

REGULAR MEETING

OF THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, NEW JERSEY, HELD IN THE COUNCIL CHAMBER, MUNICIPAL BUILDING, 630 AVENUE C, ON WEDNESDAY, OCTOBER 18, 2017

The Council met at 7:01 P.M.

The Council President Nadrowski announced: "I would like to advise all those present that notice of this regular meeting of the Municipal Council of the City of Bayonne of October 18, 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 October 13, 2017."

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

The Clerk called the roll.

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

The Council President led the Pledge of Allegiance.

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01. The Clerk announced:

AN ORDINANCE ENTITLED, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING FIVE (5) YEAR TAX EXEMPTION ON THE ASSESSED VALUE OF NEW IMPROVEMENTS ONLY FOR NEWLY CONSTRUCTED RESIDENTIAL UNITS WITH RESPECT TO THE PARCEL OF LAND LOCATED AT BLOCK 445, LOT 6 (A/K/A 172 AVENUE F) ON THE TAX MAP OF THE CITY OF BAYONNE," which was introduced and passed a first reading at a meeting held September 13, 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 October 18, 2017, is now before the Council for its consideration and a public hearing.

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

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

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

The Clerk read the ordinance by title: "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING FIVE (5) YEAR TAX EXEMPTION ON THE ASSESSED VALUE OF NEW IMPROVEMENTS ONLY FOR NEWLY CONSTRUCTED RESIDENTIAL UNITS WITH RESPECT TO THE PARCEL OF LAND LOCATED AT BLOCK 445, LOT 6 (A/K/A 172 AVENUE F) ON THE TAX MAP OF THE CITY OF BAYONNE,"

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

The following persons spoke: Melanie Flora – 108 East 25th Street
 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 AUTHORIZING FIVE (5) YEAR TAX EXEMPTION ON THE

ASSESSED VALUE OF NEW IMPROVEMENTS ONLY FOR NEWLY CONSTRUCTED RESIDENTIAL UNITS WITH RESPECT TO THE PARCEL OF LAND LOCATED AT BLOCK 445, LOT 6 (A/K/A 172 AVENUE F) ON THE TAX MAP OF THE CITY OF BAYONNE,” was introduced and passed a first reading at a meeting held September 13, 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 October 18, 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-17-52.

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

Nays – Council Member LaPelusa.

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02. The Clerk announced:

AN ORDINANCE ENTITLED, “ORDINANCE AUTHORIZING THE EXECUTION OF AN ENCROACHMENT AGREEMENT WITH MHP 222 AVENUE E URBAN RENEWAL, LLC TO ALLOW CERTAIN ENCROACHMENTS INTO THE PUBLIC RIGHT OF WAY ADJACENT TO BLOCK 458, LOTS 12 AND 13 (206-220 AVENUE E),” which was introduced and passed a first reading at a meeting held September 13, 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 October 18, 2017, is now before the Council for its consideration and a public hearing.

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

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

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

The Clerk read the ordinance by title: “ORDINANCE AUTHORIZING THE EXECUTION OF AN ENCROACHMENT AGREEMENT WITH MHP 222 AVENUE E URBAN RENEWAL, LLC TO ALLOW CERTAIN ENCROACHMENTS INTO THE PUBLIC RIGHT OF WAY ADJACENT TO BLOCK 458, LOTS 12 AND 13 (206-220 AVENUE E),”

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

The following persons spoke: Peter Franco – 127 West 12th Street

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

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

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

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

WHEREAS, an ordinance entitled, “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING FIVE (5) YEAR TAX EXEMPTION ON THE ASSESSED VALUE OF NEW IMPROVEMENTS ONLY FOR NEWLY CONSTRUCTED RESIDENTIAL UNITS WITH RESPECT TO THE PARCEL OF LAND LOCATED AT BLOCK 445, LOT 6 (A/K/A 172 AVENUE F) ON THE TAX MAP OF THE CITY OF BAYONNE,” was introduced and passed a first reading at a meeting held September 13, 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 October 18, 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-17-52.

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

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03. The Clerk announced:

AN ORDINANCE ENTITLED, "ORDINANCE AUTHORIZING THE EXECUTION OF A RIGHTS-OF-WAY AND POLE ACCESS AGREEMENT BETWEEN THE CITY OF BAYONNE AND MOBILITIE, LLC TO PERMIT THE INSTALLATION OF ANTENNAS AND RELATED COMMUNICATIONS EQUIPMENT ON CERTAIN EXISTING UTILITY POLES AND IF NECESSARY TO INSTALL UTILITY POLES WITHIN CERTAIN PUBLIC RIGHTS-OF-WAY FOR PURPOSES OF PROVIDING TELECOMMUNICATION SERVICES," which was introduced and passed a first reading at a meeting held September 13, 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 October 18, 2017, is now before the Council for its consideration and a public hearing.

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

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

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

The Clerk read the ordinance by title: "ORDINANCE AUTHORIZING THE EXECUTION OF A RIGHTS-OF-WAY AND POLE ACCESS AGREEMENT BETWEEN THE CITY OF BAYONNE AND MOBILITIE, LLC TO PERMIT THE INSTALLATION OF ANTENNAS AND RELATED COMMUNICATIONS EQUIPMENT ON CERTAIN EXISTING UTILITY POLES AND IF NECESSARY TO INSTALL UTILITY POLES WITHIN CERTAIN PUBLIC RIGHTS-OF-WAY FOR PURPOSES OF PROVIDING TELECOMMUNICATION SERVICES,"

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: John Sebak – 10 East 43rd Street
 Gregory Russo – Mobilitie
 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 LaPelusa motioned to close the hearing, seconded by Council President Nadrowski, which motion was adopted.

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

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

WHEREAS, an ordinance entitled, "ORDINANCE AUTHORIZING THE EXECUTION OF A RIGHTS-OF-WAY AND POLE ACCESS AGREEMENT BETWEEN THE CITY OF BAYONNE AND MOBILITIE, LLC TO PERMIT THE INSTALLATION OF ANTENNAS AND RELATED COMMUNICATIONS EQUIPMENT ON CERTAIN EXISTING UTILITY POLES AND IF NECESSARY TO INSTALL UTILITY POLES WITHIN CERTAIN PUBLIC RIGHTS-OF-WAY FOR PURPOSES OF PROVIDING TELECOMMUNICATION SERVICES," was introduced and passed a first reading at a meeting held September 13, 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 October 18, 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-17-54.

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

* * * * *

04. Council Member Perez introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDED REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 122 AVENUE E, 124 AVENUE E, 126 AVENUE E, 126½ AVENUE E, 128 AVENUE E, 130 AVENUE E, 132 AVENUE E, 134-136 AVENUE E, 138 AVENUE E, 140 AVENUE E, 165 AVENUE E, 167 AVENUE E, 169 AVENUE E, 170-180 AVENUE E, AND 157-163 AVENUE E WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 467, LOTS 17, 18, 19, 20, 21, 22, 23, 24, 25, & 26, BLOCK 234, LOTS 8.01, 11, 12, & 13, AND BLOCK 458, LOT 1 & 1.01, AS SHOWN ON THE OFFICIAL TAX MAP IN THE CITY OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 30A:12A-1 *ET. SEQ.*

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

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

WHEREAS, the State designated several blocks in the City as an “Urban Renewal Zone” pursuant to the *New Jersey Urban Enterprise Zone Act*, N.J.S.A. 52:27H-60 *et seq.* (the “UEZ Act” and those parcels located within the designated Urban Enterprise Zone shall hereinafter be the “UEZ”); and

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

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

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

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

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

WHEREAS, on May 17, 2017, by Resolution 17-05-17-055, the Municipal Council authorized and directed the Planning Board of the City (the “Planning Board”) to conduct such an investigation to determine if certain properties located at 122 Avenue E, 124 Avenue E, 126 Avenue E, 126 ½ Avenue E, 128 Avenue E, 130 Avenue E, 132 Avenue E, 134-136 Avenue E, 138 Avenue E, 140 Avenue E, 165 Avenue E, 167 Avenue E, 169 Avenue E, 170-180 Avenue E, and 157-163 Avenue E, which property is identified as Block 467, Lots 17, 18, 19, 20, 21, 22, 23, 24, 25, & 26, Block 234, Lots 8.01, 11, 12, & 13, and Block 458, Lots 1 & 1.01 as shown on the Official Tax Map of the City (the “Study Area”), constitute a non-condemnation “area in need of redevelopment,” in accordance with the Redevelopment Law; and

