

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, AUGUST 16, 2017

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 August 16, 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 August 11, 2017.”

The Council President led the Pledge of Allegiance.

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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 EQUITIES URBAN RENEWAL, LLC FOR THE PROPERTY KNOWN AS 477-481 BROADWAY (BLOCK 204, LOTS 2 AND 3) IN THE CITY OF BAYONNE" which was introduced and passed a first reading at a meeting held July 19, 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 August 16, 2017, 2017, is now before the Council for its consideration and a public hearing.

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

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 BAYONNE EQUITIES URBAN RENEWAL, LLC FOR THE PROPERTY KNOWN AS 477-481 BROADWAY (BLOCK 204, LOTS 2 AND 3) IN THE CITY OF BAYONNE”

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 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 BAYONNE EQUITIES URBAN RENEWAL, LLC FOR THE PROPERTY KNOWN AS 477-481 BROADWAY (BLOCK 204, LOTS 2 AND 3) IN THE CITY OF BAYONNE" was introduced and passed a first reading at a meeting held July 19, 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 August 16, 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-17-42.

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

Nays – Council Member LaPelusa.

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03. The Clerk announced:

AN ORDINEC ENTITLED, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 20, PERSONNEL POLICIES," which was introduced and passed a first reading at a meeting held July 19, 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 August 16, 2017, is now before the Council for its consideration and a public hearing.

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

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

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

The Clerk read the ordinance by title: "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 20, PERSONNEL POLICIES,"

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 Cresci – 917 Kennedy Blvd.

Peter Franco – 127 West 12th Street
Joe Wisniewski – 100 East 23rd Street
Stacy Percella – 25 West 40th Street
Rosemarie Banno – 48 West 25th Street
Melanie Flora – 108 West 25th Street
Mark Urban – 67 West 43rd Street
Michael Morris – 123 Avenue C

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

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

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

Council Member Cotter 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 20, PERSONNEL POLICIES," was introduced and passed a first reading at a meeting held July 19, 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 August 16, 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-17-43.

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 NORTH STREET PROPERTIES URBAN RENEWAL, LLC FOR PROPERTY KNOWN AS 105.5 NORTH STREET (BLOCK295, LOT 16 AND 17) IN THE CITY OF BAYONNE,” which was introduced and passed a first reading at a meeting held July 19, 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 August 16, 2017, is now before the Council for its consideration and a public hearing.

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

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

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

The Clerk read the ordinance by title: “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING THE APPLICATION AND FINANCIAL AGREEMENT FOR TAX EXEMPTION WITH NORTH STREET PROPERTIES URBAN RENEWAL, LLC FOR PROPERTY KNOWN AS 105.5 NORTH STREET (BLOCK295, LOT 16 AND 17) 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: Joe Wisniewski – 100 East 23rd Street
Mike Resigno – 142 West 23rd Street
Matt Mullette – 801 Avenue C
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 NORTH STREET PROPERTIES URBAN RENEWAL, LLC FOR PROPERTY KNOWN AS 105.5 NORTH STREET (BLOCK295, LOT 16 AND 17) IN THE CITY OF BAYONNE,” was introduced and passed a first reading at a meeting held July 19, 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 August 16, 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-17-44.

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

Nays – Council Member LaPelusa.

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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 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,” which was introduced and passed a first reading at a meeting held July 19, 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 August 16, 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 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,”

The following person spoke: Joe Wisniewski – 100 East 23rd 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 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 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 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,” was introduced and passed a first reading at a meeting held July 19, 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 August 16, 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-17-45.

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

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06. 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 July 19, 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 August 16, 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 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 LaPelusa moved a resolution for final passage, seconded by Council Member Perez, which was read by the Clerk and adopted.

WHEREAS, an ordinance entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC," was introduced and passed a first reading at a meeting held June 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-17-46.

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

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07. Council Member Perez introduced:

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

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

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

WHEREAS, the property identified on the Tax Maps of the City as Block 445, Lots 1, 2, 3, 4, 5, and 7 (the “Property”) is located within an Urban Enterprise Zone pursuant to N.J.S.A. 52:27H-61 et seq. and within the Parkview Redevelopment Area (the “Redevelopment Area”), which has been designated as an area in need of redevelopment pursuant to the Redevelopment Law; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7, on October 19, 2016, the City duly adopted O-1 approving the redevelopment plan entitled “Amended and Restated Redevelopment Plan Avenue F between 23rd & 24th Street Block 445, Lots 1, 2, 3, 4, 5, and 7” dated September 13, 2016 as amended by such ordinance for the Redevelopment Area (the “Amended and Restated Redevelopment Plan”); and

WHEREAS, PARKVIEW REALTY URBAN RENEWAL, LLC proposes to construct a six (6) story mixed-use building with one hundred eighty (180) residential units, one hundred eighty-nine (189) parking spaces, 3,000 square feet of retail space, as well as related improvements (the “Project”) on the property consistent with the Amended and Restated Redevelopment Plan; and

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

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

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

WHEREAS, as part of its application for a tax exemption, PARKVIEW REALTY 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, PARKVIEW REALTY 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 PARKVIEW REALTY URBAN RENEWAL, LLC on the terms and conditions stated in the applicable form of Financial Agreement attached to this Ordinance.

NOW THEREFORE, be it Ordained that the City Council of the City of Bayonne does hereby adopt the tax exemptions for PARKVIEW REALTY 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 PARKVIEW REALTY 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 PARKVIEW REALTY URBAN RENEWAL, LLC there shall be paid to the City in lieu of any taxes to be paid on

the improvements of the Project, an annual service charge determined as provided in the Financial Agreement.

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

Council Member Perez moved a resolution, seconded by Council 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 PARKVIEW REALTY URBAN RENEWAL, LLC FOR THE PROPERTY KNOWN AS BLOCK 445, LOTS 1-5 AND 7,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, September 13, 2017 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

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08. Council President Nadrowski introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING THE APPLICATION AND FINANCIAL AGREEMENT FOR TAX EXEMPTION WITH BAYONNE REDEVELOPERS URBAN RENEWAL BLOCK 720, LLC FOR THE PROPERTY KNOWN AS BLOCK 720 1, LOT 1 IN WHAT IS KNOWN A S THE HARBOR STATION SOUTH SECTION OF THE PENINSULA AT BAYONNE HARBOR IN THE CITY OF BAYONNE

WHEREAS, BAYONNE REDEVELOPERS URBAN RENEWAL BLOCK 720, LLC is the owner of certain property designated as Block 720, Lot 1 in the City of Bayonne, which is located within what is commonly known as the Harbor Station South section of the Peninsula at Bayonne Harbor in the City of Bayonne (the “Property”); and

WHEREAS, at the discretion of the City Council, the Planning Board prepared 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 January 20, 2016, the City duly adopted #O-16-1 approving the redevelopment plan 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 #O-17-17, adopted on April 19, 2017 (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 five (5) buildings containing approximately 84,705 square feet in the aggregate of commercial/retail space and other site improvements (the “Project”); and

WHEREAS, BAYONNE REDEVELOPERS URBAN RENEWAL BLOCK 720,, 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 URBAN RENEWAL BLOCK 720, 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 URBAN RENEWAL BLOCK 720, 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 URBAN RENEWAL BLOCK 720, 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 URBAN RENEWAL BLOCK 720, 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 URBAN RENEWAL BLOCK 720, 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 URBAN RENEWAL BLOCK 720, LLC there shall be paid to the City in lieu of any taxes to be paid on the improvements of the Project, an annual service charge determined as provided in the Financial Agreement.

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

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

BE IT RESOLVED, that an ordinance entitled “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING THE APPLICATION AND FINANCIAL AGREEMENT FOR TAX EXEMPTION WITH BAYONNE REDEVELOPERS URBAN RENEWAL BLOCK 720, LLC FOR THE PROPERTY KNOWN AS BLOCK 720 1, LOT 1 IN WHAT IS KNOWN AS THE HARBOR STATION SOUTH SECTION OF THE PENINSULA AT BAYONNE HARBOR IN THE CITY OF BAYONNE,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, September 13, 2017 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

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09. Council Member LaPelusa introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING THE EXECUTION OF A PARKING AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND BAYONNE EQUITIES URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED AT 19-25 WEST 22ND STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 203, LOT 4 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE

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

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

WHEREAS, by Ordinance O-17-10, the City Council adopted a rehabilitation plan (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 (the “Property”) and a municipal parking lot designated as Block 203, Lot 4 in the City of Bayonne; and

WHEREAS, the Property is located within an Urban Enterprise Zone (“UEZ”) in the City; and

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

WHEREAS, the City owns Block 203, Lot 4 (the “Municipal Lot”) and consented to the filing of a development application by the Redeveloper; and

WHEREAS, on April 19, 2017, Bayonne Equities Urban Renewal, LLC, was designated redeveloper and the City was authorized to execute a redevelopment agreement by and between the City and the Redeveloper (the “Redevelopment Agreement”); and

WHEREAS, pursuant to *N.J.S.A. 40A:12A-8(f)*, authorizes the City to enter into contracts or agreements for the planning, construction or undertaking of any development project or redevelopment work in an area in need of redevelopment; and

WHEREAS, pursuant to the Redevelopment Agreement, the City and Redeveloper wish to enter into a parking agreement for the leasing of parking spaces from the Municipal Lot, which among other things, shall include the terms and conditions under which the Redeveloper shall be entitled to use the Municipal Lot (the “Parking Lease Agreement”); and

WHEREAS, the Municipal Council believes that the execution of the Parking Lease Agreement is in the best interest of the City for the redevelopment of the Property.

