

REGULAR MEETING

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

The Council met at 7:10 P.M.

The Council President Nadrowski announced: “I would like to advise all those present that notice of this regular meeting of the Municipal Council of the City of Bayonne of July 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 July 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. The Clerk announced:

AN ORDINANCE ENTITLED, “ORDINANCE OF THE CITY OF BYAONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDED REDEVELOPMENT PLAN RELATING TO THE WEST ROUTE 440 REDEVELOPMENT AREA IN THE CIYT OF BYAONNE PURUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A12A-1 ET SEQ.,” which was introduced and passed a first reading at a meeting held May 17, 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 the meeting of June 21, 2017m at which time it passed a second reading and a public hearing was held, and further consideration of the ordinance was adjourned to this meeting of July 19, 2017, is now before the Council for its consideration.

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
- Joe Wisniewski – 100 East 23rd Street
- Melanie Flora – 108 East 25th Street
- Jonathan Guldin – Rep. of Duramix Concrete Corp.
- Fred Suljic, Planner, Benecke Economics
- Gary Brown – Environmental Specialist

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

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

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

No motion received on the resolution ordering final passage. Ordinance failed adoption.

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02. The Clerk announced:

AN ORDINANCE ENTITLED, “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDED REDEVELOPMENT PLAN FOR THE PROPERTY COMMONLY KNOWN AS BAYONNE BAY EAST LOCATED AT THE PENINSULA AND

REFERRED TO AS A PORTION OF BLOCK 830, LOTS 1.05, 1.06, 1.07, AND A PORTION OF MEMORIAL BOULEVARD FORMERLY A PORTION OF BLOCK 830, LOT 1 AS SHOWN ON THE OFFICIAL TAX MAP IN THE CITY OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET. SEQ.” which was introduced and passed a first reading at a meeting held June 21, 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 July 19, 2017, is now before the Council for its consideration and a public hearing.

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

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

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

The Clerk read the ordinance by title: “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDED REDEVELOPMENT PLAN FOR THE PROPERTY COMMONLY KNOWN AS BAYONNE BAY EAST LOCATED AT THE PENINSULA AND REFERRED TO AS A PORTION OF BLOCK 830, LOTS 1.05, 1.06, 1.07, AND A PORTION OF MEMORIAL BOULEVARD FORMERLY A PORTION OF BLOCK 830, LOT 1 AS SHOWN ON THE OFFICIAL TAX MAP IN THE CITY OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET. SEQ.”

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 Perez, which motion was adopted.

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

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

WHEREAS, an ordinance entitled, “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDED REDEVELOPMENT PLAN FOR THE PROPERTY COMMONLY KNOWN AS BAYONNE BAY EAST LOCATED AT THE PENINSULA AND REFERRED TO AS A PORTION OF BLOCK 830, LOTS 1.05, 1.06, 1.07, AND A PORTION OF MEMORIAL BOULEVARD FORMERLY A PORTION OF BLOCK 830, LOT 1 AS SHOWN ON THE OFFICIAL TAX MAP IN THE CITY OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET. SEQ.” was introduced and passed a first reading at a meeting held June 21, 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 July 19, 2017; 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-17-32.

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

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03. The Clerk announced:

AN ORDINANCE ENTITLED, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR CERTAIN PROPERTY LOCATED AT AVENUE E AND E 25TH STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 191, LOT 5.02, AND CERTAIN PROPERTY LOCATED AT 306-322 AVENUE E, WHICH PROPERTY IS IDENTIFIED AS BLOCK 440, LOTS 3, 4, AND 5 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ." which was introduced and passed a first reading at a meeting held June 21, 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 July 19, 2017, is now before the Council for its consideration and a public hearing.

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

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

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

The Clerk read the ordinance by title: "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR CERTAIN PROPERTY LOCATED AT AVENUE E AND E 25TH STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 191, LOT 5.02, AND CERTAIN PROPERTY LOCATED AT 306-322 AVENUE E, WHICH PROPERTY IS IDENTIFIED AS BLOCK 440, LOTS 3, 4, AND 5 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ."

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:

Heather-representing Connors & Foley for contractor
Rosemarie Banno – 108 Eat 25th Street
Sue Mack – City Planner
Mike Morris – 123 Avenue C

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

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

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

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

WHEREAS, an ordinance entitled, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR CERTAIN PROPERTY LOCATED AT AVENUE E AND E 25TH STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 191, LOT 5.02, AND CERTAIN PROPERTY LOCATED AT 306-322 AVENUE E, WHICH PROPERTY IS IDENTIFIED AS BLOCK 440, LOTS 3, 4, AND 5 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ." was introduced and passed a first reading at a meeting held June 21, 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 July 19, 2017; 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-17-33.

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

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04. The Clerk announced:

AN ORDINANCE ENTITLED, “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING THE APPLICATION AND FINANCIAL AGREEMENT FOR TAX EXEMPTION WITH PSIP AVENUE A URBAN RENEWAL, LLC FOR THE PROPERTY KNOWN AS 99 AVENUE A (BLOCK 310, LOTS 5, 6, 7, 8 & 9 AND PARTS OF LOTS 4, 11, 12 & 13; BLOCK 311.01, LOT 1; BLOCK: 333.01, LOTS 1, 2, 3 & 4 AND PART OF LOT 5; BLOCK 333.02, LOT 1; BLOCK 301.01, LOT 7) IN THE CITY OF BAYONNE,” which was introduced and passed a first reading at a meeting held June 21, 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 July 19, 2017, is now before the Council for its consideration and a public hearing.

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

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

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

The Clerk read the ordinance by title: “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING THE APPLICATION AND FINANCIAL AGREEMENT FOR TAX EXEMPTION WITH PSIP AVENUE A URBAN RENEWAL, LLC FOR THE PROPERTY KNOWN AS 99 AVENUE A (BLOCK 310, LOTS 5, 6, 7, 8 & 9 AND PARTS OF LOTS 4, 11, 12 & 13; BLOCK 311.01, LOT 1; BLOCK: 333.01, LOTS 1, 2, 3 & 4 AND PART OF LOT 5; BLOCK 333.02, LOT 1; BLOCK 301.01, LOT 7) IN THE CITY OF BAYONNE,”

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

The following persons spoke: 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 Member Perez motioned to close the hearing, seconded by Council President Nadrowski, which motion was adopted.

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

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

WHEREAS, an ordinance entitled, “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING THE APPLICATION AND FINANCIAL AGREEMENT FOR TAX EXEMPTION WITH PSIP AVENUE A URBAN RENEWAL, LLC FOR THE PROPERTY KNOWN AS 99 AVENUE A (BLOCK 310, LOTS 5, 6, 7, 8 & 9 AND PARTS OF LOTS 4, 11, 12 & 13; BLOCK 311.01, LOT 1; BLOCK: 333.01, LOTS 1, 2, 3 & 4 AND PART OF LOT 5; BLOCK 333.02, LOT 1; BLOCK 301.01, LOT 7) IN THE CITY OF BAYONNE,” was introduced and passed a first reading at a meeting held June 21, 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 July 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-17-34.

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

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05. The Clerk announced:

AN ORDINANCE ENTITLED, “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING THE APPLICATION AND FINANCIAL AGREEMENT FOR TAX EXEMPTION WITH PSIP AVENUE A URBAN RENEWAL II, LLC FOR THE PROPERTY KNOWN AS 99 AVENUE A (BLOCK 310, LOTS 1, 2, 3 AND PARTS OF LOTS 4, 11, 12 & 13 AND BLOCK 333.01, LOT 6 AND PART OF LOT 5) IN THE CITY OF BAYONNE,” which was introduced and passed a first reading at a meeting held June 21, 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 July 19, 2017, is now before the Council for its consideration and a public hearing.

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

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

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

The Clerk read the ordinance by title: “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING THE APPLICATION AND FINANCIAL AGREEMENT FOR TAX EXEMPTION WITH PSIP AVENUE A URBAN RENEWAL II, LLC FOR THE PROPERTY KNOWN AS 99 AVENUE A (BLOCK 310, LOTS 1, 2, 3 AND PARTS OF LOTS 4, 11, 12 & 13 AND BLOCK 333.01, LOT 6 AND PART OF LOT 5) IN THE CITY OF BAYONNE,”

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

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

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

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

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

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

WHEREAS, an ordinance entitled, “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING THE APPLICATION AND FINANCIAL AGREEMENT FOR TAX EXEMPTION WITH PSIP AVENUE A URBAN RENEWAL II, LLC FOR THE PROPERTY KNOWN AS 99 AVENUE A (BLOCK 310, LOTS 1, 2, 3 AND PARTS OF LOTS 4, 11, 12 & 13 AND BLOCK 333.01, LOT 6 AND PART OF LOT 5) IN THE CITY OF BAYONNE,” was introduced and passed a first reading at a meeting held June 21, 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 July 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-17-35.

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

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06. The Clerk announced:

AN ORDINANCE ENTITLED, “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING THE APPLICATION AND FINANCIAL AGREEMENT FOR TAX

EXEMPTION WITH SOUTH COVE COMMONS III URBAN RENEWAL, LLC FOR THE PROPERTY KNOWN AS BLOCK 412, LOT 2.02 (WHICH HAS BEEN DIVIDED INTO TWO SEPARATE PARCELS: LOT 2.021 AND LOT 2.022) IN THE CITY OF BAYONNE,” which was introduced and passed a first reading at a meeting held June 21, 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 July 19, 2017, is now before the Council for its consideration and a public hearing.

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

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

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

The Clerk read the ordinance by title: “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING THE APPLICATION AND FINANCIAL AGREEMENT FOR TAX EXEMPTION WITH SOUTH COVE COMMONS III URBAN RENEWAL, LLC FOR THE PROPERTY KNOWN AS BLOCK 412, LOT 2.02 (WHICH HAS BEEN DIVIDED INTO TWO SEPARATE PARCELS: LOT 2.021 AND LOT 2.022) IN THE CITY OF BAYONNE,”

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

The following persons spoke: 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 Member Perez motioned to close the hearing, seconded by Council President Nadrowski, which motion was adopted.

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

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

WHEREAS, an ordinance entitled, “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING THE APPLICATION AND FINANCIAL AGREEMENT FOR TAX EXEMPTION WITH SOUTH COVE COMMONS III URBAN RENEWAL, LLC FOR THE PROPERTY KNOWN AS BLOCK 412, LOT 2.02 (WHICH HAS BEEN DIVIDED INTO TWO SEPARATE PARCELS: LOT 2.021 AND LOT 2.022) IN THE CITY OF BAYONNE,” was introduced and passed a first reading at a meeting held June 21, 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 July 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-17-36.

