REGULAR MEETING

OF THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, NEW JERSEY, HELD IN THE COUNCIL CHAMBER, MUNICIPAL BUILDING, 630 AVENUE C, ON WEDNESDAY, FEBRUARY 20, 2019

The Council met at 7:03 P.M.

The Council President Nadrowski announced: "I would like to advise all those present that notice of this regular meeting of the Municipal Council of the City of Bayonne of February 20, 2019, has been provided to the public in accordance with the provisions of the Open Public Meetings Act of the State of New Jersey. Notice of time and place of the meeting has been included in the annual notice of meetings, which was posted and filed with the City Clerk, and with the Jersey Journal and the Star Ledger. An additional notice of time and place was posted and filed with the City Clerk and was forwarded to the Jersey Journal and the Star Ledger by on February 15, 2019."

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 Carroll, Gullace, LaPelusa, Perez and President Nadrowski.

The Council President led the Pledge of Allegiance.

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01. The Clerk announced:

AN ORDINANCE ENTITLED, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AMENDING THE REDEVELOPMENT PLAN FOR 8TH STREET REHABILITATION PLAN (BAYVIEW SHOPPING CENTER) RELATED TO THE PROPERTY LOCATED AT 211-219 WEST 5TH STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 300.01, LOT 1 & 6 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ." which was introduced and passed a first reading at a meeting held January 16, 2019, was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of February 20, 2019, is now before the Council for its consideration and a public hearing.

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

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

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

The Clerk read the ordinance by title: "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AMENDING THE REDEVELOPMENT PLAN FOR 8TH STREET REHABILITATION PLAN (BAYVIEW SHOPPING CENTER) RELATED TO THE PROPERTY LOCATED AT 211-219 WEST 5TH STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 300.01, LOT 1 & 6 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ."

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

The following person spoke: Stan Ripps- Palmer Asphalt 6 Mustang Trail, Warren, NJ

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 Carroll, Gullace, LaPelusa, Perez and President Nadrowski.

Council President Nadrowski moved to table and refer back to the Planning Board for further study, seconded by Council Member Perez, which motion was adopted.

Yeas - Council Members Carroll, 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 PROPERTIES LOCATED AT 171-181 LEFANTE WAY; 77-97 LEFANTE WAY; 101-129 LEFANTE WAY; 131-139 LEFANTE WAY; AND 191 LEFANTE WAY, WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 412, LOTS 1.01, 2.01, 2.021, 2.022 AND 2.03, AND COMMONLY KNOWN AS SOUTH COVE, AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE," which was introduced and passed a first reading at a meeting held January 16, 2019, was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of February 20, 2019, is now before the Council for its consideration and a public hearing.

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

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

Yeas - Council Members Carroll, 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 PROPERTIES LOCATED AT 171-181 LEFANTE WAY; 77-97 LEFANTE WAY; 101-129 LEFANTE WAY; 131-139 LEFANTE WAY; AND 191 LEFANTE WAY, WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 412, LOTS 1.01, 2.01, 2.021, 2.022 AND 2.03, AND COMMONLY KNOWN AS SOUTH COVE, AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE,"

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

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

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

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

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

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

WHEREAS, an ordinance entitled, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A SECOND AMENDED REDEVELOPMENT PLAN FOR THE PROPERTIES LOCATED AT 171-181 LEFANTE WAY; 77-97 LEFANTE WAY; 101-129 LEFANTE WAY; 131-139 LEFANTE WAY; AND 191 LEFANTE WAY, WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 412, LOTS 1.01, 2.01, 2.021, 2.022 AND 2.03, AND COMMONLY KNOWN AS SOUTH COVE, AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE," was introduced and passed a first reading at a meeting held January 16, 2019, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of February 20, 2019; 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-19-12.

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

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03. The Clerk announced:

AN ORDINANCE ENTITLED, "ORDINANCE OF THE CITY OF BAYONNE AMENDING AND SUPPLEMENTING THE REVISED ORDINANCES OF THE CITY OF BAYONNE CHAPTER 33 PLANNING AND DEVELOPMENT REGULATIONS TO PROVIDE FOR TAX MAP AND GEOGRAPHICAL INFORMATION SYSTEM MAINTENANCE FEES AND ELECTRONIC SUBMISSIONS,"
which was introduced and passed a first reading at a meeting held January 16, 2019, was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of February 20, 2019, is now before the Council for its consideration and a public hearing.

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

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

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

The Clerk read the ordinance by title: "ORDINANCE OF THE CITY OF BAYONNE AMENDING AND SUPPLEMENTING THE REVISED ORDINANCES OF THE CITY OF BAYONNE CHAPTER 33 PLANNING AND DEVELOPMENT REGULATIONS TO PROVIDE FOR TAX MAP AND GEOGRAPHICAL INFORMATION SYSTEM MAINTENANCE FEES AND ELECTRONIC SUBMISSIONS,"

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

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

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

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

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

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

WHEREAS, an ordinance entitled, "ORDINANCE OF THE CITY OF BAYONNE AMENDING AND SUPPLEMENTING THE REVISED ORDINANCES OF THE CITY OF BAYONNE CHAPTER 33 PLANNING AND DEVELOPMENT REGULATIONS TO PROVIDE FOR TAX MAP AND GEOGRAPHICAL INFORMATION SYSTEM MAINTENANCE FEES AND ELECTRONIC SUBMISSIONS," was introduced and passed a first reading at a meeting held January 16, 2019, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of February 20, 2019; 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-19-13.

Yeas - Council Members Carroll, 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, NEW JERSEY AUTHORIZING A FIRST AMENDMENT TO FINANCIAL AGREEMENTS WITH PSIP AVENUE A URBAN RENEWAL II, LLC WITH RESPECT TO BLOCK 333.03, LOTS 1 AND 4 (A.K.A. PHASE 1) AND TO PSIP AVENUE A URBAN RENEWAL, LLC WITH RESPECT TO BLOCK 333.02, LOT 1 AND BLOCK 333.03, LOTS 2 AND 3 (A.K.A. PHASE 2) IN THE CITY OF BAYONNE," which was introduced and passed a first reading at a meeting held January 16, 2019, was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of February 20, 2019, is now before the Council for its consideration and a public hearing.

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

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

Yeas - Council Members Carroll, 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 A FIRST AMENDMENT TO FINANCIAL AGREEMENTS WITH PSIP AVENUE A URBAN RENEWAL II, LLC WITH RESPECT TO BLOCK 333.03, LOTS 1 AND 4 (A.K.A. PHASE 1) AND TO PSIP AVENUE A URBAN RENEWAL, LLC WITH RESPECT TO BLOCK 333.02, LOT 1 AND BLOCK 333.03, LOTS 2 AND 3 (A.K.A. PHASE 2) IN 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 Carroll motioned to close the hearing, seconded by Council Member Gullace, which motion was adopted.

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

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

WHEREAS, an ordinance entitled, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING A FIRST AMENDMENT TO FINANCIAL AGREEMENTS WITH PSIP AVENUE A URBAN RENEWAL II, LLC WITH RESPECT TO BLOCK 333.03, LOTS 1 AND 4 (A.K.A. PHASE 1) AND TO PSIP AVENUE A URBAN RENEWAL, LLC WITH RESPECT TO BLOCK 333.02, LOT 1 AND BLOCK 333.03, LOTS 2 AND 3 (A.K.A. PHASE 2) IN THE CITY OF BAYONNE," was introduced and passed a first reading at a meeting held January 16, 2019, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of February 20, 2019; 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-19-14.

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

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05. The Clerk announced:

AN ORDINANCE ENTITLED, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC," which was introduced and passed a first reading at a meeting held January 16, 2019, was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of February 20, 2019, is now before the Council for its consideration and a public hearing.

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

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

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

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

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

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

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

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

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

Council President Nadrowski moved the amend the ordinance to removed space #217 for Bocchino, who is deceased, seconded by Council Member LaPelusa, which motion was adopted.

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

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

WHEREAS, an ordinance entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC," was introduced and passed a first reading at a meeting held January 16, 2019, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of February 20, 2019; 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-19-15.

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

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06. The following members of the public spoke:

Michael Embrich – 1074 Kennedy Blvd
I Matter, a youth group promoting information on climate change-presentation made.

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07. Council Member LaPelusa introduced:

AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 2, ADMINISTRATION

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 2, Administration, Article 13, Municipal Court, Section 2-13.5, Subsection (a), Application Fee for Representation by Public Defender, be and is hereby amended and supplemented as follows (Additions **between asterisks and/or in bold**, deletions {~~within brackets and/or struck through~~ }:

2-13.5 Application Fee for Representation by Public Defender.

a. *Application Fee Established.* Any person seeking representation by a Municipal Public Defender of the City of Bayonne shall pay an application fee of {~~fifty ($50.00)~~}**two-hundred ($200.00)** dollars to the Municipal Court of the City of Bayonne.

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 "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 2, ADMINISTRATION," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, March 20, 2019 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 Carroll, Gullace, LaPelusa, Perez and President Nadrowski.

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08. Council Member LaPelusa introduced:

ORDINANCE AMENDING AND SUPPLEMENTING THE GENERAL ORDINANCES OF THE CITY OF BAYONNE CHAPTER 10 TAXATION AND SPECIAL IMPROVEMENT DISTRICTS

BE IT ORDAINED, BY THE MUNICPAL COUNCIL OF THE CITY OF BAYONNE, AS FOLLOWS: (All new material)

Section 1. That the Revised General Ordinances of the City of Bayonne, Chapter 10-2, Special Improvement Districts, be and is hereby amended and supplemented as follows:

§10-2.7. Harbour Place Special Improvement District

The purposes of this Special Improvement District are to:

a. Promote economic growth and employment within the Harbour Place district;

b. Foster and encourage transportation means to enhance the local business climate and residential commuting;

c. Create a self-financing Special Improvement District to assist in meeting local needs, goals and objectives;

d. Designate a District Management Corporation to implement and manage the programs and carry out local needs, goals and objectives;

e. Impose and collect a special assessment on property and parking lots located within the Harbour Place District.

§10-2.8. Definitions.

a. Special Improvement District (also referred to as "District") means that area of Harbour Place described by Block and Lot numbers and street addresses as set forth in Schedule A, which is on file in the office of the City Clerk, and designated by this Ordinance, in which a special assessment on the commercial property within the District (including multi-tenant residential rental buildings), including without limitation those properties set forth on Schedule B, shall be imposed for the purposes of promoting the economic and general welfare of the District and the City. The amount of the special assessment for each property subject to the special assessment shall be determined by the District Management Corporation and approved by the Municipal Council on a yearly basis.

b. "District Management Corporation" means the Harbour Place District Management Corporation, (also referred to as "Management Corporation") an entity incorporated pursuant to Title 15A of the New Jersey Statutes and designated by this Ordinance to receive funds collected by a special assessment within the Special Improvement District, as authorized by this Ordinance and any amendments thereto.

§10-2.9 Findings.

The Council finds and declares that:

a. The Harbour Place Special Improvement District area of the City has special needs and requires special services separate and apart from the municipal services already provided to the District by the City.

b. These specific services can best be provided through a private-public partnership implemented by the creation of a Special Improvement District to be managed by a District Management Corporation.

c. The creation of a Special Improvement District and the designation of a District Management Corporation will promote economic growth and employment; foster and encourage business vitality, expansion and self-help; enhance the local business climate and otherwise be in the best interest of the property owners and residents in the District and throughout the City.

d. A District Management Corporation will provide administrative and other services to benefit the businesses, employees, residents and consumers within the Special Improvement District and assist the city in promoting economic growth and employment.

e. A special assessment shall be imposed and collected by the City with the regular property tax payment or payment in lieu of taxes or otherwise, and that all of these payments shall be transferred to the District Management Corporation to effectuate the purposes of this Chapter and to exercise the powers given to it by this Chapter.

§10-2.10. Creation of District.

a. There is hereby created and designated within the City of Bayonne a Special Improvement District to be known as the Harbour Place Special Improvement District consisting of those properties designated by tax Block and Lot and street addresses on Schedule A attached hereto and on file in the Office of the City Clerk. The properties within the Special Improvement District that shall be subject to special assessment for the purposes of promoting the economic and general welfare of the District and the City includes all commercial properties (including multi-tenant residential rental buildings), including without limitation those properties set forth on Schedule A, shall be imposed for the purposes of promoting the economic and general welfare of the District and the

City. The amount of the special assessment for each property subject to the special assessment shall be determined by the District Management Corporation and approved by the Municipal Council on a yearly basis.

b. All commercial properties within the Special Improvement District, (including multi-tenant residential rental buildings), including without limitation those properties set forth on Schedule A, all private properties; and tax exempt land which contain improvements subject to property tax, are deemed included in the assessing and taxing provisions of this Article and are expressly subject to any fee, tax or assessment made for Special Improvement District purposes.

c. Only those properties within the Special Improvement District that are fully tax exempt or are deemed excluded from the assessing provisions of this Article are expressly exempt from any fee, tax or assessment made for Special Improvement District purposes.

§10-2.11. Appeal of property owner from inclusion in the district.

Any owner of property included within the Special Improvement District and subject to the assessing and taxing provisions of this Article may appeal to the Tax Assessor of the City of Bayonne requesting to be excluded from the District and from any assessment and taxing provisions of this Article. This appeal is only as to whether or not a property should be included within the District under the standards set forth in §10-2.10 of this Chapter. It is not an appeal with regard to any taxes. Appeals with regard to taxes should be taken in the usual manner to the Hudson County Board of Taxation or to the Tax Court. This appeal seeking exclusion from the District and any assessment and taxing provisions of this Article shall be in writing and specifically detail the factual basis for the appeal. The Assessor shall investigate the matter and conduct an informal hearing or conference within thirty (30) days of receipt of the appeal. Within ten (10) days after the conclusion of the informal hearing or conference, the Assessor shall file a report and recommendation with the Municipal Council. The Municipal Council shall review the matter and act within thirty (30) days upon receipt of the report and recommendation from the Assessor.

