

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, MARCH 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 March 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 March 9, 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.

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

March 14, 2018

Council Members of the City of Bayonne
630 Avenue C
Bayonne, NJ 07002

Dear Council Members,

Next year on March 10, 2019 the City of Bayonne will celebrate its 150th Anniversary. As this date is fast approaching, I am writing to advise you that I have created a committee to organize a celebration for this historic event. I anticipate that there will be events throughout the year culminating with celebration on the anniversary date.

Bayonne has a rich history dating back to the time when Bayonne was the home to the Lenni Lanape Native Americans. It was originally known as Bergen Neck since it was located south of the Dutch settlement of Bergen, now known as Jersey City. The name of Bayonne (“land between the bays”) was taken from a crosstown road, Bayonne Avenue, now known as 33rd Street. On March 10, 1869 the township became the City of Bayonne with a mayor-council form of government. Our city has changed over time from a breach-front community to an industrial community with a military base. Bayonne is in the midst of now becoming the City that it so truly deserves to be, beginning a new era of economic development, shopping centers, and a revitalized ocean terminal.

The yearlong celebration is not only to celebrate our rich history but also our bright future. I am certain that, with the help of this 150th Anniversary Committee, we will be able accomplish the celebration of this milestone with enthusiasm and spirit. We, the citizens of this great City of Bayonne, have a lot to be proud of, and together, we can share in the greatness of our City.

Sincerely yours
James M. Davis
Mayor
(signed)

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

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02. Megan McNally addressed the council on the animal control contract.

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03. Carla Harrilal addressed the council regarding animal control.

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04. Peter Franco addressed the council regarding animal control.

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05. The Clerk announced:

AN ORDINANCED 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.,” which was introduced and passed a first reading at a meeting held February 14, 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 March 14, 2018, is now before the Council for its consideration and a public hearing.

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

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

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

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

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 objects to the ordinance or to is passage.

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

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

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

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

WHEREAS, an ordinance entitled, “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, 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.,” was introduced and passed a first reading at a meeting held February 14, 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 March 14, 2108; 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-.

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

The ordinance failed adoption.

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06. The Clerk announced:

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," which was introduced and passed a first reading at a meeting held February 14, 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 March 14, 2018, is now before the Council for its consideration and a public hearing.

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

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

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

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

There was no response – no person appearing to protest against or object to the ordinance of 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, "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," was introduced and passed a first reading at a meeting held February 14, 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 March 18, 2108; 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-18-13.

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

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07. The Clerk announced:

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" which was introduced and passed a first reading at a meeting held February 14, 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 March 14, 2018, is now before the Council for its consideration and a public hearing.

Council Member LaPelusa moved a resolution, seconded by Council Member Perez, which was read by the Clerk and 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: "A CAPITAL IMPROVEMENT ORDINANCE TO PROVIDE FUNDING FOR IMPROVEMENTS TO INTERSECTION OF AVENUE C AND 12TH STREET IN THE AMOUNT OF \$260,000"

The following person(s) spoke: Mike Morris – 123 Avenue C

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

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

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

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, "A CAPITAL IMPROVEMENT ORDINANCE TO PROVIDE FUNDING FOR IMPROVEMENTS TO INTERSECTION OF AVENUE C AND 12TH STREET IN THE AMOUNT OF \$260,000" was introduced and passed a first reading at a meeting held February 14, 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 March 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-18-14.

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

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08. The Clerk announced:

AN ORDINANCE ENTITLED, "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.,"

which was introduced and passed a first reading at a meeting held February 14, 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 March 14, 2018, is now before the Council for its consideration and a public hearing.

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

There was no response – no person appearing to protest against or object to the ordinance of 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 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.," was introduced and passed a first reading at a meeting held February 14, 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 March 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-18-15.

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

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

Council Member Perez moved a resolution, seconded by Council Member Gullace, which was read by the Clerk and 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 following person(s) spoke: Mike Morris – 123 Avenue C

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

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

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

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

WHEREAS, an ordinance entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC," was introduced and passed a first reading at a meeting held February 14, 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 March 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-18-16.

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

Nays – Council Member Cotter.

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10. The Clerk announced:

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

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

There was no response – no person appearing to protest against or object to the ordinance of ti 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 February 14, 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 March 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-18-16.

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

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11. Council Member Perez introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR CERTAIN PROPERTY LOCATED AT 117-121 PROSPECT AVE, WHICH PROPERTY IS IDENTIFIED AS BLOCK 441, LOT 10, 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 117-121 Prospect Ave, which property is identified as Block 441, Lot 10, 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 March 13, 2018, 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 117-121 Prospect Avenue Block 441 Lot 10” prepared by Suzanne Mack, PPAICP, City of Bayonne, Division of Planning & Zoning, Department of Administration, dated February 13, 2018 (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 March 13, 2018, 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 March 14, 2018, the Municipal Council designated the Study Area as a non-condemnation area in need of redevelopment for the property located at 117-121 Prospect

Ave, which property is identified as Block 441, Lot 10, as shown on the official Tax Map of the City (the "Property") and made 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 117-121 Prospect Avenue Block 441 Lot 10" dated March 13, 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. The City hereby transfers the Redevelopment Plan to the Planning Board for further consideration and to determine same is consistent with the City's Master Plan and in accordance with the Redevelopment Law.

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

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

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

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

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN FOR CERTAIN PROPERTY LOCATED AT 117-121 PROSPECT AVENUE, AND IDENTIFIED AS BLOCK 441, LOT 10 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, April 18, 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, and to forward a copy of said ordinance to the planning board for its review of and a report regarding same pursuant to NJSA 40:55D-26.

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

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12. Council Member LaPelusa introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 554-556 BROADWAY & 11 EAST 25TH ST, WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 184, LOTS 5 & 10 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE

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

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

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

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

WHEREAS, on December 13, 2017, the Municipal Council directed the Planning Board, to prepare and review a redevelopment plan for the properties located at 554-556 Broadway & 11 East 25th Street, which properties are identified as Block 184, Lots 5 & 10 (the “Property”) on the official tax map of the City of Bayonne 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 for Block 184, lot 5 (554-556 Broadway) Block 184, lot 10 (11 East 25th Street) (Mandee’s)”, dated March 6, 2018 (the “Redevelopment Plan”); and

WHEREAS, on March 13, 2018, the Planning Board reviewed the Redevelopment Plan and recommended the adoption of the Redevelopment Plan to the Municipal Council and concluded that said Redevelopment Plan is consistent with the Master Plan of the City of Bayonne; and

WHEREAS, upon receipt and review of the Planning Board’s recommendations relating to the Redevelopment Plan, 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 aforementioned 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 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 ADOPTING A REDEVELOPMENT PLAN FOR CERTAIN PROPERTY LOCATED AT 554-556 BROADWAY AND 11 EAST 25TH STREET, AND IDENTIFIED AS BLOCK 185, LOTS 5 AND 10 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, April 18, 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, and to forward a copy of said ordinance to the planning board for its review of and a report regarding same pursuant to NJSA 40:55D-26.