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

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07. The Clerk announced:

AN ORDINANCE ENTITLED, “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, APPROVING AN AMENDMENT TO THE FINANCIAL AGREEMENT WITH 190 W. 54TH STREET URBAN RENEWAL ASSOCIATES, LLC,” which was introduced and passed a first reading at a meeting held June 21, 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 July 19, 2017, is now before the Council for its consideration and a public hearing.

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

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

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

The Clerk read the ordinance by title: "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, APPROVING AN AMENDMENT TO THE FINANCIAL AGREEMENT WITH 190 W. 54TH STREET URBAN RENEWAL ASSOCIATES, LLC,"

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

The following persons spoke: Mike Morris – 123 Avenue C

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

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

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

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

WHEREAS, an ordinance entitled, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, APPROVING AN AMENDMENT TO THE FINANCIAL AGREEMENT WITH 190 W. 54TH STREET URBAN RENEWAL ASSOCIATES, LLC," was introduced and passed a first reading at a meeting held June 21, 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 July 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-17-37

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

Nays – Council Member LaPelusa.

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08. The Clerk announced:

AN ORDINANCE ENTITLED, "AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON TO AUTHORIZE THE GRANTING OF AN AERIAL EASEMENT OVER A PORTION OF THE CITY OF BAYONNE'S RIPARIAN RIGHTS AT THE TERMINATION OF A ROADWAY EASEMENT LOCATED WITHIN (BLOCK 481, LOT 2) TO INTERNATIONAL MATEX TANK TERMINALS (I.M.T.T.)," which was introduced and passed a first reading at a meeting held June 21, 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 July 19, 2017, is now before the Council for its consideration and a public hearing.

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

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

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

The Clerk read the ordinance by title: "AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON TO AUTHORIZE THE GRANTING OF AN AERIAL EASEMENT OVER A PORTION OF THE CITY OF BAYONNE'S RIPARIAN RIGHTS AT THE TERMINATION OF A ROADWAY

EASEMENT LOCATED WITHIN (BLOCK 481, LOT 2) TO INTERNATIONAL MATEX TANK TERMINALS (I.M.T.T.),”

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

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

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

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

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

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

WHEREAS, an ordinance entitled, “AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON TO AUTHORIZE THE GRANTING OF AN AERIAL EASEMENT OVER A PORTION OF THE CITY OF BAYONNE’S RIPARIAN RIGHTS AT THE TERMINATION OF A ROADWAY EASEMENT LOCATED WITHIN (BLOCK 481, LOT 2) TO INTERNATIONAL MATEX TANK TERMINALS (I.M.T.T.),” was introduced and passed a first reading at a meeting held June 21, 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 July 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-17-38.

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

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09. The Clerk announced:

AN ORDINANCE ENTITLED, “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING FIVE (5) YEAR TAX EXEMPTION ON THE ASSESSED VALUE OF NEW IMPROVEMENTS ONLY FOR NEWLY CONSTRUCTED UNITS WITH RESPECT TO THE PARCEL OF LAND LOCATED AT BLOCK 190, LOT 9 (A/K/A 536 BROADWAY) ON THE TAX MAP OF THE CITY OF BAYONNE,” which was introduced and passed a first reading at a meeting held June 21, 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 July 19, 2017, is now before the Council for its consideration and a public hearing.

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

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

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

The Clerk read the ordinance by title: “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING FIVE (5) YEAR TAX EXEMPTION ON THE ASSESSED VALUE OF NEW IMPROVEMENTS ONLY FOR NEWLY CONSTRUCTED UNITS WITH RESPECT TO THE PARCEL OF LAND LOCATED AT BLOCK 190, LOT 9 (A/K/A 536 BROADWAY) ON THE TAX MAP OF THE CITY OF BAYONNE,”

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

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

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

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

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

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

WHEREAS, an ordinance entitled, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING FIVE (5) YEAR TAX EXEMPTION ON THE ASSESSED VALUE OF NEW IMPROVEMENTS ONLY FOR NEWLY CONSTRUCTED UNITS WITH RESPECT TO THE PARCEL OF LAND LOCATED AT BLOCK 190, LOT 9 (A/K/A 536 BROADWAY) ON THE TAX MAP OF THE CITY OF BAYONNE," was introduced and passed a first reading at a meeting held June 21, 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 July 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-17-39.

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

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10. 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 June 21, 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 July 19, 2017, is now before the Council for its consideration and a public hearing.

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

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

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

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

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

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

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

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

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

Council Member LaPelusa 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 June 21, 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 July 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-17-40.

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

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11. 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 June 21, 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 July 19, 2017, is now before the Council for its consideration and a public hearing.

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

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

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

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

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

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

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

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

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

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

WHEREAS, an ordinance entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC," was introduced and passed a first reading at a meeting held June 21, 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 July 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-17-41.

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

* * * * *

12. Council Member Gullace introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING THE APPLICATION AND FINANCIAL AGREEMENT FOR TAX EXEMPTION WITH BAYONNE EQUITIES URBAN RENEWAL, LLC FOR THE PROPERTY KNOWN AS 477-481 BROADWAY (BLOCK 204, LOTS 2 AND 3) IN THE CITY OF BAYONNE

WHEREAS, BAYONNE EQUITIES URBAN RENEWAL, LLC is the owner of certain property designated as Block 204, Lots 2 and 3 in the City of Bayonne, which is commonly known by the street location of 477-481 Broadway in the City (the "Property"); and

WHEREAS, at the discretion of the City Council, the Planning Board prepares and recommended adoption of a proposed redevelopment plan; and

WHEREAS, the Property is located within an Urban Enterprise Zone; and

WHEREAS, by Ordinance O-17-10, the City Council adopted a Rehabilitation Plan [as defined in the New Jersey Local Redevelopment and Housing Law, *N.J.S.A.* 40A:12A-1, et seq.] (the "Rehabilitation Plan") titled "Scattered Site Redevelopment Plan dated December 7, 2005 with revisions through January 1, 2017, Block 204, Lots 2 and 3, which encompasses the property which is located at 477-481 Broadway and designated as Block 204, Lots 2 and 3; and

WHEREAS, BAYONNE EQUITIES URBAN RENEWAL, LLC proposes to construct a project that will consist of new construction of approximately seventy-two (72) residential units inclusive of 33 one-bedroom units, 14 studio units, 1 three-bedroom unit and 24 two-bedroom units, approximately 103,495 square feet of residential floor area, approximately 7,676 square feet of retail space with on-site and off-site parking as set forth herein, as well as related improvements, in accordance with the Rehabilitation Plan (the "Project"); and

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

WHEREAS, the City Council finds that the requested tax exemptions will benefit the City and its inhabitants by furthering the development of the property, and that the benefits would substantially outweigh the costs, if any, associated with the tax exemptions; and

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

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

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

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

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

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

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

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

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

Council Member Gullace 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 approving a Financial Agreement (PILOT) with BAYONNE EQUITIES URBAN RENEWAL, LLC for the property located at 477-481 Broadway," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, August 16, 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 President Nadrowski introduced:

AN ORDINANCE AMENDING AND SUPPLEMENTING THE GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 20, PERSONNEL POLICIES

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 20, PERSONNEL POLICIES, Subsection 20-16, Residency Requirements, is hereby amended and supplemented as follows (Additions ****between asterisks and/or in bold****, deletions ~~{within brackets and/or struck through}~~):

20-16 RESIDENCY REQUIREMENTS.

20-16.1 City Residence Required.

a. Except as expressly provided otherwise by law, all officers and employees employed by the City of Bayonne shall be required to be bona fide residents therein and shall be required to be residents of the City at the time of recruitment, selection or appointment.

b. Except as expressly provided otherwise by law, all nonresidents of the City of Bayonne subsequently appointed to positions or employments after ~~{March 8, 1991}~~ ***October 1, 2017***, including those nonresidents hired or appointed pursuant to paragraph c. of this subsection, shall become bona fide residents of the City within one year of their appointment. Failure of any such employee to obtain or maintain residency within the City of Bayonne shall be cause for removal or discharge. In the event such employee does not maintain or fails to obtain bona fide residency, the City of Bayonne shall notify the employee that failure to again take up bona fide residency within the City of Bayonne within six (6) months of the notification

will result in removal or discharge. Such removal or discharge shall take effect on the date specified in such notice, but any employee so removed or discharged shall have the right to such appeals as are available pursuant to law. ***All employees hired on or after October 1, 2017 shall sign a statement affirming that they have read the City's residency requirement and agree to abide by same unless explicitly exempted from the residency requirement by law.***

c. *Preference Schedule.* The Municipal Council acknowledges that at times there cannot be recruited a sufficient number of qualified residents for available specific positions or employment. Therefore, in the event there are insufficient numbers of qualified applicants, the Municipal Council hereby classifies all qualified applicants for such positions or employments in the following manner:

1. Residents of the City of Bayonne.
2. Other residents of Hudson County.
3. Other residents of counties contiguous to Hudson County.
4. Other residents of the State.
5. All other applicants.

d. *Police and Firefighter Appointments.* When appointing police officers or firefighters, a preference shall be given to applicants who are residents of the City of Bayonne and who maintain continuous residency within the City of Bayonne from the announced closing date of the Division of Human Services examination up to and including the date of appointment. In accordance with the provisions of N.J.S.A. 40A:14-10.1a and N.J.S.A. 40A:14-123.1a, all duly qualified applicants for such positions shall be classified as set forth in the preference schedule provided in paragraph c. above.

e. *Specific Positions and Employment Exemption.* In the event there are certain specific positions and employments requiring special talents or skills which are necessary for the operations of the City and which are not likely to be found among the residents of the City, appointments to such positions or employment may be made to nonresidents provided the Municipal Council by resolution determines the particular position or employment requires special talents or skills. The resolution shall specify the particular talent or skill required and the qualifications unique to the prospective employee which are unlikely to be found among the residents of the City.

f. *Preference in Promotion.* Residents shall be preferred for promotion in accordance with N.J.S.A. 40A:9-1.8 if the qualifications of the resident and nonresident as determined by objective criteria are equal.

g. For purposes of this section, a bona fide resident is defined as a person having his/her permanent domicile within the City of Bayonne and one which has not been adopted with the intention of again taking up or claiming a previous residence acquired outside the boundaries of the City of Bayonne.

(1972 Code § 2-18.11; Ord. No. 0-09-28 § 2)

Section 2. Consistency. That the city's codifier, in consultation with the City Clerk and Director of Law, be and is hereby authorized and directed to make such changes in the Revised General Ordinances of the City of Bayonne as may be needed to make the provisions of any and all other Chapters consistent with the terms of this Chapter 20, Personnel.

Section 3. Severability. If any part of this Ordinance shall be declared to be invalid or inoperative, such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this Ordinance.

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 20, PERSONNEL POLICIES," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, August 16, 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. Council Member Perez introduced:

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

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

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

RESTRICTIVE PARKING ZONES

DELETE

225. Mary Soliman, 140 West 23rd Street

Beginning at a point on the south side of West 23rd Street, 138 feet east of the southeast corner of Avenue A and West 23rd Street, and extending to a point 18 feet east thereof.