WHEREAS, on July 11, 2017, the Planning Board held a public hearing, duly noticed under the Redevelopment Law, and reviewed an investigation/report titled “City of Bayonne: Preliminary Investigation Non-Condensation Area in Need of Redevelopment Silklofts Expansion Study” prepared by the City of Bayonne, 630 Avenue C Bayonne, NJ 07002, dated June 19, 2017 (the “Study”) and any persons interested in or affected by a determination that

the Study Area is a non-condemnation redevelopment area were given an opportunity to be heard, and any objections to such a determination and evidence in support of those objections, were received and considered and made part of the public record; and

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

WHEREAS, on July 19, 2017, the Municipal Council by resolution designated the Study Area as a non-condemnation “area in need of redevelopment” (the “Redevelopment Area”) and authorized the Planning Board to prepare and review an amendment and expansion to the Redevelopment Plan, which includes the Redevelopment Area pursuant to *N.J.S.A. 40A:12A-7*; and

WHEREAS, an amended Redevelopment Plan titled the Silk Lofts Redevelopment Plan and an Overlay of a Portion of the Maidenform Plan (the “Amended Redevelopment Plan”) dated October __, 2017, has been prepared by the City Planning Department which incorporates the Redevelopment Area to the Redevelopment Plan; and

WHEREAS, the Municipal Council desires to adopt the Amended Redevelopment Plan in order to effectuate a plan that is consistent with the goals and objectives of the City for the redevelopment of the Redevelopment Area; and

WHEREAS, the Municipal Council believes that the adoption of the Amended Redevelopment Plan is in the best interest of the City for the redevelopment of the Redevelopment Area.

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

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

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

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

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

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

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

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

BE IT RESOLVED, that an ordinance entitled “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDED REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 122 AVENUE E, 124 AVENUE E, 126 AVENUE E, 126½ AVENUE E, 128 AVENUE E, 130 AVENUE E, 132 AVENUE E, 134-136 AVENUE E, 138 AVENUE E, 140 AVENUE E, 165 AVENUE E, 167 AVENUE E, 169 AVENUE E, 170-180 AVENUE E, AND 157-163 AVENUE E WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 467, LOTS 17, 18, 19, 20, 21, 22, 23, 24, 25, & 26, BLOCK 234, LOTS 8.01, 11, 12, & 13, AND BLOCK 458, LOT 1 & 1.01, AS SHOWN ON THE OFFICIAL TAX MAP IN THE CITY OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 30A:12A-1 ET. SEQ.*,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, November 8, 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, and to forward a copy of said ordinance to the planning board for its review of and a report regarding same pursuant to NJSA 40:55D-26.

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

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05. Council Member Perez introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY
APPROVING A FINANCIAL AGREEMENT WITH HOBART HOUSING URBAN RENEWAL
CORPORATION

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

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

WHEREAS, the Rehabilitation Area is located within an Urban Enterprise Zone ("UEZ") and consists of property located at 180-186 Hobart Avenue; and

WHEREAS, pursuant to N.J.S.A. 40A:20-4, Municipal Agreements for Projects under a Redevelopment Plan, this property is eligible for a 30 year tax abatement; and

WHEREAS, Hobart Housing Urban Renewal Corporation is developing the property as affordable housing as defined by, N.J.S.A.40A:20-3 (l)k: "low and moderate income housing project" ; and

WHEREAS, consistent with the Rehabilitation Plan, the proposed project to be undertaken on the Property consists of the construction of a 2 1/2 story multi-family residence with eight (8) units for special needs and affordable housing (low and moderate income units) with 10 parking spaces in a new parking lot approved by the City of Bayonne Zoning Department on January 22, 2014 and memorialized on February 24, 2014 as Resolution Z-13-021 (the "Project"); and,

WHEREAS, the Property is located within the Urban Enterprise Zone ("UEZ") pursuant to N.J.S.A. 52:27H-61 et seq.;

WHEREAS, projects located within a UEZ are authorized to apply for a tax exemption pursuant to N.J.S.A. 40A:12A-5(g); and

WHEREAS, the Entity 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. s ("Long Term Tax Exemption Law"); and

WHEREAS, consistent with the Rehabilitation Plan, the proposed project to be undertaken on the Property consists of the construction of (the "Project"); and a 2 1/2 story multi-family residence with eight (8) units for special needs and affordable housing with 10 parking spaces in a new parking lot approved by the City of Bayonne Zoning Department; 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, HOBART HOUSING URBAN RENEWAL CORPORATION 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, HOBART HOUSING URBAN RENEWAL CORPORATION 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 HOBART HOUSING URBAN RENEWAL CORPORATION 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 HOBART HOUSING URBAN RENEWAL CORPORATION 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 HOBART HOUSING URBAN RENEWAL CORPORATION 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 HOBART HOUSING URBAN RENEWAL CORPORATION 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 President Nadrowski, which was read by the Clerk and adopted.

BE IT RESOLVED, that an ordinance entitled "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING A FINANCIAL AGREEMENT WITH HOBART HOUSING URBAN RENEWAL CORPORATION," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, November 8, 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, and to forward a copy of said ordinance to the planning board for its review of and a report regarding same pursuant to NJSA 40:55D-26.

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

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06. 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

002. Anthony Summers, 20 Edwards Court

Beginning at a point on the south side of Edwards Court, 258 feet west of the southwest corner of Avenue A and Edwards Court, and extending to a point 22 feet west thereof.

014. Grace Ann O'Neill, 15 Margaret Street
Beginning at a point on the north side of Margaret Street, 191 feet west of the northwest corner of Kennedy Boulevard and Margaret Street, and extending to a point 22 feet west thereof.

017. Kathleen Mateicka, 24 West 33rd Street
Beginning at a point on the south side of West 33rd Street, 303 feet west of the southwest corner of Broadway and West 33rd Street, and extending to a point 22 feet west thereof.

023. Thomas Grodkiewicz, 846 Broadway
Beginning at a point on the north side of East 39th Street, 68 feet east of the northeast corner of East 39th Street and Broadway, and extending to a point 22 feet east thereof.

047. Berkis Beddoe, 160 West 49th Street
Beginning at a point on the south side of West 49th Street, 118 feet west of the southwest corner of West 49th Street and Kennedy Boulevard, and extending to a point 22 feet west thereof.

055. Dorothy Delaney, 23 Hartley Place
Beginning at a point on the west side of Hartley Place, 96 feet south of the southwest corner of Linden Street and Hartley, and extending to a point 20 feet south thereof.

058. Abid Hanna, 563 Kennedy Boulevard
Beginning at a point on the south side of West 22nd Street, 104 feet west of the southwest corner of Kennedy Boulevard and West 22nd Street, and extending to a point 22 feet west thereof.

061. Francis Kenny, 52 Prospect Avenue
Beginning at a point on the east side of Prospect Avenue, 36 feet south of the southeast corner of Prospect Avenue and East 22nd Street, and extending to a point 20 feet south thereof.

073. Mary Seeburger, 532 Avenue A
Beginning at a point on the east side of Avenue A, 85 feet south of the southeast corner of Avenue A and West 23rd Street, and extending to a point 22 feet south thereof.

097. Raffaella Kushnir, 136 West 9th Street
Beginning at a point on the south side of West 9th Street, 97 feet east of the southeast corner of Avenue A and West 9th Street, and extending to a point 22 feet east thereof.

111. Mary Silvani, 76 Andrew Street
Beginning at a point on the south side of Andrew Street, 28 feet west of the southwest corner of Andrew Street and Kennedy Boulevard, and extending to a point 20 feet west thereof.

133. Mervat Elasker, 19 East 52nd Street
Beginning at a point on the north side of East 52nd Street, 258 feet east of the northeast corner of Broadway and East 52nd Street, and extending to a point 20 feet east thereof.

144. Lisa Ann Sanchez, 358 Avenue A
Beginning at a point on the east side of Avenue A, 37 feet north of the northeast corner of Avenue A and West 14th Street, and extending to a point 18 feet north thereof.

151. Joseph Diego, 136 West 31st Street
Beginning at a point on the south side of West 31st Street, 272 feet east of the southeast corner of Avenue A and West 31st Street, and extending to a point 22 feet east thereof.

174. Sandy Merrick, 46 East 37th Street
Beginning at a point on the south side of East 37th Street, 141 feet west of the southwest corner of East 37th Street and Avenue E, and extending to a point 22 feet west thereof.

181. Vincent Sadowski, 22 West 13th Street
Beginning at a point on the south side of West 13th Street, 287 feet west of the southwest corner of West 13th Street and Broadway, and extending to a point 22 feet west thereof.

184. Irene Maksymowicz, 26 East 28th Street
Beginning at a point on the south side of East 28th Street, 312 feet east of the southeast corner of East 28th Street and Broadway, and extending to a point 22 feet east thereof.

