258 PROSPECT AVE, WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 411, LOTS 1, 2, 3, 4, 5, 6, 7, 8, 10.01, 11, 12, 13, 14, & 15 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE AND THE EXECUTION OF A REDEVELOPMENT AGREEMENT WITH PENINSULA VIEW, LLC FOR THE REDEVELOPMENT OF SUCH PROPERTY IN ACCORDANCE WITH THE AMENDED AND EXPANDED 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 on June 15, 2016, the Municipal Council of the City (the "Municipal Council") designated 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 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, on February 19, 2014, the Municipal Council adopted a redevelopment plan for Block 411, Lots 2, 3, 4, and 5, titled "Redevelopment Plan Block 411, Lots 2, 3, 4, and 5, City of Bayonne, Hudson County, New Jersey" dated January 7, 2014 (the "Redevelopment Plan"); and

WHEREAS, on August 19, 2015, the Municipal Council, pursuant to Resolution No. 15-08-19-072, directed the Planning Board to review the Redevelopment Plan, and make recommendations to the Municipal Council regarding an update to the Redevelopment Plan in accordance with the Redevelopment Law; and

WHEREAS, on November 10, 2015, the Municipal Council adopted the "Amended and Restated Redevelopment Plan, 77 & 79-87 East 31st Street, 80 East 32nd Street, Block 411, Lots 2, 3, 4, & 5" dated October 13, 2015 ("Amended Redevelopment Plan"); and

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Municipal Services prepared an amended and expanded redevelopment plan to the Amended Redevelopment Plan for the Redevelopment Area titled "Redevelopment Plan Block 411, Lots 1, 6, 7, 8, 10.01, 11, 12, 13, 14, and 15" dated June 3, 2016 (the "Amended and Expanded Redevelopment Plan"); and

WHEREAS, on July 20, 2016, the Municipal Council passed Ordinance O-16-41, which adopted the Amended and Expanded Redevelopment Plan which incorporates the Redevelopment Area to the Amended Redevelopment Plan; and

WHEREAS, Peninsula View, LLC, a limited liability company of the State of New Jersey with an office address of 85 East 2nd St, Bayonne NJ (the “Redeveloper”) is the owner of those certain parcels of land located at 75 E 31st Street, 77 E 31st Street, 79-87 E 31st Street, 80 E 32nd Street, 76 E 32nd Street, 74 E 32nd Street, and 266 Prospect Ave designated as Block 411, Lots 2, 3, 4, 5, 7, 8, and 11 on the Official Tax Map of the City of Bayonne; and

WHEREAS, Peninsula View, LLC, is the contract purchaser of those certain parcels of land located at 73 E 31st Street, 78 E 32nd Street, 268-270 Prospect Ave, 264 Prospect Ave, 262 Prospect Ave, 260 Prospect Ave, and 258 Prospect Ave designated as Block 411, Lots 1, 6, 10.01, 12, 13, 14, and 15; and

WHEREAS, Peninsula View, LLC, wishes to develop the property located at 73 E 31st Street, 75 E 31st Street, 77 E 31st Street, 79-87 E 31st Street, 80 E 32nd Street, 78 E 32nd Street, 76 E 32nd Street, 74 E 32nd Street, 268-270 Prospect Ave, 266 Prospect Ave, 264 Prospect Ave, 262 Prospect Ave, 260 Prospect Ave, and 258 Prospect Ave, which properties are identified as Block 411, Lots 1, 2, 3, 4, 5, 6, 7, 8, 10.01, 11, 12, 13, 14, & 15 as shown on the Official Tax Map of the City of Bayonne (the “Property”) and use it for the purpose of implementing the Amended and Expanded Redevelopment Plan; and

WHEREAS, the Municipal Council is permitted to contract with redevelopers for the undertaking of any project or redevelopment work pursuant to *N.J.S.A. 40A:12A-8(f)*; and

WHEREAS, the Amended and Expanded Redevelopment Plan permits the Municipal Council, as a redevelopment entity, to authorize the negotiation and execution of a redevelopment agreement with the Redeveloper providing for the development of the Property in accordance with the Amended and Expanded Redevelopment Plan (the “Redevelopment Agreement”); and

WHEREAS, the Municipal Council desires to designate Peninsula View, LLC as Redeveloper of the Property and enter into a Redevelopment Agreement with the Redeveloper, as provided for and in accordance with the provisions of the Redevelopment Law.

