

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, JULY 18, 2018

The Council met at 7:10 P.M.

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 July 18, 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 July 13, 2018.”

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

The Clerk called the roll.

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

The Council President led the Pledge of Allegiance.

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01. Megan McNally addressed the council on the subject of Morris Park and the noise ordinance.

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02. Stacie Percella addressed the council on the matter of the health department’s functions.

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03. Council President Nadrowski 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 20th day of June, 2018, and

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

WHEREAS, it is desired to amend said approve 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>
1. 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

The Clerk read the CY2018 Budget Amendments in full:

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

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

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

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

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

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

Be it Resolved by the Municipal Council of the City of Bayonne, County of Hudson that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purpose stated of the sums therein set forth as appropriations, and authorization of the amount of:

- (a) \$76,666,000 (item 2 below) for municipal purposes, and
- (b) \$ (item 3 below) for school purposes in type I School Districts only (N.J.S.A. 18a:9-20) to be raised by taxation and,
- (c) \$ 10,633,000 (item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S.A. 18A:9-3) and certification to the County Board of Taxation of the following summary of general revenue and appropriations.
- (d) \$ (Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy
- (e) \$ 1,954,139 (Item 5 below) Minimum Library Tax

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

04. The Clerk announced:

AN ORDINANCE “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, following a public hearing was again tabled for further consideration at this meeting of July 18, 2018, was referred to the planning board for its review, is now before the Council for final passage.

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

WHEREAS, an ordinance entitled, “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDED 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 at the meeting of April 18, 2018, at which time it was tabled for further consideration at the meeting of May 16, 2018, and was tabled at that meeting for further consideration at the meeting of June 20, 2018, and was again tabled for further consideration at this meeting of July 18, 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-18-35.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and 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 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 of June 20, 2018, was tabled for further consideration at this meeting of July 18, 2018, and was referred to the planning board its review is now before the Council for its consideration and a public hearing.

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

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

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

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

PLAN FOR THE PENINSULA AT BAYONNE HARBOR, AND REFERRED TO AS
“HARBOR STATION SOUTH,”

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

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

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

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

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

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

WHEREAS, an ordinance entitled, “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING 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 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 the meeting of June 20, 2018, and was tabled for further consideration at this meeting of July 18, 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-18-36.

Yeas - Council Members Cotter, Gullace, LaPelusa, Perez and 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 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.,” which was introduced and passed a first reading at a meeting held June 20, 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 July 18, 2018, was referred to the planning board its review is now before the Council for its consideration and a public hearing.

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

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

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

The Clerk read the ordinance by title: ““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.,”

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: Peter Franco – 127 West 12th Street

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

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

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

Council Member LaPelusa moved the 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 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.,” which was introduced and passed a first reading at a meeting held June 20, 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 July 18, 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-18-37.

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

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04. The Clerk announced:

AN ORDINANCE ENTITLED, “AN 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 LANDS LOCATED AT 460-464 BROADWAY AND 15 & 17 LIBRARY COURT, BLOCK 211, LOTS 6, 14 & 15) ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE,” which was introduced and passed a first reading at a meeting held June 20, 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 July 18, 2018, is now before the Council for its consideration and a public hearing.

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

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

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

The Clerk read the ordinance by title: “AN 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 LANDS LOCATED AT 460-464 BROADWAY AND 15 & 17 LIBRARY COURT, BLOCK 211, LOTS 6, 14 & 15) 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: Peter Franco – 127 West 12th Street

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

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

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

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

WHEREAS, an ordinance entitled, “AN 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 LANDS LOCATED AT 460-464 BROADWAY AND 15 & 17 LIBRARY COURT, BLOCK 211, LOTS 6, 14 & 15) ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE,” which was introduced and passed a first reading at a meeting held June 20, 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 July 18, 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-18-38.

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

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08. The Clerk announced:

AN ORDINANCE ENTITLED, “AN 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 ON 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 OFFICIAL TAX MAP OF THE CITY OF BAYONNE,” which was introduced and passed a first reading at a meeting held June 20, 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 July 18, 2018, is now before the Council for its consideration and a public hearing.

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

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

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

The Clerk read the ordinance by title: "AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING FIVE (5) YEAR TAX EXEMPTION ON THE ASSESSED VALUE OF NEW IMPROVEMENTS ONLY ON 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 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: Peter Franco – 127 West 12th Street

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

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

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

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

WHEREAS, an ordinance entitled, "AN 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 ON 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 OFFICIAL TAX MAP OF THE CITY OF BAYONNE," which was introduced and passed a first reading at a meeting held June 20, 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 July 18, 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-18-39.

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

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09. The Clerk announced:

AN ORDINANCE ENTITLED, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 20, PERSONNEL POLICIES," which was introduced and passed a first reading at a meeting held June 20, 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 July 18, 2018, is now before the Council for its consideration and a public hearing.

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

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

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

The Clerk read the ordinance by title: "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 20, PERSONNEL POLICIES,"

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
Peter Franco – 127 West 12th Street

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

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

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

Council Member LaPelusa moved to table until August 15, 2018 for further consideration, seconded by Council Member Perez, which motion was adopted.

Yeas - Council Members Gullace, LaPelusa, and Perez.

Nays – Council Member Cotter and President Nadrowski.

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10. The Clerk announced:

AN ORDINANCE ENTITLED, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC," which was introduced and passed a first reading at a meeting held June 20, 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 July 18, 2018, is now before the Council for its consideration and a public hearing.

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

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

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

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

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

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

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

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

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

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

WHEREAS, an ordinance entitled, “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,” which was introduced and passed a first reading at a meeting held June 20, 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 July 18, 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-18-40.

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

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11. Council Member Perez introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A SECOND AMENDED REDEVELOPMENT PLAN FOR THE PROPERTY COMMONLY KNOWN AS BAYONNE BAY EAST LOCATED AT THE PENINSULA AND REFERRED TO AS A PORTION OF BLOCK 830, LOTS 1.05, 1.06, 1.07, AND A PORTION OF MEMORIAL BOULEVARD FORMERLY A PORTION OF BLOCK 830, LOT 1 AS SHOWN ON THE OFFICIAL TAX MAP IN THE CITY OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 30A:12A-1 ET. SEQ.*

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

WHEREAS, pursuant to a decision by the United States of America to decommission its facilities at the Bayonne Military Ocean Terminal, and while the City of Bayonne Redevelopment Agency, also known as the Bayonne Local Redevelopment Authority (the “BLRA”) was the redevelopment entity for the Peninsula, the Peninsula was conveyed to the BLRA pursuant to certain Quitclaim Deeds (dated September 28, 2001 and December 11, 2002, respectively, and recorded on October 3, 2001 and January 24, 2003, respectively); and

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

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

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

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

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

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

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

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

WHEREAS, on November 10, 2015, the Municipal Council passed Resolution 15-11-10-034 designating Boraie Development Urban Renewal LLC as the Redeveloper of the Property and authorized the execution of a Redevelopment and Purchase and Sale Agreement by and between the City of Bayonne as Redevelopment Entity and Boraie Development Urban Renewal LLC; and

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

WHEREAS, on November 9, 2016, the Municipal Council directed the Planning Board, to prepare and review an amended Redevelopment Plan for the Property and make recommendations to the Municipal Council in accordance with the Redevelopment Law; and

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

WHEREAS, on July 19, 2017, the Municipal Council passed an Ordinance approving the Amended Redevelopment Plan; and

WHEREAS, on May 16, 2018, in response to a request from the designated Redeveloper, the Municipal Council directed the Planning Board to prepare and review further amendments to the Amended Redevelopment Plan which it believes are in the best interest of the project and make recommendations to the Municipal Council in accordance with the Redevelopment Law; and

WHEREAS, an amended Redevelopment Plan titled “Bayonne Bay East Redevelopment Plan” (the “Second Amended Redevelopment Plan”) dated July 3, 2018, and revised July 10, 2018 was prepared by the City Planning Department; and

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

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

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

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

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

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

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

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

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

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

BE IT RESOLVED, that an ordinance entitled “AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A SECOND AMENDED REDEVELOPMENT PLAN FOR THE PROPERTY COMMONLY KNOWN AS BAYONNE BAY EAST LOCATED AT THE PENINSULA AND REFERRED TO AS A PORTION OF BLOCK 830, LOTS 1.05, 1.06, 1.07, AND A PORTION OF MEMORIAL BOULEVARD FORMERLY A PORTION OF BLOCK 830, LOT 1 AS SHOWN ON THE OFFICIAL TAX MAP IN THE CITY OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 30A:12A-1 ET. SEQ.*,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, August 15, 2018 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

RESOLVED, that the City Clerk be and is hereby authorized and directed to publish said ordinance according to law, with a notice of its introduction and passage on first reading, and the time and place when and where said ordinance will be further considered for final passage, and to forward a copy of said ordinance to the planning board for its review of and a report regarding same pursuant to NJSA 40:55D-26.