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

* * * * *

13. Council Member Perez introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR CERTAIN PROPERTIES LOCATED AT 130-134 AVENUE F, EAST 23RD ST, MECHANIC ST, 37 MECHANIC ST, 39 MECHANIC ST, AND 41 MECHANIC ST, WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 450, LOTS 1, 10.01, 10.02, 22, 23, AND 24 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 considered it to be in the best interest of the City to have the Planning Board of the City (the “Planning Board”) conduct such an investigation to determine if certain properties located at 130-134 Avenue F, East 23rd St, Mechanic St, 136 Avenue F, 37 Mechanic St, 39 Mechanic St, and 41 Mechanic St, which properties are identified as Block 450, Lots 1, 10.01, 10.02, 21, 22, 23, and 24, as shown on the official Tax Map of the City (the “Study Area”), constitute a non-condemnation “area in need of redevelopment,” in accordance with the Redevelopment Law; and

WHEREAS, on January 9, 2018, the Planning Board held a public hearing, duly noticed under the Redevelopment Law, and reviewed an investigation/report for the properties identified as Block 450, Lots 1, 10.01, 10.02, 22, 23, and 24 (the “Redevelopment Area”), which was entitled “Preliminary Investigation Non-Condensation Area in Need of Redevelopment 130-134 Avenue F, East 23rd St, Mechanic St, 37 Mechanic St, 39 Mechanic St, and 41 Mechanic St, Block 450, Lots 1, 10.01, 10.02, 22, 23 and 24 ” prepared by Suzanne Mack, PPAICP, City of Bayonne, Division of Planning & Zoning, Department of Administration, (the “Study”) and any persons interested in or affected by a determination that the Redevelopment 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 January 9, 2018, the Planning Board further adopted a resolution recommending that the Redevelopment 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 January 17, 2018, the Municipal Council by resolution 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 130-134 Avenue F, East 23rd St, Mechanic St, 37 Mechanic St, 39 Mechanic St, and 41 Mechanic St, which properties are identified as Block 450, Lots 1, 10.01, 10.02, 22, 23 and 24 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 Mechanic Street, 130-134 Avenue F, East 23rd Street, Mechanic Street, 37 Mechanic Street, 39 Mechanic Street, and 41 Mechanic Street, Block 450, LOTS 1, 10.01, 10.02, 22, 23, AND 24, City of Bayonne, Hudson County, New Jersey” dated March 16, 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 PROPERTIES LOCATED AT 130-134 AVENUE F, EAST 23RD ST, MECHANIC ST, 37 MECHANIC ST, 39 MECHANIC ST, AND 41 MECHANIC ST, WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 450, LOTS 1, 10.01, 10.02, 22, 23, AND 24 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, April 18, 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, and to forward a copy of said ordinance to the planning board for its review of and a report regarding same pursuant to NJSA 40:55D-26.

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

* * * * *

14. Council Member Perez introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDED REDEVELOPMENT PLAN FOR THE PENINSULA AT BAYONNE HARBOR, AND REFERRED TO AS “HARBOR STATION SOUTH”

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

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

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

WHEREAS, the City is the owner of the Property; and

WHEREAS, Bayonne Redevelopers, LLC (the “Redeveloper”), through its affiliate JMF Acquisitions Group, L.L.C., is the designated Redeveloper of a portion of the Property identified as Block 720, Lot 1, Block 791, Lot 1 and Block 700, Lot 1; 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 the Redevelopment Plan; and

WHEREAS, the Municipal Council authorized the preparation of an amendment to the Amended Redevelopment Plan for the creation of an overlay for Block 700, Lot 1 and Block 720, Lot 1 (the “Overlay Redevelopment Plan”); and

WHEREAS, on March 15, 2017, the Municipal Council adopted by Ordinance the Overlay Redevelopment Plan; and

WHEREAS, the Municipal Council now believes that it is in the best interests of the City to amend the Overlay Redevelopment Plan for the Property in order to expand the scope of the revitalization and redevelopment efforts in the City and make modifications to the Overlay Redevelopment Plan necessary to further the goals and objectives of the Master Plan; and

WHEREAS, on March 14, 2018, the Municipal Council directed the Planning Board, to prepare and review an amended Overlay Redevelopment Plan for the Property and make recommendations to the Municipal Council in accordance with the Redevelopment Law; and

WHEREAS, an amended Overlay Redevelopment Plan, which includes the Property titled “Redevelopment Plan for the Peninsula at Bayonne Harbor – HARBOR STATION SOUTH,” dated December 2015 amended March 14, 2017, has been prepared by the City Planning Department (the “Amended and Expanded Redevelopment Plan”); and

WHEREAS, upon receipt and review of the Amended and Expanded Redevelopment Plan, the Municipal Council desires to adopt the Amended and Expanded 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 Amended and Expanded 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 aforementioned recitals are incorporated herein as though fully set forth at length.

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

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 Amended and Expanded Redevelopment Plan and the provisions thereon.

Section 4. The City hereby transfers the Amended and Expanded Redevelopment Plan to the Planning Board for further consideration and to determine same is consistent with the City’s Master Plan and in accordance with the Redevelopment Law.

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

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

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

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

BE IT RESOLVED, that an ordinance entitled “O-10 ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDED REDEVELOPMENT PLAN FOR THE PENINSULA AT BAYONNE HARBOR, AND REFERRED TO AS “HARBOR STATION SOUTH”; and a resolution fixing Wednesday, April 18, 2018 at 7:00 P.M., and the Dorothy E. Harrington Council Chambers, Municipal Building, as the time and place for a public hearing and final passage.

,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, April 18, 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, and to forward a copy of said ordinance to the planning board for its review of and a report regarding same pursuant to NJSA 40:55D-26.