ADD

415. Marianne Abusakroun, 14 West 11th Street

Beginning at a point on the south side of West 11th Street, 175 feet west of the southwest corner of West 11th Street and Broadway, and extending to a point 18 feet west thereof.

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, August 16, 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.

* * * * *

15. 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.

* * * * *

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

From AUSTIN J. SLOAN, JR., filing notice of tort claim alleging property damage to his automobile on May 27, 2017 resulting from being backed into by a police vehicle parking at 184 West 4th Street.

* * * * *

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

From Joel Silberman, Esq., filing notice of tort claim on behalf of MICHAEL MULCAHY alleging personal injuries resulting from a false arrest, search, and seizure on May 5, 2017 at 763 Broadway.

* * * * *

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

From Superior Court of New Jersey, Law Division Summons and Complaint in matter entitled, “BETANCUR vs. JOHNSON, et al., incl. THE CITY OF BAYONNE.” (Minor injured by fireworks privately ignited in Gregg Park on July 3, 2015)

* * * * *

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

From Superior Court of New Jersey, Law Division Summons and Complaint in matter entitled, “DAWOD vs. BAYONNE HOUSING AUTHORITY and THE CITY OF BAYONNE, et al.” (Fall on ice on February 23, 2015 at 19 East 25th Street)

* * * * *

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

From United States District Court, District of New Jersey, Summons and Complaint in matter entitled, “MALHAN vs. PORRINO and THE CITY OF BAYONNE.” (Wrongful prosecution)

* * * * *

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, “PORT JOHNSON REALTY, LLC vs. CITY OF BAYONNE.” (Rear of 220-230 East 5th Street, Block 476.01, lot 10.02 - vacant)

* * * * *

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, “TD BANK vs. CITY OF BAYONNE.” (1062-1068 Broadway, Block 41, lot 17.01 - commercial)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “GOLDBRUN REALTY, LLC vs. CITY OF BAYONNE.” (494-496 Broadway, Block 205, lot 1 - commercial)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “THE PROVIDENT BANK vs. CITY OF BAYONNE.” (569 Broadway, Block 178, lot 21 - commercial)

* * * * *

25. 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 PROVIDENT BANK vs. CITY OF BAYONNE.” (464-472 Avenue C, Block 216, lot 36 - commercial)

* * * * *

26. 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.

* * * * *

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

July 7, 2017

Dear Council President Nadrowski
And Honorable Members of City Council

I hereby recommend the following individual to the Rent Control Board of the City of Bayonne:

Debra E. Noble	Term Expires December 31, 2020
600 Avenue, Bayonne, NJ 07002	

In conjunction with this appointment the City Clerk has been directed to add an accompanying item on the July 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 appointment.

* * * * *

28. 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.

* * * * *

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

DATE: June 29, 2017

TO: Terrence Malloy, CFO
Robert F. Sloan, City Clerk

FROM: Janet Convery, Treasurer

Please be advised that a transfer to the Board of Education was made on June 29, 2017

\$5,534,471.17 – Claims & Payroll for July 2017.

Janet Convery
(signed)

* * * * *

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

BID REPORT
FOR THE MUNICIPAL COUNCIL

Date: 07/11/17 Ad Date: 06/22/17 Date bids accepted: 07/11/17

Attending: Amy Dellabella, Darren Mazzei, CME

Bid titled:

IMPROVEMENTS TO DENNIS P. COLLINS PARK- PHASE I Re Bid

Bidder(s) Name	Base Bid Amount:	DEL-3 REMOVE PORTION OF VOLLEYBALL COURT MPROVEMENTS	DEL-2 /ADD-2 REMOVE CINDER WALKWAY/ ADD HOT MIX ASPHALT WALKWAY	DEL-1 REMOVE TENNIS COURT IMPROVEMENTS
V & K Construction Co. Inc. 37 Bartha Avenue Edison, NJ 08817	1,773,689.00	(\$31,365.00)	(\$10,670.00)	(\$162,897.00)
Roman Asphalt Corp. 14 Ogden Street Newark, NJ 07104	1,788,836.00	(\$47,000.00)	(\$1,455.00)	(\$119,880.50)
Picerno-GiordanoConstruction LLC 200 Market Street Kenilworth, NJ 07033\$	1,794,630.00	(\$54,100.00)	(\$20,855.00)	(\$131,375.00)
Applied Landscape Technologies, Inc. 145 River Road Montville, NJ 07045	1,845,896.25	(\$58,940.00)	(\$6,305.00)	(\$115,790.00)
Zenith Construction Services Inc. 365 Thomas Boulevard Orange, NJ 07050	1,872,220.35	(\$54,375.00)	+ (\$1,455.00)	(\$144,320.00)
Control Industries Inc. 103 East 25 th Street Bayonne, NJ 07002	5,004,988,922.63	(\$4,276,029.50)	+ (\$46,477,331.75)	(\$86,787,558.40)

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

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

* * * * *

31 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.

* * * * *

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

RESOLVED, That the official minutes of the regular council meeting held Wednesday, June 21, 2017 be and the same are hereby approved.

* * * * *

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

RESOLVED, That the official minutes of the council caucus meeting held Wednesday, June 14, 2017 be and the same are hereby approved.

* * * * *

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

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
38	28	Kathleen McAndrew	2,610.41
126	21	Kalaivani Adimoolam	2,556.45
151	17	Kalaivani Adimoolam	5,147.09
238	49	Omar Abdel Salam	757.79
267	41	Sherryl-Anne Vega	2,200.11
Total:			13,271.85

* * * * *

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

WHEREAS, NJCR, 520 Route 17, Carlstadt, New Jersey (the “Contractor”) obtained Building Permit 17-01-001 in connection with the re-shingling of a roof at 90 West 14th Street for a fee of \$448.00; and

WHEREAS, the Contractor has advised the Building Department that the homeowner subsequently canceled the job; and

WHEREAS, the Contractor has requested reimbursement of the \$448.00 fee paid in connection with aforesaid roof re-shingling; and

WHEREAS, funds are certified as available in Account T-12-813-0000-199; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Comptroller and/or other appropriate officials of the City of Bayonne is hereby authorized to issue a warrant in the amount of \$448.00 payable to NJCR, 520 Route 17, Carlstadt, New Jersey representing reimbursement of the fee paid in connection with the aforesaid roof re-shingling at 90 West 14th Street.
2. Funds shall be charged to Account T-12-813-0000-199.

* * * * *

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

WHEREAS, Leo Campbell Tank Services, LLC, 159 West 1st Street, Bayonne, NJ 07002 (the "Contractor") obtained Building Department Permit No. 17-05-153 in connection with the removal of an oil tank located at 343 Avenue A, Bl. 254, Lot 22 (the "Property") for a fee of \$150.00; and

WHEREAS, the Contractor has advised that subsequent thereto the Property was sold and the new owner is using a different contractor for the removal of the aforesaid oil tank; and

WHEREAS, the Contractor has requested a refund of the \$150.00 fee paid in connection with the aforesaid oil tank removal; and

WHEREAS, funds are certified as available in Account T-12-56-813-0000-199; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Comptroller and/or other appropriate officials of the City of Bayonne is hereby authorized to issue a warrant in the amount of \$150.00 payable to Leo Campbell Tank Services, LLC, 159 West 1st Street, Bayonne, NJ 07002 representing reimbursement of the fee paid for Permit No. 17-05-153 in connection with the removal of an oil tank located at 343 Avenue A, Bl. 254, Lot 22.
2. Funds shall be charged to Account T-12-56-813-0000-199.

* * * * *

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

WHEREAS, pursuant to Resolution No. 14-11-12-047 adopted by the Municipal Council on November 12, 2014 the Mayor and City Clerk entered into a short a short term Lease Agreement with Blue Apron, Inc. a corporate citizen of Jersey City, for a certain real property located in the vicinity of Center Street comprising a portion of what is commonly known as "Harbor Station North" within Block 600, Lot 1 for temporary employee parking for up to 200 privately-owned vehicles for the sole benefit of Blue Apron Employees commencing November 12, 2014 and terminating on May 11, 2015 with a thirty (30) day notice of termination, unless renewed thereafter on a month-to-month basis in the sole and absolute discretion of the City; and

WHEREAS, the Municipal Council authorized extensions of the aforesaid Lease Agreement through September 30, 2016 by way of Resolution Nos. 15-04-22-062 adopted on April 22, 2015; 15-07-22-072 adopted on July 22, 2016; 16-02-17-046 adopted on February 17, 2016; and 16-06-22-047 adopted on June 22, 2016; and

WHEREAS, the Municipal Council adopted Resolution No. 16-09-21-048 on September 21, 2016 authorizing an extension to the aforesaid Lease Agreement through December 31, 2016; and

WHEREAS, Blue Apron, Inc. advised that they would not be executing the extension to the Lease Agreement and would be vacating the premises as of October 15, 2016; and

WHEREAS, Blue Apron did vacate the aforesaid premises as of October 15, 2016; and

WHEREAS, subsequent thereto, Blue Apron, Inc. advised that they desired to reinstate said lease commencing February 6, 2017 on a month to month basis upon modified terms; and

WHEREAS, the City of Bayonne and Blue Apron, Inc. entered into a Reinstatement of Lease Agreement on Modified Terms for the period commencing February 6, 2017 through February 28, 2017 and month to month thereafter for a monthly rent of \$5,250.00; and

WHEREAS, pursuant to the aforesaid Reinstatement of Lease Blue Apron, Inc. deposited with the City a security deposit of \$5,250.00; and

WHEREAS, Blue Apron, Inc. vacated the Premises as of June 5, 2017; and

WHEREAS, Blue Apron, Inc. has fully and faithfully complied with all of the material terms, provisions, covenants and conditions of the aforesaid Reinstatement of Lease Agreement; and

WHEREAS, funds are certified as available in Account 7-01-55-220-0000-000; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The actions of the Mayor and City Clerk in executing the aforesaid Reinstatement of Lease Agreement between the City of Bayonne and Blue Apron, Inc. are hereby ratified and affirmed.

2. The Municipal Treasurer is hereby authorized to issue a warrant in the amount of \$5,250.00 payable to Blue Apron representing the return of the security deposited with the City in connection with the aforesaid Lease Agreement chargeable to Account 7-01-55-220-0000-000.

* * * * *

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

RESOLVED, that pursuant to and consistent with a State Training Fee Report dated July 3, 2017 by Richard Bielinski, Construction Official, the Municipal Treasurer is hereby authorized and directed to issue a warrant drawn to the order of the State of New Jersey, in the amount of \$60,811.00 representing payment of state surcharge fees on new construction and alterations collected during the 2nd quarter of 2017; and be it further

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

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

* * * * *

39. 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 \$ 31.20 be drawn of the Bureau of Rabies Control, State Department of Health, Trenton, New Jersey, covering the issuance of licenses Nos. 1024-1034 inclusive, 11 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.