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

* * * * *

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

WHEREAS, the Bayonne Golf Club lies in a critical position in Upper New York Bay and is the owner of 309 acres of Riparian, the largest private owner within this Estuary system; and

WHEREAS, the Bayonne Golf Club exemplifies an urban Brownfield Redevelopment project and has successfully integrated a variety of estuarine habitat enhancement elements in its overall design; and

WHEREAS, the Bayonne Golf Club site historically consisted of degraded, debris-covered landscapes with both a contaminated fill site and a municipal landfill; and

WHEREAS, this degraded and underutilized urban site has been significantly improved by creating a mix of high-quality habitats and recreational opportunities; and

WHEREAS, the approved remediation plan for the site included the use of 4.5 million cubic yards of amended dredged material to cap and fill the site and created 14 acres of estuarine habitat including sub-tidal open water, a mudflat and a smooth cordgrass-dominated wetland, designed to increase productivity of the estuary and to provide habitat for fish, waterfowl and wading birds; and

WHEREAS, beyond the ecological uplift to the Upper Bay Estuary, recent Superstorm Sandy showed the value of manmade coastal resiliency, which not only protected the Bayonne Golf Club, but provided protection to large swaths of the City of Bayonne as well; and

WHEREAS, Stevens Institute of Technology and Davidson Laboratory are the premier educational institutions with knowledge and understanding of the Upper and Lower New York Bay; and

WHEREAS, Davidson Laboratory resilience projects are discreet, actionable and designed to change the status quo, solving real world problems in critical infrastructure and urban systems in and around New York Harbor that attract the best minds, internationally, and whose solutions can be applied globally; and

WHEREAS, Rutgers University Center for Urban Environmental Sustainability (“CUES”) is a unique interdisciplinary collaboration, providing the best science, planning, engineering and design expertise to address urban environmental issues and provides expertise and research to environmental and natural resources, human and ecosystem health and supporting community health and development, and

WHEREAS, the City of Bayonne in its August 2017 Master Plan Reexamination Report dedicated itself to a continuing effort to ensure the City's planning policies, goals and objectives provide the highest quality of life for its residents, business and visitors, and

WHEREAS, the City of Bayonne has a substantial interest in the protection of its shoreline and its residents; and

WHEREAS, the City of Bayonne, Rutgers University Center for Urban Environmental Sustainability, Stevens Institute of Technology and The Bayonne Golf Club have developed a Memorandum of Understanding with the intent of forming a long-term partnership to develop, demonstrate and implement resiliency modeling, wetlands research, habitat restoration and homeland security buffering; and

WHEREAS, through this collaboration of efforts among the City of Bayonne, Stevens Institute of Technology, Rutgers University and the Bayonne Golf Club the parties will be able to mobilize greater effort, a wider variety of skills and expertise and more financial resources and facilities than can be achieved by any of the entities acting alone and allow researchers and the public and private stewards of the lands to address problems in a more integrated, multidisciplinary, practical, comprehensive and effective manner;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Clerk are hereby authorized to execute a Memorandum of Understanding by and between Stevens Institute of Technology, Rutgers University Center for Urban Environmental Sustainability, the City of Bayonne and the Bayonne Golf Club to establish a long term partnership to develop, demonstrate and implement resiliency modeling, wetlands research, habitat restoration and homeland security buffering.

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

* * * * *

13. Council Member Perez introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR CERTAIN PROPERTIES LOCATED AT 343 AVENUE A AND 345-347 AVENUE A, WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 254, LOTS 22 & 23, 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, *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 instructed the Planning Board of the City (the "Planning Board") to conduct such an investigation to determine if certain properties located at 343 Avenue A and 345-347 Avenue A, which properties are identified as Block 254, Lots 22 and 23, as shown on the official Tax Map of the City (the "Study Area"), constitute a non-condemnation "area in need of redevelopment," in accordance with the Redevelopment Law; and

WHEREAS, on December 12, 2017, the Planning Board held a public hearing, duly noticed under the Redevelopment Law, and reviewed an investigation/report titled "Area in Need of Redevelopment Preliminary Investigation Block 254 Lot 23 (345-347 Avenue A) Block 254 Lot 22 (343 Avenue A)" prepared by Suzanne Mack, PPAICP, City of Bayonne, Division of Planning & Zoning, Department of Municipal Services, dated December 1, 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 December 12, 2017, the Planning Board further adopted the Resolution recommending that the Study Area be determined by the Municipal Council to be a non-condemnation "area in need of redevelopment" under the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*; and

WHEREAS, on December 13, 2017, the Municipal Council adopted Resolution No. 17-12-13-080 designating the Study Area as a non-condemnation area in need of redevelopment area ("Redevelopment Area"); and

WHEREAS, the Municipal Council further instructed the Planning Board to to prepare a redevelopment plan for the Study Area (the "Redevelopment Plan"); and

WHEREAS, a Redevelopment Plan titled "Block 254 Lot 22 (343 Avenue A) Block 254 Lot 23 (345-347 Avenue A)" (the "Redevelopment Plan") dated June 19, 2018, has been prepared by the City Planning Department which incorporates the Redevelopment Area to the Redevelopment Plan; and

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

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

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

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

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

Section 3. The zoning district map in the zoning ordinance of the City is hereby amended to include the Redevelopment Area per the boundaries described in the 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 CERTAIN PROPERTIES LOCATED AT 343 AVENUE A AND 345-347 AVENUE A, WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 254, LOTS 22 & 23, 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, August 15, 2018 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

RESOLVED, that the City Clerk be and is hereby authorized and directed to publish said ordinance according to law, with a notice of its introduction and passage on first reading, and the time and place when and where said ordinance will be further considered for final passage, and to forward a copy of said ordinance to the planning board for its review of and a report regarding same pursuant to *NJSA 40:55D-26*.

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

* * * * *

14. Council President Nadrowski introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, ADOPTING A REDEVELOPMENT PLAN FOR PROPERTY LOCATED AT 115-117 WEST 2ND STREET,

WHICH PROPERTY IS IDENTIFIED AS BLOCK 365, LOT 9, 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, on August 16, 2017 by Resolution 17-08-16-075, the Municipal Council authorized and directed the Planning Board of the City (the “Planning Board”) to conduct such an investigation to determine if certain property located at 115-117 West 2nd Street, which property is identified as Block 365, Lot 9 as shown on the Official Tax Map of the City (the “Study Area”), constitutes a non-condemnation “area in need of redevelopment,” in accordance with the Redevelopment Law; and

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

WHEREAS, on December 13, 2017 by Resolution No. 17-12-13-081, the Municipal Council by resolution designated the Study Area as a non-condemnation “area in need of redevelopment” (the “Redevelopment Area”) and authorized the Planning Board to prepare and review a Redevelopment Plan for the Redevelopment Area pursuant to *N.J.S.A. 40A:12A-7*; and

WHEREAS, a Redevelopment Plan titled “Redevelopment Plan Chris’s Corner” (the “Redevelopment Plan”) dated July 12, 2018, has been prepared by the City Planning Department which incorporates the Redevelopment Area to the Redevelopment Plan; and

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

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

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

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

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

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

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

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

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

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

BE IT RESOLVED, that an ordinance entitled “AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, ADOPTING A REDEVELOPMENT PLAN FOR PROPERTY LOCATED AT 115-117 WEST 2ND STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 365, LOT 9, 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, August 15, 2018 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

RESOLVED, that the City Clerk be and is hereby authorized and directed to publish said ordinance according to law, with a notice of its introduction and passage on first reading, and the time and place when and where said ordinance will be further considered for final passage, and to forward a copy of said ordinance to the planning board for its review of and a report regarding same pursuant to NJSA 40:55D-26.

