

REGULAR MEETING

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

The Council met at 7:00 P.M.

The Council President Nadrowski announced: “I would like to advise all those present that notice of this regular meeting of the Municipal Council of the City of Bayonne of March 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 March 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, “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 2, ADMINISTRATION” which was introduced and passed a first reading at a meeting held February 20, 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 March 20, 2019, is now before the Council for its consideration and a public hearing.

Council Member Perez motion to table for further consideration, seconded by Council President Nadrowski, 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, “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,” which was introduced and passed a first reading at a meeting held February 20, 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 March 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: “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,”

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

The following person spoke – Jill Pusterino – 74 West 46th Street

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

Council Member Perez motioned to close the hearing, seconded by Council Member LaPelusa, 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, “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,” was introduced and passed a first reading at a meeting held February 20, 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 March 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-19-16.

Yeas - Council Members Gullace, LaPelusa, and Perez.

Nays – Council Carroll and President Nadrowski.

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03. The Clerk announced:

AN ORDINANCE ENTITLED, “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 10, TAXATION AND SPECIAL IMPROVEMENT DISTRICTS,” which was introduced and passed a first reading at a meeting held February 20, 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 March 20, 2019, is now before the Council for its consideration and a public hearing.

Council President Nadrowski motioned to table for further consideration that, seconded by Council Member Perez, which motion was adopted.

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

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04. The Clerk announced:

AN ORDINANCE ENTITLED, “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 3, POLICE REGULATIONS,” which was introduced and passed a first reading at a meeting held February 20, 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 March 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: “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 3, POLICE REGULATIONS,”

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

The following person spoke: Mike Resigno – 42 West 23rd Street

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

Council Member LaPelusa motioned to close the hearing, seconded by Council Member Perez, 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 3, POLICE REGULATIONS," was introduced and passed a first reading at a meeting held February 20, 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 March 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-19-17.

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

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05. The Clerk announced:

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.*," which was introduced and passed a first reading at a meeting held February 20, 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 March 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 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.*,"

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

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

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

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

“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.*,”

was introduced and passed a first reading at a meeting held February 20, 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 March 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-19-18.

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

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06. The Clerk announced:

AN ORDINANCE ENTITLED, “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,” which was introduced and passed a first reading at a meeting held February 20, 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 March 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 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: “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,”

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

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

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

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

WHEREAS, an ordinance entitled, “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,” was introduced and passed a first reading at a meeting held February 20, 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 March 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-19-19.

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

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07. The following members of the public spoke:

Victor Pequero, Jr. of ASEZ –“Save the Earth from A to Z” a volunteer group offering volunteer help in any matters that needs help.

Morris addressed the council on a matter before the Planning Board.

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08. Council President Nadrowski introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND 425-429 AVENUE C BAYONNE URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED AT 425-429 AVENUE C, WHICH PROPERTY IS IDENTIFIED AS BLOCK 230, LOT 22 AND 23.01 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE

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

WHEREAS, the Municipal Council of the City (the “Municipal Council”) adopted 9802-04-040, which designated the entire City of Bayonne as an area in need of rehabilitation in accordance with the provisions of *N.J.S.A. 40A:12A-14* of the Redevelopment Law; and

WHEREAS, 425-429 AVENUE C BAYONNE REALTY URBAN RENEWAL, LLC (the “Entity”) is the owner or Contract Purchaser of certain property identified on the Tax Maps of the City as Block 230, Lots 22 and 23.01 (the “Property”) as more particularly described by the metes and bounds description set forth in the application submitted by the Entity (the “Application”); and

WHEREAS, the Property has been designated an area in need of redevelopment (the “Redevelopment Area”) pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*, as amended and supplemented (the “Local Redevelopment and Housing Law”); and

WHEREAS, pursuant to *N.J.S.A. 40A:12A-7*, on May 18, 2018, the City duly adopted an ordinance approving the redevelopment plan entitled “Redevelopment Plan, Block 230, Lot 22 (425-427 Avenue C), Lot 23 (427A-429 Avenue C), and Lot 24 (427-429 Avenue C Rear)” (and as same may be further amended from time to time, the “Redevelopment Plan”) for the Redevelopment Area; and

