

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, NOVEMBER 8, 2017

The Council met at 7:00 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 November 8, 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 November 3, 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.

* * * * *

01. Rafael Augusto addressed the council regarding the management of the Public Library.

* * * * *

02. The Clerk announced:

AN ORDINANCE ENTITLED, “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDED REDEVELOPMENT PLAN FOR THE PROPERTY 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.,” which was introduced and passed a first reading at a meeting held October 18, 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 November 8, 2017, is now before the Council for its consideration and a public hearing.

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

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

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

The Clerk read the ordinance by title: “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDED REDEVELOPMENT PLAN FOR THE PROPERTY 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.”

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

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

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

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

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

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

WHEREAS, an ordinance entitled, "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.," was introduced and passed a first reading at a meeting held October 18, 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 November 8, 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-17-55.

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

* * * * *

03. The Clerk announced:

AN ORDINANCE ENTITLED, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING A FINANCIAL AGREEMENT WITH HOBART HOUSING URBAN RENEWAL CORPORATION," which was introduced and passed a first reading at a meeting held October 18, 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 November 8, 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 OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING A FINANCIAL AGREEMENT WITH HOBART HOUSING URBAN RENEWAL CORPORATION,"

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

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

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

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

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

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

WHEREAS, an ordinance entitled, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING A FINANCIAL AGREEMENT WITH HOBART HOUSING URBAN RENEWAL CORPORATION," was introduced and passed a first reading at a meeting held October 18, 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 November 8, 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-17-56.

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

* * * * *

04. The Clerk announced:

AN ORDINANCED ENTITLED, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT WITH MAHALAXMI BAYONNE URBAN RENEWAL, LLC," which was introduced and passed a first reading at a meeting held October 18, 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 November 8, 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 OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT WITH MAHALAXMI BAYONNE URBAN RENEWAL, LLC"

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

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

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

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

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

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

WHEREAS, an ordinance entitled, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT WITH MAHALAXMI BAYONNE URBAN RENEWAL, LLC," was introduced and passed a first reading at a meeting held October 18, 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 November 8, 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-17-57.

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

* * * * *

05. The Clerk announced:

AN ORDINANCE ENTITLED, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT WITH PIER VIEW LOFTS URBAN RENEWAL, LLC," which was introduced and passed a first reading at a meeting held October 18, 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 November 8, 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 OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT WITH PIER VIEW LOFTS URBAN RENEWAL, LLC,"

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

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

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

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

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

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

WHEREAS, an ordinance entitled, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT WITH PIER VIEW LOFTS URBAN RENEWAL, LLC," was introduced and passed a first reading at a meeting held October 18, 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 November 8, 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-17-58.

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

Nays – Council Member LaPelusa

* * * * *

06. The Clerk announced:

AN ORDINANCE ENTITLED, “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,” which was introduced and passed a first reading at a meeting held October 18, 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 November 8, 2017, is now before the Council for its consideration and a public hearing.

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

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

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

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

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

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

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

Council Member 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 President Nadrowski, which was read by the Clerk and adopted.

WHEREAS, an ordinance entitled, “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,” was introduced and passed a first reading at a meeting held October 18, 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 November 8, 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-17-59.

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

* * * * *

07. Council Member Cotter introduced:

A Capital Improvement Ordinance to provide funding for Improvements to Collins Park in the amount of \$500,000.

Whereas, a need exists to make improvements to Collins Park and funding is available through the Hudson County Open Space Fund, now therefore, be it

ORDAINED that a Capital Improvement Ordinance be established to fund the following:

Improvements to Collins Park

\$500,000.00

Be it further

ORDAINED that funding is provided through the Hudson County Open Space Fund.

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

BE IT RESOLVED, that an ordinance entitled "CAPITAL IMPROVEMENT ORDINANCE TO PROVIDE FUNDING FOR IMPROVEMENTS TO COLLINS PARK IN THE AMOUNT OF \$500,000.00," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, December 13, 2017, at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

* * * * *

08. Council Member Perez introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND PENINSULA VIEW URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED AT 77-87 EAST 31ST STREET, 74 AND 80 EAST 32ND STREET AND 268-270 PROSPECT AVENUE, WHICH PROPERTY IS IDENTIFIED AS BLOCK 411, LOTS 2, 3, 4, 5, 6, 7, 8 AND 10.01 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE

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 known as 77-87 East 31st Street, 74 and 80 East 32nd Street and 268-270 Prospect Avenue, collectively designated as Block 411 Lots 2, 3, 4, 5, 6, 7, 8 and 10.01 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, on February 19, 2014 the Municipal Council of the City of Bayonne adopted a redevelopment plan for Block 411, Lots 2, 3, 4 and 5 entitled "Redevelopment Plan Block 411, Lots 2, 3, 4 and 5, City of Bayonne, Hudson County, New Jersey" dated January 7, 2014 (the "Redevelopment Plan."); and

WHEREAS, on February 19, 2014, the Municipal Council adopted a redevelopment plan for Block 411, Lots 2, 3, 4, and 5, titled "Redevelopment Plan Block 411, Lots 2, 3, 4, and 5, City of Bayonne, Hudson County, New Jersey" dated January 7, 2014 (the "Redevelopment Plan"); and

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

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

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Municipal Services has prepared an amended and expanded redevelopment plan to the Amended Redevelopment Plan for the Redevelopment Area titled "Redevelopment Plan Block

411, Lots 1, 6, 7, 8, 10.01, 11, 12, 13, 14, and 15” dated June 3, 2016 (the “Amended and Expanded Redevelopment Plan”); and

WHEREAS, by resolution on May 18, 2016, the Planning Board of the City was directed by the Municipal Council to prepare and review the Amended and Expanded Redevelopment Plan, and to transmit its recommendations relating to the Amended and Expanded Redevelopment Plan to the Municipal Council in accordance with the provisions of *N.J.S.A. 40A:12A-7* of the Redevelopment Law; and

WHEREAS, at the City’s direction the Planning Board’s staff prepared an Amended and Expanded Redevelopment Plan and the Planning Board reviewed same at a public hearing on June 14, 2016 and recommended its adoption; and

WHEREAS, on June 22, 2016, the Municipal Council of the City of Bayonne passed Resolution#16-06-22-071 designating the property at 73 East 31st Street, 74-78 East 32nd Street and 258-270 Prospect Avenue, Bayonne NJ, also designated as Block 411, Lots 1, 6, 7, 8, 10.01, 11, 12, 13, 14 and 15 on the City’s Tax Maps as an “Area in Need of Redevelopment” under the Redevelopment Law (the “Redevelopment Area”) in accordance with the provisions of *N.J.S.A. 40A: 12A-6* of the Redevelopment Law; and

WHEREAS, on July 20, 2016 this Municipal Council passed Ordinance O-16-41 Adopting and Amending and Amended and Expanded Redevelopment Plan for the Property Located at 73 East 31st Street, 74-78 East 32nd Street and 258-270 Prospect Avenue, which property is also identified as Block 411, Lots 1, 6, 7, 8, 10.01, 11, 12, 13, 14 and 15 to include lots 2, 3, 4 and 5; and

WHEREAS, Peninsula View Urban Renewal, LLC proposes to develop a parcel of approximately 1.6 acres, depending on the final amount of land acquired in Block 411, with a Project comprised of 232 residential units to be developed in a holistic manner including the construction of on-site parking improvements. Subject to the limitation set forth above, it is projected that the Project will encompass Block 411, Lots 2, 3, 4, 5, 6, 7, 8 and 10.01; and

WHEREAS, Peninsula View 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, Peninsula View 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, Peninsula View 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 Peninsula View 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 Peninsula View 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 Peninsula View 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 Peninsula

View Urban Renewal, LLC there shall be paid to the City in lieu of any taxes to be paid on the improvements of the Project, an annual service charge determined as provided in the Financial Agreement.