226. Dalva Rios, 379 Avenue C
Beginning at a point on the north side of West 16th Street, 71 feet west of the northwest corner of Avenue C and West 16th Street, and extending to a point 22 feet west thereof.

236. Iona Prilop, 5-7 Kelly Parkway

Beginning at a point on the west side of Kelly Parkway, 74 feet north of the northwest corner of Kelly Parkway and West 1st Street, and extending to a point 22 feet north thereof.

243. Madeline Foster, 10 Bergen Court, Apt. 1C

Beginning at a point on the south side of West 51st Street, 502 feet west of the southwest corner of Kennedy Boulevard and West 51st Street, and extending to a point 22 feet east thereof.

253. John Nesnay, 488 Avenue E

Beginning at a point on the east side of Avenue E, 120 feet north of the northeast corner of Avenue E and East 32nd Street, and extending to a point 22 feet north thereof.

301. William Johnson, 1158 Kennedy Boulevard

Beginning at a point on the south side of West 51st Street, 37 feet east of the southeast corner of West 51st Street and Kennedy Boulevard, and extending to a point 18 feet east thereof.

302. Frederick Luttgens, 43 West 16th Street

Beginning at a point on the north side of West 16th Street, 160 feet east of the northeast corner of Avenue C and West 16th Street, and extending to a point 22 feet east thereof.

324. Joan Amodeo, 76 Andrew Street

Beginning at a point on the south side of Andrew Street, 302 feet west of the southwest corner of Avenue C and Andrew Street, and extending to a point 17 feet east thereof.

343. Cynthia Geroldi, 101 Humphrey Avenue

Beginning at a point on the west side of Humphrey Avenue, 204 feet north of the northwest corner of West 4th Street and Humphrey Avenue, and extending to a point 20 feet north thereof.

346. Esperanza Morales, 218 Avenue B

Beginning at a point on the east side of Avenue B, 40 feet north of the northeast corner of Avenue B and West 49th Street, and extending to a point 18 feet north thereof.

348. Irene Davis, for her son Benjamin Malterre, 482 Avenue A

Beginning at a point on the south side of West 20th Street, 57 feet east of the southeast corner of West 20th Street and Avenue A, and extending to a point 17 feet east thereof.

352. Perpetudo Ledda, 98 West 26th Street

Beginning at a point on the south side of West 26th Street, 140 feet east of the southeast corner of West 26th Street and Kennedy Boulevard, and extending to a point 18 feet east thereof.

361. Luis Canales, 41 Kelly Parkway

Beginning at a point on the west side of Kelly Parkway, 57 feet south of the southwest corner of West 2nd Street and Kelly Parkway, and extending to a point 19 feet south thereof.

362. Priscilla Souvlatsis, 15 Cottage Street

Beginning at a point on the north side of Cottage Street, 205 feet east of the northeast corner of Broadway and Cottage Street, and extending to a point 22 feet east thereof.

368. Sotero Garcia, 35 Sunset Avenue #1

Beginning at a point on the east side of Sunset Avenue, 52 feet east of the southeast corner of the terminus of Sunset Avenue, and extending to a point 20 feet east thereof.

ADD

054. George Lavelle, 49 Juliette Street

Beginning at a point on the north side of Juliette Street, 243 feet west of the northwest corner of Juliette and Kennedy Boulevard, and extending to a point 19 feet west thereof.

123. Gina Childs, 327 Avenue E

Beginning at a point on the west side of Avenue E, 93 feet north of the northwest corner of East 25th Street and Avenue E, and extending to a point 18 feet north thereof.

153. Daniel Daly for his wife, Mary, 535 Avenue E

Beginning at a point on the west side of East 34th Street, 81 feet south of the southwest corner of East 34th Street and Avenue E, and extending to a point 18 feet south thereof.

160. Shaun Milk, 35 West 29th Street

Beginning at a point on the north side of West 29th Street, 261 feet east of the northeast corner of West 29th Street and Avenue C, and extending to a point 18 feet east thereof.

252. Victor Fernandez, 166 Newman Avenue

Beginning at a point on the east side of Newman Avenue, 134 feet south of the southeast corner of West 7th Street and Newman Avenue, and extending to a point 18 feet south thereof.

261. Kim Sims for John Sims, 69 Garretson Avenue
Beginning at a point on the west side of Garretson Avenue, 294 feet north of the northwest corner of Garretson Avenue and West 3rd Street, and extending to a point 17 feet north thereof.

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

BE IT RESOLVED, that an ordinance entitled “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, November 8, 2017 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

* * * * *

07. 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.

* * * * *

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

From Brian Mondadori, Esq., filing notice of tort claim on behalf of BASHIR MASON alleging personal injuries resulting from a motorcycle crash due to a pot hole on September 4, 2017 on Port Terminal Boulevard.

* * * * *

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

From Patrick H. Calahane, Esq., filing notice of tort claim on behalf of LEONARDO MENDOZA alleging personal injuries resulting from a fall in a playground on May 10, 2017 at the Community Midtown School.

* * * * *

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

From VIRGINIA MITORTANDO, filing notice of tort claim alleging property damage to her automobile on September 1, 2017 resulting from being hit by a city owned vehicle at 22 Silver Street.

* * * * *

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

From ADBUL REHMAN ALHINDI, filing notice of tort claim alleging property damage to his automobile on July 7, 2017 resulting from a collision with a municipally owned vehicle at 7th Street and Avenue C.

* * * * *

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

From Superior Court of New Jersey, Law Division Summons and Complaint in matter entitled, “JACHOWICZ vs. THE CITY OF BAYONNE, et al.” (Sidewalk fall on June 5, 2015 at 24 East 21st Street)

* * * * *

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

From Superior Court of New Jersey, Law Division Summons and Amended Complaint in matter entitled, “SALEH vs. STATE OF NEW JERSEY DEPARTMENT OF TRANSPORTATION et al., incl. THE CITY OF BAYONNE.” (Auto accident on Route 440 on September 16, 2014)

* * * * *

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

From Superior Court of New Jersey, Law Division Summons and Complaint in matter entitled, “CORNELIO vs. BELOTTI and THE CITY OF BAYONNE.” (Auto accident on February 9, 2016 at Avenue C and West 40th Street)

* * * * *

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, “HO PROPERTIES, LLC vs. CITY OF BAYONNE.” (165 West 9th Street, Block 274, lot 8 – 1-4 family residential)

* * * * *

16. 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.

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17. 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 the same.

* * * * *

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

DATE: October 5 5, 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 September 5, 201

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

Janet Convery
(signed)

* * * * *

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

Date: 09/27/17 Ad Date: 09/11/17 Resolution #17-07-19-049

Date bids accepted: 09/22/17 Attending: Amy Dellabella, Purchasing Agent. Darren Mazzei, CME

Bid titled: **Improvements to Lefante Way**

Bidders:	Base Bid	Deletion Items #1	Deletion Items#2	Contract Total
S. Brothers Inc. P.O. Box 317 South River, N.J. 08882	\$1,367,729.00	-(\$123,160.00)	0	\$1,244,569.00
Black Rock Enterprises, LLC 1316 Englishtown Road Old Bridge, N.J. 08857	\$1,439,568.42	-(\$109,800.00)	-(\$92,230.00)	\$1,237,538.42
Top Line Construction Corp. 22 Fifth Street Somerville, N.J. 08876	\$1,590,934.62	-(\$116,305.28)	-(183,577.80)	\$1,291,051.54

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

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

BID REPORT
FOR THE MUNICIPAL COUNCIL

Date: 09/27/17 Ad Date: 09/13/17 Resolution #17-08-16-066

Date bids accepted: 09/27/17 Attending: Amy Dellabella, Purchasing Agent

Bid titled: **Rock Salt**

Bidders:	5500 tons delivered	500 tons picked up	Total Bid Price
Cargill, Inc. 24950 Country Club Blvd. Suite #450 North Olmstead, OH 44070	Price per ton \$57.51	Price per ton \$55.00	
\$343,805.00			
Atlantic Salt, Inc. 134 Middle Street Suite 210 Lowell, MA 01852	\$59.90	\$59.90	
\$359,400.00			

After review by the Department Director, the Purchasing Department will prepare a request for contract award and forward it to the City Clerk for inclusion in future Council Agenda.

If other than the lowest bidder is recommended, an explanation will be provided with that report. If bids are to be rejected, an appropriate report will be prepared. Please retain this report, as the information above may not be repeated in the request for award documents or in the event of a bid rejection.