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

* * * * *

15. Council Member Cotter introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND 26 NORTH AVENUE URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED AT 26 NORTH STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 297, LOT 3 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE

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

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

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

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

WHEREAS, the Rehabilitation Area is located within an Urban Enterprise Zone (a “UEZ”); and

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

WHEREAS, on May 20, 2015, 26 North Avenue, LLC was the owner of the property located within the Rehabilitation Area, which is designated as 26 North Street, and identified as Block 297, Lot 3 on the official Tax Maps of the City of Bayonne (the “Property”); and

WHEREAS, on October 21, 2015, 26 North Avenue, LLC, was designated redeveloper of the Property; and

WHEREAS, on August 30, 2016, 26 North Avenue, LLC became 26 NORTH AVENUE URBAN RENEWAL, LLC via an Amendment to the Certificate of Formation filed with the State of New Jersey; and

WHEREAS, 26 NORTH AVENUE URBAN RENEWAL, LLC proposes to develop a parcel of approximately 1.8 acres with a Project consisting of the development and construction of a twenty-two (22) story residential structure containing 170 residential units, approximately 3, 990 square feet of ground floor commercial space, approximately 237 vehicular parking spaces and other improvements and community amenities required by the Rehabilitation Plan; and

WHEREAS, 26 NORTH AVENUE URBAN RENEWAL, LLC has applied to the City Council for tax exemption pursuant to the New Jersey Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et. seq. (the "Exemption Law") with respect to the Project; and

WHEREAS, the City Council finds that the requested tax exemptions will benefit the City and its inhabitants by furthering the redevelopment of the property which had remained underutilized and in disrepair for many years, and that the benefits would substantially outweigh the costs, if any, associated with the tax exemptions; and

WHEREAS, the City Council further finds that the requested tax exemptions are important to the City and that without the incentive of the tax exemptions, it is unlikely that the Project will be undertaken; and

WHEREAS, as part of its application for a tax exemption, 26 NORTH AVENUE URBAN RENEWAL, LLC has submitted a form of Financial Agreement (the "Financial Agreement") providing for payments in lieu of taxes, a copy of which is attached to this Ordinance; and

WHEREAS, 26 NORTH AVENUE URBAN RENEWAL, LLC has presented to this body certain financial information, copies of which are attached as exhibits to this Ordinance; and

WHEREAS, the City Council deems it to be in the best interest of the City to pass an Ordinance authorizing the City to enter into the proposed Financial Agreement with 26 NORTH AVENUE URBAN RENEWAL, LLC on the terms and conditions stated in the applicable form of Financial Agreement attached to this Ordinance;

NOW THEREFORE, be it Ordained that the City Council of the City of Bayonne does hereby adopt the tax exemptions for 26 NORTH AVENUE URBAN RENEWAL, LLC as follows:

Section 1. The development of the Project is hereby approved for the grant of a tax exemption under the Exemption Law by virtue of, pursuant to and in conformity with the provisions of the Exemption Law.

Section 2. The Mayor is hereby authorized to execute the Financial Agreement with 26 NORTH AVENUE URBAN RENEWAL, LLC in substantially the form attached hereto and subject to any further review, analysis or modifications that counsel may deem appropriate.

Section 3. During the term of the tax exemption with respect to 26 NORTH AVENUE URBAN RENEWAL, LLC there shall be paid to the City in lieu of any taxes to be paid on the improvements of the Project, an annual service charge determined as provided in the Financial Agreement.

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

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

BE IT RESOLVED, that an ordinance entitled "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING A FINANCIAL AGREEMENT WITH 26 NORTH AVENUE URBAN RENEWAL, LLC," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, August 15, 2018 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

* * * * *

16. Council President Nadrowski introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND 175 WEST 7TH URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED AT 175 WEST 7TH STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 304, LOT 1 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE

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

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

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

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

WHEREAS, the Rehabilitation Area is located within an Urban Enterprise Zone (a “UEZ”); and

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

WHEREAS, on December 13, 2016 the Planning Board of the City of Bayonne passed Resolution P-16-037 granting JINCO, INC. preliminary and final major site plan approval and bulk variance relief to allow the construction of a five (5) story residential building with fifty-six (56) luxury residential units and fifty-six (56) on-site parking spaces on property located at 175 West 7th Street in City Block 304, Lot 1, (the “Property”) which property is located within the Rehabilitation Area and is within an Urban Enterprise Zone (a “UEZ”); and

WHEREAS, 175 West 7th, LLC is the successor in interest and in title to JINCO, INC. and is owner of the Property located within the Rehabilitation Area, which is designated as 175 West 7th Street, and identified as Block 304, Lot 1 on the official Tax Maps of the City of Bayonne (the “Property”); and

WHEREAS, 175 West 7th, LLC applied to and received from the State of New Jersey Department of Community Affairs a Certificate of Compliance dated April 2, 2018 authorizing it to amend its Certificate of Formation to qualify as an Urban Renewal Entity and change its name to 175 West 7th Urban Renewal, LLC; and

WHEREAS, the amended and restated Certificate of Formation was filed with the Treasurer of the State of New Jersey on July 11, 2018; and

WHEREAS, 175 West 7th Urban Renewal, LLC proposes to develop the Property by constructing one building consisting of approximately fifty-six (56) residential units with a parking garage containing fifty-six (56) parking spaces along with common space areas, including a lounge/gym area and an outdoor roof deck located on top of the first floor parking garage which shall include seating and planters consistent with terms of the site plan approval and with the Rehabilitation Plan; and

WHEREAS, 175 West 7th Urban Renewal, LLC has applied to the City Council for tax exemption pursuant to the New Jersey Long Term Tax Exemption Law, *N.J.S.A. 40A:20-1 et. seq.* (the “Exemption Law”) with respect to the Project; and

WHEREAS, the City Council finds that the requested tax exemptions will benefit the City and its inhabitants by furthering the redevelopment of the property which had remained

underutilized and in disrepair for many years, and that the benefits would substantially outweigh the costs, if any, associated with the tax exemptions; and

WHEREAS, the City Council further finds that the requested tax exemptions are important to the City and that without the incentive of the tax exemptions, it is unlikely that the Project will be undertaken; and

WHEREAS, as part of its application for a tax exemption, 175 West 7th Urban Renewal, LLC has submitted a form of Financial Agreement (the "Financial Agreement") providing for payments in lieu of taxes, a copy of which is attached to this Ordinance; and

WHEREAS, 175 West 7th Urban Renewal, LLC has presented to this body certain financial information, copies of which are attached as exhibits to this Ordinance; and

WHEREAS, the City Council deems it to be in the best interest of the City to pass an Ordinance authorizing the City to enter into the proposed Financial Agreement with 175 West 7th Urban Renewal, LLC on the terms and conditions stated in the applicable form of Financial Agreement attached to this Ordinance;

NOW THEREFORE, be it Ordained that the City Council of the City of Bayonne does hereby adopt the tax exemptions for 175 West 7th Urban Renewal, LLC as follows:

Section 1. The development of the Project is hereby approved for the grant of a tax exemption under the Exemption Law by virtue of, pursuant to and in conformity with the provisions of the Exemption Law.

Section 2. The Mayor is hereby authorized to execute the Financial Agreement with 175 West 7th Urban Renewal, LLC in substantially the form attached hereto and subject to any further review, analysis or modifications that counsel may deem appropriate.

Section 3. During the term of the tax exemption with respect to 175 West 7th Urban Renewal, LLC there shall be paid to the City in lieu of any taxes to be paid on the improvements of the Project, an annual service charge determined as provided in the Financial Agreement.

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

Council President Nadrowski moved 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 APPROVING A FINANCIAL AGREEMENT WITH 175 WEST 7TH STREET URBAN RENEWAL, LLC," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, August 15, 2018 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

* * * * *

17. Council President Nadrowski introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING THE EXECUTION OF A FIRST AMENDMENT TO A PARKING AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND BAYONNE EQUITIES URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED AT 19-25 WEST 22ND STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 203, LOT 4 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE

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

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

WHEREAS, by Ordinance O-17-10, the City Council adopted a rehabilitation plan (the "Rehabilitation Plan") titled "Scattered Site Redevelopment Plan dated December 7, 2005 with revisions through January 1, 2017, Block 204, Lots 2 and 3, which encompasses the property which is located at 477-481 Broadway and designated as Block 204, Lots 2 and 3 (the "Property") and a municipal parking lot designated as Block 203, Lot 4 in the City of Bayonne; and

WHEREAS, the Property is located within an Urban Enterprise Zone ("UEZ") in the City; and

WHEREAS, Bayonne Equities Urban Renewal, LLC, a limited liability company of the State of New Jersey, with an office address of 4615 Center Boulevard, Apt. 2508, Long Island City, NY 11109 (the "Redeveloper") is the owner of those certain parcels of land located at 477 and 479-481 Broadway, designated as Block 204, Lots 2 and 3 on the Official Tax Map of the City of Bayonne; and

WHEREAS, the City owns Block 203, Lot 4 (the "Municipal Lot") and consented to the filing of a development application by the Redeveloper; and

WHEREAS, on April 19, 2017, Bayonne Equities Urban Renewal, LLC, was designated redeveloper and the City was authorized to execute a redevelopment agreement by and between the City and the Redeveloper (the "Redevelopment Agreement"); 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, on September 13, 2017 the City of Bayonne passed Ordinance O-17-49 AUTHORIZING THE EXECUTION OF A PARKING AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND BAYONNE EQUITIES URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED AT 19-25 WEST 22ND STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 203, LOT 4 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE for the lease of parking spaces from the Municipal Lot (the "Parking Lease Agreement"); and

WHEREAS, the Parties wish to amend the Parking Agreement to increase the number of spaces the Redeveloper is leasing from the City in the Municipal Lot for the project site to 55 and to amend Section 2.01 of said Agreement to read as follows:

SECTION 2.01. Project Parking. The Redeveloper shall lease parking spaces from the Municipal Lot, under the following terms.