WHEREAS, the proposed project to be undertaken on the Property consists of the construction of a structure containing approximately nineteen (19) residential units and nineteen (19) parking spaces, (the “Project”); and

WHEREAS, 425-429 AVENUE C BAYONNE REALTY URBAN RENEWAL, LLC, is the designated redeveloper of the Property; and

WHEREAS, the Entity submitted an Application to the City for approval of an exemption for the Project pursuant to the Long Term Tax Exemption Law, which Application is attached hereto as *Exhibit A*; and

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

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

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

WHEREAS, 425-429 AVENUE C BAYONNE REALTY URBAN RENEWAL, LLC has submitted a form of Financial Agreement (the "Financial Agreement") providing for payments in lieu of taxes, a copy of which is attached to this Ordinance; and

WHEREAS, 425-429 AVENUE C BAYONNE REALTY URBAN RENEWAL, LLC has presented to this body certain financial information, copies of which are attached as exhibits to this Ordinance; and

WHEREAS, the City Council deems it to be in the best interest of the City to pass an Ordinance authorizing the City to enter into the proposed Financial Agreement with 425-429 AVENUE C BAYONNE REALTY URBAN RENEWAL, LLC on the terms and conditions stated in the applicable form of Financial Agreement attached to this Ordinance;

NOW THEREFORE, be it ordained that the City Council of the City of Bayonne does hereby adopt the tax exemptions for 425-429 AVENUE C BAYONNE REALTY URBAN RENEWAL, LLC as follows:

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

Section 2. The Mayor is hereby authorized to execute the Financial Agreement with 425-429 AVENUE C BAYONNE REALTY URBAN RENEWAL, LLC in substantially the form attached hereto and subject to any further review, analysis or modifications that counsel may deem appropriate.

Section 3. During the term of the tax exemption with respect to 425-429 AVENUE C BAYONNE REALTY URBAN RENEWAL, LLC there shall be paid to the City in lieu of any taxes to be paid on the improvements of the Project, an annual service charge determined as provided in the Financial Agreement.

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

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

BE IT RESOLVED, that an ordinance entitled “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND 425-429 AVENUE C BAYONNE URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED AT 425-429 AVENUE C, WHICH PROPERTY IS IDENTIFIED AS BLOCK 230, LOT 22 AND 23.01 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, April 17, 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 Perez introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING THE AMENDED REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT FOR PROPERTY LOCATED AT 276 PROSPECT AVE, WHICH PROPERTY IS IDENTIFIED AS BLOCK 407, LOTS 1, 2, AND 3 AND BLOCK 408, LOTS 1 AND 2 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE 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.* (34TH STREET LIGHT RAIL PARKING 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 modifying

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

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

WHEREAS, on March 16, 2005, the City of Bayonne (the “City”) Municipal Council adopted Resolution 05-03-16-048 authorizing and directing the Planning Board to (i) conduct investigations pursuant to *N.J.S.A. 40A:12A-6* to determine whether certain scattered sites in locations throughout the City and described on the Tax Map of the City of Bayonne, State of New Jersey, satisfy the criteria to be designated as areas in need of redevelopment under *N.J.S.A. 40A:12A-5* and (ii) prepare a redevelopment plan for the Study Areas; and

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Municipal Services has prepared a redevelopment plan for the Redevelopment Area titled “Scatter Site Redevelopment Plan” dated December 7, 2005 (the “Redevelopment Plan”); and

WHEREAS, in October 2018 the Municipal Council adopted a resolution designating Panepinto Properties, LLC as the Redeveloper of the property and authorizing the Planning Board to reopen and amended the Redevelopment Plan; and

WHEREAS, a preliminary investigation was presented to the Planning Board on January 8, 2019 to expand the Study Area and the Board recommended the expanded Study Area be designated as a non-condemnation “area in need of redevelopment” in conformance with the statutory criteria contained in *N.J.S.A. 40A:12A-5* which recommendation was adopted by Resolution of the Municipal Council; and

WHEREAS, on March 12, 2018, the Planning Board reviewed the proposed amendments to the Redevelopment Plan and recommended the adoption of the amended Redevelopment Plan with revisions 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 as revised dated March 5, 2019 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 above pursuant to the terms of N.J.S.A. 40A:12A-7 of the Redevelopment Law.

