

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, AUGUST 15, 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 August 15, 2018, 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 August 10, 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. The Clerk announced:

AN ORDINANCED 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 of July 18, 2018, at which time it was given a second reading and a public hearing was held, after which further consideration was table to this meeting of August 15, 2018, is now before the Council for its consideration and final passage.

Council Member Cotter moved the resolution for final passage, seconded by Council Member Gullace, 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 20, PERSONNEL POLICIES," was introduced and passed a first reading at a meeting held June 20, 2018, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at the meeting of Jul 18, 2018; and

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

WHEREAS, further consideration of the said ordinance was tabled to this meeting of August 15, 2018; now therefore, be it

RESOLVED, That the said ordinance be passed and designated as Ordinance No. O-18-41.

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

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02. The Clerk announced:

AN ORDINANCE ENTITLED, "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.*" 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: "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.*"

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 President 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, "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.* " was introduced and passed a first reading at a meeting held July 18, 2018, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of August 15, 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-18-42.

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

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03. The Clerk announced:

AN ORDINANCE ENTITLED, ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR CERTAIN PROPERTIES LOCATED AT 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.*" 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 Perez moved a resolution, seconded by Council Member Gullacei, which was read by the Clerk and adopted.

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

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

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

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

WHEREAS, an ordinance entitled, “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR CERTAIN 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.*” was introduced and passed a first reading at a meeting held July 18, 2018, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of August 15, 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-18-43.

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

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04. The Clerk announced:

AN ORDINANCE ENTITLED, "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.*," 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 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, 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.*,"

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

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

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

WHEREAS, an ordinance entitled, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, 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.*," was introduced and passed a first reading at a meeting held July 18, 2018, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of August 15, 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-18-44.

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

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

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

The Clerk read the ordinance by title: "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON 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,"

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: Megan McNally – 17 Linden Street
Kathleen Henderson- 88 West 6th Street
Peter Franco – 127 West 12th Street
Maurice DeStefano – 130 West 51st Street
Mike Morris – 123 Avenue C

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

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

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

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

WHEREAS, an ordinance entitled, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON 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," was introduced and passed a first reading at a meeting held July 18, 2018, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of August 15, 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-18-45.

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

Nay – Council Member LaPelusa.

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06. The Clerk announced:

AN ORDINANCE ENTITLED, "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," 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 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 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,"

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: Michael Morris – 123 Avenue C

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

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

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

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

WHEREAS, an ordinance entitled, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON 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," was introduced and passed a first reading at a meeting held July 18, 2018, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of August 15, 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-18-46.

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

Nays- Council Member LaPelusa.

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07. The Clerk announced:

AN ORDINANCE ENTITLED, "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," which was introduced and passed a first reading at a meeting held July 18, 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 August 15, 2018, is now before the Council for its consideration and a public hearing.

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

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

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

The Clerk read the ordinance by title: "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,"

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

The following person spoke: Mike Morris – 123 Avenue C

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

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

WHEREAS, an ordinance entitled, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING 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," was introduced and passed a first reading at a meeting held July 18, 2018, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of August 15, 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-18-47.

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

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08. The Clerk announced:

AN ORDINANCE ENTITLED, "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," which was introduced and passed a first reading at a meeting held July 18, 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 August 15, 2018, is now before the Council for its consideration and a public hearing.

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

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

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

The Clerk read the ordinance by title: "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY 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,"

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

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

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

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

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

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

WHEREAS, an ordinance entitled, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING 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," was introduced and passed a first reading at a meeting held July 18, 2018, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of August 15, 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-18-48.

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

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09. The Clerk announced:

AN ORDINANCE ENTITLED, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC," which was introduced and passed a first reading at a meeting held July 18, 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 August 15, 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.

The following person spoke: Louisa Kartanowicz – 18 West 18th 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 Cotter, which motion was adopted.

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

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, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC," was introduced and passed a first reading at a meeting held July 18, 2018, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of August 15, 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-18-49.

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

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10. Public Comments:

Melanie Flora addressed the Council regarding O-1 pertaining to the salary ordinance and its passage.

Michael Morris addressed the Council regarding O-1 pertaining to the salary ordinance and its passage

Peter Franco addressed the Council regarding O-1 pertaining to the salary ordinance and its passage

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11. Council Member LaPelusa introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY
AUTHORIZING FIVE (5) YEAR TAX EXEMPTION ON THE ASSESSED VALUE OF NEW
IMPROVEMENTS ONLY FOR NEWLY CONSTRUCTED IMPROVEMENTS WITH RESPECT TO
THE PARCEL OF LAND LOCATED AT 191 BROADWAY (BLOCK 318, LOT 20) ON THE TAX
MAP OF THE CITY OF BAYONNE.

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

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

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

WHEREAS, on December 10, 2014 the Municipal Council adopted Ordinance No. O-14-42 authorizing tax exemptions for the construction of 'multiple dwellings' (as defined in the Hotel and Multiple Dwelling Law, *N.J.S.A. 55:13A-1 et seq.*) in the City as authorized under *N.J.S.A. 40A:21-8* of the Five Year Law; and

WHEREAS, 191 BROADWAY LLC, is the owner of and has developed parcels of land located at BLOCK 318, LOT 20, (with a property address commonly known as "191 BROADWAY" which is also known as the "Project Area") on the tax map of the City and constructed or will cause to be constructed thereon certain real estate improvements consisting of mixed use development containing four stories, with 5 residential units consisting of 1 ground floor rear studio apartment; two 1 bedroom apartments, two duplex 2 bedroom apartments on the third and fourth floors, and approximately 1,121 square feet of commercial space (the "Project"); and

WHEREAS, 191 BROADWAY LLC has submitted an application to the City requesting a tax exemption under the Five Year Law for itself and/or on behalf of the new owners of the residential/ commercial units seeking a 5 year exemption agreement on the improvements; and

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

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

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

Section 2. The Municipal Council hereby approves an individual tax agreement for the exemption of real estate taxes on the improvements to be made on the parcels set forth above and any future lot(s) created or designated by virtue of the development thereof in the Project Area allowing for a 5 Year exemption on the improvements, but not the land, as provided in the TAX AGREEMENT attached hereto. Each such agreement is intended to apply to the individual parcel involved for the five years following substantial completion of the property provided that the terms of the agreement are met and shall be executed with respect to each such parcel by the owner of that parcel following the effective date of this ordinance.

Each such Tax Agreement shall be for no longer than five (5) years and only applicable to the assessed value of the new improvement (building) constructed on that parcel as such value is determined by the City Tax Assessor. Each such Tax Agreement shall also provide that; at all relevant times herein, the land values (land assessment) for the Project will NOT be subject to any Exemption or Abatement and that Land Taxes paid in full throughout any period of exemption on the improvement. If the effective date of this ordinance is subsequent to the date of substantial completion, the exemption shall nonetheless be credited from the first day of the Tax Year following substantial completion provided that the application was timely filed within 30 days of substantial completion and all other terms of the agreement are met. If the date of substantial completion should be prior to the effective date of this ordinance, the Mayor, in consultation with legal counsel to the City, is hereby authorized to execute each of these Tax Agreements, with such modifications or revisions deemed necessary by the Mayor, and to prepare, amend or execute any other agreements necessary to effectuate the Tax Agreement and this Ordinance.

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

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

Section 5. This Ordinance shall take effect in accordance with all applicable laws.

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

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE APPROVING A 5 YEAR EXEMPTION APPLICATION FOR 191 BROADWAY, AS KNOWN AS BLOCK 318, LOT 20 ," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, September 12, 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.

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12. Council Member LaPelusa introduced:

BOND ORDINANCE PROVIDING FOR VARIOUS 2018 CAPITAL IMPROVEMENTS, BY AND IN THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY (THE "CITY"); APPROPRIATING \$3,650,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,475,000 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COSTS THEREOF

BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the City of Bayonne, in the County of Hudson, State of New Jersey (the "City"). For the said improvements or purposes stated in Section 3, there is hereby appropriated the aggregate sum of \$3,650,000, said sum being inclusive of a down payment in the aggregate amount of \$175,000 for said improvements or purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"). The down payment is now available by virtue of a provision or provisions in a previously adopted budget or budgets of the City for down payment or for capital improvement purposes or from moneys actually held by the City.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$3,650,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the City are hereby authorized to be issued in the aggregate principal amount not exceeding \$3,475,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the City in an aggregate principal amount not exceeding \$3,475,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said obligations are to be issued are Various 2018 Capital Improvements, including, but not limited to, acquisition of two (2) fire trucks; acquisition and installation, as applicable, of various equipment and non-passenger vehicles for the Department of Public Works; park and playground improvements throughout the City; various walkway improvements to the City's waterfronts including, but not limited to, Hudson River Waterfront and Newark Bay Waterfront; resurfacing and reconstruction of various streets throughout the City; various city-wide traffic light signal improvements; and general capital improvements to various public buildings or facilities throughout the City.

