

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, FEBRUARY 14, 2018

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 February 14, 2018, 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 February 12, 2018."

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. The Clerk announced:

AN ORDINANCE ENTITLED, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 33, PLANNING AND DEVELOPMENT" which was introduced and passed a first reading at a meeting held January 17, 2018, 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 February 14, 2018, is now before the Council for its consideration and a public hearing.

The Council as a whole moved that the following resolution of second reading be adopted, 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 33, PLANNING AND DEVELOPMENT"

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

The following persons spoke: Eric Zebrowski – 165 West 30th Street
 Errico DeRos- 31 East 41st Street

Pat Keller – Hudson County Building Trade-President
Manual McFadden – Local 3
William T. Boyle- 190 West 24th Street
Sandy Hassan – 100 West 48th Street
Victor Batteracco – Local 164
Mike Kiniery – 40 West 4th Street
Mike Morris – 100 Avenue C

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

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

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

The Council as a whole moved a resolution for final passage, 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 33, PLANNING AND DEVELOPMENT" was introduced and passed a first reading at a meeting held January 17, 2018, 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 February 14, 2018; and

WHEREAS, said ordinance was given a second reading at this meeting; and

WHEREAS, said ordinance was referred to the Planning Board as required by the Municipal Land Use Law for a report; and

WHEREAS, the Planning Board has reviewed the said ordinance and has forwarded a resolution approving same; and

WHEREAS, a hearing was held and such ordinance was considered as required by law; and

WHEREAS, no legal objections to said ordinance or to its passage were made at the said hearing; now therefore, be it

RESOLVED, that the said ordinance be passed and designated as Ordinance No. O-18-07.

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

* * * * *

02. The Clerk announced:

AN ORDINANCE ENTITLED, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING FIVE (5) YEAR TAX EXEMPTION ON THE ASSESSED VALUE OF NEW IMPROVEMENTS ONLY FOR NEWLY CONSTRUCTED UNITS WITH RESPECT TO THE PARCEL OF LAND LOCATED AT BLOCK 226, LOTS 18 & 19 (A/K/A 189-195 AVENUE E) ON THE TAX MAP OF THE CITY OF BAYONNE", which was introduced and passed a first reading at a meeting held January 17, 2018, 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 February 14, 2018, is now before the Council for its consideration and a public hearing.

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

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

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

The Clerk read the ordinance by title: "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING FIVE (5) YEAR TAX EXEMPTION ON THE ASSESSED VALUE OF NEW IMPROVEMENTS ONLY FOR NEWLY CONSTRUCTED UNITS WITH RESPECT TO THE PARCEL OF LAND LOCATED AT BLOCK 226, LOTS 18 & 19 (A/K/A 189-195 AVENUE E) ON THE TAX MAP OF THE CITY OF BAYONNE"

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

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

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

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

WHEREAS, an ordinance entitled, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING FIVE (5) YEAR TAX EXEMPTION ON THE ASSESSED VALUE OF NEW IMPROVEMENTS ONLY FOR NEWLY CONSTRUCTED UNITS WITH RESPECT TO THE PARCEL OF LAND LOCATED AT BLOCK 226, LOTS 18 & 19 (A/K/A 189-195 AVENUE E) ON THE TAX MAP OF THE CITY OF BAYONNE" was introduced and passed a first reading at a meeting held January 17, 2018, 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 February 14, 2018; 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-18-08.

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 ADOPTING A REDEVELOPMENT PLAN FOR CERTAIN PROPERTIES LOCATED AT 27-31 PROSPECT AVE, 33-39 PROSPECT AVE, AND 41 PROSPECT AVE, WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 455, LOTS 1, 2, AND 3 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.," which was introduced and passed a first reading at a meeting held January 17, 2018, 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 February 14, 2018, 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, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR CERTAIN PROPERTIES LOCATED AT 27-31 PROSPECT AVE, 33-39 PROSPECT AVE, AND 41 PROSPECT AVE, WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 455, LOTS 1, 2, AND 3 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.,"

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

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

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

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

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

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

WHEREAS, an ordinance entitled, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR CERTAIN PROPERTIES LOCATED AT 27-31 PROSPECT AVE, 33-39 PROSPECT AVE, AND 41 PROSPECT AVE, WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 455, LOTS 1, 2, AND 3 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.," was introduced and

passed a first reading at a meeting held January 17, 2018, 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 February 14, 2018; and

WHEREAS, said ordinance was given a second reading at this meeting; and

WHEREAS, said ordinance was referred to the Planning Board as required by the Municipal Land Use Law for a report; and

WHEREAS, the Planning Board has reviewed the said ordinance and has forwarded a resolution approving same; and

WHEREAS, a hearing was held and such ordinance was considered as required by law; and

WHEREAS, no legal objections to said ordinance or to its passage were made at the said hearing; now therefore, be it

RESOLVED, that the said ordinance be passed and designated as Ordinance No. O-18-09.

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

* * * * *

04. The Clerk announced:

AN ORDINANCE ENTITLED, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC," which was introduced and passed a first reading at a meeting held January 17, 2018, 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 February 14, 2018, is now before the Council for its consideration and a public hearing.

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

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

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

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

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

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

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

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

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

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

WHEREAS, an ordinance entitled, "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 January 17, 2018, 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 February 14, 2018; 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-18-10.

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

* * * * *

05. 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 January 17, 2018, 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 February 14, 2018, is now before the Council for its consideration and a public hearing.

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

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

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

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

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

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

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

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

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

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

WHEREAS, an ordinance entitled, "AN ORDINANCE 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 January 17, 2018, 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 February 14, 2018; 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-18-11.

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

* * * * *

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 January 17, 2018, 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 February 14, 2018, is now before the Council for its consideration and a public hearing.

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

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

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

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

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

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

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

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

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

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

WHEREAS, an ordinance entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC," was introduced and passed a first reading at a meeting held January 17, 2018, 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 February 14, 2018; 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-18-12.

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

* * * * *

07. Council Member Perez introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR CERTAIN PROPERTY LOCATED AT 43-45 W 32ND ST, WHICH PROPERTY IS IDENTIFIED AS BLOCK 145, LOT 1, AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.*

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

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

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

WHEREAS, the Mayor and Municipal Council consider it to be in the best interest of the City to have the Planning Board of the City (the "Planning Board") conduct such an investigation to determine if certain property located at 43-45 W 32nd Street, which property is identified as Block 145, Lot 1, as shown on the Official Tax Map of the City (the "Study Area"), constitute a non-condemnation "area in need of redevelopment," in accordance with the Redevelopment Law; and

WHEREAS, on November 14, 2017, the Planning Board held a public hearing, duly noticed under the Redevelopment Law, and reviewed an investigation/report titled "Preliminary Investigation Non-Condensation Area in Need of Redevelopment 43-45 West 32nd Street Block 145, Lot 1" prepared by Suzanne Mack, PPAICP, City of Bayonne, Division of Planning & Zoning, Department of Administration, dated October 27, 2017 (the "Study") and any persons interested in or affected by a determination that the Study Area is a non-condemnation redevelopment area were given an opportunity to be heard, and any objections to such a determination and evidence in support of those objections, were received and considered and made part of the public record; and

WHEREAS, on November 14, 2017, the Planning Board further adopted the Resolution recommending that the Study Area be determined by the Municipal Council to be a non-condemnation "area in need of redevelopment" under the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*; and

WHEREAS, on December 13, 2017, the Municipal Council designated the Study Area as a non-condemnation area in need of redevelopment and authorized and directed the Planning Board to prepare and review a redevelopment plan for the property located at 43-45 W 32nd Street, which property is identified as Block 145, Lot 1, as shown on the official Tax Map of the City (the "Property") and make recommendations to the Municipal Council in accordance with the Redevelopment Law; and

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Administration has prepared a redevelopment plan for the Property titled "43-45 West 32nd Street Block 145, Lot 1" dated February 12, 2018, (the "Redevelopment Plan"); and

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

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

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

Section 1. The afore-mentioned recitals are incorporated herein as though fully set forth at length.

Section 2. The Redevelopment Plan is hereby adopted pursuant to the terms of *N.J.S.A. 40A:12A-7* of the Redevelopment Law.

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

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

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

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

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

BE IT RESOLVED, that an ordinance entitled "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR CERTAIN PROPERTY LOCATED AT 43-45 W 32ND ST, WHICH PROPERTY IS IDENTIFIED AS BLOCK 145, LOT 1, AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.*," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, March 14, 2018 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, NEW JERSEY ADOPTING AN AMENDED REDEVELOPMENT PLAN FOR THE PROPERTIES LOCATED AT 171-181 LEFANTE WAY; 77-97 LEFANTE WAY; 101-129 LEFANTE WAY; 131-139 LEFANTE WAY; AND 191 LEFANTE WAY, WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 412, LOTS 1.01, 2.01, 2.021, 2.022 AND 2.03, AND COMMONLY KNOWN AS SOUTH COVE, AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE

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

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

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

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Administration, prepared a redevelopment plan for the property located at 171-181 Lefante Way, 77-97 Lefante Way, 101-129 Lefante Way, 131-139 Lefante Way, and 191 Lefante Way, which properties are identified as Block 412, Lots 1.01, 2.01, 2.021, 2.022 and 2.03 on the City's Tax Maps (the "Redevelopment Area") titled "South Cove Redevelopment Plan" dated February 14, 2017 (the "Redevelopment Plan"); and

WHEREAS, on May 17, 2017, the Municipal Council agreeing and concurring with the Planning Board's recommendation, adopted Ordinance #O-17-20 adopting the Redevelopment Plan for the Redevelopment Area, and set forth their reasons on the record; and

WHEREAS, by Resolution No. 17-12-13-074 adopted on December 13, 2017, the Municipal Council authorized the Planning Board to prepare and review an amendment to the Redevelopment Plan, which includes the Redevelopment Area pursuant to *N.J.S.A. 40A:12A-7*; and

WHEREAS, an amended Redevelopment Plan titled "Le Fante Way Riverwalk at South Cove" (the "Amended Redevelopment Plan") dated February 6, 2018, has been prepared by the City Planning Department; and

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

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

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

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

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

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

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

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

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

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

BE IT RESOLVED, that an ordinance entitled "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDED REDEVELOPMENT PLAN FOR THE PROPERTIES LOCATED AT 171-181 LEFANTE WAY; 77-97 LEFANTE WAY; 101-129 LEFANTE WAY; 131-139 LEFANTE WAY; AND 191 LEFANTE WAY, WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 412, LOTS 1.01, 2.01, 2.021, 2.022 AND 2.03, AND COMMONLY KNOWN AS SOUTH COVE, AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, March 14, 2018 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 LePelusa 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

354. Paul Kelly, 82 West 9th Street

Beginning at a point on the south side of West 9th Street, 335 feet west of the southwest corner of Avenue C and West 9th Street, and extending to a point 18 feet west thereof.