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

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

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

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

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

BE IT RESOLVED, that an ordinance entitled "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING THE AMENDED REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT FOR PROPERTY LOCATED AT 276 PROSPECT AVE, WHICH PROPERTY IS IDENTIFIED AS BLOCK 407, LOTS 1, 2, AND 3 AND BLOCK 408, LOTS 1 AND 2 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE 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. (34TH STREET LIGHT RAIL PARKING LOT)," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, April 17, 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 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, Subsections 3-2.1, 3-2.3, 3-2.10 and 3-2.14 are hereby amended and supplemented as follows (Additions **between asterisks and/or in bold and underlined**, deletions ~~{within brackets and/or struck through}~~):

CHAPTER 3 POLICE REGULATIONS

3-2.1 Definitions

****Bulk Waste** shall mean large items of waste material that are non-metal, including but not limited to:

- a. appliances;
- b. furniture: sofas, tables, chairs, beds and other woods furniture (even though there may be some incidental metal pieces attached to the furniture, *i.e.* wooden chair/table with metal legs);
- c. lamps;
- d. suitcases, trunks, chests;
- e. linoleum and similar types of flooring;
- f. carpeting (cut and tied);
- g. tree parts cut into sections with a maximum height of 4 feet, tree stumps cut into small sections and brush;
- h. mattresses covered in plastic.

Bulk waste will be collected on the same days as regular garbage collection. There is a limit of four (4) bulky items per pick-up.

The following items are NOT included with this collection and shall be disposed of on the semi-annual Hudson County HHW Collection Day:

- a. chain link fencing;
- b. radios;
- c. batteries;
- d. gas tanks, mufflers, tail pipes, catalytic converters;
- e. cable strapping;
- f. baling wire;
- g. metal-paint cans;
- h. motor oil;
- i. smoke detectors;
- j. fluorescent lighting fixtures; and
- k. non-metallic material.

Construction, renovation, and demolition waste ("13C" or "C&D debris") shall mean waste, building material and rubble resulting from construction, remodeling, repair and demolition operations on residential houses, commercial buildings, pavements and other structures. The following materials may be found in construction and demolition waste:

- a. treated and untreated wood scrap;
- b. wood pallets and large wooden items;
- c. concrete, asphalt, bricks, blocks and other masonry;
- d. plaster and wallboard;
- e. roofing materials;
- f. ferrous and nonferrous metal;
- g. non-asbestos building insulation;
- h. plastic scrap;
- i. dirt;
- j. glass (window and door); and
- k. other miscellaneous materials; but shall not include other solid waste types.**

Construction, renovation, and demolition waste will not be picked up by the City of Bayonne or its agents. These items must be disposed of by a private company.

It shall be permissible to dispose of the following types of household waste/debris, notwithstanding that such waste/debris may be considered C&D debris: toilets, plaster boards cut into a maximum of 4 feet by 4 feet sections and tiles. A sticker obtained from the Division of Solid Waste Management must be placed on these items before disposal. These items must be disposed of in accordance with the Division of Solid Waste Management and must be scheduled for pick-up through the Recycling Coordinator at 201-858-6070 or 201-858-6099 at least one business day prior to pick-up day.

Electronic waste (E-Waste) shall mean all computers, monitors, laptops, portable computers and televisions. These items must be scheduled for pick-up Monday-Friday through the Recycling Coordinator at 201-858-6070 or 201-858-6099 at least one business day prior to pick-up day. Please note that other electronic devices (keyboards, mice, printers, microwaves, etc.) are not included in E-waste.

Scrap metal shall mean and include all discarded products made of steel, aluminum or other materials, used for any purpose, excluding food and/or beverage packaging *i.e.* refrigerators, freezers, toaster ovens, washers, dryers, furnaces, stoves, ranges, hot water heaters, air conditioners, trash compactors, dishwashers, metal files, and metal lockers. These items will be collected on Tuesdays.

3-2.3 Illegal Dumping.

****a.**** It shall be unlawful for any person to discard or dump along any street or road, on or off any right-of-way or on private property, any household or commercial solid waste, rubbish, refuse, junk, vehicle or vehicle parts, rubber tires, appliances or furniture in any place not specifically designated for the purpose of solid waste storage or disposal. (1972 Code § 6-1.3; Ord. No. O-11-28).