(b) The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$3,475,000.

(c) The aggregate estimated cost of said improvements or purposes is \$3,650,000, the excess amount thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the down payment available for said purposes.

(d) All such improvements or purposes set forth in Section 3(a) shall include, but are not limited to, as applicable, all engineering and design work, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and also shall include all work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto.

SECTION 4. In the event the United States of America, the State of New Jersey, the County of Hudson and/or a private entity make a contribution or grant in aid to the City for the improvements and purposes authorized hereby and the same shall be received by the City prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, the County of Hudson and/or a private entity. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, the County of Hudson and/or a private entity shall be received by the City

after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the City, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the City shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of N.J.S.A. 40A:2-8.1. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at a public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The capital budget of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith and a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services, Department of Community Affairs, State of New Jersey, is on file in the Office of the Clerk of the City and is available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the City may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 9.67 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the City and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, Department of Community Affairs, State of New Jersey, and such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$3,475,000 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$730,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements herein before described.

SECTION 8. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy *ad valorem* taxes upon all the taxable property within the City for the payment of the principal of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The City hereby declares the intent of the City to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 9 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

SECTION 10. The City Chief Financial Officer is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the City and to execute such disclosure document on behalf of the City. The City Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the City pursuant to Rule 15c2-12 of the Securities and Exchange Commission⁴ (the "Rule") for the benefit of holders and beneficial owners of obligations of the City and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the City fails to comply with its undertaking, the City shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. The City covenants to maintain the exclusion from gross income under Section 103(a) of the Code of the interest on all bonds and notes issued under this bond ordinance.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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 " BOND ORDINANCE PROVIDING FOR VARIOUS 2018 CAPITAL IMPROVEMENTS, BY AND IN THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY (THE "CITY"); APPROPRIATING \$3,650,000 THEREFORE, AND AUTHORIZING THE ISSUANCE OF \$3,475,000 BOND OR NOTES OF THE CITY TO FINANCE PART OF THE COSTS THEREOF," 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.

* * * * *

13. Council Member LaPelusa introduced:

BOND ORDINANCE PROVIDING FOR AQUEDUCT IMPROVEMENTS, BY AND IN THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY, APPROPRIATING \$11,700,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$11,700,000 BONDS OR NOTES TO FINANCE THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the City. For the said improvements or purposes stated in Section 3, there is hereby appropriated the aggregate sum of \$11,700,000 said sum being inclusive of all appropriations heretofore made therefor. No down payment is required pursuant to the provisions of N.J.S.A. 40A:2-11(c) of the Local Bond Law (the "Local Bond Law"), as the improvements or purposes described in Section 3 of this bond ordinance shall be funded by loans from the New Jersey Infrastructure Bank (formerly known as the New Jersey Environmental Infrastructure Trust).

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof, negotiable bonds of the City are hereby authorized to be issued in the principal amount of \$11,700,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the City in a principal amount not exceeding \$11,700,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued are aqueduct improvements including, but not limited to, construction, acquisition and installation, as applicable, of an under river high density polyethylene transmission main and associated horizontal directional drilling and also including all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction, inspection and contract administration and all work, materials, labor and appurtenances necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$11,700,000.

(c) The estimated cost of said improvements or purposes is \$11,700,000.

SECTION 4. In the event the United States of America, the State of New Jersey, the County of Hudson and/or a private entity make a contribution or grant in aid to the City for the improvements and purposes authorized hereby, and the same shall be received by the City prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, the County of Hudson and/or a private entity. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, the County of Hudson and/or a private entity, shall be received by the City after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the City as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such time as may be determined by the Chief Financial Officer, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The capital budget of the Capital Fund of the City is hereby amended to conform with the provisions of this bond ordinance, and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Fund capital budget and capital programs as approved by the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs will be on file in the Office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements or purposes which the City may lawfully undertake as general improvements or purposes, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 40 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the City and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$11,700,000 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$2,340,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

SECTION 8. Unless paid from other sources, the full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. Unless paid from other sources, the obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy *ad valorem* taxes upon all the taxable property within the City for the payment of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The City hereby declares the intent of the City to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 9 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

SECTION 10. The Chief Financial Officer is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the City and to execute such disclosure document on behalf of the City. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the City pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the City and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the City fails to comply with its undertaking, the City shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. Should the bonds or notes issued hereunder be issued on a tax-exempt basis, the City covenants to maintain the exclusion from gross income under Section 103(a) of the Code of the interest on all bonds and notes issued under this ordinance.

SECTION 12. This bond ordinance shall take effect twenty (20) days after final adoption, and approval by the Mayor, as provided by the Local Bond Law.

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

BE IT RESOLVED, that an ordinance entitled " BOND ORDINANCE PROVIDING FOR AQUEDUCT IMPROVEMENTS, BY AND IN THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY (THE "CITY"); APPROPRIATING \$11,700,000 THEREFORE, AND AUTHORIZING THE ISSUANCE OF \$11,700,000 BOND OR NOTES OF THE CITY TO FINANCE PART OF THE COSTS THEREOF," 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.

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14. Council Member Perez introduced:

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

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

Section 1. That the Revised General Ordinances of the City of Bayonne, Chapter 7, TRAFFIC, Subsection 7-15 Parking Prohibited At All Times On Certain Streets, is hereby amended and supplemented as follows (Additions ****between asterisks and/or in bold****, deletions ~~{within brackets and/or struck through}~~):

Names of Street	Sides	Location
Broadway	East	Beginning at a point 25 feet south of the southeast corner of 53rd Street and Broadway and extending to a point 83 feet southerly thereof.

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

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE 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, September 12, 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.

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15. Council Member LaPelusa introduced:

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

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

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

RESTRICTIVE PARKING ZONES

DELETE

059. Justyna Petrinczyk, 346 Avenue C

Beginning at a point on the east side of Avenue C, 85 feet south of the southeast corner of Avenue C and West 15th Street, and extending to a point 22 feet south thereof.

072. William Roeheny, 23 New Street

Beginning at a point on the north side of New Street, 65 feet west of the northwest corner of Avenue F and New Street, and extending to a point 22 feet west thereof.

255. Maureen Anderson, 17 West 31st Street

Beginning at a point on the north side of West 31st Street, 234 feet west of the northwest corner of West 31st Street and Broadway, and extending to a point 18 feet west thereof.

281. Yolanda Ramos, 15 East 39th Street

Beginning at a point on the north side of East 39th Street, 224 feet east of the northeast corner of East 39th Street and Broadway, and extending to a point 18 feet east thereof.

299. Vito Barbito, 55 East 4th Street

Beginning at a point on the north side of East 4th Street, 119 feet east of the northeast corner of Lexington Avenue and East 4th Street, and extending to a point 21 feet east thereof.

397. German Valdez, 160 West 49th Street

Beginning at a point on the south side of West 49th Street, 155 feet east of the southeast corner of West 49th Street and Kenendy Boulevard, and extending to a point 17 feet east thereof.

405. Margaret Oberanowicz, 80 West 42nd Street

Beginning at a point on the south side of West 42nd Street, 311 feet west of the southwest corner of West 42nd Street and Avenue C, and extending to a point 18 feet west thereof.

ADD

171. 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.

174. George Baran, 15 West 18th Street

Beginning at a point on the north side of West 18th Street, 225 feet west of the northwest corner of Broadway and West 18th Street, and extending to a point 18 feet west thereof.

181. Carmine Fiorino, 120 West 50th Street

Beginning at a point on the south side of West 50th Street, 115 feet west of the southwest corner of Avenue B and West 50th Street, and extending to a point 16 feet west thereof.

RELOCATE

367. Kamal Morgan, 21 East 16th Street

OLD LOCATION: Beginning at a point on the north side of East 16th Street, 10 feet east of the northeast corner of Court Place and East 16th Street, and extending to a point 17 feet east thereof.