423. Kemuel Velazquez, 160 West 21st Street

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

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

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, March 14, 2018 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 Joel Silberman, Esq., filing notice of tort claim on behalf of LIAM JOHNSON alleging personal injuries resulting from being held at gunpoint on November 30, 2017 at the Bayonne High School Ice Rink.

* * * * *

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

From HOWARD S. KRONBERG, ESQ., filing notice of tort claim alleging property damage to his automobile on December 15, 2017 resulting from being struck by a city owned vehicle at the 28th Street side of City Hall.

* * * * *

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

From Superior Court of New Jersey, Law Division Summons and Complaint in matter entitled, "EMAN vs. OLYTHOSE PARTNERS, LLC and THE CITY OF BAYONNE." (Sidewalk fall down on January 28, 2016, at 11 East 10th Street)

* * * * *

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

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

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

* * * * *

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

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

* * * * *

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

From Terrance Malloy, Chief Financial Officer, submitting the Annual Debt Statement for CY 2017.

* * * * *

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

DATE: February 2, 2018

TO: Terrence Malloy, CFO
Robert Sloan, City Clerk

CC: Leo J. Smith, Jr., School Business Administrator

FROM: Janet Convery, Treasurer

Please be advised that I have transferred the following to the Board of Education on February 2, 2018

\$5,533,471.00 CLAIMS & PAYROLL FOR FEBRUARY 2018

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: 02/06/18 Ad Date: 12/21/17 Resolution #17-09-23-038

Date bids accepted: 01/24/18 Attending: Amy Dellabella, Purchasing Agent Rob Russo, CME, Darren Mazzei, CME

Bid titled: 2017 Roadway Improvements	
Bidders:	Total Bid
JTG Construction, Inc. 188 Jefferson St Ste 387 Newark, NJ 07105	\$398,842.50
American Asphalt & Milling Services LLC 98 Midland Avenue Kearny, NJ 07032	\$402,797.15
4 Clean-Up, Inc. PO Box 5098 North Bergen, NJ 07047	\$408,186.95
Black Rock Enterprises, LLC 1316 Englishtown Road Old Bridge, NJ 08857	\$442,883.20
S. Brothers Inc. 16 Sobechko Rd. Manalapan, NJ 07726	\$451,127.50
AJM Contractors Inc. 300 Kuller Road Clifton, NJ 0701	\$457,169.25

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: 02/06/18 Ad Date: 12/11/17 Resolution #17-07-19-049

Date bids accepted: 01/24/18 Attending: Amy Dellabella, Purchasing Agent
Rob Russo, CME, Darren Mazzei, CME

Bid titled: Improvements to Lefante Way

Bidders:	Base Bid	Deletion Items #1A,B,C,D	Add/Deletion Items#2A
<u>Contract Total</u>			
JTG Construction, Inc. 188 Jefferson St Ste 387 Newark, NJ 07105 \$820,812.00	\$1,041,632.00	-\$72,450.00)	-\$148,370.00)
Black Rock Enterprises, LLC 1316 Englishtown Road Old Bridge, NJ 08857 \$ 962,981.05	\$1,161,711.05	-\$106,500.00)	-\$92,230.00)
Your Way Construction, Inc. 404 Coit Street Irvington, NJ 07111-4607 \$1,001,716.57	\$1,197,711.57	-\$119,404.00)	-\$76,591.00)
4 Clean-Up, Inc. PO Box 5098 North Bergen, NJ 07047 \$1,131,628.25	\$1,332,568.25	-\$104,700.00)	-\$96,240.00)
S. Brothers Inc. 16 Sobeckko Rd. Manalapan, NJ 07726 \$1,145,444.45	\$1,339,124.45	-\$129,520.00)	-\$64,160.00)
KM Construction Corp. 14 Cordier St. Irvington, NJ 07111 \$1,176,240.20	\$1,342,809.56	-\$ 82,118.76)	-\$84,450.60)
Topline Construction Corp. 22 Fifth St.			

Somerville, NJ 08876	\$1,459,973.83	-\$105,042.92	-\$179,126.70
\$1,175,804.21			

Flanagan's Contracting Group 90 Old Camplain Rd. Hillsborough, NJ 08844	\$1,522,370.80	-\$86,892.00	-\$108,270.00
\$1,327,208.80			

Concrete Construction Corp. 24 Pink St. Hackensack, NJ 07601	\$788,875,205.00	-\$96,260.00	-\$160,400.00
\$788,618,545.00			

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 communication be received and filed, which motion was adopted.

BID REPORT
FOR THE MUNICIPAL COUNCIL

Date: 02/07/18 Ad Date: 01/26/18 Resolution #18-01-17-040

Date bids accepted: 02/07/18 Attending: Amy Dellabella, Purchasing Agent
Darren Mazzei, CME

Bid titled: Improvements to the Intersection of Avenue C & West 12th St.

<u>Bidders:</u>	<u>Total Bid</u>
Zuccaro, Inc. 248 Alberta Drive Saddle Brook, NJ 07663	\$257,715.00
Foggia Trinity Electric 1759 E 2 nd St Scotch Plains, NJ 07076	\$272,409.35
Faigon Electric 140 11 th St. Piscataway, NJ 08854	\$283,560.75

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

* * * * *

21. 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.

* * * * *

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 regular council meeting held Wednesday, January 17, 2018 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.

RESOLVED, That the official minutes of the council caucus meeting held Wednesday, January 10, 2018, be and the same are hereby approved.

* * * * *

24. 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
64	4 C0205	Nancy Kist	5,129.61
82	34	Joseph Palmisano	2,838.96
145	3 C0302	James Maitland	304.10
162	4	Jacquelyn & Daniel Repetti	2,677.86
220	5	Gary La Pelusa Sr.	1,882.58
236	45	Mary Pasiechnik	2,434.02
254	41	Bayonne Purchase, LLC	888.08
Total:			16,155.21

* * * * *

25. 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 \$ 879.40 drawn of the Bureau of Rabies Control, State Department of Health, Trenton, New Jersey, covering the issuance of licenses Nos. 341-813 inclusive, 472 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.

* * * * *

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

WHEREAS, N.J. 40A; 5-14, Local Fiscal Affairs Law, requires that each municipality adopt a Cash Management Plan designed to assure the deposit and investment of local funds; now, therefore be it

RESOLVED, that the Municipal Council of the City of Bayonne does hereby adopt the following Cash Management Plan:

A. DESIGNATION OF DEPOSITORIES

The following institutions are designated as permissible depositories for the deposit of City Funds.

BANK OF AMERICA

BANK OF NEW YORK
BCB COMMUNITY BANK
CAPITAL ONE BANK
CITIBANK
GARDEN STATE COMMUNITY BANK
HUDSON CITY SAVINGS BANK
INVESTORS BANK
JP MORGAN CHASE BANK
M&T BANK
PNC BANK
TD BANK
THE PROVIDENT BANK
VALLEY NATIONAL BANK
WELLS FARGO BANK

All depositories must conform to the Governmental Unit Deposit Protection Act ("GUDPA"), and shall provide a Notification of Eligibility from the State of New Jersey, Department of Banking, on a semi-annual basis. In addition, designated depositories shall maintain maximum FDIC or FSLIC coverage of all City funds on deposit.

B. DEPOSIT OF FUNDS

All funds shall be deposited within forty-eight (48) hours of receipt, in accordance with N.J.S.. 40A: 5-15, into appropriate fund operating accounts. Non-interest bearing operating and capital accounts shall be regularly monitored for the availability of funds for investment. Debt Service and Trust accounts shall be maintained in accordance with Federal and State statutes regulating such funds which represent funds of individuals and other organizations held by the City, shall be deposited in regular non-interest bearing checking accounts unless applicable State statutes direct otherwise, Grant funds shall be deposited in accordance with the regulations of the granting government agency.

C. INVESTMENT INSTRUMENTS AND PROCEDURES

The City may purchase those investments permitted in N.J.S. 40A: 5-15-1 which include;

United States Treasury Bonds, Notes and Bills
United States Government Agency and Instrumentality Obligations
Bonds and other obligations of the City of Bayonne
Bonds and other obligations of the Bayonne Board of Education
Commercial Bank Deposits and Certificates of Deposit
State of New Jersey Cash Management Fund
Municipal Investors Service Corporation
First Union Money Manager Investment Program
Fidelity Treasury AAA Rated Fund
NJ Asset & Rebate Management Program

The City may purchase other obligations approved by the Division of Investment of the Department of Treasury for investment by local units.