(a) The Redeveloper will provide 29 parking spaces on-site and 55 parking spaces off-site on the Municipal Lot pursuant to the Parking Agreement and this Amendment in satisfaction of the parking requirement for the Project. These parking spaces are to be reserved for the tenants and residents of the Project in locations that are mutually agreeable to the Redeveloper and the City. The City shall construct a parking facility to accommodate the required 55 parking spaces.

(c) Section 201(c) is hereby amended as follows. The Redeveloper will, therefore, pay to the City of Bayonne the sum of \$165,000.00 for 55 off-site parking spaces and such payment is to be made prior to the issuance of a certificate of occupancy.

(e) Section 2.01(e) is hereby amended as follows. The City shall, at the City's sole cost and expense, construct, operate and maintain a parking deck at the Municipal Lot to accommodate the required 55 parking spaces to be provided to the Redeveloper, if necessary, to satisfy the Project Parking Requirement;

and

WHEREAS, all terms and provisions contained in the Parking Agreement shall remain in full force and effect except as hereinafter specifically amended; and

WHEREAS, the Municipal Council believes that the execution of an amendment to the Parking Lease Agreement 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 Municipal Council of the City of Bayonne hereby authorizes the execution of an amendment to the Parking Lease Agreement by and between the City of Bayonne and Bayonne Equities Urban Renewal, LLC.

Section 3. The Mayor and Clerk are hereby authorized to execute an amendment to the Parking Lease Agreement consistent with the terms set forth above, with such revisions as are deemed advisable by the City Attorney or Special Redevelopment Counsel, on behalf of the City of Bayonne, acting as the redevelopment entity for the redevelopment of the Property by Bayonne Equities Urban Renewal, 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 amendment of the terms of the existing Parking Lease Agreement, as deemed advisable by the City Attorney or Special Redevelopment Counsel.

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

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

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

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

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE APPROVING A FIRST AMENDMENT TO A PARKING AGREEMENT BETWEEN BAYONNE EQUITIES URBAN RENEWAL, LLC AND THE CITY OF BAYONNE REGARDING A PARKING STRUCTURE TO BE BUILT ON BLOCK 203, LOT 4, (19-25 WEST 22ND STREET)," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, August 15, 2018 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

* * * * *

18. Council Member LaPelusa introduced:

ORDINANCE 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 LEASE OF PUBLIC SPACES IN A PARKING STRUCTURE TO BE BUILT ON BLOCK 184, LOT 10 OR BLOCK 179 LOTS 4, 5 AND 6 IN CONJUNCTION WITH THE REDEVELOPMENT PLAN FOR 554-556 BROADWAY AND 11 EAST 25TH STREET AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE

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-1818, the City Council adopted a Redevelopment Plan [as defined in the New Jersey Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1*, et seq.]

(the “Redevelopment Plan”) titled “Redevelopment Plan Block 184, Lot 5 (554-556 Broadway), Block 184, Lot 10 (11 East 25th Street)” for property designated as Block 184, Lot 5 and Block 184, Lot 10 (the “Property”); and

WHEREAS, the Mayor and City Council serve as an instrumentality and agency of the City pursuant to the LRHL for the purpose of implementing the Redevelopment Plan and carrying out redevelopment projects within the City; and

WHEREAS, the Redeveloper has undertaken a project on the Property for a mixed-used building containing sixty five (65) residential units and ground floor retail space (the “Project”); and

WHEREAS, the Redevelopment Plan allows the Project to satisfy its parking requirement by leasing parking spaces within a certain distance of the Property; and

WHEREAS, the City is authorized under the Redevelopment Law to lease or convey property or improvements to Redeveloper to serve the Project upon such terms as it deems appropriate; and

WHEREAS, on May 16, 2018, EOM REALTY, LLC, via resolution #18-05-16-055 was designated redeveloper and the City was authorized to execute a redevelopment agreement by and between the City and the Redeveloper (the “Redevelopment Agreement”); 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, in connection with the Redevelopment Agreement, the City and Redeveloper wish to enter into a Parking Agreement for the leasing of parking spaces from a Municipal Lot which, among other things, shall include the terms and conditions under which the Redeveloper shall be entitled to use a Municipal Lot (the “Parking Lease Agreement”); and

WHEREAS, the Municipal Council believes that the execution of a Parking Lease Agreement 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 Municipal Council of the City of Bayonne hereby authorizes the execution of a 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 a Parking Lease Agreement, with such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel, on behalf of the City of Bayonne, 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. If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

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

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

Council Member 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 AUTHORIZING A LEASE AGREEMENT BETWEEN THE CITY OF BAYONNE AND EOM 554 REALTY, LLC FOR THE LEASE OF PUBLIC SPACES IN A PARKING STRUCTURE TO BE BUILT ON BLOCK 184, LOT 179 OR BLOCK 179, LOTS 4, 5, AND 6 IN CONJUNCTION WITH THE REDEVELOPMENT PLAN FOR 554-556 BROADWAY AND 11 EAST 25TH STREET,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, August 15, 2018 at 7:00

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

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

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

* * * * *

18. 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

ADD

072. Juan Albizu, 108 West 3rd Street
Beginning at a point on the south side of West 3rd Street, 173 feet east of the southwest corner of West 3rd Street and Humphrey, and extending to a point 17 feet east thereof.

073. Valeriy D. Levin, 20 West 18th Street
Beginning at a point on the south side of West 18th Street, 236 feet west of the southwest corner of Broadway and West 18th Street, and extending to a point 17 feet west thereof.

075. Geraldine LaPalerma, 25 East 32nd Street
Beginning at a point on the north side of East 32nd Street, 392 feet west of the northeast corner of Avenue E and East 32nd Street, and extending to a point 17 feet west thereof.

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

BE IT RESOLVED, that an ordinance entitled “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, August 15, 2018 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

* * * * *

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

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

RESOLVED, That the following items which have been included on the agenda for this regular meeting as COMMUNICATIONS and which follow this resolution shall constitute a consent agenda for communications and that they be received and filed and included in the official minutes of this meeting as having been so ordered.

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

* * * * *

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

From Garry R. Salomon, Esq., filing notice of tort claim on behalf of SHANNON LEVINSKI alleging personal injuries resulting from a fall from her bicycle on May 4, 2018 at 77 West 36th Street.

* * * * *

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

From Douglas Fleisher, Esq., filing notice of tort claim on behalf of ROSALINA LORA-GOMEZ alleging personal injuries resulting from a collision with a Board of Education vehicle on May 18, 2018 at Linden Street and Avenue A.

* * * * *

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

From Stacey Haskel, Esq., filing notice of tort claim on behalf of MARIEM SALAMA alleging personal injuries resulting from being struck by a police vehicle on April 18, 2018 at Avenue C and West 27th Street.

* * * * *

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

From WILMA TORRES, filing notice of tort claim alleging property damage to her automobile on June 8, 2018 resulting hitting potholes at LeFante Way.