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

* * * * *

15. Council Member LaPelusa introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDED AND RESTATED SCATTERED SITE 14 REDEVELOPMENT PLAN FOR THE PROPERTIES IDENTIFIED AS BLOCK 452.02, LOTS 3-9, AND 11 AND BLOCK 451, LOTS 1.01, 1.02, 2.03, 2.04 AND 2.05 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, on November 11, 2009, the Bayonne Municipal Council (the “Municipal Council”) adopted Resolution No. 09-11-10-052 requesting the Planning Board of the City (the “Planning Board”) to conduct a preliminary investigation to determine whether portions of Route 440 West between East 22nd Street and New Hook Road, consisting of Block 452.02, Lots 3-9, 11, 12 and 13 and Block 451, Lots 1.01, 1.02, 2.03, 2.04 and 2.05 on the City’s Tax Maps (the “Study Area”), qualified as “an area in need of redevelopment” in accordance with the criteria set forth in *N.J.S.A. 40A: 12A-5*, and if so, to prepare a redevelopment plan for the Study Area; and

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

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

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

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

WHEREAS, on September 13, 2017, the Municipal Council directed the Planning Board, to prepare and review an amended Redevelopment Plan for the Property and make recommendations to the Municipal Council in accordance with the Redevelopment Law; and

WHEREAS, an amended Redevelopment Plan, which includes the Property titled “_____,” dated _____, 2018, has been prepared by the City Planning Department (the “Amended Redevelopment Plan”); and

WHEREAS, on March 13, 2018, the Planning Board reviewed the Amended Redevelopment Plan and recommended the adoption of the Amended Redevelopment Plan to the Municipal Council and concluded that said Amended Redevelopment Plan is consistent with the Master Plan of the City of Bayonne; and

WHEREAS, upon receipt and review of the Planning Board’s recommendations relating to the Amended Redevelopment Plan, 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 Property; 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 Property.

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

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

Section 2. The 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 Property.

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

BE IT RESOLVED, that an ordinance entitled “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDED AND RESTATED SCATTERED SITE 14 REDEVELOPMENT PLAN FOR THE PROPERTIES IDENTIFIED AS BLOCK 452.02, LOTS 3-9, AND 11 AND BLOCK 451, LOTS 1.01, 1.02, 2.03, 2.04 AND 2.05 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE; and a resolution fixing Wednesday, April 18, 2018 at 7:00 P.M., and the Dorothy E. Harrington Council Chambers, Municipal Building, as the time and place for a public hearing and final passage.,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, April 18, 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, and to forward a copy of said ordinance to the planning board for its review of and a report regarding same pursuant to NJSA 40:55D-26.

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

* * * * *

16. Council Member Perez introduced:

AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 11, POLICE DEPARTMENT,

WHEREAS, the City of Bayonne now deems it prudent to avail itself of the benefits afforded by the employment and deployment of special law enforcement officers to assist the regular police department in the performance of its duties and responsibilities subject to the eligibility criteria and limitations set forth in the Special Law Enforcement Officers Act, N.J.S.A. 40A: 14-146.10 et seq.; now, therefore

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 11, POLICE DEPARTMENT, is hereby amended and supplemented as follows (Additions **between asterisks and/or in bold**, deletions ~~{within brackets and/or struck through}~~):

****11-5.10** Special Law Enforcement Officers, Class III

There shall be the following class of special police officers pursuant to law and said special class shall be subject to the eligibility criteria and limitations set forth below and as set forth in the Special Law Enforcement Officers Act, N.J.S.A. 40A: 14-146.10 et seq.:

- a. Class 3. SLEO Class III (SLEO III) are authorized to exercise full powers and duties similar to those of a permanent, regularly appointed full-time police officer while providing security at a public or nonpublic school on the school premise during hours when the public or nonpublic school is normally in session or when it is occupied by public or nonpublic school students and/or its teachers.
- b. No special law enforcement officers shall be appointed to any term exceeding one year.
- c. No special law enforcement officer, by virtue of his/her appointment as such, shall be or become a regular member of the police department.
- d. Special law enforcement officers are employed in a part-time capacity and can be terminated for cause after adequate hearing, unless the appointment is for four months or less, in which event the appointment may be revoked without cause or hearing (N.J.S.A. 40A: 14-146.14).
- e. Every special law enforcement officer, while on duty, shall abide by all the rules and regulations of the police department and those policies, general orders or standard operating procedures established by the Chief of Police or the Director of Public Safety.**

11-5.1~~0~~****1**** Duties.

Every Officer, holder of position or employee in the Police Department may be required to perform such duties in addition to those above prescribed as may be assigned to them by the Police Chief or by the Director of the Department of Public Safety. (1972 Code § 5-7.22; Ord. No. 0-09-28 § 2)

Section 2. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

Section 3. The Mayor and Clerk are hereby authorized to execute any and all necessary documents in order to implement the intent of this Ordinance.

Section 4. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

Section 5. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section 6. This Ordinance shall take effect upon publication in an official newspaper of the City, as required by and in conformance with law.

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

BE IT RESOLVED, that an ordinance entitled “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 11, POLICE DEPARTMENT,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, April 18, 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.

* * * * *

17. Council Member LaPelusa introduced:

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

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

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

RESTRICTIVE PARKING ZONES

DELETE

270. Kelly Betsworth, 948 Broadway

Beginning at a point on the east side of Broadway, 94 feet north of the northeast corner of East 45th Street and Broadway, and extending to a point 20 feet north thereof.

391. Krzysztof Kubiak, 89 East 22nd Street

Beginning at a point on the north side of East 22nd Street, 47 feet west of the southwest corner of East 22nd Street and Avenue F, and extending to a point 18 feet west thereof.

ADD

058. Cynthia Baldassarre, 24 Washington Parkway

Beginning at a point on the north side of Washington Parkway, 280 feet west of the northwest corner of Avenue A and Washington Parkway, and extending to a point 17 feet west thereof.

RELOCATE

067. Amanda Leonard from 437 Kennedy Boulevard to 380 Avenue C

OLD LOCATION: Beginning at a point on the south side of West 16th Street, 40 feet west of the southwest corner of West 16th Street and Kennedy Boulevard, and extending to a point 18 feet west thereof.

NEW LOCATION: Beginning at a point on the north side of West 16th Street, 35 feet west of the northwest corner of West 16th Street and Avenue C, and extending to a point 18 feet east thereof.