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

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

BID REPORT
FOR THE MUNICIPAL COUNCIL

Date: 10/03/17 Ad Date: 09/13/17 Resolution #17-08-16-067
Date bids accepted: 09/28/17 Attending: Amy Dellabella, Purchasing Agent

Bid titled: **Snow Removal Services During Snow Emergency**

<u>Bidder:</u>	<u>Total Bid Price 1-3 feet of snow</u>	<u>Total Bid Price 3-6 feet of snow</u>
Control Industries 103 East 25 th St. Bayonne, NJ 07002	\$390,000.00	\$684,000.00

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

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

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

CERTIFICATION OF SUPPLEMENTAL REFERENDUM PETITION

I, Robert F. Sloan, City Clerk of the City of Bayonne, hereby certify pursuant to NJSA 40:69A-191 as follows:

- On September 13, 2017, I certified to the City Council of the City of Bayonne that a referendum petition seeking to repeal Ordinance No. O-17-43, amending Chapter 20, Personnel Policies, of the Revised General Ordinances of the City of Bayonne, contained an insufficient number of signatures of qualified voters. Said certification indicated that I found 721 valid signatures of qualified voters. The number of signatures needed to meet the statutory requirement is 975.
- I notified the committee of the petitioners that they had 10 days to correct the deficiency in their petition. On September 25, 2017, the committee filed 22 pages of additional signatures supplementing the original submission. The statutes provide that I have five days in which to examine the corrective filing. Today is the fifth business day since that filing and you may be aware that the computers in the City Clerk’s Office were down for all but forty-five minutes on Friday, September 29th.
- I have examined the supplemental petition and verified that it contains 285 valid signatures of qualified voters. With the assistance of the city’s Law Department, we ascertained that 7 of those signatures were duplicates of signatures in the petition, leaving 278 valid signatures.
- I have proofread the counts of both the original filing and the supplemental filing in compiling the final number for purposes of this certification. I have found that in tallying the original number of signatures, I made three errors in entering the number of valid signatures on each petition paper on my adding machine. I have double checked the count from the adding machine tape against the petition papers with the following results:

- sheet 4: tape number = 53 petition paper number = 16
- sheet 6: tape number = 18 petition paper number = 19
- sheet 20: tape number =7 petition paper number = 8

These errors result in a REVISED number of valid signatures on the original petition of 684. I have run a tape on the adding machine again and have verified the number of valid signatures on the original petition as 684, leaving the original filing 291 signatures short, and not the 254 signatures as contained in my original certification.

- The corrected number of valid signatures on the original petition (684) and the number of valid signatures on the supplemental filing (278) result in a total number of 962. The required number of signatures for the petition to be successful is 975, and the petition is short by 13.

IN WITNESS WHEREOF, I have set my hand and affixed the corporate seal of the City of Bayonne, this 2nd day of October, 2017.

Robert F. Sloan
City Clerk

* * * * *

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

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

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

* * * * *

24. 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, September 13, 2017 be and the same are hereby approved.

* * * * *

25. 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, September 6, 2017, be and the same are hereby approved.

* * * * *

26. 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
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6.01	3	Kennedy Gawargi	3,727.29
159	47	Fred Aueron	15,054.70
161	20	Daniel McCabe	588.84
207	20	Fadi Eid	2,930.00
221	24	Broadway Bayonne Realty, LLC	5,936.18
234	6	Anup Tiwari	818.09
315	38	Frederick Whelply	4,933.03
Total:			33,988.13

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

RESOLVED, that pursuant to and consistent with a State Training Fee Report dated October 2, 2017 by Richard Bielinski, Construction Official, the Municipal Treasurer is hereby authorized and directed to issue a warrant drawn to the order of the State of New Jersey, in the amount of \$34,729.00 representing payment of state surcharge fees on new construction and alterations collected during the third quarter of 2017; and be it further

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

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

28. 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 One hundred twelve (112) 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 eight hundred dollars (\$2800.00) be drawn to the order of the Treasurer, State of New Jersey and forwarded to the City Clerk’s Office for disbursement.

29. 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 \$8.40 be drawn of the Bureau of Rabies Control, State Department of Health, Trenton, New Jersey, covering the issuance of licenses Nos. 1079-1085 inclusive, 7 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.

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

RESOLVED, that the actions of the Court Administrator in ordering a warrant for \$ 2,400.00 to Peter M. Weiner, Esq. is hereby ratified and confirmed. Said warrant is for professional services and charged to Municipal Court – O.E.

31. 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 a warrant from the Unemployment Trust Fund in the amount of \$ 21,970.51 payable to the State of New Jersey Division of Employer Accounts is hereby ratified and confirmed. Said warrant is for the City of Bayonne unemployment bills for quarter ending 6/30/2017.

* * * * *

32. 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 an annual software support and extended one-year warranties for all equipment deployed as part of the Digital Video Surveillance Network (DVSN) deployed throughout the city; and

WHEREAS, Hitachi Data Systems, 2845 Lafayette Street, Santa Clara, CA 95050, is willing and able to supply the aforesaid services for a one year period commencing July 1, 2017 and ending June 30, 2018 at a cost of \$46,500.00 and

WHEREAS, funds are certified as available in Account #PS-9/01-201-25-240-2-020; and

WHEREAS; NJSA 40A:11-5(dd) provides for the award of a contract without the necessity of public advertising for bids for the provision or performance of goods or services for the support or maintenance of proprietary computer hardware and software as an exception to the bidding statutes; now, therefore, be it

RESOLVED, that the Mayor and Clerk of the City of Bayonne are hereby authorized to enter into an agreement with Hitachi Data Systems, 2845 Lafayette Street, Santa Clara, CA 95050, for annual software support and extended one-year warranties for all equipment deployed as part of the Digital Video Surveillance Network (DVSN) deployed throughout the city for a one year period commencing July 1, 2017 and ending June 30, 2018 at a cost of \$46,500.00; and be it further

RESOLVED, that funds are certified available in Account #PS-9/01-201-25-240-2-020; and be it further

RESOLVED, that the Municipal Treasurer be and is hereby authorized and directed to issue a warrant payable to Hitachi Data Systems, in the amount of \$46,500.00 in payment for said services.

* * * * *

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

WHEREAS, the Attorney General has been designated by the Governor to implement the 2017 Byrne Justice Assistance Grant (JAG) Program for state and local assistance; and

WHEREAS, the County of Hudson will receive grant funds on behalf of the City of Bayonne for the JAG Program under GMS Application Number 2017-H3524-NJ-DJ; and

WHEREAS, the project is a joint effort between the County of Hudson and the City of Bayonne, and other municipalities for the purposes described in the application; and

WHEREAS, the City of Bayonne is eligible for \$80,464.00 in grant funding; and

WHEREAS, the Mayor and Clerk of the City of Bayonne may be required to execute documents in furtherance of this grant; now, therefore, be it

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

- 1) As a matter of public policy the City of Bayonne wishes to participate to the fullest extend possible with the Department of Justice and the County of Hudson;
- 2) The County of Hudson will receive funds on behalf of the applicant;
- 3) The Hudson County Prosecutor shall be responsible for the receipt, review and approval of the applications for said funds;
- 4) The County of Hudson shall initiate allocations to each applicant as authorized; and

5) The Mayor and Clerk are hereby authorized to enter into an Interlocal Services Agreement with the County of Hudson and to execute any and all documents in connection with the procurement of said grant funds;

6) The City of Bayonne agrees to use \$80,464.00 for the JAG Program until September 30, 2020.

* * * * *

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

WHEREAS, the City of Bayonne has been awarded an FY 2017 Port Security Grant in the amount of \$124,012.00 (Grant #EMW-2017-PU-00194) from the U.S. Department of Homeland Security for the purpose of funding equipment and training related to port security; and

WHEREAS, as a condition of this award, the City of Bayonne is required to contribute a cost match in the amount of \$41,337.00 of non-Federal funds; and

WHEREAS, funds for said cost match are available in Account #7-01-25-265-0000-029; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to execute any and all documents necessary to effectuate the receipt and implementation of the aforesaid grant funds.
2. The Comptroller and/or other responsible City official is hereby authorized to contribute a "cost match" in the amount of \$41,337.00 for the purpose of funding said equipment and training related to port security.
3. Funds shall be charged to Account #7-01-25-265-0000-029.
4. The City agrees to be bound by the terms of the Agreement Articles – No. EMW-2017-PU-00194.