* * * * *

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

WHEREAS, the City of Bayonne is in need of application software and support for the swift research 911 emergency notification access used in the Police Department; and

WHEREAS, SHI, 290 Davidson Avenue, Somerset, NJ 08873 is capable of supplying said services for the one-year period commencing June 1, 2017 and ending May 31, 2018, for

emergency notification access for one year in the amount of \$16,025.00, under State Contract No. 77560; and

WHEREAS, funds for said agreement have been certified as available in Account #7-01-25-240-0000-029 of the CY 2017 budget; now, therefore, be it

RESOLVED, that the Mayor and the City Clerk of the City of Bayonne are hereby authorized to enter into a service agreement with SHI, 290 Davidson Avenue, Somerset, NJ 08873, for the annual software support services for the Police Department's emergency notification access, for the period commencing June 1, 2017 and ending May 31, 2018, for a total contract amount of \$16,025.00, and said funds have been certified available in Account # 7-01-25-240-0000-029; and be it further

RESOLVED, that the Municipal Treasurer be and is hereby authorized and directed to issue a warrant payable to SHI in the amount of \$16,025.00 in payment for such services.

* * * * *

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

WHEREAS, Patrick and Patricia McGovern are the owners of the property located at 730-734 Avenue C designated as Block 145, Lot 59 on the Official Tax Map of the City of Bayonne (the "Property Owners"); and

WHEREAS, the Property Owners recently discovered that there was an abandoned oil tank previously servicing their property that is located beneath the sidewalk located in front of their property next to a PSE&G utility pole (the "UST"); and

WHEREAS, the Property Owners' contractor, Leo Campbell, states that he was able to extract the contents of the oil tank with Ken's Marine bit that additional environmental testing is required to determine whether residual contamination exists in and around the area of the UST; and

WHEREAS, absent compelling circumstances that may warrant otherwise, the City is always in favor of its Rights-of-Way to be maintained free and clear of any third-party property and obstructions including but not limited to previously active USTs; and

WHEREAS, due to the proximity of a certain PSE&G utility pole to the UST excavation area, Property Owner has made an inquiry of the City as to whether in the event that it determined that it is not feasible to excavate and remove the UST due to overwhelming public safety and structural integrity reasons, whether, in the alternative, Property Owners could legally abandon the UST in place in the City's ROW, on the condition that legal abandonment is in compliance with the NJDEP regulations and the Property Owners satisfy all of the City's conditions precedent, requirements and obligations; and

WHEREAS, the decision regarding the excavation and removal of the UST or legal abandonments in place in the City's Right-of-Way will require a factual investigation and additional evaluation by the City's environmental, engineering and legal professionals at Property Owners' sole cost and expense at such time in the future but in any event, not until after it has been confirmed that there has been no compromise of the UST and that no contamination exists to the soil and groundwater in the excavation area above NJDEP actionable levels for residential properties; and

WHEREAS, the Property Owners through their attorney have requested permission to allow their Licensed Site Remediation Professional, (the "Property Owners' LSRP") access to the City's Right-of-Way located within the sidewalk in front of the Property Owners' property located at 730-734 Avenue C (the "City's ROW") to investigate possible contamination resulting from the existence of the UST; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. Permission is hereby granted to the Property Owners' LSRP access to the City's ROW located within the sidewalk in front of the property located at 730-734 Avenue C for the purpose of conducting an investigation of possible contamination resulting from the existence of an underground storage tank on the condition that: 1) the Property Owners' LSRP submits a Scope of Work and Site Plan acceptable to the City's Engineer and the City's LSRP 2) the proposed Scope of Work and Site Plan are approved by the City's engineer and the City's LSRP at the Property Owners' expense; 3) Property Owners must demonstrate to the City by a preponderance of the evidence in the City sole and absolute discretion, that there exists overwhelming good cause to legally abandon the UST in the City's ROW, that no other viable alternative exists and that it is not possible to excavate and remove the UST and at the same time preserve the integrity of the structure of

any structure or PSE&G utility pole and maintain public safety; 4) the Property Owners and the Property Owners' LSRP enter into a Right of Entry/Access Agreement (and License Agreement if applicable) in a form acceptable to the City and approved by the City's Law Department; 5) All cost and expense relating in any way to the Property Owners' and/or the Property Owners LSRP's request for access shall be borne by the Property Owner; 6) no permits will issue without a fully executed Right of Entry/Access Agreement and License Agreement, if necessary to effectuate the letter and spirit of this resolution; 7) valid permits to be issued by the City's Building Department prior to the start of any work; and 8) the Property Owners and Property Owners' LSRP shall abide by any and all requirements of the City deemed necessary to protect the City's property and citizens at Property Owners sole cost and expense.

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

* * * * *

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

WHEREAS, pursuant to Resolution No. 16-12-14-089 adopted by the Municipal Council December 14, 2016, the City of Bayonne entered into Agreement No. CY17-002 with the Bayonne Community Mental Health Center, 601 Broadway, Bayonne, New Jersey 07002 for professional mental health services to Low Income and Public Assistance Clients residing in the City of Bayonne for the period commencing January 1, 2017 and ending December 31, 2017 for an amount not to exceed \$30,000.00; and

WHEREAS, the Executive Director of the Bayonne Community Mental Health Center has requested additional funding for the aforesaid for professional mental health services to Low Income and Public Assistance Clients residing in the City of Bayonne in the amount of \$20,000.00; and

WHEREAS, it is in the best interest of health and welfare of the citizens of Bayonne to provide the Bayonne Community Mental Health Center with the additional \$20,000.00; and

WHEREAS, funds are certified as available in Account 7-01-27-330-0000-029; 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 amendment to Agreement No. 17-002 with the Bayonne Community Mental Health Services, 601 Broadway, Bayonne, New Jersey increasing same in the amount of \$20,000.00, making the total contract amount not to exceed \$50,000.00

2. Funds shall be chargeable to Account 7-01-27-330-0000-029.

3. All other terms and conditions of Agreement No. CY17-002 shall remain the same.

* * * * *

43. 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 April 11, 2017 by a 100% Disabled Veteran who occupies a TWO family home located at Block 44 Lot 15 (81 West 51st Street), in the City of Bayonne, for the 2018 Tax Year, and

Whereas, the qualified veteran has filed proof of 100% disability as of February 29, 2016 by way of a letter from the Department of Veterans Affairs dated April 10, 2017, and

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

Now therefore be it resolved as follows:

1. The property taxes on 50% (one half) the two family home located at Block 44 Lot 15 (81 West 51st Street), in the City of Bayonne occupied by said qualifying veteran are hereby canceled effective February 29, 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 a credit/refund of approximately \$4,519 for the prorated portion of 2016 and \$4,705 for the current (2017) 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 cancellation of taxes approved by this resolution applies.

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

* * * * *

44. 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 30, 2017 by a 100% Disabled Veteran who occupies a TWO family home located at Block 351 Lot 4 (74 Garretson Avenue), in the City of Bayonne, for the 2018 Tax Year, and

Whereas, the qualified veteran has filed an application with the Bayonne Tax Assessor along with proof of 100% disability as of 11/24/2005 as confirmed by letter from the Department of Veterans Affairs with respect to a two family house owned by the qualifying veteran and his Wife as of 3/30/2017 as evidenced by a deed filed with the Hudson County Register in book 8191page 624, and

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

Now therefore be it resolved as follows:

1. The property taxes on 50% (one half) the two family home located at Block 351 Lot 4 (74 Garretson Avenue), in the City of Bayonne occupied by said qualifying veteran are hereby canceled effective March 30, 2017 with the assessor to revise the assessment going forward and the tax collector to calculate any resulting overpayment of the tax bills from that date to the date of passage of this resolution (estimated at a credit of approximately \$4,530 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 cancellation of taxes approved by this resolution applies.
2. The Tax Collector upon performing the above calculations is authorized to refund any overpayment amount which exceeds such outstanding taxes, so as to assure that the exemption is fully effectuated. 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.

* * * * *

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

Whereas, by Deed dated November 9th 2010, Certain Real property reflected in the Tax Records of the City of Bayonne as Block 328 Lots 1.02 and 2.02 were deeded to the City of Bayonne; and

Whereas, the land so deeded was used since the date of the deed by the City of Bayonne for the public purpose of expanding the sight line and intersection adjacent to the property; and

Whereas, although the above transfer took place in 2010, the deed memorializing the transaction was not filed until February 2017 Deed Book 9180 Page 507, resulting in the property, which was in exempt public possession and use being listed as taxable;

Now therefore be it resolved as follows:

1. Any and all open taxes on Block 328 Lots 1.02 and 2.02 are hereby cancelled, with the Tax Collector being authorized to note her accounts and records accordingly with the Tax Assessor being also authorized to note his records accordingly.
2. The Tax Collector, Tax Assessor and City Treasurer are authorized to take any and all appropriate action to effectuate this resolution.
3. This resolution shall take effect immediately.

* * * * *

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

WHEREAS, various public events are conducted and/or overseen by municipal entities, and

WHEREAS, said events make use of outside vendor to enhance public enjoyment of the events, now, therefore, be it

RESOLVED, that all fees relating to health and fire inspections be waived for the following events: Bayonne Farmer's Market, UEZ/SID events, Recreation Division events and the Bayonne Hometown Fair.

* * * * *

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

WHEREAS, the annual sidewalk sale was created to provide an opportunity for Bayonne businesses to showcase their merchandise on the sidewalk in front of their property, and

WHEREAS, it is desired to improve the annual sidewalk sale by encouraging food establishments to participate, now, therefore, be it

RESOLVED, that all fees relating to allowing eateries to provide outdoor public seating are hereby waived to the duration of the sidewalk sale on July 20, July 21, and July 22, 2017.

* * * * *

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

RESOLVED, that Drew Niekrasz is hereby removed as Petty Cash Custodian in the Police Department and Drew Sisk is hereby named as Petty Cash Custodian in the Police Department.

* * * * *

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

BE IT RESOLVED, That the City Clerk be and is hereby authorized to advertise for bids for roadway improvements to LeFante Way.

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

BE IT RESOLVED, That the City Clerk be and is hereby authorized to advertise for bids for roof replacement to the 57th Street Fire House.

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51. 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
St.Vincent De Paul R.C. Church	3:30 P.M. 979 Avenue C December 2, 2017	RL: 9200
Bayonne High School Band Foundation	7:00 – 11:0 P.M. 400 Route 440 November 17, 2017	RL: 9201 RL: 9202
St. John Paul II Parish	2:00-6:00 P.M. 39 East 22 nd Street September 10, 2017	RL: 9203 RL: 9204

* * * * *

REMOVED FROM THE CONSENT AGENDA

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

BE IT RESOLVED, That the City Clerk be and is hereby authorized to advertise for RFP’s for uniform construction code official services, plumbing sub-code inspector services, electrical sub-code inspector services, and building sub-code official services.