§10-2.12 Assessments.

a. It is hereby determined that the operation and maintenance of the District may involve annual costs relating to services peculiar to the District, as distinguished from operation and maintenance services normally provided by the City outside of the District. Those annual costs shall be assessed or taxed to the benefited properties or businesses pursuant to this Article and N.J.S.A. 40:56-65 et seq.

b. Each year after the Council shall have acted on the estimated costs and/or on the budget of the District, the Assessor shall prepare an assessment roll setting forth separately the amounts to be specially assessed against the benefited and assessable properties in the District. Descriptions of such properties and the names of the then current owners of such properties, so far as names are available, shall be included in each annual assessment roll. The assessment roll, when so prepared, shall be filed in the Office of the City Clerk and be there available for inspection. The Council shall annually meet to consider objections to the amounts of such special assessments at least ten (10) days after a notice of hearing has been published once in the official newspaper and mailed to the named owners of all tracts, parcels and lots of property proposed to be assessed. The notice shall set forth the time and place of meeting, and set forth the purpose of such meeting, but may refer to the assessment roll for further particulars. When the Council shall have approved the amounts of the special assessments set forth therein or as may be changed by it, the City Clerk shall forthwith certify a copy of the assessment roll with such changes, if any, to the Hudson County Tax Board.

§10-2.13 Designation of District Management Corporation.

The nonprofit corporation, Harbour Place District Management, is hereby designated as the District Management Corporation for the District. This corporation shall conduct its business in accordance with the Open Public Meetings Law. It shall file copies of its minutes of its meetings with the City Clerk, so as to be available for public inspection. This Management Corporation, in addition to acting as an Advisory Board to the Mayor and Council, shall have all powers necessary and requisite to effectuate the purposes of this Article and the District. In order to receive any funds or exercise any of the powers granted herein, the Board of Directors of the Harbour Place District Management Corporation must include as members, the Mayor or his designee and a Member of the Municipal Council as appointed by the Council. The Mayoral and

Council members shall serve at the pleasure of, respectively, the Mayor and the Council.

§10-2.14 Powers of District Management Corporation.

The Harbour Place District Management Corporation may:

a. Adopt by-laws for the regulation of its affairs and the conduct of its business and to prescribe rules, regulations and policies in connection with the performance of its functions and duties.

b. Employ such persons as may be required and fix and pay their compensation from funds available to the Corporation.

c. Apply for, accept, administer and comply with the requirements respecting an appropriation of funds or a gift, grant or donation of property or money.

d. Make and execute agreements which may be necessary or convenient to the exercise of the powers and functions of the Corporation, including contracts with a person, firm, corporation, governmental agency or other entity.

e. Administer and manage its own funds and accounts and pay its own obligations.

f. Borrow money from private lenders or governmental entities for periods not to exceed one hundred eighty (180) days.

g. Fund transportation services within the District including but not limited to shuttles, ferry, car sharing and bike sharing services.

h. Fund the maintenance of public properties or open space in the District.
i. Accept, lease or manage property in the District.

j. Enforce the conditions of any loan, grant, sale or lease made by the Corporation.

k. Provide security, sanitation, transportation and other services to the District, supplemental to those provided normally by the municipality.
l. Undertake improvements designated to increase the safety or attractiveness of the district to businesses which may wish to locate there or to visitors to the District including, but not limited to, litter cleanup and control, landscaping, parking areas and facilities, recreational and rest areas and facilities, pursuant to pertinent regulations of the City of Bayonne.

m. Publicize the District and the businesses included within the District boundaries.

n. Recruit new businesses to fill vacancies in and to balance the business mix of the District.

o. Organize special business or residential related events in the District.

p. Provide special parking arrangements for the District for customers of businesses within the District.

q. Provide temporary decorative lighting in the District to attract customers.

r. Advise the Municipal Council in connection with the acquisition and construction of improvements in the Special Improvement District, the making of a plan therefore and the operation and maintenance thereof, and to meet and furnish recommendations or comments and requests of members of the public and of owners and occupants of property included within the Special Improvement District.

§10-2.15 By-laws.

The Harbour Place District Management Corp. shall file with the City Clerk a certified copy of the adopted by-laws of the Corporation, which by-laws shall be in substantial conformity with the draft by-laws filed with the Clerk prior to the adoption of this Article attached as Scheduled B. The Harbour Place District Management Corp. shall have the right to amend these by-laws from time to time as its members so decide, provided that a certified copy of the adopted amendments shall be filed with the City Clerk no later than fourteen (14) days prior to the date they are to become effective.

§10-2.16. Municipal Powers Retained.

a. Notwithstanding the creation of a Special Improvement District, the City of Bayonne expressly retains all its powers and authority over the area designated as within the Special Improvement District.

b. Nothing contained herein shall be interpreted or construed to be a vacation, in whole or in part, of any municipal street or part thereof.

c. The District Management Corporation shall not make or enter into any contracts for the improvement of any publicly owned or operated facility or property within the Special Improvement District nor adopt any regulations relating to public property in such District without the consent of the City.

d. The District Management Corporation shall comply with all applicable ordinances or regulations of the City.

§10-2.17 Annual Budget.

a. The fiscal year of the District shall be January 1 to December 31.

b. Except with respect to the initial budget which may be presented for approval by the City Council at any time, the District Management Corporation shall submit a detailed annual budget for the upcoming calendar year no later than October 1st, to the Mayor and Municipal Council.
c. The budget shall be submitted with a report which explains how the budget contributes to goals and objectives for the Special Improvement District. The budget shall be reasonably itemized and shall include a summary of the categories of cost properly chargeable as follows:
1. The amount of such costs to be charged against the general funds of the municipality, if any.
2. The amount of costs to be charged and assessed against properties benefited in the District in proportion to benefits which shall be the aggregate of costs of annual improvements to be made in the District during the ensuing year.
3. The amount of costs, if any, to be specially taxed against properties in the District.

d. The budget shall be introduced, approved, amended and adopted by resolution passed by not less than a majority of the full membership of the Municipal Council.

The procedure shall be as follows:

1. Introduction and approval;
2. Public advertising;
3 Public hearing;
4. Amendments and public hearings, if required; and
5. Adoption.

e. The budget shall be introduced, in writing, at a meeting of the Municipal Council. Approval thereof shall constitute a first reading, which may be by title. Upon the approval of the budget by the Municipal Council, it shall fix the time and place for the holding of a hearing upon the budget.

f. The budget shall be advertised after approval. The advertisement shall contain a copy of the budget and shall set forth the date, the time and place of the hearing. It shall be published at least ten (10) days prior to the date fixed therefore in the official newspaper of the City.

g. No budget shall be adopted until a public hearing has been held thereon and all persons having an interest therein shall have been given an opportunity to present objections. The hearing shall be held not less than twenty (20) days after the approval of the budget.

h. The public hearing shall be held at the time and place specified in the advertisement thereof, but may be adjourned from time to time until the hearing is closed.

i. The budget, as advertised, shall be read at the public hearing in full or it may be read by its title, if:

1. At least one week prior to the date of the hearing, a complete copy of the approved budget as advertised:

A. shall be posted in City of Bayonne's Clerk's Office;
B. is made available to each person requesting the same during that week and during the public hearing;

2. The Municipal Council shall, by Resolution passed by not less than a majority of the full membership, determine that the budget shall be read by its title and declare that the conditions set forth in subsection (I)(1) have been met.

j. The Municipal Council may amend the budget during or after the public hearing. No amendment by the Municipal Council shall be effective until taxpayers and all persons having an interest therein shall have been granted a public hearing thereon, if the amendment shall:

1. Add a new item in an amount in excess of one percent of the total amount as stated in the approved budget; or
2. Increase or decrease any item by more than ten (10) percent.

k. Final adoption shall be by resolution, adopted by a majority of the full membership of the Municipal Council, and may be by title.

§10-2.18 Fiscal requirements; annual report; audit.

a.
1. Funds appropriated and collected for the annual costs of operating and maintaining a Special Improvement District, shall be credited to a special account. The Mayor and Municipal Council may incur the annual costs of improving, operating and maintaining a Special Improvement District, during any fiscal year, though not specifically provided for by line item or other category in an approved estimate for such fiscal year, if in their sole discretion it shall be deemed necessary to provide for such annual improvements or operation or maintenance prior to the succeeding fiscal year and so long as the total amount of the account as approved for that year is not exceeded by that expenditure. Any balances to the credit of the account and remaining unexpended at the end of the fiscal year shall be conserved and applied towards the financial requirements of the succeeding year.

2. The Mayor and Municipal Council may retain a portion of the collected special assessment proceeds to offset the direct costs incurred in the required assessment and budget processes not to exceed two percent (2%) of the budget.

3. The Mayor and Municipal Council shall pay over funds to the Management Corporation quarterly on the first day of March, June, September and December of each year. The City shall not be obligated to pay over any funds not actually received by the City.

b. The District Management Corporation shall cause an annual audit of its books, accounts and financial transactions to be made and filed with the Mayor and Municipal Council and for that purpose the Corporation shall employ a Certified Public Accountant of New Jersey. The annual audit shall be completed and filed with the Municipal Council within four months after the close of the fiscal year of the Corporation, and a certified duplicate copy of the audit shall be filed with the Director of the Division of Local Government Services in the Department of Community Affairs within five days of the filing of the audit with the Mayor and Council.

c. The District Management Corporation shall, within thirty (30) days after the close of each fiscal year, make an annual report of its activities for the preceding fiscal year to the Mayor and Municipal Council.

§10-2.19 No limitations of powers.

Nothing contained herein shall prevent the Council at any time subsequent to the adoption of this Chapter by Ordinance, from abandoning the operation of the Special Improvement District, changing the extent of the Special Improvement District, supplementing or amending the description of the District to be specially assessed or taxed for annual costs of the Special Improvement District, changing or repealing any plan, rules, requisitions or limitations adopted for the operation of the Special Improvement District or rescinding the designation of or re-designating a District Management Corporation.

§10-2.20 Implementation.

This Special Improvement District shall become operable when the by-laws of the Harbour Place District Management Corp. are adopted by a vote of the eligible participants in the manner provided for in the draft by-laws on file with the City Clerk.

§10-2.21 Severability.

If any provision of this Article or the application thereof to any person or circumstance is held invalid, such holding shall not affect other provisions or applications of the act and to this end the provisions of this act are severable.

§10-2.22 Miscellaneous

a. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

b. The City Clerk shall cause this ordinance to be codified and incorporated in the Revised General Ordinances of the City of Bayonne.

c. This ordinance shall take effect at the time and in the manner as provided by law.

d. The city codifier is authorized to change any chapter numbers, article numbers and section numbers if codification of this ordinance reveals a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

Schedule A

List of Properties included in Harbour Place Special Improvement District

Block 600	Lots 1.01, 2 and 3
Block 645	Lot 1
Block 660	Lot 1
Block 700	Lot 1
Block 721	Lot 2
Block 722	Lot 1
Block 751	Lots 1.01, 1.02, 1.03, 1.04 and 1.05
Block 790	Lot 1.01
Block 803	Lot 1
Block 815	Lot 1
Block 820	Lot 1
Block 821	Lot 1
Block 822	Lot 1
Block 824	Lot 1
Block 825	Lots 1 and 2
Block 825	Lots 1 and 2
Block 826	Lot 1
Block 830	Lot 1.05
Block 899	Lot 1

Schedule B

Proposed By-laws

BY LAWS OF THE HARBOUR PLACE DISTRICT MANAGEMENT CORPORATION, INC.

Adopted as of __________________

ARTICLE I
NAME; OFFICES; CORPORATE SEAL

1.01 Name. The name of the corporation is the Harbour Place District Management Corporation, Inc. (the "Corporation") and shall also be known as the Harbour Place Management, and such other assumed names as the Board of Directors shall determine from time to time.

1.02 Offices. The principal office of the Corporation shall be located at such location or locations in Bayonne, New Jersey, as the Board of Directors ("Directors" is used herein to refer to "Trustees" as such term is defined under the New Jersey Nonprofit Corporation Act) may hereafter designate from time to time.

1.03 Corporate Seal. The Board shall procure a corporate seal which shall be circular in form and shall bear, on its outer edge, the name " Harbour Place District Management Corporation;" and, in the center, the words and figures "Incorporated 2019, New Jersey." The Board may amend the form of the seal or the inscription thereon at its discretion.

ARTICLE II
PURPOSES

2.01 Purposes. The Corporation is organized and shall be operated exclusively for charitable and educational purposes, within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code"), and the Regulations thereunder as they may hereafter be amended. The purposes and powers of the Corporation are more particularly set forth as follows:

(a) To serve as the district management corporation for the Harbour Place Special Improvement District provision pursuant to N.J.S.A. 40:56-65 et seq. (the "Act") and as approved in the City of Bayonne by Ordinance. As such, the Corporation shall have the powers and comply with all requirements as set forth in the Act and in the Ordinance.

(b) Serve the special improvement district, the business community and the town government to formulate, promote and implement the economic revitalization and general welfare of the special improvement district and the City of Bayonne;

(c) Promote and preserve the cultural, historic, tourist and civic interests of the special improvement district and the City of Bayonne;

(d) Mobilize available public and private resources for the purposes set forth herein;

(e) Provide a mechanism by which service firms, retail establishments, property owners, employers, citizens, and others can cooperate to promote business opportunities, employment, consumer choices, shopper's facilities, and the general civil interest;

(f) Form affiliated corporations, non-profit or for profit, to help carry out its purposes;

(g) To do any other act incidental to or connected with the foregoing purposes or any advancement thereof, either directly or indirectly, either alone or in conjunction or cooperation with others; to do any and all lawful acts and things and to engage in any and all lawful activities which may be necessary, useful, suitable, desirable or proper for the furtherance, accomplishment, fostering, or attainment of any or all of the purposes for which the Corporation is organized; and to aid or assist other organizations whose activities are such as to further accomplish, foster, or attain any of such purposes.

