

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, JUNE 20, 2018

The Council met at 7:10 P.M.

Acting Council President Perez 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 June 20, 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 June 15, 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, and Perez.

Absent – Council President Nadrowski.

The Council President led the Pledge of Allegiance.

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01. Megan McNally addressed the council on the subject of their incompetency.

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02. Gail Godesky addressed the council on the subject of the competency of the municipal council and administration.

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03. Michael Embrich addressed the council on the subject of Senate Bill 2607, which will help provide housing for veterans.

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04. The Clerk announced:

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,” which was introduced and passed a first reading at a meeting held March 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 of April 18, 2018, at which time it was tabled for further consideration at this meeting of May 16, 2018, and which was tabled at that meeting for further consideration at this meeting of June 20, 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, and Perez.

Absent – Council President Nadrowski.

The Clerk read the ordinance by title: “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,”

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

The following person spoke: Jonathan Guldin – Clark & Guldin
Fred Saljec – Licensed Planner
Michael Miceli, Esq. – Attorney for Lehigh Realty
Gail Godesky – 828 Kenn. Blvd.

LETTER FROM: Jonathan Guldin – Clark & Guldin

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

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

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

Absent – Council President Nadrowski.

The Council as a whole motioned to table the meeting of July 18, 2018 for further consideration, which motion was adopted.

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

Absent – Council President Nadrowski.

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05. The Clerk announced:

AN ORDINANCE ENTITLED, “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,” which was introduced and passed a first reading at a meeting held March 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 of April 18, 2018, at which time it was tabled for further consideration at this meeting of June 20, 2018, is now before the Council for its consideration and a public hearing.

Council Member Perez motioned to table for further consideration to the meeting of July 18, 2018, seconded by Council Member Cotter, which was read by the Clerk and adopted.

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

Absent – Council President Nadrowski.

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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 CERTAIN PROPERTY LOCATED AT 122 AVENUE E, 124 AVENUE E, 126 AVENUE E, 126½ AVENUE E, 128 AVENUE E, 130 AVENUE E, 132 AVENUE E, 134-136 AVENUE E, 138 AVENUE E, 140 AVENUE E, 165 AVENUE E, 167 AVENUE E, 169 AVENUE E, 170-180 AVENUE E, AND 157-163 AVENUE E WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 467, LOTS 17, 18, 19, 20, 21, 22, 23, 24, 25, & 26, BLOCK 234, LOTS 8.01, 11, 12, & 13, AND BLOCK 458, LOT 1 & 1.01, AS SHOWN ON THE OFFICIAL TAX MAP 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 May 16, 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 June 20, 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, and Perez.

Absent – Council 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 CERTAIN PROPERTY LOCATED AT 122 AVENUE E, 124 AVENUE E, 126 AVENUE E, 126½ AVENUE E, 128 AVENUE E, 130 AVENUE E, 132 AVENUE E, 134-136 AVENUE E, 138 AVENUE E, 140 AVENUE E, 165 AVENUE E, 167 AVENUE E, 169 AVENUE E, 170-180 AVENUE E, AND 157-163 AVENUE E WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 467, LOTS 17, 18, 19, 20, 21, 22, 23, 24, 25, & 26, BLOCK 234, LOTS 8.01, 11, 12, & 13, AND BLOCK 458, LOT 1 & 1.01, AS SHOWN ON THE OFFICIAL TAX MAP 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.

The following person 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 Member Gullace, which motion was adopted.

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

Absent – Council President Nadrowski.

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

WHEREAS, an ordinance entitled, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDED REDEVELOPMENT PLAN FOR CERTAIN PROPERTY LOCATED AT 122 AVENUE E, 124 AVENUE E, 126 AVENUE E, 126½ AVENUE E, 128 AVENUE E, 130 AVENUE E, 132 AVENUE E, 134-136 AVENUE E, 138 AVENUE E, 140 AVENUE E, 165 AVENUE E, 167 AVENUE E, 169 AVENUE E, 170-180 AVENUE E, AND 157-163 AVENUE E WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 467, LOTS 17, 18, 19, 20, 21, 22, 23, 24, 25, & 26, BLOCK 234, LOTS 8.01, 11, 12, & 13, AND BLOCK 458, LOT 1 & 1.01, AS SHOWN ON THE OFFICIAL TAX MAP 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 May 16, 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 June 20, 2018; and

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

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

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

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

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

RESOLVED, that the said ordinance be passed and designated as Ordinance No. O-18-31.

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

Absent – Council President Nadrowski.

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07. The Clerk announced:

AN ORDINANCE ENTITLED, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 425-427 AVENUE C, 427A-429 AVENUE C, & 427-429 AVENUE C REAR, WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 230, LOTS 22, 23, & 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.," which was introduced and passed a first reading at a meeting held May 16, 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 June 20, 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, and Perez.

Absent – Council 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 THE PROPERTY LOCATED AT 425-427 AVENUE C, 427A-429 AVENUE C, & 427-429 AVENUE C REAR, WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 230, LOTS 22, 23, & 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.,"

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

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

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

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

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

Absent – Council 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 A REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 425-427 AVENUE C, 427A-429 AVENUE C, & 427-429 AVENUE C REAR, WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 230, LOTS 22, 23, & 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.," was introduced and passed a first reading at a meeting held May 16, 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 June 20, 2018; and

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

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

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

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

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

RESOLVED, that the said ordinance be passed and designated as Ordinance No. O-18-32.

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

Absent – Council President Nadrowski.

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08. The Clerk announced:

AN ORDINANCE ENTITLED, “CALENDAR YEAR 2018 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)” which was introduced and passed a first reading at a meeting held May 16, 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 June 20, 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, and Perez.

Absent – Council President Nadrowski.

The Clerk read the ordinance by title: “CALENDAR YEAR 2018 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)”

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

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

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

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

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

Absent – Council 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, “CALENDAR YEAR 2018 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)” was introduced and passed a first reading at a meeting held May 16, 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 June 20, 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-18-33.

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

Absent – Council 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 May 16, 2018, was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that is

would be further considered for final passage following a public hearing at this meeting of June 20, 2018 is now before the Council for its consideration and a public hearing.

Council Member Perez moved a resolution, seconded by Council Member Cotter, 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, and Perez.

Absent – Council President Nadrowski.

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

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

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

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

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

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

Absent – Council President Nadrowski.

Council Member Perez moved a resolution for final passage, seconded by Council Member LaPelusa, 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 May 16, 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 June 20, 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-18-34.

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

Absent – Council President Nadrowski.

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10. Council Member Perez introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR 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 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 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 Property 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, 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 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 “Property”) and directed the Planning Board to prepare a redevelopment plan for the Property 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 “_____”, dated _____, 2018 (the “Redevelopment Plan”); and

WHEREAS, on June 12, 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 Perez moved a resolution, seconded by Council Member Cotter, which was read by the Clerk and adopted.

BE IT RESOLVED, that an ordinance entitled "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR 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 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, ** 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, and Perez.

Absent – Council President Nadrowski.

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11. Council Member Cotter introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING FIVE (5) YEAR TAX EXEMPTION ON THE ASSESSED VALUE OF NEW IMPROVEMENTS ONLY FOR NEWLY CONSTRUCTED UNITS WITH RESPECT TO THE PARCEL OF LAND LOCATED AT 460-464 BROADWAY & 15-17 LIBRARY COURT (BLOCK 211, LOTS 6, 14 & 15) ON THE 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, 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 or an area in need of redevelopment; and

WHEREAS, on February 4, 1998 by resolution No. 98-02-04-040 the entire City was designated as an area in need of rehabilitation pursuant to the Redevelopment Law; and

WHEREAS, pursuant to the Five Year Exemption and Abatement Law, *N.J.S.A. 40A:21-1 et seq.* (the "Five Year Law") improvements to property located within an area in need of rehabilitation or redevelopment may qualify for short term tax exemptions; and

WHEREAS, on May 22, 2013 the Municipal Council adopted Ordinance No. O-13-15 authorizing tax exemptions for the construction of 'multiple dwellings' (as defined in the Hotel and Multiple Dwelling Law, *N.J.S.A. 55:13A-1 et seq.*) in the City as authorized under *N.J.S.A. 40A:21-8* of the Five Year Law; and

WHEREAS, EOM 462 BROADWAY LLC, is the owner of and has developed parcels of land located at BLOCK 211, LOTS 6, 14 & 15, (with a property address commonly known as "460-464 BROADWAY and 15-17 LIBRARY COURT" which is also known as the "Project Area") on the tax map of the City and constructed or will cause to be constructed thereon certain real estate improvements consisting of mixed use development containing three stories, with 12 residential units and approximately 5,725 square feet of commercial space (the "Project"); and

WHEREAS, EOM 462 BROADWAY LLC has submitted an application to the City requesting a tax exemption under the Five Year Law for itself and/or on behalf of the new owners of the residential and commercial units seeking a 5 year exemption agreement on the improvements; and

WHEREAS, the Municipal Council has determined that the authorization of a tax exemption for the aforesaid Project is in the best interests of the City and facilitates the goals of rehabilitation and productive use;

NOW THEREFORE BE IT ORDAINED, by the Municipal Council of the City of Bayonne, in the County of Hudson, New Jersey, as follows:

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

Section 2. The Municipal Council hereby approves an individual tax agreement for the exemption of real estate taxes on the parcel set forth above and any future sublots created by virtue of the development thereof in the Project Area allowing for a 5 Year exemption on the improvement on each individual parcel substantially in the form attached to this Ordinance and shall calculate payments in lieu of taxes in accordance with the tax phase-in basis and be in the form substantially as provided in Exhibit A also attached hereto. Each such agreement is intended to apply to the individual parcel involved for the five years following substantial completion of the property provided that the terms of the agreement are met and shall be executed with respect to each such parcel by the owner of that parcel following the effective date of this ordinance. Each such Tax Agreement shall be for no longer than five (5) years and only applicable to the assessed value of the new improvement (building) constructed on that parcel as such value is determined by the City Tax Assessor. Each such Tax Agreement shall also provide that; at all relevant times herein, the land values (land assessment) for the Project will NOT be subject to any Exemption or Abatement and that Land Taxes paid in full throughout any period of exemption on the improvement. If the effective date of this ordinance is subsequent to the date of substantial completion, the exemption shall nonetheless be credited from the first day of the month following substantial completion provided that the application was timely filed within 30 days of substantial completion and all other terms of the agreement are met. If the date of substantial completion should be prior to the effective date of this ordinance, the Mayor, in consultation with legal counsel to the City, is hereby authorized to execute each of these Tax Agreements, with such modifications or revisions deemed necessary by the Mayor, and to prepare, amend or execute any other agreements necessary to effectuate the Tax Agreement and this Ordinance.

Section 3. Within thirty (30) days of its execution, the City Clerk shall forward a copy of the Tax Agreement to the Director of the Division of Local Government Services in the Department of Community Affairs as prescribed by *N.J.S.A. 40A:21-11(d)*.

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

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

BE IT RESOLVED, that an ordinance entitled "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING FIVE (5) YEAR TAX EXEMPTION ON THE ASSESSED VALUE OF NEW IMPROVEMENTS ONLY FOR NEWLY CONSTRUCTED UNITS WITH RESPECT TO THE PARCEL OF LAND LOCATED AT 460-464 BROADWAY & 15-17 LIBRARY COURT (BLOCK 211, LOTS 6, 14 & 15) ON THE TAX MAP OF THE CITY OF BAYONNE." just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, JULY 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, and Perez.

Absent – Council President Nadrowski.

* * * * *

12. Council Member LaPelusa introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING FIVE (5) YEAR TAX EXEMPTION ON THE ASSESSED VALUE OF NEW IMPROVEMENTS ONLY FOR NEWLY CONSTRUCTED UNITS WITH RESPECT TO THE PARCEL OF LAND LOCATED AT 516-518 BROADWAY (BLOCK 197, LOTS 2 and a portion of 3) ON THE 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, 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 or an area in need of redevelopment; and

WHEREAS, on February 4, 1998 by resolution No. 98-02-04-040 the entire City was designated as an area in need of rehabilitation pursuant to the Redevelopment Law; and

WHEREAS, pursuant to the Five Year Exemption and Abatement Law, *N.J.S.A. 40A:21-1 et seq.* (the "Five Year Law") improvements to property located within an area in need of rehabilitation or redevelopment may qualify for short term tax exemptions; and

WHEREAS, on May 22, 2013 the Municipal Council adopted Ordinance No. O-13-15 authorizing tax exemptions for the construction of 'multiple dwellings' (as defined in the Hotel and Multiple Dwelling Law, *N.J.S.A. 55:13A-1 et seq.*) in the City as authorized under *N.J.S.A. 40A:21-8* of the Five Year Law; and

WHEREAS, EOM 516 BROADWAY LLC, is the owner of and has developed a parcel of land located at BLOCK 197, LOTS 2 and a portion of 3, (with a property address commonly known as "516-518 BROADWAY" which is also known as the "Project Area") on the tax map of the City and constructed or will cause to be constructed thereon certain real estate improvements consisting of mixed use development containing 8 residential units consisting of 6 one bedroom units and 2 studio units and approximately 3,450 square feet of commercial space (the "Project"); and

WHEREAS, EOM 516 BROADWAY LLC has submitted an application to the City requesting a tax exemption under the Five Year Law for itself and/or on behalf of the new owners of the residential and commercial units seeking a 5 year exemption agreement on the improvements; and

WHEREAS, the Municipal Council has determined that the authorization of a tax exemption for the aforesaid Project is in the best interests of the City and facilitates the goals of rehabilitation and productive use;

NOW THEREFORE BE IT ORDAINED, by the Municipal Council of the City of Bayonne, in the County of Hudson, New Jersey, as follows:

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

Section 2. The Municipal Council hereby approves an individual tax agreement for the exemption of real estate taxes on the parcel set forth above and any future sublots created by virtue of the development thereof in the Project Area allowing for a 5 Year exemption on the improvement on each individual parcel substantially in the form attached to this Ordinance and shall calculate payments in lieu of taxes in accordance with the tax phase-in basis and be in the form substantially as provided in Exhibit A also attached hereto. Each such agreement is intended to apply to the individual parcel involved for the five years following substantial completion of the property provided that the terms of the agreement are met and shall be executed with respect to each such parcel by the owner of that parcel following the effective date of this ordinance. Each such Tax Agreement shall be for no longer than five (5) years and only applicable to the assessed value of the new improvement (building) constructed on that parcel as such value is determined by the City Tax Assessor. Each such Tax Agreement shall also provide that; at all relevant times herein, the land values (land assessment) for the Project will NOT be subject to any Exemption or Abatement and that Land Taxes paid in full throughout any period of exemption on the improvement. If the effective date of this ordinance is subsequent to the date of substantial completion, the exemption shall nonetheless be credited from the first day of the month following substantial completion provided that the application was timely filed within 30 days of substantial completion and all other terms of the agreement are met. If the date of substantial completion should be prior to the effective date of this ordinance, the Mayor, in consultation with legal counsel to the City, is hereby authorized to execute each of these Tax Agreements, with such modifications or revisions deemed necessary by the Mayor, and to prepare, amend or execute any other agreements necessary to effectuate the Tax Agreement and this Ordinance.