* * * * *

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

From the Tax Court of New Jersey, Law Division, Summons and Complaint in matter entitled, “TD BANK SUCCESSOR BY MERGER TO COMMERCIAL BANK vs. THE CITY OF BAYONNE.” (1062-1068 Broadway, Block 41, lot 17.01 - commercial)

* * * * *

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

From the Tax Court of New Jersey, Law Division, Summons and Complaint in matter entitled, “NAZIR vs. THE CITY OF BAYONNE.” (149 West 27th Street, Block 169, lot 1 – 1-4 family residential)

* * * * *

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

From the Tax Court of New Jersey, Law Division, Summons and Complaint in matter entitled, “DELTA DELAWARE, LLC vs. THE CITY OF BAYONNE.” (973-975 Broadway, Block 70, lot 20 - commercial)

* * * * *

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

From the Tax Court of New Jersey, Law Division, Summons and Complaint in matter entitled, “ADIMOOLAM vs. THE CITY OF BAYONNE.” (717-719 Broadway, Block 145, lot 18 - commercial)

* * * * *

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

From the Tax Court of New Jersey, Law Division, Summons and Complaint in matter entitled, “GOLDBRUN REALTY, LLC vs. THE CITY OF BAYONNE.” (494-496 Broadway, Block 205, lot 1 - commercial)

* * * * *

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

From the Tax Court of New Jersey, Law Division, Summons and Complaint in matter entitled, “930 KENNEDY BLVD APRTMNTS INC vs. THE CITY OF BAYONNE.” (930 Kennedy Boulevard, Block 118, lot 1 – multi-family residential)

* * * * *

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

From the Tax Court of New Jersey, Law Division, Summons and Complaint in matter entitled, “155 BROADWAY, LLC vs. THE CITY OF BAYONNE.” (155-157 Broadway, Block 330, lot 10 – commercial)

* * * * *

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

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

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

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

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33. 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.

* * * * *

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

DATE: July 2, 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 July 2, 2018

\$ 5,692,692.00 CLAIMS & PAYROLL FOR July 2, 2018

Janet Convery
(signed)

* * * * *

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

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

RESOLVED, That the following items which have been included on the agenda for this regular meeting as RESOLUTIONS and which follow this resolution shall constitute a consent agenda for resolutions and that they be adopted and included in the official minutes of this meeting as having been so ordered.

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

* * * * *

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 regular council meeting held Wednesday, June 20, 2018 be and the same are hereby approved.

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37. 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 reorganization meeting held Sunday, July 1, 2018 be and the same are hereby approved.

* * * * *

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

RESOLVED, That the official minutes of the council caucus meeting held Wednesday, June 13, 2018, be and the same are hereby approved.

* * * * *

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

RESOLVED, that the Municipal Council of the City of Bayonne hereby appoints TIMOTHY BOYLE as one of the City of Bayonne's Sexual Harassment Officers filling the vacancy left by Joseph Nichols.

* * * * *

40. 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
43	17	CitiMortgage Inc.	2,455.22
105	40	Sandra Thompson	699.53
210	31	Specialized Loan Servicing	3,120.52
246	14	Anthony & Frances Andrade	159.89
314	22	Matthew Mayer	1,840.00
344	24	Mena Hanna	2,138.43
380	29 C0205	Wells Fargo RETS	416.07
Total:			10,829.66

* * * * *

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

RESOLVED, that pursuant to and consistent with a State Training Fee Report dated July 2, 2018 by Richard Bielinski, Construction Official, the Municipal Treasurer is hereby authorized and directed to issue a warrant drawn to the order of the State of New Jersey, in the amount of \$51,634.00 representing payment of state surcharge fees on new construction and alterations collected during the second quarter of 2018; and be it further

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

RESOLVED, that this expense to be charged to Account - Trust Funds, State Training Fees with the Tax Collector, Account #T-12-56-839-0000-199.

* * * * *

42. 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 \$ 58.20 drawn of the Bureau of Rabies Control, State Department of Health, Trenton, New Jersey, covering the issuance of licenses Nos. 938-958 inclusive, 21 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.

* * * * *

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

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

WHEREAS, by way of Resolution No. 09-11-10-048 adopted by the Municipal Council on November 10, 2009 the City entered into a License Agreement to play the aforesaid music at their various functions as stated above; and

WHEREAS, the licensing fee for the year commencing June 1, 2018 through May 31, 2019 is \$694.00; and

WHEREAS, funds are certified as available in Account #7-01-21-101-0000-090 (BA-2); now therefore be it

RESOLVED, that the Treasurer is hereby authorized to issue a warrant payable to Broadcast Music, Inc., P.O. Box 630893, Cincinnati, OH 45263-0893, in the amount of \$694.00; and be it further

RESOLVED, that funds are certified available in Account #7-01-21-101-0000-090 (BA-2).

* * * * *

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

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

WHEREAS, the Bayonne Family Community Center ("BFCC"), 259 Avenue E, Bayonne, NJ is a non-profit organization dedicated to assisting and to providing social services to low- and moderate-income families; and

WHEREAS, the BFCC submitted a formal written application to the City's CDBG administrator, the Bayonne Economic Opportunity Foundation (the "BEOF"), for the purpose of providing the cost of building renovations for the rehabilitation of its facility that has serious code violations which are detrimental to public health and safety; and

WHEREAS, there existed an urgent need to repair/replace the facility's HVAC unit due to the current heat conditions and anticipated hot temperatures of the coming Summer months ("HVAC Repairs"); and

WHEREAS, the building code official inspected said HVAC unit and confirmed that said HVAC Repairs were necessary; and

WHEREAS, In-Line Air Conditioning Company, 85 East 21st Street, Bayonne, NJ 07002 (the "Contractor") provided the BEOF with a proposal dated June 8, 2018 in the amount of \$8,860.00 for the fore said HVAC Repairs; and

WHEREAS, due to exigent circumstances the Executive Director of the BEOF authorized the Contractor to effectuate said HVAC Repairs prior to obtaining approval from this body; and

WHEREAS, upon performing a leak test to said HVAC system, the Contractor discovered the need for additional repairs ("Additional Repairs") that were not included in the Contractor's original proposal dated June 8, 2018 and provided the BEOF with an additional proposal for said Additional Repairs dated June 21, 2018 for the amount of \$3,360.00; and

WHEREAS, the building code inspector confirmed the need for said Additional Repairs; and

WHEREAS, the Executive Director of the BEOF also authorized said Additional Repairs pursuant to the Contractor's additional proposal dated June 21, 2018 prior to obtaining authorization from this body; and

WHEREAS, funds were available in Account CDBG-917; now, therefore, be it

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

1. The actions of the City's CDBG Program administrator, the BEOF, in authorizing the aforesaid HVAC Repairs and Additional Repairs for the Bayonne Family Community Center for the amount of \$12,220.00 pursuant to the Contractor's proposals dated June 8, 2018 and June 21, 2018 are hereby ratified and affirmed.

2. The Mayor and City Clerk are hereby authorized to execute an agreement with the Bayonne Family Community Center, 259 Avenue E, Bayonne, NJ 07002 for the period commencing September 1, 2017 and ending August 31, 2018 for the amount of \$12,220.00 to provide payment of the cost of the aforesaid HVAC Repairs and Additional Repairs pursuant to the proposals submitted by the Contractor dated June 8, 2018 for the amount of \$8,860.00 and June 21, 2018 for the amount of \$3,360.00 respectively.

3. Funds are certified as available in and chargeable to Account CDBG – 917.

* * * * *

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

WHEREAS, the City is the recipient of Community Development Block Grant (CDBG) Funds from the U.S. Department of Housing and Urban Development to benefit the City’s low- and moderate-income families, or to aid in the prevention or elimination of slums and blight; and

WHEREAS, the Bayonne Economic Opportunity Foundation (“BEOF”), 555 Kennedy Boulevard, Bayonne, NJ is a non-profit organization dedicated to assisting and to providing social services to low- and moderate-income families; and

WHEREAS, BEOF is the administrator of the City’s Community Development Block Grant Program; and

WHEREAS, the BEOF also operates a Headstart program, a childcare program dedicated to assisting and providing social services to low-and moderate-income families (the “Headstart Program”), located at 557 Kennedy Boulevard, Bayonne NJ (the “BEOF Headstart Facility”); and

WHEREAS, the BEOF, as operator of the Headstart Program, submitted a formal written application for CDBG funds, for the purpose of providing the cost of building renovations for the rehabilitation of the BEOF Headstart Facility located at 557 Kennedy Boulevard that has serious code violations which are detrimental to public health and safety; and

WHEREAS, there was an urgent need to replace the hot water heater servicing the BEOF Headstart Facility due to leaking resulting in the lack of hot running water; and

WHEREAS, the building code official inspected the hot water heater and confirmed that said replacement was necessary; and

WHEREAS, hot running water is essential for the health, safety, and welfare of the employees and clients of the BEOF Headstart Program; and

WHEREAS, Shamrock Plumbing & Heating, 15 Dodge Street, Bayonne NJ 07002 (the “Contractor”) submitted a proposal to the BEOF for said replacement of the hot water heater dated June 21, 2018 for the amount of \$1,950.00; and

WHEREAS, due to exigent circumstances the Executive Director of the BEOF in its capacity of the City’s CDBG administrator, authorized the Contractor to effectuate the replacement said hot water heater prior to obtaining approval from this body; and

WHEREAS, funds were available in Account CDBG-917; now, therefore, be it

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

1. The actions of the City’s CDBG Program administrator, the BEOF, in authorizing the replacement of the aforesaid hot water servicing the BEOF Headstart Facility located at 557 Kennedy Boulevard for the amount of \$1,950.00 pursuant to the Contractor’s proposal dated June 21, 2018 are hereby ratified and affirmed.