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

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

Section 2. The Municipal Council of the City of Bayonne hereby authorizes the execution of the Parking Lease Agreement by and between the City of Bayonne and Bayonne Equities Urban Renewal, LLC.

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

Section 4. 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 Parking Lease Agreement, as deemed advisable by the City Attorney or Special Redevelopment Counsel.

Section 5. If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

Section 6. A copy of this Ordinance shall be available for public inspection at the office of the City Clerk during regular business hours.

Section 7. This Ordinance shall take effect in accordance with all applicable laws.

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

BE IT RESOLVED, that an ordinance entitled "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING THE EXECUTION OF A PARKING AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND BAYONNE EQUITIES URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED AT 19-25 WEST 22ND STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 203, LOT 4 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, September 13, 2017 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

* * * * *

10. Council Member Perez introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, AUTHORIZING A LEASE AGREEMENT BETWEEN THE CITY OF BAYONNE AND THE BAYONNE ECONOMIC OPPORTUNITY FOUNDATION FOR THE PROPERTIES AT 15-19 HOWARD PLACE (BLOCK 289, LOT 15) AND 237-249 AVENUE A (BLOCK 284, LOT 2) IN THE CITY OF BAYONNE

WHEREAS, THE CITY OF BAYONNE is the owner of certain property located at 15-19 Howard Place, designated as Block 289, Lots 15 on the official tax maps of the City of Bayonne and 237-249 Avenue A, designated as Block 284, Lot 2 on the official tax maps of the City of Bayonne (the "Property"); and

WHEREAS, this property is currently vacant and is proposed to be sold to and become the site of the Bayonne Economic Opportunity Foundation (the "Foundation"); and

WHEREAS, prior to the property being transferred in fee simple to the Bayonne Economic Opportunity Foundation, a nonprofit corporation in the State of New Jersey, the Foundation has applied to the City seeking to rent the Property for the sum of \$1,000.00 a month, which rent shall be credited towards the purchase price once the fee simple transfer is completed, in order to allow for the Foundation to begin making improvements to the Property; and

WHEREAS, this municipal body believes that the Bayonne Economic Opportunity Foundation serves an important public purpose and desires to provide assistance to the Foundation's efforts; and

WHEREAS, the Property will ultimately be used by the Foundation as its base of operations for implementing community assistance programs within the City and surrounding areas; and

WHEREAS, the Local Lands and Buildings Law, N.J.S.A. 40A:12-14(c) allows a municipality to lease property to a nonprofit corporation for a public purpose;

NOW THEREFORE, BE IT ORDAINED that the City Council of the City of Bayonne hereby approves of a lease with the Bayonne Economic Opportunity Foundation of 555 Kennedy Boulevard, Bayonne, New Jersey, for the properties and improvements thereon at 15-19 Howard Place and 237-249 Avenue A, Bayonne New Jersey for a term of ONE (1) YEAR, beginning OCTOBER 1, 2017, at a monthly rent of \$1,000.00, with said rent to be credited to the ultimate purchase price at such time as the property is sold in fee simple to the Foundation by the City of

Bayonne and upon such other terms as may be deemed necessary and proper by the Law Director; and be it

FURTHER ORDAINED, that the Mayor and Clerk are hereby authorized to sign a lease in final form upon satisfaction of the Law Director that its terms are sufficient; and be it

FURTHER ORDAINED, that this Ordinance shall take effect upon final adoption and publication pursuant to law

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

BE IT RESOLVED, that an ordinance entitled "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, AUTHORIZING A LEASE AGREEMENT BETWEEN THE CITY OF BAYONNE AND THE BAYONNE ECONOMIC OPPORTUNITY FOUNDATION FOR THE PROPERTIES AT 15-19 HOWARD PLACE (BLOCK 289, LOT 15) AND 237-249 AVENUE A (BLOCK 284, LOT 2) IN THE CITY OF BAYONNE," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, September 13, 2017 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

* * * * *

11. Council Member LaPelusa introduced:

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

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

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

RESTRICTIVE PARKING ZONES

DELETE

054. Christine Kochanek, 33 West 54th Street
Beginning at a point on the north side of West 54th Street, 306 feet east of the northeast corner of Avenue C and West 54th Street, and extending to a point 22 feet east thereof.
123. Edmund Narel, 29 West 6th Street
Beginning at a point on the north side of West 6th Street, 112 feet east of the northeast corner of Avenue C and West 6th Street, and extending to a point 17 feet east thereof.
153. Fadia Badrous, 74 West 21st Street
Beginning at a point on the south side of West 21st Street, 259 feet west of the southwest corner of West 21st Street and Avenue C, and extending to a point 20 feet west thereof.
160. Edward Mues, 56 East 48th Street
Beginning at a point on the south side of East 48th Street, 35 feet west of the southwest corner of Avenue E and 48th Street, and extending to a point 22 feet west thereof.
252. Robert Sharf, 43 West 29th Street
Beginning at a point on the north side of West 29th Street, 118 feet east of the northeast corner of Avenue C and West 29th Street, and extending to a point 19 feet east thereof.
261. Carmen Morales, 3 Bergen Court, Apt. 1C

Beginning at a point on the north side of West 49th Street, 498 feet west of the northwest corner of West 49th Street and Kennedy Boulevard, and extending to a point 19 feet west thereof.

291. Margaret Basile, 184 Prospect Avenue
Beginning at a point on the south side of East 28th Street, 36 feet east of the southeast corner of East 28th Street and Prospect Avenue, and extending to a point 18 feet east thereof.

293. Antonia Kennedy, 114 West 6th Street
Beginning at a point on the south side of West 6th Street, 45 feet west of the southwest corner of West 6th Street and Humphrey Avenue, and extending to a point 19 feet west thereof.

325. Kevin Hennessy, 68 West 24th Street
Beginning at a point on the south side of West 24th Street, 112 feet west of the southwest corner of Avenue C and West 24th Street, and extending to a point 20 feet west thereof.

ADD

289. Mercedes Castro, 25 Andrew Street
Beginning at a point on the north side of Andrew Street, 322 feet west of the northwest corner of Andrew Street and Broadway, and extending to a point 19 feet west thereof.

RELOCATE

281. Yolanda Ramos from 130 West 47th Street to 15 East 39th Street
OLD LOCATION: Beginning at a point on the south side of West 47th Street, 202 feet east of the southeast corner of West 47th Street and Kennedy Boulevard, and extending to a point 18 feet east thereof.
NEW LOCATION: Beginning at a point on the north side of East 39th Street, 224 feet east of the northeast corner of East 39th Street and Broadway, and extending to a point 18 feet east thereof.

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

BE IT RESOLVED, that an ordinance entitled “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, September 13, 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.

* * * * *

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

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

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

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

* * * * *

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

From MICHAEL OJWANG, filing notice of tort claim alleging property damage to his parked automobile on July 11, 2017 resulting from being struck by a municipally owned vehicle at 92 West 17th Street.

* * * * *

14. 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, “FAHMY vs. CITY OF BAYONNE.” (380 Avenue A, Block 244, lot 36 – 1-4 family residential)

* * * * *

15. 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, “BERGEN POINT BAYONNE REALTY vs. CITY OF BAYONNE.” (203-207½ Broadway & 206-216 Broadway, Block 305, lots 15-18 & 206 & 212-216 Broadway, Block 325, lots 1-3 & 6 -commercial)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “BERGEN POINT BAYONNE REALTY vs. CITY OF BAYONNE.” (201 Broadway, Block 305, lot 14 - commercial)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “BERGEN POINT BAYONNE REALTY vs. CITY OF BAYONNE.” (208 Broadway, Block 325, lot 5 - commercial)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “SUMO COMPANIES, INC. vs. CITY OF BAYONNE.” (103 Oak Street, Block 473.02, lot 1 - vacant)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “SUPERIOR-MPM, LLC vs. CITY OF BAYONNE.” (Hobart Ave., East 4th – 2nd, Block 359, lot 10 - industrial)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “DC REAL PROPERTY CO, LLC vs. CITY OF BAYONNE.” (East 5th Street, Block 359, lot 4.05 - vacant)

* * * * *

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, “ADIMOOLAN, SEETHARAMAN & KALAIVAN vs. CITY OF BAYONNE.” (129 West 31st Street, Block 151, lot 17 – 1-4 family residential)

* * * * *

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, “ADIMOOLAN, SEETHARAMAN & KALAIVAN vs. CITY OF BAYONNE.” (687 Boulevard, Block 176, lot 22 – 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, “ADIMOOLAN, SEETHARAMAN & KALAIVANI vs. CITY OF BAYONNE.” (416 Avenue C, Block 231, lot 55 – 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, “ADIMOOLAN, SEETHARAMAN & KALAIVANI vs. CITY OF BAYONNE.” (361 Broadway, Block 240, lot 22 – 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, “NJD DEVELOPMENT, LLC vs. CITY OF BAYONNE.” (752-764 Avenue E, Block 393, lot 16 - commercial)

* * * * *

26. 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, “LPM SERVICES, INC. vs. CITY OF BAYONNE.” (446-448 Broadway & 454-456 Broadway, Block 211, lots 19 & 16 – vacant & commercial)

* * * * *

27. 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, “RODRIGUEZ vs. CITY OF BAYONNE.” (Foot of Oak Street, Block 473.03, lot 1 - vacant)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “DE PEPPE vs. CITY OF BAYONNE.” (71 West 53rd Street, Block 34, lot 19 – 1-4 family residential)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “CHASE BANK #144080 vs. CITY OF BAYONNE.” (646-652 Broadway, Block 159, lot 1 - commercial)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “RITE AID #149 vs. CITY OF BAYONNE.” (12-16 West 55th Street, Block 31, lots 17-22 - commercial)

* * * * *

31. 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, “SMITH, et al. vs. THE CITY OF BAYONNE.” (Wrongful dismissal on July 15, 2017)

* * * * *

32. 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.