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

Council Member Perez moved a resolution, seconded by Council 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 BY AND BETWEEN THE CITY OF BAYONNE AND PENINSULA VIEW URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED AT 77-87 EAST 31ST STREET, 74 AND 80 EAST 32ND STREET AND 268-270 PROSPECT AVENUE, WHICH PROPERTY IS IDENTIFIED AS BLOCK 411, LOTS 2, 3, 4, 5, 6, 7, 8 AND 10.01 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, December 13, 2017, at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

* * * * *

09. Council Member Perez introduced:

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

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

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

RESTRICTIVE PARKING ZONES

DELETE

185. Cresencia Invina, 422 A Avenue C
Beginning at a point on the east side of Avenue C, 102 feet south of the southeast corner of Avenue C and West 18th Street, and extending to a point 17 feet south thereof.
191. Thomas Zuber, 97 Avenue E
Beginning at a point on the west side of Avenue E, 50 feet south of the southwest corner of Avenue E and East 15th Street, and extending to a point 22 feet south thereof.
147. Donna Kennedy, 131 West 30th Street
Beginning at a point on the north side of West 30th Street, 255 feet west of the northwest corner of Kennedy Boulevard and West 30th Street, and extending to a point 22 feet west thereof.
217. Mildred Rhodes, 96 West 44th Street
Beginning at a point on the south side of West 44th Street, 213 feet east of the southeast corner of West 44th Street and Avenue B, and extending to a point 22 feet east thereof.
313. Donna Lockard, 80 West 9th Street
Beginning at a point on the south side of West 9th Street, 279 feet west of the southwest corner of Avenue C and West 9th Street, and extending to a point 21 feet west thereof.
323. Thabet Massoud, 90 West 19th Street
Beginning at a point on the south side of West 19th Street, 224 feet east of the southeast corner of West 19th Street and Kennedy Boulevard, and extending to a point 20 feet east thereof.

390. Anis Kaldes, 32 West 26th Street
Beginning at a point on the south side of West 26th Street, 323 feet east of the southeast corner of Avenue C and West 26th Street, and extending to a point 18 feet east thereof.

ADD

002. William Wroblewski for his wife, Elsie Wroblewski, 9 West 17th Street
Beginning at a point on the north side of West 17th Street, 199 feet west of the northwest corner of West 17th Street and Broadway, and extending to a point 17 feet west thereof.

291. Iradia Brigantti, 64 West 14th Street
Beginning at a point on the south side of West 14th Street, 124 feet south of the southwest corner of West 14th Street and Avenue C, and extending to a point 17 feet west thereof.

293. Barbara Augerot, 47 Broadway
Beginning at a point on the north side of West 2nd Street, 35 feet west of the northwest corner of West 2nd Street and Broadway, and extending to a point 18 feet west thereof.

325. Mary Bishow, 91 West 54th Street
Beginning at a point on the north side of West 54th Street, 240 feet east of the northeast corner of West 54th Street and Avenue B, and extending to a point 17 feet east thereof.

RELOCATE

180. Suzanne Buzinkai from 44 East 34th Street to 365 Avenue A
OLD LOCATION: Beginning at a point on the south side of East 34th Street, 168 feet west of the southwest corner of Avenue E and East 34th Street, and extending to a point 22 feet west thereof.
NEW LOCATION: Beginning at a point on the west side of Avenue A, 36 feet south of the southwest corner of O'Brien Court and Avenue A, and extending to a point 18 feet south thereof.

194. Elaine Fischer from 152 West 19th Street to 93 Avenue E
OLD LOCATION: Beginning at a point on the south side of West 19th Street, 147 feet west of the southwest corner of Avenue A and West 19th Street, and extending to a point 17 feet west thereof.
NEW LOCATION: Beginning at a point on the west side of Avenue E, 93 feet south of the southeast corner of Avenue E and East 15th Street, and extending to a point 17 feet south thereof.

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

BE IT RESOLVED, that an ordinance entitled "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, December 13, 2017, at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

* * * * *

10. 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.

* * * * *

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

From Charles F. Kenny, Esq., filing notice of tort claim on behalf of DARLENE RYAN alleging personal injuries resulting from a fall on the sidewalk on July 19, 2017 on Broadway between 22nd and 23rd Streets.

* * * * *

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

From SANAA S. FARAG, filing notice of tort claim alleging property damage to his automobile on September 23, 2017 resulting from a tree limb falling on it at 25 West 32nd Street.

* * * * *

13. 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.

* * * * *

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



OFFICE OF THE MAYOR
CITY OF BAYONNE

630 AVENUE C • BAYONNE, NEW JERSEY 07002-3898
TEL. (201) 858-6010 • FAX (201) 436-2413

JAMES DAVIS, MAYOR



Executive Order #:2017-001

October 24, 2017

EXECUTIVE ORDER
OF THE MAYOR OF THE
CITY OF BAYONNE

**CREATING AN ADVISORY BOARD TO MAKE RECOMMENDATIONS CONCERNING
THE CREATION OF A SPECIAL IMPROVEMENT DISTRICT AT THE BAYONNE
MILITARY OCEAN TERMINAL**

Pursuant to the authority vested in the Mayor of Bayonne by law, I hereby issue the following Executive Order:

WHEREAS, the Bayonne Military Ocean Terminal's (the "Peninsula's") revitalization is vital to strengthening the area's economic and commercial contributions to residents and property owners of the City of Bayonne; and

WHEREAS, it is in the best interest of the City of Bayonne and its residents for the establishment of an advisory board to make recommendations to the administration and the governing body concerning the creation of a special improvement district at the Peninsula; now

THEREFORE, under the authority vested in me as the Mayor of Bayonne, I hereby issue this Executive Order creating an advisory board to make recommendations to the administration and the governing body concerning the creation of a special improvement district at the Peninsula, pursuant to the following:

A. Powers and Duties of the Board.

With the assistance of the Corporation Counsel, the advisory board (the "Board"), shall advise the administration and governing body in connection with the acquisition and construction of improvements for a special improvement district at the Peninsula, and the making of a plan therefore and the operation and maintenance thereof, and to meet and furnish recommendations or comments and requests from members of the public and of owners and occupants of property to be included in the special improvement district, all in accordance with the authority of N.J.S.A. 40:56-79.