(h) Notwithstanding any other provision of these By-laws, the Corporation shall not conduct any activities not permitted to be carried on by (i) a corporation exempt from Federal income tax under section 501(c)(3) of the Code (or the corresponding provision of any future United States Internal Revenue Law) or (ii) a corporation permitted to deduct its contributions under Section 170(c)(2) of the Code (or the corresponding provision of any future United States Internal Revenue Law).

(i) The Corporation shall not carry on propaganda or otherwise attempt to influence legislation. The Corporation shall not engage in any transaction or permit any act or omission that shall operate to deprive it of its tax-exempt status under Section 501(c)(3) of the Code. The Corporation shall not in any manner, including, but not limited to the publishing or distribution of statements, or to any extent participate in or intervene in any political campaign on behalf of any candidate for public office nor shall it engage in any "prohibitive transaction" as defined in Section 503(b) of the Code.

(j) The Corporation shall not have capital stock, and no stock or shares shall be issued. No incorporator, Director or officer shall at any time be considered to be an owner of any of the assets, property, or income of the Corporation, nor shall he or she, by distribution, liquidation, dissolution, or in any manner, be entitled to or receive any said assets, property or income, all of which shall be devoted exclusively and forever to the purposes of the Corporation or disposed of herein provided. The Corporation is organized and shall operate not for profit, and no part of its net earnings shall inure or may lawfully inure to the benefit of any private shareholder, incorporator, director, officer or individual. The above provisions, however, shall not prevent the payment of reasonable compensation to any person, organization, firm, or corporation for services rendered to the Corporation.

(k) The Corporation also has such powers as are or may hereafter be granted under laws of New Jersey that are in furtherance of the Corporation's exempt purposes within the meaning of Section 501(c)(3) of the Code or the corresponding section of any future Federal tax code.

ARTICLE III
MEMBERS

3.01 Membership. The members of the Corporation (the "Members") shall be as follows:

(a) each owner of real estate that is subject to assessment by the Special Improvement District (the "Assessed Property") shall have one (1) membership in the corporation for each five Hundred Thousand Dollars ($500,000.00) of assessed value as established on January 1 of any given year notwithstanding that such assessment may vary throughout the year as a result of reevaluations or tax appeals; and

(c) If two (2) or more people own a controlling interest in one (1) or more properties, said controlling group shall designate one (1) person as the Member to represent all of such properties and/or businesses collectively.

3.02 Rights of Members. The rights of each Member shall be limited to voting for the Directors of the Corporation as set forth in Article IV hereof.

3.03 No Transfers of Membership Interests. No Member, directly or indirectly, shall assign, transfer, hypothecate, pledge, encumber, give or otherwise voluntarily or involuntarily dispose of any or all of his or her Membership Interest in the Corporation.

ARTICLE IV

BOARD OF DIRECTORS

4.01 Board of Directors. There shall be nine (9) members of the Board of Directors of the Corporation. Each Director must be at least eighteen (18) years of age. The policies, activities, and affairs of the Corporation shall be determined and managed by the Board of Directors who shall exercise all the powers of the Corporation and shall keep full and fair accounts of all its transactions, and formulate and approve the yearly budget of the Corporation. For designation purposes the Board of Directors is referred to, in these By- laws, as the "Board", and each person serving on the Board is referred to individually as "Director," and, if more than one (1) director is referred to, as "Directors" (as set forth in Article 1.02, "Directors" is used herein to refer to "Trustees" as such term is defined under the New Jersey Nonprofit Corporation Act).

4.02 Term of Office. The term of each Director shall expire at the second (2nd) Annual Meeting of the Corporation after their election/selection to the Board except with respect to the Initial Directors.

4.03 Composition of the Initial Board of Directors. The “Initial Directors” shall be comprised of the following:

(a) There shall be seven (7) Directors appointed by the Special Improvement District Steering Committee established by Executive Order of the Mayor of the City of Bayonne, one of them shall be the initial Selected Director and two (2) Appointed Directors by the City. At least one (1) Director appointed by the City shall be a member of the governing body pursuant to N.J.S.A. 40:56-68(b).

1) From the improvement area: There shall be six (6) property owners (“Initial Directors”) and one (1) resident within the geographical area of the Special Improvement District (“Initial Selected Director”). The Initial Selected Director shall serve for a term of one year. Three (3) of the Initial Directors, as determined by the Board, shall serve for a term of three (3) years. The Initial Selected Director shall be appointed by the Initial Elected Directors.

2) There shall be two (2) Directors appointed by the City of Bayonne (the "Initial Appointed Director"). The Initial Appointed Directors shall serve for a term of two (2) years.

(b) The Board shall generally be comprised of nine (9) members as follows:

(1) One (1) Appointed Director to be named by the City of Bayonne by Resolution of the Municipal Council that is a member of the governing body pursuant to N.J.S.A. 40:56-68(b)

(*) One (1) Appointed Director to be named by the City of Bayonne by Resolution of the Municipal Council that is, or is not, a member of the governing body;

(2) One (1) Selected Director who is a resident within the geographical area of the Special Improvement District (“Selected Director”). The Selected Director shall be appointed by the Elected Directors;

(3) There shall be Six (6) property owners from the improvement area. (“Elected Directors”)

4.04 Election of Directors

(a) Except as set forth in Article 4.03(a) hereof with respect to the Initial Directors, Initial Selected Director and Initial Appointed Director and Article 4.03(b) with respect to Selected and Appointed Directors, Elected Directors shall be elected by plurality vote of Members.

(b) Except with respect to the Initial Directors, Initial Selected Director and Initial Appointed Director, the election/appointment of Elected Directors shall be held annually in the month of September or October ("Election Meeting"). The date, time and place of the Election Meeting shall be determined by the Board at the Annual Meeting of the Directors. Except as set forth in Article 4.03(a) hereof with respect to the Initial Directors and Article 4.03(b) with respect to Selected and Appointed Directors, Elected Directors shall be nominated by the sitting Board of Directors and by requesting nominations from the membership by regular mail by August 1st of each year, then approved by majority vote by a quorum of the sitting Board of Directors, and then elected by plurality vote of the Members.

. (c) The Members shall nominate as follows:

(i) Each Member, or his, her or its designee, who is the owner of Assessed Property shall be entitled to one (1) Special Improvement District nomination for each five Hundred Thousand Dollars ($500,000.00) of assessed value as established on January 1 of any given year notwithstanding that such assessment may vary throughout the year as a result of reevaluations or tax appeals. If two (2) or more people own a controlling interest in one or more properties, that controlling group shall designate one (1) person as the Member to represent them and to cast a nomination.

4.05 Removal of Directors.

(a) At any meeting of the Directors, duly called and at which a quorum is present, the voting Directors may, by a majority vote, remove for cause any Director from office and may elect a successor to fill the vacancy to serve for the balance of the term of such removed Director as stated below;

(b) A Director shall be deemed to have been automatically removed from office for cause without further action being necessary on the part of such Director or on the part of the Board, in the event that such Director or a designee fails to attend three (3) consecutive regular meetings of the full Board. Following the removal of a Director in the manner provided in this Article 4.05(b), the Secretary of the Corporation shall report such fact to the Board at the meeting of the Board next following the third absence.

(c) Vacancies occurring in the Board for any reason may be filled by a vote of majority of the Directors then in office. A Director elected to fill a vacancy shall be elected to hold office for the unexpired term of his or her predecessor. A vacancy of the governing body director MUST be filled by a vote of a majority of the Municipal Council then in office.

(d) Notwithstanding the provisions of Articles 4.05(b) and (c) hereof, upon the removal of a Director pursuant to either such provision, the removed Director may petition the Board in writing for reinstatement as a Director of the Corporation. Any such petition for reinstatement must (i) set forth in detail an explanation for each absence which explanation must demonstrate just cause for the reinstatement and (ii) must be received by the Secretary of the Corporation not later than ten (10) days prior to a regularly scheduled Board meeting in order for such petition to be considered at such meeting. Upon the receipt of any such petition for reinstatement by the Corporation, the Board at its next regularly scheduled meeting following receipt of any such petition in accordance with this Article 4.05(e) shall consider each such petition and only upon the affirmative vote of a majority of the Directors present shall such removed Director be reinstated. A reinstated Director shall be deemed to have no absences upon such reinstatement. (f) This Article 4.05 shall not apply to the Selected Directors.

(e) Notwithstanding existing elected officials and the Appointed Director, a Director will be removed from the Board of Directors immediately if they declare formally or informally an intention to run for public office in the County of Hudson.

ARTICLE V
MEETINGS OF THE DIRECTORS

5.01 Annual Meeting. The annual meeting of the Directors shall be held in January of each year (the "Annual Meeting") for the election of officers and to conduct such other business as may come before the Board. The Secretary shall cause to be mailed to each Director at his or her address a notice stating the time and place of the Annual Meeting. All voting shall take place at said meeting. Officers shall be elected by a majority of the full membership of the Board, excluding vacancies. Officers elected at the Annual Meeting shall take office effective immediately upon election.

5.02 Regular Meetings. Regular meetings of the Board of Directors shall be held at least four (4) time per year, which shall include the Annual Meeting. The other three (3) dates shall be established by the Board of Directors at its Annual Meeting. Meetings shall be held at locations and at times chosen by the Directors at the Annual Meeting, and no additional notice of place, day and hour of regularly scheduled meetings need be given to any Director

5.03 Initial Meeting.

(a) At the initial meeting of the Corporation, the officers shall be elected by the initial Board to serve until the first Annual Meeting. Thereafter, the officers of the Corporation shall be elected by the Board at the Annual Meeting in accordance with the provisions of Article IV.

5.04 Special Meetings. Special meetings of the Board may be called by the President. Notice of the place, day and hour of such special meeting shall be given to each Director at least twenty-four (24) hours before the meeting, by delivering notice to him personally, or by delivering the same at his or her residence or usual place of business, or by contacting him or her by telephone. Any notice of a special meeting shall state the business to be transacted.

5.05 Quorum & Electronic Voting. A quorum at the meetings of the full Board shall consist of a majority of those Directors present at such meetings; however, at a minimum five (5) voting members of the Board, excluding vacancies, must be present in order to vote on any measure. A quorum of three (3) people of which one must be an officer must be present for the Executive Committee Meetings. Except as otherwise provided in the Certificate of Incorporation, these By-Laws or the laws of the State of New Jersey, a quorum shall be sufficient to pass any measure. In the absence of a quorum, the Directors present by a majority vote and without notice other than by announcement may adjourn the meeting, from time to time, until a quorum shall attend. At any such meeting after an adjourned meeting at which a quorum shall be present, any business may be transacted which might have been transacted at the adjourned meeting as originally notified. Committees and subcommittees do not have a quorum requirement, but must consist of two members, one of which may be staff of the organization. Meetings may take place electronically by telephone, and/or through the Internet and will be recorded by electronic vote and added to the minutes.

5.06 Compensation. No compensation shall be paid to any officer or Director. Nothing herein shall prevent any officer or Director from being reimbursed for out-of-pocket expenses or compensated for services rendered in any other capacity to or for the Corporation, provided, however, that any such expenses incurred or services rendered shall have been authorized in advance by resolution of the Board.

5.07 Contracts and Service. The members, Directors and officers of the Corporation may be interested directly or indirectly in any contract relating to or incidental to the operations conducted by the Corporation, and may freely make contracts, enter transactions, or otherwise act for and on behalf of the Corporation, notwithstanding that they also may be acting as individuals, or a trustee of trusts, or as agents for other persons or corporations, or may be interested in the same matters as stockholders, members, trustees, or otherwise. Notwithstanding the foregoing, any contract, transaction, or act on behalf of the Corporation in a matter in which any member, Director or officer is personally interested as a stockholder, director, or otherwise must be disclosed to the Directors, conducted at arm's length, shall not violate any prohibition against the Corporation's use or application of its funds for private benefit and shall be approved in accordance with N.J.S.A. 15A:6-8 as same may be amended or modified and any successor statute thereto. Common or interested Directors may be counted in determining the presence of a quorum at a board meeting at which such a contract or transaction is authorized, approved or ratified; however, such authorization, approval or ratification shall only be effective by affirmative vote of a majority of the disinterested Directors present and voting.

ARTICLE VI
COMMITTEES OF THE BOARD OF DIRECTORS

6.01 Committees Generally. By resolution adopted by a majority of the Board, the Board may provide for such standing or special committees with such powers and duties as it deems desirable and may discontinue the same at its pleasure. The members of all such committees shall be appointed and the committee chairman named by the President. At least one member of each standing or special committee shall be a member of the Board; the remaining members of such committees may, but need not be, members of the Board. Each committee shall keep full and fair accounts of its transactions and accurate minutes of its meetings. Vacancies on any committee shall be filled by the President. Selected members representing municipal elected officials on the Board may not serve as voting members of Committees or Subcommittees.

6.02 Committee Reports. All recommendations by a committee shall be reported in writing (includes electronically) to the Board.

6.03 Meetings of Committees. Each committee shall meet at the call of the chairman of the committee or any two (2) members of the committee.

6.04 Participation in Committees. In selecting members of committees, the Board shall encourage widespread participation among members of the business community within the special improvement district and others concerned with the purposes of the Corporation. From time to time, special committees may be named to advise the Board on issues on which additional perspective may be required and public meetings may be held to solicit advice from those concerned about the economic well-being of the district.

ARTICLE VII
OFFICERS

7.01 Executive Officers. By a quorum of the Board, excluding vacancies, at the Annual Meeting, the Board shall elect a President, a Vice President, a Treasurer, and a Secretary from among the Elected Directors to serve for a one (1) year term.

7.02 Vacancies. Except as provided in Article 7.03 herein below, in the event any office becomes vacant by death resignation, retirement, removal, disqualification or any other cause, the Board may elect, by a majority vote of the full membership of the Board, excluding vacancies, an officer to fill such vacancy, and such officer shall hold office and serve until the next Annual Meeting. In the event that any officer cannot conduct the duties of his or her office for a period exceeding sixty (60) days, the Board may deem such office vacant.