Investments shall be limited to a maturity of not more than one year unless a longer term is permitted by applicable Federal or State regulations. Allowable investments with maturities which extend beyond the end of the City's fiscal year shall be permitted only if interest accrued on the investment is credited to the City at the end of the fiscal year for the purpose of realizing budgetary revenue.

The purchase of Certificates of Deposit shall be made based on the availability of funds for investment and the analysis of projected cash flows. Bids for Certificates of Deposit will be solicited of at least three designated depositories only if the amount available for investment is \$100,000 or greater. Telephone bids will be solicited by the Chief Financial Officer and/or the Treasurer, or designated staff member. Bidders shall specify the principal amount, interest rate and maturity of the investment. A check or wire transfer will be made available to the winning bidder on the same business day the bid is awarded.

Where the return on a proposed investment does not exceed the cost of making said investment, the Chief Financial Officer and/or the Treasurer will not make the investment. The Chief Financial Officer and/or the Treasurer shall have the discretion to award an investment to the depository wherein the funds reside, should that institution's quoted interest rate be less than other quoted rates, and the differential in interest rates is not more than twenty-five (25) basis points (0.25%), providing that the term of the investment is thirty (30) days or less. The Chief Financial Officer and/or the Treasurer shall also have the discretion to reject all bids.

The following officials shall be covered by surety bonds; said surety bonds to be examined by the independent auditor to insure their proper execution:

Chief Financial Officer
Treasurer
Tax Collector
City Clerk

Staff members of the Department of Finance not covered by separate surety bonds shall be covered by a Public Employee's Faithful Performance Bond.

D. COMPLIANCE

The Cash Management Plan of the City of Bayonne shall be subject to the approval of the City's Director of Law, and shall be subject to the annual audit conducted pursuant to N.J.S. 40A: 5-

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

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

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

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

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

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

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

WHEREAS, funds are certified as available in Account No. 08-01-25-240-0000-028; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with GTBM, Inc., 351 Paterson Avenue, East Rutherford, N.J. 07073, for maintenance of Info-Cop Licensed Software, for a six month period commencing January 20, 2017 and ending July 19, 2018 at a cost of \$8,850.00.
2. The Municipal Treasurer be and is hereby authorized and directed to issue a warrant payable to G.T.B.M., Inc., in the amount of \$8,850.00 in payment for said service.
3. Funds shall be chargeable to Account No. 08-01-25-240-0000-028 of the CY 2018 budget, pending final adoption thereof.
4. The Business Disclosure Entity Certification submitted by G.T.B.M., Inc. and the Determination of Value shall be placed on file with this resolution.
5. A notice of this action shall be printed once in a newspaper of general circulation within the boundaries of the City of Bayonne.

* * * * *

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

WHEREAS, Resolution No. 16-12-14-052 adopted by the Municipal Council on December 14, 2016 awarded a contract to Roth D'Aquanni, LLC, 150 Morris Avenue, Suite 206, Springfield, NJ 07081 for professional legal services to conduct arbitration hearings,

WHEREAS, Roth D'Aquanni has continued to provide the aforesaid professional legal services as Labor Attorney for the months of January and February, 2018; and

WHEREAS, the City is in receipt of outstanding invoices from Roth D'Aquanni through February, 2018 for said professional legal services; and

WHEREAS, the City advertised a Request for Qualifications for the aforesaid professional legal services as Labor Attorney pursuant to the Fair & Open Contracting Requirements pursuant to N.J.S.A:204.5 and anticipates awarding a contract for said professional legal services commencing March 1, 2018 and ending December 31, 2018 at this Municipal Council meeting; and

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

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to execute a second amendment to Agreement No. CY17-003 with Roth D'Aquanni, LLC for the aforesaid professional legal services extending same through February 28, 2018 and increasing same in the amount of \$25,000.00 making the total contract amount not to exceed \$100,000.00.

2. Funds shall be charged to Various Accounts.

3. All other terms of the contract shall remain the same.

* * * * *

29. 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 legal services to conduct arbitration hearings, litigation before the courts, negotiations and PERC hearings involving various unions and the City of Bayonne; and

WHEREAS, the law firm of Roth D'Aquanni, LLC, 150 Morris Avenue, Suite 206, Springfield, New Jersey 07081 has submitted to the City of Bayonne formal written response to the City's Request for Qualifications/Proposals for said professional legal services; and

WHEREAS, the law firm of Roth D'Aquanni, LLC IS qualified, ready, willing and able to provide said services for the period commencing March 1, 2018 and ending December 31, 2018 for a total contract amount not to exceed \$50,000.00 payable at the rate of \$165.00 per hour; and

WHEREAS, funds are certified as available in Account #8-01-20-156-0000-028 pending adoption of the CY2018 budget; and

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

WHEREAS, this professional services contract was advertised under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5; now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with the law firm Roth D'Aquanni, LLC, 150 Morris Avenue, Suite 206, Springfield,

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

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

WHEREAS, by Ordinance O-17-29, the City Council adopted a Rehabilitation Plan entitled “McDonald’s Rehabilitation Plan” (the “Redevelopment Plan”) dated May 9, 2017 for Block 189, Lot 24, which encompasses the property located at 537-543 Broadway (the “Property”); and

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

WHEREAS, the Municipal Council adopted Resolution No. 17-06-21-062 on June 21, 2017 designating McDonald’s Corporation (the “Redeveloper”) redeveloper of said Property and authorizing the execution of a Redevelopment Agreement with the Redeveloper for the redevelopment of said Property in accordance with the Redevelopment Plan; and

WHEREAS, the Redeveloper, which owns a McDonald’s restaurant located on the Property, applied to the Planning Board of the City of Bayonne to construct a new 4,317 square foot McDonald’s restaurant with a dual lane drive through service and other site improvements (the “Project”); and

WHEREAS, the Planning Board granted preliminary and final major site plan approval to the Project by Resolution for application #P-17-024 dated November 14, 2017; and

WHEREAS, as a condition of said approval, the Redeveloper agreed to lease four (4) parking spaces to the City; and

WHEREAS, the City and Redeveloper desire to enter into a Parking Agreement to set forth, among other things, the terms and conditions under which the City shall be entitled to use four (4) parking spaces on the Property; and

WHEREAS, the City Council deems it to be in the best interest of the City to authorize the Mayor and City Clerk to enter into a Parking Agreement with the Redeveloper in substantially the form attached hereto and subject to any further review, analysis or modifications that the Law Director may deem appropriate; now, therefore, be it

RESOLVED, by the Municipal Council that the Mayor and City Clerk are hereby authorized to enter into a Parking Agreement with the Redeveloper in substantially the form attached hereto and subject to any further review, analysis or modifications that the Law Director may deem appropriate.

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

* * * * *

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

WHEREAS, the Hudson Regional Health Commission (the “Commission”) is duly authorized to provide certain Public Health Programs to its members municipalities, and;

WHEREASS, the Commission possessed specialized training and expertise in the area of lead investigations abatement, and;

WHEREAS, member municipalities may choose to have the Commission perform specialized services such as those related to the investigation or reported cases of elevated

Utilize personnel certified to conduct environmental lead investigations pursuant to State and Federal standards.

Conduct environmental investigations related to children with elevated blood lead (EBL) in accordance with standards set forth by the New Jersey Department of Health (NJDOH).

Conduct all investigations within the time period specified by NJDOH.

Report all findings to NJDOH and the Town Health Officer in accordance with NJDOH standards.

Provide notice of the results of all investigations to all affected parties and "landlords as appropriate".

Maintain records of investigations as long as required by law. If the agreement should terminate, all records of investigation will be forwarded to the Town Health Officer.

Answer citizen inquiries regarding EBL or potential hazards associated with lead.

THE CITY OF BAYONNE WILL:

Prompt refer all reports of children with elevated blood lead to the Commission.

Provide for case management and assist in relocation of affected parties in accordance with NJDOH standards.

Issue abatement orders and take necessary and appropriate enforcement action pursuant thereto.

Comply with NJDOH reporting requirements using LeadTax database.

Upon presentation of a voucher, the City will pay the Commission \$600 for each environmental lead investigation, inclusive of clearance inspection and laboratory costs where warranted. Amount should not exceed \$5,000 or 8 inspections whichever is less for the contract term. Each residential unit inspected in a multi-family building shall constitute a separate investigation.

Indemnify the Commission against any all claims arising from activities conducted pursuant to this agreement not otherwise resulting from the direct and exclusive negligence of Commission employees.

It is further agreed, that the Commission reserves the right to seek Medicaid reimbursement where applicable and to retain the full amount of funds reimbursed.

This agreement supersedes any previous agreement for HBL investigations.

The terms of this agreement shall be from March 1, 2018 to February 28, 2021 unless terminated by either party upon 30 days written notice.

* * * * *

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

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliance for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youths and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey

WHEREAS, the City Council of the City of Bayonne, County of Hudson, State of New

NOW, THEREFORE, BE IT RESOLVED, by the City of Bayonne, County of Hudson, State of New Jersey hereby recognizes the following:

1. The City Council does hereby authorize submission of a strategic plan for the Bayonne Municipal Alliance grant year July 1, 2018 to June 30, 2019 in the amount of:

DEDR	\$54,448.00
Cash Match	\$14,000.00
In-Kind	\$45,000.00

2. The City Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

* * * * *

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

Whereas it is desired to expand the art program in our commercial districts, now therefore, be it

Resolved that the Bayonne UEZ Coordinator is hereby authorized to undertake all necessary steps to implement a "UEZ Art Program" in an amount not to exceed \$60,000.00.