Section 3. Within thirty (30) days of its execution, the City Clerk shall forward a copy of the Tax Agreement to the Director of the Division of Local Government Services in the Department of Community Affairs as prescribed by *N.J.S.A. 40A:21-11(d)*.

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. 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 “An Ordinance approving a five year tax exemption for 516 Broadway,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, JULY 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, and Perez.

Absent – Council President Nadrowski.

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13. Council Member Perez introduced:

AN ORDINANCE AMENDING AND SUPPLEMENTING THE GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 20-4, SALARIES

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 20-4, Salaries, Schedule I, is hereby amended and supplemented as follows:

Schedule I

Directors

Title	MIN	Step 1	Step 2	Step 3	Step 4	MAX
Business Administrator	\$120,000	\$123,000	\$125,000	\$130,000	\$135,000	\$140,000
Director Dept Of Public Works	\$117,000	\$120,000	\$123,000	\$125,000	\$127,000	\$130,000
Director Dept Of Public Safety	\$117,000	\$120,000	\$123,000	\$125,000	\$127,000	\$130,000
Tax Assessor	\$112,000	\$115,000	\$117,000	\$120,000	\$123,000	\$125,000
Tax Collector	\$90,000	\$94,000	\$97,000	\$100,000	\$103,000	\$106,000
Chief Financial Officer	\$117,000	\$120,000	\$123,000	\$125,000	\$127,000	\$130,000
City Clerk	\$115,000	\$118,000	\$121,000	\$124,000	\$127,000	\$130,000

Section 2. The effective date of the changes is August 1, 2018. The above salary ranges apply only to new employees hired after the effective date and do not affect any the current employees. Base salaries for statutory Officers and Directors shall increase on an annual basis on the first day of the fiscal year equal to the same percentage as the average percentage increase for all municipal employees.

Section 3. All other provisions within Chapter 20 remain in effect.

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

BE IT RESOLVED, that an ordinance entitled “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 20, PERSONNEL POLICIES,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, JULY 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, and Perez.

Absent – Council President Nadrowski.

* * * * *

14. 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

043. Joan Neal, 166 Avenue C

Beginning at a point on the east side of Avenue C, 105 feet south of the southeast corner of Avenue C and West 6th Street, and extending to a point 22 feet south thereof.

075. Marian Bilyk, 32 West 13th Street

Beginning at a point on the south side of West 13th Street, 294 feet east of the southeast corner of Avenue C and West 13th Street, and extending to a point 20 feet east thereof.

143. Dennis McGuire, 114 Lexington Avenue

Beginning at a point on the south side of East 4th Street, 77 feet east of the southeast corner of East 4th Street and Lexington Avenue, and extending to a point 22 feet east thereof.

201. William French, Jr., 577 Broadway

Beginning at a point on the south side of West 27th Street, 156 feet west of the southwest corner of West 27th Street and Broadway, and extending to a point 17 feet west thereof.

378. Amreeta Sukhram, 96 West 19th Street

Beginning at a point on the south side of West 19th Street, 151 feet east of the southeast corner of West 19th Street and Kennedy Boulevard, and extending to a point 18 feet east thereof.

ADD

147. Rufina Rodriguez, 185 West 48th Street

Beginning at a point on the south side of West 48th Street, 140 feet west of the southwest corner of West 48th Street and Kennedy Boulevard, and extending to a point 8 feet west thereof.

151. John Cassidy, 159 West 24th Street

Beginning at a point on the north side of West 54th Street, 115 feet west of the northwest corner of West 54th Street and Avenue A, and extending to a point 18 feet west thereof.

164. Ishak Habashi for his daughter, Martina, 64 West 19th Street

Beginning at a point on the south side of West 19th Street, 147 feet west of the southwest corner of West 19th Street and Avenue C, and extending to a point 17 feet west thereof.

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

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

Absent – Council President Nadrowski.

* * * * *

15. The Clerk announced:

The CY 2018 Local Municipal Budget, which was approved at a meeting held May 16, 2018, was published in the Jersey Journal and posted on the bulletin board by summary as required by law, with notice that it would be further considered following a public hearing at this meeting of June 20, 2018, is now before the Council for its consideration and a public hearing.

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

WHEREAS, the CY 2018 Local Municipal Budget of the City of Bayonne was approved on May 16, 2018, was published in the Jersey Journal on June 6, 2018, and was posted on the bulletin board as required by law with notice that it would be the subject of a public hearing at this adjourned regular meeting of June 20, 2018, and was made available to any member of the public requesting a copy of it during the week preceding and at this public meeting; now, therefore, be it

RESOLVED, by not less than a majority of its full authorized membership, that the Municipal Council of the City of Bayonne hereby determines that the CY 2018 Local Municipal Budget of the City of Bayonne be read by title.

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

Absent – Council President Nadrowski.

The Clerk read the ordinance by title: "THE CY2018 LOCAL MUNICIPAL BUDGET"

The Clerk announced, “The Council is now ready to give all persons interested in this municipal budget an opportunity to be heard concerning it. The council president will recognize anyone who wishes to speak.”

The following persons spoke: Stacie Percella – 25 West 40th Street

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

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

Absent – Council President Nadrowski.

Council Member Cotter moved to July 18, 2018 for further consideration, seconded by Council Member Perez, which motion was adopted.

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

Absent – Council President Nadrowski.

* * * * *

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

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

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

RESOLVED, that the resolution incorporated in agenda item C-13 be adopted and included in the minutes as aforesaid.

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

Absent – Council President Nadrowski.

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

From James Vasquez, Esq., filing notice of tort claim on behalf of CARLBERTH H. HEARD, JR. alleging personal injuries resulting from a fall on the sidewalk on April 16, 2018 at 1088 Broadway.

* * * * *

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

From Alexander Schechter, Esq., filing notice of tort claim on behalf of LUCY C. PATRICK alleging personal injuries resulting from a fall on the sidewalk on March 18, 2018 at 158 West 21st Street.

* * * * *

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

From Thomas J. Cammarata, Esq., filing notice of tort claim on behalf of RAFAELLA GERACE alleging personal injuries resulting from a fall on the sidewalk at 67 Linden Street.

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

From James W. Taylor, Jr., Esq., filing notice of tort claim on behalf of IVETTE RUIZ, individually and as g/a/l for ROCCO RUIZ alleging personal injuries resulting from gym activities on April 13, 2018 at Nicholas Oresko Community School.

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

From JEFFREY ROLEK, filing notice of tort claim alleging personal injuries sustained on an undisclosed date resulting walking into a highway sign at Route 440 near East 22nd Street.

* * * * *

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

From ROBERT M. BROMBERG, filing notice of tort claim alleging property damage to his motorcycle on April 20, 2018 resulting from a patch in the pavement giving way at 35th Street and Broadway.

* * * * *

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

From SAKINA HUSSAIN, filing notice of tort claim alleging property damage to her automobile on March 21, 2018 resulting being struck by a snow plow at 34th Street and Avenue C.

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

From DANIEL ASIA, filing notice of tort claim alleging property damage to his motorcycle on May 3, 2018 resulting from being struck by a patrol car at 36 West 27th Street.

* * * * *

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

From the Superior Court of New Jersey, Law Division Summons and Complaint in matter entitled, “ELBAHBOUHI vs. THE CITY OF BAYONNE.” (Pedestrian struck by a city owned vehicle on March 24, 2017, at Avenue B and West 56th Street)

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

From the Superior Court of New Jersey, Law Division Summons and Complaint in matter entitled, “DIPLOMA JOINT INSURANCE FUND a/s/o BRIDGET LAMPERTI vs. BAYONNE PUBLIC LIBRARY, THE CITY OF BAYONNE, et al.” (Injury on an elevator in the Library on May 5, 2016)

* * * * *

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

From the Superior Court of New Jersey, Law Division Summons and Complaint in matter entitled, “McRAE by MEARTIE (guardian ad litem) vs. THE CITY OF BAYONNE, et al.” (Fall in basketball court on August 24, 2016, at Mercer Park)

* * * * *

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

From the Superior Court of New Jersey, Chancery Division Summons and Complaint in matter entitled, “FEDERAL NATIONAL MORTGAGE ASSOCIATION vs. BRUDER, et al., incl. THE CITY OF BAYONNE.” (Mortgage foreclosure – city holds a subordinate mortgage)

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

From JOHN KULIK, appealing the denial of his application for a taxi driver’s license; and a resolution scheduling a hearing of the appeal.

* * * * *

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

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

RESOLVED, That the following items which have been included on the agenda for this regular meeting as OFFICERS’ REPORTS and which follow this resolution shall constitute a consent agenda for officers’ reports and that they be received and filed and that any resolution incorporated within them be adopted and included in the official minutes of this meeting as having been so ordered.

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

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31. 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.

* * * * *

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

DATE: JUNE 1st, 2018
TO: Terrence Malloy, CFO
Robert Sloan, City Clerk
FROM: Janet Convery, Treasurer

Please be advised that a transfer to the Board of Ed was made on JUNE 1, 2018
\$ 5,533,471.00 CLAIMS & PAYROLL FOR JUNE 2018

Janet Convery
(signed)

* * * * *

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

BID REPORT
FOR THE MUNICIPAL COUNCIL

Date: 05/30/18 Ad Date: 05/14/18 Resolution #
Date bids accepted: 05/24/18 Attending: Amy Dellabella, Purchasing Agent
Bid titled: USED VEHICLES FOR THE POLICE DEPARTMENT

<u>Bidders:</u>	<u>Total Bid</u>
Hudson Toyota 599 Route 440 Jersey City, NJ 07304	\$166,770.00

After review by the Department Director, the Purchasing Department will prepare a request for contract award and forward it to the City Clerk for inclusion in future Council Agenda. If other than the lowest bidder is recommended, an explanation will be provided with that report. If bids are to be rejected, an appropriate report will be prepared. Please retain this report, as the

information above may not be repeated in the request for award documents or in the event of a bid rejection.

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

* * * * *

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 RESOLUTIONS and which follow this resolution shall constitute a consent agenda for resolutions and that they be adopted and included in the official minutes of this meeting as having been so ordered.

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

Absent – Council President Nadrowski.

* * * * *

35. 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, May 16, 2018 be and the same are hereby approved.

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36. 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 held Wednesday, May 9, 2018 be and the same are hereby approved.

* * * * *

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

WHEREAS, the properties set forth below all carry overpayments on their property tax accounts in the amounts indicated; and

WHEREAS, these taxpayers have requested refunds of the overpayments indicated; and

WHEREAS, the Director of Finance has recommended that these amounts be refunded to the taxpayers; now therefore be it

RESOLVED, that warrants be drawn to the order of the taxpayers listed, in the amounts indicated; and be it further

RESOLVED, that the warrants be forwarded to the Tax Collector for delivery to the payees.

BLOCK	LOT	PAYEE	AMOUNT
64	35	Angel Cruz	1,700.55
112	26	CoreLogic	5,168.84
145	9	Samia Nossier	697.21
145	59	CoreLogic	3,752.87

160	14	Mary Ann Patey	1,703.17
191	11	Lereta, LLC	2,554.09
207	12	June Ann Detto	408.66
272	19.01 C0202	CoreLogic	1,841.42
320	12	Frederick Blake	2,025.98
363	24	Rose Mary Passero	2,862.13
377	6	CoreLogic	1,841.42
473.02	26	Theresa Crawford	3,449.07
Total:			28,005.41

* * * * *

38. 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 \$ 57.60 drawn of the Bureau of Rabies Control, State Department of Health, Trenton, New Jersey, covering the issuance of licenses Nos. 915-937 inclusive, 23 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.