2. The Mayor and City Clerk are hereby authorized to execute an agreement with the Bayonne Economic Opportunity Foundation for the period commencing September 1, 2017 and ending August 31, 2018 for the amount of \$1,950.00 to provide payment of the cost of the aforesaid replacement of the hot water heater for the BEOF Headstart Facility located at 557 Kennedy Boulevard pursuant to the Contractor’s proposal dated June 21, 2018.

3. Funds are certified as available in and chargeable to Account CDBG – 917.

* * * * *

46. 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 and support for the swift research 911 emergency notification access used in the Police Department; and

WHEREAS, SHI, 290 Davidson Avenue, Somerset, NJ 08873 is capable of supplying said services for the one-year period commencing June 1, 2018 and ending May 31, 2019, for emergency notification access for one year in the amount of \$16,025.00, under State Contract No. 77560; and

WHEREAS, funds for said agreement have been certified as available in Account #8-01-25-240-0000-029 pending adoption of the CY 2018 budget; 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 SHI, 290 Davidson Avenue, Somerset, NJ 08873, for the annual software support services for the Police Department’s emergency notification access, for the period commencing June 1, 2018 and ending May 31, 2019, for a total contract amount of \$16,025.00, and said funds have been certified available in Account # 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 SHI in the amount of \$16,025.00 in payment for such services.

* * * * *

47. 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 a software license renewal and support for the Police Department’s IAPro Internal Affairs computer software; and

WHEREAS, CI Technologies (IAPro), P.O. Box 534, Townsend MA 01469-0534, is willing and able to supply said service for a one year period commencing July 1, 2018 and ending June 30, 2019 at a cost of \$2,080.80; and

WHEREAS, funds are certified as available in Account #8-201-25-240-0000-028, 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 City Clerk are hereby authorized to enter into an agreement with CI Technologies (IAPro), P.O. Box 534, Townsend MA 01469-0534, for a software license renewal and support for the Police Department’s IAPro Internal Affairs computer software for a one year period commencing July 1, 2018 and ending June 30, 2019 at a cost of \$2,080.80, and funds are certified available in account #8-201-25-240-0000-028, 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 CI Technologies (IAPro), in the amount of \$2,080.80 in payment for said services.

* * * * *

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

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Improvements to Avenue B project.

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

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as LAIF-2018-Improvements to Avenue B-00151 to the New Jersey Department of Transportation on behalf of the City of Bayonne.

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

* * * * *

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

WHEREAS, on August 16, 2017, this Municipal Council passed Resolution No. 17-08-16-073, authorizing an Agreement with Journey Contracting Co., Inc., 395 Millstone Road, Millstone, NJ 08510 for 57th Street Fire House Roof Replacement for a total contract amount of \$60,000.00; and

WHEREAS, pursuant to the aforesaid Resolution No. 17-08-16-073, the City of Bayonne entered into Agreement No. CY17-060 with Journey Contracting Co., Inc., for the aforesaid 57th Street Fire House Roof Replacement for a total contract amount of \$60,000.00; and

WHEREAS, the City was in receipt of the Final Close-out Change Order reflecting a decrease in the original contract in the amount of \$3,440.00 representing adjusted quantities due to actual field conditions encountered; and

WHEREAS, the City's Engineer reviewed, approved and recommended said Final Close-out Change Order to the aforesaid Agreement No. CY17-060 with Journey Contracting Co., Inc.; and

WHEREAS, pursuant to the recommendation of the City's Engineer, the Director of Public Works processed the Final Close-out Change Order reflecting a decrease a decrease in the original contract in the amount of \$3,440.00; now, therefore, be it

RESOLVED, by the Municipal Council that the actions of the Director of Public Works in processing the aforesaid Close-out Change Order to Agreement No. CY17-06 with Journey Contracting Co., Inc., decreasing same in the amount of \$3,440.00 due to the reason as stated above, making the total contract amount \$56,560.00 are hereby ratified and affirmed.

* * * * *

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

WHEREAS, the City of Bayonne has been ordered by the County tax Board to perform a district wide revaluation of its property tax assessments; and

WHEREAS, this Municipal Council has previously approved creation of a New Tax Map in furtherance of same; and

WHEREAS, said Tax Map is more than 90% complete and will soon be submitted to the State of New Jersey for review and approval; and

WHEREAS, the next phase of the revaluation process is to obtain proposals for the inspection and valuation of properties within the City of Bayonne in accordance with a contract to be further approved by this body as well as by the State Division of Taxation;

Now, therefore, be it

RESOLVED, the Municipal Council hereby authorizes the advertisement of a Request for Proposals for the provision of City Wide Revaluation Services, with any final contract award subject to the approval of this body and the State Division of Taxation as required by law; and be it further

RESOLVED, that the City Law Director, City Business Administrator, City Chief Financial Officer, City Purchasing Agent and City Tax Assessor or their respective designee(s) may take any action or actions required to effectuate the preparation and publication of said RFP and its return to this body for further consideration.

This Resolution shall take effect immediately.

* * * * *

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

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

LICENSEE	TIME & PLACE	LICENSE
Friend of Special Children	7:00 PM 53 Prospect Ave.	RL: 9291

	October , 2018	
P.S. #14 PTP	3:00 PM 33 East 24 th Street December 20, 2018	RL: 9292
Hudson County Animal League	2:00-6:30 PM 290 Avenue E August 18, 2018	RL: 9293 RL: 9294
Blessed Miriam Teresa Demjanovich	12:00 PM 326 Avenue C <u>2019</u> Jan. 1, Feb. 1; Mar. 1; Apr. 1, May 1, Jun. 1; Jul. 1, Aug. 1, Sept. 1, Oct. 1, Nov. 1, Dec. 1	RL: 9295
Saint John Paul II Church	2:00 – 6:00 PM 39 East 22 nd Street September 9, 2018	RL: 9296 RL: 9297 RL: 9298
Hudson Hospice Auxiliary	6:00 – 9:00 Pm 1081 Broadway September 28, 2018	RL: 9299 RL: 9300
Bags of Lover Foundation		RL; 9301 RL: 9302

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

WHEREAS the Bayonne Urban Enterprise Zone oversees the Urban Enterprise Zone and Special Improvement District operations, now, therefore, be it

RESOLVED, that the attached document shall represent the anticipated administrative budget for the Urban Enterprise Zone and the anticipated budget for the Special Improvement District for the period July 1, 2018 through June 30, 2019.

<u>UEZ/SID ADMINISTRTIVE BUDGET</u>				
<u>7/1/18 – 6/30-19</u>				
	<u>UEZ</u>	<u>SID</u>	<u>CITY</u>	<u>TOTAL</u>
Salaries				
UEZ Coordinator	\$65,000.00	\$ 5,000.00		\$70,000.00
UEZ Assistance Coordinator	\$49,982.00	\$25,000.00		\$74,982.00
Clerk	\$20,170.00	\$15,000.00		\$35,170.00
Intern	\$ 3,000.00			\$ 3,000.00
Vacancy	\$22,500.00	\$22,500.00		\$45,000.00
Fringe Benefits	\$40,000.00	\$ 5,000.00	\$30,000.00	\$75,000.00
Office Expenses	\$ 7,500.00	\$ 2,500.00		\$10,000.00
Office Rent			\$12,000.00	\$12,000.00
Marketing	\$50,000.00	\$50,000.00		\$100,000.00
Events	\$50,000.00	\$25,000.00		\$75,000.00
SID/Tree Lighting/Decorations		\$30,000.00		\$30,000.00
Other SID Projects:		\$100,000.00		\$100,000.00
Banners, Flags, Facades, Art				
Workshops, Small Business				
Consulting, Future Capital Projects				
	\$308,152.00	\$290,000.00	\$42,000.00	\$640,152.00

* * * * *

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

WHEREAS, pursuant to N.J.S.A. 10:4-12, subject to certain exceptions as specifically enumerated in N.J.S.A. 10:4-12(b) not at issue here, all meetings of public bodies shall be open to the public at all times; and