* * * * *

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

Whereas it is desired to expand the City's existing security camera system, now therefore, be it

Resolved that the Bayonne UEZ Coordinator is hereby authorized to undertake all steps necessary to implement a "Security Camera Expansion" project in the amount of \$40,000.00.

* * * * *

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

Whereas it is desired to continue the UEZ Façade & Signage program on Broadway and other eligible areas, now therefore, be it

Resolved that the Bayonne UEZ Coordinator is hereby authorized to implement this project with funding up to \$150,000.00 within the following guidelines:

- To be eligible a business must be located in either the Urban Enterprise Zone or the Special Improvement District
- If the business is located in the Urban Enterprise Zone they must become a UEZ member
- Eligible business must file an application and follow estimate guidelines
- Businesses are to be reimbursed after the completion of the project
- Maximum award amount is \$10,000.00
- If an architect is required the business is eligible for reimbursement of architectural fees in addition to the base award

* * * * *

Resolved that the Bayonne UEZ/SID is hereby authorized to retain an architect or other such professional to review façade and signage designs that do not meet the Special Improvement District guidelines and opine as to should an exception to the existing guidelines be made and be it further

Resolved that the Zoning Officer is hereby authorized to follow the recommendations made through said review and be it further

Resolved that the UEZ Coordinator is hereby authorized to take all necessary steps required to implement this resolution.

* * * * *

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

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

DPW #353 1991 Ford Aerostar VIN#1FMCA41X1MZB04930; and

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

RESOLVED, by the Municipal Counsel as follows:

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

* * * * *

38. 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 Neil A. DeSena Park.

* * * * *

39. 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 improvements to the police firing range.

* * * * *

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

RESOLVED, That the application of the below listed organizations for RAFFLE LICENSE be granted:

LICENSEE	TIME & PLACE	LICENSE
Preschool Playhouse PTO	6:00 – 10:00 PM 417 Broadway April 21, 2018	RL: 9242 RL: 9243

Friends of the Handicapped	6:30 PM 669 Avenue C May 18, 2018	RL: 9246
Friends of Marist	5:30-11:00 PM 1241 Kennedy Blvd. March 10, 2018	RL: 9247
Mary J. Donohue	6:00 – 10:00 PM 1081 Broadway April 27, 2018	RL: 9248 RL: 9249
Lincoln Community School PTO	7:00 – 11:00 PM 669 Avenue C April 27, 2018	RL: 9250 RL: 9251 RL: 9252
PTA John M. Bailey	10:00AM-12:00 PM 229 Broadway May 6, 2018	RL: 9253
Hudson County Bar Foundation	6:00 – 10:00 PM 1081 Broadway April 26, 2018	RL: 9254
BPOE #434 Bayonne Lodge	3:00 PM 364 Broadway April 21, 2018	RL: 9255
St. Vincent De Paul Church	11:30 AM 979 Avenue C June 24, 2018	RL: 9256
Rotary Club of Bayonne	6:00-10:00PM 888 Avenue C April 24, 2018	BL: 2416
John M. Bailey PTA	6:30-8:30 PM 75 West 10 th Street April 12, 2018	RL: 9257

* * * * *

41. 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 December 21, 2017 that sealed bids for 2017 Roadway Improvements would be received on January 24, 2018; and

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

Bidders	Bid Amount
---------	------------

JTG Construction, Inc.
188 Jefferson St Ste 387
Newark, NJ 07105

\$398,842.50

American Asphalt & Milling Services LLC
98 Midland Avenue

Manalapan, NJ 07726 \$451,127.50

AJM Contractors Inc.
300 Kuller Road
Clifton, NJ 0701 \$457,169.25

and

WHEREAS, Amy Dellabella, R.P.P.O., Q.P.A. and Gary Chmielewski, Director of Public Works and Parks have examined the bids or proposals and have determined that the bid of JTG Construction, Inc. is a regular bid and is most advantageous to the City of Bayonne for 2017 Roadway Improvements; and

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

RESOLVED, that the contract for 2017 Roadway Improvements be awarded to:

JTG Construction, Inc.
188 Jefferson St Ste 387
Newark, NJ 07105

for the following bid price: \$398,842.50, and that the contract be executed in the name of the City of Bayonne by the proper city officials and that the said sum be charged to account: Chargeable to DOT Grant and Road Restoration.

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

* * * * *

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

WHEREAS, the city clerk, advertised in the Jersey Journal on December 11, 2017 that sealed bids for Improvements to LeFante Way would be received on January 24, 2018; and

WHEREAS, pursuant to such advertisement, nine (9) proposals were received from:
Bidders: Base Bid Deletion Items Add/Deletion Items Contract Total
#1A,B,C,D #2A

JTG Construction, Inc.
188 Jefferson St Ste 387
Newark, NJ 07105 \$1,041,632.00 -(\$72,450.00) -(\$148,370.00) \$820,812.00

Black Rock Enterprises, LLC
1316 Englishtown Road
Old Bridge, NJ 08857 \$1,161,711.05 -(\$106,500.00) -(\$92,230.00) \$ 962,981.05

Your Way Construction, Inc.
404 Coit Street
Irvington, NJ 07111-4607 \$1,197,711.57 -(\$119,404.00) -(\$76,591.00) \$1,001,716.57

4 Clean-Up, Inc.
PO Box 5098
North Bergen, NJ 07047 \$1,332,568.25 -(\$104,700.00) -(\$96,240.00) \$1,131,628.25

S. Brothers Inc.
16 Sobeckko Rd.
Manalapan, NJ 07726 \$1,339,124.45 -(\$129,520.00) -(\$64,160.00) \$1,145,444.45

KM Construction Corp.
14 Cordier St.

Hackensack, NJ 07601\$788,875,205.00 -(\$96,260.00) -(\$160,400.00) \$788,618,545.00

and

WHEREAS, Amy Dellabella, R.P.P.O., Q.P.A. and Gary Chmielewski, Director of Public Works and Parks have examined the bids or proposals and have determined that the bid of JTG Construction, Inc. is a regular bid and is most advantageous to the City of Bayonne for 2017 Roadway Improvements; and

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

RESOLVED, that the contract for Improvements to LeFante Way be awarded to:

JTG Construction, Inc.
188 Jefferson St. – Ste. 387
Newark, NJ 07105

for the following bid price: \$893,262.00, and that the contract be executed in the name of the City of Bayonne by the proper city officials and that the said sum be charged to Bond Ordinance O-17-28.

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

* * * * *

43. 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 January 26, 2018 that sealed bids for Improvements to the Intersection of Avenue C & West 12th Street would be received on February 7, 2018; and

WHEREAS, pursuant to such advertisement, three (3) proposals were received from:

Bidders	Bid Amount
Zuccaro, Inc. 248 Alberta Drive Saddle Brook, NJ 07663	\$257,715.00
Foggia Trinity Electric 1759 E 2 nd St Scotch Plains, NJ 07076	\$272,409.35
Faigon Electric 140 11 th St. Piscataway, NJ 08854	\$283,560.75

and

WHEREAS, Amy Dellabella, R.P.P.O., Q.P.A. and Gary Chmielewski, Director of Public Works and Parks have examined the bids or proposals and have determined that the bid of Zuccaro, Inc. is a regular bid and is most advantageous to the City of Bayonne for Improvements to the Intersection of Avenue C & West 12th Street; and

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

RESOLVED, that the contract for Improvements to the Intersection of Avenue C & West 12th Street be awarded to:

44. 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

NO.	FROM ACCOUNT	AMOUNT	TO ACCOUNT	AMOUNT
1	Law Enforcement-		Vehicle Maintenance O.E.	\$ 62,000.00
	Uniform-S&W	\$225,000.00	Law Enforcement-Uniform-O.E.	\$ 21,000.00
	City Clerk- S&W	\$ 15,000.00	Telephone Expenses	\$ 5,000.00
	Office of the Mayor-S&W	\$ 20,000.00	Bus. Administration-O.E.	\$ 95,000.00
	Bus. Administration-S&W	\$ 10,000.00	Fire Dept-Uniform-S&W	\$100,000.00
	Board of Health-S&w	\$ 28,000.00	Tax Collector-S&W	\$ 1,000.00
	Primary&General Election		Tax Assessor-S&W	\$ 2,000.00
	S&W	\$ 4,000.00	Streets & Roads Maint.-S&W	\$ 5,000.00
	Municipal Council-S7W	\$ 5,000.00	Maint. Of Parks-S&W	\$ 28,000.00
	Municipal Court-S&W	\$ 42,500.00	Vehicle Maintenance-S&W	\$ 5,000.00
			Other Public Works-O.E.	\$ 13,000.00
			Buildings & Grounds-S&W	\$ 5,000.00
			Gasoline, Oil & Grease	\$ 7,500.00

PUBLIC UTILITY

1	Parking Utility-O.E.	\$ 3,000.00	Parking Utility – S& W	\$ 3,000.00
---	----------------------	-------------	------------------------	-------------

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

* * * * *

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

#1 TEMPORARY EMERGENCY APPROPRIATIONS CY 2018

WHEREAS, an emergency condition has arisen with respect to providing appropriations to pay various costs, as per attached schedule, and no adequate provision has been made in the CY 18 Temporary Budget for the aforesaid purposes and N.J.S.:4-20 provides for the creation of an emergency temporary appropriation for the purposes above mentioned, and

WHEREAS, the total emergency resolution adopted in the CY 18 budget pursuant to the provisions of Chapter 96, P.L. 1951 (NJS 40A:4-20) including this resolution total

Current Fund	\$	1,729,325.50
Parking Utility	\$	15,000.00

NOW THEREFORE, BE IT RESOLVED (not less than two-thirds of all members therefore affirmatively concurring) that in accordance with NJS 40A:4-20