* * * * *

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

RESOLVED, that the actions of the Municipal Treasurer in issuing a warrant from the Unemployment Trust Fund in the amount of \$ 6,006.76 payable to the State of New Jersey Division of Employer Accounts is hereby ratified and confirmed. Said warrant is for the City of Bayonne unemployment bills for quarter ending 3/31/2018.

* * * * *

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

WHEREAS, the Chief of Police has an ongoing need for access to an on-line information network; and

WHEREAS, IACP Net, 2101 Wooddale Drive, Suite D, Saint Paul, MN 55125 has previously been awarded a contract to provide such access to an on-line information network, and is willing to renew said contract at a cost of \$1,750.00 for a one year period commencing July 1, 2018 and ending June 30, 2019; and

WHEREAS, N.J.S.A. 40A:11-3(a), allows for the award of a contract without the necessity of public advertising for bids where the municipality has a Qualified Purchasing Agent, and when the cost or price does not exceed \$36,000.00; now, therefore, be it

RESOLVED, that the Mayor and City Clerk are hereby authorized to enter into an agreement with IACP Net, Wooddale Drive, Suite D, Saint Paul, MN 55125, for renewal of the city’s subscription access to the IACP (International Association Chief of Police) on-line information network for use by the Police Department’s administrative division, at a cost of \$1,750.00 for a one year period commencing July 1, 2018 and ending June 30, 2019; and be it further

RESOLVED, that funds have been certified as available from Account #PS-9 01-201-25-240-2-020 pending adoption of the CY 2018 Budget; and be it further

RESOLVED, the Municipal Treasurer be and is hereby authorized and directed to issue a warrant payable to IACP Net in the amount of \$1,750.00 in payment for said subscription.

* * * * *

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

WHEREAS, the Police Department of the City of Bayonne has established that there is a need for annual support and battery replacement for the uninterrupted power supply powering the communications center electronics; and

WHEREAS, the Eaton Corporation, P.O. Box 29085, Chicago, IL 60673-1290, has previously been awarded a contract for such services, and is willing and able to continue to supply the aforesaid services for a one year period commencing July 1, 2018 and ending June 30, 2019 at a cost of \$5,095.00 and

WHEREAS, funds are certified as available in Account #PS-9/8-01-25-240-0000-029 pending adoption of the CY 2018 Budget; and

WHEREAS, N.J.S.A. 40A:11-3(a), allows for the award of a contract without the necessity of public advertising for bids where the municipality has a Qualified Purchasing Agent, and when the cost or price does not exceed \$36,000.00; now, therefore, be it

RESOLVED, that the Mayor and Clerk of the City of Bayonne are hereby authorized to enter into an agreement with the Eaton Corporation, P.O. Box 29085, Chicago, IL 60673-1290, for annual support and battery replacement for the uninterrupted power supply powering the communications center electronics for a one year period commencing July 1, 2018 and ending June 30, 2019 for the amount of \$4,992.00; and be it further

RESOLVED, that funds are certified available in Account # PS-9/8-01-25-240-0000-029 pending adoption of the CY 2018 Budget; and be it further

RESOLVED, that the Municipal Treasurer be and is hereby authorized and directed to issue a warrant payable to Eaton Corporation, in the amount of \$5,095.00 in payment for said services.

* * * * *

42. 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 maintenance services for five backup generators used in the city's communications system; and

WHEREAS, SBP Industries, 1301 New Market Avenue, South Plainfield, NJ 07080 has supplied emergency generator maintenance/service for different locations in Bayonne and a 75 kw mobile generator, together with an emergency standby generator agreement to provide backup power for the citywide communications system; and

WHEREAS, renewal of the existing contract is for the sum of \$3,210.00.00 for a one year period commencing July 1, 2018 and ending June 30, 2019 for six generators, and \$2,640.00 for the emergency standby generator agreement, and funds are certified available from Account #PS-9/8-01-25-240-0000-029 pending adoption of the CY 2018 budget; and

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

RESOLVED, that the Mayor and City Clerk are hereby authorized to enter into an agreement with SBP Industries, 1301 New Market Avenue, South Plainfield, NJ 07080, for emergency generator maintenance/service for generators in six (6) different locations in Bayonne and a 75 kw mobile generator for a one year period commencing July 1, 2018 and ending June 30, 2019, for the sum of \$3,210.00 for the maintenance/service agreement for the six generators, and \$2,640.00 for the emergency standby generator agreement, for a total contract amount of \$5,800.00, and funds are certified available from Account #PS-9/8-01-25-240-0000-029 pending adoption of the CY 2018 budget; and be it further

RESOLVED, that the Municipal Treasurer be and is hereby authorized and directed to issue a warrant in the amount of \$5,850.00 payable to SBP Industries in payment for said services.

* * * * *

43. 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 technical support and maintenance of its departmental data management software and continued enterprise licensing for the municipal

management software currently in use for a one year period commencing June 1, 2018 and ending June 30, 2019; and

WHEREAS, Spatial Data Logic has provided the City with such software and support services for their GeoLogic software, pursuant to an agreement authorized by Resolution No. 09-12-16-044 and has provided the City with an invoice for continued licensing, technical support and maintenance for the period commencing July 1, 2018 through June 30, 2019 for an amount of \$50,000.00; and

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

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

WHEREAS, it is essential for the safety and welfare of the public that the City's technical support and maintenance of its departmental data management software be maintained in order to respond to the public in the most effective manner; and

WHEREAS, funds are certified as available in Account T-12-56-813-0000-199; and

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

RESOLVED, by the Municipal Council as follows:

1. The Mayor and the City Clerk are hereby authorized to enter into a contract with Spatial Data Logic, 285 Davidson Avenue, Suite 302, Somerset, NJ 08873 for technical support and maintenance of its departmental data management software and continued enterprise licensing for the municipal management software currently in use for a one year period commencing July 1, 2018 and ending June 30, 2019 for an amount of \$50,000.00.

2. Funds shall be charged to Account T-12-56-813-0000-199.

3. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.

4. Notice of this action shall be printed once in a newspaper of general circulation within the boundaries of the City of Bayonne

* * * * *

44. 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 application software support for computers housed in the Police Department; and

WHEREAS, Global Software, 62133 Collections Center Drive, Chicago, IL 60693-0621 has previously been awarded an annual contract for such services and has provided the City with an invoice for said services for the six month period commencing July 1, 2018 and ending December 31, 2018, for a total contract amount of \$4,556.00; and

WHEREAS, funds for said agreement have been certified as available in Account #PS-9/01-201-25-240-2-020 pending adoption of the CY 2018 budget; and

WHEREAS, N.J.S.A. 40A:11-3(a), allows for the award of a contract without the necessity of public advertising for bids where the municipality has a Qualified Purchasing Agent, and when the cost or price does not exceed \$36,000.00; now, therefore, be it

RESOLVED, that the Mayor and the City Clerk of the City of Bayonne are hereby authorized to enter into a service agreement with Global Software (formerly CISCO), 62133 Collections Center Drive, Chicago, IL 60693-0621, for semi-annual software support services for the Police Department's CISCO brand Records Management Software (RMS), ECAD Dispatch Software, and other custom software interfaces, for the period commencing July 1, 2017 and ending December 31, 2018, for a total contract amount of \$4,556.00, and said funds have been certified available in Account #PS-9/01-201-25-240-2-020, pending adoption of the CY 2018 budget; and be it further

RESOLVED, that the Municipal Treasurer be and is hereby authorized and directed to issue a warrant payable to Global Software in the amount of \$4,556.00 in payment for such services.

* * * * *

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

WHEREAS, pursuant to Municipal Council Resolution No. 15-06-17-040 adopted by the Municipal Council on June 17, 2015, the City entered into Agreement No. CY15-051 with Herbert’s Army and Navy, LLC, 468 Broadway, Bayonne, New Jersey 07002 for the purchase of work uniforms for Department of Public Works personnel for a term of three (3) years commencing July 1, 2015 through June 30, 2018, with a possible mutually agree two year extension through June 30, 2020 for an amount not to exceed \$40,000.0 annually; and

WHEREAS, the Director of Public Works and the Purchasing Agent have determined that it is in the best interest of the City to extend said contract for an additional two (2) year period commencing July 1, 2018 and ending June 30, 2020 under the same terms and conditions of said Agreement No. CY15-051; and

WHEREAS, Herbert’s Army and Navy, LLC is agreeable to extending said Agreement No. CY15-051 under the same terms and conditions for the period commencing July 1, 2018 and ending June 30, 2020; and

WHEREAS, funds are certified as available in Account No. 8-01-26-300-0000-032 pending adoption of the CY2018 and future budgets; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

- 1. The Mayor and City Clerk are hereby authorized to execute an amendment to Agreement No. CY15-051 with Herbert’s Army and Navy, LLC extending same for the two (2) year period commencing July 1, 2018 and ending June 30, 2020 under the same terms and conditions for an amount not to exceed\$40,000.00 annually.
- 2. Funds shall be chargeable to Account 8-01-26-300-0000-032.

* * * * *

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

WHEREAS, the City of Bayonne participates in the Community Development Block Grant (CDBG) and Hearth Emergency Solutions (HESG) Programs directly through the U.S. Department of Housing and Urban Development (HUD) and the HOME Program as part of the Hudson County Consortium; and

WHEREAS, the U.S. Department of Housing and Urban Development requires the City of Bayonne to submit certain documents and certifications in connection with said programs; now, therefore, be it

RESOLVED, that the Mayor is hereby authorized to sign all documents and certifications relating to the City’s FY 2018 CDBG and HESG Programs for the amounts listed below; and be it further

RESOLVED, that the City of Bayonne is hereby authorized to submit its FY 2018 Annual Action Plan to the U.S. Department of Housing and Urban Development for the following anticipated amounts:

2018 CDBG Program	\$1,532,909.00
2018 CDBG Anticipated Program Income	\$100,000.00; and further

RESOLVED, that if the 2017 funding is reduced a result of the U.S. Department of Housing and Urban Development allocation to the City of Bayonne, the CDBG Committee is authorized to adjust the proposed activity funding for each project.

* * * * *

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

WHEREAS, the City of Bayonne has been awarded a 2018 New Jersey Emergency Agency Assistance (EMMA) Grant from New Jersey’s Emergency Management Performance

Grant (EMPG) in the total amount of a \$10,000.00 Federal Award (with a \$10,000.00 Local Matching Fund) for the performance period of July 1, 2017 through June 30, 2018 for the purpose of enhancing Bayonne's ability to prevent, protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies; and

WHEREAS, the City of Bayonne is required to formally accept these funds; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. That the Mayor and Clerk are hereby authorized to execute any and all documents necessary to effectuate the acceptance of the above referenced EMMA grant.
2. This resolution shall take effect immediately.

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING PAYMENT OF TEN PERCENT (10%) OF PIOLT PAYMENTS TO THE BAYONNE BOARD OF EDUCATION

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 N.J.S.A. 40A:21-10, to execute tax agreements for qualified redevelopment projects; and

WHEREAS, the City recognizes that adequate funding for public education is important and that the quality of education offered by the municipality has far reaching impact on the quality of life of its residents; and

WHEREAS, the City recognizes that the current state of the law under N.J.S.A. 40A:21-10 does not account for any payments to local school districts; and

WHEREAS, the Mayor and Municipal Council desire to require that a portion of funds received from tax agreements entered into under N.J.S.A. 40A:21-10 be given to the local school district.

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

Section 1. The City will provide funding to the Bayonne Board of Education in the amount of ten percent (10%) of the annual payments received by the City for all long term tax agreements approved by the City after January 1, 2018

Section 2. The Mayor and/or his designees is/are authorized to take all necessary steps to create any policy or procedures as are necessary in connection with and in furtherance of this resolution.

Section 3. This Resolution shall take effect immediately.

* * * * *

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

COMMITTING BAYONNE TO PROVIDE 25%
OF THE CONSTRUCTION COST FOR THE TRAFFIC
SIGNAL CONTROLLER IMPROVEMENTS
ASSOCIATED WITH THE INTERSECTION OF
ROUTE 440 AND 30TH STREET

WHEREAS, the Bayonne Police Department confirms the need to upgrade the traffic signal controller at the intersection of Route 440 and 30th Street; and

WHEREAS, the existing traffic signal controller is an older unit that has been subject to periodic power failures when the vicinity has experienced power outages. During these power outages, the Police Department's resources are taxed when attempting to regulate this and other critical intersections; and

WHEREAS, by replacing the traffic signal controller with a new unit with the same being equipped with rechargeable battery backup and with generator hookup capabilities, the intersection's traffic signal equipment can remain continuously operational during power outages;

WHEREAS, the Police Department forwarded these concerns to NJDOT Traffic/Electrical Division and the NJDOT will not begin their investigation unless they receive commitment from the City, by resolution, to pay 25% (\$11,000.00) of the construction cost of approximately \$44,000.00 (NJDOT Cost Sharing Policy 346).

WHEREAS, The Police Department is requesting the City Council pass this resolution committing to the twenty five percent (25%) sharing costs so that the improvements for intersection will be undertaken by the State, as this is a matter of public safety; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bayonne, County of Hudson, and State of New Jersey that the City of Bayonne shall commit to pay 25% (\$11,000.00) of the approximate construction cost (\$44,000.00) for the NJDOT Traffic/Electrical Division investigation and improvements noted above to the Route 440 and 30th Street intersection.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the State of New Jersey, Department of Transportation, Trenton, New Jersey.