* * * * *

33. 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.

* * * * *

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

DATE: August 3, 2017
TO: Terrence Malloy, CFO
Robert Sloan, City Clerk
FROM: Janet Convery, Treasurer

Please be advised that a transfer to the Board of Ed was made on August 3, 2017

\$5,534,471.17 CLAIMS & PAYROLL FOR AUGUST 2017

Janet Convery
(signed)

* * * * *

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

BID REPORT
FOR THE MUNICIPAL COUNCIL

Date: 08/09/17 Ad Date: 07/25/17 Resolution #17-05-17-050

Date bids accepted: 08/04/17 Attending: Amy Dellabella, Purchasing Agent

Bid titled: Laundry Services for the Fire Department for a three-year initial contract term, starting September 1. 2017, with a mutually agreed two-year extension

<u>Bidder:</u>	<u>Total Bid Price for Initial Three-Year Contract</u>
TNT Shirt Laundry and Dry Cleaners LLC DBA/ Skye Cry Cleaning 1089 Avenue C. Bayonne, NJ 07002	\$31,680.00

After review, the Purchasing Agent 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)

* * * * *

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

BID REPORT
FOR THE MUNICIPAL COUNCIL

Date: 08/09/17 Ad Date: 07/25/17 Resolution #17-05-17-049

Date bids accepted: 08/09/17

Attending: Amy Dellabella Purchasing Agent

Bid titled:

On Site Agency Acting As Elevator Sub-Code Official for a three-year initial contract term, starting September 1. 2017, with a mutually agreed two-year extension

<u>Bidder:</u>	<u>Bid Amount</u>
Municipal Inspection Corp. 183 West 4 th St. Bayonne, NJ 07002	85% of N.J.D.C.A. fee

After review, the Purchasing Agent 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

* * * * *

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

BID REPORT
FOR THE MUNICIPAL COUNCIL

Date: 08/09/17 Ad Date: 07/26/17 Resolution #17-07-19-050

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 IMPROV-	DEL2/ADD2 CINDER WALK- WAY/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 25th 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)

* * * * *

40. 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.

* * * * *

41. 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, July 19, 2017 be and the same are hereby approved.

* * * * *

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

RESOLVED, That the official minutes of the special council meetings held Wednesday, June 14, 2017 and Monday, July 31, 2017, be and the same are hereby approved.

* * * * *

43. 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, July 12, 2017, be and the same are hereby approved.

* * * * *

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

RESOLVED, that NICHOLAS DiLULLO be and is hereby appointed as Alternate #2 on the Zoning Board of Adjustment for a term expiring December 31, 2018; and further

RESOLVED, that ARRIGO DeROS, JR. be and is hereby appointed as Alternate #3 on the Zoning Board of Adjustment for a term expiring December 31, 2019.

* * * * *

45. 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
348	6	Mirza N. Castro	1,061.05
432	23	Andrew Taylor	232.34
Total:			1,293.39

* * * * *

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

WHEREAS, on July 6, 2017 William P. Campbell, 181 Hobart Avenue, Bayonne, New Jersey applied for a marriage license and paid to the City Clerk a marriage ceremony fee of \$50.00 in accordance with City of Bayonne Ordinance 2-52.b; and

WHEREAS, subsequent thereto, Mr. Campbell advised the City Clerk that he no longer intended to get married and requested the marriage ceremony fee of \$50.00 be refunded; and

WHEREAS, funds are certified as available in Account No. 7-01-55-2202-0000-000; now, therefore, be it

RESOLVED, that the Municipal Treasurer is hereby authorized to issue a warrant in the amount of \$50.00 payable to William P. Campbell, 181 Hobart Avenue, Bayonne New Jersey representing refund of the marriage ceremony fee paid to the City Clerk chargeable to Account No. 7-01-55-2202-000-000.

* * * * *

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

WHEREAS, on or about January 25, 2011, the Law Department extended a settlement offer to Michael and Eileen Norton, 111 Humphrey Avenue, to pay the sum of \$2,507.14 in full and final settlement of their claim that an improvement belonging to the adjoining property was mistakenly reflected on their property card, resulting in additional taxes having been assessed and paid by them; and

WHEREAS, Mr. and Mrs. Norton never responded to the settlement offer until recently; and

WHEREAS, the Municipal Council would like to honor the offer made, despite the taxpayer's delay in responding and is agreeable to refunding the sum of \$2,507.14 in full and final settlement and in exchange for a release of all claims against the City, as the settlement offer is fair and in the best interest of the citizens of Bayonne; and

WHEREAS, funds are available in account no. 7-01-55-205-0000-000; now, therefore, be it

RESOLVED, that the Municipal Treasurer is hereby authorized to issue a warrant in the amount of \$2,507.14 payable to Michael and Eileen Norton, 111 Humphrey Avenue, Bayonne New Jersey representing full and final settlement of any all claims against the City to be paid from and chargeable to account no. 7-01-55-205-0000-000; and be it further

RESOLVED, that the Law Director shall prepare and obtain a duly executed general release of all claims to be executed by Michael and Eileen Norton in exchange for receipt of settlement funds.

* * * * *

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

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

WHEREAS, GTBM, Inc., 351 Paterson Avenue, East Rutherford, N.J. 07073, has previously been awarded a contract to provide said service, and is willing and able to continue to supply said service for a six month period commencing July 20, 2017 and ending January 19, 2018 at a cost of \$8,850.00; and

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

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

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

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

WHEREAS, funds are certified as available in Account No. 07-01-25-240-0000-029; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with GTBM, Inc., 351 Paterson Avenue, East Rutherford, N.J. 07073, for maintenance of Info-Cop Licensed Software, for a six month period commencing July 20, 2017 and ending January 19, 2018 at a cost of \$8,850.00.
2. The Municipal Treasurer be and is hereby authorized and directed to issue a warrant payable to G.T.B.M., Inc., in the amount of \$8,850.00 in payment for said service.
3. Funds shall be chargeable to Account No. 07-01-25-240-0000-029 of the CY 2017 budget, pending final adoption thereof.
4. The Business Disclosure Entity Certification submitted by G.T.B.M., Inc. and the Determination of Value shall be placed on file with this resolution.
5. A notice of this action shall be printed once in a newspaper of general circulation within the boundaries of the City of Bayonne.

* * * * *

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

WHEREAS, the Broadcast Music, Inc. (BMI) has been aggressively asserting the rights of its members against small municipalities for copyright infringement when such municipalities play their music at various functions including, but not limited to, festivals, firework shows, concerts in the park, community centers and even while on "hold" during telephone calls, without a license to do so; and

WHEREAS, by way of Resolution No. 09-11-10-048 adopted by the Municipal Council on November 10, 2009 the City entered into a License Agreement to play the aforesaid music at their various functions as stated above; and

WHEREAS, the licensing fee for the year commencing June 1, 2017 through May 31, 2018 is \$680.00; and

WHEREAS, funds are certified as available in Account #7-01-21-101-0000-090 (BA-2); now therefore be it

RESOLVED, that the Treasurer is hereby authorized to issue a warrant payable to Broadcast Music, Inc., P.O. Box 630893, Cincinnati, OH 45263-0893, in the amount of \$680.00; and be it further

RESOLVED, that funds are certified available in Account #7-01-21-101-0000-090 (BA-2).

* * * * *

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

WHEREAS, the City of Bayonne has an invoice from the Department of Labor relating to assessments levied on New Jersey Employers.

NOW THEREFORE BE IT RESOLVED, that a warrant be drawn from Current Fund and made payable to the State of New Jersey in the amount of \$ 1,738.50 and warrant to be charged to Group Insurance .

* * * * *

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

WHEREAS, the City Clerk's Office has issued Ninety-Eight (98) Marriage Licenses during the months of April, May and June and has collected \$25.00 per license, which is to be forwarded to the Division of Youth and Family Services, now, therefore be it

RESOLVED, that a warrant in the amount of Two thousand four hundred and fifty dollars (\$2450.00) be drawn to the order of the Treasurer, State of New Jersey and forwarded to the City Clerk's Office for disbursement.

* * * * *

52. 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 \$ 45.00 be drawn of the Bureau of Rabies Control, State Department of Health, Trenton, New Jersey, covering the issuance of licenses Nos. 1035-1055 inclusive, 21 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.

* * * * *

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

RESOLVED, that the actions of the Municipal Treasurer in issuing payment from Current Fund in the amount of \$ 6,693,147.58 payable to the County of Hudson for Third Quarter County Taxes of 2017, County Open Space Tax and amount due for 2016 Pilot Revenues is hereby ratified and confirmed.

* * * * *

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

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

WHEREAS, the Bayonne PAL Day Care Center, 550 Avenue A, Bayonne, New Jersey 07002 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Bayonne PAL Day Care Center has requested and submitted a formal written application dated February 24, 2017 for said CDBG Grant Funds in the amount of \$17,500.00 for the purpose of providing an after school program and summer camp child care program and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said Community Development Block Grant Funds for the purpose of providing an after school program and summer camp child care program is limited to the amount of \$17,500.00; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-945; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Bayonne PAL Day Care Center, 550 Avenue A, Bayonne, New Jersey 07002 for the provision of providing an after school program and summer camp child care program in the amount of \$17,500.00 for the period commencing September 1, 2017 and ending August 31, 2018.