1- An emergency temporary appropriation be and the same is hereby made as per attached schedule:

Current Fund	\$	1,729,325.50
Parking Utility	\$	15,000.00

OFFICE OF THE MAYOR- S&W	50,000.00
BUSINESS ADMINISTRATION- S&W	50,000.00
BUSINESS ADMINISTRATION- O.E.	20,000.00
PERSONNEL- S&W	10,000.00
MUNICIPAL COUNCIL - S&W	20,000.00
CITY CLERK - S&W	20,000.00
FINANCE DEPARTMENT-S&W	100,000.00
TAX ASSESSOR- S&W	50,000.00
TAX COLLECTOR- S&W	20,000.00
LAW DEPT - S&W	50,000.00
PLANNING & ZONING - S&W	30,000.00
LAW ENFORCEMENT - UNIFORM - S&W	1,000,000.00
LAW ENFORCEMENT - NONUNIFORM - S&W	100,000.00
OTHER PUBLIC WORKS - O.E.	30,000.00
MAINTENANCE OF PARKS - S&W	50,000.00
SOCIAL SECURITY	100,000.00
GROUND RESTORATION	29,325.50
 TOTAL	 \$1,729,325.50

PARKING UTILITY

OPERATING - O.E.	5,000.00
SOCIAL SECURITY	10,000.00
 TOTAL	 \$15,000.00

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

* * * * *

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

RESOLUTION PROVIDING FOR THE COMBINATION OF
CERTAIN ISSUES AND DETERMINING THE FORM AND OTHER

SECTION 1. The \$7,208,000 aggregate principal amount of Tax-Exempt General Improvement Bonds, Series 2018A (the "Tax-Exempt General Improvement Bonds") of the City, authorized pursuant to the bond ordinances of the City heretofore adopted and described in Section 2 hereof, shall be a single issue of Tax-Exempt General Improvement Bonds, Series 2018A in the aggregate principal amount of \$7,208,000 to be issued in one series or multiple separate series aggregating said amount and to memorialize the obligations of the City.

SECTION 2. The principal amount of the Tax-Exempt General Improvement Bonds authorized by the ordinances to be a single issue as above provided, the bond ordinances authorizing the Tax-Exempt General Improvement Bonds described by reference to the ordinance number, description and date of final adoption, amount of issue and the period of usefulness determined in the bond ordinances are as follows:

<u>Ordinance Number</u>	<u>Description and Date of Final Adoption</u>	<u>Amount of Issue</u>	<u>Useful Life</u>
O-06-35	City-Wide Communication System, Finally Adopted October 11, 2006	\$2,670,000	10 years
O-07-02	Various 2007 Capital Improvements, Finally Adopted January 24, 2007	\$758,000	10.03 years
O-15-16	Various 2015 Capital Improvements, Finally Adopted May 20, 2015	\$3,780,000	12.93 years
TOTAL		\$7,208,000	

SECTION 3. The following matters are hereby determined with respect to the issuance of the Tax-Exempt General Improvement Bonds:

(a) The period of usefulness, computed on the basis of the amount of the Tax-Exempt General Improvement Bonds presently authorized to be issued pursuant to the bond ordinances and the average periods of usefulness therein determined, is not more than 11.54 years.

(b) The Tax-Exempt General Improvement Bonds of the issue shall be designated "Tax-Exempt General Improvement Bonds, Series 2018A" (or such other designation if such Tax-Exempt General Improvement Bonds are issued in multiple separate series to memorialize the applicable obligations of the City) and shall mature within the period of usefulness hereinabove determined.

(c) The Tax-Exempt General Improvement Bonds of the issue shall be sold and issued in accordance with the provisions of the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"), that are applicable to the sale and issuance of bonds authorized by a single bond ordinance and accordingly may be sold with other issues of bonds.

SECTION 4. The following additional matters are hereby determined, declared, recited and stated:

(a) None of the Tax-Exempt General Improvement Bonds described in Section 2 hereof have been sold or issued heretofore, and the bond ordinances described in Section 2 have not been rescinded heretofore and now remain in full force and effect as authorization for the amount of the Tax-Exempt General Improvement Bonds set opposite the description of the bond ordinances set forth in Section 2 hereof.

(b) The purposes or improvements authorized by the bond ordinances described in Section 2 hereof are purposes for which Tax-Exempt General Improvement Bonds may be issued lawfully pursuant to the Local Bond Law and some of such improvements or purposes, if

SECTION 6. The principal amount of the Federally Taxable General Improvement Bonds authorized by the ordinance to be a single issue as above provided, the bond ordinance authorizing the Federally Taxable General Improvement Bonds described by reference to the ordinance number, description and date of final adoption, amount of issue and period of usefulness determined in the bond ordinance is as follows:

<u>Ordinance Number</u>	<u>Description and Date of Final Adoption</u>	<u>Amount of Issue</u>	<u>Useful Life</u>
O-13-23	Providing For The Payment Of Certain Obligations Of The Bayonne Redevelopment Authority, Finally Adopted August 14, 2013	\$13,447,000	40 years
	TOTAL	\$13,447,000	

SECTION 7. The following matters are hereby determined with respect to the issuance of the Federally Taxable General Improvement Bonds:

(a) The period of usefulness, computed on the basis of the amount of the Federally Taxable General Improvement Bonds presently authorized to be issued pursuant to the bond ordinance and the period of usefulness therein determined, is not more than 40 years.

(b) The Federally Taxable General Improvement Bonds of the issue shall be designated "Federally Taxable General Improvement Bonds, Series 2018B" (or such other designation if such Federally Taxable General Improvement Bonds are issued in multiple separate series to memorialize the applicable obligations of the City) and shall mature within the period of usefulness hereinabove determined.

(c) The Federally Taxable General Improvement Bonds of the issue shall be sold and issued in accordance with the provisions of the Local Bond Law that are applicable to the sale and issuance of bonds authorized by a single bond ordinance and accordingly may be sold with other issues of bonds.

SECTION 8. The following additional matters are hereby determined, declared, recited and stated:

(a) None of the Federally Taxable General Improvement Bonds described in Section 6 hereof have been sold or issued heretofore, and the bond ordinance described in Section 6 has not been rescinded heretofore and now remains in full force and effect as authorization for the amount of the Federally Taxable General Improvement Bonds set opposite the description of the bond ordinance set forth in Section 6 hereof.

(b) The purposes or improvements authorized by the bond ordinance described in Section 6 hereof are purposes for which Federally Taxable General Improvement Bonds may be issued lawfully pursuant to the Local Bond Law and some of such improvements or purposes, if applicable and permitted by law, a deduction may be taken in any annual or supplemental debt statement.

SECTION 9. The Tax-Exempt General Improvement Bonds shall mature in the principal amounts on February 1 in each of the years as follows:

<u>Year</u>	<u>Principal Amount</u>
2019	\$390,000
2020	605,000
2021	620,000
2022	635,000
2023	650,000
2024	665,000
2025	685,000

SECTION 10. The Federally Taxable General Improvement Bonds shall mature in the principal amounts on February 1 in each of the years as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2019	\$355,000	2034	\$400,000
2020	355,000	2035	420,000
2021	355,000	2036	435,000
2022	355,000	2037	450,000
2023	355,000	2038	470,000
2024	355,000	2039	490,000
2025	355,000	2040	510,000
2026	355,000	2041	530,000
2027	355,000	2042	550,000
2028	355,000	2043	575,000
2029	355,000	2044	595,000
2030	355,000	2045	620,000
2031	360,000	2046	645,000
2032	375,000	2047	675,000
2033	385,000	2048	702,000

The Federally Taxable General Improvement Bonds shall be subject to redemption prior to maturity in accordance with the terms provided in the Notice of Sale authorized herein. The Federally Taxable General Improvement Bonds shall be thirty (30) in number, with one certificate being issued for each year of maturity and shall be designated and numbered FTGI-1 to FTGI-30, inclusive.

SECTION 11. The Bonds will be issued in fully registered form. One certificate shall be issued for the aggregate principal amount of the Bonds of each series maturing in each year. Both principal of and interest on the Bonds will be payable in lawful money of the United States of America. Each certificate will be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), which will act as securities depository for the Bonds (the "Securities Depository"). The certificates will be on deposit with DTC. DTC will be responsible for maintaining a book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The participants will be responsible for maintaining records regarding the beneficial ownership interests in the Bonds on behalf of individual purchasers. Individual purchases may be made in the principal amount of \$5,000 or any integral multiple thereof, except that those Bonds in excess of the largest principal amount thereof not equaling a multiple of \$5,000 shall be in denominations of \$1,000 or any integral multiple thereof, through book entries made on the books and records of DTC and its participants. The Bonds will be dated their date of delivery and shall bear interest therefrom, which interest shall be payable semiannually on the first day of February and August (each an "Interest Payment Date"), in each year until maturity, commencing February 1, 2019, at a rate or rates per annum as proposed by the Winning Bidder(s) in accordance with the Notice of Sale authorized herein. The principal of and the interest on the Bonds will be paid to the Securities Depository by the City, or some other paying agent as the City may designate and appoint, on the maturity dates and due dates and will be credited on the maturity dates and due dates to the participants of DTC as listed on the records of DTC as of the fifteenth day of January and July preceding each Interest Payment Date for the Bonds (the "Record Dates"). The Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer of the City, under the official seal (or facsimile thereof) affixed, printed, engraved or reproduced thereon and attested to by the manual signature of the Clerk of the City. The following matters are hereby determined with respect to the Bonds:

Date of Bonds:

Date of delivery;

Principal Payment Dates:

February 1, 2019 and each February 1 thereafter until maturity or prior

to market the Bonds in accordance with the requirements of DTC, upon the advice of Bond Counsel (as defined herein).