* * * * *

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

WHEREAS, pursuant to Resolution No. 15-11-10-029 adopted on November 10, 2015, the City of Bayonne entered into Agreement No. CY15-086 with NEW JERSEY ANIMAL CONTROL and RESCUE of 15C HILLSIDE PLACE, LODI, NJ 07644 for professional animal control and shelter services for the period commencing December 1, 2015 and ending November 30, 2017 for a maximum contract amount not to exceed \$87,500.00; and

WHEREAS, subsequent to November 30, 2017, NEW JERSEY ANIMAL CONTROL and RESCUE continued to provide said professional animal control and shelter services as a holdover pending the award of a new contract for said services; and

WHEREAS, the Municipal Council adopted Resolution No. 18-04-18-071 authorizing payment to NEW JERSEY ANIMAL CONTROL and RESCUE through May 14, 2018 consistent with the terms set forth in the original contract in anticipation of the award of a new contract for said or similar services commencing May 15, 2018; and

WHEREAS, the Municipal Council adopted Resolution No. 18-04-18-002 on April 18, 2018 awarding a contract to LIBERTY HUMANE SOCIETY, 235 Jersey City Boulevard, Jersey City, NJ 07305 for the provision of animal control collection and sheltering services for the period commencing May 15, 2018 and ending December 31, 2019 for the amount of \$7,075.00 per month, for a total contract amount of \$137,962.50; and

WHEREAS, although said Resolution No. 18-04-18-002 called for a contract commencement date of May 15, 2018, subsequent circumstances related to contractual terms dictated a revised commencement date of June 21, 2018; and

WHEREAS, NEW JERSEY ANIMAL CONTROL and RESCUE continued to provide said animal control and shelter services through June 20, 2018; and

WHEREAS, by way of correspondence dated May 24, 2018 sent via regular and certified mail, return receipt requested, the Law Director notified NEW JERSEY ANIMAL CONTROL and RESCUE that its contract with the City of Bayonne, Agreement No. CY15-086, for the aforesaid animal control and sheltering services would be terminated effective midnight on June 24, 2018; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. Resolution No. 18-04-18-071 authorizing payment to NEW JERSEY ANIMAL CONTROL and RESCUE through May 14, 2018 is hereby amended to reflect that the CFO and/or Controller is hereby authorized to issue payment for services rendered to NEW JERSEY ANIMAL CONTROL and RESCUE through June 24, 2018.

2. Resolution No. 18-04-18-002 is hereby amended to reflect the term of the contract with LIBERTY HUMANE SOCIETY is for a term commencing June 21, 2018 and ending December 31, 2019 for the amount of \$7,075.00 per month for a total contract amount of \$129,472.50.

3. Agreement CY15-086 between the City of Bayonne and NEW JERSEY ANIMAL CONTROL and RESCUE is hereby terminated effective as of midnight on June 24, 2018.

* * * * *

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

WHEREAS, due to the delay in the adoption of the CY 2018 Municipal Budget it has become necessary to prepare and mail estimated third quarter tax bills; and

WHEREAS, the Chief Financial Officer, Tax Collector, and Municipal Clerk are required to certify the estimated third quarter tax levy; now therefore, be it

RESOLVED, that the Certification of the estimated third quarter tax levy for CY 2018 is hereby approved and that a copy of said Certification shall be forwarded to the Director of Local Government Services and the County Board of Taxation.

BE IT FURTHER RESOLVED that the grace period for the tax bills nominally due on August 1st, 2018 is August 10th, 2018.

* * * * *

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

WHEREAS, Resolution No. 17-12-13-041 adopted a calendar for council meetings and council caucus meetings for calendar year 2018; and

WHEREAS, Resolution No. 18-01-17-041 amended said resolution to include the council's reorganization meeting on July 1, 2018; and

WHEREAS, the Municipal Council has determined to change the time and location of the reorganization; now, therefore, be it

RESOLVED, that Resolution No. 17-12-13-041 be and is hereby amended to change the time of the Reorganization Meeting of the City Council from Sunday, July 1, 2018 at 12:00 Noon to 4:30 P.M. and to change the location of said Reorganization Meeting from the Dorothy E. Harrington Council Chambers to the plaza in front of the Municipal Building; and be it further

RESOLVED, that the City Clerk is hereby directed to insure that proper notice of the City Council Reorganization meeting is provided to the public as follows:

a) Posting a copy of the amended annual schedule and appropriate notices of meetings on the bulletin board in the lobby of the Municipal Building.

b) Filing a copy of said notices in the City Clerk's Office.

c) Mailing, faxing, or otherwise delivering copies of said notices to the Jersey Journal and the Star Ledger within the time prescribed by the Open Public Meetings Act.

d) Complying with any additional statutory requirements not specified herein.

* * * * *

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

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

Parking Utility Unit #886 2001 GO4 Interceptor 2W9MPK6311P044055
Parking Utility Unit #888 2001 GO4 Interceptor 2W9MPK63X1P044085
Police Unit #64, 2005 Dodge Durango VIN #1D4HB48N35F615296

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

RESOLVED, by the Municipal Counsel as follows:

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

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

WHEREAS, the city clerk, advertised in the Jersey Journal on May 14, 2018 that sealed bids for USED BIDS FOR THE POLICE DEPARTMENT would be received on May 24, 2018; and

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

<u>Bidder</u>	<u>Amount</u>
Hudson Toyota 599 Route 440 Jersey City, NJ 07304	\$166,770.00

; and

WHEREAS, Amy Dellabella, R.P.P.O., Q.P.A. and the Director of Public Safety examined the bid or proposal and have determined that the bid of Hudson Toyota was a regular bid; and

WHEREAS, the bid of Hudson Toyota was the sole bid received for USED VEHICLES FOR THE POLICE DEPARTMENT; and

WHEREAS, the Municipal Comptroller filed a certification with the city clerk that funds are available in Accounts G-02-41-704-700C-199 - \$88,880.94 and Trust Police Auction \$77,819.06; and

WHEREAS, the Purchasing Agent purchased said vehicles from Hudson Toyota, 599 Route 440, Jersey City, NJ 07304 for the amount of \$166,770.00 prior to obtaining approval from this body; and

WHEREAS, it has been determined that notwithstanding the clerk’s advertisement for bids, no prior municipal council resolution was passed authorizing same; and

WHEREAS, it has been determined that in the past these purchases were made without need for bid authorization and approval through a state exemption or waiver for the purchase of undercover vehicle which is no longer in effect; now, therefore, be it

RESOLVED, by the Municipal Council as follows;

1. The actions of the Clerk and Purchasing Agent in advertising for and purchasing the aforesaid Used Vehicles for the Police Department for the amount of \$166,770.00 are hereby ratified and affirmed.

2. Funds are chargeable to Accounts G-02-41-704-700C-199 - \$88,880.94 and Trust Police Auction \$77,819.06.

55. 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 transmission repairs.

56. 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 walkway/waterfront improvements on public property at Don Ahern Veterans Stadium from 25th to 24th Streets.

* * * * *

57. 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
All Saints Catholic Academy	10:00 AM 19 West 13 th Street Oct. 10, 17, 14, 31 Nov. 7, 14,21	RL: 9288
Peninsula Masonic Lodge #99	8:00 PM 888 Avenue C January 19, 2019	RL: 9289
Trinity Parish on Bergen Point	12:00 – 5:00 PM 141 Broadway October 13, 2018	RL: 9290

* * * * *

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

BE IT RESOLVED, That the Business Administrator and Chief Financial Officer be and are hereby authorized to solicit proposals to outsource building inspections.

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

Absent – Council President Nadrowski.

RESOLUTION FAILED ADOPTION.

* * * * *

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

WHEREAS, the city clerk, advertised in the Jersey Journal on April 11, 2018 that sealed bids for 57th St. Firehouse Bay Floor Replacement, Driveway & Sidewalk Repairs would be received on May 3, 2018; and

WHEREAS, pursuant to such advertisement, two (2) proposals were received from:

Bidders:	Base Bid	Alt#1	Alt.#2
	Utility Lighting in Basement		Removal & Replacement Of two new stair cases
Three Sons Restoration LLC 1232 Morris Avenue Union, NJ 07083	\$340,000.00	\$50,000.00	\$9,000.00
J.G. Drywall LLC 303 Molnar Drive Suite 101 Elmwood Park, NJ 07407	\$421,430.00	\$7,000.00	\$6,000.00

;and

WHEREAS, the Municipal Comptroller has filed a certification with the city clerk that funds are available in Accounts 017-21 - \$300,060.00 and Fire Dept. OE -\$19,940.00; and

WHEREAS, Amy Dellabella, R.P.P.O., Q.P.A. and Robert Kubert, Director of Public Safety have examined the bids or proposals and have determined that the bid of Three Sons Restoration LLC is a regular bid and is most advantageous to the City of Bayonne for 57th St. Firehouse Bay Floor Replacement, Driveway & Sidewalk Repairs; and

WHEREAS, the bid documents included an allowance in the amount of \$20,000.00 for unspecified work; and

WHEREAS, the amount of the bid of Three Sons Restoration, LLC, the lowest responsible bidder, exceeded the amount budgeted for said 57th St. Firehouse Bay Floor Replacement, Driveway & Sidewalk Repairs in the amount of \$20,000.00; and

WHEREAS, it is in the best interests of the City to award the contract for the aforesaid 57th St. Firehouse Bay Floor Replacement, Driveway & Sidewalk Repairs for the amount of \$320,000.00 by excluding the aforesaid allowance for work unspecified in the amount of \$20,000; and

WHEREAS, the Municipal Comptroller has filed a certification with the city clerk that funds are available in Accounts 017-21 - \$300,060.00 and Fire Dept. OE -\$19,940.00; and

RESOLVED, that the contract for 57th St. Firehouse Bay Floor Replacement, Driveway & Sidewalk Repairs be awarded to:

Three Sons Restoration, LLC
1232 Morris Avenue
Union, NJ 07083

for the following bid price: \$320,000.00 (exclusive of the \$20,000 allowance for work unspecified), and that the contract be executed in the name of the City of Bayonne by the proper city officials and that the said sum be charged to accounts: 017-21 - \$300,060.00 and Fire Dept. OE -\$19,940.00

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

Absent – Council President Nadrowski.

* * * * *

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

#5 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	\$	48,844,088.91
Parking Utility	\$	613,000.00

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	\$	5,222,886.14
Parking Utility	\$	150,000.00

2- That said emergency temporary appropriation will be provided for the CY 18 budget under the title of, as per attached schedule:

Current Fund	\$	5,222.886.14
Parking Utility	\$	150,000.00

3- That one certified copy of this resolution be filed with the Director of Local Government Services.
Yeas - Council Members Cotter, Gullace, LaPelusa, and Perez.

Absent – Council President Nadrowski.

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING THE TITLE AMENDMENT OF THE REDEVELOPMENT PLAN FOR THE PROPERTY IDENTIFIED AS BLOCK 330, LOTS 6 THROUGH 12 COMMONLY KNOWN AS THE “BCB REDEVELOPMENT PLAN,” TO THE “5TH STREET REDEVELOPMENT PLAN” PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.*

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

WHEREAS, on June 17, 2015, the Municipal Council of the City (the “Municipal Council”) adopted Resolution No. 15-06-17-066 designating the property identified as Block 330, Lots 6, 7, 8, 9, 10, 11, and 12 (17 W. 5th Street; 15 W. 5th Street; 11 W. 5th Street; 9 W. 5th Street; 155-157 Broadway; 159 Broadway; and 161 Broadway) on the tax map of the City of Bayonne as an area in need of redevelopment under the Redevelopment Law in accordance with the provisions of *N.J.S.A. 40A:12A-6* of the Redevelopment Law (the “Redevelopment Area”); and

WHEREAS, the Redevelopment Area encompasses approximately 0.55 acres of land located on the northwestern corner of Broadway and West 5th Street; and

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Administration has prepared a redevelopment plan for the Redevelopment Area titled “Redevelopment Plan Block 330, Lots 6-12” (the “Redevelopment Plan”); and

WHEREAS on March 9, 2016, the Municipal Council by ordinance adopted the Redevelopment Plan; and

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

WHEREAS, the Municipal Council believes that it is in the best interests of the City to amend the title of the Redevelopment Plan to the “5th Street Redevelopment Plan,” which such amendment shall not amend, modify, omit, and/or change the substantive content of the Redevelopment Plan (the “5th Street 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 adopting the 5th Street Redevelopment Plan.

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 Municipal Council is hereby authorized to amend the title of the Redevelopment Plan to the 5th Street Redevelopment Plan.

Section 3. The 5th Street Redevelopment Plan is hereby adopted pursuant to the terms of *N.J.S.A. 40A:12A-7* of the Redevelopment Law. Further, the 5th Street Redevelopment Plan shall amend, replace and supersede any prior redevelopment plans with respect to the Redevelopment Area.

Section 4. This Resolution shall take effect immediately.
Yeas - Council Members Cotter, Gullace, LaPelusa, and Perez.

Absent – Council President Nadrowski.