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

* * * * *

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

WHEREAS, pursuant to Resolution 17-06-21-070 adopted on June 21, 2017 the City Council rejected bids received for Improvements to Dennis P. Collins Park – Phase 1 pursuant to N.J.S.A. 40A:11-13.2 in that the bids received exceeded the City’s appropriation for the goods or services and authorized the city clerk, to re-advertise for bids for the aforesaid Improvements to Dennis P. Collins Park – Phase 1; and

WHEREAS, pursuant to said Resolution 17-06-21-070 the City Clerk advertised in the Jersey Journal on June 22, 2107 that sealed bids for the aforesaid Improvements to Dennis P. Collins Park – Phase 1 Re-bid would be received on July 11, 2017; and

WHEREAS, pursuant to such advertisement, six (6) proposals were received from:

Bidder(s) Name	Base Bid Amount:	DEL-3 REMOVE PORTION OF VOLLEYBALL COURT MPROVEMENTS	DEL-2 /ADD-2 REMOVE CINDER WALKWAY/ ADD HOT MIX ASPHALT WALKWAY	DEL-1 REMOVE TENNIS COURT IMPROVEMENTS
V & K Construction Co. Inc. 37 Bartha Avenue Edison, NJ 08817	1,773,689.00	(\$31,365.00)	(\$10,670.00)	(\$162,897.00)
Roman Asphalt Corp. 14 Ogden Street Newark, NJ 07104	1,788,836.00	(\$47,000.00)	(\$1,455.00)	(\$119,880.50)
Picerno-GiordanoConstruction LLC 200 Market Street Kenilworth, NJ 07033\$	1,794,630.00	(\$54,100.00)	(\$20,855.00)	(\$131,375.00)
Applied Landscape Technologies, Inc. 145 River Road Montville, NJ 07045	1,845,896.25	(\$58,940.00)	(\$6,305.00)	(\$115,790.00)
Zenith Construction Services Inc. 365 Thomas Boulevard Orange, NJ 07050	1,872,220.35	(\$54,375.00)	+ (\$1,455.00)	(\$144,320.00)
Control Industries Inc. 103 East 25 th Street				

(SEE ATTACHED); and

WHEREAS, Amy Dellabella, R.P.P.O., Q.P.A. and Gary Chmielewski, Director of Public Works and Parks have examined the bids or proposals and have determined that the bid of Picerno-Giordano Construction, LLC, 200 Market Street, Kenilworth, New Jersey 07033 is the most advantageous to the City of Bayonne for Improvements to Dennis P. Collins Park Phase I – Re-Bid utilizing Deletion item number 3 through deletion number 2; and

WHEREAS, the Municipal Comptroller has filed a certification with the city clerk that funds are available in the Port Authority Grant Account; now, therefore, be it

RESOLVED, that the contract for Improvements to Dennis P. Collins Park Phase I-Re-Bid utilizing Deletion item number 3 through deletion number 2 to:

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

for the following bid price: \$1,719,675.00, and that the contract be executed in the name of the City of Bayonne by the proper city officials and that the said sum be charged to account: Port Authority Grant.

After farther discussion, Council President Nadrowski motion to tabled resolution for further consideration, seconded by Council Member r Perez, which motion was adopted.

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

* * * * *

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

WHEREAS, the Bayonne Housing Authority desires to contract with the City for additional police services to create a drug and crime free environment and to provide for the safety and protection of the residents in its public housing developments; and

WHEREAS, the City, by and through its police department, desires to assist in the effort by providing effective police services at all Bayonne Housing Authority locations; now, therefore, be it

RESOLVED, that the Mayor and City Clerk are authorized to enter into an agreement with the Bayonne Housing Authority to provide police services in accordance with the Model contract for Supplemental Law Enforcement Services to Public Housing Residents which is attached hereto and made a part hereof; and be it further

RESOLVED, that the services rendered by the assigned personnel (police and civilian) under this contract are in addition to baseline police services; and be it further

RESOLVED, that the City, by and through its police department, will provide the minimum number of police officers necessary to perform specialized patrols and to enforce all state and local laws and the Bayonne Housing Authority rules specified in the aforesaid agreement; and be it further

RESOLVED, that the term of this agreement shall be for one year beginning July 1, 2017 and ending June 30, 2018; and be it further

RESOLVED, that the Authority will reimburse the City for services specified in this contract in a total amount of \$200,000.00.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY DESIGNATING CERTAIN PROPERTY LOCATED AT 122 AVENUE E, 124 AVENUE E, 126 AVENUE E, 126 ½ AVENUE E, 128 AVENUE E, 130 AVENUE E, 132 AVENUE E,

134-136 AVENUE E, 138 AVENUE E, 140 AVENUE E, 165 AVENUE E, 167 AVENUE E, 169 AVENUE E, 170-180 AVENUE E, AND 157-163 AVENUE E WHICH PROPERTY IS IDENTIFIED AS BLOCK 467, LOTS 17, 18, 19, 20, 21, 22, 23, 24, 25, & 26, BLOCK 234, LOTS 8.01, 11, 12, & 13, AND BLOCK 458, LOT 1 & 1.01, WITHIN THE CITY AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT AND AUTHORIZING AN AMENDMENT AND EXPANSION OF THE REDEVELOPMENT PLAN TO INCLUDE THE PROPERTY 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, the State designated several blocks in the City as an "Urban Renewal Zone" pursuant to the *New Jersey Urban Enterprise Zone Act*, *N.J.S.A. 52:27H-60 et seq.* (the "UEZ Act" and those parcels located within the designated Urban Enterprise Zone shall hereinafter be the "UEZ"); and

WHEREAS, on May 20, 2009, the State approved expansions to the City's UEZ map, to encompass additional properties including the properties common known as Block 458, Lot 1, Block 467, Lots 27, 28, & 29 on the Official Tax Map of the City (the "Zone Area"); and

WHEREAS, Block 467, Lots 27, 28, & 29, were consolidated into Block 458, Lot 1; and

WHEREAS, Block 234, Lots 8, 9, & 10, were consolidated into Block 234, Lot 8.01; and

WHEREAS, on October 11, 2011, the Planning Board reviewed a report prepared by John D. Fussa, P.P., planner for the Planning Board (the "Planner") and a redevelopment plan prepared by the Planner, dated October 11, 2011 and entitled, "Redevelopment Plan Maidenform Redevelopment Area" (the "Redevelopment Plan"), at which hearing the Planning Board discussed the report and the Redevelopment Plan as presented and then resolved to recommend to the City Council that the Zone Area be designated a redevelopment area and the Redevelopment Plan be adopted; and

WHEREAS on November 9, 2011, the Municipal Council adopted the Redevelopment Plan with amendments for the Property and designated the Zone Area as an area in need of redevelopment; and

WHEREAS, on May 17, 2017, by Resolution 17-05-17-055, the Municipal Council authorized and directed the Planning Board of the City (the "Planning Board") to conduct such an investigation to determine if certain properties located at 122 Avenue E, 124 Avenue E, 126 Avenue E, 126 ½ Avenue E, 128 Avenue E, 130 Avenue E, 132 Avenue E, 134-136 Avenue E, 138 Avenue E, 140 Avenue E, 165 Avenue E, 167 Avenue E, 169 Avenue E, 170-180 Avenue E, and 157-163 Avenue E, which property is identified as Block 467, Lots 17, 18, 19, 20, 21, 22, 23, 24, 25, & 26, Block 234, Lots 8.01, 11, 12, & 13, and Block 458, Lots 1 & 1.01 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, on July 11, 2017, the Planning Board held a public hearing, duly noticed under the Redevelopment Law, and reviewed an investigation/report titled "City of Bayonne: Preliminary Investigation Non-Condensation Area in Need of Redevelopment Silklofts Expansion Study" prepared by the City of Bayonne, 630 Avenue C Bayonne, NJ 07002, dated June 19, 2017 (the "Study") and any persons interested in or affected by a determination that the Study Area is a non-condemnation redevelopment area were given an opportunity to be heard, and any objections to such a determination and evidence in support of those objections, were received and considered and made part of the public record; and

WHEREAS, on July 11, 2017, the Planning Board further adopted the Resolution recommending that the Study Area be determined by the Municipal Council to be a non-condemnation "area in need of redevelopment" under the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*; and

WHEREAS, the Municipal Council concurs and agrees with Planning Board's recommendation, as supported by the reasons stated in the Study, that the Study Area constitutes and meets the criteria under the Redevelopment Law and that the Study Area should be determined and declared a non-condemnation "area in need of redevelopment", which determination shall, among other things, authorize the City to use all of the powers

provided by the Legislature for use in a redevelopment area except the authorization to exercise the power of eminent domain to acquire all or any portion of such Study Area; and

WHEREAS, the Municipal Council now believes that it is in the best interests of the City to amend the Redevelopment Plan to include the Study Area and expand the scope of the revitalization and redevelopment efforts in the City (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 properties located at 122 Avenue E, 124 Avenue E, 126 Avenue E, 126 ½ Avenue E, 128 Avenue E, 130 Avenue E, 132 Avenue E, 134-136 Avenue E, 138 Avenue E, 140 Avenue E, 165 Avenue E, 167 Avenue E, 169 Avenue E, 170-180 Avenue E, and 157-163 Avenue E, which property is identified as Block 467, Lots 17, 18, 19, 20, 21, 22, 23, 24, 25, & 26, Block 234, Lots 8.01, 11, 12, & 13, and Block 458, Lot 1 & 1.01, as shown on the Official Tax Map of the City is hereby designated a non-condemnation “area in need of redevelopment” under the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*

Section 2. The Municipal Council hereby directs the City Clerk to transmit a copy of the within resolution to the Commissioner of the Department of Community Affairs and to serve notice that Block 467, Lots 17, 18, 19, 20, 21, 22, 23, 24, 25, & 26, Block 234, Lots 8.01, 11, 12, & 13, and Block 458, Lot 1 & 1.01 are designated as a non-condemnation redevelopment area on the owners of such property and other interested parties within ten (10) days of the date hereof, in accordance with *N.J.S.A. 40A:12A-6.b (5)*.