NEW LOCATION: Beginning at a point on the north side of East 16th Street, 25 feet east of the northeast corner of Court Place and East 16th Street, and extending to a point 17 feet east thereof.

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

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, September 12, 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. 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.

* * * * *

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

From Peter N. Davis, Esq., filing notice of tort claim on behalf of VIOLET MULLEADY alleging personal injuries resulting from a fall on the sidewalk on March 8, 2018 at 728 Broadway.

* * * * *

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

From MARYANN McGILLIS, filing notice of tort claim alleging property damage to her automobile on July 5, 2018 resulting being backed into by a City of Bayonne school bus at the 16th Street Park .

* * * * *

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

From the Superior Court of New Jersey, Chancery Division, Summons and Complaint in matter entitled, "BAYVIEW LOAN SERVICING, LLC vs. ELLIOTT, et al., incl. THE CITY OF BAYONNE." (Mortgage foreclosure – city has a subsidiary Community Development mortgage)

* * * * *

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

From the Tax Court of New Jersey, Summons and Complaint in matter entitled, "NJD DEVELOPMENT, LLC vs. THE CITY OF BAYONNE." (752-756 Avenue E, Block 393, lot 16 - commercial)

* * * * *

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

From the Tax Court of New Jersey, Summons and Complaint in matter entitled, "ADIMOOLAN vs. THE CITY OF BAYONNE." (687 Kennedy Boulevard, Block 176, lot 22 - commercial)

* * * * *

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

From the Tax Court of New Jersey, Summons and Complaint in matter entitled, "ADIMOOLAN vs. THE CITY OF BAYONNE." (416 Avenue C, Block 231, lot 55 - commercial)

* * * * *

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

From the Tax Court of New Jersey, Summons and Complaint in matter entitled, "ADIMOOLAN vs. THE CITY OF BAYONNE." (361 Broadway, Block 240, lot 22 - commercial)

* * * * *

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

From the Tax Court of New Jersey, Summons and Complaint in matter entitled, "RODRIGUEZ vs. THE CITY OF BAYONNE." (Foot of Oak Street, Block 473.03, lot 1 - vacant)

* * * * *

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, Summons and Complaint in matter entitled, "YES CHRIS DEVELOPMENT, LLC vs. THE CITY OF BAYONNE." (400-404 Broadway, Block 226, lot 43 - 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, Summons and Complaint in matter entitled, "YES CHRIS DEVELOPMENT, LLC vs. THE CITY OF BAYONNE." (9 East 18th Street, Block 228, lot 1 - commercial)

* * * * *

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, Summons and Complaint in matter entitled, "TUBITO vs. THE CITY OF BAYONNE." (381-383 Broadway, Block 239, lot 15 - 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, Summons and Complaint in matter entitled, "GOUDA vs. THE CITY OF BAYONNE." (23 Silver Street, Block 325, lot 16 – 1-4 family residential)

* * * * *

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, Summons and Complaint in matter entitled, "BROADWAY 135, LLC vs. THE CITY OF BAYONNE." (671-673 Broadway, Block 153, lot 15 - 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, Summons and Complaint in matter entitled, "PORTLAND PETROLEUM, INC. vs. THE CITY OF BAYONNE." (205 Port Jersey Boulevard, Block 397, lot 2 - industrial)

* * * * *

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, Summons and Complaint in matter entitled, "SUMO COMPANIES vs. THE CITY OF BAYONNE." (103 Oak Street, Block 473.02, lot 1 - vacant)

* * * * *

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

From the Tax Court of New Jersey, Summons and Complaint in matter entitled, "BANK OF AMERICA vs. THE CITY OF BAYONNE." (701-705 Broadway, Block 145, lot 13 - commercial)

* * * * *

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

From STACIE PERCELLA, filing a notice of tort claim alleging a violating of her 1st Amendment Rights at the Regular Council Meeting of June, 2018.

* * * * *

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

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

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

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

* * * * *

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

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

* * * * *

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

From Terrence Malloy, CFO, submitting Supplemental Debt Statement as of August 15, 2018.

* * * * *

37. 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)

* * * * *

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

BID REPORT
FROM THE MUNICIPAL COUNCIL

Date: 08/01/18 Bids Advertised: 07/13/18 Bids Received: 07/31/18

Attending: Amy Dellabella

Bid Titled: Transmission Repair Services

<u>Bidder</u>	<u>Amount</u>
Borker Transmission Services Inc. 758 Avenue A Bayonne, NJ 07002	Itemized list under separate cover

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

Please retain this report, as the information above may not be repeated in the request for award documents or in the event of a bid rejection.

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

* * * * *

39. 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.

* * * * *

40. 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, July 18, 2018 be and the same are hereby approved.

* * * * *

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

RESOLVED, That the official minutes of the adjourned regular council meeting held Wednesday, July 11, 2018, be and the same are hereby approved.

* * * * *

42. 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, July 11, 2018, be and the same are hereby approved.

* * * * *

43. 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
25	31	Dovenmuehle Mortgage	29.05
104	3	Mark Montgomery	5,806.37
331	3	178-180 Broadway Bayonne, LLC	11,560.25
429	16	Barbara Michalski	3,093.76
Total:			20,489.43

* * * * *

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

WHEREAS, the City of Bayonne has an invoice from the Department of Labor relating to assessments levied on New Jersey Employers.

NOW THEREFORE BE IT RESOLVED, that a warrant be drawn from Current Fund and made payable to the State of New Jersey in the amount of \$ 1,701.00 and warrant to be charged to Group Insurance .

* * * * *

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

WHEREAS, the City Clerk's Office has issued One hundred ten (110) Marriage Licenses during the months of April, May and June and has collected \$25.00 per license, which is to be forwarded to the Division of Youth and Family Services, now, therefore be it

RESOLVED, that a warrant in the amount of Two thousand seven hundred Ffty dollars (\$2750.00) be drawn to the order of the Treasurer, State of New Jersey and forwarded to the City Clerk's Office for disbursement.

* * * * *

46. 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 \$ 33.60 drawn of the Bureau of Rabies Control, State Department of Health, Trenton, New Jersey, covering the issuance of licenses Nos. 959-971 inclusive, 13 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.

* * * * *

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

WHEREAS, there is a continuing need to provide membership in the Bayonne Family Community Center for members of the Police Department; now, therefore be it

RESOLVED, that the Mayor, on behalf of the City of Bayonne, be and is hereby authorized to take any and all steps necessary to effectuate payment to the Bayonne Family Community Center, 259 Avenue E, Bayonne, NJ, in the amount of \$7,000.00 for the Police Department's Annual Membership Program for two year commencing July 1, 2017 and ending June 30, 2019; and be it further

RESOLVED, that this expenditure be charged against Account PS-9/08-01-25-240-0000-028; and be it further

RESOLVED, that the Municipal Treasurer be and is hereby authorized and directed to issue a warrant payable to the Bayonne Family Community Center in the amount of \$7,000.00 representing payment for such membership.

* * * * *

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

WHEREAS, the Police Department of the City of Bayonne has established that there is a need for maintenance of Info-Cop Licensed Mobile Computer Software; and

WHEREAS, GTBM, Inc., P.O. Box 305, 351 Paterson Avenue, East Rutherford, N.J. 07073, has previously been awarded a contract to provide said service, and is willing and able to continue to supply said service for a six month period commencing July 20, 2018 and ending December 20, 2018 at a cost of \$5,568.75; and

WHEREAS, funds are certified as available in Account #PS-9/08-01-25-240-0000-028; 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 \$40,000.00; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and/or his designee is/are hereby authorized to take any and all actions and execute any and all documents necessary to effectuate the continued maintenance of Info-Cop Licensed Mobile Computer Software to be provided by GTBM, Inc., P.O. Box 305, 351 Paterson Avenue, East Rutherford, N.J. 07073 for the six month year period commencing July 20, 2018 and ending December 20, 2018 at a cost of \$5,568.75.

2. Funds are chargeable in account #PS-9/08-01-25-240-0000-028.

3. The Municipal Treasurer be and is hereby authorized and directed to issue a warrant payable to G.T.B.M., Inc., in the amount of \$5,568.75 in payment for said service.

* * * * *

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

RESOLVED, that the actions of the Municipal Treasurer in issuing payment from Current Fund in the amount of \$ 6,708,693.78 payable to the County of Hudson for Third Quarter County Taxes of 2018 and County Open Space Tax is hereby ratified and confirmed.