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING AND DIRECTING THE PLANNING BOARD TO CONDUCT A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER

CERTAIN PROPERTY LOCATED AT 23 W 5TH ST, 21 W 5TH ST, AND 19 W 5TH ST WHICH PROPERTY IS IDENTIFIED AS BLOCK 330, LOTS 3, 4, AND 5, WITHIN THE CITY CONSTITUTES A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT AND AUTHORIZING AND DIRECTING THE PLANNING BOARD TO AMEND AND EXPAND THE 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, on June 17, 2015, the Municipal Council of the City (the “Municipal Council”) adopted Resolution No. 15-06-17-066 designating the property identified as Block 330, Lots 6, 7, 8, 9, 10, 11, and 12 (17 W. 5th Street; 15 W. 5th Street; 11 W. 5th Street; 9 W. 5th Street; 155-157 Broadway; 159 Broadway; and 161 Broadway) on the tax map of the City of Bayonne as an area in need of redevelopment under the Redevelopment Law in accordance with the provisions of *N.J.S.A. 40A:12A-6* of the Redevelopment Law (the “Redevelopment Area”); and

WHEREAS, the Redevelopment Area encompasses approximately 0.55 acres of land located on the northwestern corner of Broadway and West 5th Street; and

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Administration has prepared a redevelopment plan for the Redevelopment Area titled “Redevelopment Plan Block 330, Lots 6-12” (the “Redevelopment Plan”); and

WHEREAS, the Planning Board of the City (the “Planning Board”) has been directed by the Municipal Council pursuant to Resolution No. 15-06-17-067 to prepare and review the Redevelopment Plan, and to transmit its recommendations relating to the Redevelopment Plan to the Municipal Council in accordance with the provisions of *N.J.S.A. 40A:12A-7* of the Redevelopment Law; and

WHEREAS, upon receipt and review of the Planning Board’s recommendations relating to the Redevelopment Plan, the Municipal Council believes that the adoption of the Redevelopment Plan is in the best interests of the City for the redevelopment of the Redevelopment Area; and

WHEREAS on March 9, 2016, the Municipal Council by ordinance adopted the Redevelopment Plan; and

WHEREAS, the Mayor and Municipal Council consider it to be in the best interest of the City to have the Planning Board conduct such an investigation to determine if certain properties located at 23 W 5th Street, 21 W 5th Street, and 19 W 5th Street, which property is identified as Block 330, Lots 3, 4, and 5 on the City’s Tax Maps (the “Study Area”), constitute a non-condemnation “area in need of redevelopment,” in accordance with the Redevelopment Law; and

WHEREAS, the preliminary investigation will be designed to evaluate the area to determine whether designation of the Study Area as a non-condemnation “area in need of redevelopment” is appropriate and in conformance with the statutory criteria contained in *N.J.S.A. 40A:12A-5* and pursuant to *N.J.S.A. 40A:12A-6* to authorize the municipality to use all powers provided by Legislature for use in a redevelopment area other than the use of eminent domain; and

WHEREAS, the Municipal Council believes that it is in the best interests of the City to amend the Redevelopment Plan to expand the scope of the revitalization and redevelopment efforts in the City and make necessary modifications to the Redevelopment Plan to include the Study Area if it is determined to be a non-condemnation “area in need of redevelopment” (the “Amended Redevelopment Plan”); and

WHEREAS, in accordance with the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*, the Municipal Council is desirous of directing the Planning Board to prepare 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 aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. The Planning Board is hereby directed to conduct a preliminary investigation to determine whether the Study Area, or any portions thereof, constitute a non-

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

Section 3. The Planning Board is hereby directed to study the property located at 23 W 5th Street, 21 W 5th Street, and 19 W 5th Street, which property is identified as Block 330, Lots 3, 4, and 5 on the City’s Tax Maps; to develop a map reflecting the boundaries of the proposed non-condemnation redevelopment area; to provide public notice and conduct public hearings pursuant to *N.J.S.A. 40A:12A-6*; and to draft a report/Resolution to the Mayor and Municipal Council containing its findings.

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

Section 5. The Planning Board of the City of Bayonne is hereby authorized and directed to prepare an amendment to the Redevelopment Plan for the Study Area identified as Block 330, Lots 3, 4, and 5 as shown on the Official Tax Map of the City in accordance with the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*

Section 6. The Planning Board shall transmit the Amended Redevelopment Plan to the Municipal Council for further consideration and action upon completion of same.

Section 7. This Resolution shall take effect immediately.
Yeas - Council Members Cotter, Gullace, LaPelusa, and Perez.

Absent – Council President Nadrowski.

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY DESIGNATING TFG 39-43 W25TH STREET, LLC AS REDEVELOPER OF THE PROPERTY LOCATED AT 45 WEST 25TH STREET AND 39-43 WEST 25TH STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 183, LOTS 1 AND 2.01 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE AND AUTHORIZING THE NEGOTIATION AND PREPARATION OF A REDEVELOPMENT AGREEMENT WITH TFG 39-43 W25TH STREET, LLC FOR THE REDEVELOPMENT OF SUCH PROPERTY IN ACCORDANCE WITH THE REDEVELOPMENT PLAN

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

WHEREAS, 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 August 16, 2017, the Municipal Council directed the Planning Board, to prepare and review a redevelopment plan for the properties located at 39-43 West 25th Street & 45 West 25th Street, which properties are identified as Block 183, Lots 1 & 2.01 (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 (Forum) Block 183 Lots 1 & 2.01” (the “Redevelopment Plan”); and

WHEREAS, on November 14, 2017, 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, on January 17, 2018, the Municipal Council by ordinance adopted the Redevelopment Plan, and set forth their reasons on the record; and

WHEREAS TFG 39-43 W25th Street, LLC a limited liability company of the State of New Jersey, with an office address of 492-C Cedar Lane, Suite 30, Teaneck, New Jersey 07666 (the “Entity”) is the contract purchaser of the property identified as Block 183, Lots 1 and 2.01 on the official Tax Map of the City of Bayonne (the “Redevelopment Area”); and

WHEREAS, the Entity is interested in redeveloping the Redevelopment Area; and

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

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

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

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

Section 1. TFG 39-43 W25th Street, LLC is hereby conditionally designated as the redeveloper of the Redevelopment Area, which is designated as Block 183, Lots 1 and 2.01 on the official Tax Maps of the City of Bayonne (the "Redeveloper") subject to the execution of a mutually agreeable Redevelopment Agreement.

Section 2. The Municipal Council, through its attorneys and staff, is hereby authorized to negotiate and prepare a mutually agreeable Redevelopment Agreement between TFG 39-43 W25th Street, LLC, and the City of Bayonne, which Redevelopment Agreement shall be subject to the review and approval of this Municipal Council.

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

Section 4. This Resolution shall take effect immediately.

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

Absent – Council President Nadrowski.

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING THE EXECUTION OF A PARKING AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND EOM REALTY, LLC FOR THE PROPERTY LOCATED AT 554-556 BROADWAY & 11 EAST 25TH STREET, WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 184, LOTS 5 & 10 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE

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

WHEREAS, pursuant to the Redevelopment Law, the Municipal Council 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 Block 184 Lot 5 (554-556 Broadway) Block 184 Lot 10 (11 East 25th St) (Mandees),” dated March 6, 2018 (the “Redevelopment Plan”); and

WHEREAS, on April 18, 2018, the Municipal Council by ordinance adopted the Redevelopment Plan, and set forth their reasons on the record; and

WHEREAS, EOM Realty, LLC a limited liability company of the State of New Jersey, with an office address of PO Box 630217, Bronx, NY 10463 (the “Entity”) is the owner of the Property; and

WHEREAS, on May 16, 2018, EOM Realty, LLC, was designated redeveloper and the City was authorized to negotiate and prepare a mutually agreeable redevelopment agreement by and between EOM Realty, LLC and the City (the “Redevelopment Agreement”); and

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

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

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

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

NOW THEREFORE, BE IT 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 Municipal Council of the City of Bayonne hereby authorizes the execution of the Parking Lease Agreement by and between the City of Bayonne and EOM Realty, LLC.

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

Section 4. The Mayor and Clerk are hereby authorized to take such action and to execute such other documents, on behalf of the City of Bayonne, as is necessary to effectuate the terms of the Parking Lease Agreement, as deemed advisable by the City Attorney or Special Redevelopment Counsel.

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

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

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

Absent – Council President Nadrowski.

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY DESIGNATING AMS EQUITIES LLC AS REDEVELOPER OF THE PROPERTY LOCATED AT 134-136 AVENUE E WHICH PROPERTY IS IDENTIFIED AS BLOCK 467, LOT 24, AS SHOWN ON THE OFFICIAL TAX MAP IN THE CITY OF BAYONNE AND THE PREPARATION AND EXECUTION OF A REDEVELOPMENT AGREEMENT WITH AMS EQUITIES LLC FOR THE REDEVELOPMENT OF SUCH PROPERTY IN ACCORDANCE WITH THE AMENDED REDEVELOPMENT PLAN.

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

WHEREAS, 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 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, 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” and authorized the Planning Board to prepare and review an amendment and expansion to the Redevelopment Plan, which includes the Study 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, has been prepared by the City Planning Department which incorporates the Study Area to the Redevelopment Plan; and

WHEREAS, on October 18, 2017, the Municipal Council by Ordinance adopted the Amended Redevelopment Plan which incorporates the Study Area to the Amended Redevelopment Plan; and

WHEREAS, AMS Equities LLC, a limited liability company of the State of New Jersey with an office address of AMS Acquisitions, 2 West 45th Street, 15th Floor, New York, NY 10036 (the “Redeveloper”) is the contract purchaser of those certain parcels of land located at 138 Avenue E, 140 Avenue E, 157-163 Avenue E, and 170-180 Avenue E, designated as Block 467, Lots 25 & 26, Block 234, Lot 8.01, and Block 458, Lots 1 & 1.01 as shown on the Official Tax Map of the City; and

WHEREAS, on December 13, 2017, by resolution, the Municipal Council designated AMS Equities LLC, as redeveloper and authorized the negotiation and execution of a redevelopment agreement with the Redeveloper for the property located at 138 Avenue E, 140 Avenue E, 157-163 Avenue E, and 170-180 Avenue E, designated as Block 467, Lots 25 & 26, Block 234, Lot 8.01, and Block 458, Lots 1 & 1.01 as shown on the Official Tax Map of the City of Bayonne (the “Redevelopment Area”); and

WHEREAS, AMS Equities, LLC, is the contract purchaser of the property located at 134-136 Avenue E, designated as Block 467, Lot 24 as shown on the Official Tax Map of the City of Bayonne (the “Property”); and

WHEREAS, the Municipal Council is permitted to contract with redevelopers for the undertaking of any project or redevelopment work pursuant to *N.J.S.A. 40A:12A-8(f)*; and

WHEREAS, the Amended Redevelopment Plan permits the Municipal Council, as a redevelopment entity, to authorize the negotiation and execution of a redevelopment agreement with the Redeveloper providing for the development of the Property in accordance with the Amended Redevelopment Plan (the “Redevelopment Agreement”); and

WHEREAS, the Municipal Council desires to designate AMS Equities LLC as redeveloper of the Property and enter into a Redevelopment Agreement with the Redeveloper, as provided for and in accordance with the provisions of the Redevelopment Law.

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

Section 1. The Municipal Council of the City of Bayonne hereby authorizes the preparation and execution of the Redevelopment Agreement by and between the City of Bayonne and AMS Equities LLC, concerning the Property identified as Block 467, Lot 24 in the City of Bayonne, in such a form deemed advisable by the City Attorney, subject to any and all conditions contained herein and such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel to the City.

Section 2. The Municipal Council, upon the full execution of the Redevelopment Agreement designates AMS Equities LLC as Redeveloper of the Property as provided for and in accordance with the provisions of the New Jersey Local Redevelopment and Housing Law.

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

Section 4. This Resolution shall take effect immediately.

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

Absent – Council President Nadrowski.

* * * * *

66. Council Member LaPelusa 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 AMEND AND EXPAND THE REDEVELOPMENT PLAN FOR THE PROPERTY 415-423 AVENUE C, WHICH PROPERTY IS IDENTIFIED AS BLOCK 230, LOT 18.01 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.*

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

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

WHEREAS, pursuant to the provisions of *N.J.S.A. 40A:12A-7(e)* and *N.J.S.A. 40A:12A-15* of the Redevelopment Law, the Planning Board, through the City’s staff and/or Planning Board professionals, is permitted to prepare a 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 425-427 Avenue C, 427A-429 Avenue C, & 427-429 Avenue C Rear, which properties are identified as Block 230, Lots 22, 23, & 24 (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 Block 230 Lot 22 (425 – 427 Avenue C) Block 230 Lot 23 (427A – 429 Avenue C) Block 230 Lot 24 (427 – 429 Avenue C Rear),” dated May 15, 2018 (the “Redevelopment Plan”); and

WHEREAS, on May 15, 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 on June 20, 2018, the Municipal Council by ordinance adopted the Redevelopment Plan; and

WHEREAS, the Municipal Council believes that it is in the best interests of the City to amend the Redevelopment Plan to expand the scope of the revitalization and redevelopment efforts in the City and make necessary modifications to the Redevelopment Plan to include the property located at 415-423 Avenue C, which property is identified as Block 230, Lot 18.01 on the City’s Tax Maps (the “Study Area”) (the “Amended Redevelopment Plan”); and

WHEREAS, in accordance with the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*, the Municipal Council is desirous of directing the Planning Board to prepare 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 aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. The Planning Board of the City of Bayonne is hereby authorized and directed to prepare an amendment to the Redevelopment Plan for the Study Area identified as Block 230, Lot 18.01 as shown on the Official Tax Map of the City in accordance with the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*

Section 3. The Planning Board shall transmit the Amended Redevelopment Plan to the Municipal Council for further consideration and action upon completion of same.

Section 4. This Resolution shall take effect immediately.
Yeas - Council Members Cotter, Gullace, LaPelusa, and Perez.

Absent – Council President Nadrowski.