* * * * *

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

WHEREAS, pursuant to Resolution No. 14-10-15-071 adopted October 15, 2014 the Municipal Council authorized an agreement with Standard Elevator, 68 Union Avenue, Clifton, NJ 07015 for elevator maintenance in three municipal buildings for a three (3) year period for a contract amount not to exceed \$9,778.20 per year for a total contract amount not to exceed \$29,334.60 for the three (3) year term; and

WHEREAS, pursuant to the aforesaid Resolution No. 14-10-15-071, the City entered into Agreement No. CY14-101 with Standard Elevator for said elevator maintenance in three municipal buildings services; and

WHEREAS, the terms of said Agreement No. CY14-101 provided for a mutually agreed upon two year extension through October 31, 2019; and

WHEREAS, the Director of Public Works has recommended the City extend the aforesaid Agreement No. CY14-101 with Standard Elevator for an additional two (2) year period two November 1, 2017 and ending October 31, 2019 under the same terms and conditions for an additional amount not to exceed \$19,556.40; and

WHEREAS, Standard Elevator is agreeable to extending the aforesaid Agreement No. CY14-101 for an additional two (2) year period under the same terms and conditions; and

WHEREAS, funds are certified as available in Various Accounts pending adoption of the CY2018 and CY2019 budgets; now, therefore, be it

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

1. The Mayor and City Clerk are hereby authorized to enter into an amendment to Agreement No. CY14-101 with Standard Elevator, 68 Union Avenue, Clifton, NJ 07015 for elevator maintenance in three municipal buildings for the period commencing November 1, 2017 and ending October 31, 2019 under the same terms and conditions as the existing contract for an additional contract amount of \$9,778.20 per year for a total additional amount not to exceed \$19,556.40 for the two (2) year term.

2. Funds shall be charged to Various Accounts.

* * * * *

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

WHEREAS, it is the policy of City of Bayonne to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, (the New Jersey Civil Service Act,) (the New Jersey Attorney General's guidelines with respect to Police Department personnel matters,) the New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Open Public Meeting Act; and

WHEREAS, the Mayor and Council has determined that there is a need for updated personnel policies and procedures to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations;

WHEREAS, a revised and updated Employee Handbook has been provided to this Municipal Council for review and consideration and this Municipal Council is satisfied that the updated Employee Handbook should be adopted;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that the updated Employee Handbook is hereby adopted and shall be effective as soon as is allowed by law; and

BE IT FURTHER RESOLVED that these personnel policies and procedures shall apply to all city officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail; and

BE IT FURTHER RESOLVED that this manual is intended to provide guidelines covering public service by city employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the City of Bayonne.

* * * * *

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

WHEREAS, by way of Resolution No. 17-08-16-085 adopted on August 16, 2017 the Municipal Council granted access to Honeywell International, Inc. as successor in interest to AlliedSignal, Inc. to expand the Scope of Work included in an existing Access Agreement with AlliedSignal, Inc. in connection with remediation activities at a property known as the "Bayonne Sewage Pipeline", also known as Site 144 (the "Existing Access Agreement"); and

WHEREAS, said Resolution No. 17-10-18-085 stated the date of the Existing Access Agreement was July 13, 2017; and

WHEREAS, the date of the Existing Access Agreement is July 13, 1994; now, therefore, be it

RESOLVED, that Resolution No. 17-08-16-085 is hereby amended to reflect the date of the Existing License Agreement is July 13, 1994.

* * * * *

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

WHEREAS, the City is in need of various professional services and/or extraordinary unspecifiable services for the upcoming calendar year commencing January 1, 2018 and ending December 31, 2019 including, but not limited to, professional legal services, engineering services, accounting services, information technology services, *etc.*, now, therefore, be it

RESOLVED, the Municipal Council hereby authorizes the advertisement of various Requests for Qualifications/Proposals for the aforesaid professional and or extraordinary unspecifiable services for the upcoming calendar year commencing January 1, 2018 and ending December 31, 2018 pursuant to the fair and open contracting provisions set forth in N.J.S.A. 19:44A-20.4 and N.J.S.A. 19:44A-20.5.

* * * * *

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

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

- Police Unit #66 2005 Pontiac Grand Am VIN#1G2NE52E95M125516;
- Unit #881 2005 Chevy Impala VIN# 2G1WF52E459114474;
- Police Unit #19 2013 Ford Taurus VIN# 1FAHP2M87DG144917;
- Police Unit #6 2014 Ford Taurus VIN# 1FAHP2L84EG148393; and

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

RESOLVED by the Municipal Counsel as follows:

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

* * * * *

40. 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
P.G.VROOM SCHOOL PTA	5:30 – 11:00 PM 888 AVENUE C DECEMBER 16, 2017	RL: 9213
MT. CARMEL LYCEUM	10:00 AM 39 EAST 22 ND ST MARCH 19, 2018	RL: 9214
HUDSON COUNTY ANIMAL LEAGUE	2:00-6:00 PM 290 AVENUE E DECEMBER 2, 2017	RL: 9215 RL: 9216
P.S. #14 PTO	2:00 PM 33 EAST 24 th STREET DECEMBER 21, 2017	RL: 9217
PRESCHOOL PLAYHOUSE PTO	9 AM – 1:00 PM 625 AVENUE C DECEMBER 15, 2017	RL: 9218 RL: 9219
BAYONNE FERAL CAT FOUNDATION	6:00-10:00 PM 290 AVENUE E NOVEMBER 7, 2017	RL: 9220 RL: 9221

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

WHEREAS, pursuant to Resolution No. 17-07-19-049 adopted by the Municipal Council on July 19, 2017, the City Clerk advertised in the Jersey Journal on September 11, 2017 that sealed bids for Improvements to LeFante Way would be received on September 22, 2017; and

WHEREAS, pursuant to said advertisement, three (3) bids were received as follows:

<u>Bidders:</u>	<u>Base Bid</u>	<u>Deletion Items #1</u>	<u>Deletion Items#2</u>	<u>Contract Total</u>
S. Brothers Inc. P.O. Box 317 South River, N.J. 08882	\$1,367,729.00	-\$123,160.00)	0	\$1,244,569.00
Black Rock Enterprises, LLC 1316 Englishtown Road Old Bridge, N.J. 08857	\$1,439,568.42	-\$109,800.00)	-\$92,230.00)	\$1,237,538.42
Top Line Construction Corp. 22 Fifth Street Somerville, N.J. 08876	\$1,590,934.62	-\$116,305.28)	-(183,577.80)	\$1,291,051.54

as reported on the Municipal Council Bid Report; and

WHEREAS, Amy Dellabella, Purchasing Agent, and Gary Chmielewski the Director of Public Works and Parks have reviewed the bids and have recommended that the City Council consider rejecting the bids pursuant to N.J.S.A. 40A:11-13.2 in that the bids received, exceed the City’s appropriation for the goods or services; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Municipal Council hereby rejects the following bids for the reason stated above:

<u>Bidders:</u>	<u>Base Bid</u>	<u>Deletion Items #1</u>	<u>Deletion Items#2</u>	<u>Contract Total</u>
S. Brothers Inc. P.O. Box 317 South River, N.J. 08882	\$1,367,729.00	-\$123,160.00)	0	\$1,244,569.00
Black Rock Enterprises, LLC 1316 Englishtown Road Old Bridge, N.J. 08857	\$1,439,568.42	-\$109,800.00)	-\$92,230.00)	\$1,237,538.42
Top Line Construction Corp. 22 Fifth Street Somerville, N.J. 08876	\$1,590,934.62	-\$116,305.28)	-(183,577.80)	\$1,291,051.54

2. The City Clerk be and is hereby authorized to re-advertise for bids for Improvements to LeFante Way.

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

* * * * *

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

WHEREAS, pursuant to Resolution No. 17-08-16-067 adopted by the Municipal Council on August 16, 2017, the City Clerk advertised in the Jersey Journal on September 13, 2017 that sealed bids for Snow Removal Services During Snow Emergencies would be received on September 28, 2017; and

WHEREAS, pursuant to said advertisement, one (1) bid was received as follows:

<u>Bidder:</u>	<u>Total Bid Price 1-3 feet of snow</u>	<u>Total Bid Price 3-6 feet of snow</u>
Control Industries 103 East 25 th St. Bayonne, NJ 07002	\$390,000.00	\$684,000.00

as reported on the Municipal Council Bid Report; and

WHEREAS, Amy Dellabella, Purchasing Agent, and Gary Chmielewski the Director of Public Works and Parks have reviewed the bids and have recommended that the City Council consider rejecting the bids pursuant to N.J.S.A. 40A:11-13.2 in that the lowest bid substantially exceeds the contracting unit’s appropriation for the goods or services; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Municipal Council hereby rejects the following bid for the reason stated above:

<u>Bidder:</u>	<u>Total Bid Price 1-3 feet of snow</u>	<u>Total Bid Price 3-6 feet of snow</u>
Control Industries 103 East 25 th St. Bayonne, NJ 07002	\$390,000.00	\$684,000.00

2. The City Clerk be and is hereby authorized to re-advertise for bids for Snow Removal During Snow Emergencies.

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

* * * * *

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

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

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

WHEREAS, the Bayonne Economic Opportunity Foundation has requested and submitted a formal written application dated January 13, 2017 for said CDBG Grant Funds in the amount of \$67,500.00 for the purpose of providing the cost of architectural plans from DAL Design Group, 11 West 8th Street, Bayonne, NJ 07002; and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said Community Development Block Grant Funds for the purpose of providing the cost of architectural plans from DAL Design Group, 11 West 8th Street, Bayonne, NJ 07002 and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-952; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Bayonne Economic Opportunity Foundation, 555 Kennedy Blvd, Bayonne, New Jersey 07002 for the purpose of providing the cost of architectural plans from DAL Design Group, 11 West 8th Street, Bayonne, NJ 07002 in the amount of \$67,500.00 for the period commencing September 1, 2017 and ending August 31, 2018.