2. Funds shall be charged to Account #CDBG-945

* * * * *

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

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

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

WHEREAS, the Bayonne Community Mental Health Center has requested and submitted a formal written application dated February 21, 2017 for said CDBG Grant Funds in the amount of \$32,000.00 for the purpose of providing psychiatric and psychotherapeutic services for children and adolescents and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said Community Development Block Grant Funds for the purpose of providing psychiatric and psychotherapeutic services for children and adolescents is limited to the amount of \$23,000.00; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-944; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Bayonne Community Mental Health Center, 601 Broadway, Bayonne, New Jersey 07002 for the provision of providing psychiatric and psychotherapeutic services for children and adolescents in the amount of \$23,000.00 for the period commencing September 1, 2017 and ending August 31, 2018.
2. Funds shall be charged to Account #CDBG-944

* * * * *

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

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

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

WHEREAS, the Bayonne Community Mental Health Center has requested and submitted a formal written application dated February 21, 2017 for said CDBG Grant Funds for the amount of \$34,020.00 for the purpose of providing substance abuse and addiction services for low and moderate income families; and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said Community Development Block Grant Funds for the purpose of providing substance abuse and addiction services for low and moderate income families is limited to the amount of \$18,000.00; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG -943; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Bayonne Community Mental Health Center, 601 Broadway, Bayonne, New Jersey 07002 for the provision of providing substance abuse and addiction services for low and moderate income families in the amount of \$18,000.00 for the period commencing September 1, 2017 and ending August 31, 2018.
2. Funds shall be charged to Account #CDBG-943

* * * * *

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

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

WHEREAS, the Bayonne Youth Center, 524 Kennedy Blvd, Bayonne, New Jersey 07002 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Bayonne Youth Center has requested and submitted a formal written application dated February 17, 2017 for said CDBG Grant Funds for the amount of \$30,609.38 for the purpose of providing an after school learning center for low and moderate income families; and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said Community Development Block Grant Funds for the purpose of providing an after school learning center for low and moderate income families is limited to the amount of \$8,000.00; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-949; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Bayonne Youth Center, 524 Kennedy Blvd, Bayonne, New Jersey 07002 for the provision of providing an after school learning center for low and moderate income families in the amount of \$8,000.00 for the period commencing September 1, 2017 and ending August 31, 2018.

2. Funds shall be charged to Account #CDBG-949

* * * * *

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

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

WHEREAS, the Community Day Nursery, 591 Broadway, Bayonne, New Jersey 07002 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Community Day Nursery has requested and submitted a formal written application dated February 9, 2017 for said CDBG Grant Funds in the amount of \$60,000.00 for the purpose of providing pre-school child care for low and moderate income families; and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said Community Development Block Grant Funds for the purpose of providing pre-school child care for low and moderate income families is limited to the amount of \$40,000.00; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-938; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Community Day Nursery., 591 Broadway, Bayonne, New Jersey 07002 for the provision of providing pre-school child care for low and moderate income families in the amount of \$40,000.00 for the period commencing September 1, 2017 and ending August 31, 2018.

2. Funds shall be charged to Account #CDBG-938

* * * * *

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

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

WHEREAS, the Jewish Community Center of Bayonne, 1050 Kennedy Blvd, Bayonne, New Jersey 07002 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Jewish Community Center of Bayonne has requested and submitted a formal written application dated February 10, 2017 for said CDBG Grant Funds in the amount of \$6,000.00 for the purpose of providing Children's Academy after school program for low income children; and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said Community Development Block Grant Funds for the purpose of providing Children’s Academy after school program for low income children limited to the amount of \$6,000.00; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-942; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Jewish Community Center of Bayonne , 1050 Kennedy Blvd., Bayonne, New Jersey 07002 for the provision of Children’s Academy after school program for low income families in the amount of \$6,000.00 for the period commencing September 1, 2017 and ending August 31, 2018.

2. Funds shall be charged to Account #CDBG-942

* * * * *

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

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

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

WHEREAS, the Bayonne Family Community Center has requested and submitted a formal written application dated February 24, 2017 for said CDBG Grant Funds in the amount of \$40,000.00 for the purpose of providing child care services for low and moderate income families and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said Community Development Block Grant Funds for the purpose of providing child care services for low and moderate income families is limited to the amount of \$30,000.00; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-946; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Bayonne Family Community Center, 259 Avenue E, Bayonne, New Jersey 07002 for the provision of providing child care service for low and moderate income families in the amount of \$30,000.00 for the period commencing September 1, 2017 and ending August 31, 2018.

2. Funds shall be charged to Account #CDBG-946

* * * * *

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

WHEREAS, 47 Broadway Associates, LLC is the owner of the property located at 47 Broadway designated as Block 369, Lot 22 on the Official Tax Map of the City of Bayonne (the “Property Owner”) currently designated as three (3) family dwelling (the “Premises”); and

WHEREAS, the Property Owner has applied to the Zoning Officer for a Zoning Permit to allow a handicapped-accessible ramp compliant with ADA design standards to accommodate a handicapped tenant living in a ground floor apartment in the Premises in the City’s Right-of-Way on the north side of West 2nd Street (the “Project”); and

WHEREAS, the Zoning Officer has advised the Property Owner that Municipal Council approval is required for the Project since the proposed handicapped-accessible ramp will protrude into the City’s Right-of-Way; and

WHEREAS, 47 Broadway Associates, LLC has provided the City with a Site Plan depicting the proposed handicapped-accessible ramp and a Survey of said Premises attached hereto as Exhibits A and B respectively; and

WHEREAS, the City of Bayonne is willing to grant a License to the Property Owner allowing him to construct and maintain a handicapped-accessible ramp protruding into the City's Right-of-Way located on the north side of West 2nd Street under the following conditions; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The City of Bayonne is willing to grant a License to 47 Broadway Associates, LLC to construct and maintain a handicapped-accessible ramp compliant with ADA design standards to accommodate a handicapped tenant living in a ground floor apartment in the Premises in the City's Right-of-Way on the north side of West 2nd Street pursuant to the following conditions:
2. The Property Owner obtains all Zoning and Building Permits required at the Property Owner's sole cost and expense.
3. The handicapped-accessible ramp protruding into the License area will at all times be maintained and kept clear and unobstructed, free of debris, snow and ice;
4. Property Owner shall pay to the City an annual fee of \$250.00 to be billed through the City Tax Collector as an added assessment to the quarterly tax bills;
5. Property Owner and its successors and assigns will defend, indemnify and hold harmless the City of Bayonne from any and all claims for injury and damage to persons or property arising from the use of the License area;
6. Property Owner and its successors and assigns will at all times maintain liability insurance with limits of at least \$1,000,000 and provide the City of Bayonne with a Certificate of Insurance naming it as an additional insured;
7. The License Agreement may not be modified, amended or terminated without the prior written consent of the Municipal Council;
8. Failure to comply with the terms of the License Agreement may result in revocation of the License, zoning permit and/or building permit or certificate of occupancy; and

BE IT FURTHER RESOLVED that the Mayor and Clerk be and are hereby authorized to execute a License Agreement consistent with the dimensions (or portion thereof) set forth in the Zoning Permit Application and incorporating the terms and conditions of any Planning, Zoning and/or Building approvals necessary for the construction of the aforesaid handicapped-accessible ramp in such form and content as may be deemed necessary by the Law Director for the City of Bayonne to secure these purposes both now and in the future.

* * * * *

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

WHEREAS, the Bridge Arts Gallery has requested permission to hold an event to be promoted as the Bridge Arts Festival to be held on Saturday, September 9, 2017 from 11:00 a.m. to 6:00 p.m. during which various activities will be offered including, but not limited to, art exhibitions, musical events, dance exhibitions, vendors and a beer garden to be located throughout designated areas of Dennis P. Collins Park located at 1st Street consistent with the Site Map attached hereto and made a part hereof; and

WHEREAS, the Bridge Art Gallery has provided the City with the details of the proposed event in the form of a skeleton production schedule and has agreed to further work with the Bayonne Police Department, the Bayonne Fire Department, the Bayonne Law Department, the Department of Public Works, Division of Parks and any other City department, division or personnel in order to ensure the safety and welfare of the general public during the event; and

WHEREAS, the Bridge Art Gallery has requested access to the aforementioned designated areas of Dennis P. Collins Park from 6:00 a.m. to 11:30 p.m. in order to allow for load-in and load-out activities; and

WHEREAS, it is the opinion of the members of the Municipal Council that it is important to support local community activities such as this and that this event will prove to be a desirous event for the citizens of the City; now, therefore, be it

RESOLVED, that the Mayor and City Clerk are hereby authorized to execute a License Agreement, in form and substance as is acceptable to the Law Director, allowing the Bridge Arts Gallery to hold the Bridge Arts Festival on Saturday, September 9, 2017 from 6:00 a.m. to 11:30 p.m., throughout designated areas of Dennis P. Collins Park located at 1stth Street consistent with the Site Map attached hereto and made a part hereof; and be it further

RESOLVED, that the fee for said License shall be \$500.00 consistent with City of Bayonne Ordinance 4-8.2.a.