7.03 President and Vice Presidents of the Board of Directors.

(a) President.

(i) The President shall preside at all meetings of the Corporation and of its Board.

(ii) The President shall have general charge and supervision of the activities and affairs of the Corporation.

(iii) The President may call special meetings of the Board.

(iv) The President shall have and may exercise such powers as are, from time to time, assigned to him or her by the Board.

(v) With the approval of the Board and in conjunction with the Secretary, the President may enter into and execute in the name of the Corporation, contracts and other instruments in the regular course of business, except where the execution of such instruments is expressly delegated by resolution of the Board to another officer or agent of the Corporation.

(b) Vice President.

(i) In the event the President is absent or unable to act, or at the request of the President, the First Vice President shall perform the duties and exercise the functions of the President, and when so acting shall have the powers of the President.

(ii) The Vice President shall have such other duties as may be assigned to him or her by the President.

7.04 Secretary.

(a) The Secretary shall keep or cause to be kept corporate records in which shall be entered all information required by these By-laws or by law to be kept by the Corporation, which shall include, but is not limited to, the minutes of the meetings of the Board in books provided for such purpose.

(b) The Secretary shall perform any and all legal duties under the Certificate of Incorporation and incident to the corporate office of Secretary.

(c) The Secretary shall be responsible for providing notice of meetings and other actions to Directors whenever required by these By-laws or by law.

(d) The Secretary shall be the custodian of the Corporation's seal and shall affix same to all documents which require said seal and which he or she has been authorized to execute on behalf of the Corporation and when so affixing may attest to the same.

(e) The Secretary shall perform all other duties as, from time to time, may be assigned to the Secretary by the Board or the President.

(f) A assistant secretary may be appointed to act solely as corporate notary. This person may be an elected Board member of a member of the staff.

7.05 Treasurer.

(a) The Treasurer shall be the custodian of all funds, securities and receipts of the Corporation, and shall cause to be deposited in the name of the Corporation all monies and other valuable effects in such depositories as may be designated by the Board.

(b) The Treasurer shall disburse the funds of the Corporation as authorized by the Board. The Treasurer shall keep or cause to be kept proper vouchers of all sums disbursed, and maintain complete and regular accounts in accordance with a system satisfactory to the Board.

(c) Upon the request of the Board, and at least annually, the Treasurer shall submit to the Board an account of the financial condition of the Corporation.

(d) The Treasurer shall perform any and all legal duties under the Certificate of Incorporation and incident to the office of a treasurer of a Corporation and such other duties as may be assigned to him or to her by the Board or the President.

7.07 Personnel. The Board may hire and/or retain an administrator, manager, staff and/or consultants as necessary to achieve the purposes of the Corporation.

7.08 Removal. Any officer of the Corporation may be removed from office with or without cause by the affirmative vote of a majority of the Board.

ARTICLE VIII
CONDUCT OF BUSINESS

8.01 Checks, Drafts, Etc. Except as otherwise provided in these By-Laws, all checks, drafts or other orders for payment of money, and all notes, bonds or other evidences of indebtedness issued in the name of the Corporation shall be signed by such officers and/or Directors in such manner as shall, from time to time, be determined by resolution of the Board. In no event shall the signatures of fewer than two (2) such officers and/or Directors be necessary to bind the Corporation on any such checks, drafts or other order for payment of money, note or other evidence of indebtedness.

8.02 Annual Reports. There shall be prepared annually a full and correct statement of the affairs of the Corporation, including a balance sheet and statement of operations for the preceding fiscal year, audited and certified by an independent Certified Public Accountant, which shall be submitted to and reviewed by the Board at a regular meeting of the Directors and filed immediately thereafter at the principal office of the Corporation. Such statement shall be prepared by the Treasurer, or such other executive officer of the Corporation as may be designated by the Board, in conjunction with the independent Certified Public Accountant. A copy of the report shall be made available at the principal office of the Corporation for inspection by the public upon request made to Corporation.

Within ninety (90) days after the close of each fiscal year, there shall be filed with the Mayor and Clerk of the City of Bayonne an annual written report for the preceding fiscal year.

8.03 Fiscal Year. The fiscal year of the Corporation shall be the calendar year, January 1st with the year ending December 31st, unless otherwise provided by the Board by resolution.

8.04 Bonds. The Board may require any officer, agent or employee of the Corporation to give a bond to the Corporation conditioned upon the faithful discharge of his or her duties with one or more sureties and in such amount as may be satisfactory to the Board.

8.05 Contracts. Except as otherwise provided in these By-Laws, the Board, by resolution, may authorize any officer or officers, agent or agents, to enter into any contract or execute and deliver any instrument in the name and on behalf of the Corporation, and such authority may be general or confined to specific instances.

8.06 Deposits. All funds of the Corporation not otherwise employed shall be deposited from time to time to the credit of the Corporation in such banks, trust companies or other depositories as the Board by resolution may select or as may be designated by any officer or officers, agent or agents of the Corporation to whom such power is delegated by resolution of the Board.

8.07 Acceptance of Gifts. The Board or any officer or officers, agent or agents of the Corporation to whom such authority is delegated by resolution of the Board may accept on behalf of the Corporation any contribution, gift, grant, bequest or devise for the general purposes or for any special purpose of the Corporation followed by proper acknowledgment.

ARTICLE XIV
AMENDMENTS

9.01 Amendments. A motion to amend, alter, repeal, or enact a new By-law may be introduced, considered, discussed and voted on at any meeting of the Board, provided at least ten (10) days prior to such meeting a full written statement of the exact language of the motion and the time, place and date of the meeting when the motion(s) will be introduced has been forwarded to every member of the Board by regular mail. An affirmative vote of a quorum of the Board shall be required to carry said motion. The procedures and notice of requirements of this section shall apply irrespective of any contrary provisions which may be contained in these By-Laws.

ARTICLE X
INDEMNIFICATION; EXCULPATION

10.01 Indemnification.

(a) For the purposes of this Article X, all definitions set forth in N.J.S.A. 15A:3-4, as amended from time to time, shall apply.

(b) Indemnification of any person who is a director, officer, employee or corporate agent of the Corporation shall be provided to the fullest extent permitted by N.J.S.A. 15A:3-4 as same may be amended or modified and any successor statute thereto or any other applicable provision of law. Such indemnification shall include, without limitation, indemnification against the actual amount of net loss including counsel fees, reasonably incurred by or imposed upon him or her in connection with such action, except as to matters for which he or she shall be ultimately found in such action to be liable for gross negligence or willful misconduct. In the event of any settlement of such a case, indemnification shall be provided only in connection with such matters covered by the settlement as to which the Corporation is advised by counsel that the person to be indemnified had not been guilty of gross negligence or willful misconduct.

(c) Any corporate agent may be insured by insurance purchased and maintained by the Corporation against any expenses incurred in any such proceeding and any liabilities asserted against the corporate agent in the capacity as corporate agent, whether or not the Corporation would have the power to indemnify such corporate agent under N.J.S.A. 15A:3- 4 as same may be amended or modified and any successor statute thereto.

10.02 Exculpation. Unless acting in bad faith, neither the Board as a body nor any Director, officer or corporate agent shall be personally liable to any Member of the Corporation in any respect for any action or lack of action arising out of the execution of his or her office. Each Member of the Corporation shall be bound by the good faith actions of the Board, officers and corporate agents of the Corporation, in the execution of the duties and powers of said Directors, officers and corporate agents. However, nothing contained herein shall be construed so as to exculpate Directors, or any of them, from discharging their fiduciary responsibilities.

10.03 Interpretation. This Article X is subject to N.J.S.A. 15A:3-4 as same may be amended or modified and any successor statute thereto. Nothing in this Article X shall be construed so as to conflict with or violate the terms of N.J.S.A. 15A:3-4. Any and all requests for indemnification under this Article X shall be made, and shall be heard and decided by the Board, in accordance with the applicable terms of N.J.S.A. 15A:3-4.

ARTICLE XI

DISSOLUTION

11.01 Dissolution. Upon the dissolution of the Corporation, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Code (or the corresponding section of any future Federal tax code) or shall be distributed to the Federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by a court of competent jurisdiction of the county in which the principal office of the Corporation is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

CERTIFICATE

I, the undersigned Secretary of the HARBOUR PLACE DISTRICT MANAGEMENT CORPORATION, hereby certify that the above is a true copy of the By-Laws of said Corporation duly adopted and in full force and effect.

____

Name: __________________________

Dated: ____________________, 2017

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 “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 10, TAXATION AND SPECIAL IMPROVEMENT DISTRICTS,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, March 20, 2019 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 Carroll, Gullace, LaPelusa, Perez and President Nadrowski.

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09. Council Member LaPelusa introduced:

AN ORDINANCE AMENDING AND SUPPLEMENTING THE GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 3, POLICE REGULATIONS

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 3, POLICE REGULATIONS, Subsection 3-1.8, Restricted Uses and Activities, is hereby amended and supplemented as follows (Additions **between asterisks and/or in bold**, deletions {~~within brackets and/or struck through~~ }:

3-1.8 Restricted Uses and Activities.

a. Except as provided in paragraph b. below, the provisions of this section shall not apply to the exceptions listed at N.J.A.C. 7:29-1.4.

Construction and demolition activities are exempt from the sound level limits set forth in subsections 3-1.6 and 3-1.7, Tables I and II, except as provided for in paragraph b. below.

b. Notwithstanding the provisions of subsections 3-1.6 and 3-1.7, Tables I and II, the following standards shall apply to the activities or sources of sound set forth below:

1. *Noncommercial Power Tools, Landscaping and Yard Maintenance.* Noncommercial or nonindustrial power tools and landscaping and yard maintenance equipment shall not be operated between the hours of 8:00 p.m. and 8:00 a.m., unless such activities can meet the applicable limits set forth in subsections 3-1.6 and 3-1.7, Tables I and II. All motorized equipment used in these activities shall be operated with a muffler. At all other times, the limits set forth in subsections 3-1.6 and 3-1.7, Tables I and II, do not apply to noncommercial or nonindustrial power tools and landscaping and yard maintenance equipment;

2. *Commercial and Industrial Power Tools, Landscaping and Yard Maintenance.* Commercial or industrial power tools and landscaping and yard maintenance equipment, excluding emergency work, shall not be operated on a residential property or within two hundred fifty (250) feet of a residential property line when operated on commercial or industrial property, between the hours of 6:00 p.m. and 7:00 a.m. on weekdays, or between the hours of 6:00 p.m. and 9:00 a.m. on weekends or Federal holidays, unless such activities can meet the limits set forth in subsections 3-1.6 and 3-1.7, Tables I and II. In addition, commercial or industrial power tools and landscaping and yard maintenance equipment, excluding emergency work, utilized on commercial or industrial property shall meet the limits set forth in subsections 3-1.6 and 3-1.7, Tables I and II, between the hours of 10:00 p.m. and 7:00 a.m. All motorized equipment used in these activities shall be operated with a muffler. At all other times, the limits set forth in subsections 3-1.6 and 3-1.7, Tables I and II, do not apply to commercial or industrial power tools and landscaping and yard maintenance equipment;

3. *Construction and Demolition Activities.* Construction and demolition activity, excluding emergency work *or other work expressly approved by the Municipal Council,*shall not be performed between the hours of 6:00 p.m. and 7:00 a.m. on weekdays, or between the hours of 6:00 p.m. and 9:00 a.m. on *Saturdays* {~~weekends and Federal holidays~~,} unless such activities can meet the limits set forth in subsections 3-1.6 and 3-1.7, Tables I and II. *Construction and demolition activity, excluding emergency work or other work expressly approved by the Municipal Council, shall not be performed on Sundays or Federal Holidays.* Blasting activities shall not be performed between the hours of 6:00 p.m. and 9:00 a.m., {~~on any day of the week~~}*Monday through Saturday and shall not be performed at all on Sundays without the express permission of the Municipal Council*. All motorized equipment used in construction, demolition and blasting activity

shall be operated with a muffler. At all other times, the limits set forth in subsections 3-1.6 and 3-1.7, Tables I and II, do not apply to construction and demolition activities;

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 3, POLICE REGULATIONS," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, March 20, 2019 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 Carroll, Gullace, LaPelusa, Perez and President Nadrowski.

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10. Council Member Perez introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 69-71 NEW HOOK ROAD, WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 416, LOTS 1 & 2 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A.* 40A:12A-1 *ET SEQ.*

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

WHEREAS, pursuant to the Redevelopment Law, the Municipal Council of the City (the "Municipal Council") adopted a Resolution on December 12, 2018 designating properties located at 69-71 New Hook Road, which properties are identified as Block 416, Lots 1 & 2 (the "Property") as a non-condemnation area in need of redevelopment. The Resolution further instructed the that the Planning Board, through the City's staff and/or Planning Board professionals to prepare a redevelopment plan for the Property pursuant to the provisions of *N.J.S.A.* 40A:12A-7(e) and *N.J.S.A.* 40A:12A-15 of the Redevelopment Law; and

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Administration has prepared a redevelopment plan for the Property titled "Redevelopment Plan 69-71 New Hook Road, Block 416, Lots 1 & 2, City of Bayonne, Hudson County, NJ" dated FEBRUARY 13, 2019 (the "Redevelopment Plan"); and

WHEREAS, on MARCH 12, 2019, the Planning Board reviewed the Redevelopment Plan and recommended the adoption of the Redevelopment Plan to the Municipal Council and concluded that said Redevelopment Plan is consistent with the Master Plan of the City of Bayonne; and

WHEREAS, upon receipt and review of the Planning Board's recommendations relating to the Redevelopment Plan, the Municipal Council desires to adopt the Redevelopment Plan in order to effectuate a plan that is consistent with the goals and objectives of the City for the redevelopment of the Property; and

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

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

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

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

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

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

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

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

Council Member Perez moved a resolution, seconded by Council Member 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 A REDEVELOPMENT PLAN FOR CERTAIN PROPERTY LOCATED AT 71 NEW HOOK ACCESS ROAD AND 69 NEW HOOK ACCESS ROAD, WHICH PROPERTY IS IDENTIFIED AS BLOCK 416, LOTS 1 & 2 PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A.* 40A:12A-1 *ET SEQ*," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, March 20, 2019 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 Carroll, Gullace, LaPelusa, Perez and President Nadrowski.