2. Funds shall be charged to Account #CDBG-952

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

* * * * *

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

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for funding from the New Jersey Department of Transportation FY18 Safe Streets to Transit Program for the Rt. 440 Pedestrian Improvements Project.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of Bayonne formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application identified as *SST-2018-Rt. 440 Pedestrian Improvements Pro-00040* to the New Jersey Department of Transportation on behalf of the City of Bayonne.

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the City of Bayonne and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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

* * * * *

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

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 \$103,166.89 which has been received from State of New Jersey;

SECTION II

BE IT FURTHER RESOLVED that a like sum of \$103,166.89 and the same is hereby appropriated under the caption of

2017 Clean Communities Grant

SECTION III

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

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

* * * * *

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

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 \$368,263.00 which has been received from State of New Jersey;

SECTION II

BE IT FURTHER RESOLVED that a like sum of \$368,263.00 and the same is hereby appropriated under the caption of

2017 Municipal Aid Program (NJDOT)

SECTION III

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

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

* * * * *

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

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 \$25,596.00 which has been received from Union Paving & Construction Co., Inc.;

SECTION II

BE IT FURTHER RESOLVED that a like sum of \$25,596.00 and the same is hereby appropriated under the caption of

New Jersey Turnpike Shuttle Service

SECTION III

BE IT FURTHER RESOLVED that the above is the result of moneys received from Union Paving & Construction Co., Inc.

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

* * * * *

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

WHEREAS, 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 \$71,635.00 which has been received from the Bayonne Police Department;

SECTION II

BE IT FURTHER RESOLVED that a like sum of \$71,635.00 and the same is hereby appropriated under the caption of

POLICE AUCTION FUNDS

SECTION III

BE IT FURTHER RESOLVED that the above is the result of moneys received from the Bayonne Police Department.

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

* * * * *

49. 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 CONSENTING TO MOA, INC.'S SUBMISSION OF OUTDOOR ADVERTISING PERMIT APPLICATIONS TO NJDOT FOR THE PROPERTY LOCATED AT 50TH STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 394.02, LOT 1, THE PROPERTY LOCATED AT ROUTE 440 AT 25TH STREET, WHICH PROPERTY IS

IDENTIFIED AS BLOCK 452.02, LOT 4, AND THE PROPERTY LOCATED AT 2ND STREET BETWEEN THE BRIDGE AND AVENUE A FOR THE REDEVELOPMENT OF SUCH PROPERTY IN ACCORDANCE WITH 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, MOA, Inc., with a principal place of business located 50 Elmswell Ave, Manchester Township, NJ 08759 (“MOA”), is interested in redeveloping the property located at 50th Street, which property is identified as Block 394.02, Lot 1, the property located at Route 440 at 25th Street, which property is identified as Block 452.02, Lot 4, and the property located at 2nd Street between the bridge and Avenue A (the “Property”), and installing outdoor advertising signs; and

WHEREAS, MOA is interested in applying to NJDOT for outdoor advertising permits for various site locations within the Property and engaging in the redevelopment of such Property (the “NJDOT Permit Applications”); and

WHEREAS, the Mayor and Municipal Council consider it to be in the best interest of the City to redevelop the Property in order to ensure the success of rehabilitation in conformity with the City’s objectives; and

WHEREAS, the City wishes to consent to MOA applying for outdoor advertising permits to the NJDOT.

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

Section 1. The City authorizes and consents to MOA, Inc.’s NJDOT Permit Application submittals and is further authorized to execute the NJDOT Permit Applications as property owner.

Section 2. The City is not obligated to enter into any agreement with MOA for the redevelopment of the Property by consenting to the execution of the NJDOT Permit Applications.

Section 3. This Resolution shall take effect immediately.

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

* * * * *

50. 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 PROPERTIES LOCATED AT 71 NEW HOOK ACCESS ROAD AND 69 NEW HOOK ACCESS ROAD WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 416, LOTS 1 AND 2 WITHIN THE CITY CONSTITUTES A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.*

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

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

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

WHEREAS, the Mayor and Municipal Council consider it to be in the best interest of the City to have the Planning Board of the City (the “Planning Board”) conduct such an investigation to determine if certain properties located at 71 New Hook Access Road and 69 New Hook Access Road, which properties are identified as Block 416, Lots 1 and 2 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, *N.J.S.A. 40A:12A-1 et seq.*; 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 properties located at 71 New Hook Access Road and 69 New Hook Access Road, which properties are identified as Block 416, Lots 1 and 2 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.

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY
AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE
REDEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE
AND BORAIE DEVELOPMENT URBAN RENEWAL LLC, FOR THE PROPERTY
LOCATED AT THE PENINSULA AND REFERRED TO AS A PORTION OF BLOCKS
830, LOT 1, FOR THE REDEVELOPMENT OF SUCH PROPERTY IN
ACCORDANCE WITH THE REDEVELOPMENT PLAN

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

WHEREAS, pursuant to a decision by the United States of America to decommission its facilities at the Bayonne Military Ocean Terminal, and while the City of Bayonne Redevelopment Agency, also known as the Bayonne Local Redevelopment Authority (the “BLRA”) was the redevelopment entity for the Peninsula, the Peninsula was conveyed to the

BLRA pursuant to certain Quitclaim Deeds (dated September 28, 2001 and December 11, 2002, respectively, and recorded on October 3, 2001 and January 24, 2003, respectively); and

WHEREAS, on November 23, 1999, in accordance with the criteria set forth in the Redevelopment Law, the City identified and designated the Bayonne Military Ocean Terminal (hereinafter referred to as the "Peninsula") as an area in need of redevelopment, including that certain property known as Block 830, Lot 1, more specifically 12.5 acres of the Bayonne Bay District defined as B7, B8, B16 and B17 (bordered by Memorial Drive to the North, Center Street to the South, M Street to the East and K Street to the West), on the Bayonne Local Redevelopment Agency Redevelopment Plan for the Peninsula at Bayonne Harbor (the "Redevelopment Plan") and the official tax map of the City of Bayonne (the "Property"); and

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

WHEREAS, the Redevelopment Plan was adopted on July 19, 2006 with subsequent amendments made thereto; and

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

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

WHEREAS, the City has determined to act as the "redevelopment entity" for the Property located on the Peninsula (the "Redevelopment Entity"); and

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

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

WHEREAS, on November 10, 2015, the Municipal Council passed Resolution R-6 designating Boraie Development Urban Renewal LLC as the redeveloper of the Property (the "Redeveloper") and authorized the execution of a Redevelopment and Purchase and Sale Agreement by and between the City of Bayonne as Redevelopment Entity and Boraie Development Urban Renewal LLC (the "Redevelopment Agreement"); and

WHEREAS, the City entered into the Redevelopment Agreement with the Redeveloper on January 15, 2016, (the "Redeveloper"), which Redevelopment Agreement specifies the rights and responsibility of the City and the Redeveloper with respect to certain aspects of the Project; and

WHEREAS, on September 1, 2016, a Major Subdivision Plat subdividing Block 830, Lot 1, and creating Block 830, Lots 1.01, 1.02, 1.03, 1.04, 1.05, 1.06, and 1.07, was recorded with the Office of the Hudson County Register; and

WHEREAS, on June 21, 2017, the Municipal Council adopted an amended Redevelopment Plan titled "Bayonne Bay East Redevelopment Plan" (the "Amended Redevelopment Plan") dated June 6, 2017, and revised June 19, 2017, and prepared by the City Planning Department which incorporates the properties located at Block 830, Lot 1.05, 1.06, 1.07, and a portion of Memorial Boulevard (the "Redevelopment Area") to the Redevelopment Plan; and

WHEREAS, the City and Redeveloper now desire to amend the Redevelopment Agreement in order to effectuate a more desirable and consistent plan in accordance with the Amended Redevelopment Plan (the "Amended Redevelopment Agreement"); and

WHEREAS, the Amended Redevelopment Agreement has been prepared and presented to the Municipal Council for review and approval; and

WHEREAS, the Municipal Council desires to enter into the Amended Redevelopment Agreement with the Redeveloper, as provided for and in accordance with the provisions of the Redevelopment Law.