* * * * *

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

RESOLVED, that the actions of the Municipal Treasurer in issuing a warrant from the Unemployment Trust Fund in the amount of \$ 6,708.98 payable to the State of New Jersey

Division of Employer Accounts is hereby ratified and confirmed. Said warrant is for the City of Bayonne unemployment bills for quarter ending 6/30/2018.

* * * * *

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

BE IT RESOLVED, that the actions of the Municipal Treasurer in ordering a warrant from the Current Fund in the amount \$3,857.46 payable to Department of Treasury, Internal Revenue Services for Patient Centered Outcomes Research Fee (PCORI) for calendar year ending 12/31/2017 is hereby ratified and confirmed. Said warrant is charged to Group Insurance.

* * * * *

52. 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; and

WHEREAS, the UCP of Hudson County, Inc., 721 Broadway, Bayonne, New Jersey 07002 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the UCP of Hudson County, Inc. has requested and submitted a formal written application dated February 9, 2018 for said CDBG Grant Funds in the amount of \$30,000.00 for the purpose of providing a pediatric medical day care center; and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said Community Development Block Grant Funds for the purpose of providing a pediatric medical day care center is limited to the amount of \$23,000.00; and

WHEREAS, said CDBG Funds are certified as available in Account #CDBG-972; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the UCP of Hudson County Inc., 721 Broadway, Bayonne, New Jersey 07002 for the provision of providing pediatric medical day care in the amount of \$23,000.00 for the period commencing September 1, 2018 and ending August 31, 2019.

2. Funds shall be charged to Account #CDBG-972.

* * * * *

53. 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; and

WHEREAS, the Community Day Nursery, 591 Broadway, Bayonne, New Jersey 07002 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Community Day Nursery has requested and submitted a formal written application dated January 19, 2018 for said CDBG Grant Funds in the amount of \$65,000.00 for the purpose of providing pre-school child care for low and moderate income families; and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said Community Development Block Grant Funds for the purpose of providing pre-school child care for low and moderate income families is limited to the amount of \$45,000.00; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-968; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Community Day Nursery, 591 Broadway, Bayonne, New Jersey 07002 for the provision of providing pre-school child care for low and moderate income families in the amount of \$45,000.00 for the period commencing September 1, 2018 and ending August 31, 2019.

2. Funds shall be charged to Account #CDBG-968.

* * * * *

54. 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; and

WHEREAS, the Victory Hall, 74 W 46th Street, Bayonne, New Jersey 07002 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Victory Hall has requested and submitted a formal written application dated February 21, 2018 for said CDBG Grant Funds in the amount of \$7,500.00 for the purpose of providing art instruction to adults/young adults developmentally disabled; and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said Community Development Block Grant Funds for the purpose of providing art instruction to adults/young adults developmentally disabled is limited to the amount of \$6,500.00; and

WHEREAS, said CDBG Funds are certified as available in Account #CDBG-978; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Victory Hall, W 46th Street ., Bayonne, New Jersey 07002 for the provision of providing art instruction to adults/young adults developmentally disabled in the amount of \$6,500.00 for the period commencing September 1, 2018 and ending August 31, 2019.

2. Funds shall be charged to Account #CDBG-978.

* * * * *

55. 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; and

WHEREAS, the Bayonne PAL Day Care Center, 550 Avenue A, Bayonne, New Jersey 07002 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Bayonne PAL Day Care Center has requested and submitted a formal written application dated February 22, 2018 for said CDBG Grant Funds in the amount of \$80,000.00 for the purpose of providing an after school program and summer camp child care program; and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said Community Development Block Grant Funds for the purpose of providing an after school program and summer camp child care program is limited to the amount of \$25,000.00; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-979; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Bayonne PAL Day Care Center, 550 Avenue A, Bayonne, New Jersey 07002 for the provision of providing an after school program and summer camp child care program for low and moderate income families in the amount of \$25,000.00 for the period commencing September 1, 2018 and ending August 31, 2019.

2. Funds shall be charged to Account #CDBG-979.

* * * * *

56. 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; and

WHEREAS, the Bayonne Community Mental Health Center, a service of Trinitas Regional Medical Center (the "Bayonne Community Mental Health Center"), 601 Broadway,

Bayonne, New Jersey 07002 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Bayonne Community Mental Health Center has requested and submitted a formal written application dated February 19, 2018 for said CDBG Grant Funds for the amount of \$24,000.00 for the purpose of providing substance abuse and addiction services for low and moderate income families; and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said Community Development Block Grant Funds for the purpose of providing substance abuse and addiction services for low and moderate income families is limited to the amount of \$10,000.00; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-974; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Bayonne Community Mental Health Center, 601 Broadway, Bayonne, New Jersey 07002 for the provision of providing substance abuse and addiction services for low and moderate income families in the amount of \$10,000.00 for the period commencing September 1, 2018 and ending August 31, 2019.

2. Funds shall be charged to Account #CDBG-974.

* * * * *

57. 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; and

WHEREAS, the Bayonne Community Mental Health Center, a service of Trinitas Regional Medical Center (the "Bayonne Community Mental Health Center"), 601 Broadway, Bayonne, New Jersey 07002 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Bayonne Community Mental Health Center has requested and submitted a formal written application dated February 19, 2018 for said CDBG Grant Funds in the amount of \$28,000.00 for the purpose of providing psychiatric and psychotherapeutic services for children and adolescents and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said Community Development Block Grant Funds for the purpose of providing psychiatric and psychotherapeutic services for children and adolescents is limited to the amount of \$10,000.00; and

WHEREAS, said CDBG Funds are certified as available in Account #CDBG-975; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Bayonne Community Mental Health Center, 601 Broadway, Bayonne, New Jersey 07002 for the provision of providing psychiatric and psychotherapeutic services for children and adolescents in the amount of \$10,000.00 for the period commencing September 1, 2018 and ending August 31, 2019.

2. Funds shall be charged to Account #CDBG-975.

* * * * *

58. 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; and

WHEREAS, the Windmill Alliance, 141 Broadway, Bayonne, New Jersey 07002 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Windmill Alliance has requested and submitted a formal written application dated February 21, 2018 for said CDBG Grant Funds in the amount of \$25,000.00 for the purpose of providing community outreach services through HIGHWAYS program; and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said Community Development Block Grant Funds for the purpose of providing community outreach services through HIGHWAYS program is limited to the amount of \$15,300.00; and

WHEREAS, said CDBG Funds are certified as available in Account #CDBG-971; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Windmill Alliance, 141 Broadway, Bayonne, New Jersey 07002 for the provision of providing outreach services through HIGHWAYS program in the amount of \$15,300.00 for the period commencing September 1, 2018 and ending August 31, 2019.

2. Funds shall be charged to Account #CDBG-971.

* * * * *

59. 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; and

WHEREAS, the Bayonne Youth Center, 524 Kennedy Blvd, Bayonne, New Jersey 07002 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Bayonne Youth Center has requested and submitted a formal written application dated February 23, 2018 for said CDBG Grant Funds for the amount of \$30,325.00 for the purpose of providing an after school learning center for low and moderate income families; and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said Community Development Block Grant Funds for the purpose of providing an after school learning center for low and moderate income families is limited to the amount of \$10,000.00; and

WHEREAS, said CDBG Funds are certified as available in Account #CDBG-976; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Bayonne Youth Center, 524 Kennedy Blvd, Bayonne, New Jersey 07002 for the provision of providing an after school learning center for low and moderate income families in the amount of \$10,000.00 for the period commencing September 1, 2018 and ending August 31, 2018.

2. Funds shall be charged to Account #CDBG-976.

* * * * *

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

WHEREAS, Mack Made t/a the Bridge Arts Gallery ("Mack Made") has requested permission to hold an event to be promoted as the Bridge Arts Festival to be held on Saturday, September 8, 2018 from 11:00 a.m. to 7:00 p.m. (with access beginning at 6:00 a.m. and ending 8:30 p.m.) during which various activities will be offered including, but not limited to, art exhibitions, musical events, dance exhibitions, vendors and a beer garden to be located throughout designated areas of Dennis P. Collins Park located at 1st Street consistent with the Site Map attached hereto and made a part hereof; and

WHEREAS, Mack Made has provided the City with the details of the proposed event in the form of a skeleton production schedule and has agreed to further work with the Bayonne Police Department, the Bayonne Fire Department, the Bayonne Law Department, the Department of Public Works, Division of Parks and any other City department, division or personnel in order to ensure the safety and welfare of the general public during the event; and

WHEREAS, Mack Made has requested access to the aforementioned designated areas of Dennis P. Collins Park from 6:00 a.m. to 8:30 p.m. in order to allow for load-in and load-out activities; and

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

RESOLVED, that the Mayor and City Clerk are hereby authorized to execute a License Agreement, in form and substance as is acceptable to the Law Director, allowing Mack Made to hold the Bridge Arts Festival on Saturday, September 8, 2018 from 6:00 a.m. to 8:30 p.m., throughout designated areas of Dennis P. Collins Park located at 1st Street consistent with the Site Map attached hereto and made a part hereof; and be it further

RESOLVED, that the fee for said License shall be \$500.00 consistent with City of Bayonne Ordinance 4-8.2.a.