Section 3. The Planning Board of the City of Bayonne is hereby authorized and directed to prepare an amendment to the Redevelopment Plan for the Property identified as Block 467, Lots 17, 18, 19, 20, 21, 22, 23, 24, 25, & 26, Block 234, Lots 8.01, 11, 12, & 13, and Block 458, Lot 1 & 1.01, as shown on the Official Tax Map of the City in accordance with the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*

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

Section 5. This Resolution shall take effect immediately.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY TO NOT DESIGNATE CERTAIN PROPERTY LOCATED AT 517 – 519 AVENUE E, 521-523 AVENUE E, 525- 527 AVENUE E, 529 AVENUE E, 531 AVENUE E, WHICH PROPERTY IS IDENTIFIED AS BLOCK 140, LOTS 21, 22, 23, 24, AND 25 WITHIN THE CITY AS 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, on November 9, 2017, the Municipal Council authorized and directed the Planning Board of the City (the “Planning Board”) to conduct such an investigation to determine if certain properties located at 517-519 Avenue E, 521-523 Avenue E, 525-527 Avenue E, 529 Avenue E, 531 Avenue E in the City, which properties are identified as Block 140, Lots 21, 22, 23, 24, and 25 as shown on the Official Tax Map of the City (the “Study Area”), constitute a non-condemnation “area in need of redevelopment,” in accordance with the Redevelopment Law; and

WHEREAS, on July 11, 2017, the Planning Board held a public hearing, duly noticed under the Redevelopment Law, and reviewed an investigation/report titled "Area In Need of Redevelopment Preliminary Investigation Block 140 Lot 21 (517-519 Avenue E) Block 140 Lot 22 (521-523 Avenue E) Block 140 Lot 23 (525-527 Avenue E) Block 140 Lot 24 (529 Avenue E) Block 140 Lot 25 (531 Avenue E)" prepared by the City of Bayonne, Division of Planning and Zoning, Department of Municipal Services, dated June, 2017 (the "Study") and any persons interested in or affected by a determination that the Study Area is a non-condemnation redevelopment area were given an opportunity to be heard, and any objections to such a determination and evidence in support of those objections, were received and considered and made part of the public record; and

WHEREAS, at the hearing on July 11, 2017, the Planning Board determined that the Study Area should not be adopted as a non-condemnation "area in need of redevelopment" and further adopted a Resolution recommending that the Municipal Council should not declare the Study Area a non-condemnation "area in need of redevelopment" under the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*; and

WHEREAS, the Municipal Council concurs and agrees with the Planning Board's recommendation, as supported by the reasons stated on the record, that the Study Area neither constitutes nor meets the criteria under the Redevelopment Law and that the Study Area should not be determined and declared a non-condemnation "area in need of redevelopment."

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

Section 1. The properties located at 517-519 Avenue E, 521-523 Avenue E, 525-527 Avenue E, 529 Avenue E, 531 Avenue E in the City, which properties are identified as Block 140, Lots 21, 22, 23, 24, and 25, as shown on the official Tax Map of the City are hereby not designated a non-condemnation "area in need of redevelopment" under the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*

Section 2. This Resolution shall take effect immediately.

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

* * * * *

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

RESOLUTION DESIGNATING PSIP AVENUE A, LLC AS REDEVELOPER OF THE PROPERTY LOCATED AT BLOCK 301.01, LOT 7; BLOCK 310, LOTS 1-13 (LOT 1- "BAY"); BLOCK 311.01, LOT 1 ("39-55 BAYVIEW CT"); BLOCK 333.01, LOTS 1-6 (LOT 1- "16 BAYVIEW CT," LOT 2- "18-20 BAYVIEW CT," LOT 4- "22-46 BAYVIEW CT," LOT 5- "97-103 AVENUE A," LOT 6- "AVENUE A") AND BLOCK 333.02, LOT 1 ("97-103 AVENUE A") ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE AND AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT WITH PSIP AVENUE A, LLC FOR THE REDEVELOPMENT OF SUCH PROPERTY IN ACCORDANCE WITH THE REDEVELOPMENT PLAN

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

WHEREAS, the Municipal Council of the City (the "Municipal Council") adopted 98-02-04-040, designating the entirety of the City of Bayonne as an area in need of rehabilitation in accordance with the provisions of *N.J.S.A. 40A:12A-14* of the Redevelopment Law; and

WHEREAS, the Municipal Council identified certain properties in the City, designated as Block 301.01, Lot 7; Block 310, Lots 1-13 (Lot 1- "Bay"); Block 311.01, Lot 1 ("39-55 Bayview CT"); Block 333.01, Lots 3-6 (Lot 4- "22-46 Bayview CT," Lot 5- "97-103 Avenue A," Lot 6- "Avenue A"); and Block 333.02, Lot 1 ("97-103 Avenue A") on the City's Tax Maps (the "Study Area"), to be considered for designation as an "area in need of redevelopment" under the Redevelopment Law; and

WHEREAS, by Resolution 12-07-18-045 dated July 18, 2012, the Municipal Council designated the Study Area as an "area in need of redevelopment" (the "Redevelopment Area"); and

WHEREAS, by Ordinance O-16-27, the City Council adopted a redevelopment plan for the Redevelopment Area in accordance with the Redevelopment Law (the "Redevelopment Plan"); and

WHEREAS, by Resolution dated August 17, 2016, the Municipal Council authorized and directed the Planning Board to conduct a preliminary investigation to determine whether certain property located at 16 Bayview Court and 18-20 Bayview Court and more specifically known as Block 333.01, Lots 1 and 2, on the official tax map of the City constitutes a non-condemnation area in need of redevelopment pursuant to the Redevelopment Law; and

WHEREAS, the City desires to develop the Redevelopment Area as well as the property located at 16 Bayview Court and 18-20 Bayview Court and more specifically known as Block 333.01, Lots 1 and 2, on the official tax map of the City (the "Property"); and

WHEREAS, PSIP Avenue A, LLC, a New Jersey limited liability company organized under the laws of the State of New Jersey, having its offices at One Financial Plaza, 12th Floor, Hartford, CT 06103, wishes to develop the Property (the "Entity"); and

WHEREAS, the Entity is the owner of Block 301.01, Lot 7; Block 310, Lots 1-13; Block 311.01, Lot 1; Block 333.01, Lots 3-6; and Block 333.02, Lot 1; and

WHEREAS, pursuant to an agreement between the Entity and the City, the Entity is to acquire Block 333.01, Lot 1 from the City; and

WHEREAS, the Entity is the contract purchaser of Block 333.01, Lot 2 from Michael F. Lacey and Carol-Ann J. Lacey; and

WHEREAS, the Municipal Council desires to designate the Entity to undertake the necessary development and construction of the Property for commercial and light industrial uses in accordance with the Redevelopment Plan and related improvements in the Redevelopment Area (the "Redevelopment Project"); and

WHEREAS, the City wishes to enter into an agreement for the construction of the Redevelopment Project; and

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

WHEREAS, the Municipal Council desires to designate the Entity as redeveloper of the Property and enter into the Redevelopment Agreement with the Entity for redevelopment of the aforesaid Property which will set forth the rights and obligations of the respective parties as well as the anticipated time frame for the completion of certain tasks.

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

Section 1. The Municipal Council of the City of Bayonne hereby authorizes the execution of the Redevelopment Agreement by and between the City of Bayonne as Redevelopment Entity and PSIP Avenue A, LLC, a New Jersey Limited Liability Company as the Redeveloper concerning the Property identified as Block 301.01, Lot 7; Block 310, Lots 1-13 (Lot 1- "Bay"); Block 311.01, Lot 1 ("39-55 Bayview CT"); Block 333.01, Lots 1-6 (Lot 1- "16 Bayview CT," Lot 2- "18-20 Bayview Ct," Lot 4- "22-46 Bayview CT," Lot 5- "97-103 Avenue A," Lot 6- "Avenue A"); and Block 333.02, Lot 1 ("97-103 Avenue A") in the City of Bayonne in such a form deemed advisable by the City Attorney, subject to any and all conditions contained therein and such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel to the City and acceptable to the Entity; and

Section 2. The Municipal Council, upon the full execution of the Redevelopment Agreement by the City of Bayonne and PSIP Avenue A, LLC recognizes PSIP Avenue A, LLC, as Redeveloper of Block 301.01, Lot 7; Block 310, Lots 1-13 (Lot 1- "Bay"); Block 311.01, Lot 1 ("39-55 Bayview CT"); Block 333.01, Lots 1-6 (Lot 1- "16 Bayview CT," Lot 2- "18-20 Bayview Ct," Lot 4- "22-46 Bayview CT," Lot 5- "97-103 Avenue A," Lot 6- "Avenue A"); and Block 333.02, Lot 1 ("97-103 Avenue A") 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 and acceptable to the Redeveloper, on behalf of the City of Bayonne, acting as the redevelopment entity for the redevelopment of the Property by PSIP Avenue A, LLC and to execute any and all documents necessary to effectuate the terms and conditions of the Redevelopment Agreement, including the closing of title to the Property.

Section 4. This Resolution shall take effect immediately.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY
AUTHORIZING THE EXECUTION OF THE FIRST AMENDMENT TO THE
REDEVELOPMENT AND PURCHASE AND SALE AGREEMENT BY AND
BETWEEN THE CITY OF BAYONNE AND BAYONNE REDEVELOPERS, LLC, FOR
THE PROPERTY LOCATED ON A PORTION OF THE PENINSULA AT BAYONNE
HARBOR, REFERRED TO AS HARBOR STATION SOUTH, WHICH PROPERTIES
ARE SHOWN AS BLOCK 720, LOT 1, BLOCK 791, LOT 1 AND BLOCK 700, LOT
1 ON AN APPROVED FINAL MAJOR SUBDIVISION PLAT FOR THE
REDEVELOPMENT OF SUCH PROPERTY IN ACCORDANCE WITH THE
REDEVELOPMENT PLAN

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

WHEREAS, in accordance with the criteria set forth in the Redevelopment Law, the City identified and designated the Bayonne Military Ocean Terminal (hereinafter referred to as the “Peninsula”) as an area in need of redevelopment, including certain property known as Block 700 Lot 1; Block 720, Lot 1; Block 730 Lot 1; Block 731, Lot 1; Block 751, Lot 1; Block 770, Lot 1; Block 780, Lot 1; Block 790, Lot 1; and Block 730, Lot 2, on the official tax map of the City of Bayonne, which is referred to as Harbor Station South (the “Redevelopment Property”); and

WHEREAS, the City has adopted an Amended Redevelopment Plan for the Redevelopment Property (hereinafter referred to as the “Amended Redevelopment Plan”) defined herein below which Amended Redevelopment Plan supersedes and replaces all prior redevelopment plans applicable to the Redevelopment Property; and

WHEREAS, the City approved the subdivision of the Redevelopment Property pursuant to a Final Major Subdivision Plat, prepared by Partner Engineering and Science, Inc., dated November 11, 2015 (“Major Subdivision Plat”), which modified the existing lots within the Redevelopment Property for future sale and redevelopment purposes; and

WHEREAS, on November 14, 2016, the Major Subdivision Plat was recorded with the Office of the Hudson County Register; and