* * * * *

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

WHEREAS, the City of Bayonne is required by N.J.S.A. 26A:3A2-10 to provide a program of public health services; and

WHEREAS, the State of New Jersey requires each municipality to maintain a health department; and

WHEREAS, the City of Bayonne, in furtherance of the obligation set forth in N.J.S.A. 26A:3A2-10 et seq. has employed and shall continue to employ a licensed Health Officer, Vincent Rivelli, to serve as full-time Health Officer and Chief Executive Officer for all public health services and activities; and

WHEREAS, the City of Union City, the Town of Weehawken, the Town of Harrison, and the Town of Secaucus (the “Municipalities”) do not employ a licensed Health Officer; and

WHEREAS, N.J.S.A. 40A:65-1 et seq. allows municipalities to enter into shared service agreements; and

WHEREAS, by way of Resolution No. 15-11-10-030 adopted on November 11, 2015 as amended by Resolution No. 16-01-20-054 adopted on January 20, 2016, the City entered into Shared Services Agreements with each of the Municipalities for the services of a Health Officer for the period commencing January 1, 2016 and ending December 31, 2016 wherein each paid to the City a fee for said services (the “Shared Services Agreements”); and

WHEREAS, pursuant to the terms of the Shared Services Agreements, said term would automatically be extended for a successive one (1) year period unless renegotiated or terminated by either party; and

WHEREAS, it was in the best interests of the City of Bayonne and each of the other Municipalities for the aforesaid Shared Services Agreements to continue; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The continued participation in the aforementioned Shared Services Agreements for public health services and activities with each of the other Municipalities for the period commencing January 1, 2017 and ending December 31, 2017 under the same terms and conditions as the original Shared Services Agreements is hereby ratified and affirmed;

2. The Mayor and Clerk are hereby authorized to sign any and all documents, if any, in order to continue said participation.

3. Vincent Rivelli is hereby re-designated as the City of Bayonne’s full time Health Officer and Chief Executive Officer for all health services and activities.

* * * * *

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

Whereas, by Deed dated June 9th 2017, Certain Real property reflected in the Tax Records of the City of Bayonne as Block 237 Lot 24.01 were deeded to the Housing Authority of Bayonne; and

Whereas, 40A:12A-36 provides that all properties of a Housing Authority are deemed to be devoted to an essential public and governmental function and exempt from all taxes;

Now therefore be it resolved as follows:

1. Any and all open taxes on Block 237 Lot 24.01 are hereby cancelled effective June 9, 2017 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.

* * * * *

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

WHEREAS, by way of Resolution No. 17-02-15-037 adopted on February 15, 2017, the Municipal Council appointed Assistant City Attorneys, William Opel, Esq., Donna Russo, Esq., Susan Ferraro, Esq., Karla Garcia, Esq. and Law Director John F. Coffey II, Esq. Municipal Prosecutors for the Municipal Court of the City of Bayonne; and

WHEREAS, said Resolution No. 17-02-15-037 also designated William Opel, Esq. as Chief Prosecutor; and

WHEREAS, William Opel, Esq. resigned his position with the City of Bayonne effective May 4, 2017; and

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

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

WHEREAS, the Municipal Council adopted Resolution No. 17-07-19-066 on July 19, 2017 awarding contracts to Susan B. Gyss, Esq. and Steven R. Hummell, Esq. for professional legal services as Municipal Prosecutor and Alternate Municipal Prosecutor respectively for the period commencing August 1, 2017 and ending December 31, 2017; now, therefore be it

RESOLVED, by the Municipal Council as follows:

1. Susan B. Gyss, Esq., and Steven R. Hummell, Esq. are hereby appointed as the Chief Municipal Prosecutor and Alternate Municipal Prosecutor, respectively, for the City of Bayonne Municipal Court for the period commencing August 1, 2017 and ending December 31, 2017.

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

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

3. William Opel, Esq. is hereby omitted as Chief Municipal Prosecutor/Municipal Prosecutor for the City of Bayonne Municipal Court.

* * * * *

66. 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 rock salt.

* * * * *

67. 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 emergency snow removal.

* * * * *

68. 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 auto and truck body repairs.

* * * * *

69. 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 construction of the Hudson River Walkway at the Peninsula at Bayonne Harbor.

* * * * *

70. 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
Bags of Love	1:00-6:00 PM	RL: 9205
	141 Broadway	RL: 9206
	October 7, 2017	
Friends of Marist, Inc.	10:00 PM	RL: 9207
	1241 Kenn. Blvd.	
	November 18, 2017	

* * * * *

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

WHEREAS, the city clerk, advertised in the Jersey Journal on July 25, 2017 that sealed bids for laundry services for the Fire Department would be received on August 4, 2017; and

WHEREAS, pursuant to such advertisement, one (1) proposal was received from:	
Bidders	Bid Amount
TNT Shirt Laundry and Dry Cleaners, LLC	
DBA/ Skye Dry Cleaning	
1089 Avenue C.	
Bayonne, NJ 07002	\$31,680.00

and

WHEREAS, Amy Dellabella, R.P.P.O., Q.P.A. and Robert Kubert, Director of Public Safety have examined the bids or proposals and have determined that the bid of TNT Shirt Laundry and Dry Cleaners, LLC is a regular bid and is most advantageous to the City of Bayonne for laundry service for the Fire Department; and

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

RESOLVED, that the contract for laundry service for the Fire Department be awarded to:

TNT Shirt Laundry and Dry Cleaners, LLC
DBA/ Skye Dry Cleaning
1089 Avenue C
Bayonne, NJ 07002

for the following bid price: not to exceed \$31,680.00 for a term of a three (3) years initial contract term with a mutually agreed upon two (2) year extension, commencing September 1, 2017 and ending August 31, 2020, with a possible two (2) year extension until August 31, 2022, 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: Fire O/E.

WHEREAS, the city clerk, advertised in the Jersey Journal on July 25, 2017 that sealed bids for laundry services for the Fire Department would be received on August 4, 2017; and

WHEREAS, pursuant to such advertisement, one (1) proposal was received from:	
Bidders	Bid Amount
TNT Shirt Laundry and Dry Cleaners, LLC	
DBA/ Skye Dry Cleaning	
1089 Avenue C.	
Bayonne, NJ 07002	\$31,680.00

and

WHEREAS, Amy Dellabella, R.P.P.O., Q.P.A. and Robert Kubert, Director of Public Safety have examined the bids or proposals and have determined that the bid of TNT Shirt Laundry and Dry Cleaners, LLC is a regular bid and is most advantageous to the City of Bayonne for laundry service for the Fire Department; and

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

RESOLVED, that the contract for laundry service for the Fire Department be awarded to:

TNT Shirt Laundry and Dry Cleaners, LLC
DBA/ Skye Dry Cleaning
1089 Avenue C
Bayonne, NJ 07002

for the following bid price: not to exceed \$31,680.00 for a term of a three (3) years initial contract term with a mutually agreed upon two (2) year extension, commencing September 1, 2017 and ending August 31, 2020, with a possible two (2) year extension until August 31, 2022, 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: Fire O/E.

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

* * * * *

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

WHEREAS, the city clerk, advertised in the Jersey Journal on July 26, 2017 that sealed bids for On Site Agency Acting As Elevator Sub-Code Official would be received on August 9, 2017; and

WHEREAS, pursuant to such advertisement, one (a) proposal was received from:	
Bidders	Bid Amount
Municipal Inspection Corp.	85% of N.J.D.C.A. fee
183 West 4th St.	
Bayonne, NJ 07002	

and

WHEREAS, Amy Dellabella, R.P.P.O., Q.P.A. and *Joseph DeMarco, Business Administrator, have examined the bids or proposals and have determined that the bid of Municipal Inspection Corp.is a regular bid and is most advantageous to the City of Bayonne for ** ; and

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

RESOLVED, that the contract for ** be awarded to:

Municipal Inspection Corp.
183 West 4th St.
Bayonne, NJ 07002

for the following bid price: 85% of N.J.D.C.A. fee for an initial term of three (3) years commencing September 1, 2017 and ending August 31, 2020, with a possible two (2) year extension until August 31, 2022, and that the contract be executed in the name of the City of Bayonne by the proper city officials.

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

* * * * *

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

WHEREAS, the city clerk, advertised in the Jersey Journal on July 26, 2017 that sealed bids for 57th Street Fire House Roof Replacement would be received on August 8, 2017; and

WHEREAS, pursuant to such advertisement, four (4) proposals were received from:	
Bidders	Bid Amount
Journey Contracting Co., Inc. 395 Millstone Road Millstone, NJ 08510	\$60,000.00
Roof Management, Inc. 1627 Wycoff Road Wall, NJ 07727	\$72,850.00
Integrity Roofing, Inc. 1385 Witherspoon Street Rahway, NJ 07065`	\$84,340.00
White Rock Corp. 17 Gramercy Road Old Bridge, NJ 08857	\$89,900.00

and

WHEREAS, Amy Dellabella, R.P.P.O., Q.P.A. and Robert Kubert, Director of Public Safety have examined the bids or proposals and have determined that the bid of Journey Contracting Co., Inc., 395 Millstone Road, Millstone, NJ 08510 is a regular bid and is most advantageous to the City of Bayonne for 57th Street Fire House Roof Replacement; and

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

RESOLVED, that the contract for 57th Street Fire House Roof Replacement be awarded to:

Journey Contracting Co., Inc.
395 Millstone Road
Millstone, NJ 08510

for the following bid price: \$60,000.00, 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: CBO# O-17-21.