B. Membership, Terms and Removal.

The Board shall consist of:

1. Five members, appointed by the Mayor, a majority of whom shall be owners, occupants or redevelopers of properties to be included in the special improvement district or representatives of such owners, occupants or redevelopers.
2. The Mayor shall designate a member to serve as chairperson of the Board.

3. All members shall serve for a term of two years. Vacancies caused by resignation or otherwise shall be filled by the Mayor for the completion of the unexpired term.

4. All members shall serve at the pleasure of the Mayor and can be removed from the Board by the Mayor.

C. Cooperation with City Departments and Agencies.

All City departments and agencies, but particularly the Planning and Zoning Division, are authorized to cooperate with the work of the Board to the degree possible and permitted by law.

D. Cessation of the Board

Unless extended, the Board term shall expire at the earlier of two years from the date hereof or upon designation of a district management corporation.

This Executive Order shall be kept on file in the Office of the City Clerk and Law Department and will be made available upon request. It shall also be posted on the City's website.

This Executive Order shall take effect as of November 1, 2017 and shall expire on October 31, 2019 unless rescinded by another Executive Order.


James M. Davis
Mayor, City of Bayonne

10-24-17
Dated

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

November 1, 2017

Dear Council President Nadrowski
And Honorable Members of City Council

I hereby recommend the following individuals to the Advisory board for the creation of a Special Improvement District that encompasses the Bayonne Military Ocean Terminal:

Wasseem Boraie
Vice President of Boraie Development

Term expiring on December 31, 2019

Joseph DeMarco
Business Administrator City of Bayonne

Term expiring on December 31, 2019

Raj Gupta
Manager Mahalaxmi Bayonne LLC

Term expiring on December 31, 2019

Deborah Tantleff
Founder Tantum Group

Term expiring on December 31, 2019

In conjunction with this appointment the City Clerk has been directed to add an accompanying item on the November 8, 2017 Council meeting agenda to be received and filed by the City Council.

Sincerely,
James M. Davis
Mayor
(signed)

* * * * *

16. 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.

* * * * *

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

DATE: November 3, 2017

TO: Terrence Malloy, CFO
Robert Sloan, City Clerk

FROM: Janet Convery, Treasurer

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

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

Janet Convery
(signed)

* * * * *

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

BID REPORT
FOR THE MUNICIPAL COUNCIL

Date: 10/20/17 Ad Date: 10/10/17 Resolution #17-09-13-037

Date bids accepted: 10/20/17 Attending: Amy Dellabella, Purchasing Agent

Bid titled: Hot Shot Meals on Wheels Vehicle

Bidders:

Chapman Auto Group
6925 Essington Avenue
Philadelphia, PA 19153

Bid Amount: \$58,989.00

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

* * * * *

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

BID REPORT
FOR THE MUNICIPAL COUNCIL

Date: 11/03/17 Ad Date: 10/21/17 Resolution #17-08-16-067

Date bids accepted: 11/03/17 Attending: Amy Dellabella, Purchasing Agent

Bid titled: Snow Removal Services During Snow Emergency II

Bidder: Total Bid Price 1-3 feet of snow Total Bid Price 3-6 feet of snow

Ken’s Marine Service, Inc. 1 Ingham Avenue Bayonne, NJ 07002	\$312,000.00	\$547,200.00
--	--------------	--------------

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

* * * * *

20. 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.

* * * * *

21. 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, October 18, 2017 be and the same are hereby approved.

* * * * *

22. 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, October 11, 2017, be and the same are hereby approved.

* * * * *

23. 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
39	36	Vincent & Kris Calderone	532.50
106	39	Einstein Moya	2,357.93
Total:			2,890.43

* * * * *

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

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

WHEREAS, the City of Bayonne has a licensing account with ASCAP for such purposes; and

WHEREAS, there is presently owing a balance of \$687.79 for the licensing fee for the period commencing with a billing date of September 20, 2017; and

WHEREAS, funds are certified as available in account #BA-2; now therefore be it

RESOLVED, that the Treasurer is hereby authorized to issue a warrant payable to the AMERICAN SOCIETY OF COMPOSERS, AUTHORS, AND PUBLISHERS (ASCAP) to be mailed to ASCAP, 21678 Network Place, Chicago, IL 60673-1216 in the amount of \$669.72; and be it further

RESOLVED, that funds are certified available in Account #BA-2 of the CY 2017 budget.

* * * * *

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

WHEREAS, on September 12, 2017 Devin D. Niosi applied for a marriage license and paid to the City Clerk a marriage ceremony fee of \$50.00 in accordance with City of Bayonne Ordinance 2-52.b; and

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

WHEREAS, funds are certified as available in Account No. T-12-56-838-0000-199; now, therefore, be it

RESOLVED, that the Municipal Treasurer is hereby authorized to issue a warrant in the amount of \$50.00 payable to Devin D. Niosi, 319 Broadway, 2nd Floor, Bayonne New Jersey representing refund of the marriage ceremony fee paid to the City Clerk chargeable to Account No. T-12-56-838-0000-199.

* * * * *

26. 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 \$ 12.00 be drawn of the Bureau of Rabies Control, State Department of Health, Trenton, New Jersey, covering the issuance of licenses Nos. 1086-1090 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.

* * * * *

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

BE IT RESOLVED, that the actions of the Public Works Director in ordering a warrant from Current Fund in the amount of \$3,185.00 payable to Rocheny Photography and Framing Studio for payment of Frames for Veterans Project-‘Hall of Heroes’ is hereby ratified and confirmed. Said warrant is charged to Building and Grounds – O.E.

* * * * *

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

WHEREAS, by way of Municipal Council Resolution No. 16-08-24-063 adopted on August 24, 2016, the Mayor and City Clerk to entered into an agreement with the UCP of Hudson County Inc., 721 Broadway, Bayonne New Jersey (the “Subrecipient”) to provide Community Development Block Grant (“CDBG”) Funds in the amount of \$18,000.00 for the purpose of providing pediatric medical day care services; and

WHEREAS, pursuant to the aforesaid Resolution No. 16-08-24-063, the City of Bayonne entered into Agreement No. CY16-061 with the Subrecipient; and

WHEREAS, the Subrecipient has indicated there is a need for additional funds for the purpose of providing the aforesaid pediatric medical day care services; and

WHEREAS, the Director of the Office of Community Development has advised that there are residual funds available for these purposes; and

WHEREAS, the City may use CDBG funds to assist the Subrecipient in accordance with the regulations governing the CDBG Program under Section 570:201(a)208(a)(2)(i)(A), paragraph (e), Public Services; and

WHEREAS, funds are certified as available in Account CDBG – 923; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to execute an amendment to Agreement No. CY16-061 with the UCP of Hudson County Inc. increasing funds for the purpose of providing the aforesaid pediatric medical day care services in the amount of \$6,200.00 making the total contract amount \$24,200.00.
2. Funds shall be charged to Account CDBG-923.
3. All other terms and conditions of Agreement No. CY16-061 shall remain the same.