WHEREAS, nothing in N.J.S.A. 10:4-12, is construed to limit the discretion of a public body to permit, prohibit, or regulate the active participation of the public at any meeting, except that a municipal governing body shall be required to set aside a portion of every meeting of the municipal governing body, the length of the portion to be determined by the municipal governing body, for public comment on any governmental issue that a member of the public feels may be of concern to the residents of the municipality; and

WHEREAS, in an effort to maintain a semblance of good order and decorum during the course of a municipal council meetings, it is appropriate and desirous to maintain a "Meeting Agenda" for all regular, adjourned, and special meetings of the Municipal Council; and

WHEREAS, in an effort to maintain a semblance of good order and decorum during the course of municipal council meetings, it is appropriate and desirous to limit public comment to any one (1) individual or any one (1) entity to be for a duration of time not to exceed five (5) minutes or, upon good faith, may be reasonably extended in the sole and absolute discretion of the Council President upon consultation with the counsel to the Municipal Council; and

WHEREAS, the Municipal Council had previously established a policy that citizens wishing to address the council on topics not included on the council agenda may do so prior to other business or agenda items, provided notice of their desire to do so has been filed in advance with the City Clerk by 3:00 P.M. on the Monday immediately preceding the Municipal Council Meeting or by 11:00 A.M. on the Tuesday immediately preceding the Municipal Council Meeting if the Monday preceding the council meeting is a legal holiday, which policies this council now determines to amend; now therefore be it

RESOLVED, that the Municipal Council shall maintain a "Meeting Agenda" for all regular, adjourned, and special meetings of the Municipal Council to be held in the following order: (1) "Ordinances Scheduled for Hearing" (including other required hearings such as budget hearings, etc.); (2) "Requests to Address the Council"; (3) "Ordinances Proposed for Introduction" (4) "Communications"; (5) "Officers' Reports"; (6) "Resolutions" ; and be it further

RESOLVED, that any citizen wishing to address the council shall only need to sign up in person on a sign up sheet to be provided by the City Clerk immediately preceding any particular Municipal Council Meeting; and be it further

RESOLVED, that the Municipal Council shall have the ability to limit public comment of any one (1) individual or any one (1) entity to be for a duration of time not to exceed five (5) minutes or in good faith, as may be reasonably extended in the sole and absolute discretion of the Council President upon consultation with the counsel to the Council; and be it further

RESOLVED, that any and all Resolutions heretofore adopted on the subject of the order of business of council meetings and/or regarding or regulating the public speaking portion of any council meeting be and the same are hereby rescinded and superceded.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY DESIGNATING CERTAIN PROPERTY LOCATED AT 90-102 AVENUE E WHICH PROPERTY IS IDENTIFIED AS BLOCK 467, LOTS 8 & 9 AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT AND AUTHORIZING AND DIRECTING THE PLANNING BOARD TO PREPARE A REDEVELOPMENT PLAN FOR THE PROPERTY PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.*

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

WHEREAS, *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, on November 8, 2017, the Municipal Council adopted a Resolution instructing the Planning Board of the City (the “Planning Board”) to conduct such an investigation to determine if certain properties located at 90-102 Avenue E, which property is identified as Block 467, Lots 8 & 9 as shown on the official Tax Map of the City (the “Study Area”), constitute a non-condemnation “area in need of redevelopment,” in accordance with the Redevelopment Law; and

WHEREAS, on July 10, 2018, the Planning Board held a public hearing, duly noticed under the Redevelopment Law, and reviewed an investigation/report titled “Area in Need of Redevelopment Preliminary Investigation Block 467, Lots 8 & 9” prepared by Suzanne Mack, PPAICP, City of Bayonne, Division of Planning & Zoning, Department of Municipal Services, dated _____(the “Study”) and any persons interested in or affected by a determination that the Property 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 10, 2018, the Planning Board further adopted a Resolution recommending that the Property be determined by the Municipal Council to be a non-condemnation “area in need of redevelopment” under the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*; and

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

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

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

HEREAS, the Municipal Council believes that the preparation of a Redevelopment Plan is in the best interests 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. Block 467, Lots 8 & 9, as shown on the official Tax Map of the City is hereby designated a non-condemnation “area in need of redevelopment” under the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*

Section 2. The Municipal Council hereby directs the City Clerk to transmit a copy of the within resolution to the Commissioner of the Department of Community Affairs and to serve notice that Block 467, Lots 8 & 9, is designated a non-condemnation redevelopment area on the owners of such Property and other parties within ten (10) days of the date hereof, in accordance with *N.J.S.A. 40A:12A-6.b(5)*.

Section 3. The Planning Board of the City of Bayonne is hereby authorized and directed to prepare a Redevelopment Plan for the Property identified as Block 467, Lots 8 & 9 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 4. The Planning Board shall transmit the Redevelopment Plan to the Municipal Council for further consideration and action upon completion of same.

Section 5. This Resolution shall take effect immediately.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY DESIGNATING CERTAIN PROPERTY LOCATED AT 211-217 BROADWAY WHICH PROPERTY IS IDENTIFIED AS BLOCK 305, LOT 20 AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT AND AUTHORIZING AND DIRECTING THE PLANNING BOARD TO PREPARE A REDEVELOPMENT PLAN FOR THE PROPERTY PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.*

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

WHEREAS, *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, on May 16, 2018, the Municipal Council adopted a Resolution No. 18-05-16-064 instructing the Planning Board of the City (the "Planning Board") to conduct such an investigation to determine if certain properties located at 211-217 Broadway, which property is identified as Block 305, Lot 20 as shown on the official Tax Map of the City (the "Study Area"), constitutes a non-condemnation "area in need of redevelopment," in accordance with the Redevelopment Law; and

WHEREAS, on July 10, 2018, the Planning Board held a public hearing, duly noticed under the Redevelopment Law, and reviewed an investigation/report titled "Preliminary Investigation Non-Condensation Area in Need of Redevelopment 211-217 Broadway Block 305 Lot 20" prepared by Suzanne Mack, PPAICP, City of Bayonne, Division of Planning & Zoning, Department of Municipal Services, dated July 10, 2018 (the "Study") and any persons interested in or affected by a determination that the Property 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 10, 2018, the Planning Board further adopted a Resolution recommending that the Property be determined by the Municipal Council to be a non-condemnation "area in need of redevelopment" under the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*; and

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

WHEREAS, the City is desirous of directing the Planning Board to prepare a redevelopment plan for the Property (the "Redevelopment Plan"); and

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

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

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

Section 1. Block 350, Lot 20, as shown on the official Tax Map of the City is hereby designated a non-condemnation "area in need of redevelopment" under the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*

Section 2. The Municipal Council hereby directs the City Clerk to transmit a copy of the within resolution to the Commissioner of the Department of Community Affairs and to serve notice that Block 305, Lot 20, is designated a non-condemnation redevelopment area on

the owners of such Property and other parties within ten (10) days of the date hereof, in accordance with *N.J.S.A. 40A:12A-6.b(5)*.

Section 3. The Planning Board of the City of Bayonne is hereby authorized and directed to prepare a Redevelopment Plan for the Property identified as Block 305, Lot 20 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 4. The Planning Board shall transmit the Redevelopment Plan to the Municipal Council for further consideration and action upon completion of same.

Section 5. This Resolution shall take effect immediately.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING THE PERMITTED ASSIGNMENT OF A REDEVELOPMENT AND PURCHASE AND SALE AGREEMENT DATED NOVEMBER 28, 2016 AS AMENDED THEREAFTER FROM BAYONNE REDEVELOPERS, LLC TO BAYONNE REDEVELOPERS RESIDENTIAL URBAN RENEWAL BLOCK 780, LLC FOR THE PROPERTY LOCATED AT BLOCK 790. LOT 1 AND BLOCK 780, LOT 1 AS SHOWN ON A MAJOR SUBDIVISION PLAN APPROVED BY THE PLANNING BOARD OF THE CITY OF BAYONNE AND FURTHER AUTHORIZING THE PERMITTED ASSIGNMENT OF A FINANCIAL AGREEMENT DATED OCTOBER 11, 2016 FROM BAYONNE REDEVELOPERS URBAN RENEWAL, LLC TO BAYONNE REDEVELOPERS RESIDENTIAL URBAN RENEWAL BLOCK 780, LLC.