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11. 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

375. Lucille Pickney, 149 West 3rd Street
Beginning at a point on the north side of West 3rd Street, 197 feet west of the northwest corner of Trask Avenue and West 3rd Street, and extending to a point 18 feet west thereof.

ADD

301. Rose Mary Fasciani, 163 West 8th Street
Beginning at a point on the north side of West 8th Street, 268 feet west of the northwest corner of Avenue A and West 8th Street, and extending to a point 16 feet west thereof.

302. Anna Carroll, 14 West 12th Street
Beginning at a point on the south side of West 12th Street, 170 feet west of the southwest corner of Broadway and West 12th Street, and extending to a point 17 feet west thereof.

307. Nemr Habeb, 726 Avenue A for his son, Andrew Habeb
Beginning at a point on the east side of Avenue A, 168 feet north of the northwest corner of Avenue A and West 31st Street, and extending to a point 17 feet west thereof.

308. Anna D'Anna Masciale, 97 West 50th Street
Beginning at a point on the north side of West 50th Street, 198 feet west of the northwest corner of Avenue B and West 50th Street, and extending to a point 16 feet west thereof.

313. Walter Francis, 151 Lord Avenue
Beginning at a point on the west side of Lord Avenue, 82 feet south of the southwest corner of Lord Avenue and East 5th Street, and extending to a point 19 feet south thereof.

316. Arlene Tiamzon, 160 West 53rd Street
Beginning at a point on the south side of West 53rd Street, 137 feet west of the southwest corner of JFK Boulevard and West 53rd Street, and extending to a point 16 feet west thereof.

317. Dee Chesnavich, 167 West 20th Street
Beginning at a point on the north side of West 20th Street, 46 feet east of the easterly terminus of the Newark Bay, and extending to a point 17 feet east thereof.

322. Fred Prisk, 4 Meadow Street
Beginning at a point on the east side of Meadow Street, 19 feet north of the northeast corner of East 19th Street and Meadow Street, and extending to a point 17 feet north thereof.

323. Noel Petrakian, 38 West 43rd Street
Beginning at a point on the south side of West 43rd Street, 228 feet east of the southwest corner of Avenue C and West 43rd Street, and extending to a point 16 feet east thereof.

RELOCATE

283. Sherry Basden-Heard, from 165 Newman Avenue to 101 West 49th Street
OLD LOCATION: Beginning at a point on the west side of Newman Avenue, 112 feet south of the southwest corner of Newman Avenue and West 7th Street, and extending to a point 18 feet south thereof.
NEW LOCATION: Beginning at a point on the north side of West 49th Street, 153 feet east of the northeast corner of Avenue B and West 49th Street, and extending to a point 16 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, March 20, 2019 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 Carroll, Gullace, LaPelusa, Perez and President Nadrowski.

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12. 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 Carroll, Gullace, LaPelusa, Perez and President Nadrowski.

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

From Brandon J. Broderick, Esq., filing notice of tort claim on behalf of RICKY INOA-LIRIANO alleging personal injuries resulting from being struck by an automobile on October 31, 2018 at 16th Street and Avenue C.

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

From Brandon J. Broderick, Esq., filing notice of tort claim on behalf of JAKE INOA-LIRIANO alleging personal injuries resulting from being struck by and automobile on October 31, 2018 at 16th Street and Avenue C.

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

From Brandon J. Broderick, Esq., filing notice of tort claim on behalf of AARON PINTO alleging personal injuries resulting from being struck by an automobile on October 31, 2018 at Avenue C and 16th Street.

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

From Brandon J. Broderick, Esq., filing notice of tort claim on behalf of MARIA LIRIANO alleging personal injuries resulting from being struck by an automobile on October 31, 2018 at Avenue C and 16th Street.

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

From Dennis M. Abrams, Esq., filing notice of tort claim on behalf of CHIMENE DEJESUS alleging personal injuries resulting from a fall on the front step of a house at 12 West 46th Street.

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

From ANDREW TJANG, filing notice of tort claim alleging property damage to his automobile tires on November 17, 2018, resulting from a raised manhole at Kennedy Boulevard near 35th Street.

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

From MAHAMED KHAN, filing notice of tort claim alleging property damage to his impounded automobile and personal property removed from it on January7, 2019, following a traffic stop on Avenue C and 40th Street.

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

From Superior Court of New Jersey, Law Division Summons and Complaint in matter entitled, “MASON vs. THE CITY OF BAYONNE.” (Motorcycle accident with a pothole on September 4, 2017, on Port Terminal Boulevard)

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

From Superior Court of New Jersey, Law Division Summons and Complaint in matter entitled, “STYLES vs. THE CITY OF BAYONNE.” (Suit for legal fees in defense of police officer)

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22. 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 Carroll, Gullace, LaPelusa, Perez and President Nadrowski.

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

EXECUTIVE ORDER OF THE MAYOR
OF THE CITY OF BAYONNE

Executive Order #: 2019-001

Effective January 23, 2019

It is hereby established that for the duration any City employee who is a reservist and is called up for active duty shall receive the difference of his/her salary, less the amount of salary being received from the federal government while on active duty. This is supplemental to N.J.S.A. 38A:4.4, which requires public employees to provide in full paid leave of 90 work days. Said difference shall be paid until the employee’s certified date of release from active duty as documented on his/her DD Form 214. All employees must all notify their immediate supervisor and personnel if the employee’s active duty service is extended beyond the date of the initial notification previously provided.

James M. Davis
Mayor
(signed)

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

February 7, 2019

Dear Council President Nadrowski
And Honorable Members of City Council

Pursuant to the powers vested in my by the laws of the State of New Jersey and the regulations promulgated by the Office of the State Attorney General, NJ Office of Emergency Management, I do hereby make the following reappointment:

EDOARDO FERRANTE, JR.
78 East 23rd Street
Bayonne, NJ 07002
AS
Emergency Management Coordinator
Term Expires March 4, 2022

In conjunction with this appointment the City Clerk is directed to add an accompanying item on the agenda of February 16, 2019 Regular Meeting of the City Council to be received and filed.

Sincerely,
James M. Davis
Mayor
(signed)

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

From Terrance Malloy, Chief Financial Officer, submitting the ANNUAL DEBT STATEMENTS for 2018.

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

From Donna L. Mauer, Chief Financial Officer, reporting on vendor payments and recommending payment of same.

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

DATE: February 4, 2019

TO: Donna Mauer, CFO
Robert Sloan, City Clerk

FROM: Janet Convery, Treasurer

Please be advised that a transfer to the Board of Ed was made on February 4, 2019.

$ 5,692,692.00 CLAIMS & PAYROLL FOR FEBRUARY 2019

Janet Convery
(signed)

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28. 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 Carroll, Gullace, LaPelusa, Perez and President Nadrowski.

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

RESOLVED, That the official minutes of the regular council meeting held Wednesday, January 16, 2019 be and the same are hereby approved.

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

RESOLVED, That the official minutes of the council caucus meeting held Wednesday, January 9, 2019, be and the same are hereby approved.

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

APPOINTMENT OF A FUND COMMISSIONER AND ALTERNATE FUND COMMISSIONER TO THE NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND

BE IT RESOLVED, by the Municipality of the City of Bayonne, County of Hudson, State of New Jersey, that it hereby appoints Susan Ferraro, Assistant City Attorney, as the Fund Commissioner and Brian Dellabella, Chief Clerk, as Alternate Fund Commissioner to represent the City of Bayonne on the New Jersey Intergovernmental Insurance Fund for a three (3) year period commencing January 1, 2019 and ending December 31, 2021; and

BE IT FURTHER RESOLVED. that copies of this Resolution be forwarded to the following:

1. Susan Ferraro, Assistant City Attorney
   (Fund Commissioner)

2. Brian Dellabella, Chief Clerk
   (Alternate Fund Commissioner)

3. New Jersey Intergovernmental Insurance Fund

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32. 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
24	4	Alexander D. Forrester	2,312.49
57	39	Rody & Bernadette Costanzo	1,296.01
106	28	Justo & Oksana Rodriguez	4,378.37
197	1	Dari, Inc.	7,010.40
256	12	Michael Gerace	5,316.31
Total:			20,313.58

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

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

WHEREAS, the licensing fee for the current license period is $1,292.00; and

WHEREAS, funds are certified as available in account #BA-2 pending adoption of the CY 2019 budget; now therefore be it

RESOLVED, that the Treasurer is hereby authorized to issue a warrant payable to SESAC, Inc. in the amount of $1,292.00; and be it further

RESOLVED, that funds are certified available in Account #BA-2 (9-01-20-101-0000-090).

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

WHEREAS, on or about February 22, 2005 Camelot at Bayonne, LLC, a Kaplan Companies entity, paid the sum of $176,250.00 to the Bayonne Municipal Utilities Authority for sewer connection fees based upon a redevelopment project containing 145 units; and

WHEREAS, the $176,250.00 was broken down into 137 market units at $1250.00 per unit and 8 affordable housing units at $625.00 per unit (171,250.00 + $5,000.00); and

WHEREAS, subsequent thereto, the redevelopment project was redesigned, re-approved and built to include only 96 market units; and

WHEREAS, on July 27, 2012 Kaplan Companies formally requested the return of the excess sewer connection fees from the Bayonne Municipal Utilities Authority; and

WHEREAS, the Bayonne Municipal Utilities Authority never made the requested reimbursement;

WHEREAS, the City of Bayonne is the successor in interest to the Bayonne Municipal Utilities Authority; and

WHEREAS, the City of Bayonne, as successor in interest to the Bayonne Municipal Utilities Authority, has confirmed that the sum of $56,250.00 should be returned to the Kaplan Companies ($5,000.00 for the 8 affordable units which were never built and $51,250.00 for the 41 market units which were never built); and

WHEREAS, funds are certified as available in Account W/S O.E.; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Comptroller is hereby authorized to issue a warrant in the amount of $56,250.00 payable to “Kaplan Companies” in full payment of the excess deposit for connection fees as set forth above.

2. Funds shall be charged to Account W/S O.E.

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35. 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 $ 891.40 drawn of the Bureau of Rabies Control, State Department of Health, Trenton, New Jersey, covering the issuance of licenses Nos. 297-760 inclusive, 462 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.

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

RESOLVED, that the actions of the Municipal Treasurer in issuing payment from Current Fund in the amount of $ 6,894,733.35 payable to the County of Hudson for First Quarter County

Taxes of 2019, County Open Space Tax and Added/Omitted Tax is hereby ratified and confirmed.

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

RESOLVED, that the actions of the Municipal Treasurer in issuing a warrant from the Unemployment Trust Fund in the amount of $ 13,819.18 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 12/31/2018.

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

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

Police Unit 23, 2010 Chevy Impala, VIN #2G1WD5EM4A1114959
Department of Public Works, 2010 GMC Sonomo, VIN #1GTCS14W518216618

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

RESOLVED, by the Municipal Counsel as follows:

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

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39. 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 Economic Opportunity Foundation, 555 Kennedy Blvd., Bayonne, New Jersey 07002 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Bayonne Economic Opportunity Foundation has requested and submitted a formal written application dated January 13, 2017 for said CDBG Grant Funds for the purpose of providing the cost of asbestos abatement for the ceiling plaster, vinyl floor tiles, pipes and wall paneling of the former Holy Family property located at 237-249 Avenue A from Lilich Corporation, 606 McBride Avenue, Woodland, NJ 07242; 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 the cost of asbestos abatement for ceiling plaster, vinyl floor tiles, pipes and wall paneling of the former Holy Family property located at 237-249 Avenue A from Lilich Corporation, 606 McBride Avenue, Woodland, NJ 07242 and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-917; 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 Economic Opportunity Foundation, 555 Kennedy Blvd, Bayonne, New Jersey 07002 for the purpose of providing the cost of asbestos abatement for ceiling plaster, vinyl floor tiles, pipes and wall paneling of the former Holy Family property located at 237-249 Avenue A from Lilich Corporation, 606 McBride Avenue, Woodland, NJ 07242 in the amount of $186,355.00 for the period commencing September 1, 2017 and ending August 31, 2018.

2. Funds shall be charged to Account #CDBG-917.

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

WHEREAS, the City of Bayonne Police Department has established a need for maintenance and support for its Police Public Safety Software, CAD-RMS-WDA Software, currently in use for the period commencing January 1, 2019 and ending December 31, 2019; and

WHEREAS, Prophoenix Corporation, 502 Pleasant Valley Avenue, Suite 1, Moorestown, NJ 08057 has provided the City with an invoice for said maintenance and support for said CAD-RMS-WDA Software for the period commencing January 1, 2019 through December 31, 2019, for an amount of $51,581.25; and

WHEREAS, the Director of Public Safety has determined and certified in writing that the value of the acquisition will exceed $17,500; and,

WHEREAS, bids need not be solicited for these services pursuant to the statutory guidelines of N.J.S.A. 40A:11-5(dd) insofar as said software maintenance and support services are proprietary in nature; and

WHEREAS, funds are certified as available in Account #9-01-25-240-0000-028; and

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

RESOLVED, by the Municipal Council as follows:

1. The Mayor and the City Clerk are hereby authorized to enter into a contract with Prophoenix Corporation, 502 Pleasant Valley Avenue, Suite 1, Moorestown, NJ 08057 for continued maintenance and support for its Police Public Safety Software, CAD-RMS-WDA Software, for the period commencing January 1, 2019 and ending December 31, 2019 for the amount of $51,581.25.