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

Section 1. The Municipal Council of the City of Bayonne hereby authorizes the execution of the “Redevelopment Agreement By and Between the City of Bayonne and Peninsula View, LLC,” concerning the Property identified as Block 411, Lots 1, 2, 3, 4, 5, 6, 7, 8, 10.01, 11, 12, 13, 14, & 15 in the City of Bayonne, in such a form deemed advisable by the City Attorney, subject to any and all conditions contained herein and such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel to the City; and

Section 2. The Municipal Council, upon the full execution of the Redevelopment Agreement designates Peninsula View, LLC as Redeveloper of the Property as provided for and in accordance with the provisions of the New Jersey Local Redevelopment and Housing Law; and

Section 3. The Mayor and Clerk are hereby authorized to execute the Redevelopment Agreement, with such revisions as deemed advisable by the City Attorney or

Special Redevelopment Counsel, on behalf of the City of Bayonne, acting as the redevelopment entity for the redevelopment of the Property by Peninsula View, LLC.

Section 4. This Resolution shall take effect immediately.

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

* * * * *

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

WHEREAS, Resolution No. 15-04-22-054 adopted by the Municipal Council on April 22, 2015 as amended by Resolution No. 15-05-20-060 adopted by the Municipal Council on May 20, 2015 authorized a lease between the City of Bayonne and Joan Marie Tsirabddides t/a Lets Eat Concession, 34 Newark Bay Court, Bayonne, New Jersey for the operation of the Municipal Pool food concession stand for a term commencing May 1, 2015 and ending Labor Day, 2015, renewable up to five (5) years for the amount of \$8,222.22 payable to the City; and

WHEREAS, pursuant the aforesaid Resolution 15-04-22-054 as amended, the City entered into Agreement No. CY15-042 with Joan Marie Tsirabddides t/a Lets Eat Concession; and

WHEREAS, by way of Resolution No. 16-02-17-043 the Municipal Council authorized and extension of the aforesaid contract with Joan Marie Tsirabddides t/a Lets Eat Concession for the period commencing Memorial Day 2016 through Labor Day 2016; and

WHEREAS, the Supervisor of Recreation and administration desire to renew Agreement No. CY15-042 for the term commencing Memorial Day, 2017 end ending Labor Day, 2017 under the same terms and conditions; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk be and are hereby authorized and directed to execute an extension of Agreement No. CY15-042 between the City and Joan Marie Tsirabddides t/a Lets Eat Concession, 34 Newark Bay Court, Bayonne, New Jersey for the operation of the food concession of the Municipal Pool for the period commencing Memorial Day, 2017 through Labor Day, 2017 for the amount of \$8,222.22 payable to the city.

2. All other terms and conditions shall remain the same.

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

* * * * *

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

WHEREAS, the Hudson County Open Space, Recreation, and Historic Preservation Trust Fund ("County Trust Fund"), provides matching grants to municipal governments and to nonprofit organizations who are sponsored by their local municipality for assistance in the development or redevelopment of park improvements; and

WHEREAS, the City of Bayonne desires to further the public interest by obtaining a matching grant of \$3,081,003.00 from the County Trust Fund to fund the following project: IMPROVEMENTS TO DENNIS P. COLLINS PARK; and

WHEREAS, this Municipal Council has reviewed the County Trust Fund Program Statement, and the Trust Fund Park Improvement application and instructions and desires to make an application for such a matching grant and provide application information and furnish such documents as may be required; and,