WHEREAS, the City of Bayonne and BAYONNE REDEVELOPERS, LLC, a New Jersey limited liability company, having its offices at 80 South Jefferson Road, Whippany, New Jersey 07981 entered into a Redevelopment and Purchase and Sale Agreement dated as of November 28, 2016, as amended by a First Amendment to Redevelopment and Purchase and Sale Agreement dated August 3, 2017, a Second Amendment to Redevelopment and Purchase and Sale Agreement, dated November 17, 2017 and a Third Amendment to Redevelopment and Purchase and Sale Agreement, dated May 2018 (the "Redevelopment Agreement"), relating to certain real property located at the Peninsula at Bayonne Harbor-Harbor Station South, designated as Block 700, Lot 1, Block 720, Lot 1 and Block 790, Lot 1 in the City of Bayonne, County of Hudson and State of New Jersey; and

WHEREAS, Block 720 has been or will be subdivided in accordance with the Major Subdivision Plan which has been approved by the Planning Board of the City of Bayonne and which is to be filed with the Register of the County of Hudson; and

WHEREAS, in accordance with Section 8.01(d) of the Redevelopment Agreement, BAYONNE REDEVELOPERS, LLC, as Assignor, desires to assign to an Assignee, BAYONNE REDEVELOPERS RESIDENTIAL URBAN RENEWAL BLOCK 780, LLC, a New Jersey limited liability company, having its offices at c/o Accurate Builders LLC, 742 Ocean Avenue, Lakewood, New Jersey 08701 and Assignee desires to assume Assignor's right, title, interest and obligations in, to and under the Redevelopment Agreement with respect to Block 790, Lot 1 and Block 780, Lot 1 as shown on the approved Subdivision Plan (collectively the "Assigned Property"); and

WHEREAS, the City of Bayonne and BAYONNE REDEVELOPERS URBAN RENEWAL, LLC, a New Jersey limited liability company, having its offices at 80 South Jefferson Road, Whippany, New Jersey 07981 entered into a Financial Agreement, dated October 11, 2017 (the "Financial Agreement") with respect to the Assigned Property, as more particularly described in the Financial Agreement; and

WHEREAS, BAYONNE REDEVELOPERS URBAN RENEWAL, LLC, as Assignor, desires to assign to an Assignee, BAYONNE REDEVELOPERS RESIDENTIAL URBAN RENEWAL BLOCK 780, LLC, and has agreed to convey to Assignee all right, title and interest of Assignor in the Project (the "Conveyance"); and

WHEREAS, in furtherance of the Conveyance, the Assignor has agreed to assign to Assignee all right, title and interest of Assignor in the Financial Agreement;

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

Section 1. The City of Bayonne hereby consents to and the Mayor and the City Clerk are hereby authorized and directed to execute an amendment to the Redevelopment Agreement effectuating the transfer of all rights, duties and interests from BAYONNE REDEVELOPERS, LLC, as Assignor, to BAYONNE REDEVELOPERS RESIDENTIAL URBAN RENEWAL BLOCK 780, LLC, as Assignee, for Block 790, Lot 1 and Block 780, Lot 1 as shown on the approved Subdivision Plan consistent with Section 8.01(B) of the Redevelopment Agreement.

Section 2. The City of Bayonne hereby consents to and the Mayor and the City Clerk are hereby authorized and directed to execute an amendment to the Financial Agreement dated October 11, 2017 effectuating the transfer of all rights, duties and interests from BAYONNE REDEVELOPERS URBAN RENEWAL, LLC, as Assignor, to BAYONNE REDEVELOPERS RESIDENTIAL URBAN RENEWAL BLOCK 780, LLC, as Assignee consistent with Section 8 of the Financial Agreement.

Section 3. The Mayor and Clerk are hereby further authorized and directed to execute an Estoppel Certificate and/or any other documents necessary to effectuate the above noted Assignments and/or Amendments.

Section 4. This Resolution shall take effect immediately.

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

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY DESIGNATING LEHIGH REALTY CO., INC., AS REDEVELOPER OF THE PROPERTY LOCATED AT 103-143 E 22ND ST & 43-75 MECHANIC STREET, WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 451, LOTS 1.01 & 2.05 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE AND AUTHORIZING THE NEGOTIATION AND PREPARATION OF A REDEVELOPMENT AGREEMENT WITH LEHIGH REALTY CO., INC. FOR THE REDEVELOPMENT OF SUCH PROPERTY IN ACCORDANCE WITH THE REDEVELOPMENT PLAN

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

WHEREAS, on November 11, 2009, the Bayonne Municipal Council (the "Municipal Council") adopted Resolution No. 09-11-10-052 requesting the Planning Board of the City (the "Planning Board") to conduct a preliminary investigation to determine whether portions of Route 440 West between East 22nd Street and New Hook Road, consisting of Block 452.02, Lots 3-9, 11, 12 and 13 and Block 451, Lots 1.01, 1.02, 2.03, 2.04 and 2.05 on the City's Tax Maps (the "Study Area"), qualified as "an area in need of redevelopment" in accordance with the criteria set forth in *N.J.S.A. 40A: 12A-5*, and if so, to prepare a redevelopment plan for the Study Area; and

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

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

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

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

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

WHEREAS, an amended Redevelopment Plan, which includes the Property titled “Lehigh Realty aka Ken’s Marine, 101-143 East 22nd Street & 43-75 Mechanic Street, Block 451, Lots 1.01 and 2.05, City of Bayonne, County of Hudson, NJ,” dated March 6, 2018, has been prepared by the City Planning Department (the “Amended Redevelopment Plan”); and

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

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

WHEREAS, Lehigh Realty Co., Inc., a corporation of the State of New Jersey, with an office address of 116 East 22nd Street, Bayonne, NJ 07002 (the “Entity”) is the owner of the Property; and

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

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

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

WHEREAS, the Municipal Council desires to designate the Entity as redeveloper of the Property subject to the negotiation and preparation of a Redevelopment Agreement with the Entity for redevelopment of the aforesaid Property which will set forth the rights and obligations of the 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. Lehigh Realty Co., Inc. is hereby conditionally designated as the redeveloper of the Property, which is designated as Block 451, Lots 1.01 and 2.05 on the Tax Maps of the City of Bayonne (the “Redeveloper”) subject to the execution of a mutually agreeable Redevelopment Agreement.

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

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

Section 4. This Resolution shall take effect immediately.

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

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

WHEREAS, Bright Electrical Contractors, LLC, 351 Avenue A, Bayonne, New Jersey purchased Building Permit #18-056-057 for an upgrade to the electrical service at 130 West 31st Street, Bayonne, New Jersey to 200 amp service for a fee of \$155.00; and

WHEREAS, Bright Electrical Contractors, LLC, has advised the Building Department the homeowner of the Premises hired another contractor to perform said electrical upgrade and that Permit 18-056-057 is no longer being pursued; and

WHEREAS, Bright Electrical Contractors, LLC, has requested a refund of the building permit fee in the amount of \$155.00; and

WHEREAS, funds are certified as available in Accounts T-12-56-839-0000-199 (\$5.00) and T-12-56-13-0000-199 (\$150.00); now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Comptroller and/or other appropriate officials of the City of Bayonne is hereby authorized to issue a warrant in the amount of \$155.00 payable to Bright Electrical Contractors, LLC, 351 Avenue A, Bayonne, New Jersey representing reimbursement of the fee for Building Permit #18-056-057 in connection with the upgrade to the electrical service at 130 West 31st Street, Bayonne, New Jersey to 200 amp service.

2. Funds shall be charged to Accounts T-12-56-839-0000-199 (\$5.00) and T-12-56-13-0000-199 (\$150.00).

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

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59. Council Member LaPelusa moved the following communication be received and filed, seconded by Council Member Perez, which motion was adopted.

July 17, 2018

Dear Council President Nadrowski
And Honorable Members of City Council:

I hereby appoint the following individuals to the Housing Authority Board of the City of Bayonne:

Irene Rose Pyke 84 West 22 nd Street, Bayonne, NJ 07002	Term expiring on December 31, 2018 (Appointment as Regular Member) Replacing Christopher Patella, Esq.
Vincent Lombardo 68G Broadway, Bayonne, NJ 07002	Term expiring on December 31, 2022 (Appointment as Regular Meeting) Replacing Timothy Moriarty, Esq.
John Cupo 36 West 14 th Street, Bayonne, NJ 07002	Term expiring on December 31, 2022 (Appointment as Regular Member) Replacing Edward Kaczka

In conjunction with this appointment the City Clerk has been directed to add an accompanying item on the July 18, 2018 Council meeting agenda to be received and filed by the City Council.

Sincerely,
James M. Davis
Mayor
(signed)

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

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

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At 8:50 P.M. Council President Nadrowski motioned to adjourn, seconded by Council Member Gullace, which motion was adopted.

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

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President - Sharon A. Nadrowski

Deputy Clerk-Madelene Medina