* * * * *

67. 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 DESIGNATING LEG-BP BAYONNE INVESTORS, LLC AS REDEVELOPER FOR THE PROPERTY LOCATED AT BLOCK 1180, LOTS 1 AND 2 ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE AND THE PREPARATION AND EXECUTION OF A REDEVELOPMENT

AGREEMENT WITH LEG-BP BAYONNE INVESTORS, LLC FOR THE
REDEVELOPMENT OF SUCH PROPERTY IN ACCORDANCE WITH THE
AMENDED REDEVELOPMENT PLAN.

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

WHEREAS, in accordance with the criteria set forth in the Redevelopment Law, the City identified and designated the Bayonne Military Ocean Terminal (hereinafter referred to as the “Peninsula”) as an area in need of redevelopment (the “Redevelopment Area”); and

WHEREAS, by ordinance first adopted on August 24, 2001, the Municipal Council approved and adopted The Peninsula at Bayonne Harbor BLRA Redevelopment Plan that was amended several times throughout the years to govern the development of the Redevelopment Area (the “Redevelopment Plan”); and

WHEREAS, the Redevelopment Area was subdivided in order to create several development lots, including but not limited to Block 1180, Lots 1 and 2; 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 City of Bayonne, Division of Planning & Zoning, Department of Administration prepared an amended Redevelopment Plan which provides an overlay relative to the property identified as Block 1180, Lots 1 and 2 on the official Tax Map of the City of Bayonne, and is titled “Amendment to Peninsula at Bayonne Harbor” dated April 11, 2018, (the “Amended Redevelopment Plan”); and

WHEREAS, on June 20, 2018, the Municipal Council by Ordinance adopted the Amended Redevelopment Plan; and

WHEREAS, Block 1180, Lot 1 is currently owned by Bayonne Auto Terminal, LLC (the “Owner”) and Block 1180, Lot 2 is owned by the City; and

WHEREAS, an affiliate and predecessor of the Owner was designated the redeveloper of Block 1180, Lot 1 by the Bayonne Local Redevelopment Agency (the “BLRA”) and entered into a redevelopment agreement for the redevelopment of Block 1180, Lot 1 with the BLRA; and

WHEREAS, following the dissolution of the BLRA, the Municipal Council reaffirmed the Owner as the designated redeveloper of Block 1180, Lot 1 and the City entered into an amended and restated Redevelopment Agreement with the Owner (the “Amended and Restated Redevelopment Agreement”); and

WHEREAS, the Owner has placed the City of Bayonne on notice of its intention to sell Block 1180, Lot 1 to LEG-BP Bayonne Investors, LLC (“LEG”) and its intention to terminate in its entirety the Amended and Restated Redevelopment Agreement by and between the City and Owner; and

WHEREAS, the Owner pursuant to Section 13.3 of the Amended and Restated Redevelopment Agreement has determined in its reasonable discretion that LEG has the financial strength and integrity to serve as a qualified redeveloper of Block 1180, Lot 1; and

WHEREAS, LEG has also notified the City of its intent to purchase Block 1180, Lot 1 from the Owner and its desire to acquire Block 1180, Lot 2 (hereinafter collectively referred to as the “Property”) from the City; and

WHEREAS, LEG had requested that the Municipal Council, acting as the redevelopment entity for the City and to effectuate those purposes of the Redevelopment Law and Redevelopment Plan, designate LEG as conditional

redeveloper of the Property, and authorize the negotiation and preparation of a redevelopment agreement for the Property, and the sale of Block 1180, Lot 2 to LEG for the purposes of redevelopment; and

WHEREAS, on April 18, 2018, the Municipal Council by resolution designated LEG as conditional redeveloper of the Property (“Conditional Redeveloper”) subject to the negotiation and preparation of a mutually agreeable Redevelopment Agreement, and authorized the negotiation and sale of Block 1180, Lot 2 to LEG for the purpose of redevelopment; and

WHEREAS, the Municipal Council is permitted to contract with redevelopers for the undertaking of any project or redevelopment work pursuant to *N.J.S.A. 40A:12A-8(f)*; and

WHEREAS, the Amended Redevelopment Plan permits the Municipal Council, as a redevelopment entity, to authorize the negotiation and execution of a redevelopment agreement with the Redeveloper providing for the development of the Property in accordance with the Amended Redevelopment Plan (the “Redevelopment Agreement”); and

WHEREAS, the Municipal Council desires to designate LEG-BP Bayonne Investors, LLC as redeveloper of the Property and enter into a Redevelopment Agreement with the Redeveloper, as provided for and in accordance with the provisions of the Redevelopment Law.

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

Section 1. The Municipal Council of the City of Bayonne hereby authorizes the preparation and execution of the Redevelopment Agreement by and between the City of Bayonne and LEG-BP Bayonne Investors, LLC, concerning the Property identified as Block 1180, Lots 1 and 2 in the City of Bayonne, in such a form deemed advisable by the City Attorney, subject to any and all conditions contained herein and such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel to the City.

Section 2. The Municipal Council, upon the full execution of the Redevelopment Agreement designates LEG-BP Bayonne Investors, LLC as Redeveloper of the Property as provided for and in accordance with the provisions of the New Jersey Local Redevelopment and Housing Law.

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

Section 4. This Resolution shall take effect immediately.

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

Absent – Council President Nadrowski.

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING AND DIRECTING THE PLANNING BOARD TO AMEND AND EXPAND THE REDEVELOPMENT PLAN FOR THE PROPERTY 415-423 AVENUE C, WHICH PROPERTY IS IDENTIFIED AS BLOCK 230, LOT 18.01 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.*

WHEREAS, the City of Bayonne, in the County of Hudson, New Jersey (the “City”), a public body corporate and politic of the State of New Jersey (the “State”), is authorized

pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “Redevelopment Law”), to determine whether certain parcels of land within the City constitute an area in need of rehabilitation and/or an area in need of redevelopment; and

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

WHEREAS, pursuant to the provisions of *N.J.S.A. 40A:12A-7(e)* and *N.J.S.A. 40A:12A-15* of the Redevelopment Law, the Planning Board, through the City’s staff and/or Planning Board professionals, is permitted to prepare a 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 425-427 Avenue C, 427A-429 Avenue C, & 427-429 Avenue C Rear, which properties are identified as Block 230, Lots 22, 23, & 24 (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 Block 230 Lot 22 (425 – 427 Avenue C) Block 230 Lot 23 (427A – 429 Avenue C) Block 230 Lot 24 (427 – 429 Avenue C Rear),” dated May 15, 2018 (the “Redevelopment Plan”); and

WHEREAS, on May 15, 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 on June 20, 2018, the Municipal Council by ordinance adopted the Redevelopment Plan; and

WHEREAS, the Municipal Council believes that it is in the best interests of the City to amend the Redevelopment Plan to expand the scope of the revitalization and redevelopment efforts in the City and make necessary modifications to the Redevelopment Plan to include the property located at 415-423 Avenue C, which property is identified as Block 230, Lot 18.01 on the City’s Tax Maps (the “Study Area”) (the “Amended Redevelopment Plan”); and

WHEREAS, in accordance with the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*, the Municipal Council is desirous of directing the Planning Board to prepare 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 aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. The Planning Board of the City of Bayonne is hereby authorized and directed to prepare an amendment to the Redevelopment Plan for the Study Area identified as Block 230, Lot 18.01 as shown on the Official Tax Map of the City in accordance with the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*

Section 3. The Planning Board shall transmit the Amended Redevelopment Plan to the Municipal Council for further consideration and action upon completion of same.

Section 4. This Resolution shall take effect immediately.
Yeas - Council Members Cotter, Gullace, LaPelusa, and Perez.

Absent – Council President Nadrowski.

* * * * *

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

RESOLUTION DESIGNATING CENTRE STREET REDEVELOPER LLC AND 151 CENTRE STREET URBAN RENEWAL LLC THE SUCCESSOR REDEVELOPER, AND CONSENTING TO THE TRANSFER OF RIGHTS, DUTIES AND INTERESTS, UNDER THE AMENDED AND RESTATED REDEVELOPMENT AND PURCHASE AND SALE AGREEMENT DATED MARCH 16,

2015 BETWEEN THE CITY OF BAYONNE AND FIDELCO BAYONNE REALTY LLC FOR THE REDEVELOPMENT AND SALE OF PORTIONS OF THE BAYONNE MILITARY OCEAN TERMINAL (THE "PENINSULA") BLOCK 600, LOT 1; BLOCK 630, LOT 1; BLOCK 645, LOT 1; BLOCK 660, LOT 1; BLOCK 680, LOT 1, THE PAPER STREET IDENTIFIED AS ROAD "B" (LOCATED BETWEEN BLOCKS 600 AND 630 AND BETWEEN BLOCKS 645 AND 660) AND THE PAPER STREET KNOWN AS MEMORIAL BOULEVARD THAT RUNS TO THE NORTH OF BLOCKS 645 AND 680 AND TO THE SOUTH OF BLOCK 680 (WHICH PAPER STREET RUNS FROM THE EASTERN BORDER OF BLOCKS 660 AND 680 DUE WEST TO ROAD "C")

WHEREAS, FIDELCO BAYONNE REALTY, LLC entered into an Amended and Restated Redevelopment and Purchase and Sale Agreement dated March 16, 2015, as thereafter amended, ("Redevelopment Agreement") with the City of Bayonne ("City"), acting as the redevelopment entity, for the following Property: Portions of the Bayonne Military Ocean Terminal (the "Peninsula") Block 600, Lot 1; Block 630, Lot 1; Block 645, Lot 1; Block 660, Lot 1; Block 680, Lot 1, the paper street identified as Road "B" (located between Blocks 600 and 630 and between Blocks 645 and 660) and the paper street known as Memorial Boulevard that runs to the north of Blocks 645 and 680 and to the south of Block 680 (which paper street runs from the eastern border of Blocks 660 and 680 due west to Road "C") (the "Property"); and

WHEREAS, pursuant to Resolution 18-04-18-060 adopted on April 4, 2018, the City of Bayonne authorized execution of an amendment to the March 16, 2015, Redevelopment Agreement effectuating the transfer of all rights, duties and interests from FIDELCO BAYONNE REALTY LLC to CENTRE STREET REDEVELOPER LLC for a portion of the Property designated Block 600, Lot 1; Block 630, Lot 1; and Road B (in the resolution referenced as Block 600, Lots 1, 2 and 3 on the "Harbor Station North Preliminary and Final Major Subdivision Plan" last dated October 2, 2017 (the "Subdivision Plan")) consistent with Section 8.01(B) of the Redevelopment Agreement; and

WHEREAS, pursuant to Resolution 18-04-18-060 adopted on April 4, 2018, the City of Bayonne further authorized execution of an amendment to the March 16, 2015, Redevelopment Agreement effectuating the transfer of all rights, duties and interests from CENTRE STREET REDEVELOPER LLC to 151 CENTRE STREET URBAN RENEWAL LLC with respect to proposed Block 600, Lots 1 and 2 (formerly part of Block 600, Lot 1) only, consistent with Section 8.01(B) of the Redevelopment Agreement; and

WHEREAS, notwithstanding Resolution 18-04-18-060, FIDELCO BAYONNE REALTY LLC was desirous of transferring its rights, duties and interests from FIDELCO BAYONNE REALTY LLC to CENTRE STREET REDEVELOPER LLC with respect to ALL of the Property and CENTRE STREET REDEVELOPER LLC was desirous of transferring its rights, duties and interests to 151 CENTRE STREET URBAN RENEWAL LLC for a portion of the Property, only; and

WHEREAS, notwithstanding Resolution 18-04-18-060, the Subdivision Plan was updated to designate proposed Lots 1.01, 2 and 3 in Block 600 in place of Lots 1, 2 and 3 in Block 600; and

WHEREAS, consistent with Resolution 18-04-18-060, the within Resolution and the terms of the Redevelopment Agreement, 151 CENTRE STREET URBAN RENEWAL LLC should be named Successor Redeveloper with respect to proposed Block 600, Lots 1.01 and 2 (formerly part of Block 600, Lot 1) only; and

WHEREAS, consistent with Resolution 18-04-18-060, the within Resolution and the terms of the Redevelopment Agreement, CENTRE STREET REDEVELOPER LLC should be named Successor Redeveloper with respect to all remaining Property (other than proposed Block 600, Lots 1.01 and 2) identified in the Redevelopment Agreement; now, therefore be it

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

1. The City of Bayonne hereby consents to and the Mayor and the City Clerk are hereby authorized and directed to execute such documents, in form and substance approved by the Law Director, as are determined necessary to memorialize the designation of 151 CENTRE STREET URBAN RENEWAL LLC as Successor Redeveloper with respect to proposed Block 600, Lots 1.01 and 2 (formerly part of Block 600 Lot 1) only and the designation of CENTRE STREET REDEVELOPER LLC as Successor Redeveloper with respect to all remaining Property (other than proposed Block 600, Lots 1.01 and 2) identified in the Redevelopment Agreement.

2. The City of Bayonne hereby consents to and the Mayor and the City Clerk are hereby authorized and directed to execute such documents, in form and substance approved by the Law Director, as are determined necessary to memorialize the City's consent to the transfer of all rights, duties and interests from FIDELCO BAYONNE REALTY LLC to CENTRE

STREET REDEVELOPER LLC with respect to ALL the Property identified in the Redevelopment Agreement and, further, the subsequent transfer of all rights, duties and interests from CENTRE STREET REDEVELOPER LLC to 151 CENTRE STREET URBAN RENEWAL LLC with respect to proposed Block 600, Lots 1.01 and 2 (formerly part of Block 600 Lot 1), only.