WHEREAS, the County of Hudson shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and

WHEREAS, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Hudson for the above named project and ensure its completion on or about the project contract expiration date.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council:

1. That it is hereby authorized to submit the above completed project application to the County by the deadline of April 28, 2017, as established by the County; and,
2. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, the City of Bayonne has, or will secure, the balance of funding necessary to complete the project, or modify the project as necessary; and,
3. That City of Bayonne is committed to providing a match for the project in the amount of \$2,581,003.00; and,
4. That only those park improvements identified and approved in the project application, it Trust Fund contract, or other documentation will be considered eligible for reimbursement.
5. That the City of Bayonne agrees to comply with all applicable federal, state, and local laws, rules and regulations in its performance of the project; and
6. That this resolution shall take effect immediately.

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

* * * * *

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

April 18, 2017

Dear Council President Nadrowski
And Honorable Members of City Council

I hereby appoint John Milan Sebik, 10 East 43rd Street, Apt. 1, Bayonne, New Jersey 07001, as my Class I Designee of the Planning Board of the City of Bayonne. This appointment shall be effective immediately and shall replace Vincent Verga in his capacity as Class I Designee.

In conjunction with this appointment the City Clerk has been directed to add an accompanying item on the April 19, 2017 Council meeting agenda to be received and filed by the City Council.

Sincerely,
James M. Davis
Mayor

(signed)

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

* * * * *

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

WHEREAS, the Community Development Block Grant (CDBG) Program was enacted, and signed on August 22 into law by President Gerard Ford, as the centerpiece of the Housing and Community Development Act of 1974; and,

WHEREAS, the CDBG program has as its primary objective "...the development of viable urban communities, by providing decent housing and suitable living environment and expanding economic opportunities, principally for persons of low and moderate income;" and,

WHEREAS, the CDBG program has considerable flexibility to allow communities to carry out activities that are tailored to their unique affordable housing and neighborhood revitalization needs; and,

WHEREAS, throughout its 42-year history, the CDBG program has been a partnership among the federal, state and local governments, business, and the nonprofit sector which carry out activities that improve the lives and neighborhoods of low and moderate income families; and,

WHEREAS, according to the Department of Housing and Urban Development (HUD), CDBG provided funds for thousands of activities, assisting persons and households through such activities as expanding homeownership activities, improving infrastructure such as roads, water and sewer systems, libraries, community centers, adult day care and child care scholarship for children of low and moderate-income families, homeless facilities, employment training, transportation services, public housing modernization and historic preservation; and,

WHEREAS, the City of Bayonne has used CDBG funds in the amount of \$57,715,784.09.

WHEREAS, funding for the Program Year 2017 CDBG Program has not been finalized and approved by the President and the Congress of the United States; and,

WHEREAS, the President's Fiscal Year 2018 budget proposes to completely eliminate the CDBG Program; and,

WHEREAS, such action will no longer enable cities, counties and states to meet their community development, affordable housing and economic development needs.

NOW, THEREFORE BE IT RESOLVED, that the City of Bayonne hereby calls on the Congress to preserve the Community Development Block Grant (CDBG) Program within the Department of Housing and Urban Development at the funding level of no less than \$1,748,848 in formula funding allocated in Program Year 2016.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING THE PREPARATION OF A REDEVELOPMENT PLAN FOR THE PROPERTY COMMONLY KNOWN AS THE RUSSELL GOLDING PARK LOCATED AT 794 AVENUE E, WHICH PROPERTY IS IDENTIFIED AS BLOCK 393, LOT 18 PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.*

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

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

WHEREAS, pursuant to the provisions of *N.J.S.A. 40A:12A-7(e)* and *N.J.S.A. 40A:12A-15* of the Redevelopment Law, the Planning Board, through the City's staff and/or Planning Board professionals, is permitted to prepare a redevelopment plan; and

WHEREAS, the City is desirous of directing the Planning Board to prepare a redevelopment plan in order to ensure the success of rehabilitation in conformity with the City's objectives; and

WHEREAS, the City believes that the property located at 794 Avenue E, which is identified as Block 393, Lot 18 (the "Property") is potentially valuable for contributing to, serving, and protecting the public health, safety and welfare and for the promotion of smart growth within the City; and

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

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 located at 794 Avenue E, which is identified as Block 393, Lot 18 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.