WHEREAS, among other lots, the Major Subdivision Plat creates “Proposed Block 720, Lot 1” consisting of approximately 14.45 acres of land and “Proposed Block 791, Lot 1” consisting of approximately 2.9 acres of land; and

WHEREAS, Bayonne Redevelopers, LLC (the “Redeveloper”), through its affiliate JMF Acquisitions Group, L.L.C., informed the City of its interest in acquiring and redeveloping the portion of the Redevelopment Property identified as Proposed Block 720, Lot 1, Proposed Block 791, Lot 1 and Existing Block 700, Lot 1 on the Final Major Subdivision Plat (hereinafter referred to as the “Property”); and

WHEREAS, on October 19, 2016, by Resolution 16-10-19-042, the City designated Bayonne Redevelopers, LLC, as redevelopers of the Property (the “Redeveloper”) and authorized the execution of a redevelopment and purchase and sale agreement by and between the City of Bayonne and Bayonne Redevelopers, LLC, in connection with the redevelopment of the Property, (the “Redevelopment Agreement”); and

WHEREAS, the City and Redeveloper now desire to amend the Redevelopment Agreement in order to effectuate a more desirable and consistent plan in accordance with the Amended Redevelopment Plan (the “First Amendment to the Redevelopment and Purchase and Sale Agreement”); and

WHEREAS, the First Amendment to the Redevelopment and Purchase and Sale Agreement has been prepared and presented to the Municipal Council for review and approval; and

WHEREAS, the Municipal Council desires to enter into the First Amendment to the Redevelopment and Purchase and Sale 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 First Amendment to the Redevelopment and Purchase and Sale Agreement concerning the Property identified as Block 700, Lot 1, Block 720, Lot 1 and Block 791, Lot 1 on the Final Major Subdivision Plat, in such a form deemed advisable by the City Attorney, or Special Redevelopment Counsel to the City, 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.

Section 2. The Mayor and Clerk are hereby authorized to execute the First Amendment to the Redevelopment and Purchase and Sale 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 Redevelopers LLC.

Section 3. The Mayor and Clerk are hereby authorized to take such action and to execute such other documents, on behalf of the City of Bayonne, as is necessary to effectuate the terms of the First Amendment to the Redevelopment and Purchase and Sale Agreement, as deemed advisable by the City Attorney or Special Redevelopment Counsel.

Section 4. This Resolution shall take effect immediately.

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

* * * * *

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

CHAPTER 159 NO. 1

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

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

SECTION 1

NOW THEREFORE BE IT RESOLVED that the City of Bayonne hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the Calendar Year Budget of 2017 in the sum of \$ 27,389.61 which has been received from the Department of Justice and the Department of Treasury;

SECTION II

BE IT FURTHER RESOLVED that a like sum of \$27,389.61 and the same is hereby appropriated under the caption of

CUSTOM BORDER PATROL

SECTION III

BE IT FURTHER RESOLVED that the above is the result of moneys received by the Department of Justice and the Department of the Treasury.

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

* * * * *

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

CHAPTER 159 NO. 2

WHEREAS, N.J.S., 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue of any county or

municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

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

SECTION 1

NOW THEREFORE BE IT RESOLVED that the City of Bayonne hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the Calendar Year Budget of 2017 in the sum of \$ 1,000.00 which has been received from Bayonne Elks Lodge 434 Inc.

SECTION II

BE IT FURTHER RESOLVED that a like sum of \$1,000.00 and the same is hereby appropriated under the caption of
Fire Prevention Materials Grant

SECTION III

BE IT FURTHER RESOLVED that the above is the result of moneys received from Bayonne Elks Lodge 434 Inc.
Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

* * * * *

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

CHAPTER 159 NO. 3

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

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

SECTION 1

NOW THEREFORE BE IT RESOLVED that the City of Bayonne hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the Calendar Year Budget of 2017 in the sum of \$7,000.00 which has been received from the Emergency Management Agency Assistance

SECTION II

BE IT FURTHER RESOLVED that a like sum of \$7,000.00 and the same is hereby appropriated under the caption of
2015 Emergency Management Assistance

SECTION III

BE IT FURTHER RESOLVED that the above is the result of moneys received from the Emergency Management Agency Assistance.
Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and President Nadrowski.

* * * * *

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

CHAPTER 159 NO. 4

WHEREAS, N.J.S., 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue of any county or

municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

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

SECTION 1

NOW THEREFORE BE IT RESOLVED that the City of Bayonne hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the Calendar Year Budget of 2017 in the sum of \$17,001.91 which has been received from the New Jersey Turnpike Authority;

SECTION II

BE IT FURTHER RESOLVED that a like sum of \$17,001.91 and the same is hereby appropriated under the caption of

New Jersey Turnpike Authority - MUA

SECTION III

BE IT FURTHER RESOLVED that the above is the result of moneys received from the New Jersey Turnpike Authority.

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

* * * * *

63. Council Member LaPelusa introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING THE APPLICATION AND FINANCIAL AGREEMENT FOR TAX EXEMPTION WITH NORTH STREET PROPERTIES URBAN RENEWAL, LLC FOR THE PROPERTY KNOWN AS 105.5 NORTH STREET (BLOCK 295, LOTS 16 AND 17) IN THE CITY OF BAYONNE

WHEREAS, NORTH STREET PROPERTIES URBAN RENEWAL, LLC is the owner of certain property designated as Block 295, Lots 16 and 17 in the City of Bayonne, which is commonly known by the street location of 105.5 North Street in the City (the “Property”); and

WHEREAS, at the discretion of the City Council, the Planning Board prepares and recommended adoption of a proposed redevelopment plan; and

WHEREAS, the Property has been designated as an area in need of redevelopment pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., as amended and supplemented (the “Local Redevelopment and Housing Law”); and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7, on April 20, 2016, the City duly adopted O-16-18 approving the redevelopment plan entitled “Redevelopment Plan Block 295, Lots 16-17 105.5 North Street” (and as same may be further amended from time to time, the “Redevelopment Plan”) for the Redevelopment Area; and

WHEREAS, the proposed project to be undertaken on the Property consists of the construction of a 72-unit multi-family residential building with 90 parking spaces as well as related improvements as approved by the City of Bayonne Planning Board (the “Planning Board”) on January 10, 2017 and as memorialized in Resolution P-16-044 adopted on February 14, 2017 (the “Project”); and

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

WHEREAS, the City Council finds that the requested tax exemptions will benefit the City and its inhabitants by furthering the development of the property, and that the benefits would substantially outweigh the costs, if any, associated with the tax exemptions; and

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

that the Project will be undertaken; and

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

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

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

NOW THEREFORE, be it Ordained that the City Council of the City of Bayonne does hereby adopt the tax exemption for NORTH STREET PROPERTIES URBAN RENEWAL, LLC as follows:

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

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

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

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

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

BE IT RESOLVED, that an ordinance entitled “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING THE APPLICATION AND FINANCIAL AGREEMENT FOR TAX EXEMPTION WITH NORTH STREET PROPERTIES URBAN RENEWAL, LLC FOR THE PROPERTY KNOWN AS 105.5 NORTH STREET (BLOCK 295, LOTS 16 AND 17) IN THE CITY OF BAYONNE,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, August 16, 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.

* * * * *

64. Council Member Perez introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING THE APPLICATION AND FINANCIAL AGREEMENT FOR TAX EXEMPTION WITH BAYONNE REDEVELOPERS RESIDENTIAL URBAN RENEWAL, LLC FOR THE PROPERTY KNOWN AS A PORTION OF THE HARBOR STATION SOUTH DISTRICT OF THE PENINSULA AT BAYONNE HARBOR, MORE PARTICULARLY IDENTIFIED ON THE TAX MAP OF

THE CITY OF BAYONNE AS BLOCK 791 LOT 1 AND A PORTION OF BLOCK 720 LOT 1. IN
THE CITY OF BAYONNE

WHEREAS, BAYONNE REDEVELOPERS RESIDENTIAL URBAN RENEWAL, LLC is the owner of certain property designated as Block 791 Lot1 and a portion of Block 720, Lot 1 16 and 17 in the City of Bayonne, located within that which is commonly known as part of the Harbor Station South District of the Peninsula at Bayonne Harbor (the “Property”); and

WHEREAS, at the discretion of the City Council, the Planning Board prepares and recommended adoption of a proposed redevelopment plan; and

WHEREAS, the Property has been designated as an area in need of redevelopment pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., as amended and supplemented (the “Local Redevelopment and Housing Law”); and

WHEREAS, pursuant to Ordinance #0-16-1, on January 20, 2016, the City adopted a redevelopment plan with respect to Harbor Station South entitled “Redevelopment Plan for the Peninsula at Bayonne Harbor – Harbor Station South City of Bayonne Hudson County, New Jersey December 2015”, as amended on March 14, 2017 pursuant to Ordinance #0-17-17, adopted on April 19, 2017 (as amended, the “Redevelopment Plan”); and

WHEREAS, on November 28, 2016, the City and Bayonne Redevelopers, LLC (“Master Redeveloper”) entered into that certain Redevelopment and Purchase and Sale Agreement, which was approved by the Governing Body on October 19th, 2016 pursuant to Resolution No. 16-10-19-042 (the “Redevelopment Agreement”); and

WHEREAS the Redevelopment Agreement sets forth the terms and conditions upon which the Master Redeveloper will acquire and redevelop the portions of the Redevelopment Area known as Block 700, Lot 1, Block 720, Lot 1 and Block 791, Lot 1 as more particularly shown on that certain Final Major Subdivision Plat, prepared by Partner Engineering and Science, Inc., dated November 11, 2015 and recorded in the Office of the Hudson County Register on November 14, 2016 as Instrument No. 20161114130000210 (Receipt No. 1182894) (the “Plat”); and

WHEREAS, Master Redeveloper has formed Bayonne Redevelopers Residential Urban Renewal, LLC for the purpose of acquiring (either fee title or a ground lease interest) and redeveloping Block 791, Lot 1 and a portion of Block 720, Lot 1 in accordance with the Redevelopment Plan and the Redevelopment Agreement; and

WHEREAS, Bayonne Redevelopers Residential Urban Renewal, LLC proposes to redevelop the Property with a multi-family residential development containing approximately 551 market rate residential units and other site improvements (collectively, the “Project”); and

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

WHEREAS, the City Council finds that the requested tax exemptions will benefit the City and its inhabitants by furthering the development of the property, and that the benefits would substantially outweigh the costs, if any, associated with the tax exemptions; and

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

WHEREAS, as part of its application for a tax exemption, Bayonne Redevelopers Residential Urban Renewal, LLC has submitted a form of Financial Agreement (the “Financial Agreement”) providing for payments in lieu of taxes, a copy of which is attached to this Ordinance; and

WHEREAS, Bayonne Redevelopers Residential Urban Renewal, LLC has presented to this body certain financial information, copies of which are attached as exhibits to this Ordinance; and

WHEREAS, the City Council deems it to be in the best interest of the City to pass an Ordinance authorizing the City to enter into the proposed Financial Agreement with Bayonne Redevelopers Residential Urban Renewal, LLC on the terms and conditions stated in the

applicable form of Financial Agreement attached to this Ordinance.