* * * * *

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

CONSENT RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING THE PERMITTED TRANSFER OF THE REDEVELOPMENT AGREEMENT FROM PARKVIEW REALTY HOLDINGS, LLC, TO PARKVIEW REALTY URBAN RENEWAL, LLC, FOR THE PROPERTY LOCATED AT 101 EAST 23RD STREET; 103 EAST 23RD STREET; 105 EAST 23RD STREET; EAST 23RD STREET; 102-106 EAST 24TH STREET; AND 162-170 AVENUE F, WHICH PROPERTY IS IDENTIFIED AS BLOCK 445, LOTS 1, 2, 3, 4, 5 AND 7 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF

BAYONNE FOR THE REDEVELOPMENT OF SUCH PROPERTY IN
ACCORDANCE WITH THE REDEVELOPMENT PLAN

WHEREAS, the City of Bayonne entered into a Redevelopment Agreement with Parkview Realty Holdings, LLC on September, 2017, for the properties located at 101 East 23rd Street; 103 East 23rd Street; 105 East 23rd Street; East 23rd Street; 102-106 East 24th Street; and 162-170 Avenue F, which property is identified as Block 445, Lots 1, 2, 3, 4, 5 and 7, as shown on the Official Tax Map of the City of Bayonne; and

WHEREAS, by letter dated October 11, 2017, Parkview Realty Holdings, LLC has placed the City of Bayonne on notice that it has transferred all rights, duties and interests as Redeveloper to Parkview Realty Urban Renewal, LLC, having its office address at 1441 59th Street, Brooklyn, New York 11219; and

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

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

Section 1. The Mayor and the City Clerk are hereby authorized and directed to execute an amendment to the September, 2017, Redevelopment Agreement effectuating the transfer of all rights, duties and interests as Redeveloper from Parkview Realty Holdings, LLC to Parkview Realty Urban Renewal, LLC, consistent with Section 8.04 of the Redevelopment Agreement.

Section 2. This Resolution shall take effect immediately.

* * * * *

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

WHEREAS, there is a need for the City of Bayonne to enter into a Pipe Maintenance and Repair Agreement with 957 Broadway Urban Renewal, LLC, having and address at 534 Broadway, Bayonne, NJ 07002, in order to authorize and permit the latter to have access to and to enter upon public property and/or public rights of way in order to comply with specific conditions of approval set forth in a Resolution adopted by the City of Bayonne's Planning Board on April 6, 2016 memorializing the Preliminary and Final Site Plan Approval granted on April 6, 2016; and

WHEREAS, said Agreement is also necessary to authorize and permit 957 Broadway Urban Renewal, LLC to install, lay, inspect, alter, remove, replace, repair, use, operate, maintain and connect a 12 inch SDR-26 PVC pipe consistent with that approval condition now, therefore, be it

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

1. That Mayor and Clerk are hereby authorized to execute a Pipe Maintenance and Repair Agreement on behalf of the City of Bayonne with 957 Broadway Urban Renewal, LLC upon such terms and conditions as may be consistent with the above noted Planning Board Resolution and upon such terms and conditions as may be acceptable to the Law Director.

* * * * *

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

Whereas the City has various reserves and receivables that have been inactive for several years, and

Whereas it has been recommended by the City's independent auditors and the Division of Local Government Services that the inactive receivables and reserves be no longer be carried in the City's General Ledger, now therefore, be it

Resolved that the City's Chief Financial Officer is hereby authorized to undertake the necessary steps to meet the recommendations of the aforementioned entities.

* * * * *

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

WHEREAS, the City of Bayonne is in need of professional consulting services in support of the development of a Concept Development Report for a pedestrian bridge over Route 440 to link the 34th Street Light Rail Transit Station and the Peninsula at Bayonne Harbor (PABH) redevelopment area; and

WHEREAS, it is contemplated that the consultant will develop a Preliminary Preferred Alternative (PPA) to provide a safe pedestrian connection for crossing Route 440 between the transit station and the mixed use development at the PABH - consistent with federal guidelines and the Project Delivery Process implemented by the New Jersey Department of Transportation (NJDOT); and

WHEREAS, primary tasks to be performed by the consultant shall include, but are not limited to, data collection, community outreach, development of the purpose and need statement, development of alternatives, selection of preliminary preferred alternative and NEPA (National Environmental Policy Act) classification; now, therefore, be it

RESOLVED, that the Municipal Council hereby authorizes the advertisement for Requests for Proposal/Qualifications from firms pre-qualified by the NJDOT with relevant experience in this area to submit proposals in support of the development of a Concept Development Report for a pedestrian bridge over Route 440 to link the 34th Street Light Rail Transit Station and the Peninsula at Bayonne Harbor (PABH) redevelopment area.

* * * * *

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

BE IT RESOLVED, That the City Clerk be and is hereby authorized to advertise for bids for an automated parking structure.

* * * * *

34. WITHDRAWN

* * * * *

35. 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
Lincoln Community School PTO	9:30 pm 208 Prospect Avenue DECEMBER 15, 2017	RL: 9221
Hudson County Chiefs of Police Assoc.	7:00 pm 406 Broadway DECEMBER 4, 2017	RL: 9222
All Saints Catholic Academy HAS	10 am 19 West 13 th Street January 26, 2018	RL: 9223
P.S. #14 PTO	7:00 – 11:00 pm 440 Route 440 April 14, 2018	RL: 9225 RL: 9226
Friends of Marist	2:30 PM 1241 Kenn. Blvd. January 19, 2018	RL: 9227
Grace Lutheran Church	638 Avenue C December 2, 2017	RL: 9228
John M. Bailey School	6-8 PM 75 West 10 th Street December 14, 2017	RL: 9229

* * * * *

36. 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 BINGO LICENSE be granted:

LICENSEE	TIME & PLACE	LICENSE
Friends of Marist	3:00-9:00 1241 Kenn. Blvd. DECEMBER 10, 2017	BL: 2414

* * * * *

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

WHEREAS, the city clerk, advertised in the Jersey Journal on October 10, 2017 that sealed bids for a hot shot meals on wheels vehicle would be received on October 20, 2017; and

WHEREAS, pursuant to such advertisement, one (1) proposal was received from:

Bidders	Bid Amount
Chapman Auto Group	\$ 58,989.00
6935 Essington Avenue	
Philadelphia, PA 19153	

and

WHEREAS, Amy Dellabella, R.P.P.O., Q.P.A. has examined the bid and has determined that the bid of Chapman Auto Group is a regular bid and is most advantageous to the City of Bayonne for a hot shot meals on wheels vehicle; and