2. Funds shall be charged to Account #9-01-25-240-0000-028.

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

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

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

WHEREAS, the City of Bayonne is in need of professional grant writing and management services; and

WHEREAS, the City of Bayonne advertised a Request for Qualifications/Proposals for the aforesaid professional grant writing and management services under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4 and.5; and

WHEREAS, Millennium Strategies, LLC, 60 Roseland Avenue, Caldwell, New Jersey 07006 has submitted to the City of Bayonne a formal written response to the City's Request for Qualifications/Proposals for said professional grant writing and management services; and

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

WHEREAS, Millennium Strategies, LLC, is qualified, ready, willing and able to provide said services; and

WHEREAS, the maximum amount of the contract is not to exceed $66,000.00 for the period commencing January 1, 2019 and ending December 31, 2019; and

WHEREAS, funds have been certified as available in Account No. Various Accounts pending adoption of the CY2019 budget; and

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

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with Millennium Strategies, LLC, 60 Roseland Avenue, Caldwell, New Jersey 07006 for the period commencing January 1, 2019 and ending December 31, 2019 for professional grant writing and management services for a total contract amount not to exceed $66,000.00.

2. Funds shall be charged to account # Various Accounts.

3. A notice of this action shall be printed once in a newspaper of general circulation within the boundaries of the City of Bayonne.

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

WHEREAS, by way of Resolution No. 17-01-18-049 adopted by the Municipal Council on January 1, 2017 and Resolution No. 17-12-13-051 adopted by the Municipal Council on December 13, 2017, the City entered into Agreement Nos. CY17-037 and CY18-012 with Chasan, Lamparella, Mallon & Cappuzzo, P.C., 300 Lighting Way, Suite 300, Secaucus, New Jersey for professional legal services in defense of the City in matters before the State Tax Court of the State of New Jersey, for maximum contract amounts not to exceed $55,000.00 each for the periods commencing January 1, 2017 and ending December 31, 2017 and January 1, 2018 and ending December 31, 2018 respectively; and

WHEREAS, the Business Administrator has advised that it is necessary to increase the aforesaid Contract No. CY17-037 in the amount of $440.61 and Contract No. CY18-012 in the amount of $13,525.92 to cover outstanding invoices submitted by Chasan, Lamparella, Mallon, & Cappuzzo, P.C. for each of the respective contract terms; and

WHEREAS, funds to cover the aforesaid outstanding invoices are certified as available as follows: O-15-29 and Accounts Payable for invoices submitted under Agreement No. CY17-037, and 8-01-20-156-0000-028 for invoices submitted under Agreement No. CY18-012; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to execute amendments to the aforementioned Agreement Nos. CY17-037 and CY18-012 with Chasan, Lamparella, Mallon & Cappuzzo, P.C., 300 Lighting Way, Suite 300, Secaucus, New Jersey increasing same in the amounts of $440.61 and $13,525.92 respectively.

2. Funds shall be charged to Accounts O-15-29 and Accounts Payable, and 8-01-20-156-0000-028 as stated above.

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

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

WHEREAS, Resolution No. 18-02-14-029 adopted by the Municipal Council on February 14, 2018 awarded a contract (CY18-039) to Roth D'Aquanni, LLC, 150 Morris Avenue, Suite 206, Springfield, NJ 07081 for professional legal services to conduct arbitration hearings, litigation before the courts, and negotiations and PERC hearings involving various unions and the City of Bayonne for the period commencing March 1, 2018 and ending December 31, 2018 for an amount not to exceed $50,000.00 payable at the rate of $165.00 per hour; and

WHEREAS, subsequent thereto, the City entered into Agreement No. CY18-039 with Roth D'Aquanni, LLC for the aforesaid professional legal services, and

WHEREAS, the City was notified that the law firm of Roth D'Aquanni, LLC, ceased to exist as of October 11, 2018 and became the law firm of Allan C. Roth, LLC; and

WHEREAS, on January 1, 2019 the law firm of Allan C. Roth, LLC became the Law Firm of Ruderman & Roth, LLC; and

WHEREAS, the Business Administrator has advised that it is necessary to increase the contract in the amount of $8,827.50 to cover outstanding invoices submitted by Allan C. Roth, LLC and/or Ruderman & Roth, LLC for additional work performed through December 31, 2018, the end of the contract term; and

WHEREAS, funds are certified as available in Account 8-01-20-156-0000-028; 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. CY18-039 with the law firm of Allan C. Roth, LLC (formerly Roth D'Aquanni, LLC, now known as Ruderman & Roth, LLC) for the aforesaid professional legal services increasing same in the amount of $8,827.50 making the total contract amount not to exceed $58,827.50.

2. Funds shall be charged to Account 8-01-20-156-0000-028.

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

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

WHEREAS, Resolution No. 17-12-13-055 adopted by the Municipal Council on December 13, 2017 awarded a contract to CME Associates having an address at 3141 Bordentown Avenue, Parlin, NJ 08859-1162 for professional engineering services to act as in-house engineers including work on various projects and for various roads for the period commencing January 1, 2018 and ending December 31, 2018 for an amount not to exceed $750,000.00; and

WHEREAS, subsequent thereto, the City entered into Agreement No. CY18-016 with CME Associates for the aforesaid professional engineering services, and

WHEREAS, the Business Administrator has advised that it is necessary to increase the contract in the amount of $52,352.51 to cover outstanding invoices submitted by CME Associates, for additional work performed through December 31, 2018, the end of the contract term; and

WHEREAS, funds are certified as available in Various Accounts; 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. CY18-016 with CME Associates for the aforesaid professional engineering services increasing same in the amount of $52,352.51 making the total contract amount not to exceed $802,352.51.

2. Funds shall be charged to Various Accounts.

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

* * * * * * * * * *

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

Cash Management Plan

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

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

A. DESIGNATION OF DEPOSITORIES

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

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

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

B. DEPOSIT OF FUNDS

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

C. INVESTMENT INSTRUMENTS AND PROCEDURES

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

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

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

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

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

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

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

Chief Financial Officer
Treasurer
Tax Collector
City Clerk

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

D. COMPLIANCE

The Cash Management Plan of the City of Bayonne shall be subject to the approval of the City's Director of Law, and shall be subject to the annual audit conducted pursuant to N.J.S. 40A: 5-4.

As stated in N.J.S.40A: *5-14,* the official(s) charged with the custody of City funds shall deposit them as instructed by this Cash Management Plan, and shall thereafter be relieved of any liability or loss due to the insolvency or closing of any depository,

If, at anytime, this Cash Management Plan conflicts with any regulation of the State of New Jersey, or any department thereof, the applicable Stale regulations shall apply

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

WHEREAS the City have various reserves and receivables that are now inactive, and

WHEREAS it has been recommended by the City's independent auditors and the Division of Local Government Services that inactive receivables and reserves not be carried in the City's General Ledger, now therefore be it

RESOLVED, that the City's Chief Financial Officer is hereby authorized to undertake the necessary steps to effectuate the elimination of various receivables and reserves deemed to be no longer active.

* * * * * * * * * *

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

WHEREAS, the Municipal Council of the City of Bayonne has had the opportunity to review, analyze and comment upon certain amendments to and two year extension of the current Collective Negotiations Agreement between the City of Bayonne and the Bayonne Municipal Supervisory Association, Hudson Council #2, covering the period commencing July 1, 2014 and ending December 31, 2019; and

WHEREAS, this Municipal Council is satisfied that the terms set forth in the body of the proposed amendments to and extension of the aforementioned Collective Negotiations Agreement are beneficial to the City of Bayonne; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Municipal Council hereby ratifies and accepts the terms set forth within the attached Memorandum of Agreement dated February 7, 2019 2019 between the City of Bayonne and Bayonne Municipal Supervisory Association, Hudson Council #2.
2. The actions of the Mayor and Business Administrator in executing said Memorandum of Agreement are hereby ratified and affirmed.

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

Whereas the City is desirous of taking all necessary actions to provide a ferry service located within the City, and
Whereas said ferry service will increase economic activity within the City, and

Whereas said economic activity will lead to the creation of new employment within the City, now therefore, be it

Resolved that the UEZ Coordinator is hereby authorized to create a UEZ Project entitled "Ferry Service" in an amount not to exceed $1,200,000, and be it

Resolved that any grants or other contributions relating to the Project shall serve as a reimbursement to the UEZ Project Fund, and be it

Resolved that that the UEZ shall share 25% of any revenue realized by the City until the Project Fund is fully reimbursed for all expenditures incurred by the UEZ relating to the Ferry Service project, and be it further

Resolved that the Mayor, UEZ Coordinator, Purchasing Agent, Law Director and Chief Financial Officer are hereby authorized to undertake all necessary actions to effectuate the purchase of a car ferry, prepare and advertise bid documents, and negotiate with other entities, with the purpose of establishing of ferry service located within the City of Bayonne.

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

WHEREAS, the City has been awarded Title III Grant funds from the Department of Health and Human Services, Area Agency on Aging in the amount of $441,490 for CY2019 to be allocated as follows: Projects #001 Care Management - $38,665, #011 Emergency - $9,796, #561 Congregate Nutrition - $88,500, #58 Home Delivered Meals - $269,100, #306 Physical Health-Eye Glasses - $21,100; #59 State Weekend Home Delivered Meals -$14,329; and

WHEREAS, it is the City's intention to utilize $371,929 of said grant funds for the purpose of continuing to provide a Nutritional Feeding Program for Senior Citizens consistent with #561 Congregate Nutrition - $88,500; #58 Home Delivered Meals - $269,100; and #59 State Weekend Home Delivered Meals - $14,329; and

WHEREAS, the Bayonne Economic Opportunity Foundation, 555 Kennedy Boulevard, Bayonne, New Jersey administers a Nutrition Program for Senior Citizens; and

WHEREAS, funds are certified as available in account #G-02-41-777-0000-199 pending acceptance of the aforesaid Title III Grant funds; now, therefore, be it

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

1. The City of Bayonne hereby accepts $441,490 grant funds from the County of Hudson, Department of Health and Human Services, Area Agency on Aging, Projects #001 Care Management - $38,665, #011 Emergency - $9,796, #561 Congregate Nutrition - $88,500, #58 Home Delivered Meals - $269,100, #306 Physical Health-Eye Glasses - $21,100; #59 State Weekend Home Delivered Meals -$14,329.

2. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Bayonne Economic Opportunity Foundation, 555 Kennedy Boulevard, Bayonne, New Jersey 07002 for the amount of $371,929 of said grant funds for the purpose of continuing to provide a Nutritional Feeding Program for Senior Citizens consistent with #561 Congregate Nutrition - $88,500; #58 Home Delivered Meals - $269,100; and #59 State Weekend Home Delivered Meals - $14,329 for the period commencing January 1, 2019 and ending December 31, 2019.

3. Funds shall be charged to account #G-02-41-777-0000-199.

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

WHEREAS, PSIP Avenue A Urban Renewal, LLC is the owner of the property known as Block 333. 03, Lot 3 on the tax maps of the City of Bayonne; and

WHEREAS, the City of Bayonne needs access to the above noted block and lot in order to maintain its Combined Sewer Overflow system; and

WHEREAS, PSIP Avenue A Urban Renewal, LLC has agreed to grant the City of Bayonne a perpetual easement over the property known as Block 333.03, Lot 3 for the purpose of permitting the City of Bayonne to maintain its Combined Sewer Overflow system in consideration for the payment of $1.00; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and Clerk are hereby authorized to enter into an Easement Agreement with PSIP Avenue A Urban Renewal, LLC whereby the City of Bayonne would be able to maintain its Combined Sewer Overflow system via perpetual access to Block 333.03, Lot 3.

2. The terms of the perpetual easement shall be acceptable to the Law Director.

3. The consideration for said perpetual easement shall be $1.00.

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

WHEREAS, the Benevolent and Protective Order of Elks of U.S.A, Bayonne NJ Elks Lodge #434, a New Jersey Non-Profit Organization (“Elks Club”), has requested permission to hold an event to be promoted as the Bike Blessing on Saturday, April 20, 2019 from 12:00 p.m. to 4:00 p.m. on Broadway between 16th and 17th Streets; and

WHEREAS, the Elks Club has requested that Broadway in between 16th and 17th Streets be closed to thru traffic for purposes of the event from 10:00 a.m. to 5:00 p.m. to allow for load-in and load-out activities; and

WHEREAS, the Elks Club has submitted an application for a License Agreement and has agreed to further coordinate with the Bayonne Police Department, Bayonne Fire

Department, Bayonne Law Department, Department of Public Works, Division of Parks and any other City department, division or personnel as required to ensure the safety and welfare of the general public during the event; and

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

RESOLVED, that the Mayor and City Clerk are hereby authorized to execute a License Agreement, in form and substance as is acceptable to the Law Director, allowing the Benevolent and Protective Order of Elks of U.S.A, Bayonne NJ Elks Lodge #434, a New Jersey Non-Profit Organization, to hold the Bike Blessing event on Saturday, April 20, 2019 from 12:00 p.m. to 4:00 p.m. and to close Broadway, in between 16th and 17th Streets, from 10:00 a.m. to 5:00 p.m. to allow for load-in and load-out activities; and be it further

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

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

WHEREAS, the City of Bayonne is sponsoring a Food Truck and Music Festival to be held on Saturday, May 18, 2019 from 12:00 p.m. to 6:00 p.m. (with access beginning at 7:00 a.m. and ending 9:00 p.m.) during which various activities will be offered including, but not limited to musical performances; rides, gourmet food trucks, artisan vendors and a beer garden to be located on Avenue E between 22nd and 24th Streets (the "Event"); and

WHEREAS, Evan Berman Productions will plan and coordinate the Event including soliciting vendors, assisting vendors in obtaining local licenses and/or permits required for their respective activities, advertising and promoting the event, providing for the set-up and break down/removal of all barricades, portable restrooms and other necessary equipment for the safe and clean conduct of the Event, and managing cleanup during and immediately following the Event; and

WHEREAS, Evan Berman Productions, on behalf of the City of Bayonne, will coordinate 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 furtherance of the safety and welfare of the general public during the Event; and

WHEREAS, Evan Berman Productions quoted a management fee $5,000 for its services; and

WHEREAS, the City will be responsible to pay all other vendors directly or to reimburse Evan Berman Productions for such amounts advanced to third-party vendors on behalf of the City including, but not limited to, marketing expenditures, signage, bands, stage, sound generator rentals for sound, seating rentals for patrons, portable restrooms, and other miscellaneous fees related to production of the Event, etc.; and

WHEREAS, the Business Administrator has determined and certified in writing that the said management fee plus reimbursements may exceed $17,500; and

WHEREAS, funds are certified as available in Account #9-01-55-104-0000-000; and

WHEREAS, Evan Berman Productions has completed and submitted a Business Entity Disclosure Certification pursuant to the "Non-fair and Open Process" pursuant to N.J.S.A. 19:44A-20.4 and N.J.S.A. 19:44A-20.5 *et seq.*; wherein it certified that it has not made any reportable contributions to a political or candidate committee in the City of Bayonne in the previous one (1) year, and that the Evan Berman Productions will be prohibited from making any reportable contributions through the term of the contract; and

WHEREAS, the Evan Berman Productions will be coordinating the Event, which is sponsored by the City and, therefore, 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 host local community activities such as this and that the 2018 Food Truck and Music Festival had proved in the past to be a desirous event for the citizens of the City; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and/or his designee are hereby authorized to take any and all actions and execute any and all documents necessary, in form and substance as is acceptable to the Law Director, allowing Evan Berman Productions to hold the 2019 Bayonne Food Truck and Music Festival on Saturday, May 18, 2019 from 12:00 p.m. to 9:00 p.m. (with access beginning at 7:00 a.m. and ending 9:00 p.m.) to be located on Avenue E between 22nd and 24th Streets.