* * * * *

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

A RESOLUTION TO AUTHORIZE THE SUBMISSION OF A GRANT APPLICATION TO THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE FY2018 TRANSPORTATION ALTERNATIVES SET-ASIDE PROGRAM

WHEREAS, the FY2018 Transportation Alternatives Set-Aside Program (the "Program") provides federal funds for community based "non-traditional" projects designed to strengthen the cultural, aesthetic, and environmental aspects of the nation's intermodal system; and

WHEREAS, the FY2018 Program is being administered by the New Jersey Department of Transportation; and

WHEREAS, the maximum amount of grant funds available is \$1 million, and no municipal matching funds are required; and

WHEREAS, the attached grant application describes the terms and conditions of applying for the grant funding; and,

WHEREAS, the City of Bayonne (the "City") is experiencing significant new commercial and residential development at South Cove Commons and the Peninsula at Bayonne Harbor; and,

WHEREAS, the City recognizes that there is a significant need for pedestrian access between the Peninsula at Bayonne Harbor and South Cove Commons sites, as the existing pedestrian route is dangerous and inaccessible;

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Bayonne as follows:

- A. The City of Bayonne hereby accepts the terms of the grant funding and authorizes the electronic submission of the grant application identified as *TA-2018-Pedestrian Access Bridge Project-00043* to the New Jersey Department of Transportation on behalf of the City of Bayonne; and,
- B. The Mayor and Council of the City of Bayonne hereby authorizes submission of the grant application identified as *TA-2018-Pedestrian Access Bridge Project-00043* to the New Jersey Department of Transportation for a requested amount not to exceed \$1 million; and,

* * * * *

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

A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE NEW JERSEY DEPARTMENT OF TRANSPORTATION'S
SAFE ROUTES TO SCHOOL PROGRAM 2018

WHEREAS, the City of Bayonne desires to further the safety of children on their way to and from local schools by obtaining a grant from the New Jersey Department of Transportation (NJDOT) through the 2018 Safe Routes to School (SRTS) Program Grant and;

WHEREAS, SRTS is a program of the United States Department of Transportation Federal Highway Administration (FHWA) which provides funds to governmental entities so they may substantially improve the ability of primary and middle school students to walk and bicycle to school safely, and

WHEREAS, the City of Bayonne, in coordination with the Bayonne Board of Education, has worked diligently to implement projects that improve the accessibility, safety, use, and maintenance of the areas surrounding schools within the community; and

WHEREAS, the City of Bayonne has designated plans specifically designed to address and eliminate current safety issues related to access and traffic flow surrounding several schools within the community; and

WHEREAS, the City of Bayonne proposes within its aforementioned plans, the improved safety of intersections at K-8 schools within the City (to be known as the Project Area); and,

WHEREAS, this primary activity involves roadways that are owned and maintained by the City of Bayonne, and the City of Bayonne hereby commits to maintain the Project Area once developed; and,

WHEREAS, responsibilities for administering the proposed project in accord with federal and state guidelines (to be known as the Responsible Charge) will be Gary Chmielewski, full-time Director of Public Works in the City of Bayonne.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the City of Bayonne, State of New Jersey formally authorize submission of the electronic grant application identified as SRS-2018-School Intersections Improvements P-00030 to the New Jersey Department of Transportation for funding under the Safe Routes to Schools Program on behalf of the City of Bayonne.

* * * * *

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

Authorizing an Amended Settlement of Prior Year State Tax Court Appeal
of property at Block 427 Lot 1 (52 Hook Rd.).

Whereas, Tax Counsel for the City of Bayonne has with the agreement of the City Tax Assessor previously (By way of Resolution 17-06-21-067 approved a settlement agreements with respect to a multi year State Court Tax Appeals on Block 427 Lot 1, 48-52 Hook Road (Engle Holding Company) by way of a credit on subsequent taxes, and

Whereas, the petitioner on the appeals could not accept tax credits as a payment method since it had subsequently sold the property in 2018 and thus, would not receive a credit paid in subsequent years, and

Whereas, the petitioner on the appeals agrees to settlement for the same stipulated valuation with the only change being that the refund shall be by way of direct payment rather than by tax credits, and

Whereas, the tax assessor of the City of Bayonne in consultation with the City's expert appraiser recommends this change to the settlement;

Now therefore be it resolved as follows:

1. The above recitals are incorporated herein.
2. Tax Counsel for the City of Bayonne is authorized to enter into and execute stipulations of settlement on behalf of the City of Bayonne for Tax Years 2013 and 2014 ONLY reducing the assessed value for those years on Block 427 Lot 1, (52 Hook Rd.) from \$950,000 to \$650,000 for each year (resulting in refunds estimated at \$22,017 for 2013 and \$22,335 for 2014) with refunds to be paid within 6 months of entry of a final judgment being entered by the Tax Court with no interest to apply.
3. Tax Counsel for the City of Bayonne is authorized to make an offer, without prejudice to the City of Bayonne, to enter into and execute stipulations of settlement on behalf of the City of Bayonne consistent with the above terms.
4. The City's Tax Counsel, City Attorney, CFO, Treasurer and Tax Collector are authorized to take any action necessary to effectuate this resolution and the resulting judgment(s).
5. This resolution shall take effect immediately.

Authorizing an Amended Settlement of Prior Year State Tax Court Appeal of property at Block 184 Lot 5 (556 Broadway)*

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

WHEREAS, by way of Resolution No. 18-05-16-069 adopted by the Municipal Council on May 16, 2018, the Municipal Council designated Stephanie Burt as Municipal Humane Law Enforcement Officer for the City of Bayonne for an annual term commencing May 16, 2018 and concluding May 15, 2019 pursuant to N.J.S.A. 4:22-1; and

WHEREAS, the Director of Public Safety has requested said Resolution No. 18-05-16-069 be amended to reflect the designated Municipal Humane Law Enforcement Officer as Stephanie Burt Schiraldi; and

WHEREAS, the Director of Public Safety has also requested that Joseph Styles also be designated as Municipal Humane Law Enforcement Officer for the City of Bayonne for the annual term commencing May 16, 2018 and concluding May 15, 2019; now, therefore, be it

RESOLVED by the Municipal Council of the City of Bayonne, that Resolution No. 18-05-16-069 is hereby amended to reflect that Stephanie Burt Schiraldi and Joseph Styles are hereby designated as Municipal Humane Law Enforcement Officers for the City of Bayonne for an annual term commencing May 16, 2018 and concluding May 15, 2019.

* * * * *

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

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

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

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

1. The Municipal Council does hereby request permission of the Director of the Division of Local Government Services to pay expenditures under the provisions of N.J.S.A 40A:12A-3 for the exclusive purpose of depositing and expending funds paid by developers for nonresidential fees for the purpose of expanding and establishing "Affordable Housing Trust Fund" programs.
2. The Municipal Clerk is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

* * * * *

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

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

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

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

1. The Municipal Council does hereby request permission of the Director of the Division of Local Government Services to pay expenditures under the provisions LFN 2000-14, for the exclusive purpose of depositing and expending funds paid by Outside Employment of Police Officers
2. The Municipal Clerk is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

* * * * *

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

WHEREAS, Municipal Council Resolution No. 17-09-13-043 adopted on September 13, 2017, authorized an agreement with the Bayonne Economic Opportunity Foundation, 555 Kennedy Boulevard, Bayonne New Jersey (the "Subrecipient") to provide Community Development Block Grant ("CDBG") Funds in the amount of \$32,000.00 for the purpose of providing salaries and fringe benefits of bus drivers in connection with the Senior Citizen Transportation Program; and

WHEREAS, pursuant to the aforesaid Resolution No. 17-09-13-043, the City of Bayonne entered into Agreement No. CY17-073 with the Subrecipient; and

WHEREAS, the Subrecipient has indicated there is a need for additional funds for the purpose of providing the aforesaid salaries and fringe benefits of bus drivers in connection with the Senior Citizen Transportation Program; and

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

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

WHEREAS, funds are certified as available in Account CDBG – 939; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to execute an amendment to Agreement No. CY17-073 with the Bayonne Economic Opportunity Foundation, 555 Kennedy Boulevard, Bayonne New Jersey increasing funds for the purpose of providing the aforesaid salaries and fringe benefits of bus drivers in connection with the Senior Citizen Transportation Program in the amount of \$3,000.00 making the total contract amount \$35,000.00.