SECTION 13. The Bonds shall be sold upon receipt of electronic proposals on Thursday, March 29, 2018 at 11:00 a.m. by the Chief Financial Officer of the City via the Parity Electronic Bid Submission System website ("PARITY"), in accordance with the Notice of Sale authorized herein. The use of the services provided by PARITY and the fees associated therewith are hereby approved. Archer & Greiner P.C., Red Bank, New Jersey ("Bond Counsel"), on behalf of the City Clerk, is hereby authorized and directed to arrange for (i) the publication of a summary of such Notice of Sale to be published not less than seven (7) days prior to the date of sale in The Bond Buyer, a financial newspaper published and circulating in the City of New York, New York, (ii) the publication of the full text of such Notice of Sale in the Jersey Journal, such Notice of Sale to be published not less than seven (7) days prior to the date of sale, and (iii) the posting of the full text of the Notice of Sale on the website provided by or for PARITY, and any of the aforesaid actions of Bond Counsel undertaken heretofore are hereby ratified and confirmed. Pursuant to N.J.S.A. 40A:2-34, the City hereby designates the Chief Financial Officer of the City as the financial officer authorized to sell and to award the Bonds in accordance with the Notice of Sale authorized herein, and such financial officer shall report in writing the results of the sale to the City Council at its regularly scheduled meeting thereafter. The Chief Financial Officer is hereby further authorized and directed to do and accomplish all matters and things necessary or desirable to effectuate the offering and sale of the Bonds.

SECTION 14. The Notice of Sale shall be substantially in the form set forth in Exhibit B attached hereto with such additions, deletions and omissions as may be necessary for the Chief Financial Officer to market the Bonds, upon advice of Bond Counsel to the City.

SECTION 15. The Bonds shall have affixed thereto a copy of the written opinion with respect to such Bonds that is to be rendered by Bond Counsel. The Clerk of the City is hereby authorized and directed to file a signed duplicate of such written opinion in the office of the Clerk of the City.

SECTION 16. Bond Counsel is hereby authorized and directed as applicable, to arrange for the printing of the Bonds and for the printing and electronic posting of the Preliminary Official Statement (as hereinafter defined) and the Official Statement (as hereinafter defined), and any and all fees associated therewith, and any such actions undertaken heretofore are hereby ratified and confirmed. The Preliminary Official Statement and the Official Statement are hereby authorized, *nunc pro tunc*, to be prepared by Bond Counsel, Donohue, Gironda & Doria, Bayonne, New Jersey, auditor to the City (the "Auditor"), NW Financial Group, LLC, Hoboken, New Jersey (the "Municipal Advisor") and other City officials, and any such actions undertaken heretofore are hereby ratified and confirmed. Bond Counsel and the Municipal Advisor are each authorized and directed to arrange for the distribution of the Preliminary Official Statement on behalf of the City to those financial institutions that customarily submit bids for such Bonds, and any such actions undertaken heretofore are hereby ratified and confirmed. The Mayor or Acting Mayor of the City and the Chief Financial Officer are each authorized and directed to execute and deliver any certificates necessary in connection with the distribution of the Preliminary Official Statement and the Official Statement. Bond Counsel, the Municipal Advisor and the Auditor are further authorized and directed, *nunc pro tunc*, to obtain ratings on the Bonds and to prepare and submit financial and other information on the City to each rating agency and the preparation and submission of any such application is hereby ratified and confirmed.

SECTION 17. The City hereby covenants that it will comply with any conditions subsequently imposed by the Internal Revenue Code of 1986, as amended (the "Code"), to preserve the exemption from taxation of interest on the Tax-Exempt General Improvement Bonds, including the requirement to rebate all net investment earnings on the gross proceeds above the yield on the Bonds, if necessary. Conversely, the City makes no covenants as to the federal tax-exempt status of the Federally Taxable General Improvement Bonds as those Bonds will only be exempt from New Jersey State Income Tax.

SECTION 18. The City is hereby authorized to make representations and warranties, to enter into agreements and to make all arrangements with DTC, as may be necessary to provide that the Bonds will be eligible for deposit with DTC and to satisfy any

SECTION 20. The Chief Financial Officer is hereby authorized and directed to "deem final" the Official Statement (the "Official Statement") prepared with respect to the issuance of the Bonds and pursuant to the provisions of the Rule (as hereinafter defined) and to execute a certificate regarding same, and any such actions undertaken heretofore are hereby ratified and confirmed. The Chief Financial Officer is hereby authorized and directed to authorize and approve the use and distribution of the Official Statement in preliminary form (the "Preliminary Official Statement") in connection with the offering and sale of the Bonds, and any such actions undertaken heretofore are hereby ratified and confirmed. Upon the sale of the Bonds, the Preliminary Official Statement shall be modified, in consultation with Bond Counsel, the Municipal Advisor and the Auditor, to reflect the effect of the sale of the Bonds and said modified Preliminary Official Statement shall constitute the final Official Statement (the "Final Official Statement"). The Chief Financial Officer is hereby authorized and directed to execute and deliver the Final Official Statement to the purchaser of the Bonds in accordance with the provisions of the Rule, for its use in the sale, resale and distribution of the Bonds, where and if applicable.

SECTION 21. The final Official Statement to be dated on or about March 29, 2018 (the "Final Official Statement"), prepared with respect to the issuance of the Bonds, is hereby authorized to be executed on behalf of the City by the Chief Financial Officer of the City, and delivered to the respective purchaser of the Bonds for their respective use in connection with the sale, resale and distribution of the Bonds, where and if applicable. The Chief Financial Officer of the City and the Mayor or Acting Mayor of the City are further hereby authorized and directed to deliver any certificates necessary in connection with the distribution of the Official Statement.

SECTION 22. The City hereby covenants and agrees that it will comply with and carry out all of the provisions of the respective Continuing Disclosure Certificate (the "Certificate") which will set forth the obligation of the City to file, as applicable, budgetary, financial and operating data on an annual basis and notices of certain enumerated events deemed material in accordance with the provisions of Rule 15c2-12, as amended and supplemented (the "Rule"), promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934, as amended and supplemented. The Chief Financial Officer of the City is hereby authorized and directed to execute and deliver the Certificate to the purchaser of the Bonds, evidencing the City's undertaking with respect to the Rule. Notwithstanding the foregoing, failure of the City to comply with the Certificates shall not be considered a default on the Bonds, as applicable; however, any Bondholder may take such actions as may be necessary and appropriate, including seeking mandamus or specific performance, to cause the City to comply with its obligations hereunder and thereunder.

SECTION 23. The Chief Financial Officer of the City is hereby authorized and directed to sell the aforesaid Bonds and to determine all matters in connection with the Bonds (including adjusting the maturity schedule or any other matters set forth in this resolution that are deemed necessary and advisable to change by the Chief Financial Officer, prior to the sale or closing of the Bonds, all in consultation with Bond Counsel, the Municipal Advisor and the Auditor), and the manual or facsimile signature of the Chief Financial Officer of the City upon any documents shall be conclusive as to all such determinations. The Mayor or Acting Mayor, the Chief Financial Officer, the Clerk of the City and any other City Official or professional, including but not limited to Bond Counsel, the Municipal Advisor, the Auditor, the City Engineer and the City Corporation Counsel (collectively, the "City Officials"), are each hereby authorized and directed to execute and deliver such documents as are necessary to consummate the sale and closing of the Bonds, and to take such actions or refrain from such actions as are necessary for the issuance of the Bonds and all such actions or inactions taken by the aforesaid City Officials heretofore are hereby ratified and confirmed.

SECTION 24. This resolution shall take effect immediately.

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

* * * * *

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

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, on March 16, 2005, the Municipal Council adopted Resolution 05-03-16-048 authorizing and directing the Planning Board of the City (the “Planning Board”) to conduct a preliminary investigation to determine whether certain scattered sites in locations throughout the City, which include the properties located at 27-31 Prospect Avenue and 33-39 Prospect Avenue, which properties are identified as Block 455, Lots 1 and 2, as shown on the official Tax Map of the City (the “Redevelopment Area”), constitute a non-condemnation “area in need of redevelopment,” in accordance with the Redevelopment Law; and

WHEREAS, by Resolution 05-12-14-064, dated December 14, 2005, the Municipal Council designated the Redevelopment Area as an area in need of redevelopment in accordance with the provisions of *N.J.S.A. 40A:12A-6* of the Redevelopment Law; and

WHEREAS, on September 13, 2017, the Municipal Council authorized and directed the Planning Board to conduct a preliminary investigation to determine if certain property located at 41 Prospect Avenue, which property is identified as Block 455, Lot 3 as shown on the official Tax Map of the City (the “Study Area”), constitute a non-condemnation “area in need of redevelopment,” in accordance with the Redevelopment Law; and

WHEREAS, on December 13, 2017, the Municipal Council designated the Study Area as a non-condemnation area in need of redevelopment in accordance with the provisions of *N.J.S.A. 40A:12A-6* of the Redevelopment Law; and

WHEREAS, on January 17, 2018, the Municipal Council by resolution authorized and directed the Planning Board, to prepare and review a redevelopment plan for the property located at 27-31 Prospect Avenue, 33-39 Prospect Avenue, and 41 Prospect Avenue, which properties are identified as Block 455, Lots 1, 2, and 3 as shown on the official Tax Map of the City (the “Property”) and make recommendations to the Municipal Council in accordance with the Redevelopment Law; and

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Administration has prepared a redevelopment plan for the Property titled “Redevelopment Plan Madison Hill II Block 455, Lots 1, 2, & 3” dated January 17, 2018, (the “Redevelopment Plan”); and

WHEREAS, on January 17, 2018, the Municipal Council by ordinance adopted the Redevelopment Plan, and set forth their reasons on the record; and

WHEREAS, MHP 33 Prospect Avenue, LLC, a limited liability company of the State of New Jersey, with an office address of 4 Brighton Road, Suite 200, Clifton, NJ (the “Entity”) is the contract purchaser of the Property; and

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

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

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

WHEREAS, the Municipal Council desires to designate the Entity as redeveloper of the Property subject to the negotiation and preparation of a Redevelopment Agreement with the Entity for redevelopment of the aforesaid Property which will set forth the rights and obligations of the parties to the agreement, and the Entity agrees to enter into such an agreement with the Municipal Council.