111. Mary Silvani from 76 Andrew Street to 206 Avenue F

OLD LOCATION: Beginning at a point on the south side of Andrew Street, 28 feet west of the southwest corner of Andrew Street and Kennedy Boulevard, and extending to a point 20 feet west thereof.

NEW LOCATION: Beginning at a point on the south side of New Street, 10 feet east of the southeast corner of Avenue F and New Street, and extending to a point 17 feet East thereof.

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

BE IT RESOLVED, that an ordinance entitled “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, April 18, 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.

* * * * *

18. 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.

* * * * *

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

From Alexander O. Bentsen, Esq., filing notice of tort claim on behalf of MINA YOUSEFF, a minor, alleging personal injuries resulting from an injury at the Lincoln School pool on February 9, 2018.

* * * * *

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

From Timothy Hawkes, Esq., filing notice of tort claim on behalf of LUIGI MELE alleging personal injuries resulting from a fall in street on December 12, 2017 at 50th Street and Broadway.

* * * * *

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

From Alexander O. Bentsen, Esq., filing notice of tort claim on behalf of AGNES SOMOS alleging personal injuries resulting from a fall on the sidewalk on November 1, 2017 at 130 North Street.

* * * * *

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

From FREDERICK T. GOODWIN, filing notice of tort claim alleging property damage to his vehicle on November 29, 2017 resulting from being struck by a city owned vehicle on East 22nd Street near Avenue J.

* * * * *

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

From BRIAN J. McCURNIN, filing notice of tort claim alleging property damage to his automobile on January 31, 2018 resulting from being struck by a city owned vehicle at 80 West 32nd Street.

* * * * *

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

From JAMES A. ROYSTER, filing notice of tort claim alleging financial damage resulting from his car being improperly towed at 8th Street and Avenue C.

* * * * *

25. 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, “PIRKOWSKI vs. 377 PROPERTY, LLC, et al., incl. THE CITY OF BAYONNE.” (Sidewalk fall down on August 27, 2015, at 377 Broadway)

* * * * *

26. 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, “PERCELLA vs. THE CITY OF BAYONNE, et al.” (Wrongful termination, workplace harassment)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “SUBHA REALTY, INC. vs. CITY OF BAYONNE.” (2nd Street & Lexington Avenue, Block 359, lot 4.04 - industrial)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “52ND STREET ASSOCIATES, LLC BY QUIK CHECK, TAXPAYER vs. CITY OF BAYONNE.” (20-38 East 53rd Street, Block 41, lot 13.01 - commercial)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “EILAT REALTY COMPANY vs. CITY OF BAYONNE.” (107-111 North Street, Block 295, lot 18 – multi-family residential)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “EILAT REALTY COMPANY vs. CITY OF BAYONNE.” (7-11 North Lane, Block 295, lot 20 – multi-family residential)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “CONSTABLE HOOK ROAD PARTNERS, LLC vs. CITY OF BAYONNE.” (Constable Hook, Block 464.01, lot 6 - industrial)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “JERSAM, INC. vs. CITY OF BAYONNE.” (63-67 Hook Road, Block 416, lot 3 – industrial)

* * * * *

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

From Donohue, Gironde, Doria & Tompkins, LLC, REPORT OF AUDIT for the year ended December 31, 2016.

* * * * *

34. 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.

* * * * *

35. 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.

* * * * *

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

DATE: March 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 March 2, 2018

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

JANET CONVERY
(signed)

* * * * *

37. 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.

* * * * *

38. 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, February 14, 2018 be and the same are hereby approved.

* * * * *

39. 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, February 7, 2018, be and the same are hereby approved.

* * * * *

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

WHEREAS, on April 3, 1972, the crew of an UH1H helicopter was on a routine resupply mission to signal units in and around Quang Tri Province, South Vietnam; and

WHEREAS, the crew was comprised of CW2 Larry A. Zich, aircraft commander; then CW2 Douglas L. O'Neill, pilot; Sgt. Allen D. Christensen, crew chief and SP4 Edward W. Williams, door gunner; and

WHEREAS, the helicopter was flying from Marble Mountain northwest to Quang Tri City when the aircraft disappeared; and

WHEREAS, on January 8, 1979 the United States Army changed the status of CWO Douglas L. O'Neil from "Missing" to "Died While Missing"; and

WHEREAS, the United States Army posthumously promoted Douglas L. O'Neil to Chief Warrant Officer; and

WHEREAS, CWO Douglas L. O'Neill is the only MIA Veteran from the City of Bayonne to serve in the Viet Nam War; and

WHEREAS, the City of Bayonne desires to honor his memory and recognize his valor, service and sacrifice to our country; now, therefore, be it

RESOLVED, that the southeast corner of Broadway and 8th Street is hereby designated and shall henceforth be known as "O'NEILL POINT" in memory of MIA CWO Douglas L. O'Neill, U.S. Army Veteran, 1948-1979.

* * * * *

41. 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
26	38	Aziz Erian	935.59
113	11	Janine Pielech	1,511.84
134	21	Bethpage Federal Credit Union	3,651.00
139	17	741-743 Broadway, LLC	1,788.51
192	40	BCB Community Bank	6,768.17
244	14	Danielle Rafalko	250.00
405	29	Christian & Maybelle Fransico	4,111.90
Total:			19,017.01

* * * * *

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

WHEREAS, SESAC, INC., 35 Music Square East, Nashville, TN 37203 has been aggressively asserting the rights of its members against small municipalities for copyright infringement when such municipalities play their music at various functions including, but not limited to, festivals, firework shows, concerts in the park, community centers and even while on "hold" during telephone calls, without a license to do so; and

WHEREAS, the licensing fee for the current license period is \$1,369.52; and

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

RESOLVED, that the Treasurer is herby authorized to issue a warrant payable to SESAC, Inc. in the amount of \$1,369.52; and be it further

RESOLVED, that funds are certified available in Account #BA-2 (01-201-25-240-2-020.

* * * * *

43. 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 \$116.40 drawn of the Bureau of Rabies Control, State Department of Health, Trenton, New Jersey, covering the issuance of licenses Nos. 814-866 inclusive, 57 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.

* * * * *

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

RESOLVED, that the actions of the Municipal Treasurer in issuing payment from Current Fund in the amount of \$ 6,904.645.57 payable to the County of Hudson for First Quarter County Taxes of 2018, County Open Space Tax and Added/Omitted Tax is hereby ratified and confirmed.