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

* * * * *

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

Whereas, Tax Counsel for the City of Bayonne has reached proposed settlement agreements with respect to certain State Court Tax Appeals as follows:

- Block 28 Lot 2 (Tim A. Shane) located at 33-45 W. 55th Street, shall be reduced from an assessment of \$800,400 to \$681,200 for the 2013, 2014, 2015 and 2016 Tax Years only.
- Block 28 Lot 3 (Tim A. Shane) located at 19-31 W. 55th Street, shall be reduced from an assessment of \$335,000 to \$318,800 for the 2013, 2014, 2015 and 2016 Tax Years only.
- The approximate refund in this matter totals \$41,152.12.

WHEREAS, the tax assessor of the City of Bayonne in consultation with the City's expert appraiser recommends these settlements;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The above recitals are incorporated herein; and

2. Tax Counsel for the City of Bayonne is authorized to enter into and execute stipulations of settlement on behalf of the City of Bayonne consistent with the above noted reductions, providing a tax appeal refund in the form of fifty percent (50%) of the refund amount applied to the property taxes in the year 2017 and the remaining fifty percent (50%) applied to the property taxes in the year 2018. The City of Bayonne Tax Collector shall apply the tax credits in lieu of a refund to be applied to the next tax quarter following the issuance of the Tax Court Judgment(s); and

3. The City's Tax Counsel, City Attorney, CFO, Treasurer and Tax Collector are authorized to take any action necessary to effectuate this resolution and the resulting judgment, including, but not limited to, issuing credits as noted above; and

4. This resolution shall take effect immediately.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING AND DIRECTING THE PLANNING BOARD TO CONDUCT A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER CERTAIN PROPERTY LOCATED AT 115-117 WEST 2ND STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 365, LOT 9 WITHIN THE CITY CONSTITUTES A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.*

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

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

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

WHEREAS, the Mayor and Municipal Council consider it to be in the best interest of the City to have the Planning Board of the City (the "Planning Board") to conduct such an investigation to determine if certain properties located at 115-117 West 2nd Street, which property is identified as Block 365, Lot 9 as shown on the official Tax Map of the City (the "Study Area"), constitute a non-condemnation "area in need of redevelopment," in accordance with the Redevelopment Law; and

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

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

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

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

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

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

Section 3. The Planning Board is hereby directed to study the area known as 115-117 West 2nd Street, which property is identified as Block 365, Lot 9 on the City's Tax Maps; to develop a map reflecting the boundaries of the proposed non-condemnation redevelopment area; to provide public notice and conduct public hearings pursuant to *N.J.S.A. 40A:12A-6*; and to draft a report/Resolution to the Mayor and Municipal Council containing its findings.

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

Section 5. This Resolution shall take effect immediately.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING AND DIRECTING THE PLANNING BOARD TO PREPARE AN OVERLAY PLAN FOR A PORTION OF SCATTERED SITE 14 REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 103-143 E 22ND ST & 43-75 MECHANIC STREET, WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 451, LOTS 1.01 & 2.05 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.*

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

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

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

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

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

WHEREAS, the Municipal Council now believes that it is in the best interests of the City to amend those portions of the Redevelopment Plan located at 103-143 E 22nd Street &

43-75 Mechanic Street, which properties are identified as Block 451, Lots 1.01 & 2.05 (the “Property”) on the City’s Tax Maps in order to expand the scope of the revitalization and redevelopment efforts in the City and make necessary modifications to the Redevelopment Plan (the “Amended Redevelopment Plan”); and

WHEREAS, the Amended Redevelopment Plan will be an overlay district in the Redevelopment Area; and

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

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

Section 1. The Planning Board of the City of Bayonne is hereby authorized and directed to prepare an amendment and overlay to the Redevelopment Plan for the Property identified as Block 451, Lots 1.01 & 2.05 as shown on the official Tax Map of the City in accordance with the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*

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

Section 3. This Resolution shall take effect immediately.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING THE PREPARATION OF A REHABILITATION PLAN FOR THE PROPERTY LOCATED AT 39-43 WEST 25TH STREET & 45 WEST 25TH STREET, WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 183, LOTS 1 & 2.01 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.*

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

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

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

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

WHEREAS, the City believes that the properties located at 39-43 West 25th Street & 45 West 25th Street, which properties are identified as Block 183, Lots 1 & 2.01 (the “Property”) on the City’s Tax Maps is potentially valuable for contributing to, serving, and protecting the public health, safety and welfare and for the promotion of smart growth within the City; and

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

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

Section 1. The Planning Board of the City of Bayonne is hereby authorized and directed to prepare a rehabilitation plan for the properties located at 39-43 West 25th Street & 45 West 25th Street, which properties are identified as Block 183, Lots 1 & 2.01 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.* (the “Rehabilitation Plan”).

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

Section 3. This Resolution shall take effect immediately.

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

* * * * *

78. 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 PREPARATION OF A REHABILITATION PLAN FOR THE PROPERTY LOCATED AT 738 AVENUE E & 742 AVENUE E, WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 393, LOTS 4 & 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.*

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

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

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

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

WHEREAS, the City believes that the property located at 738 Avenue E & 742 Avenue E, which properties are identified as Block 393, Lots 4 & 5 (the “Property”) on the City’s Tax Maps is potentially valuable for contributing to, serving, and protecting the public health, safety and welfare and for the promotion of smart growth within the City; and

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

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

Section 1. The Planning Board of the City of Bayonne is hereby authorized and directed to prepare a rehabilitation plan for the Property located at 738 Avenue E & 742 Avenue E, which properties are identified as Block 393, Lots 4 & 5 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.* (the “Rehabilitation Plan”).

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

Section 3. This Resolution shall take effect immediately.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING AND DIRECTING THE PLANNING BOARD TO CONDUCT A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER CERTAIN PROPERTY IDENTIFIED AS BLOCK 394.02, LOT 1 WITHIN THE CITY CONSTITUTES A NON-CONDEMNATION AREA IN NEED OF

REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND
HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.*

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

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

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

WHEREAS, the Mayor and Municipal Council consider it to be in the best interest of the City to have the Planning Board of the City (the “Planning Board”) to conduct such an investigation to determine if certain property identified as Block 394.02, Lot 1 as shown on the official Tax Map of the City (the “Study Area”), constitute a non-condemnation “area in need of redevelopment,” in accordance with the Redevelopment Law; and

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

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

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

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

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

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

Section 3. The Planning Board is hereby directed to study the area identified as Block 394.02, Lot 1 on the City’s Tax Maps; to develop a map reflecting the boundaries of the proposed non-condemnation redevelopment area; to provide public notice and conduct public hearings pursuant to *N.J.S.A. 40A:12A-6*; and to draft a report/Resolution to the Mayor and Municipal Council containing its findings.

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

Section 5. This Resolution shall take effect immediately.

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

* * * * *

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

WHEREAS, Chapter 99 of the Laws of New Jersey of 1997 (the “Act”) permits municipalities to sell their tax levies; and

WHEREAS, the City of Bayonne (the “City”) has successfully sold prior tax levies in accordance with the Act; and

WHEREAS, as part of the City’s Fiscal Year 2017 budget, the City has determined that it would greatly benefit from another such sale of its tax levy;

WHEREAS, the City of Bayonne is in need of special counsel in connection with its upcoming tax levy sale, and

WHEREAS, pursuant to a resolution duly adopted at a regular meeting of the Municipal Council of the City on December 14, 2016 under the Fair and Open Contracting Requirements contained in N.J.S.A. 19:44A-20.4, the City engaged the law firm of Archer & Greiner, 10 Highway 35, Red Bank, New Jersey 07701 (together, “Counsel”) to serve as counsel in accordance with the terms and provisions of a fee agreement by and between the City and Counsel (the “Agreement”); and

WHEREAS, Counsel has performed professional legal services in connection with the City’s tax levy sale in the past and is capable of performing such services; and

WHEREAS, Counsel has agreed to a fee of not to exceed \$15,000.00 at the rates set forth in the Agreement and funds are certified as available from the Bulk Levy Sale pending adoption of the CY 2017 budget;

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

1. The sale of the City of Bayonne’s property tax levy is hereby authorized.
2. The Chief Financial Officer is hereby directed to prepare and distribute a Bid Package including a Notice of Sale, a form of Purchase and Sale Agreement, certain financial information related to the City, a form of Bid Document and any and all other documents and other information as may be required to properly and effectively conduct such sale of tax levy in accordance with the Act.
3. The Chief Financial Officer is hereby directed to cause the publication of the aforesaid Notice of Sale as required by the Act.
4. The Chief Financial Officer is hereby authorized to receive bids and take all actions in connection therewith in accordance with the Act and as to be described in the Notice of Sale.
5. Archer & Greiner, 10 Highway 35, Red Bank, New Jersey 07701 are hereby authorized to perform the above-mentioned professional legal services for a fee not to exceed \$15,000.00 at the rates set forth in the Agreement, plus reasonable and customary expenses, and funds are certified as available from the Bulk Levy Sale pending adoption of CY 2017 budget.
6. The City shall conclude its sale of the total property tax levy in the final month of CY 2017, provided that all statutory notice requirements are followed.
7. The Mayor, the Chief Financial Officer, the City Clerk and other appropriate representatives of the City are hereby authorized, in consultation with Counsel, to take all steps necessary to provide for the tax levy sale, including preparing and executing such agreements and documents on behalf of the City and taking all steps necessary or desirable to implement the terms of this resolution, such agreements and documents as may be necessary and appropriate and the transactions contemplated thereby. The manual or facsimile signature of the aforesaid appropriate representatives of City upon any documents utilized in connection with the tax levy sale shall be conclusive as to all such determinations or approvals set forth therein. The aforesaid appropriate representatives of the City shall also take such actions or refrain from such actions as are necessary for the tax levy sale and all such actions or inactions by the aforesaid City officers, officials or professionals heretofore are hereby ratified and confirmed, *nunc pro tunc*.
8. This resolution shall take effect immediately.