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

Section 1. The Municipal Council of the City of Bayonne hereby authorizes the execution of the Amended Redevelopment Agreement concerning the Property identified as Block 830, Lots 1.01, 1.02, 1.03, 1.04, 1.05, 1.06, and 1.07, in such a form deemed advisable

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

Section 2. The Mayor and Clerk are hereby authorized to execute the Amended Redevelopment Agreement, with such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel, on behalf of the City of Bayonne, acting as the redevelopment entity for the redevelopment of the Property by Boraie Development Urban Renewal LLC.

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

Section 4. This Resolution shall take effect immediately.

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

* * * * *

52. 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 CONDUCT A
PRELIMINARY INVESTIGATION TO DETERMINE WHETHER CERTAIN PROPERTIES
LOCATED AT 130-134 AVENUE F, EAST 23RD ST, MECHANIC ST, 136 AVENUE F, 37
MECHANIC ST, 39 MECHANIC ST, AND 41 MECHANIC ST, WHICH PROPERTIES ARE
IDENTIFIED AS BLOCK 450, LOTS 1, 10.01, 10.02, 21, 22, 23, AND 24 WITHIN THE
CITY CONSTITUTES A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT
PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.*

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

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

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

WHEREAS, the Mayor and Municipal Council consider it to be in the best interest of the City to have the Planning Board of the City (the “Planning Board”) conduct such an investigation to determine if certain properties located at 130-134 Avenue F, East 23rd St, Mechanic St, 136 Avenue F, 37 Mechanic St, 39 Mechanic St, and 41 Mechanic St, which properties are identified as Block 450, Lots 1, 10.01, 10.02, 21, 22, 23, and 24, 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 properties located at 130-134 Avenue F, East 23rd St, Mechanic St, 136 Avenue F, 37 Mechanic St, 39 Mechanic St, and 41 Mechanic St, which properties are identified as Block 450, Lots 1, 10.01, 10.02, 21, 22, 23, and 24 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.

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53. 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 AND DIRECTING THE PLANNING BOARD TO CONDUCT A
PRELIMINARY INVESTIGATION TO DETERMINE WHETHER CERTAIN PROPERTIES
LOCATED AT 86 EAST 22ND ST, 88 EAST 22ND ST, 90 EAST 22ND ST, 92 EAST 22ND
ST, AND 111 AVENUE F WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 456, LOTS
10, 9, 8.02, 8.03, AND 8.01 WITHIN THE CITY CONSTITUTES A NON-CONDEMNATION
AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT
AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.*

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

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

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

WHEREAS, the Mayor and Municipal Council consider it to be in the best interest of the City to have the Planning Board of the City (the “Planning Board”) conduct such an investigation to determine if certain properties located at 86 East 22nd Street, 88 East 22nd Street, 90 East 22nd Street, 92 East 22nd Street, and 111 Avenue F, which properties are identified as Block 456, Lots 10, 9, 8.02, 8.03, and 8.01 as shown on the official Tax Map of the City (the “Study Area”), constitute a non-condemnation “area in need of redevelopment,” in accordance with the Redevelopment Law; and

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

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

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

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

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

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

Section 3. The Planning Board is hereby directed to study the properties located at 86 East 22nd Street, 88 East 22nd Street, 90 East 22nd Street, 92 East 22nd Street, and 111 Avenue F, which properties are identified as Block 456, Lots 10, 9, 8.02, 8.03, and 8.01 on the City’s Tax Maps; to develop a map reflecting the boundaries of the proposed non-condemnation redevelopment area; to provide public notice and conduct public hearings pursuant to *N.J.S.A. 40A:12A-6*; and to draft a report/Resolution to the Mayor and Municipal Council containing its findings.

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

Section 5. This Resolution shall take effect immediately.

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

* * * * *

54. 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 CONDUCT A
PRELIMINARY INVESTIGATION TO DETERMINE WHETHER CERTAIN PROPERTIES
LOCATED AT 343 AVENUE A AND 345-347 AVENUE A, WHICH PROPERTIES ARE
IDENTIFIED AS BLOCK 254, LOTS 22 & 23, WITHIN THE CITY CONSTITUTES A NON-
CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL
REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.*

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

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

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

WHEREAS, the Mayor and Municipal Council consider it to be in the best interest of the City to have the Planning Board of the City (the “Planning Board”) conduct such an investigation to determine if certain properties located at 343 Avenue A and 345-347 Avenue A, which properties are identified as Block 254, Lots 22 and 23, 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 properties located at 343 Avenue A and 345-347 Avenue A, which properties are identified as Block 254, Lots 22 and 23 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.

* * * * *

55. 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
DESIGNATING 528, LLC AS REDEVELOPER OF THE PROPERTY LOCATED AT NEW
HOOK RD & E 22ND ST WHICH PROPERTY IS IDENTIFIED AS BLOCK 452.02, LOT 5
AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE AND
AUTHORIZING THE NEGOTIATION AND PREPARATION OF A REDEVELOPMENT
AGREEMENT WITH 528, LLC FOR THE REDEVELOPMENT OF SUCH PROPERTY IN
ACCORDANCE WITH THE REDEVELOPMENT PLAN

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

WHEREAS, 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, on November 13, 2013, 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 titled “Scattered Site Redevelopment Project: Phase II Site 14: Rt. 440 West Redevelopment Plan” dated October 16, 2013 (the “Redevelopment Plan”); and

WHEREAS, on September 13, 2017, the Municipal Council by resolution authorized the Planning Board to prepare and review an amendment to the Redevelopment Plan, which includes Block 452.02, Lots 3-9, and 11 and Block 451, Lots 1.01, 1.02, 2.03, 2.04 and 2.05 pursuant to *N.J.S.A. 40A:12A-7* (the “Amended Redevelopment Plan”); and

WHEREAS, 528, LLC, with an office address of P.O. Box 3015, Lakewood, NJ 08701 (the “Entity”) is the owner of the property identified as Block 452.02, Lot 5 on the Official Tax Map of the City and within the Amended Redevelopment Plan (the “Property”); and

WHEREAS, the Entity is interested in redeveloping the Property; and

WHEREAS, the Entity wishes to develop the Property and use it for the purpose of implementing the Amended Redevelopment Plan; and

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

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

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

Section 1. 528, LLC is hereby conditionally designated as the redeveloper of the Property, which is designated as Block 452.02, Lot 5 on the Tax Maps of the City of Bayonne (the “Redeveloper”) subject to the execution of a mutually agreeable Redevelopment Agreement.

Section 2. The Municipal Council, through its attorneys and staff, is hereby authorized to negotiate and prepare a mutually agreeable Redevelopment Agreement between 528, LLC, and the City of Bayonne, which Redevelopment Agreement shall be subject to the review and approval of this Municipal Council.

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

Section 4. This Resolution shall take effect immediately.

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

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56. The Council discussed the Best Practices Inventory.

* * * * *

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

RESOLVED, that the actions of the Treasurer in issuing a warrant in the amount of \$ 18,500 payable to Certified Speedometer Service is hereby ratified and confirmed. Said warrant is charged to Law Enforcement –Uniform – O.E.

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

* * * * *

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

WHEREAS, “Complete Streets” are defined as roadways that enable safe and convenient access for all users, including pedestrians, persons with disabilities, bicyclists, motorists, and users of public transportation; and

WHEREAS, the New Jersey Department of Transportation supports “Complete Streets” policies and adopted its own policy on December 9, 2009; and

WHEREAS, Hudson County supports “Complete Streets” policies and adopted its own policy on May 24, 2012; and

WHEREAS, the City of Bayonne is committed to creating street corridors that safely accommodate all road users of all abilities and for all traveling modes; and

WHEREAS, promoting pedestrian, bicycle, and public transportation travel as an alternative to the automobile promotes healthy living, and reduces transportation costs for residents and commuters; and

WHEREAS, the full integration of all modes of travel in the design of streets and highways will increase the capacity and efficiency of the road network, reduce traffic congestion by improving mobility options, limit greenhouse gases, improve air quality, and enhance the general quality of life; and

WHEREAS, the Council supports this “Complete Streets” initiative and wishes to reinforce its commitment by creating a comprehensive, integrated, connected street network that safely accommodates all road users of all abilities and for all trips; and

WHEREAS, the design and construction of new roads and facilities should anticipate future demand for biking, walking, and mass transit and provide accommodation for pedestrians, bicyclists and mass transit; and