* * * * *

45. 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 continued supplementation services for the Revised General Ordinances of the City of Bayonne; and

WHEREAS, Coded Systems, LLC, 608 Highway 71, Spring Lake Heights, New Jersey 07762, has previously been awarded a contract for such services on an annual basis, and is

willing to continue to supply said services for the period commencing January 1, 2018 and ending December 31, 2018 in accordance with the terms of a proposal dated February 8, 2018; and

WHEREAS, funds are certified as available in Account 8-01-20-121-0000-029 pending adoption of the CY2018 budget; and

WHEREAS, bids need not be solicited for these services insofar as the Agreement complies with the statutory guidelines of N.J.S.A. 40A:11-5(1)(a)(x); now, therefore be it

RESOLVED, that the Mayor and City Clerk be and are hereby authorized to enter into a contract with Coded Systems, LLC, 608 Highway 71, Spring Lake Heights, New Jersey 07762, for continuation of supplementation service for the Revised General Ordinances of the City of Bayonne for the period commencing January 1, 2018 and ending December 31, 2018, for a contract amount not to exceed Fifteen Thousand (\$15,000.00) Dollars; and be it further

RESOLVED, that funds are chargeable to Account 8-0-20-121-0000-029 pending adoption of the CY 2018 budget.

* * * * *

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

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the City of Bayonne strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, the City of Bayonne is participating in the Sustainable Jersey Program; and

WHEREAS, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created a grant program called the Sustainable Jersey Roots for River Reforestation Grant and Technical Assistance Program;

THEREFORE, the Mayor and Council of the City of Bayonne has determined that the City of Bayonne should apply for the aforementioned Grant.

THEREFORE, BE IT RESOLVED, that Mayor and Council of the City of Bayonne, State of New Jersey, authorize the submission of the aforementioned Sustainable Jersey Grant.

* * * * *

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

WHEREAS, the Benevolent and Protective Order of Elks of U.S.A, Bayonne NJ Elks Lodge #434, a New Jersey Non-Profit Organization ("Elks Club") has requested permission to hold an event to be promoted as the **Bike Blessing** on Saturday, April 21, 2018 from 12:00 p.m. to 4:00 p.m. on Broadway between 16th and 17th Streets; and

WHEREAS, the Elks Club has requested that Broadway in between 16th and 17th Streets be closed to thru traffic for purposes of the event from 10:00 a.m. to 4:30 p.m. to allow for load-in and load-out activities; and

WHEREAS, the Elks Club has submitted an application for a License Agreement and has agreed to further coordinate with the Bayonne Police Department, Bayonne Fire Department, Bayonne Law Department, Department of Public Works, Division of Parks and any other City department, division or personnel as required to ensure the safety and welfare of the general public during the event; and

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

RESOLVED, that the Mayor and City Clerk are hereby authorized to execute a License Agreement, in form and substance as is acceptable to the Law Director, allowing the Benevolent and Protective Order of Elks of U.S.A, Bayonne NJ Elks Lodge #434, a New Jersey Non-Profit Organization, to hold the **Bike Blessing** event on Saturday, April 21, 2018 from

12:00 p.m. to 4:00 p.m. and to close Broadway, in between 16th and 17th Streets, from 10:00 a.m. to 4:30 p.m. to allow for load-in and load-out activities; and be it further

RESOLVED, that the City shall waive the license fee in that the Benevolent and Protective Order of Elks of U.S.A, Bayonne NJ Elks Lodge #434 is a non-profit organization.

* * * * *

48. 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:

Police Unit #49 2010 Chevy Impala VIN#2G1WB5EN3A1215120

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.

* * * * *

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

RESOLVED, that Sneh Bains is hereby removed as Petty Cash Custodian for the Free Public Library.

* * * * *

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

BE IT RESOLVED, That the City Clerk be and is hereby authorized to advertise for bids for 2018 roadway improvements.

* * * * *

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

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

LICENSEE	TIME & PLACE	LICENSE
Bayonne Feral Cat Foundation	6:00 – 10:00 PM 290 Avenue E May 5, 2018	RL: 9257 RL: 9258
Friend of Special Children	7:00 PM 53 Prospect Ave. June 8, 2018	RL: 9259
American Legion Post #19	631 Broadway 4/1/18-3/31/19	RL: 9260
Friends of Marist, Inc.	8:00 PM 1241 Kennedy Blvd. April 20, 2017	RL: 9261
Hudson County Animal League	2:00-6:30 PM 290 Avenue E April 13, 2018	RL: 9263 RL: 9264

Bayonne Chapter of Unico	8:00 PM 1091 Broadway June 7, 2018	RL: 9264
Hudson County Animal League	2:00-6:30 PM 290 Avenue E June 2, 2018	RL: 9265 RL: 9266
Bayonne High School Band Foundation	7:00-11:00 PM 400 Route 440 November 16, 2018	RL: 9267 RL: 9268
Dante Alighieri Society of Jersey City	12:00-4:00 PM 1105 Avenue C May 19, 2018	RL: 9269 RL: 9270
Hudson County Animal League	8:00 PM 151 LeFante Way July 11, 2018	RL: 9271
All Saint Catholic Academy	11:00 – 3:00 1081 Broadway April 29, 2018	RL: 9272

* * * * *

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

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year ended December 31, 2016 has been filed by a Registered Accountant with the Municipal Clerk as pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs, as per; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled “Comments and Recommendations”; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations” as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 - to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a dated fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW THEREFORE, BE IT RESOLVED, that the Municipal Council of the City of Bayonne, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a

certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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

* * * * *

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

WHEREAS, the Annual Audit for calendar year 2016 has been received by the City of Bayonne; and

WHEREAS, certain findings were made by the auditors which the city administration has determined to address; and

WHEREAS, the city administration has prepared a Corrective Action Plan designed to address such findings, a copy of which attached hereto and made part hereto; now, therefore be it

RESOLVED, by the Municipal Council of the City of Bayonne that the Corrective Action Plan attached hereto be and is hereby approved and endorsed; and be it further

RESOLVED, that the appropriate municipal officers are directed to take the corrective actions listed therein, and that a copy of the Corrective Action be maintained and available for inspection by the general public.

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

* * * * *

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

#2 TEMPORARY EMERGENCY APPROPRIATION 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	\$	14,581,325.50
Parking Utility	\$	265,000.00

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	\$	12,852,000.00
Parking Utility	\$	250,000.00

2- That said emergency temporary appropriation will be provided for the CY 17 budget under the title of, as per attached schedule:

Current Fund	\$	12,852,000.00
Parking Utility	\$	250,000.00

3- That one certified copy of this resolution be filed with the Director of Local Government Services.