3. This Resolution shall take effect immediately.

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

Absent – Council President Nadrowski.

* * * * *

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

AUTHORIZING EXECUTION OF A PROJECT ACCESS AGREEMENT ALLOWING CENTRE STREET REDEVELOPERS LLC and 151 CENTRE STREET URBAN RENEWAL LLC, THE NEWLY DESIGNATED SUCCESSOR REDEVELOPERS UNDER THE AMENDED AND RESTATED REDEVELOPMENT AND PURCHASE AND SALE AGREEMENT DATED MARCH 16, 2015 WITH FIDELCO BAYONNE REALTY LLC, ACCESS TO PROPERTY OWNED BY THE CITY OF BAYONNE

WHEREAS, by way of Resolution 14-08-13-091 adopted on August 13, 2014, the City of Bayonne authorized the execution of an Amended and Restated Redevelopment and Purchase and Sale Agreement dated March 16, 2015 with FIDELCO BAYONNE REALTY LLC (the “Redevelopment Agreement”), governing the redevelopment and sale of Portions of the Bayonne Military Ocean Terminal (the "Peninsula") Block 600, Lot 1; Block 630, Lot 1; Block 645, Lot 1; Block 660, Lot 1; Block 680, Lot 1, the paper street identified as Road "B" (located between Blocks 600 and 630 and between Blocks 645 and 660) and the paper street known as Memorial Boulevard that runs to the north of Blocks 645 and 680 and to the south of Block 680 (which paper street runs from the eastern border of Blocks 660 and 680 due west to Road "C") (the “Property”); and

WHEREAS, pursuant to the Redevelopment Agreement, the Property was to be subdivided and conveyed to FIDELCO BAYONNE REALTY LLC for redevelopment in phases (the “Project”); and

WHEREAS, pursuant to the Redevelopment Agreement and Municipal Council Resolution 18-04-18-060 adopted on April 4, 2018 and Resolution 18-06-20-069 adopted on June 20, 2018, the City has consented to the transfer of all rights, duties and interests from FIDELCO BAYONNE REALTY LLC to CENTRE STREET REDEVELOPER LLC for all the Property designated in the Redevelopment Agreement and to the subsequent transfer of all rights, duties and interests from CENTRE STREET REDEVELOPER LLC to 151 CENTRE STREET URBAN RENEWAL LLC, with respect to a portion of the Property designated as proposed Block 600, Lots 1.01 and 2 (formerly part of Block 600 Lot 1) only; and

WHEREAS, Resolution 18-06-20-069 adopted on June 20, 2018, further designates CENTRE STREET REDEVELOPER LLC and 151 CENTRE STREET URBAN RENEWAL LLC as Successor Redeveloper (“Redeveloper”); and

WHEREAS, CENTRE STREET REDEVELOPER LLC, 151 CENTRE STREET URBAN RENEWAL LLC and the City of Bayonne are hereinafter referred to collectively as the “Parties” to the Redevelopment Agreement; and

WHEREAS, Section 5.16 of the Redevelopment Agreement states that the Parties shall grant to the other the temporary and permanent easements which are necessary to facilitate construction and operation of the Project as contemplated by the Governmental Approvals; and

WHEREAS, Section 5.24 of the Redevelopment Agreement states that the City shall cooperate with and assist Redeveloper so as to enable Redeveloper to implement, develop and complete the Project and to otherwise perform Redeveloper’s obligations and responsibilities under the Redevelopment Agreement; and

WHEREAS, the Municipal Council has determined that in order to facilitate the redevelopment of the Redevelopment Area in accordance with the Redevelopment Agreement and the Redevelopment Plan, it would be in the best interests of the City to enter into a Project Access Agreement with the Redeveloper, setting forth the Parties’ respective undertakings, rights and obligations thereunder to undertake the scope of work as contemplated under the Redevelopment Agreement; and

WHEREAS, the City shall derive a substantial benefit from the commencement of work as soon as possible and from the development of the Redevelopment Area; now, therefore, be it

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

1. The City of Bayonne hereby consents to and the Mayor and the City Clerk are hereby authorized and directed to execute a Project Access Agreement, in form and substance approved by the Law Director, setting forth the respective undertakings, rights and obligations of CENTRE STREET REDEVELOPER LLC and 151 CENTRE STREET URBAN RENEWAL LLC, the Successor Redeveloper, to undertake work as contemplated under the Amended and Restated Redevelopment and Purchase and Sale Agreement dated March 16, 2015 with FIDELCO BAYONNE REALTY LLC, for the Property identified therein.

2. This resolution shall take effect immediately.

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

Absent – Council President Nadrowski.

* * * * *

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

CONSENT TO ASSIGNMENT AND ASSUMPTION OF RIGHTS AND OBLIGATIONS UNDER THE FINANCIAL AGREEMENT BY KRE FLEET BAYONNE URBAN RENEWAL LLC TO 151 CENTRE STREET URBAN RENEWAL LLC WITH RESPECT TO A PORTION OF BLOCK 600 LOT 1 (PROPOSED BLOCK 600, LOTS 1.01 AND 2 AS REFERENCED ON THE “HARBOR STATION NORTH PRELIMINARY AND FINAL MAJOR SUBDIVISION PLAN”, LAST DATED OCTOBER 2, 2017)

WHEREAS, by way of Resolution 14-08-13-091 adopted on August 13, 2014, the City of Bayonne authorized the execution of an Amended and Restated Redevelopment and Purchase and Sale Agreement dated March 16, 2015 with FIDELCO BAYONNE REALTY LLC (the “Redevelopment Agreement”), governing the redevelopment and sale of Portions of the Bayonne Military Ocean Terminal (the “Peninsula”) Block 600, Lot 1; Block 630, Lot 1; Block 645, Lot 1; Block 660, Lot 1; Block 680, Lot 1, the paper street identified as Road “B” (located between Blocks 600 and 630 and between Blocks 645 and 660) and the paper street known as Memorial Boulevard that runs to the north of Blocks 645 and 680 and to the south of Block 680 (which paper street runs from the eastern border of Blocks 660 and 680 due west to Road “C”) (the “Property”); and

WHEREAS, pursuant to the Redevelopment Agreement, the Property was to be subdivided and conveyed to FIDELCO BAYONNE REALTY LLC in phases (the “Project”); and

WHEREAS, in furtherance of the Redevelopment Agreement, portions of the Property are proposed for subdivision pursuant to a “Harbor Station North Preliminary and Final Major Subdivision Plan”, last dated October 2, 2017 (the “Subdivision Plan”) to be recorded in the Hudson County Clerk/Register’s Office, and the parcels of the Property relevant to Phase I and II of the Project will be known as and comprise Block 600, Lots 1.01, 2 and 3 (formerly Block 600, Lot 1; Block 630, Lot 1; and Road B); and

WHEREAS, by way of Ordinance O-14-27 adopted October 15, 2014 (the “Ordinance”), and pursuant to the Long Term Tax Exemption Law, *N.J.S.A. 40A:20-1 et seq.*, the City of Bayonne approved a tax exemption on the Property and authorized the execution of a financial agreement with KRE FLEET BAYONNE URBAN RENEWAL, LLC, a New Jersey Limited Liability Company approved by the Department of Community Affairs as an Urban Renewal Entity (the “Financial Agreement”); and

WHEREAS, Pursuant to the Ordinance and Section 8.01 of the Redevelopment Agreement, FIDELCO BAYONNE REALTY LLC was supposed to assign its rights and obligations under the Redevelopment Agreement to KRE FLEET BAYONNE URBAN RENEWAL, LLC, its wholly owned subsidiary; and

WHEREAS, KRE FLEET BAYONNE URBAN RENEWAL, LLC never perfected an assignment from FIDELCO BAYONNE REALTY LLC and now is desirous of assigning a portion of its rights and obligations under the Financial Agreement, namely those pertinent to proposed Block 600, Lots 1.01 and 2 as referenced on the Subdivision Plan (formerly a portion of Block 600, Lot 1) to 151 CENTRE STREET URBAN RENEWAL LLC; and

WHEREAS, pursuant to Resolution 18-04-18-060 adopted on April 4, 2018 and Resolution 18-06-20-069 adopted on June 20, 2018, the City of Bayonne is authorized to consent to the transfer of all rights, duties and interests from FIDELCO BAYONNE REALTY

LLC to CENTRE STREET REDEVELOPER LLC for all the Property designated in the Redevelopment Agreement; and

WHEREAS, pursuant to Resolution 18-04-18-060 adopted on April 4, 2018 and Resolution 18-06-20-069 adopted on June 20, 2018, the City of Bayonne is further authorized to consent to the subsequent transfer of all rights, duties and interests from CENTRE STREET REDEVELOPER LLC to 151 CENTRE STREET URBAN RENEWAL LLC with respect to a portion of the Property, namely, proposed Block 600, Lots 1.01 and 2 (formerly part of Block 600 Lot 1) only, consistent with Section 8.01(B) of the Redevelopment Agreement; and

WHEREAS, Section 8.01 (“Assignment And/Or Assumption”) of the above noted Financial Agreement expressly permits the transfer of all rights, duties, and obligations under the said Agreement; and

WHEREAS, 151 CENTRE STREET URBAN RENEWAL LLC, is a New Jersey Limited Liability Company approved or to be approved by the Department of Community Affairs as an Urban Renewal Entity; now, therefore, be it

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

1.

The City of Bayonne hereby consents to and the Mayor and the City Clerk are hereby authorized and directed to execute such documents as are determined necessary to memorialize such consent, in form and substance approved by the Law Director, as required to effectuate the transfer of all rights, obligations and interests under the Financial Agreement from KRE FLEET BAYONNE URBAN RENEWAL LLC to 151 CENTRE STREET URBAN RENEWAL LLC with respect to proposed Block 600, Lots 1.01 and 2 as referenced on the Subdivision Plan (formerly a portion of Block 600 Lot 1) only, consistent with Section 8.01 (“Assignment And/Or Assumption”) of the Financial Agreement.
2.

This Resolution shall take effect immediately.

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

Absent – Council President Nadrowski.

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

WHEREAS, John Kulik was denied a taxi driver license by the Chief of Police, and has filed an appeal of said denial with the Municipal Council; and

WHEREAS, Section 8-10.4(b) of the Revised General Ordinances requires that the council schedule a hearing on the appeal with 10 days’ notice to the applicant; now, therefore be it

RESOLVED, that Wednesday, July 11, 2018 at an adjourned meeting immediately following the council caucus scheduled for 7:00 P.M. and the Dorothy E. Harrington Council Chambers be set as the time and place for a hearing of the appeal of John Kulik; and be it further

RESOLVED, that the City Clerk notify the appellant at least 10 days prior to the said hearing.

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

Absent – Council President Nadrowski.

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

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

LICENSEE	TIME & PLACE	LICENSE
Blessed Miriam Teresa Demjanovich	7:30 – 10:00 PM 19 West 13 th Street	BL: 2418

July 6, 13, 20, 27
Aug. 3, 10, 17, 24, 31
Sept. 7, 14, 21, 29
Oct. 5, 12, 19,26
Nov. 2, 9, 16, 30
Dec. 7, 14, 21

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

Absent – Council President Nadrowski.

* * * * *

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

WHEREAS, the local municipal budget for the calendar year 2018 was approved on the 16th day of May, 2018, and

WHEREAS, the public hearing on said budget has been held as advertised, and

WHEREAS, it is desired to amend said approved budget, now,

THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Bayonne, County of Hudson, that the following amendments to the approved budget of calendar year 2018 be made:

	<u>FROM</u>	<u>TO</u>
3. Miscellaneous Revenues		
Section B:		
Consolidated Municipal Property Tax Relief Act	1,874,047.00	1,625,988.00
Energy Receipts Tax (P.L. 1997 Chapters 162&167)	6,955,754.00	7,203,813.00
Section F:		
NJ Turnpike Authority-MUA	0.00	17,999.95
2018 Municipal Aid Program	0.00	763,115.00
2016 Port Security Grant	0.00	28,125.00
Clean Communities Grant	0.00	98,761.14
Total Section F:	1,458,180.11	2,366,181.10
Total Miscellaneous Revenues	37,104,783.11	38,012,784.20
5. Subtotal General Revenues	49,631,109.20	50,539,110.29
7. Total General Revenues	138,878,247.97	139,786,249.06
8. General Appropriations		
(A) Operations-within CAPS		
Prosecutor’s Office-Other Expenses	35,000.00	70,000.00
Maintenance of Parks-Other Expenses	82,000.00	92,000.00
Law Department Contracts	180,000.00	160,000.00
Water/Sewer Division-Other Expenses	160,000.00	140,000.00
Board of Health-Other Expenses	350,000.00	345,000.00
(A) Operations-Excluded from CAPS		
Public and Private Revenues Offset by Revenues		
NJ Turnpike Authority-MUA	0.00	17,999.95
2018 Municipal Aid Program	0.00	763,115.00
2016 Port Security Grant	0.00	28,125.00
Clean Communities Grant	0.00	98,761.14
Total Public & Private Revenues Offset by Revenues	1,458,180.01	2,366,181.10
Total Operations Excluded from CAPS	3,554,318.78	4,462,319.87
Other Expenses	1,924,408.78	2,832,409.87
Total General Appropriations for Municipal Purposes Excluded from CAPS	16,082,591.78	16,990,592.87
Total General Appropriations Excluded From CAPS	26,715,591.78	27,623,592.87
Subtotal General Appropriations	137,138,247.97	138,046,249.06

Total General Appropriations 138,878,247.97 139,786,249.06

AND BE IT FURTHER RESOLVED, that Wednesday, July 18, 2018, at 7:00 P.M. and the Dorothy E. Harrington Council Chambers, Municipal Building, 630 Avenue C, Bayonne, NJ, be fixed as the time and place for a public hearing and final adoption of said amendments.