Section 2. The Municipal Council, through its attorneys and staff, is hereby authorized to negotiate and prepare a mutually agreeable Redevelopment Agreement between MHP 33 Prospect Avenue, LLC, and the City of Bayonne, which Redevelopment Agreement shall be subject to the review and approval of this Municipal Council.

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

Section 4. This Resolution shall take effect immediately.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING AND DIRECTING THE PLANNING BOARD TO CONDUCT A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER CERTAIN PROPERTIES IDENTIFIED AS BLOCK 222, LOTS 1.01, 2, 3, 4, 5, 31, 32 AND 33; BLOCK 217, LOTS 4, 5, 6, 7, 8, 9, 30, 31 AND 32; BLOCK 213, LOTS 6, 7, 27, AND 28; BLOCK 207, LOTS 27, 28, 29.01; BLOCK 192, LOTS 1, 2, 3, 4, AND 5; BLOCK 21, LOTS 7.01, 8.01, 9, 10, 11.01, AND 12 WITHIN THE CITY CONSTITUTES A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.*

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

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

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

WHEREAS, the Mayor and Municipal Council consider it to be in the best interest of the City to have the Planning Board of the City (the "Planning Board") conduct such an investigation to determine if certain properties identified as Block 222, Lots 1.01, 2, 3, 4, 5, 31, 32 and 33; Block 217, Lots 4, 5, 6, 7, 8, 9, 30, 31 and 32; Block 213, Lots 6, 7, 27, and 28; Block 207, Lots 27, 28, 29.01; Block 192, Lots 1, 2, 3, 4, and 5; Block 21, Lots 7.01, 8.01, 9, 10, 11.01, and 12 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

condemnation "area in need of redevelopment" according to the criteria set forth in *N.J.S.A. 40A:12A-5*.

Section 3. The Planning Board is hereby directed to study the properties identified as Block 222, Lots 1.01, 2, 3, 4, 5, 31, 32 and 33; Block 217, Lots 4, 5, 6, 7, 8, 9, 30, 31 and 32; Block 213, Lots 6, 7, 27, and 28; Block 207, Lots 27, 28, 29.01; Block 192, Lots 1, 2, 3, 4, and 5; Block 21, Lots 7.01, 8.01, 9, 10, 11.01, and 12 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.

* * * * *

49. Council Member Perez introduced:

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

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

Section 1. That the Revised General Ordinances of the City of Bayonne, Chapter 7, TRAFFIC, is hereby amended and supplemented to include the following sub-section, 17A Parking in Front of Driveways, in its entirety:

7-17A [Parking in Front of Driveways.](#)

7-17A.1 Parking In Front of Driveways

a. Parking shall be permitted in front of private driveways whenever both the motor vehicle and driveway involved are owned by the same person, whenever the motor vehicle is owned by a member of the same household as the owner of the private driveway, or whenever the owner of the private driveway authorizes the parking of a motor vehicle in front of the private driveway; and where such parking is not otherwise prohibited and the permitting thereof would not interfere with the normal flow of traffic.

b. A motor vehicle shall not be permitted to be parked in front of a private driveway unless the owner of the private driveway or a member of the owner's family has been issued a valid permit and the permit is properly displayed, or unless the owner has authorized another party to use and display the owner's permit for parking in front of the private driveway, and the permit is valid and properly displayed.

c. An owner of a private driveway shall be eligible to apply for up to three permits for his own motor vehicles or for use by other parties authorized by the owner to park in front of the private driveway. Each member of the owner's household who owns a motor vehicle shall also be eligible to apply for a permit issued under this section. The permit shall be 5 1/2 inches by 8 1/2 inches in size, shall bear an appropriate certification of authenticity and shall be displayed prominently within the vehicle when it is parked so as to be seen from the middle of the street.

d. The fee for up to three permits shall be \$50.

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

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.

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING AND DIRECTING THE PLANNING BOARD TO REOPEN AND AMEND THE 8TH STREET STATION REHABILITATION AREA PLAN 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, the Municipal Council of the City (the "Municipal Council") adopted 98-02-04-040, which designated the entire City of Bayonne as an area in need of rehabilitation in accordance with the provisions of *N.J.S.A. 40A:12A-14* of the Redevelopment Law; and

WHEREAS, the Municipal Council, pursuant to Resolution No. 15-02-18-022, directed the Planning Board, to prepare and review a redevelopment plan for 8th Street Station Area (the "Rehabilitation Area") and make recommendations to the Municipal Council in accordance with the Redevelopment Law; and

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Administration in conjunction with Local and Planning Services of the Department of Community Affairs, prepared a rehabilitation plan for the Rehabilitation Area titled "City of Bayonne 8th Street Station Rehabilitation Area Plan" revised through April 24, 2015 (the "Redevelopment Plan"); and

WHEREAS, on May 20, 2015, the Municipal Council pursuant to Ordinance O-15-13 adopted the Redevelopment Plan dated March 9, 2015 and revised through April 24, 2015; and

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

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

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

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

Section 1. The Planning Board of the City of Bayonne is hereby authorized and directed to reopen and prepare an amendment to the Redevelopment Plan for the Rehabilitation Area in accordance with the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*

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

Section 3. This Resolution shall take effect immediately.

\$10,000.00 for the period of January 1, 2018 and ending December 31, 2018 for case management, emergency mental health services, respite care, hospice, early intervention services, medical supplies and home delivered meals to the elderly and people with disabilities; now, therefore be it

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

1. The City of Bayonne hereby accepts the aforesaid \$10,000.00 Peer Grouping grant funds from the County of Hudson, Department of Health and Human Services, for the Home Delivered Meals Program as for the period commencing January 1, 2018 through December 31, 2018.

2. The Mayor and City Clerk are hereby authorized to enter into an Agreement with the Bayonne Economic Opportunity Foundation, 555 Kennedy Boulevard, Bayonne, New Jersey 07002 for amount by \$10,000.00 to be used to continue the provision of a Nutritional Feeding Program for Senior Citizens with Home Delivered Meals for the period commencing January 1, 2018 and ending December 31, 2018.

3. Funds shall be charged to account Congregate Meals Program - G-02-41-777-000-199 subject to the receipt of the aforesaid \$10,000.00 Peer Grouping grant funds from the County of Hudson, Department of Health and Human Services.

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

* * * * *

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

WHEREAS, by way of Resolution No. 17-12-13-053, adopted by the Municipal Council on December 13, 2017, the City of Bayonne entered into Agreement No. CY18-022 with the law firm of Hughes & Finnerty, P.C. 25 West 8th Street, P.O. Box 65, Bayonne, NJ for professional legal services as Public Defender in connection with the representation of indigent individuals coming before the Municipal Court of the City of Bayonne for the period commencing January 1, 2018 and ending December 31, 2018 for a total contract amount not to exceed \$70,000.00 pursuant to the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4.5; and

WHEREAS, the City of Bayonne is in need of the professional legal services as Alternate Municipal Public Defender in the event that Hughes & Finnerty, P.C., is unable to provide said professional legal services; and

WHEREAS, Shokry Abdelsayed, Esq., 363 Broadway, Bayonne, New Jersey 07002 and Thomas J. Koehl, 203 Front Street, Secaucus, NJ 07094 have submitted to the City of Bayonne formal written proposals for said professional legal services; and

WHEREAS, Shokry Abdelsayed, Esq.. and Thomas J. Koehl, Esq., are qualified, ready and able to provide said services at the rate of \$300.00 per session for the period commencing January 1, 2018 and ending December 31, 2018 in the event Hughes & Finnerty, P.C. is unable to provide said professional services; and

WHEREAS, the anticipated contract amount for the contract term does not exceed \$17,500 and, therefore, is not subject to the Public Contracts Law, N.J.S.A. 40A:11-1 et seq. or the New Jersey Local Unit Pay to Play Law, N.J.S.A.19:44A:20.4. et seq.; and

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

WHEREAS, the City desires to retain the services of Shokry Abdelsayed, Esq. and

WHEREAS, said funds have been certified as available in Account #8-01-43-495-0000-028 pending adoption of the CY 2018 Budget, now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute agreements with Shokry Abdelsayed, Esq., 363 Broadway, Bayonne, New Jersey 07002 and Thomas J. Koehl, 203 Front Street, Secaucus, NJ 07094 to perform professional legal services as the Alternate Municipal Public Defender in connection with the representation of indigent individuals coming before the Municipal Court of the City of Bayonne at the rate of \$300.00 per session for which said services are needed for the period commencing January 1, 2018 and ending December 31, 2018 for total contract amounts not to exceed \$7,500.00 each.
2. Funds shall be charged to Account #8-01-43-495-2-028 and shall be deducted from the funds allocated to Hughes & Finnerty, P.C., under Agreement No. CY18-022 for professional legal services as Public Defender.
3. A notice of this award shall be published once in a newspaper of general circulation within the boundaries of the City of Bayonne.