2. There shall be no fee for said License.

3. The Municipal Treasurer is hereby authorized to issue payment to Evan Berman Productions in the amount of the management fee of $5,000.00 plus any amounts necessary to cover the cost of reimbursement for all monies outlaid to third parties with respect to said Event, which amount shall not exceed $20,000.00.

4. Funds shall be chargeable to Account #9-01-55-104-0000-000.

5. The Business Entity Certification shall be kept on file with this Resolution.

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

WHEREAS, by way of Resolution No. 19-01-16-044 adopted January 16, 2019 the Municipal Council authorized the execution of a grant agreement with the City of Jersey City and the New Jersey Department of Community Affairs to receive funds from the New Jersey Department of Environmental (NJDEP) Resilient NJ Grant Program; and

WHEREAS, that Grant Agreement requires the City of Bayonne to comply with all federal regulations with respect to citizen participation; and

WHEREAS, the City of Bayonne has reviewed the Citizen Participation Plan prepared for Small Cities CDBG grantees; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Citizen Participation Plan developed by the New Jersey Department of Community Affairs, Small Cities CDBG Program is adopted by the City of Bayonne.

2. The City of Bayonne will follow all regulations set forth in that document throughout the term of the Grant Agreement cited above.

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

WHEREAS, a certain mortgage dated April 24, 2002, was made by Philip Crisonino and Marie Crisonino, H/W to the Bayonne Economic Development Corporation; and

WHEREAS, this Mortgage was made to secure payment of $50,000.00; and

WHEREAS, this mortgage was recorded or registered in the office of the Hudson County Clerk/Register's Office May 13, 2002 in Mortgage Book 8886 on Page 62; and

WHEREAS, the City of Bayonne is the Successor in Interest to the Bayonne Economic Development Corporation; and

WHEREAS, this Mortgage has been PAID IN FULL or otherwise SATISFIED; now, therefore, be it

RESOLVED, that the Mayor and City Clerk are hereby authorized to execute a Discharge of Mortgage to be recorded in the Office of the Hudson County Register to have this mortgage discharged of record.

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

WHEREAS, BAYONNE CAMPBELL TAXI, having an address at 700 BROADWAY, BAYONNE, NEW JERSEY 07002 is the owner of nine (9) taxicab licenses in the City of Bayonne, more particularly Nos. 51 through 58; and

WHEREAS, BAYONNE CAMPBELL TAXI, has requested that it be permitted to transfer these nine (9) taxicab licenses to ROBERT PEREZ, JR., & ROBERT PEREZ, SR., having an address at 222 S. 17th AVENUE, MANVILLE, NEW JERSEY and 142 AVENUE C, BAYONNE, NEW JERSEY, respectively; and

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

WHEREAS, ROBERT PEREZ, JR., & ROBERT PEREZ, SR., have submitted applications for Taxi Owner Licenses to the Bayonne Police Department and have qualified as licensees; and

WHEREAS, said applications failed to set forth a location where the vehicles will be stationed and/or where they will be stored when not in use; now, therefore, be it

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

1. BAYONNE CAMPBELL TAXI, is hereby authorized to transfer the aforesaid nine (9) taxicab licenses to ROBERT PEREZ, JR., & ROBERT PEREZ, SR., having an address at 222 S. 17th AVENUE, MANVILLE, NEW JERSEY and 142 AVENUE C, BAYONNE NEW JERSEY, respectively, subject to the caveat that the vehicles cannot be put into service until such time as the licensees provide the location where the vehicles will be stationed and/or where they will be stored when not in use.

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING THE REQUEST FOR BIDS FOR IMPROVMENTS FOR NEWARK BAY WATERFRONT ACESS PROJECT – VETERANS PARK.
(EXPANSION OF WATERFRONT WALKWAY)

WHEREAS, the City of Bayonne has received grant money for the design and construction of the extension of the waterfront walkway in Veterans Park from the existing location at the intersection of Park Rd and West 25th Street south towards 24th Street.

NOW, THEREFORE, BE IT RESOLVED, the Municipal Council hereby authorizes the advertisement of Requests for bids for improvements for Newark Bay Waterfront Access Project-Veterans Park 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.*

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

BE IT RESOLVED, That the City Clerk be and is hereby authorized to advertise for bids for Improvements to the Police Firing Range - Roof Replacement Project.

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

BE IT RESOLVED, That the City Clerk be and is hereby authorized to advertise for bids for Improvements to City Hall Employee Men's Bathroom.

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

BE IT RESOLVED, That the City Clerk be and is hereby authorized to advertise for bids for Improvements to the B.E.O.F. Roof (Formerly Holy Family Academy).

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

BE IT RESOLVED, That the City Clerk be and is hereby authorized to advertise for bids for Improvements to Fitzpatrick Park.

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING THE REQUEST FOR PROPOSALS FOR WEST 22ND STREET AUTOMATED PARKING GARAGE PROJECT.

WHEREAS, the City of Bayonne desires to build an automated parking garage located at 22nd Street and Del Monte Drive to support the redevelopment of the Central Business District, and

WHEREAS, the City of Bayonne seeks qualified entities to design, construct and or operate an automated parking garage.

NOW, THEREFORE, BE IT RESOLVED, the Municipal Council hereby authorizes the advertisement of Requests for proposals for improvements for the 22nd Street Parking Lot 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.*

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

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

LICENSEE	TIME & PLACE	LICENSE
Bags of Love Foundation	4:00-5:00 PM 141 Broadway May 4, 2019	RL: 9339 RL: 9340
Midtown Community School PTO	10:00 PM 1081 Broadway March 29, 2019	RL: 9341
WF Robinson School PTC	3:00 PM 95 West 31st Street May 22, 2019	RL: 9342
Friends of Marist	5:00 PM 1241 Kenn. Blvd. March 23, 2019	RL: 9343 RL: 9344 RL: 9345
BPOE #434 Bayonne Lodge	4:00 PM 364 Broadway April 20, 2019	RL: 9346
Friends of Marist	9:00 PM 1241Kenn. Blvd. May 30, 2019	RL: 9347
Friends of Marist	9:00 PM 1241Kenn. Blvd. May June 2, 2019	RL: 9348 RL: 9349
Friends of Marist	9:00 PM 1241Kenn. Blvd. May 30, 31 June 1, 2, 2019	RL: 9350
Preschool Playhouse PTO	6:00 – 10:00 PM 417 Broadway April 13, 2019	RL: 9351
Blessed Miriam Teresa	6:00-11:00 PM	RL: 9352

Demjanovich Parish	19 West 13th St. April 30, 2019 May 1, 2, 3, 3:00-11:00 PM May 4, 2019	
Blessed Miriam Teresa Demjanovich Parish	6:00-10:00 PM 19 West 13th St. May 4, 2019	RL: 9353
Blessed Miriam Teresa Demjanovich Parish	6:00-11:00 PM 19 West 13th St. April 30, 2019 May 1, 2, 3, 3:00-11:00 PM May 4, 2019	RL: 9354
Lincoln Community School PTO	10:30 PM 1081 Broadway April 5, 2019	RL: 9355 RL: 9356
Lincoln Community School PTO	7:00-11:00 PM 1081 Broadway April 5, 2019	RL: 9357
Mary J. Donohoe Community School PTA	9:00 PM 417 Broadway May 3, 2019	RL: 9358
Mary J. Donohoe Community School PTA	6:00-10:00 PM 417 Broadway May 3, 3019	RL: 9359
Preschool Playhouse-PTO	6:00-10:00 PM 417 Broadway April 13, 2019	RL: 9360
Trinity Parish in Bergen Point	6:00-10:00 PM 1081 Broadway October 25, 2019	RL: 9361 RL: 9362
American Legion Post 19	683 Broadway April 1, 2019 to March 31, 2019	RL: 9363
Hudson County Animal League	2:00-6:30 PM 290 Avenue E April 6, 2019	RL: 9364 RL: 9365
Dante Alighieri Society of J.C.	12:00 – 4:00 PM 1105 Avenue C May 11, 2019	RL: 9366 RL: 9367
Bayonne Economic Opportunity	6:00-10:00 PM 888 Avenue C March 14, 2019	RL: 9368

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

RESOLVED, that the budgetary transfers as set forth below pertaining to the CY 2018 appropriations be and the same are hereby authorized, and be it further,

RESOLVED, that the Comptroller be, and is hereby authorized and directed to make the same transfers in accordance herewith:

CURRENT FUND

FROM		TO	
ACCOUNT	AMOUNT	ACCOUNT	AMOUNT

Primary & General Election-S&W	$ 8,000.00	Bus. Administration-O.E.	$20,000.00
Primary & General Election-O.E.	$70,000.00	Bldg, Maintenance-O.E.	$20,000.00
Municipal Court – S & W	$30,000.00	Vehicle Maintenance-O.E.	$70,000.00
Building & Grounds-S&W	$ 5,500.00	Water Sewer Div. – O.E.	$ 8,000.00
Social Security	$49,500.00	Law Enforcement-Uniform-O.E.	$25,000.00

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

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

#1 TEMPORARY EMERGENCY APPROPRIATION CY 2019

WHEREAS, an emergency condition has arisen with respect to providing appropriations to pay various costs, as per attached schedule, and no adequate provision has been made in the CY 19 Temporary Budget for the aforesaid purposes and N.J.S.:4-20 provides for the creation of an emergency temporary appropriation for the purposes above mentioned, and

WHEREAS, the total emergency resolution adopted in the CY 19 budget pursuant to the provisions of Chapter 96, P.L. 1951 (NJS 40A:4-20) including this resolution total

Current Fund	$	3,143,463.00
Parking Utility	$	59,000.00

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

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

Current Fund	$	3,143,463.00
Parking Utility	$	59,000.00

2- That said emergency temporary appropriation will be provided for the CY 19 budget under the title of, as per attached schedule:

Current Fund	$	3,143,463.00
Parking Utility	$	59,000.00

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

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

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING AND DIRECTING THE PLANNING BOARD TO REOPEN AND AMEND THE REDEVELOPMENT PLAN TITLED AMENDED AND RESTATED REDEVELOPMENT PLAN TEXACO REDEVELOPMENT AREA BLOCK 332 LOTS 1 & 2, BLOCK 360 LOT 2, BLOCK 373 LOTS 1,2,13,14 AND 15; BLOCK 390 LOTS 1 AND RG67, BLOCK 391, LOTS 1 AND 2, BLOCK 511, LOTS 5 AND 6 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE (UNIMPROVED PORTION OF W 2ND ST)

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

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

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

WHEREAS, the Municipal Council directed the Planning Board, to prepare and review a redevelopment plan for various properties located throughout the City including property known as the unimproved portion of West 2nd Street which is identified as W 2nd Street as shown on the official tax map of the City of Bayonne (the "Property") and make recommendations to the Municipal Council in accordance with the Redevelopment Law; and

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Administration has prepared a redevelopment plan for the Property titled "Amended and Restated redevelopment Plan Texaco Redevelopment Area", dated September 11, 2015 (the "Redevelopment Plan") which included improvements to West 2nd Street; and

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

WHEREAS, upon receipt and review of the Planning Board's recommendations relating to the Redevelopment Plan, the Municipal Council by Ordinance adopted the Redevelopment Plan in order to effectuate a plan that is consistent with the goals and objectives of the City for the redevelopment of the Property; and

WHEREAS, BCP, LLC, by Resolution dated January 16, 2019 was designated the Redeveloper for the purpose of implementing the Redevelopment Plan; and

WHEREAS, the Redeveloper has requested that the Municipal Council, as a redevelopment entity to authorize and direct the Planning Board to reopen and amend the existing redevelopment plan titled "Amended and Restated redevelopment Plan Texaco Redevelopment Area", dated September 11, 2015" to permit improvements to W 2nd Street and any other such changes needed; and

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

WHEREAS, the Municipal Council believes that it is in the best interest of the City to reopen and amend the Redevelopment Plan for the property known as the unimproved portion of West 2nd Street which is identified as W 2nd Street as shown on the official tax map of the City of Bayonne on the City's Tax Maps in order to expand the scope of the revitalization and redevelopment efforts in the City and make modifications to the Redevelopment Plan necessary to further the goals and objectives of the Master Plan.

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 and directs the Planning board to reopen the existing redevelopment plan titled "Amended and Restated redevelopment Plan Texaco Redevelopment Area", dated September 11, 2015" and make any modifications or changes to the redevelopment plan necessary to further the goals and objectives of the Master Plan; and

Section 2. This Resolution shall take effect immediately.