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

Absent – Council President Nadrowski.

* * * * *

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

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

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

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

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

WHEREAS, on March 23, 2018 the City of Bayonne entered into a written Redevelopment Agreement with McDonald’s Corporation; and

WHEREAS, subsequent to the signing of the March 23, 2018 Redevelopment Agreement, litigation filed by a franchisee of McDonald’s Corporation (*Lentini et alia v McDonald’s USA, LLC*, Docket No. HUD-L-3840-17) caused legal counsel for both McDonald’s and the City of Bayonne to consider amendments to the existing Redevelopment Agreement; and

WHEREAS, the Law Director deems it in the best interests of the City of Bayonne for this Municipal Council to authorize the Mayor and City Clerk to enter into an Amended Redevelopment Agreement with the Redeveloper in substantially the form attached hereto and subject to any further review, analysis or modifications that the Law Director may deem appropriate to take into account the ramifications of the aforesaid litigation; now, therefore, be it

RESOLVED, by the Municipal Council that the Mayor and City Clerk are hereby authorized to enter into an Amended Redevelopment Agreement, amending the March 23, 2018 Redevelopment Agreement, in substantially the form attached hereto and subject to any further review, analysis or modifications that the Law Director may deem appropriate.

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

Absent – Council President Nadrowski.

* * * * *

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

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

WHEREAS, *N.J.S.A. 40A:4-39* provides that the Director of the Division of Local Government Services may approve expenditures or moneys by dedication by rider; and

NOW THEREFORE, BE IT RESOLVED, by the City of Bayonne, County of Hudson, New Jersey as follows:

1. The Municipal Council does hereby request permission of the Director of the Division of Local Government Services to pay expenditures under the provisions of N.J.S.A. 40A:4-39, as amended by P.L. 1999, c. 292, for the exclusive purpose of depositing and expending funds paid by developers for nonresidential fees for the purpose of expanding and establishing “Affordable Housing Trust Fund” program.
2. The Municipal Clerk is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

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

Absent – Council President Nadrowski.

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

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

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

NOW THEREFORE, BE IT RESOLVED, by the City of Bayonne, County of Hudson, New Jersey as follows:

1. The Municipal Council does hereby request permission of the Director of the Division of Local Government Services to pay expenditures under the provisions of N.J.S.A. 40A:4-39, as amended by P.L. 1999, c. 292, for the exclusive purpose of depositing and expending funds paid by developers for nonresidential fees for the purpose of expanding and establishing “Off Duty Police Reimbursement” programs.
2. The Municipal Clerk is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

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

Absent – Council President Nadrowski.

* * * * *

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

WHEREAS, Sneh Bain currently serves as Petty Cash Custodian for the Bayonne Free Public Library, and

WHEREAS, the Petty Cash Custodian of the Bayonne Free Public Library maintained a Petty Cash fund of \$500.00

WHEREAS, Sneh Bain has retired from her employment with the City of Bayonne as Director of the Bayonne Free Public Library, and

WHEREAS, the Bayonne Free Public Library is desirous to reestablish a Petty Cash Custodian, and

WHEREAS, John Porcaro has been appointed the new Director of the Bayonne Free Public Library and has assumed the duties and obligations of his post,

WHEREAS, the Library Director is also custodian of the Petty Cash Fund, therefore, be it

RESOLVED, that John Porcaro is hereby appointed Petty Cash Custodian for the Bayonne Free Public Library with a petty cash fund in the amount of \$500.00

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

Absent – Council President Nadrowski.

* * * * *

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

WHEREAS, various Individual Vendors have requested permission to participate in the 2018 Inaugural Celebration (the “Inaugural Celebration”) to take place on the municipal lands designated as the lower level of G. Thomas Di Dominico Park located between Avenue A and Newark Bay between 16th Street and 17th Street (Di Dominico Park”) in connection with the Inaugural Celebration to be held on July 1, 2018 from 6:00 p.m. to 9:00 p.m. during which various food and activities will be offered, including but not limited to talent, entertainment, rides, vendors, and a wine and beer garden; and

WHEREAS, the 2018 Inaugural Celebration is anticipated to be a desirable and enjoyable event for the citizens of the City of Bayonne; and

WHEREAS, the City is agreeable to entering into License Agreements with the Individual Vendors allowing them to participate in the Inaugural Celebration to take place on the municipal lands designated as the lower level of G. Thomas Di Dominico Park located between Avenue A and Newark Bay between 16th Street and 17th Street in connection with said various activities including, but not limited to talent, entertainment, rides, vendors, and a wine and beer garden on July 1, 2018 from 6:00 p.m. to 9:00 p.m. (with access beginning at 5:00 p.m. and ending at 10:00 p.m.) upon certain terms and conditions acceptable to the Law Director; now, therefore, be it

RESOLVED that the Mayor and the City Clerk are hereby authorized and directed to take all steps necessary to execute License Agreements in form and substance as is approved by the Law Director with the Individual Vendors for the purpose of allowing them to participate in the 2018 Inaugural Celebration to take place on the municipal lands designated as the lower level of G. Thomas Di Dominico Park located between Avenue A and Newark Bay between 16th Street and 17th Street to be held on July 1, 2018 (with access beginning at 5:00 p.m. and ending at 10:00 p.m.), during which various food and activities will be offered, including but not limited to talent, entertainment, rides, vendors, and a wine and beer garden.

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

Absent – Council President Nadrowski.

* * * * *

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

WHEREAS, the Municipal Council of the City of Bayonne adopted Ordinance No. O-09-03 on February 18, 2009, effective March 9, 2009 entitled “AN ORDINANCE TO ADOPT OFFICIAL STREET NAMES FOR NEW STREETS LOCATED IN THE BAYONNE BAY DISTRICT OF THE PENINSULA AT BAYONNE HARBOR” adopting names conforming with Property Numbering Methodology Master Plan adopted by the Municipal Council on Resolution No. 08-09-24-086 on September 24, 2008 within the Bayonne Bay District of the Peninsula At Bayonne Harbor; and

WHEREAS, “Chosin Few Avenue,” as adopted therein has since come to be known as “Chosin Few Way” within the City of Bayonne and is reflected as such on street signs, tax records and other municipal records; now, therefore, be it

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

1. Ordinance No. O-09-03 is hereby amended to reflect “Chosin Few Way” in place of “Chosin Few Avenue.”
2. All future maps shall so reflect the street name of “Chosin Few Way.”

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

Absent – Council President Nadrowski.

* * * * *

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

WHEREAS, pursuant to an Administrative Consent Order between the New Jersey Department of Environmental Protection (“NJDEP”) and AlliedSignal, Inc. (“Allied”) obligating Allied to conduct certain remedial activities at certain property owned by the City of Bayonne (the “City”) including, but not limited to Block 22, Lot 1; Block 48, Lot 1; and Block 50, Lot 1 on the tax

map of the City of Bayonne, the City entered into an Access Agreement with AlliedSignal Inc. dated July 13, 1994 granting access to the Property for the purpose of implementing the Work, subject to certain conditions, said Access Agreement is attached hereto and made a part hereof as Schedule A; and

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

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

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

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

WHEREAS, a portion of Site 144 referred to as Pipeline Section A subject to remediation includes property owned by the City of Bayonne and identified as West Shore Drive Right-of-Way ("ROW") between West 18th Street and West 19th Street, Block 217, Lots 1, 2, and 37, and Block 21, Lot 13 on the tax map of the City of Bayonne, New Jersey (the "Property"); and

WHEREAS, in order to conduct remedial activities on the Property, access is required on Block 21, Lot 13, Block 217, Lots 35 through 38, Block 222, Lot 35, and West 19th and 20th Streets adjacent to these properties, for the construction of a temporary access ramp and staging of equipment and materials ("Access/Staging Areas"); and

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

WHEREAS, Honeywell submitted a Remedial Action Work Plan ("RAWP") for the Property dated June 2016 to the NJDEP on July 1, 2016, that proposed a remedy for CCPW-contaminated soil using a combination of excavation, engineering controls, and institutional controls in the form of a Deed Notice for Block 217, Lot 37, Block 21, Lot 13, and Notice in Lieu of Deed Notice for the West Shore Drive ROW; and

WHEREAS, pursuant to the NJDEP, the submission of an application of a deed notice is required for NJDEP review of the Remedial Action work plan in connection with said remedial activities at the Bayonne Sewage Pipeline Site, Site No. 144 Bayonne Pipeline – Line A; and

WHEREAS, the City of Bayonne executed a Request for Owner Consent for submittal of permit/license applications to the NJDEP, the U.S. Army Corps of Engineers, and the County Soil Conservation District by Honeywell to these agencies; and

WHEREAS, NJDEP approved the RAWP on December 14, 2017; and

WHEREAS, Honeywell and the City desire to cooperate in Honeywell's remediation of the Property; and

WHEREAS, Honeywell has requested permission for access to remediate the Property pursuant to the RAWP; and

WHEREAS, it is in the best interests of the health and welfare of the citizens of Bayonne to allow access to address the remediation of the Property;

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

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

RESOLVED, by the Municipal Council as follows:

1. Permission is hereby granted to Honeywell International Inc. to expand the Scope of Work included in the existing Access Agreement dated July 13, 1994 for the purposes stated above on the condition that: 1) Honeywell executes an Access Agreement with the City of Bayonne in a form acceptable to the City and approved by the City's Law Department; 2) No

cost or expense shall be borne by the City relating in any way to Honeywell's and/or their LSRP's request for access; 3) the proposed Remedial Action Plan is approved by the City's engineer and the City's LSRP at the Honeywell's expense; 4) no work will commence nor permits will issue without a fully executed Amendment to the existing Access Agreement; 5) valid permits to be issued by the City's Building Department prior to the start of any work, if required; and 6) Honeywell and/or its LSRP shall abide by any and all requirements of the City deems necessary to protect the City's property and citizens including payment of any and all costs of the City's professionals related to this request.

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

3. The City of Bayonne hereby consents to the submission of an application of a deed notice is required for NJDEP review of the Remedial Action work plan in connection with said remedial activities at the Bayonne Sewage Pipeline Site, Site No. 144 Bayonne Pipeline – Line A.

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

Absent – Council President Nadrowski.

* * * * *

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

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

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

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

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

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

WHEREAS, a portion of Site 144 referred to as Pipeline Section B subject to remediation includes property owned by the City of Bayonne (“Owner”), identified as Block 20 Lots 2, 6, 8 and 9 and Block 148 Lot 17 on the tax map of the City of Bayonne, New Jersey (“Property”); and

WHEREAS, in order to conduct remedial activities on the Property, access is required from West Drive and 32nd Street for delivery and temporary staging of equipment and materials (“Access/Staging Area”); and

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

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

WHEREAS, Honeywell submitted a Remedial Action Work Plan (“RAWP”) for the Property to the NJDEP in December 2015 that proposed a remedy for CCPW-contaminated soil using engineering controls and institutional controls in the form of a Deed Notice; and

WHEREAS, pursuant to the NJDEP, the submission of an application of a deed notice

is required for NJDEP review of the Remedial Action work plan in connection with said remedial activities at the Bayonne Sewage Pipeline Site, Site No. 144 Bayonne Pipeline – Line B; and

WHEREAS, the City of Bayonne executed a Request for Owner Concurrence for submittal of permit/license applications to NJDEP, the U.S. Army Corps of Engineers, and the County Soil Conservation District and Honeywell has submitted these applications to the agencies; and

WHEREAS, NJDEP approved the RAWP on June 2, 2017 RAWP; and

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

WHEREAS, Honeywell has requested permission for access to remediate the Property pursuant to the RAWP; and

WHEREAS, it is in the best interests of the health and welfare of the citizens of Bayonne to allow access to address the remediation of the Property;

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

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

RESOLVED, by the Municipal Council as follows:

1. Permission is hereby granted to Honeywell International Inc. to expand the Scope of Work included in the existing Access Agreement dated July 13, 1994 for the purposes stated above on the condition that: 1) Honeywell executes an Access Agreement with the City of Bayonne in a form acceptable to the City and approved by the City's Law Department; 2) No cost or expense shall be borne by the City relating in any way to Honeywell’s and/or their LSRP’s request for access; 3) the proposed Remedial Action Plan is approved by the City's engineer and the City’s LSRP at the Honeywell’ expense; 4) no work will commence nor permits will issue without a fully executed Amendment to the existing Access Agreement; 5) valid permits to be issued by the City's Building Department prior to the start of any work, if required; and 6) Honeywell and/or its LSRP shall abide by any and all requirements of the City deems necessary to protect the City's property and citizens including payment of any and all costs of the City’s professionals related to this request.

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

3. The City of Bayonne hereby consents to the submission of an application of a deed notice is required for NJDEP review of the Remedial Action work plan in connection with said remedial activities at the Bayonne Sewage Pipeline Site, Site No. 144 Bayonne Pipeline – Line B.

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

Absent – Council President Nadrowski.

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At 9:41 P.M., Council Member Cotter motioned to adjourn, seconded by Council Member Perez, which motion was adopted.

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

Absent – Council President Nadrowski.

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