WHEREAS, pursuant to Resolution 17-08-16-082, the Municipal Council accepted a Mid-year Grant Allocation in the amount of \$69,908.00 from the County of Hudson, Department of Health and Human Services, Area Agency on Aging and allocated the funds as follows: \$10,000.00 for #306 Physical Health, and \$59,908.00 #058 Home Delivered Meals to be used for the purchase of a new hot shot vehicle (\$47,000.00 to \$49,000.00 max purchase price) and the balance (\$12,908.00 to \$10,908.00) to provide additional meals; and

WHEREAS, the only proposal for a hot shot meals on wheels vehicle received in response to the bid advertisement exceeded the amount allocated for the vehicle; and

WHEREAS, the allocations were self-imposed by the City of Bayonne and the funds received under the Title III Grant Mid-year Allocation are not otherwise allocated or restricted by the County of Hudson or the terms, rules and regulations of Grant program; and

WHEREAS, the Municipal Comptroller has filed a certification with the city clerk that funds are available chargeable to account G-02-41-749-0000-053; now, therefore, be it

RESOLVED by the Municipal Council that:

1) Funds received pursuant to the Mid-year Grant Allocation in the amount of \$69,908.00 from the County of Hudson, Department of Health and Human Services, Area Agency on Aging are re-allocated as follows: \$10,000.00 for #306 Physical Health, and \$59,908.00 #058 Home Delivered Meals to be used for the purchase of a new hot shot vehicle in the amount of \$58,989.00 in accordance with the bid received and the balance (\$919.00) to provide additional meals;

2) The Mayor and City Clerk are hereby authorized to enter into an amendment to Agreement No. CY17-012 with the Bayonne Economic Opportunity Foundation, 555 Kennedy Boulevard, Bayonne, New Jersey 07002 consistent with this and prior resolutions relative to the Mid-year Grant Allocation in the amount of \$69,908.00 from the County of Hudson, Department of Health and Human Services, Area Agency on Aging;

3) The contract for hot shot meals on wheels vehicle be awarded to:

Chapman Auto Group
6935 Essington Avenue
Philadelphia, PA 19153

for the following bid price: \$58,989.00;

4) Notice of the bid award be published once in a newspaper of general Circulation within the boundaries of the City of Bayonne.

5) The Mayor and City Clerk are hereby authorized to enter into a contract with Chapman Auto Group for the procurement of said vehicle pursuant to the bid award; and

6) The sum of \$59,989.00 be charged to account G-02-41-749-0000-053.

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

* * * * *

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

WHEREAS, the City of Bayonne is a member of the Hudson County Coop; and

WHEREAS, the City of Bayonne has a need to acquire Rock Salt for City Streets; and

WHEREAS, the Director of Public Works has determined that it is in the best interest of the City to procure said Rock Salt for City Streets through the aforesaid Hudson County Cooperative Pricing System through Bid #7234, Contract No. 12840 from Atlantic Salt – 2500 tons at a price of \$55.50 per ton to a total not to exceed \$138,750.00; and

WHEREAS, funds are certified as available in Account #7-01-26-291-0000-028; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Purchasing Agent be and is hereby authorized to procure said Rock Salt for City Streets the Hudson County Coop through Bid #7234, Contract No. 12840 from Atlantic Salt – 2500 tons at a price of \$55.50 per ton to a total not to exceed \$138,750.00.

2. Funds shall be charged to Account ##7-01-26-291-0000-028.

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

* * * * *

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

WHEREAS the City is in need of software, hardware and equipment necessary to implement a parking management system for municipal parking lots; and

WHEREAS, pursuant to P.L. 2011, c 139 any contracting unit authorized to purchase goods, or to contract for services, may make purchases and contract for services through the use of a nationally-recognized and accepted cooperative purchasing agreement that has been developed utilizing a competitive bidding process by another contracting unit within the State of New Jersey, or within any other state, when available; and

WHEREAS, prior to making purchases or contracting for services, the contracting unit shall determine that the use of the cooperative purchasing agreement shall result in cost savings after all factors, including charges for service, material, and delivery, have been considered; and

WHEREAS, through the National Cooperative Purchasing Alliance Contract Number 05-17, the City received a quote from NuPark Parking Management Systems, 912 Petaluma Drive, Cedar Park, TX 78613 for the purchase of hardware and equipment at a cost of \$36,650 and to obtain a one-year subscription for software at a cost of \$28,125; and

WHEREAS, the Purchasing Agent in consultation with the Public Safety Director and the Business Administrator, has determined that the use of the National Cooperative Purchasing Alliance Contract Number 05-17 (the cooperative purchasing agreement) will result in cost savings after all factors, including charges for service, material, and delivery, have been considered and that it is in the best interests of the City to purchase the aforesaid hardware and equipment and to obtain a one-year subscription for software, necessary to implement a

parking management system for municipal parking lots from NuPark Parking Management Systems, 912 Petaluma Drive, Cedar Park, TX 78613 at a total cost of \$64,775, through the use of the cooperative purchasing agreement; and

WHEREAS, funds are certified as available in Parking Utilities Capital Fund; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Purchasing Agent is hereby authorized to procure said hardware and equipment and a one-year software subscription necessary to implement a parking management system for municipal parking lots through the National Cooperative Purchasing Alliance Contract Number 05-17 – from NuPark Parking Management Systems, 912 Petaluma Drive, Cedar Park, TX 78613 for the combined cost of \$64,775.00.

2. Funds shall be charged to Parking Utilities Capital Fund.

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

* * * * *

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

RESOLVED, that the budgetary transfers as set forth below pertaining to the CY 2017 appropriations be and the same are hereby authorized, and be it further

RESOLVED, that the Comptroller be, and is hereby authorized and directed to make the said transfers in accordance herewith:

CURRENT FUND

FROM			TO	
NO.	ACCOUNT	AMOUNT	ACCOUNT	AMOUNT
1.	Solid Waste Disposal	\$110,000.00	Personnel S&W	\$ 100.00
	Solid Waste Collection	30,000.00	Finance S&W	10,000.00
	Law Enforcement-Uniform		Tax Assessor-S&W	15,500.00
	S& W		Planning & Zoning-S&W	8,000.00
			Law Enforcement-Uniform-O.E.	15,000.00
			Fire Department-Uniform-S&W	150,000.00
			Fire Department O.E.	25,000.00
			Office of the Public Defender-O.E.	5,000.00
2.	Parks & Recreation-S&W	\$ 10,000.00	Streets & Road Maintenance-O.E.	\$ 20,000.00
	Buildings & Grounds-S&W	75,000.00	Other Public Works S&W	60,000.00
	Streets & Road Maint.-S&W	20,000.00	Other Public Works O.E.	5,000.00
	Solid Waste Disposal	42,000.00	Vehicle Maintenance-O.E.	20,000.00
			Maintenance of Parks-S&W	12,000.00
			Maintenance of Parks-O.E.	10,000.00
			Buildings & Grounds-O.E.	20,000.00

PARKING UTILITY

FROM		TO	
1.	Parking Utility-Other Insurance	Parking Utility – S& W	\$ 8,000.00
	\$ 8,000.00		

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

* * * * *

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

CHAPTER 159 NO. 11

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 \$80,464.00 which was granted by the Office of the Hudson County Prosecutor;

SECTION II

BE IT FURTHER RESOLVED that a like sum of \$80,464.00 and the same is hereby appropriated under the caption of

2017 JUSTICE ASSISTANCE GRANT PROGRAM

SECTION III

BE IT FURTHER RESOLVED that the above is the result of moneys granted by the Office of the Hudson County Prosecutor.