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING AND DIRECTING THE PLANNING BOARD TO PREPARE AN AMENDED REDEVELOPMENT PLAN RELATING TO THE WEST ROUTE 440 REDEVELOPMENT AREA IN THE CITY OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 30A:12A-1 ET SEQ.*

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

WHEREAS, on November 11, 2009, the Bayonne Municipal Council (the “Municipal Council”) adopted Resolution No. 09-11-10-052 requesting the Planning Board of the City (the “Planning Board”) to conduct a preliminary investigation to determine whether portions of Route 440 West between East 22nd Street and New Hook Road, consisting of Block 452.02, Lots 3-9, 11, 12 and 13 and Block 451, Lots 1.01, 1.02, 2.03, 2.04 and 2.05 on the City’s Tax Maps (the “Study Area”), qualified as “an area in need of redevelopment” in accordance with the criteria set forth in *N.J.S.A. 40A: 12A-5*, and if so, to prepare a redevelopment plan for the Study Area; and

WHEREAS, on November 13, 2013, the Municipal Council adopted Ordinance O-13-36 designating a portion of the Study Area comprised of Block 452.02, Lots 4 and 5 as an area in need of redevelopment (the “Redevelopment Area”), and reaffirming the designation of a portion of the Study Area comprised of Block 451, Lots 1.01 and 2.05 as an area in need of rehabilitation (the “Rehabilitation Area”); and

WHEREAS, pursuant to Ordinance O-13-36, the Municipal Council also adopted a Redevelopment Plan for portions of Route 440 West between East 22nd Street and New Hook Road, consisting of Block 452.02, Lots 3-9, and 11 and Block 451, Lots 1.01, 1.02, 2.03, 2.04 and 2.05 on the City’s Tax Maps (the “Property”) titled “Scattered Site Redevelopment Project: Phase II Site 14: Rt. 440 West Redevelopment Plan” dated October 16, 2013 (the “Redevelopment Plan”); and

WHEREAS, the Municipal Council now believes that it is in the best interests of the City to amend the Redevelopment Plan to expand the scope of the revitalization and redevelopment efforts in the City and make necessary modifications to the Redevelopment Plan (the “Amended Redevelopment Plan”); and

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

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

Section 1. The Planning Board of the City of Bayonne is hereby authorized and directed to prepare an amendment to the Redevelopment Plan for the Property identified as Block 452.02, Lots 3-9, and 11 and Block 451, Lots 1.01, 1.02, 2.03, 2.04 and 2.05 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 Amended Redevelopment Plan to the Municipal Council for further consideration and action upon completion of same.

Section 3. This Resolution shall take effect immediately.

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

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

Be it Resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the Year 2017

Be it Further Resolved, that said Budget be published in the Jersey Journal in the issue of May 23, 2017

The Governing Body of the City of Bayonne does hereby approve the following as the Budget for the Year 2017. Notice is hereby given that the Budget and Tax Resolution was approved by the Municipal Council of the City of Bayonne, County of Hudson, on April 19, 2017

A Hearing on the Budget and Tax Resolution will be held at 630 Avenue C, on June 14, 2017 at 7:00 P.M. at which time and place objections to said Budget and Tax Resolution for the year 2017 may be presented by taxpayers or other interested persons.

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

* * * * *

At 8:57 P.M., Council Member Perez moved the following resolution, seconded by Council Member Cotter, 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