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

* * * * *

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

WHEREAS, SCF Realty III, LLC, 61-81 E 2nd Street, Bayonne, New Jersey purchased Building Permit #17-10-131 for minor framing, sheetrock and insulation for 75 East Second Street, Bayonne, New Jersey for a fee of \$1,046.00; and

WHEREAS, SCF Realty III, LLC, has advised the Building Department that Permit 17-10-131 is no longer being pursued and no work was performed in connection with same; and

WHEREAS, SCF Realty III, LLC has requested a refund of the building permit fee in the amount of \$1,046.00; and

WHEREAS, funds are certified as available in Accounts T-12-56-813-0000-199 (\$980.00) and T-12-56-839-0000-199 (\$66.00); now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Comptroller and/or other appropriate officials of the City of Bayonne is hereby authorized to issue a warrant in the amount of \$1,046.00 payable to SCF Realty III, 61-81 E. 2nd Street, Bayonne, New Jersey representing reimbursement of the fee for Building Permit #17-10-131 in connection with the minor framing, sheetrock and insulation for 75 East Second Street, Bayonne, New Jersey.
2. Funds shall be charged to Accounts T-12-56-813-0000-199 (\$980.00) and T-12-56-839-0000-199 (\$66.00).

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

* * * * *

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

WHEREAS, pursuant to Resolution 17-07-19-066, the Municipal Council authorized

agreements with SUSAN B. GYSS (as Municipal Prosecutor) and STEVEN R. HUMMELL (as Alternate Prosecutor) in the amount of \$8,000 making the total contract amounts \$16,700 and \$12,700 respectively; and

WHEREAS, it was necessary to adjust the aforesaid contract amounts as follows:
SUSAN B. GYSS (Municipal Prosecutor) increase by an amount of \$400 and STEVEN R. HUMMELL (Alternate Prosecutor) decrease by an amount of \$400; and

WHEREAS, funds were certified as available in Account 7-01-25-0000-099; and

WHEREAS, the Municipal Treasurer issued a check payable to SUSAN B. GYSS for payment in full for the aforesaid professional legal services which included the \$400 over the contract amount of \$16,700; 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 adjusted as follows:

a) SUSAN B. GYSS (Municipal Prosecutor) increased by an amount of \$400; and

b) STEVEN R. HUMMELL (Alternate Prosecutor) is hereby decreased by an amount of \$400;

2. The actions of the Municipal Treasurer in issuing the aforesaid check which included the amount of \$400 over the contract amount are hereby ratified and affirmed.

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

* * * * *

55. Council Member Perez introduced:

A Capital Improvement Ordinance to provide funding for Improvements to Intersection of Avenue C and 12th Street in the amount of \$260,000.

Whereas, a need exists to make improvements to the intersection at Avenue C and 12th Street and funding is available from the Capital Improvement and Capital Surplus accounts, now therefore, be it

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

Intersection Improvements 12 th Street and Avenue C	\$260,000.00
--	--------------

Be it further ORDAINED that funding is provided from:

Capital Fund Balance	\$113,594.80
Capital Improvement Fund	\$146,405.20
Total	\$260,000.00

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

BE IT RESOLVED, that an ordinance entitled "A CAPITAL IMPROVEMENT ORDINANCE TO PROVIDE FUNDING FOR IMPROVEMENTS TO INTERSECTION OF AVENUE C AND 12TH STREET IN THE AMOUNT OF \$260,000," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, March 14, 2018 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

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING AND DIRECTING THE PLANNING BOARD TO CONDUCT A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER CERTAIN PROPERTIES LOCATED AT 79-83 JF KENNEDY BLVD, 85-87 JF KENNEDY BLVD, 42 JULIETTE ST, AND 44 JULIETTE ST WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 346, LOTS 22, 23, 24, AND 25 WITHIN THE CITY CONSTITUTES A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.*

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

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

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

WHEREAS, the Mayor and Municipal Council consider it to be in the best interest of the City to have the Planning Board of the City (the "Planning Board") conduct such an investigation to determine if certain properties located at 79-83 JF Kennedy Blvd., 85-87 JF Kennedy Blvd., 42 Juliette St., and 44 Juliette St., which properties are identified as Block 346, Lots 22, 23, 24, and 25 as shown on the official Tax Map of the City (the "Study Area"), constitute a non-condemnation "area in need of redevelopment," in accordance with the Redevelopment Law; and

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

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

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

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

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

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

Section 3. The Planning Board is hereby directed to study the properties located at 79-83 JF Kennedy Blvd., 85-87 JF Kennedy Blvd., 42 Juliette St., and 44 Juliette St., which

* * * * *

57. Council Member LaPelusa introduced:

AN ORDINANCE CONSENTING TO THE ASSIGNMENT OF ALL CONTRACTS AND A LEASE FOR THE SECOND FLOOR OF THE PREMISES AT 597 BROADWAY, BAYONNE, NEW JERSEY, ALSO KNOWN AS LOT 11 IN CITY BLOCK 171 ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE, BY THE BAYONNE COMMUNITY MENTAL HEALTH CENTER, A NONPROFIT CORPORATION ESTABLISHED FOR A PUBLIC PURPOSE, TO TRINITAS REGIONAL MEDICAL CENTER, A NONPROFIT CORPORATION ESTABLISHED FOR A PUBLIC PURPOSE, PURSUANT TO N.J.S.A. 40A:12-14, ET. SEQ.

WHEREAS, on June 22, 2016 this body passed Ordinance O-16-36 authorizing the City of Bayonne to enter into a written lease agreement with the Bayonne Community Mental Health Center for the use of the second floor of the property at 597 Broadway for the purpose of allowing the latter to render mental health services to the citizens of Bayonne, regardless of their ability to pay; and

WHEREAS, on September 22, 2016 the City of Bayonne and the Bayonne Community Mental Health Center entered into a lease which retroactively commenced on January 1, 2006 and terminates on December 31, 2025 at an annual rent of \$1.00 per year (the "Lease"); and

WHEREAS, the City of Bayonne has various contracts with the Bayonne Community Mental Health Center whereby the latter provides services to the citizens of the City of Bayonne; and

WHEREAS, certain of the assets of the Bayonne Community Mental Health Center are being acquired by Trinitas Regional Medical Center, and in connection with this acquisition the former will be selling, assigning, transferring, conveying and delivering to Trinitas Regional Medical Center all of its interests, obligations and rights attendant to any and all such contracts between the City of Bayonne and the Bayonne Community Mental Health Center, including, but not limited to, the aforesaid Lease for the second floor of 597 Broadway, following the closing of such asset acquisition transaction; and

WHEREAS, Trinitas Regional Medical Center has agreed to assume all of Bayonne Community Mental Health Center's rights and obligations under the aforesaid Lease and other contracts following the closing of such asset acquisition transaction, effective upon and following the closing of such asset acquisition; and

WHEREAS, as a pre-condition of the asset acquisition, Trinitas Regional Medical Center has requested that the City of Bayonne consent to the assignment and assumption of the Lease for the second floor of 597 Broadway and all other existing contracts between the City of Bayonne and the Bayonne Community Mental Health Center following the closing of such asset acquisition transaction, effective upon and following the closing of such asset acquisition transaction; now, therefore,

THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE DOES ORDAIN:

Section 1. That the City of Bayonne hereby consents to the assignment of the Lease for the Second Floor of 597 Broadway and all other contracts between the City of Bayonne and the Bayonne Community Mental Health Center from the Bayonne Community Health Center to Trinitas Regional Medical Center, effective upon the closing of the acquisition by Trinitas Regional Medical Center of certain of the assets of Bayonne Community Mental Health Center.

Section 2. That the City of Bayonne hereby consents to the assumption of the Lease for the Second Floor of 597 Broadway and all other contracts between the City of Bayonne and the Bayonne Community Mental Health Center by Trinitas Regional Medical Center from the Bayonne Community Health Center, effective upon the closing of the acquisition by Trinitas Regional Medical Center of certain of the assets of Bayonne Community Mental Health Center.

COMMUNITY MENTAL HEALTH CENTER, A NONPROFIT CORPORATION ESTABLISHED FOR A PUBLIC PURPOSE, TO TRINITAS REGIONAL MEDICAL CENTER, A NONPROFIT CORPORATION ESTABLISHED FOR A PUBLIC PURPOSE, PURSUANT TO N.J.S.A. 40A:12-14, ET. SEQ.,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, March 14, 2018 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.

* * * * *

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

WHEREAS, WILLIAM ARCHIELLO, INC., having an address at 520B BROADWAY, BAYONNE, NEW JERSEY 07002 is the owner of seventeen (17) taxicab licenses in the City of Bayonne; and

WHEREAS, WILLIAM ARCHIELLO, INC., has requested that it be permitted to transfer these seventeen (17) taxicab licenses to JERSEY LIMO, INC., of 87 DORSA AVENUE, SUITE 1, LIVINGSTON, NEW JERSEY 07039; and

WHEREAS, pursuant to Chapter 8, Taxicabs and Limousines, Subsection 8-3.5 (Transfers of Taxicab Owner’s License to Another Holder) of the Revised General Ordinances of the City of Bayonne, no taxicab owner’s license may be transferred to another holder without the written approval of the Municipal Council;

WHEREAS, any such transfer is subject to the transferee submitting an application and qualifying as a licensee; now, therefore, be it

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

1. WILLIAM ARCHIELLO, INC., is hereby authorized to transfer seventeen (17) taxicab licenses to JERSEY LIMO, INC., of 87 DORSA AVENUE, SUITE 1, LIVINGSTON, NEW JERSEY 07039 subject to the transferee submitting an application and qualifying as a licensee consistent with the applicable terms and conditions set forth in Chapter 8 of the Revised General Ordinances of the City of Bayonne.

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

* * * * *

At 8:05 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.

* * * * *