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

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

RESOLUTION OF THE CITY OF BAYONNE, IN THE COUNTY OF

HUDSON, STATE OF NEW JERSEY (THE "LOCAL UNIT")
AUTHORIZING THE LOCAL UNIT'S PARTICIPATION IN THE
POOLED NOTE FINANCING PROGRAM OF THE HUDSON
COUNTY IMPROVEMENT AUTHORITY

WHEREAS, the City of Bayonne, in the County of Hudson, State of New Jersey (the "Local Unit"), has previously duly adopted: (i) various bond ordinances authorizing the issuance of bonds or notes to finance the costs of various capital improvements (the "Capital Improvement Project"); and

WHEREAS, the Local Unit either has issued or desires to issue notes to temporarily finance the Local Unit Projects; and

WHEREAS, the Local Unit believes that there is extreme volatility in the short term note market for municipalities resulting in the following problems: (1) market access problems due to the liquidity issues of traditional investors, (2) shrinking investor pools to purchase municipal notes, (3) a reduced number of bids and in some instances no bids at municipal note sales, (4) unpredictable interest rates causing interest rate risk and budgeting problems and (5) increased costs due to investors unwilling to purchase unrated municipal notes and municipal notes without disclosure, causing municipalities to have municipal notes rated and disclosure documents prepared: and

WHEREAS, the Local Unit has reviewed the Pooled Note Financing Program proposed by The Hudson County Improvement Authority (the "HCIA"), whereby the Local Unit would either rollover its existing notes and/or issue new notes (collectively, the "Local Unit Notes") through the Pooled Note Financing Program of the HCIA; and

WHEREAS, the Local Unit believes that the HCIA's Pooled Note Financing Program cures many of the problems of the volatile note market by providing (1) market access to sell the Local Unit Notes, (2) a certain investor pool to purchase the Local Unit Notes, (3) a guaranteed purchaser of the Local Unit Notes, (4) a more predictable interest rate, whereby the Local Unit will benefit from reduced interest costs as a result of a guaranty by the County of Hudson, State of New Jersey (the "County Guaranty") on the debt service of the HCIA Pooled Note Financing Program, and (5) decreased costs due to all the local units in the Pooled Note Financing Program sharing in the costs of the HCIA Pooled Note Financing Program; and

WHEREAS, the Local Unit further believes that any savings the Local Unit can achieve for its taxpayers, especially during this time of financial crisis, is of utmost importance to its community and accordingly, the Local Unit desires to issue its Local Unit Notes through the Pooled Note Financing Program of the HCIA; and

WHEREAS, such Local Unit Notes shall be issued in accordance with the provisions of the Local Bond Law, *N.J.S.A. 40A:2-1 et seq.* and/or the Local Budget Law, *N.J.S.A. 40A:4-1 et seq.*

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF BAYONNE, THAT

Section 1. The Local Unit hereby authorizes the Local Unit's participation in the HCIA Pooled Note Financing Program.

Section 2. The Local Unit consents to the HCIA's application to the Local Finance Board of the Division of Local Government Services, in the New Jersey Department of Community Affairs (the "Local Finance Board") in connection with the Pooled Note Financing Program.

Section 3. The Chief Financial Officer of the Local Unit is hereby authorized to, or direct the appropriate party to, enter into one or more loans with the HCIA and is further authorized to execute one or more note purchase contracts, loan agreements and any and all documents, certificates, opinions and other instruments that are necessary and as may be reasonably required by the Authority in connection with such loan, after consultation with council to the Local Unit.

Section 4. This resolution shall take effect immediately.

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

* * * * *

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

WHEREAS, by way of Resolution No. 16-12-14-092 adopted by the Municipal Council on December 14, 2016 the City accepted Title III Grant funds from the County of Hudson, Department of Health and Human Services, Area Agency on Aging in the amount of \$609,439.00 for CY2017 allocated as follows: for codes #001 Care Management - \$78,532, #011 Emergency - \$19,484, #561 Congregate Nutrition - \$171,352, #001 Care Management - \$28,664, #58 Home Delivered Meals - \$269,100, #306 Physical Health-Eye Glasses - \$21,100; and #59 State Weekend Home Delivered Meals - \$14,718.00 (the "Grant"); and

WHEREAS, the aforesaid Resolution No. 16-12-14-092 also authorized the City to enter into an agreement with the Bayonne Economic Opportunity Foundation (the "BEOF") for the administration of the nutrition programs funded by the Grant in the amount of \$455,170.00 for the one year period commencing January 1, 2017 and ending December 31, 2017 chargeable to account 02-213-41-737-2-199; and

WHEREAS, pursuant to the aforesaid Resolution No. 16-12-14-092 the City entered into Agreement No. CY17-012 with the BEOF; and

WHEREAS, the County of Hudson, Department of Health and Human Services, Area Agency on Aging has advised the City of a 2017 mid-year grant allocation for the Bayonne Office on Aging in the amount of \$69,908.00 (the "Mid-year Grant Allocation") increasing the initial allocation in the amount of \$10,000.00 for #306 Physical Health, and \$59,908.00 #058 Home Delivered Meals to be used for the purchase of a new hot shot vehicle (\$47,000.00 to \$49,000.00 max purchase price) and the balance (\$12,908.00 to \$10,908.00) to provide additional meals; and

WHEREAS, funds are certified as available in account #G-02-41-777-0000-199 pending the City's acceptance of the Mid-year Grant Allocation; now, therefore, be it

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

1. The City of Bayonne hereby accepts the Mid-year Grant Allocation funds from the County of Hudson, Department of Health and Human Services, Area Agency on Aging, increasing the initial allocation in the amount of \$69,908.00 for the purposes as stated above.

2. The Mayor and City Clerk are hereby authorized to enter into an amendment to Agreement No. CY17-012 with the Bayonne Economic Opportunity Foundation, 555 Kennedy Boulevard, Bayonne, New Jersey 07002 consistent with the Mid-year Grant Allocation from the County of Hudson, Department of Health and Human Services, Area Agency on Aging.

3. Funds shall be charged to account #G-02-41-777-0000-199.

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

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING AND DIRECTING THE PLANNING BOARD TO CONDUCT A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER CERTAIN PROPERTY LOCATED AT 43-45 W 32ND ST, WHICH PROPERTY IS IDENTIFIED AS BLOCK 145, LOT 1, WITHIN THE CITY CONSTITUTES A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.*

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

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

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

WHEREAS, the Mayor and Municipal Council consider it to be in the best interest of the City to have the Planning Board of the City (the "Planning Board") conduct such an

investigation to determine if certain property located at 43-45 W 32nd Street, which property is identified as Block 145, Lot 1 as shown on the Official Tax Map of the City (the “Study Area”), constitute a non-condemnation “area in need of redevelopment,” in accordance with the Redevelopment Law; and

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

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

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

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

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

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

Section 3. The Planning Board is hereby directed to study the property located at 43-45 W 32nd Street, which property is identified as Block 145, Lot 1 on the City’s Tax Maps; to develop a map reflecting the boundaries of the proposed non-condemnation redevelopment area; to provide public notice and conduct public hearings pursuant to *N.J.S.A. 40A:12A-6*; and to draft a report/Resolution to the Mayor and Municipal Council containing its findings.

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

Section 5. This Resolution shall take effect immediately.

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

* * * * *

84. The Council as a whole moved the following communication be received and filed, which was read by the Clerk and adopted.

August 16, 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:

Tiffani M. Simmons
4 Rose Court, Apt. 1, Bayonne, NJ

Term expiring on December 31, 2019
(Appointment as Alternate #24)

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 August 16, 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.

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

* * * * *

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

WHEREAS, pursuant to an Administrative Consent Order between the New Jersey Department of Environmental Protection (“NJDEP”) and AlliedSignal, Inc. (“Allied”) obligating Allied to conduct certain remedial activities at certain property owned by the City of Bayonne (the “City”) including, but not limited to Block 22, Lot 1; Block 48, Lot 1; and Block 50, Lot 1 on the tax map of the City of Bayonne, the City entered into an Access Agreement with AlliedSignal Inc. dated July 13, 1994 granting access to the Property for the purpose of implementing the Work, subject to certain conditions, said Access Agreement is attached hereto and made a part hereof as Schedule A; and

WHEREAS, in 2005 the NJDEP filed a suit known as *New Jersey Dep’t of Env’tl Protection et al. v. Honeywell Int’l Inc. et al.* Civ. No. C-77-05 (Sup. Ct. Chancery, Hudson City, N.J.) (hereinafter the “Orphan Site Litigation”) against Honeywell International Inc. (“Honeywell”) and several other defendants alleging that such defendants were liable for the remediation of chromate chemical production waste (“CCPW”) at various sites in and around Jersey City, New Jersey; and

WHEREAS, Honeywell is successor in interest to AlliedSignal, Inc.; and

WHEREAS, in September 2011, the Court in the Orphan Site Litigation entered a Consent Judgment pursuant to which remedial responsibility for various sites containing CCPW was allocated among the defendants; and

WHEREAS, pursuant to the Consent Judgment, Honeywell agreed to accept responsibility for the remediation of CCPW at a property known as the “Bayonne Sewage Pipeline, also known as Site 144 (“Site 144”); and