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.

CHAPTER 159 NO. 12

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 \$14,640.74 which was granted by the New Jersey Division of Criminal Justice.

SECTION II

BE IT FURTHER RESOLVED that a like sum of 14,640.74 and the same is hereby appropriated under the caption of

2017 STATE BODY ARMOR REPLACEMENT FUND

SECTION III

BE IT FURTHER RESOLVED that the above is the result of moneys granted by the New Jersey Division of Criminal Justice.

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

* * * * *

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

CHAPTER 159 NO. 13

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 \$124,012.00 which was granted by the U.S. Department of Homeland Security.

SECTION II

BE IT FURTHER RESOLVED that a like sum of 124,012.00 and the same is hereby appropriated under the caption of

2017 PORT SECURITY GRANT PROGRAM

SECTION III

BE IT FURTHER RESOLVED that the above is the result of moneys granted by the U.S. Department of Homeland Security.

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.

CHAPTER 159 NO. 14

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 \$5,000.00 which has been received by Radio System Corporation.

SECTION II

BE IT FURTHER RESOLVED that a like sum of \$5,000.00 and the same is hereby appropriated under the caption of

PETSAFE GRANTS

SECTION III

BE IT FURTHER RESOLVED that the above is the result of moneys received by the Radio System Corporation.

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, permission is required of the Director of the Division of Local Government Services for the approval as a dedication by rider of revenues generated by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

Whereas, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures or moneys by dedication by rider; now therefore, be it

Resolved by the City of Bayonne, County of Hudson, New Jersey as follows:

1. The Municipal Council does hereby request permission of the Director of the Division of Local Government Services to pay expenditures under the provisions of N.J.S.A. 40A:4-39 and NJS 2C:64-6for the exclusive purpose of depositing and expending funds paid for Disposal of Forfeited Property to offset the costs of Public Safety.
2. The Municipal clerk is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

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

* * * * *

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

Whereas, permission is required of the Director of the Division of Local Government Services for the approval as a dedication by rider of revenues generated by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

Whereas, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures or moneys by dedication by rider; now therefore, be it

Resolved by the City of Bayonne, County of Hudson, New Jersey as follows:

1. The Municipal Council does hereby request permission of the Director of the Division of Local Government Services to pay expenditures under the provisions of N.J.S.A. 40A:4-39 and N.J.S.A. 40A:5-29 the exclusive purpose of depositing and expending funds paid for Tree Replacement Fund to offset the costs of tree planting.
2. The Municipal clerk is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

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

* * * * *

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

Whereas, permission is required of the Director of the Division of Local Government Services for the approval as a dedication by rider of revenues generated by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

Whereas, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures or moneys by dedication by rider; now therefore, be it

Resolved by the City of Bayonne, County of Hudson, New Jersey as follows:

1. The Municipal Council does hereby request permission of the Director of the Division of Local Government Services to pay expenditures under the provisions of N.J.S.A. 40A:4-39, for the exclusive purpose of depositing and expending funds paid for Street Opening Fees to offset the costs of municipal street repairs.
2. The Municipal clerk is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

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

* * * * *

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

WHEREAS, on March 16, 2015 the City of Bayonne entered into an Amended and Restated Redevelopment and Purchase and Sale Agreement with Fidelco Bayonne Realty LLC for a portion of Harbor Station North in the Peninsula at Bayonne Harbor; and

WHEREAS, on February 15, 2017 this Municipal Council passed Resolution No. 17-02-15-076 authorizing an amendment to the Amended and Restated Redevelopment and Purchase and Sale Agreement with Fidelco Bayonne Realty LLC due to exigent circumstances; and

WHEREAS, consistent with Section 9.18 of the aforesaid Amended and Restated Redevelopment and Purchase and Sale Agreement, it is necessary to amend certain terms of same as more particularly set forth in the attached "Second Amendment to the Amended and Restated Redevelopment Agreement; and

WHEREAS, the Business Administrator has sufficiently demonstrated that the proposed amendments to the aforesaid Amended and Restated Redevelopment and Purchase and Sale Agreement are necessary any inure to the best in the best interests of the City of Bayonne and the timely completion of this project; now, therefore, be it

RESOLVED, as follows:

1. That the Mayor, Clerk and Business Administrator are hereby authorized to execute a Second Amendment to the Amended and Restated Redevelopment and Purchase and Sale Agreement with Fidelco Bayonne Realty LLC consistent with the terms set forth in the attached document, which document is made a part hereof.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING AND DIRECTING THE PLANNING BOARD TO CONDUCT A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER CERTAIN PROPERTY LOCATED AT 90-100 AVENUE E AND 100 1/2-102 AVENUE E, WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 467, LOTS 8 AND 9, WITHIN THE CITY CONSTITUTES A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.*

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

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

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

WHEREAS, the Mayor and Municipal Council consider it to be in the best interest of the City to have the Planning Board of the City (the "Planning Board") conduct such an investigation to determine if certain property located at 90-100 Avenue E and 100 1/2-102 Avenue E, which properties are identified as Block 467, Lots 8 and 9, as shown on the official Tax Map of the City (the "Study Area"), constitute a non-condemnation "area in need of redevelopment," in accordance with the Redevelopment Law; and

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

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

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

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

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

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

Section 3. The Planning Board is hereby directed to study the property located at 90-100 Avenue E and 100 1/2-102 Avenue E, which properties are identified as Block 467, Lots 8 and 9, on the City’s Tax Maps; to develop a map reflecting the boundaries of the proposed non-condemnation redevelopment area; to provide public notice and conduct public hearings pursuant to *N.J.S.A. 40A:12A-6*; and to draft a report/Resolution to the Mayor and Municipal Council containing its findings.

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

Section 5. This Resolution shall take effect immediately.

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

* * * * *

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

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

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

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

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

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

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

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

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

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

Bayonne and Bayonne Redevelopers, LLC (the “Redevelopment Agreement”), in connection with the redevelopment of the Property; and

WHEREAS, the Redevelopment Agreement was executed by the City and the Redeveloper on November 28, 2016; 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 “Second Amendment to Redevelopment and Purchase and Sale Agreement”); and

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

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

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

Section 1. The Municipal Council of the City of Bayonne hereby authorizes the execution of the Second Amendment to Redevelopment and Purchase and Sale Agreement concerning the Property identified as Block 700, Lot 1, Block 720, Lot 1 and Block 791, Lot 1 on the Final Major Subdivision Plat, in such a form deemed advisable by the City Attorney, or Special Redevelopment Counsel to the City, subject to any and all conditions contained herein and such revisions as deemed advisable by the City Attorney, or Special Redevelopment Counsel to the City.