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

* * * * *

55. Council President Nadrowski moved the following resolution, seconded by Council Member Perez, 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	Pensioners & Widows	\$ 7,000.	Vehicle Maintenance-O.E.	\$13,000.00
	Solid Waste Collection-O.E.	\$ 40,000.	Law Enforcement-Uniform-OE	\$25,000.00
	Solid Waste Disposal-OE	\$100,000.	Law Enforcement-Uniform-S&W	\$60,000.00
	Board of Health-OE	\$ 30,000.	Business Administration-OE	\$98,500.00
	Social Security	\$ 20,000.		

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY DESIGNATING CERTAIN PROPERTY LOCATED AT 117-121 PROSPECT AVE, WHICH PROPERTY IS IDENTIFIED AS BLOCK 441, LOT 10, AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.*

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

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

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

WHEREAS, 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 117-121 Prospect Ave, which property is identified as Block 441, Lot 10, 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 March 13, 2018, 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 117-121 Prospect Avenue Block 441 Lot 10” prepared by Suzanne Mack, PPAICP, City of Bayonne, Division of Planning & Zoning, Department of Administration, dated February 13, 2018 (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 March 13, 2018, the Planning Board further adopted the Resolution recommending that the Study Area be determined by the Municipal Council to be a non-condemnation “area in need of redevelopment” under the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*; and

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

provided by the Legislature for use in a redevelopment area, however, it shall not authorize the City to exercise the power of eminent domain to acquire all or any portion of such Study Area.

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 property located at 117-121 Prospect Ave, which property is identified as Block 441, Lot 10, as shown on the official Tax Map of the City is hereby designated a non-condemnation "area in need of redevelopment" under the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*

Section 3. The Municipal Council hereby directs the City Clerk to transmit a copy of the within resolution to the Commissioner of the Department of Community Affairs and to serve notice that Block 441, Lot 10, is designated a non-condemnation redevelopment area on the owners of such Study Area and other parties within ten (10) days of the date hereof, in accordance with *N.J.S.A. 40A:12A-6.b(5)*.

Section 4. This Resolution shall take effect immediately.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING AND DIRECTING THE PLANNING BOARD TO REOPEN AND AMEND THE REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 122 AVENUE E, 124 AVENUE E, 126 AVENUE E, 126 ½ AVENUE E, 128 AVENUE E, 130 AVENUE E, 132 AVENUE E, 134-136 AVENUE E, 138 AVENUE E, 140 AVENUE E, 165 AVENUE E, 167 AVENUE E, 169 AVENUE E, 170-180 AVENUE E, AND 157-163 AVENUE E WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 467, LOTS 17, 18, 19, 20, 21, 22, 23, 24, 25, & 26, BLOCK 234, LOTS 8.01, 11, 12, & 13, AND BLOCK 458, LOT 1 & 1.01, AS SHOWN ON THE OFFICIAL TAX MAP IN THE CITY OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET. SEQ.*

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

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

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

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

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

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

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

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

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

WHEREAS, on July 11, 2017, the Planning Board held a public hearing, duly noticed under the Redevelopment Law, and reviewed an investigation/report titled "City of Bayonne: Preliminary Investigation Non-Condensation Area in Need of Redevelopment Silklofts Expansion Study" prepared by the City of Bayonne, 630 Avenue C Bayonne, NJ 07002, dated June 19, 2017 (the "Study") and any persons interested in or affected by a determination that the Study Area is a non-condemnation redevelopment area were given an opportunity to be heard, and any objections to such a determination and evidence in support of those objections, were received and considered and made part of the public record; and

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

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

WHEREAS, an amended Redevelopment Plan titled the Silk Lofts Redevelopment Plan and an Overlay of a Portion of the Maidenform Plan (the "Amended Redevelopment Plan") dated October 3, 2017, was prepared by the City Planning Department which incorporates the Redevelopment Area to the Redevelopment Plan; and

WHEREAS, on November 8, 2017, the Municipal Council by ordinance adopted the Amended Redevelopment Plan; and

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

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

Section 1. The Planning Board of the City of Bayonne is hereby authorized and directed to reopen and prepare an amendment to the Amended Redevelopment Plan for the Study 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 and Expanded Redevelopment Plan to the Municipal Council for further consideration and action upon completion of same.

Section 3. This Resolution shall take effect immediately.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY DESIGNATING CERTAIN PROPERTY 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 OF BAYONNE AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT AND AUTHORIZING AND DIRECTING THE PLANNING BOARD TO PREPARE A REDEVELOPMENT PLAN FOR THE PROPERTY PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.*

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

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

WHEREAS, *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, on March 13, 2018, the Planning Board held a public hearing, duly noticed under the Redevelopment Law, and reviewed an investigation/report titled “Preliminary Investigation Non-condemnation Area in Need of Redevelopment for Porperty Located at 79-87 Kennedy Boulevard (The Kennedy) Block 346, lots 22, 23, 24 and 25” prepared by Suzanne Mack, PPAICP, City of Bayonne, Division of Planning & Zoning, Department of Administration, dated March 6, 2018 (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 March 13, 2018, the Planning Board further adopted the Resolution recommending that the Study Area be determined by the Municipal Council to be a non-condemnation “area in need of redevelopment” under the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*; and

WHEREAS, the Municipal Council concurs and agrees with Planning Board’s recommendation, as supported by the reasons stated in the Study, that the Study Area constitutes and meets the criteria under the Redevelopment Law and that the Study Area should be determined and declared a non-condemnation “area in need of redevelopment”, which determination shall, among other things, authorize the City to use all of the powers provided by the Legislature for use in a redevelopment area, however, it shall not authorize the City to exercise the power of eminent domain to acquire all or any portion of such Study Area; and

WHEREAS, the City is desirous of directing the Planning Board to prepare a redevelopment plan for the Study Area (the “Redevelopment Plan”); and

WHEREAS, the City believes that 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 Municipal Council believes that the preparation of a Redevelopment Plan is in the best interests of the City for the redevelopment of the Study Area.