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

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING AND DIRECTING THE PLANNING BOARD TO CONDUCT A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER CERTAIN PROPERTY LOCATED AT 70 AND 86 HOBART AVE, WHICH PROPERTY IS IDENTIFIED AS BLOCK 359, LOTS 10.01 AND 4.05 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE WITHIN THE CITY CONSTITUTES A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A.* 40A:12A-1 *ET SEQ.* (DC PLASTICS)

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

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

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

WHEREAS, the Mayor and Municipal Council consider it to be in the best interest of the City to have the Planning Board of the City (the "Planning Board") conduct such an investigation to determine if certain property located at 70 and 86 Hobart Avenue which property is identified as Block 359, Lots 10.01 and 4.05 as shown on the official Tax Map of the City (the "Study Area"), constitute a non-condemnation "area in need of redevelopment," in accordance with the Redevelopment Law; and

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

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

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

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

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

Section 3. The Planning Board is hereby directed to study the area known as Block 359 Lots 10.01 and 4.05 on the City's Tax Maps; to develop a map reflecting the boundaries of the proposed non-condemnation redevelopment area; to provide public notice and conduct public hearings pursuant to *N.J.S.A.* 40A:12A-6; and to draft a report/Resolution to the Mayor and Municipal Council containing its findings.

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

Section 5. This Resolution shall take effect immediately.

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

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67. Council President Nadrowski 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 CONDUCT A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER CERTAIN PROPERTY LOCATED AT 140 EAST 22ND STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 464.01, LOT 6 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE WITHIN THE CITY CONSTITUTES A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A.* 40A:12A-1 *ET SEQ.* (FORMER KENDRICH SITE)

WHEREAS, the City of Bayonne, in the County of Hudson, New Jersey (the "City"), a public body corporate and politic of the State of New Jersey (the "State"), is authorized pursuant to the Local Redevelopment and Housing Law, *N.J.S.A.* 40A:12A-1 *et seq.* (the

"Redevelopment Law"), to determine whether certain parcels of land within the City constitute an area in need of rehabilitation and/or an area in need of redevelopment; and

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

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

WHEREAS, the Mayor and Municipal Council consider it to be in the best interest of the City to have the Planning Board of the City (the "Planning Board") conduct such an investigation to determine if certain property located at 140 East 22nd Street, which property is identified as Block 464.01, Lot 6 as shown on the official Tax Map of the City (the "Study Area"), constitute a non-condemnation "area in need of redevelopment," in accordance with the Redevelopment Law; and

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

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

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

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

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

Section 3. The Planning Board is hereby directed to study the area known as 140 East 22nd Street, which property is identified as Block 464.01, Lot 6 on the City's Tax Maps; to develop a map reflecting the boundaries of the proposed non-condemnation redevelopment area; to provide public notice and conduct public hearings pursuant to *N.J.S.A.* 40A:12A-6; and to draft a report/Resolution to the Mayor and Municipal Council containing its findings.

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

Section 5. This Resolution shall take effect immediately.

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

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68. 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 AUTHORIZING AND DIRECTING THE PLANNING BOARD TO CONDUCT A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER CERTAIN PROPERTY LOCATED AT 120-122 WEST 33RD STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 143, LOT 28 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE WITHIN THE CITY CONSTITUTES A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A.* 40A:12A-1 *ET SEQ.* (EMPTY LOT)

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

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

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

WHEREAS, the Mayor and Municipal Council consider it to be in the best interest of the City to have the Planning Board of the City (the “Planning Board”) conduct such an investigation to determine if certain property located at 120-122 West 33rd Street, which property is identified as Block 143, Lot 28 as shown on the official Tax Map of the City (the “Study Area”), constitute a non-condemnation “area in need of redevelopment,” in accordance with the Redevelopment Law; and

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

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

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

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

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

Section 3. The Planning Board is hereby directed to study the area known as 140 East 22nd Street, which property is identified as 120-122 West 33rd Street, which property is identified as Block 143, Lot 28 on the City’s Tax Maps; to develop a map reflecting the boundaries of the proposed non-condemnation redevelopment area; to provide public notice and conduct public hearings pursuant to *N.J.S.A.* 40A:12A-6; and to draft a report/Resolution to the Mayor and Municipal Council containing its findings.

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

Section 5. This Resolution shall take effect immediately.

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

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69. 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 PREPARE A REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 55 EAST 21ST STREET WHICH PROPERTY IS IDENTIFIED AS BLOCK 212, LOT 13 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.* (CORNER CONVENIENCE STORE 21ST AND AVE E)

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

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

WHEREAS, pursuant to N.J.S.A. 52:27h-60 et seq. the City has included property located at 55 East 21st Street, Block 212, Lot 13 (the "Property") as part of the City's Urban Enterprise Zone, and

WHEREAS, the Property is located within an area in need of Rehabilitation the designation of the Property as a non-condemnation "area in need of redevelopment" is appropriate and in conformance with the statutory criteria contained in *N.J.S.A.* 40A:12A-5; and

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

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

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

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

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

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

Section 1. 55 East 21st Street, Block 212, Lot 13, as shown on the official Tax Map of the City are hereby designated a non-condemnation "area in need of redevelopment" under the Redevelopment Law, *N.J.S.A.* 40A:12A-1 et seq.

Section 2. The Municipal Council hereby directs the City Clerk to transmit a copy of the within resolution to the Commissioner of the Department of Community Affairs and to serve notice that 55 East 21st Street, Block 212, Lot 13, is designated a non-condemnation redevelopment area on the owners of such Property and other parties within ten (10) days of the date hereof, in accordance with *N.J.S.A.* 40A:12A-6.b(5).

Section 3. The Planning Board of the City of Bayonne is hereby authorized and directed to prepare a Redevelopment Plan for the Property identified as 55 East 21st Street, Block 212, Lot 13 as shown on the official Tax Map of the City in accordance with the Redevelopment Law, *N.J.S.A.* 40A:12A-1 et seq.

Section 4. The Planning Board shall transmit the Redevelopment Plan to the Municipal Council for further consideration and action upon completion of same.

Section 5. This Resolution shall take effect immediately.

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

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY DESIGNATING CERTAIN PROPERTY LOCATED AT 71 NEW HOOK ACCESS ROAD AND 69 NEW HOOK ACCESS ROAD, WHICH PROPERTY IS IDENTIFIED AS BLOCK 416, LOTS 1 & 2 AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT AND AUTHORIZING AND DIRECTING THE PLANNING BOARD TO PREPARE A REDEVELOPMENT PLAN FOR THE PROPERTY PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A.* 40A:12A-1 *ET SEQ*.

WHEREAS, the City of Bayonne, in the County of Hudson, New Jersey (the "City"), a public body corporate and politic of the State of New Jersey (the "State"), is authorized pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the

“Redevelopment Law”), to determine whether certain parcels of land within the City constitute an area in need of rehabilitation and/or an area in need of redevelopment; and

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

WHEREAS, on October 18, 2017, the Municipal Council adopted a Resolution instructing the Planning Board of the City (the “Planning Board”) to conduct such an investigation to determine if certain property located at 71 New Hook Access Road and 69 New Hook Access Road, which property is identified as Block 416, Lots 1 & 2 as shown on the official Tax Map of the City (the “Property”), constitutes a non-condemnation “area in need of redevelopment,” in accordance with the Redevelopment Law; and

WHEREAS, on January 9, 2018, the Planning Board held a public hearing, duly noticed under the Redevelopment Law, and reviewed an investigation/report titled “Preliminary Investigation, Non-Condemnation, 71 New Hook Road, Block 416, Lots 1 & 2” prepared by Suzanne Mack, PPAICP, City of Bayonne, Division of Planning & Zoning, Department of Municipal Services (the “Study”) and any persons interested in or affected by a determination that the Property is a non-condemnation redevelopment area were given an opportunity to be heard, and any objections to such a determination and evidence in support of those objections, were received and considered and made part of the public record, and;

WHEREAS, on January 9, 2018, the Planning Board further adopted a Resolution recommending that the Property be determined by the Municipal Council to be a non-condemnation “area in need of redevelopment” under the Redevelopment Law, *N.J.S.A.* 40A:12A-1 et seq.; and

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

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

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

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

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

Section 1. Block 416, Lots 1 & 2, as shown on the official Tax Map of the City is hereby designated a non-condemnation “area in need of redevelopment” under the Redevelopment Law, *N.J.S.A.* 40A:12A-1 et seq.

Section 2. The Municipal Council hereby directs the City Clerk to transmit a copy of the within resolution to the Commissioner of the Department of Community Affairs and to serve notice that Block 416, Lots 1 & 2, is designated a non-condemnation redevelopment area on the owners of such Property and other parties within ten (10) days of the date hereof, in accordance with *N.J.S.A.* 40A:12A-6.b(5).

Section 3. The Planning Board of the City of Bayonne is hereby authorized and directed to prepare a Redevelopment Plan for the Property identified as Block 416, Lots 1 & 2 as shown on the official Tax Map of the City in accordance with the Redevelopment Law, *N.J.S.A.* 40A:12A-1 et seq.

Section 4. The Planning Board shall transmit the Redevelopment Plan to the Municipal Council for further consideration and action upon completion of same.

Section 5. This Resolution shall take effect immediately.

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

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71. The Council discussed the Best Practices Inventory.

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72. Council Member LaPelusa 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 7-29 Loading Zones, 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	Hours	Location
**Broadway	East	Monday through Friday 7:00 a.m. to 5:00 p.m. (for use as a loading zone)	Beginning at a point 56 feet north of the northeast corner of Broadway and 47th Street and extending north 111 thereof.**

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 "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, March 20, 2019 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 Carroll, Gullace, LaPelusa, Perez and President Nadrowski.

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

Resolution requesting a time extension for the 2013 Safe Streets to Transit Grant in the amount of $205,000.00 to the New Jersey Department of Transportation for the Pedestrian Intersection Improvements – Avenue E at 34th and 35th Streets.

BE IT RESOLVED that the Council of the City of Bayonne formally requests a time extension from the New Jersey Department of Transportation for the Pedestrian Intersection Improvements – Avenue E at 34th and 35th Streets since the project was not awarded prior to the February 2, 2015 due to the fact that the grant was obtained prior to the change in Administration and City Engineer's;

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to submit this request for the time extension;

WHEREAS, pursuant to Resolution No. 19-01-16-047 adopted by the Municipal Council on January 16, 2019, awarding the Pedestrian Intersection Improvements on Avenue E at 34th and 35th Streets to Foggia Trinity Electric, LLC, 1756 E. 2nd Street, Scotch Plains, NJ 07076 for the following bid price: $217,293.40 (Total bid amount utilizing Del #1 Improvements to Avenue E and 35th Street) and that the contract be executed in the name of the City of Bayonne by the proper City Officials and that said sum be charged to account “2013 Safe Streets Grant and Recycling Program.”

BE IT FURTHER RESOLVED, that upon the NJDOT approval of the time extension, the City of Bayonne will issue the Notice of Award to Foggia Trinity Electric, LLC associated with the above reference resolution of award.

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

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

WHEREAS, William J. Guarini, Inc., 132 Mallory Avenue, Jersey City, New Jersey purchased Building Permit #19-02-042 for the replacement of two (2) hot water heaters at 74 West 56th Street, Bayonne, New Jersey (the “Work”) for a fee of $110.00; and

WHEREAS, William J. Guarini, Inc., has advised the Building Department that William J. Guarini, Inc., is no longer doing the Work and that Permit 19-02-042 is no longer being pursued; and

WHEREAS, William J. Guarini, Inc., has requested a refund of the building permit fee in the amount of $110.00; and

WHEREAS, funds are certified as available in Accounts T-12-56-839-0000-199 ($10.00) and T-12-56-813-0000-199 ($100.00); now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Comptroller and/or other appropriate officials of the City of Bayonne is hereby authorized to issue a warrant in the amount of $110.00 payable to William J. Guarini, Inc., 132 Mallory Avenue, Jersey City New Jersey representing reimbursement of the fee for Building Permit #19-02-042 in connection with the replacement of the two (2) hot waters at 74 West 56th Street, Bayonne, New Jersey.

2. Funds shall be charged to Accounts s T-12-56-839-0000-199 ($10.00) and T-12-56-813-0000-199 ($100.00).

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

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

February 5, 2019

Dear Council President Nadrowski
And Honorable Members of City Council

I hereby recommend the following individuals to the Zoning Board of Adjustment of the City of Bayonne:

Joe Pineiro 103 West 42nd Street Bayonne, NJ 07002	Term expiring on December 31, 2022 (Appointment as Regular Member Replacing Vincent LeFante)
Nick DiLullo 337 Kennedy Blvd. Bayonne, NJ 07002	Term expiring on December 31, 2021 (Appointment as Alternate #1 Replacing Joe Pineiro)
Arrigo DeRos, Jr. 31 East 41st Street Bayonne, NJ 07002	Term expiring on December 31, 2019 (Appointment as Alternate #2 Replacing Nick DiLullo)
Tiffani Simmons 4 Rose Court, Apt. 1 Bayonne, NJ 07002	Term expiring on December 31, 2019 (Appointment as Alternate #3 Replacing Arrigo DeRos, Jr.)

In conjunction with this appointment the City Clerk has been directed to add an accompanying item on the February 20, 2019 Council meeting agenda to be received and filed by the City Council.

Sincerely,
James M. Davis
Mayor
(signed)

RESOLVED, that the following individuals be and are hereby appointed to the Zoning Board of Adjustment for the term and status indicated:

Joe Pineiro – regular member	December 31, 2022
Nick DiLullo – alternate #1	December 31, 2021
Arigo De Ros, Jr. – alternate #2	December 31, 2019
Tiffani Simmons – Alternate #3	December 31, 2019

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

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At 7:54 P.M., Council Member Perez motion to adjourn, seconded by Council President Nadrowski, which motion was adopted.

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

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President – Sharon A. Nadrowski

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Clerk – Robert F. Sloan