Section 2. The Mayor and Clerk are hereby authorized to execute the Second Amendment to the Redevelopment and Purchase and Sale Agreement, with such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel, on behalf of the City of Bayonne, acting as the redevelopment entity for the redevelopment of the Property by Bayonne Redevelopers LLC.

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

Section 4. This Resolution shall take effect immediately.

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

* * * * *

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

RESOLUTION OF SUPPORT FOR NJDOT AMENDING SPEED LIMITS ALONG ROUTE 440

WHEREAS, the New Jersey Department of Transportation (NJDOT), Bureau of Traffic Engineering (BTE) undertook a study of traffic conditions along Route 440 through the City of Bayonne; and

WHEREAS, the speed check data obtained along Route NJ 440 in the City revealed 85th percentile speed values between 45 to 55 miles per hour in both directions, which is an acceptable national standard used by the NJDOT when evaluating speed limits along New Jersey State highways; and

WHEREAS, based on the results of the investigation, taking into consideration adjacent land use and roadway geometry, the BTE made the following determinations and recommendations with respect to safe speed limits along Route NJ 440 for both directions of traffic;

Zone 1: 50 mph between the Port Authority of New York & New Jersey – New Jersey Department of Transportation jurisdictional line and 21st Street (approximate mile posts 18.85 to 20.12);

Zone 2: 45 mph between 21st Street and Pulaski Street (approximate mile posts 20.12 to 21.87);

Zone 3: 35 mph between Pulaski Street and the southern-most City of Bayonne – Jersey City corporate line (approximate mile posts 21.87 & 21.91);

Zone 4: 45 mph between the City of Bayonne – Jersey City corporate line, 422 feet south of JFK Boulevard (County Route 501), and the northern-most City of Bayonne – Jersey City corporate line (approximate mile posts 23.12 to 24.01); and

WHEREAS, pursuant to a letter dated October 24, 2017 from the BTE, a copy of which is attached hereto, the NJDOT BTE has requested the City adopt a resolution a support so that is may legally amend or establish the above speed limits pursuant to a Traffic Regulation Order (TRO); and

WHEREAS, upon its issuance of a TRO, the NJDOT BTE will undertake upgrading the existing speed limit signage for the entire length of Route NJ 440 throughout the City of Bayonne; and

WHEREAS, it is the in the best interest of the City of Bayonne and its citizens to support the finding of the NJDOT BTE traffic study and he amendment of existing speed limits in accordance with the recommendations of the NJDOT BTE; now, therefore, be it

RESOLVED, by the Municipal Council, that

- 1) The City supports the issuance of the Traffic Regulations Order by the New Jersey Department of Transportation consistent with its traffic study findings detailed in the attached letter dated October 24, 2017 and further supports the following recommended speed limits along Route NJ 440 for both directions of traffic:

Zone 1: 50 mph between the Port Authority of New York & New Jersey – New Jersey Department of Transportation jurisdictional line and 21st Street (approximate mile posts 18.85 to 20.12);

Zone 2: 45 mph between 21st Street and Pulaski Street (approximate mile posts 20.12 to 21.87);

Zone 3: 35 mph between Pulaski Street and the southern-most City of Bayonne – Jersey City corporate line (approximate mile posts 21.87 & 21.91);

Zone 4: 45 mph between the City of Bayonne – Jersey City corporate line, 422 feet south of JFK Boulevard (County Route 501), and the northern-most City of Bayonne – Jersey City corporate line (approximate mile posts 23.12 to 24.01); and

- 2) Upon issuance of a Traffic Regulation Order by the New Jersey Department of Transportation and adoption of same by the City, all former traffic resolutions/ordinances or parts of resolutions/ordinances in conflict with or inconsistent with the provisions of same will be repealed.

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

* * * * *

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

CHAPTER 159 NO. 15

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 \$88,880.94 which has been received by State of New Jersey – Office of the Attorney General.

SECTION II

BE IT FURTHER RESOLVED that a like sum of \$88,880.94 and the same is hereby appropriated under the caption of

POLICE FORFEITURE FUNDS

SECTION III

BE IT FURTHER RESOLVED that the above is the result of moneys received by the State of New Jersey, Office of the Attorney General.

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

* * * * *

53. Council President introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND PENINSULA LOFTS URBAN RENEWAL, LLC FOR A PORTION OF THE BROADWAY CORRIDOR REDEVELOPMENT AREA LOCATED NEAR STANDARD PLACE ON EAST 19TH STREET AND ON AVENUE E MORE PARTICULARLY IDENTIFIED AS BLOCK 221, LOTS 8, 9, 10, 11, 12 AND 13 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE

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

WHEREAS, the Municipal Council of the City (the "Municipal Council") identified certain properties in the City, designated as Block 211, Lots 16, 17, 18 and 19, Block 221, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28 and 29, Block 226, Lots 30, 31, 32, 33, 34 and 35, and Block 458, Lots 12 and 13 on the City's Tax Maps (the "Study Area"), to be considered for designation as an "area in need of redevelopment" under the Redevelopment Law; and

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

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

WHEREAS, on September 14, 2004 and October 12, 2004, the Planning Board held a public hearing, duly noticed under the Redevelopment Law, and any persons interested in or affected by a determination that the Property is an area in need of redevelopment were given an opportunity to be heard, and any objections to such a determination and evidence in support of those objections, were received and considered and made part of the public record; and

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

WHEREAS, the Broadway Corridor Redevelopment Area includes certain properties located at 33-43 East 19th Street, 197-205 Avenue E Rear and 4 Standard Place in the City, which properties are identified as Block 221, Lots 8, 9, 10, 11, 12 and 13, on the official Tax Map of the City (the "Property");

WHEREAS, on January 20, 2016, the Planning Board of the City (the "Planning Board") was directed by the Municipal Council pursuant to Resolution No. 16-01-20-011 to prepare and review a Redevelopment Plan, and to transmit its recommendations relating to the Redevelopment Plan to the Municipal Council in accordance with the provisions of *N.J.S.A. 40A:12A-7* of the Redevelopment Law; and

WHEREAS, the City of Bayonne, Division of Planning and Zoning, Department of Municipal Services, prepared a redevelopment plan entitled the "Redevelopment Plan Block 221, Lots 8,9,10,11,12,13 Villa Nova Site Known as 33-43 East 19th Street, 197-205 Avenue E

Rear and 4 Standard Place” dated March 8, 2016, (the “Redevelopment Plan”) for the Municipal Council’s consideration; and

WHEREAS, on March 8, 2016, the Planning Board reviewed the Redevelopment Plan and adopted a Resolution, which recommended the adoption of the Redevelopment Plan to the Municipal Council and concluded that said Plan is consistent with the Master Plan of the City of Bayonne (the “Resolution”); and