WHEREAS, it is recognized that any policy must be flexible and reflect that all streets are different, including some streets or corridors in the City which may not fully satisfy a “Complete Street” environment, but that the transportation system overall will balance the needs of all users and support a comprehensive network of “Complete Streets;” and

NOW, THEREFORE, BE IT RESOLVED that all public street projects, including new construction, reconstruction, and maintenance undertaken by the City of Bayonne, shall be designed and constructed as “Complete Streets,” whenever feasible to do so, in order to balance the needs of all roadway users of all ages and abilities, subject to the following conditions/exemptions:

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

* * * * *

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

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

WHEREAS, pursuant to the aforesaid Resolution No. 14-09-17-097, the City of Bayonne and Cape Liberty Cruise Port, LLC (the “Parties”) entered into a License Agreement (the “License Agreement”) for a period of thirty one (31) months commencing October 1, 2014 and terminating April 30, 2017 (the “Initial Term”) for a license fee of \$3,000 per month; and

WHEREAS, the Municipal Council authorized an extension of the aforesaid License Agreement by way of Resolution 17-04-19 adopted on April 19, 2017 for the period commencing May 1, 2017 and ending September 30, 2017 under the same terms and conditions as the original License Agreement; and

WHEREAS, Cape Liberty Cruise Port, LLC is desirous of extending the License Agreement for two (2) five (5) year options commencing October 1, 2017 and ending September 30, 2022 (first five (5) year option term) and from October 1, 2022 to September 30, 2027 (Second five (5) year option term) under the similar terms and conditions of the existing License Agreement except that the annual License Fee for each successive option term will be subject to a reasonable increase at the discretion of the City; and

WHEREAS, the Business Administrator has determined that it is necessary to relocate the current signage on City property as was previously contemplated by the parties, and upon thirty (30) days prior notification by the City to Cape Liberty, Cape Liberty agrees to relocate the current signage from its current location at its sole cost and expense to another location in the same vicinity which location will be selected by the City;

WHEREAS, the Business Administrator has also determined it is in the best interests of the citizens of Bayonne to extend the License Agreement with Cape Liberty Cruise Port, LLC for a first extension option of five (5) years commencing October 1, 2017 and ending September 30, 2022 and with one (1) additional five (5) year option term commencing October 1, 2022 and ending September 30, 2027 (Second five (5) year option term) under the similar terms and conditions of the existing License Agreement except with respect to annual License Fees with reasonable annual increase at the sole discretion of the City but that will not exceed ; now, therefore, be it

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

The Mayor and City Clerk are hereby authorized to execute an extension of the License Agreement with Cape Liberty Cruise Port, LLC with an option of five (5) years commencing October 1, 2017 and ending September 30, 2022 and with one (1) additional five (5) year option term commencing October 1, 2022 and ending September 30, 2027 under the similar terms and conditions of the existing License Agreement except that the annual License Fees will be subject to reasonable annual increases in the discretion of the City and in a form acceptable to the Law Department.

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

* * * * *

60. Council Member Perez introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT WITH MAHALAXMI BAYONNE URBAN RENEWAL, LLC

WHEREAS, on the basis of a preliminary investigation and recommendation of the Planning Board of the City of Bayonne (the "Planning Board") pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et. seq., the City Council of the City of Bayonne (the "City Council") determined that certain property located at Goldsborough Drive and Flagship Street and designated as Block 751 Lots 1.01, 1.02, 1.03, 1.4 and 1.05, (the "Property") on the Tax Map of the City of Bayonne (the "City"), and all air rights and riparian rights attached or associated with those parcels, should be classified as a redevelopment area in accordance with N.J.S.A. 40A: 12A-5 (the "Redevelopment Area"); and

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

WHEREAS, MAHALAXMI BAYONNE URBAN RENEWAL, LLC is the owner or designated redeveloper of the Property which is located within the Harbor Station South redevelopment area which 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 Ordinance O-16-1, approving the Redevelopment Plan entitled "redevelopment Plane for the Peninsula at Bayonne Harbor – Harbor Station South" as amended by such ordinance (and as same may be further amended from time to time, the "Redevelopment Plan") for the Redevelopment Area; and

WHEREAS, MAHALAXMI BAYONNE URBAN RENEWAL, LLC proposes to construct a five (5) story mixed use building consisting of 97 residential units and commercial space as approved by the Planning Board of the City of Bayonne on July 17, 2017 and memorialized in Resolution P-17-013; and

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

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

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

BE IT RESOLVED, that an ordinance entitled "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT WITH MAHALAXMI BAYONNE URBAN RENEWAL, LLC," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, November 8, 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.

* * * * *

61. Council Member Perez introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY
APPROVING A FINANCIAL AGREEMENT WITH PIER VIEW LOFTS URBAN
RENEWAL LLC

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

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

WHEREAS, PIER VIEW LOFTS LLC is the owner of 676-688 Avenue E, more properly identified on the Tax Maps of the City of Bayonne known as Block 402, Lots 4, 5, 6 and 7 (the "Property"); and

WHEREAS, the Property is located within an Urban Enterprise Zone (“UEZ”) and within a Scattered Site Redevelopment Area (the “Redevelopment Area”) which has been designated as an area in need of redevelopment pursuant to the Local Redevelopment and Housing Law; and

WHEREAS, PIER VIEW LOFTS URBAN RENEWAL LLC proposes to construct a five (5) story residential building with seventy-one (71) residential units, one (1) commercial unit and seventy-one (71) onsite parking spaces (the “Project”) on the property; and

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

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

Council Member Perez moved the following resolution, seconded by Council Member 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 APPROVING A FINANCIAL AGREEMENT WITH PIER VIEW LOFTS URBAN RENEWAL, LLC,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, November 8, 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.

* * * * *

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

WHEREAS, the City of Bayonne is in need of consulting and management services in connection with the submission of an application to Amazon in furtherance of the Amazon HQ2 project; and

WHEREAS, Mercury Public Affairs, LLC, 200 Varick Street, Suite 600, New York, NY 10014 has submitted to the City of Bayonne a formal, written proposal for said consulting and management services; and

WHEREAS, due to exigent circumstances the City of Bayonne was unable to issue and RFP for said services; and

WHEREAS, N.J.S.A. 40A:11-2(7) provides that a contract for extraordinary and unspecifiable services may be awarded by a public entity upon certification that the services are unique, specialized, and qualitative in nature, and

WHEREAS, the Business Administrator for the City of Bayonne has provided a certification of extraordinary and unspecifiable services to the Municipal Council indicating the services to be provided by Mercury Public Affairs are “unique, specialized and qualitative in nature requiring expertise, extensive training and a proven reputation in the field of consulting and management of public support services;” and

WHEREAS, this extraordinary and unspecifiable services contract was not advertised under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5; now, therefore, be it

WHEREAS, Mercury Public Affairs, LLC is qualified, ready, willing and able to provide said services; and

WHEREAS, the maximum amount the contract is not to exceed \$15,000.00; and

WHEREAS, funds are certified as available in the UEZ account; now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with Mercury Public Affairs, LLC, 200 Varick Street, Suite 600, New York, NY 10014 to provide consulting and management services in furtherance of the City of Bayonne’s submission to Amazon for a maximum contract amount not to exceed \$15,000.00.

2. Funds shall be charged to Account UEZ.

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

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

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

WHEREAS, on December 14, 2016 the City of Bayonne passed resolution 16-12-14-060 approving an agreement with the Bayonne Economic Opportunity Foundation, 555 Kennedy Boulevard, Bayonne, NJ 07002 to provide administration, executive and oversight of the Bayonne’s Community Development Block Grant programs and/or HUD Programs for a maximum contract amount not to exceed \$300,000.00; and

WHEREAS, it has been determined by way of an accounting/reconciliation of the Bayonne Economic Opportunity Foundation, which accounting has been provided to, reviewed by and contents thereof confirmed by the City of Bayonne’s Chief Financial Officer, Terrence

Malloy, that the BEOF is owed \$25,000 for each of the months June 2015, July 2015 and August 2015 by the City of Bayonne for services rendered; and

WHEREAS, funds are certified as available in Account CDBG: now, therefore, be it

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

- 1. The Treasurer is hereby authorized to issue a check in the amount of \$75,000.00 payable to the Bayonne Economic Opportunity Foundation to rectify the outstanding balance due and owing to same.
- 2. Funds are certified as available in Account #CDBG.
- 3. A notice of this action shall be printed once in the newspaper of general circulation with the boundaries of the City of Bayonne.

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

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At 8:17 P.M. Council Member LaPelusa motioned to adjourn, seconded by Council President Nadrowski, which motion was adopted.

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

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President – Sharon A. Nadrowski

Clerk – Robert F. Sloan