NOW THEREFORE, be it Ordained that the City Council of the City of Bayonne does hereby adopt the tax exemption for Bayonne Redevelopers Residential Urban Renewal, LLC as follows:

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

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

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

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

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

BE IT RESOLVED, that an ordinance entitled "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING THE APPLICATION AND FINANCIAL AGREEMENT FOR TAX EXEMPTION WITH BAYONNE REDEVELOPERS RESIDENTIAL URBAN RENEWAL, LLC FOR THE PROPERTY KNOWN AS A PORTION OF THE HARBOR STATION SOUTH DISTRICT OF THE PENINSULA AT BAYONNE HARBOR, MORE PARTICULARLY IDENTIFIED ON THE TAX MAP OF THE CITY OF BAYONNE AS BLOCK 791 LOT 1 AND A PORTION OF BLOCK 720 LOT 1. IN THE CITY OF BAYONNE," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, August 16, 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.

* * * * *

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

RESOLUTION RESCINDING RESOLUTION 15-03-18-050 WHICH AUTHORIZED THE NEGOTIATION OF A REDEVELOPMENT AGREEMENT WITH THE PROPOSED REDEVELOPER, M & M REALTY PARTNERS, FOR THE PROPERTY IDENTIFIED AS BLOCK 452.02, LOTS 4, 8, AND 11, AND BLOCK 452.02, LOT 1 PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.*

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

WHEREAS, on 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 4-9, 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 the Redevelopment Area titled "Scattered Site Redevelopment Project: Phase II Site 14: Rt. 440 West Redevelopment Plan" dated October 16, 2013; and

WHEREAS, the portion of the Study Area comprising Block 452.02, Lots 4, 8 and 11 is owned by the City, and Block 452.02, Lot 1 is owned by the City subject to a deed restriction from the New Jersey Department of Transportation (the "DOT"); and

WHEREAS, pursuant to *N.J.S.A. 40A:12A-8(f)* and 22, the City may make and enter into all contracts and agreements necessary or incidental to the performance of the duties authorized under the Redevelopment Law; and

WHEREAS, on March 18, 2015, by Resolution No. 15-03-18-050, the Municipal Council directed and authorized the negotiation of terms of a redevelopment agreement with the proposed redeveloper, M & M Realty Partners, for the portions of the Redevelopment Area owned by the City, which are identified as Block 452.02, Lots 4, 8, and 11, and Block 452.02, Lot 1, in accordance with the Redevelopment Law and in furtherance of the Redevelopment Plan (the "Resolution"); and

WHEREAS, the City desires to rescind its approval of Resolution No. 15-03-18-050 in its entirety.

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

Section 1. The Municipal Council rescinds its approval of the Resolution dated March 18, 2015.

Section 2. Resolution No. 15-03-18-050 is hereby rescinded and superseded in its entirety.

Section 3. This Resolution shall take effect immediately.

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

* * * * *

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

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

WHEREAS, SUSAN B. GYSS, ESQ. and STEVEN R. HUMMELL, ESQ. have submitted to the City of Bayonne a formal, written response to the City's Request for Qualifications for said professional legal services; and

WHEREAS, SUSAN B. GYSS (as Municipal Prosecutor) and STEVEN R. HUMMELL (as Alternate Prosecutor) are qualified, ready, willing and able to provide said services for a five (5) month period commencing August 1, 2017 and ending December 31, 2017 for an amount not to exceed \$8,700.00 to be paid at \$300.00 per session and municipal appeals requiring Superior Court appearance at an additional rate of \$75.00 per hour for a maximum of \$1,000.00 per appeal, and

WHEREAS, this contract constitutes a "Professional Service" contract under the provisions of the Local Public Contracts Law because the service is a recognized profession, licensed and regulated by the State of New Jersey, and therefore, may be awarded without competitive bidding pursuant to *N.J.S.A. 40A:11-1*, et seq.; and

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

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

WHEREAS, funds are certified as available in Account #7-01-25-275-0000-011; now, therefore, be it

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

1. That the Mayor and the City Clerk are hereby authorized and directed to execute agreements with SUSAN B. GYSS (as Municipal Prosecutor) and STEVEN R. HUMMELL (as Alternate Prosecutor) for the above mentioned professional legal services in the Bayonne Municipal Court for the period commencing August 1, 2017 and ending December 31, 2017, for a total contract amount not to exceed \$8,700.00 to be paid at \$300.00 per session and municipal appeals requiring Superior Court appearance at an additional rate of \$75.00 per hour for a maximum of \$1,000.00 per appeal.
2. Funds shall be charged to Account ##7-01-25-275-0000-011 pending adoption of the CY2017 Budget.
3. A notice of this action shall be printed once in a newspaper of general circulation within the boundaries of the City of Bayonne.

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

* * * * *

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

WHEREAS, the City of Bayonne Police Department is in need of interior alterations, specifically the installation of a handicapped accessible ramp in its garage area consistent with ADA requirements pursuant to architectural plans prepared by DAL Design Group dated April 7, 2017; and

WHEREAS, Lucciola Mason Contracting, 145 Lord Avenue, Bayonne, New Jersey submitted a proposal for the aforesaid interior alterations in the amount of \$13,400.00; and

WHEREAS, the proposal amount does not exceed the bid threshold pursuant to the provisions of the Local Public Contract Law (N.J.S.A. 40A:11-1, et seq.); and

WHEREAS, funds are certified as available in Account CDBG – 917; now, therefore, be it

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

1. The Mayor and City Clerk are hereby authorized to execute an agreement with Lucciola Mason Contracting, 145 Lord Avenue, Bayonne, New Jersey aforesaid interior alterations for a total contract amount of \$13,400.00
2. Funds shall be charged to Account CDBG – 917.

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

* * * * *

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

WHEREAS, the Collective Negotiations Agreement between the City of Bayonne and the BAYONNE MUNICIPAL SUPERVISORY ASSOCIATION, HUDSON COUNCIL #2 expired on June 30, 2013; and

WHEREAS, the parties to that Agreement appointed negotiation teams that met on several occasions in an effort to attempt to resolve a successor agreement; and

WHEREAS, the negotiating teams tentatively reached an agreement that extended the expired Collective Negotiations Agreement and memorialized same in a Memorandum of Understanding dated October 17, 2013 (the “MOU”); and

WHEREAS, the Municipal Council was satisfied that the terms set forth in the body of the MOU were beneficial to the City of Bayonne; and

WHEREAS, by way of Resolution No. 15-06-17-072 adopted on June 17, 2015, the Municipal Council accepted the terms of the MOU covering the period commencing July 1,

2014 through December 31, 2019 and authorized the Mayor and the City Clerk to execute same; and

WHEREAS, the terms of the attached Agreement are consistent the terms of said MOU; and

WHEREAS, the Municipal Council of the City of Bayonne has had the opportunity to review, analyze and comment upon the attached Agreement between the City of Bayonne and the BAYONNE MUNICIPAL SUPERVISORY ASSOCIATION, HUDSON COUNCIL #2 (the "Agreement"); and

WHEREAS, the Municipal Council is satisfied that the terms set forth in the body of the Agreement are beneficial to the City of Bayonne; now, therefore, be it

RESOLVED, that the Municipal Council hereby accepts the terms set forth within the attached Agreement between the City of Bayonne and the City of Bayonne and the BAYONNE MUNICIPAL SUPERVISORY ASSOCIATION, HUDSON COUNCIL #2 covering the period commencing July 1, 2014 through December 31, 2019 and ratifies and affirms the actions of the Mayor in executing same.

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

* * * * *

69. 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 17-05-17-058, the Municipal Council authorized the Mayor, Clerk, Business Administrator, Law Director and/or the Director of the Department of Public Works to execute any and all documents on behalf of the City of Bayonne, including, but not limited to, an NJDEP TWA-1 Application, an NJDEP WQM-003 Statement of Consent Form and/or an NJDEP WQM-006 Engineer's Report for Domestic Treatment Works Approval Application in furtherance of any and all sanitary sewer applications submitted to the State of New Jersey by developers in connection with redevelopment or other projects within the City of Bayonne; and

WHEREAS, John Ludington, II, Project Manager Suez Bayonne, has advised that as acting Collection System C-4 licensed operator and Distribution System W-4 licensed operator, he should also be authorized by resolution to act as signatory for purposes of endorsing NJDEP and/or other state regulatory applications for applicable projects within the City of Bayonne as stated above; and

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

1. John Ludington, II, Project Manager Suez Bayonne, as acting Collection System C-4 licensed operator and Distribution System W-4 licensed operator is hereby authorized as needed or required, to execute any and all documents on behalf of the City of Bayonne, including, but not limited to, an NJDEP TWA-1 Application, an NJDEP WQM-003 Statement of Consent Form and/or an NJDEP WQM-006 Engineer's Report for Domestic Treatment Works Approval Application in furtherance of any and all sanitary sewer applications submitted to the State of New Jersey by developers in connection with redevelopment or other projects within the City of Bayonne.
2. In the event that John Ludington, II is unavailable, incapable or otherwise unable to execute the above noted documents, any other authorized representative of Suez Bayonne may execute same.
3. This Resolution shall take effect immediately.

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

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70. Council Member LaPelusa moved the following communication be received and filed, seconded by Council Member Perez, which was read by the Clerk and adopted.

July 18, 2017

Dear Council President Nadrowski
And Honorable Members of City Council:

I hereby recommend the following individuals to the Zoning Board of Adjustments of the City of Bayonne:

Nicholas DiLullo
337 Kennedy Blvd., Bayonne, NJ

Term expiring on December 31, 2018
(Appointment as Alternate #2)

Arrigo De Ros, Jr.
31 East 41st Street, Bayonne, NJ

Term expiring on December 31, 2019
(Appointment as Alternate #3)

In conjunction with this appointment the City Clerk has been directed to add an accompanying item on the July 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.

* * * * *

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

WHEREAS, due to a delay in mailing the 2017-2018 property tax bills caused by an increase in school aid being received by the Bayonne Board of Education an extension of the grace period for the third quarter tax bills is required, now, therefore, be it

RESOLVED, that the grace period for the third quarter tax bills of 2017, with a nominal due date of August 1, 2017, shall be extended to August 21, 2017, and be it further

RESOLVED, that any payments received after August 21, 2017, shall be charged the appropriate interest back to the nominal due date of August 1, 2017.

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

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At 9:40 P.M., Council President Nadrowski motion to adjourn, seconded by Council Member Perez, which motion was adopted.

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

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President – Sharon A. Nadrowski

Clerk –Madelene Medina