WHEREAS, a portion of Site 144 includes the Richard A. Rutkowski Park (“Park”), located on Block 22, Lot 1, Block 48 Lot 1 and Block 50 Lot 1 on the tax map of the City of Bayonne, New Jersey (“the Property”);

WHEREAS, the City of Bayonne is the fee simple owner of a portion of the Park, located on Block 48, Lot 1 and Block 50, Lot 1 on the tax map of the City of Bayonne, New Jersey (“the City Property”); and

WHEREAS, the State of New Jersey Department of Conservation is the fee simple owner of a portion of the Park, located on Block 22, Lot 1 on the tax map of the City of Bayonne, New Jersey (the “State Property”); and

WHEREAS, the City has authority to grant access to Honeywell to the Property, including both the City Property and the State Property; and

WHEREAS, a portion of the Bayonne Sewage Pipeline known as Line C runs through the Property, which is located on a portion of Site 144; and

WHEREAS, environmental investigations conducted by Honeywell have identified CCPW-impacted soil on the Property; and

WHEREAS, Honeywell submitted a Remedial Action Work Plan (“RAWP”) for the Property to NJDEP in December 2015, and submitted modification to the RAWP to NJDEP April 14, 2017 that proposed a remedy for CCPW-contaminated soil using targeted excavation, engineering controls and a Deed Notice attached hereto and made a part hereof as Schedule B; and

WHEREAS, the City of Bayonne executed a Request for Owner Concurrence with Deed Notice for sections of Site 144 owned by the City, including the City Property, in which the City concurred with use of a deed notice as an institutional control as part of the Remediation of the Property, pursuant to the RAWP; and

WHEREAS, the City of Bayonne executed a Request for Owner Concurrence for submittal of permit applications to NJDEP and the County Soil Conservation District and Honeywell has submitted these applications to the agencies; and

WHEREAS, NJDEP approved the RAWP as modified in June of 2017; and

WHEREAS, Honeywell and the Owner desire to cooperate in Honeywell’s remediation of the Property; and

WHEREAS, the Honeywell, as successor in interest to Allied, has requested permission to expand the Scope of Work included in the existing Access Agreement with Allied dated July 13, 1994 for the purposes stated above; and

WHEREAS, it is in the best interests of the health and welfare of the citizens of Bayonne; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. Permission is hereby granted to Honeywell International Inc. to expand the Scope of Work included in the existing Access Agreement dated July 13, 2017 for the purposes stated above on the condition that: 1) Honeywell enters into an Amendment to the existing Access Agreement between the City of Bayonne and AlliedSignal dated July 13, 2017 in a form acceptable to the City and approved by the City's Law Department; 2) No cost or expense shall be borne by the City relating in any way to Honeywell's and/or their LSRP's request for access; 3) the proposed Remedial Action Plan is approved by the City's engineer and the City's LSRP at the Honeywell's expense; 4) no work will commence nor permits will issue without a fully executed Amendment to the existing Access Agreement; 5) valid permits to be issued by the City's Building Department prior to the start of any work, if required; and 6) Honeywell and/or its LSRP shall abide by any and all requirements of the City deems necessary to protect the City's property and citizens including payment of any and all costs of the City's professionals related to this request.

2. The Mayor and City Clerk hereby authorized to sign any and all documents necessary to effectuate same in a form or forms acceptable to the Law Department.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING THE PREPARATION OF A REHABILITATION PLAN FOR THE PROPERTY LOCATED AT 63-67 NEW HOOK ROAD, WHICH PROPERTY IS IDENTIFIED AS BLOCK 416, LOT 3 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.*

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

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

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

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

WHEREAS, the City believes that the property located at 63-67 New Hook Road, which property is identified as Block 416, Lot 3 (the "Property") on the City's Tax Maps is potentially valuable for contributing to, serving, and protecting the public health, safety and welfare and for the promotion of smart growth within the City; and

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

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

Section 1. The Planning Board of the City of Bayonne is hereby authorized and directed to prepare a rehabilitation plan for the property located at 63-67 New Hook Road, which property is identified as Block 416, Lot 3 on the City's Tax Maps is potentially valuable

for contributing to, serving, and protecting the public health, safety and welfare and for the promotion of smart growth within the 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.* (the “Rehabilitation Plan”).

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

Section 3. This Resolution shall take effect immediately.

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

* * * * *

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

WHEREAS, the Irish Festival @ 16th Street Park has requested permission to hold an event to be promoted as the Irish Festival at 16th Street Park to be held on Saturday, October 28, 2017 from 12:00 p.m. to 8:00 p.m. (with access starting at 10:00 am) during which various activities will be offered including, but not limited to traditional talent, un-traditional talent, rides, vendors and a beer garden to be located throughout designated areas of the Thomas Di Domenico Park located at 16th Street between Avenue A and Newark Bay; and

WHEREAS, the Irish Festival @ 16th Street Park shall provide the City with the details of the proposed event in the form of a preliminary document entitled the “2017 Safety Guide and Proposal” and has agreed to further work with the Bayonne Police Department, the Bayonne Fire Department, the Bayonne Law Department, the Department of Public Works, Division of Parks and any other City department, division or personnel in order to ensure the safety and welfare of the general public during the event; and

WHEREAS, the Irish Festival @ 16th Street Park is comprised of various not for profit Irish based organizations dedicated to the furtherance of the celebration of all things Irish within the local community and, as such, has requested that any licensing fees be waived; and

WHEREAS, it is the opinion of the members of the Municipal Council that it is important to support local community activities such as this and that this event will prove to be a desirous event for the citizens of the City; now, therefore, be it

RESOLVED, that the Mayor and City Clerk are hereby authorized to execute a License Agreement, in form and substance as is acceptable to the Law Director, allowing the Irish Festival @ 16th Street Park to hold the 2017 Irish Festival at 16th Street Park on Saturday, October 28, 2017 from 12:00 p.m. to 8:00 p.m., (with access beginning at 10:00 am) throughout designated areas of the Thomas Di Domenico Park located at 16th Street between Avenue A and Newark Bay; and it is further

RESOLVED, that there shall be no fee for said License.

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

* * * * *

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

CHAPTER 159 NO. 5

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 \$10,000.00 which has been received from the County of Hudson, State of New Jersey;

SECTION II

BE IT FURTHER RESOLVED that a like sum of \$10,000.00 and the same is hereby appropriated under the caption of

Older American Act of 1965 – Title III

SECTION III

BE IT FURTHER RESOLVED that the above is the result of moneys received from the Count of Hudson, State of New Jersey.

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

* * * * *

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

CHAPTER 159 NO. 6

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 \$59,908.00 which has been received from the County of Hudson, State of New Jersey;

SECTION II

BE IT FURTHER RESOLVED that a like sum of \$59,908.00 and the same is hereby appropriated under the caption of

Congregate Meals Program

SECTION III

BE IT FURTHER RESOLVED that the above is the result of moneys received from the County of Hudson, State of New Jersey.

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

* * * * *

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

WHEREAS, pursuant to Resolution No. 14-08-13-067 adopted August 19, 2014 the Municipal Council authorized an agreement with J.D.P. Enterprises t/a Bayonne Vehicle Co., 507-509 Avenue A, Bayonne, NJ 07002 for Auto & Truck Body Repair Services for a three (3) year period commencing September 1, 2014 and ending August 31, 2017 for a total contract amount not to exceed \$75,000.00; and

WHEREAS, pursuant to the aforesaid Resolution No. 14-08-13-067, the City entered into Agreement No. CY14-076 with J.D.P. Enterprises t/a Bayonne Vehicle Co., for said Auto & Truck Body Repair Services; and

WHEREAS, the terms of said Agreement No. CY14-076 provided for a mutually agreed upon two year extension through August 31, 2019; and

WHEREAS, Chief of Police has provided the Business Administrator with a memo dated August 3, 2017 requesting other options be explored due to concerns with the quality and timeliness of work performed by J.D.P. Enterprises t/a Bayonne Vehicle Co. under its existing agreement; and

WHEREAS, the City of Bayonne desires to extend its existing Agreement No. CY14-076 with J.D.P. Enterprises t/a Bayonne Vehicle Co. on a month-to-month basis in order to allow for advertisement for bids for alternate vendors for said Auto & Truck Body Repair Services; and

WHEREAS, a Resolution authorizing the City Clerk to advertise for bids for Auto & Truck Body Repair Services for a three (3) year period commencing September 1, 2017 and ending August 31, 2020 is being introduced at this Municipal Council meeting; and

WHEREAS, J.D.P. Enterprises t/a Bayonne Vehicle Co. is agreeable to extending its existing contract with the City on a month-to-month basis under the same terms and conditions as its existing contract pending the receipt of bids pursuant to said advertisement and award of the contract for same; and

WHEREAS, it is in the best interests of the citizens of Bayonne to explore its options and consider alternate vendors; and

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

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

1. The Mayor and City Clerk are hereby authorized to enter into an amendment to Agreement No. CY14-087 with J.D.P. Enterprises t/a Bayonne Vehicle, 507-509 Avenue A, Bayonne, New Jersey on a month-to-month basis under the same terms and conditions as the existing contract on the condition that the aforesaid Resolution authorizing the advertisement for bids for Auto & Truck Body Repairs being introduced at this Municipal Council meeting is adopted.
2. Funds shall be charged to Various Accounts.

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

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At 9:18 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.

* * * * *

President – Sharon A. Nadrowski

Clerk –Robert F. Sloan