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 property 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 is hereby designated a non-condemnation “area in need of redevelopment” under the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*

Section 3. The Municipal Council hereby directs the City Clerk to transmit a copy of the within resolution to the Commissioner of the Department of Community Affairs and to serve notice that Block 346, Lots 22, 23, 24, and 25, is designated a non-condemnation redevelopment area on the owners of such Study Area and other parties within ten (10) days of the date hereof, in accordance with *N.J.S.A. 40A:12A-6.b(5)*.

Section 4. The Planning Board of the City of Bayonne is hereby authorized and directed to prepare a Redevelopment Plan for the Study Area identified as Block 346, Lots 22, 23, 24, and 25, as shown on the Official Tax Map of the City in accordance with the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*

Section 5. The Planning Board shall transmit the Redevelopment Plan to the Municipal Council for further consideration and action upon completion of same.

Section 6. This Resolution shall take effect immediately.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY
AUTHORIZING AND DIRECTING THE PLANNING BOARD TO AMEND THE
REDEVELOPMENT PLAN FOR THE PENINSULA AT BAYONNE HARBOR, AND
REFERRED TO AS "HARBOR STATION SOUTH"

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

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

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

WHEREAS, the City is the owner of the Property; and

WHEREAS, Bayonne Redevelopers, LLC (the "Redeveloper"), through its affiliate JMF Acquisitions Group, L.L.C., is the designated Redeveloper of a portion of the Property identified as Block 720, Lot 1, Block 791, Lot 1 and Block 700, Lot 1; 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 the Redevelopment Plan; and

WHEREAS, the Municipal Council authorized the preparation of an amendment to the Amended Redevelopment Plan for the creation of an overlay for Block 700, Lot 1 and Block 720, Lot 1 (the "Overlay Redevelopment Plan"); and

WHEREAS, on March 15, 2017, the Municipal Council adopted by Ordinance the Overlay Redevelopment Plan; and

WHEREAS, the Municipal Council now believes that it is in the best interests of the City to amend the Overlay Redevelopment Plan for the Property in order to expand the scope of the revitalization and redevelopment efforts in the City and make modifications to the Overlay Redevelopment Plan necessary to further the goals and objectives of the Master Plan (the "Amended and Expanded 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 and Expanded Redevelopment Plan to the Overlay Redevelopment Plan.

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

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

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

Section 3. This Resolution shall take effect immediately.

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

* * * * *

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

WHEREAS, the Hon. Frank T. Carpenter, M.C.J., is currently presiding as a City of Bayonne Municipal Court Judge; and

WHEREAS, the City of Bayonne desires to designate the Hon. Frank T. Carpenter as Chief Judge of the Bayonne Municipal Court; now, therefore, be it

RESOLVED by the Municipal Counsel that the Hon. Frank T. Carpenter, J.M.C., is hereby designated Chief Judge of the Bayonne Municipal Court.

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

* * * * *

61. Council Member Peres introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING THE AMENDED SCATTERED SITE REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 474-476 BROADWAY, WHICH PROPERTY IS IDENTIFIED AS BLOCK 205, LOT 10.01 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.*

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

WHEREAS, pursuant to the Redevelopment Law, the Municipal Council 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 Bayonne Municipal Council (the "Municipal Council") adopted Resolution 05-03-16-048 requesting the Planning Board of the City (the "Planning Board") to conduct a preliminary investigation pursuant to *N.J.S.A. 40A:12A-6* to determine whether the subject area, which consists of 34 sites including the Property identified as Block 205, Lot 10.01 on the official tax map of the City of Bayonne (the "Scattered Site Study Area"), qualified as 'an area in need of redevelopment' in accordance with the criteria set forth in *N.J.S.A. 40A: 12A-5*, and if so, to prepare a redevelopment plan; and

WHEREAS, H2M Associates, Inc., on behalf of the Planning Board, prepared a report entitled the 'Scattered Site Redevelopment Study' dated December 7, 2005 (the "Scattered Site Redevelopment Study") for the Municipal Council's consideration; and

WHEREAS, on December 14, 2005, the Municipal Council adopted Resolution 05-12-14-064 designating the Scattered Site Study Area, which included the Property, as an area in need of redevelopment (the "Scattered Site Redevelopment Area"); and

WHEREAS, on January 25, 2006, the Municipal Council passed Ordinance O-06-02 which adopted the Scattered Site Redevelopment Plan prepared by H2M Associates, Inc. for the Scattered Site Redevelopment Area in accordance with the Redevelopment Law (the "Redevelopment Plan"); and

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

WHEREAS, the Municipal Council believes that it is in the best interest of the City to reopen and amend the Redevelopment Plan for the property identified as Block 205, Lot 10.01 (the "Property") on the City's Tax Maps in order to expand the scope of the revitalization and redevelopment efforts in the City and make modifications to the Redevelopment Plan necessary to further the goals and objectives of the Master Plan; and

WHEREAS, on June 21, 2017, the Municipal Council directed the Planning Board, to prepare and review an amended Redevelopment Plan for the Property and make recommendations to the Municipal Council in accordance with the Redevelopment Law; and

WHEREAS, an amended Redevelopment Plan, which includes the Property titled “Redevelopment Plan, Block 205, Lot 10.01 (474-476 Broadway), (Irwin)” dated March 6, 2018, has been prepared by the City Planning Department (the “Amended Redevelopment Plan”); and

WHEREAS, on March 13, 2018, the Planning Board reviewed the Amended Redevelopment Plan and recommended the adoption of the Amended Redevelopment Plan to the Municipal Council and concluded that said Amended Redevelopment Plan is consistent with the Master Plan of the City of Bayonne; and

WHEREAS, upon receipt and review of the Planning Board’s recommendations relating to the Amended Redevelopment Plan, 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 Property; 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 Property.

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

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

Section 2. The 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 Property.

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

BE IT RESOLVED, that an ordinance entitled “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING THE AMENDED SCATTERED SITE REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 474-476 BROADWAY, WHICH PROPERTY IS IDENTIFIED AS BLOCK 205, LOT 10.01 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, April 18, 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, and to forward a copy of said ordinance to the planning board for its review of and a report regarding same pursuant to NJSA 40:55D-26.

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

* * * * *

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

March 13, 2018

Dear Council President Nadrowski and Honorable City Council Members:

I hereby appoint Frank T. Carpenter III and Cheryl Scott Cashman as Municipal Court Judges of the City of Bayonne for three (3) year terms commencing April 1, 2018. In conjunction with this appointment, I would ask that the City Clerk be directed to add an accompanying communication on the March 14, 2018 Council Meeting agenda for consideration, consent and confirmation of same by the City Council.