2. Funds shall be charged to Account CDBG-939.

3. All other terms and conditions of Agreement No. CY17-073 shall remain the same.

* * * * *

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

* * * * *

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

RESOLVED, that Drew Sisk is hereby removed as Petty Cash Custodian in the Police Department and Robert Geisler is hereby named as Petty Cash Custodian in the Police Department.

* * * * *

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

WHEREAS, the City is in need of professional legal services in connection with Real Estate Redevelopment to augment that which is already being provided for the period October 1, 2018 through September 30, 2019, now, therefore, be it

RESOLVED, the Municipal Council hereby authorizes the advertisement of Requests for Qualifications/Proposals for Special Redevelopment Legal Counsel for the period commencing October 1, 2018 and ending September 30, 2019 pursuant to the fair and open contracting provisions set forth in *N.J.S.A. 19:44A-20.4* and *N.J.S.A. 19:44A-20.5*.

* * * * *

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

BE IT RESOLVED, That the City Clerk be and is hereby authorized to advertise for bids for rock salt.

* * * * *

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

BE IT RESOLVED, That the City Clerk be and is hereby authorized to advertise for bids for snow removal.

* * * * *

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

WHEREAS, Circulo Hispano Americano De Bayonne, a NJ Non-Profit Organization ("Circulo") has requested permission to hold an event to be promoted as the Circulo Hispano Americano Festival to be held on Saturday, September 29, 2018 from 11:00 a.m. to 6:00 p.m. (with access starting at 9:00 a.m. and ending at 8:30 p.m.) on Broadway between 18th and 19th Streets for the purpose of conducting a Hispanic Heritage and Cultural Festival; and

WHEREAS, Circulo shall provide the City with the details of the proposed event in the form of a written application and has agreed to further work with the Bayonne Police Department, the Bayonne Fire Department, the Bayonne Law Department, the Department of Public Works, Division of Parks and any other City department, division or personnel in order to ensure the safety and welfare of the general public during the event; and

WHEREAS, Circulo has requested access to the aforementioned designated area on Broadway between 18th and 19th Streets from 9:00 a.m. to 8:30 p.m. in order to allow for load-in and load-out activities; and

WHEREAS, the Circulo is a not for profit Hispanic based organization dedicated to the furtherance of the celebration of all things Hispanic within the local community and, as such, has requested that any licensing fees be waived; and

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

RESOLVED, that the Mayor and City Clerk are hereby authorized to execute a License Agreement, in form and substance as is acceptable to the Law Director, allowing Circulo to hold the Circulo Hispano Americano Festival on Saturday, September 29, 2018 from 11:00 a.m. to 6:00 p.m. (with access starting at 9:00 a.m. and ending at 8:30 p.m.) on Broadway between 18th and 19th Streets for the purpose of conducting a Hispanic Heritage and Cultural Festival; and be it further

RESOLVED, that there shall be no fee for said License.

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

WHEREAS, the Shamrock Society of Bayonne, Inc., a NJ Non-Profit Organization ("Shamrock") has requested permission to hold an event to be promoted as the Irish Festival at 16th Street Park to be held on Saturday, September 15, 2018 from 12:00 p.m. to 6:00 p.m. (with access starting at 8:00 a.m. and ending 7:00 p.m.) during which various activities will be offered including, but not limited to traditional talent, un-traditional talent, rides, vendors and a beer garden to be located throughout designated areas of the Thomas Di Domenico Park located at 16th Street between Avenue A and Newark Bay; and

WHEREAS, Shamrock shall provide the City with the details of the proposed event in the form of a written application and has agreed to further work with the Bayonne Police Department, the Bayonne Fire Department, the Bayonne Law Department, the Department of Public Works, Division of Parks and any other City department, division or personnel in order to ensure the safety and welfare of the general public during the event; and

WHEREAS, Shamrock has requested access to the aforementioned designated areas of the Thomas Di Domenico Park located at 16th Street between Avenue A and Newark Bay from 8:00 a.m. to 7:00 p.m. in order to allow for load-in and load-out activities; and

WHEREAS, the Shamrock Society of Bayonne, Inc. is a not for profit Irish based organization dedicated to the furtherance of the celebration of all things Irish within the local community and, as such, has requested that any licensing fees be waived; and

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

RESOLVED, that the Mayor and City Clerk are hereby authorized to execute a License Agreement, in form and substance as is acceptable to the Law Director, allowing the Shamrock Society of Bayonne, Inc. to hold the 2018 Irish Festival at 16th Street Park on Saturday, September 15, 2018 from 12:00 p.m. to 6:00 p.m., (with access beginning at 8:00 am and ending at 7:00 p.m.) throughout designated areas of the Thomas Di Domenico Park located at 16th Street between Avenue A and Newark Bay; and it is further

RESOLVED, that there shall be no fee for said License.

* * * * *

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

WHEREAS, Chapter 99 of the Laws of New Jersey of 1997 (the “Act”) permits municipalities to sell their tax levies; and

WHEREAS, the City of Bayonne (the “City”) has successfully sold prior tax levies in accordance with the Act; and

WHEREAS, as part of the City’s Fiscal Year 2018 budget, the City has determined that it would greatly benefit from another such sale of its tax levy;

WHEREAS, the City of Bayonne is in need of special counsel in connection with its upcoming tax levy sale, and

WHEREAS, pursuant to a resolution duly adopted at a regular meeting of the Municipal Council of the City on December 13, 2018 under the Fair and Open Contracting Requirements contained in N.J.S.A. 19:44A-20.4, the City engaged the law firm of Archer & Greiner, 10 Highway 35, Red Bank, New Jersey 07701 (together, “Counsel”) to serve as counsel in accordance with the terms and provisions of a fee agreement by and between the City and Counsel (the “Agreement”); and

WHEREAS, Counsel has performed professional legal services in connection with the City’s tax levy sale in the past and is capable of performing such services; and

WHEREAS, Counsel has agreed to a fee of not to exceed \$15,000.00 at the rates set forth in the Agreement and funds are certified as available from the Bulk Levy Sale pending adoption of the CY 2018 budget;

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Bayonne as follows:

1. The sale of the City of Bayonne’s property tax levy is hereby authorized.
2. The Chief Financial Officer is hereby directed to prepare and distribute a Bid Package including a Notice of Sale, a form of Purchase and Sale Agreement, certain financial information related to the City, a form of Bid Document and any and all other documents and other information as may be required to properly and effectively conduct such sale of tax levy in accordance with the Act.

3. The Chief Financial Officer is hereby directed to cause the publication of the aforesaid Notice of Sale as required by the Act.
4. The Chief Financial Officer is hereby authorized to receive bids and take all actions in connection therewith in accordance with the Act and as to be described in the Notice of Sale.
5. Archer & Greiner, 10 Highway 35, Red Bank, New Jersey 07701 are hereby authorized to perform the above-mentioned professional legal services for a fee not to exceed \$15,000.00 at the rates set forth in the Agreement, plus reasonable and customary expenses, and funds are certified as available from the Bulk Levy Sale pending adoption of CY 2018 budget.
6. The City shall conclude its sale of the total property tax levy in the final month of CY 2018, provided that all statutory notice requirements are followed.
7. The Mayor, the Chief Financial Officer, the City Clerk and other appropriate representatives of the City are hereby authorized, in consultation with Counsel, to take all steps necessary to provide for the tax levy sale, including preparing and executing such agreements and documents on behalf of the City and taking all steps necessary or desirable to implement the terms of this resolution, such agreements and documents as may be necessary and appropriate and the transactions contemplated thereby. The manual or facsimile signature of the aforesaid appropriate representatives of City upon any documents utilized in connection with the tax levy sale shall be conclusive as to all such determinations or approvals set forth therein. The aforesaid appropriate representatives of the City shall also take such actions or refrain from such actions as are necessary for the tax levy sale and all such actions or inactions by the aforesaid City officers, officials or professionals heretofore are hereby ratified and confirmed, *nunc pro tunc*.
8. This resolution shall take effect immediately.