WHEREAS, on April 20, 2016 this Municipal Council passed Ordinance O-16-17 adopting a Redevelopment Plan for a Portion of the Broadway Corridor Redevelopment Area identified as Block 221, Lots 8-13 on the Tax Map of the City of Bayonne; and

WHEREAS, Peninsula Lofts Urban Renewal, LLC proposes to develop a parcel of approximately one acre, depending on the final amount of land acquired in Block 221, with a Project comprised of 177 residential units to be developed in a holistic manner including the construction of on-site parking improvements and the repurposing of vacant and underutilized properties in close proximity to Avenue E. Subject to the limitation set forth above, it is projected that the Project will encompass Block 221, Lots 8, 9, 10, 11, 12 and 13; and

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

BE IT RESOLVED, that an ordinance entitled “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND PENINSULA LOFTS URBAN RENEWAL, LLC FOR A PORTION OF THE BROADWAY CORRIDOR REDEVELOPMENT AREA LOCATED NEAR STANDARD PLACE ON EAST 19TH STREET AND ON AVENUE E MORE PARTICULARLY IDENTIFIED AS BLOCK 221, LOTS 8, 9, 10, 11, 12 AND 13 AS SHOWN ON THE TAX MAP OF THE CITY OF BAYONNE,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, December 13, 2017, at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

* * * * *

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

WHEREAS, On August 19, 2015 the Municipal Council of the City of Bayonne adopted Ordinance No. O-15-26 authorizing a “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 258, LOT 8 (A/K/A 298-304 BROADWAY) ON THE TAX MAP OF THE CITY OF BAYONNE”; and

WHEREAS, thereafter the City of Bayonne entered into a Financial Agreement with 304 Broadway Partners Urban Renewal, LLC consistent with Ordinance No. O-15-26; and

WHEREAS, pursuant to Section 3 of the Financial Agreement, the Term of the Agreement shall commence on the first day of the month following the Project Completion Date; and

WHEREAS, the City’s Tax Assessor issued an added assessment for the 4th quarter of 2017 in the amount of \$67,703.98 pursuant to N.J.S.A. 40A:21-1 et seq insofar as most Financial Agreements for 5 year tax abatement/exemptions commence January 1st of the year following completion of a project, thereby necessitating an added assessment; and

WHEREAS, the Financial Agreement with 304 Broadway Partners Urban Renewal, LLC, however, does not commence on January 1st of the year following completion but rather commences the first day of the month following the Project Completion date; now therefore, be it

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

1. Any and all 2017 added assessments on Block 258, Lot 8 are hereby cancelled with the Tax Collector being authorized to note her accounts and records accordingly with the Tax Assessor being also authorized to note his records accordingly, so as to allow for the exemption to be effective as of the first day of the month following the Project Completion date.
2. The Tax Collector, Tax Assessor and City Treasurer are authorized to take any and all appropriate action to effectuate this resolution.
3. This resolution shall take effect immediately.

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

* * * * *

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

WHEREAS, pursuant to Resolution 17-07-19-066, the Municipal Council authorized execution of professional service agreements with SUSAN B. GYSS (as Municipal Prosecutor) and STEVEN R. HUMMELL (as Alternate Prosecutor) for the period commencing August 1, 2017 and ending December 31, 2017, for a total contract amount not to exceed \$8,700 to be

paid at \$300 per session and municipal appeals requiring Superior Court appearance at an additional rate of \$75 per hour for a maximum of \$1,000 per appeal; and

WHEREAS, said funds have been exhausted and there remain approximately 34 municipal court sessions, exclusive of special trial sessions, requiring the services of a municipal prosecutor prior to expiration of the contract term, payable at \$300 per session; and

WHEREAS, there remains an outstanding balance owed to SUSAN B. GYSS in the amount of \$1,200 under the existing contract; and

WHEREAS, it is necessary to increase the amount of the professional service agreements as follows: SUSAN B. GYSS (Municipal Prosecutor) by an amount not to exceed \$8,000 and STEVEN R. HUMMELL (Alternate Prosecutor) by an amount not to exceed \$4,000; and

WHEREAS, funds are certified as available in Account CY2017 #7-01-25-275-0000-099; now, therefore, be it

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

1. That the professional service agreements for the Municipal Prosecutor and Alternate Municipal Prosecutor are increased as follows:
 - a) SUSAN B. GYSS (Municipal Prosecutor) by an amount not to exceed \$8,000; and
 - b) STEVEN R. HUMMELL (Alternate Prosecutor) by an amount not to exceed \$4,000;
2. The Mayor and City Clerk are hereby authorized and directed to execute an amendment to each of the above professional service agreements to reflect the respective increased contract amount; and
3. Funds shall be charged to Account CY2017 #7-01-25-275-0000-099.

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

* * * * *

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

WHEREAS, the City of Bayonne entered into an Financial Agreement with Bayonne Avenue E Urban Renewal, LLC on February 22, 2013 for the properties located at 170-180 Avenue E (Block 458 Lots 1 and 1.01; Formerly Block 458, Lot 1 and Block 467 Lots 27, 28 and 29) Bayonne, New Jersey (the "Property"); and

WHEREAS, by letter dated November 7, 2017, 154 Ave E Bayonne AMS Urban Renewal LLC has placed the City of Bayonne on notice that it is the interested party under a contract for the purchase of the Property from Bayonne Avenue E Urban Renewal, LLC and that said transaction is contingent upon the transfer of all rights, duties, responsibilities and obligations of Bayonne Avenue E Urban Renewal, LLC under the Financial Agreement; and

WHEREAS, consistent with Section 8.01 of the Financial Agreement 154 Ave E Bayonne AMS Urban Renewal LLC has represented, in writing, that it will fully assume all obligations under the Financial Agreement upon the transfer of title of the Property from Bayonne Avenue E Urban Renewal, LLC and that it will enter into a new Financial Agreement with the City incorporating the terms, conditions and obligations of the initial Financial Agreement for the period remaining on the tax exemption and as such is requesting that the City of Bayonne consent to the sale of Property and transfer of the Financial Agreement from Bayonne Avenue E Urban Renewal, LLC to 154 Ave E Bayonne AMS Urban Renewal LLC; now, therefore, be it

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

1. The City of Bayonne hereby consents to the sale of 170-180 Avenue E (Block 458 Lots 1 and 1.01; Formerly Block 458, Lot 1 and Block 467 Lots 27, 28 and 29) Bayonne, New Jersey and transfer of the Financial Agreement from Bayonne Avenue E Urban Renewal, LLC to 154 Ave E Bayonne AMS Urban Renewal LLC; and
2. The Mayor and the City Clerk are hereby authorized and directed to execute any and all documents to effect the purposes of this Resolution.

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

* * * * *

At 7:51 P.M. Council President Nadrowski motioned to adjourn, seconded by Council Member Cotter, which motion was adopted.

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

* * * * *

President – Sharon A. Nadrowski

Clerk – Robert F. Sloan