BE IT RESOLVED, that the Municipal Council of the City of Bayonne hereby consents to and confirms the foregoing appointments.

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

* * * * *

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

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

WHEREAS, pursuant to the aforesaid Resolution No. 14-09-17-097, the City of Bayonne and Cape Liberty Cruise Port, LLC (the "Parties") entered into a License Agreement (the "License Agreement") for a period of thirty one (31) months commencing October 1, 2014 and terminating April 30, 2017 (the "Initial Term") for a license fee of \$3,000.00 per month; and

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

WHEREAS, Cape Liberty Cruse Port, LLC is desirous to extending the License Agreement for five (5) five (5) year options commencing October 1, 2017 and ending September 30, 2022 (first five (5) year option term) and from October 1, 2022 to September 20, 2027 (second five (5) year option term), from October 1, 2017 to September 30, 2032 (third five (5) year option term), from October 1, 2032 to September 30, 2037, (fourth five (5) year option term), and from October 1, 2037 to September 30, 2042 (fifth five (5) year option term) and one final option commencing October 1, 2042 and ending December 31, 2043 (final option term) under the similar terms and conditions of the existing License Agreement except that the annual License Fee shall be subject to an annual increase of Two (2%) Percent beginning October 1, 2018; and

WHEREAS, the Business Administrator has determined that it is necessary to relocate the current signage on City property as was previously contemplated by the parties, and upon notification by the City to Cape Liberty, Cape Liberty agrees to relocate the current signage from its current location within 180 days, at Cape Liberty's sole cost and expense, to another location in the same vicinity which location will be selected by the City; and

WHEREAS, the Business Administrator has also determined that it is in the best interest of the citizens of Bayonne to extend the License Agreement with Cape Liberty Cruise Port, LLC for five (5) five (5) year options commencing October 1, 2017 and ending September 30, 2022 (first five (5) year option term) and from October 1, 2022 to September 20, 2027 (second five (5) year option term), from October 1, 2017 to September 30, 2032 (third five (5) year option term), from October 1, 2032 to September 30, 2037, (fourth five (5) year option term), and from October 1, 2037 to September 30, 2042 (fifth five (5) year option term) and one final option commencing October 1, 2042 and ending December 31, 2043 (final option term) under the similar terms and conditions of the existing License Agreement except that the annual License Fee shall be subject to an annual increase of Two (2%) Percent beginning October 1, 2018; and

WHEREAS, both the City and Cape Liberty believe that it is in their collective best interest to eliminate the 30 day termination provision set forth with paragraph 1 of the existing License Agreement; now, therefore, be it

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

1. The Mayor and City Clerk are hereby authorized to execute an extension of the License Agreement with Cape Liberty Cruise Port, LLC for five (5) five (5) year

options commencing October 1, 2017 and ending September 30, 2022 (first five (5) year option term) and from October 1, 2022 to September 30, 2027 (second five (5) year option term), from October 1, 2017 to September 30, 2032 (third five (5) year option term), from October 1, 2032 to September 30, 2037, (fourth five (5) year option term), and from October 1, 2037 to September 30, 2042 (fifth five (5) year option term) and one final option commencing October 1, 2042 and ending December 31, 2043 (final option term) under the similar terms and conditions of the existing License Agreement except that the annual License Fee shall be subject to an annual increase of Two (2%) Percent beginning October 1, 2018 in a form acceptable to the Law Department.

2. Consistent with Resolution No. 17-04-18-044, the License Agreement between the City of Bayonne and Cape Liberty Cruise Port is hereby extended for a five (5) month period commencing May 1, 2017 and ending September 30, 2017 for a license fee of \$3,000 per month payable to the City for a total additional license fee of \$15,000.00 under the same terms and conditions as the original License Agreement.
3. Additionally, the License Agreement is hereby extended for a first extension option of five (5) years commencing October 1, 2017 and ending September 30, 2022, with four (4) additional five (5) year options October 1, 2022 to September 30, 2027 (second five (5) year option term), from October 1, 2017 to September 30, 2032 (third five (5) year option term), from October 1, 2032 to September 30, 2037, (fourth five (5) year option term), and from October 1, 2037 to September 30, 2042 (fifth five (5) year option term) and one final option commencing October 1, 2042 and ending December 31, 2043 (final option term) under the similar terms and conditions of the existing conditions of the existing License Agreement with the following exceptions:
 - a) The annual License Fees will be subject to an annual increase of TWO (2%) PERCENT beginning October 1, 2018.
 - b) Upon 180 days prior notification by the City to Cape Liberty, Cape Liberty agrees to relocate the current signage from its current location at its current location at its sole cost and expense to the location more particularly described and set forth in Exhibit A attached hereto and made part hereof.
 - c) The 30 day termination provision set forth in paragraph (1) of the original License Agreement is hereby deleted.
 - d) All other terms and conditions of the original License Agreement remain the same.

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

* * * * *

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

WHEREAS, on November 10, 2015 the City of Bayonne awarded a contract for professional animal control and shelter services for a maximum contract amount not to exceed \$87,500.00 per year for the period commencing December 1, 2015 and ending November 30, 2017 to NEW JERSEY ANIMAL CONTROL AND RESCUE of 15C HILLSIDE PLACE, LODI, NJ 07664; and

WHEREAS, NEW JERSEY ANIMAL CONTROL and RESCUE of 15C HILLSIDE PLACE, LODI, NJ 07644 has been providing said services to the City of Bayonne on an emergent/holdover basis since November 30, 2017 and will continue to provide said services on an emergent/holdover basis until April 18, 2018 when this Municipal Council will award a new contract for said or similar services; now, therefore, be it

RESOLVED, that the CFO and or Controller is hereby authorized to issue payment for services rendered to NEW JERSEY ANIMAL CONTROL and RESCUE of 15C HILLSIDE PLACE, LODI, NJ 07644 from December 1, 2017 through February 28, 2018 consistent with the terms set forth in the original contract.

1. Funds are certified as available in Account #01-201-27-330-2-020.
2. A notice of this action shall be printed once in a newspaper of general circulation within the boundaries of the City of Bayonne.

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

* * * * *

At 7:55 P.M. Council President Nadrowski motioned to adjourn, seconded by Council Member Cotter, which motion was adopted.

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

* * * * *

President – Sharon A. Nadrowski

Clerk – Robert F. Sloan