* * * * *

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

WHEREAS, the citizens of Bayonne should be able to enjoy a safe and inclusive environment free from discrimination; and

WHEREAS, the lack of awareness and understanding of issues facing the LGBTQ community has contributed to a higher rate of isolation, depression, and suicidal ideations or attempts; and

WHEREAS, education regarding LGBTQ issues increases understanding and cultivates acceptance of and respect for the LGBTQ community; and

WHEREAS, Hudson Pride Center is a non-profit organization, which has undertaken to offer workshops that focus on cultural competency and helps educational, social and medical providers improve their services for the LGBTQ community and other minority groups as set forth in the attached solicitation; and

WHEREAS, the Chief of Police and City Administrators have determined that the workshop would benefit members of the Bayonne Police Department and the community; now therefore be it

RESOLVED, that the Mayor and/or his designee is hereby authorized to execute any and all documents necessary to effectuate the Bayonne Police Department's participation in the LGBTQ workshop offered by Hudson Pride Center at a cost not to exceed \$2,500 and the Treasurer is further authorized to issue a warrant in an amount not to exceed \$2,500 for said purposes.

* * * * *

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

WHEREAS, pursuant to Resolution No. 18-06-20-055 adopted by the Municipal Council on June 20, 2018, the city clerk, advertised in the Jersey Journal on July 13, 2018 that sealed bids for transmission repair services would be received on July 31, 201; and

WHEREAS, pursuant to such advertisement, one (1) proposal was received from:	
Bidders	Bid Amount
Borker Transmission Services Inc.	Itemized List
758 Avenue A.	
Bayonne, NJ 07002;	

and

WHEREAS, Amy Dellabella, R.P.P.O., Q.P.A. and Gary Chmielewski, Director of Public Works and Parks have examined the bids or proposals and have determined that the bid of Borker Transmission Services, Inc. is a regular bid and is most advantageous to the City of Bayonne for transmission repair services; and

WHEREAS, the Municipal Comptroller has filed a certification with the city clerk that funds are available in Account 8-01-26-315-0000-030; now, therefore, be it

RESOLVED, that the contract for transmission repair services be awarded to:

Borker Transmission Services Inc.
758 Avenue A
Bayonne, NJ 07002

for the bid prices submitted pursuant to the itemized list attached hereto and made a part hereof, not to exceed \$50,000.00 for a term of three (3) years commencing September 1, 2018 and ending August 31, 2021, with a possible two (2) year extension until August 31, 2023, and that the contract be executed in the name of the City of Bayonne by the proper city officials and that the said sum be charged to account: Vehicle Maintenance 8-01-26-315-0000-030.

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

* * * * *

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

WHEREAS, the City of Bayonne is in need of rodent and pest control services for a three year period September 1, 2018 to August 31, 2021 in accordance with N.J.S.A. 40A:11-6.1; and

WHEREAS, the purchasing agent solicited and quotations for said services and received a written quotation from Bayonne Exterminating Company, 1065 Avenue C, Bayonne, N.J. 07002 in the amount of \$28,350.00 (\$9,350.00 – year 1; \$9,450.00 – year 2; \$9,550.00 – year 3); and

WHEREAS, the purchasing agent has determined that the quotation of Bayonne Exterminating Company, 1065 Avenue C, Bayonne, N. J., 07002 is most advantageous to the City; now, therefore, be it

RESOLVED, that this contract is awarded without competitive bid under the provisions of the Local Public Contracts Law insofar as the total amount of the contract is below the minimum required by N.J.S.A. 40A:11-1, et. seq., specifically N.J.S.A. 40A:11- 3(a); and be it further

RESOLVED, that the Mayor and City Clerk are hereby authorized and directed to enter into an agreement with Bayonne Exterminating Company, 1065 Avenue C, Bayonne, N.J. 07002, in the amount of \$28,350.00 for the provision of rodent and pest control services for the period of three years commencing September 1, 2018 and ending August 31, 2021; and be it further

RESOLVED, that funds are available in account 8-01-27-330-0000-029 for CY2018 and pending future adopted budgets.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY DESIGNATING 175 WEST 7TH URBAN RENEWAL LLC, AS REDEVELOPER OF THE PROPERTY LOCATED AT 175 WEST 7TH STREET, ALSO REFERRED TO AS BLOCK 304, LOT 1 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE AND AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT WITH 175 WEST 7TH URBAN RENEWAL LLC FOR THE REDEVELOPMENT OF SUCH PROPERTY IN ACCORDANCE WITH THE REDEVELOPMENT PLAN

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

WHEREAS, the Municipal Council of the City (the “Municipal Council”) adopted 98-02-04-040, designating the entirety of the 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; 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 , a limited liability company of the State of New Jersey, with an office address of C/O D.R. Mon Group, Inc, 1030 Broad Street, Suite 101, Shrewsbury, NJ 07702, (the “Redeveloper”) wishes to develop the Property and use it for the purpose of implementing the Redevelopment Plan; and

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

WHEREAS, the Municipal Council desires to designate 175 West 7th Urban Renewal, LLC as Redeveloper of the Property and enter into a Redevelopment Agreement with the Redeveloper, as provided for and in accordance with the provisions of the Redevelopment Law.

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

Section 1. The Municipal Council of the City of Bayonne hereby authorizes the execution of the "Redevelopment Agreement By and Between the City of Bayonne and 175 West 7th Urban Renewal LLC concerning the Property identified as Block 304, Lot 1 in the City of Bayonne, in such a form deemed advisable by the City Attorney, subject to any and all conditions contained herein and such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel to the City; and

Section 2. The Municipal Council, upon the full execution of the Redevelopment Agreement recognizes 175 West 7th Urban Renewal LLC as Redeveloper of Block 304, Lot 1 in the City of Bayonne as provided for and in accordance with the provisions of the New Jersey Local Redevelopment and Housing Law; and

Section 3. The Mayor and Clerk are hereby authorized to execute the Redevelopment Agreement, with such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel, on behalf of the City of Bayonne, acting as the redevelopment entity for the redevelopment of the Property by 175 West 7th Urban Renewal LLC.

Section 4. This Resolution shall take effect immediately.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING AND DIRECTING THE PLANNING BOARD TO REOPEN AND AMEND THE SCATTERED SITE REDEVELOPMENT PLAN FOR THE PROPERTIES IDENTIFIED AS BLOCK 37, 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. 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, in or about 2005, the Municipal Council of the City (the "Municipal Council") adopted a Redevelopment Plan know, as the Scattered Site Redevelopment Plan, which included a number of municipal tax block and lots, including Block 37, Lot 1; and

WHEREAS, the Municipal Council now believes that it is in the best interest of the City to reopen and amend the Scattered Site Redevelopment Plan as it relates to Block 37, Lot 1; and

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

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

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

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

Section 3. This Resolution shall take effect immediately.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING AND DIRECTING THE PLANNING BOARD TO REOPEN AND AMEND THE SCATTERED SITE REDEVELOPMENT PLAN FOR THE PROPERTIES IDENTIFIED AS BLOCK 140, LOTS 1, 60 & 61 AS SHOWN ON THE OFFICIAL TAX MAP IN THE CITY OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET. SEQ.*

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

WHEREAS, in or about 2005, the Municipal Council of the City (the "Municipal Council") adopted a Redevelopment Plan known as the Scattered Site Redevelopment Plan, which included a number of municipal tax block and lots, including Block 140, Lots 1, 60 & 61, consisting of a former produce market and a vacant lot; and

WHEREAS, the Municipal Council now believes that it is in the best interest of the City to reopen and amend the Scattered Site Redevelopment Plan as it relates to Block 140, Lots 1, 60 & 61; and

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

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

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

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

Section 3. This Resolution shall take effect immediately.

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

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82. 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 AUTHORIZING AND DIRECTING THE PLANNING BOARD TO REOPEN AND AMEND THE PENINSULA AT BAYONNE HARBOR REDEVELOPMENT PLAN PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A: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 (the "City") is responsible for implementing redevelopment plans and carrying out redevelopment projects pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the "Redevelopment Law"); and

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

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

WHEREAS, the Municipal Council believes that it is in the best interest of the City to reopen and amend the Redevelopment Plan further; and

WHEREAS, in accordance with the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*, the Municipal Council is desirous of directing the Planning Board to prepare amendments, as necessary, to The Peninsula at Bayonne Harbor Redevelopment Plan.

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

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

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

Section 3. This Resolution shall take effect immediately.

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

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

RESOLUTION OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY (THE "LOCAL UNIT") AUTHORIZING THE LOCAL UNIT'S PARTICIPATION IN THE POOLED NOTE FINANCING PROGRAM OF THE HUDSON COUNTY IMPROVEMENT AUTHORITY

WHEREAS, the City of Bayonne, in the County of Hudson, State of New Jersey (the "Local Unit"), has previously duly adopted various bond ordinances authorizing the issuance of bonds or notes to finance the costs of various capital improvements (the "Capital Improvement Project"); and

WHEREAS, the Local Unit either has issued or desires to issue notes to temporarily finance the Local Unit Projects; and

WHEREAS, the Local Unit believes that there is volatility in the short term note market for municipalities resulting in the following problems: (1) shrinking investor pools to purchase municipal notes, (2) a reduced number of bids and in some instances no bids at municipal note sales, (3) unpredictable interest rates causing interest rate risk and budgeting problems and (4) increased costs due to investors unwilling to purchase unrated municipal notes and municipal notes without disclosure, causing municipalities to have municipal notes rated and disclosure documents prepared: and

WHEREAS, the Local Unit has reviewed the Pooled Note Financing Program proposed by The Hudson County Improvement Authority (the "HCIA"), whereby the Local Unit would either rollover its existing notes and/or issue new notes (collectively, the "Local Unit Notes") through the Pooled Note Financing Program of the HCIA; and

WHEREAS, the Local Unit believes that the HCIA's Pooled Note Financing Program cures many of the problems of the volatile note market by providing (1) market access to sell the Local Unit Notes, (2) a certain investor pool to purchase the Local Unit Notes, (3) a guaranteed purchaser of the Local Unit Notes, (4) a more predictable interest rate, whereby the Local Unit will benefit from reduced interest costs as a result of a guaranty by the County of Hudson, State of New Jersey (the "County Guaranty") on the debt service of the HCIA Pooled Note Financing Program, and (5) decreased costs due to all the local units in the Pooled Note Financing Program sharing in the costs of the HCIA Pooled Note Financing Program; and

WHEREAS, the Local Unit further believes that any savings the Local Unit can achieve for its taxpayers, especially during this time of financial crisis, is of utmost importance to its community and accordingly, the Local Unit desires to issue its Local Unit Notes through the Pooled Note Financing Program of the HCIA; and

WHEREAS, such Local Unit Notes shall be issued in accordance with the provisions of the Local Bond Law, *N.J.S.A. 40A:2-1 et seq.* and/or the Local Budget Law, *N.J.S.A. 40A:4-1 et seq.*

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF BAYONNE, THAT

Section 1. The Local Unit hereby authorizes the Local Unit's participation in the HCIA Pooled Note Financing Program.

Section 2. The Local Unit consents to the HCIA's application to the Local Finance Board of the Division of Local Government Services, in the New Jersey Department of Community Affairs (the "Local Finance Board") in connection with the Pooled Note Financing Program.

Section 3. The Chief Financial Officer of the Local Unit is hereby authorized to, or direct the appropriate party to, enter into one or more loans with the HCIA and is further authorized to execute one or more note purchase contracts, loan agreements and any and all documents, certificates, opinions and other instruments that are necessary and as may be reasonably required by the Authority in connection with such loan, after consultation with council to the Local Unit.

Section 4. This resolution shall take effect immediately.

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

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

August 14, 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:

Edith Ferrel	Term expiring on December 31, 2020
17 West 19 th Street, Bayonne, NJ 07002	(Appointment as Regular Member)
	Replacing Antonio Nardini

In conjunction with this appointment the City Clerk has been directed to add an accompanying item on the August 15, 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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85. Council Member Perez introduced:

A capital Improvement Ordinance to provide funding for Improvements to the Bayonne Waterfront Walkway in the amount of \$425,000.

Whereas, a need exists to extend the City's Waterfront Walkway and

Whereas, funding is being made available through a development agreement with PSIP Avenue A, LLC, now therefore, be it

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

Improvements to Bayonne Waterfront Walkway \$425,000

Be it further

ORDAINED, that funding is provided through a development agreement with PSIP Avenue A, LLC

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

BE IT RESOLVED, that an ordinance entitled "A CAPITAL IMPROVEMENT ORDINANCE TO PROVIDE FUNDING FOR IMPROVEMENTS TO THE BAYONNE WATERFRONT WALKWAY IN THE AMOUNT OF \$425,000," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, September 12, 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.

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

WHEREAS, Fumento, LLC d/b/a Piero's Music ("Piero's") has requested permission to hold a Grand Opening Event to be held on Saturday, September 29, 2018 from 12:00 p.m. to 6:00 p.m. (with access beginning at 7:00 a.m. and ending 8:00 p.m.) during which various musical performances will be offered to the citizens free of charge to be located on Broadway from 44th through 47th Streets (the "designated area"); and

WHEREAS, Piero's shall provide the City with the details of the proposed event in the form of a written application and has agreed to further work with the Bayonne Police Department, the Bayonne Fire Department, the Bayonne Law Department, the Department of Public Works, Division of Parks and any other City department, division or personnel in order to ensure the safety and welfare of the general public during the event; and

WHEREAS, Piero's has requested access to the aforementioned designated area from 7:00 a.m. to 8:00 p.m. in order to allow for load-in and load-out activities; and

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

RESOLVED, that the Mayor and City Clerk are hereby authorized to execute a License Agreement, in form and substance as is acceptable to the Law Director, allowing Fumento, LLC d/b/a to hold a Grand Opening Event on Saturday, September 29, 2018 from 12:00 p.m. to 6:00 p.m. (with access beginning at 7:00 a.m. and ending 8:00 p.m.) throughout designated area; and be it further

RESOLVED, that the fee for said License shall be \$500.00 consistent with City of Bayonne Ordinance 4-8.2.a.

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

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87. Council Member Perez introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDED REDEVELOPMENT PLAN FOR A PORTION OF THE SCATTERED SITE REDEVELOPMENT PLAN PERTAINING TO PROPERTY IDENTIFIED AS BLOCK 140, LOTS 1, 60 & 61 AS SHOWN ON THE OFFICIAL TAX MAP IN THE CITY OF BAYONNE, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.

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

WHEREAS, in or about December of 2005, the Municipal Council of the City (the "Municipal Council") adopted a Redevelopment Plan known as the Scattered Site Redevelopment Plan for an area that included a number of municipal tax block and lots, including property identified as Block 140, Lots 1, 60 & 61 (the "Redevelopment Area") as shown on the official tax map of the City of Bayonne; and

WHEREAS, on August 15, 2018, by Resolution No. 18-08-15-081, the Municipal Council authorized and directed the Planning Board of the City (the "Planning Board") to reopen and consider amendments to the Scattered Site Redevelopment Plan as it pertained to the Redevelopment Area, including the possible removal of Block 140, Lot1 from the Redevelopment Plan; and

WHEREAS, in response thereto the City Division of Planning & Zoning prepared an amended plan titled, "Amended Scattered Site Plan for Block 140, Lots 1, 60 & 61 (the "Amended Redevelopment Plan"); and

WHEREAS, on September , 2018, the Planning Board held a public hearing, duly noticed under the Redevelopment Law, and reviewed the Amended Redevelopment Plan in order to effectuate a plan that is consistent with the goals and objectives of the City for the redevelopment of the Property; and

WHEREAS, the Municipal Council believes that the adoption of the Amended Redevelopment Plan is in the best interest of the City for the redevelopment of the 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 or supersede any prior redevelopment plans with respect to the Redevelopment Plan.

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

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

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

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

Council Member Perez moved the following resolution, seconded by Council Member LaPelusa, 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 AN AMENDED REDEVELOPMENT PLAN FOR A PORTION OF THE SCATTERED SITE REDEVELOPMENT PLAN PERTAINING TO PROPERTY IDENTIFIED AS BLOCK 140, LOTS 1, 60 & 61 AS SHOWN ON THE OFFICIAL TAX MAP IN THE CITY OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, September 19, 2018 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

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At 8:45 P.M. Council President Nadrowski motioned to adjourn, seconded by Council Member Perez, which motion was adopted.

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

President - Sharon A. Nadrowski

Deputy Clerk-Madelene Medina