**** b.** It shall be unlawful for any person to commingle recyclable materials with solid waste for the purpose of solid waste or recycling materials storage or disposal. It shall also be unlawful to commingle construction, renovation, and demolition waste with solid waste and/or recyclable materials for the purpose of solid waste or recyclable materials storage or disposal.

c. It shall be unlawful for any person to solicit, offer or receive gratuities of any kind to any individual, contractor, subcontractor of the City of Bayonne or employee or agent thereof, for collection of any household or commercial solid waste, recyclable material, rubbish, refuse, junk, vehicle or vehicle parts, rubber tires, appliances, furniture or for prohibited construction and demolition waste. This shall not apply to small tokens of goodwill on special occasions as long as it does not result in favorable treatment for the giver or to the hiring and/or payment of such individuals outside the scope of his/her employment with the City of Bayonne.

d. Any violation of this section shall result in the payment of damages to the City of Bayonne in accordance with the General Provisions of Chapter One.

Editor's Note: See also Chapter 17, Property Maintenance

3-2.10 Construction Sites.

****a.**** It shall be unlawful for any owner, agent, or contractor in charge of a construction or demolition site to permit the accumulation of litter before, during, or immediately following completion of any construction or demolition project. It shall be the duty of the owner, agent, or contractor in charge of a construction site to furnish containers adequate to accommodate flyable or non-flyable debris or trash at areas convenient to construction areas, and to maintain and empty the receptacles in such a manner and with such a frequency as to prevent spillage of refuse. (1972 Code § 6-1.10; Ord. No. O-11-28).

****b.** It shall be unlawful for any owner, agent, or contractor in charge of a renovation, construction or demolition site to permit disposal of renovation, construction or demolition waste in any place not specifically designated for the purpose of construction or demolition waste storage or disposal.

c. Any violation of this section shall result in the payment of damages to the City of Bayonne in accordance with the General Provisions of Chapter One.

d. Fines levied and collected pursuant to this section shall be deposited into the Recycling Program Income Account.

Editor's Note: See also Chapter 17, Property Maintenance*

3-2.14 Litter Inspector.

Summons for violation of this section ****and for section 3-4**** may be issued ****to the violator**** by the Police, Litter Inspector, Parking Enforcement Officers ******, Health Official, Recycling Coordinator,****** or individuals designated by either the ****Director of Public Works**** Director of Public Safety or the Health Officer ~~{via interlocal service agreements}~~. (1972 Code § 6-1.14; Ord. No. 0-09-28 § 2; Ord. No. O-16-39)

Council Member LaPelusa moved a resolution, seconded by Council Member Carroll, 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, April 17, 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.

* * * * *

11. Council Member Perez introduced:

AN ORDINANCE AMENDING AND SUPPLEMENTING THE GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 17, PROPERTY MAINTENANCE

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 17, PROPERTY MAINTENANCE, Subsections 17-3.1, 17-3.3, 17-3.6 and 17-3.10 are hereby amended and supplemented as follows (Additions ****between asterisks and/or in bold and underlined****, deletions ~~{within brackets and/or struck through}~~):

CHAPTER 17 PROPERTY MAINTENANCE

17-3.1 Definitions

****Bulk Waste** shall mean large items of waste material that are non-metal, including but not limited to:

- i. appliances;
- j. furniture: sofas, tables, chairs, beds and other woods furniture (even though there may be some incidental metal pieces attached to the furniture, *i.e.* wooden chair/table with metal legs);
- k. lamps;

- l. suitcases, trunks, chests;
- m. linoleum and similar types of flooring;
- n. carpeting (cut and tied);
- o. tree parts cut into sections with a maximum height of 4 feet, tree stumps cut into small sections and brush;
- p. mattresses covered in plastic.

Bulk waste will be collected on the same days as regular garbage collection. There is a limit of four (4) bulky items per pick-up.

The following items are NOT included with this collection and shall be disposed of on the semi-annual Hudson County HHW Collection Day:

- l. chain link fencing;
- m. radios;
- n. batteries;
- o. gas tanks, mufflers, tail pipes, catalytic converters;
- p. cable strapping;
- q. baling wire;
- r. metal-paint cans;
- s. motor oil;
- t. smoke detectors;
- u. fluorescent lighting fixtures; and
- v. non-metallic material.

Construction, renovation, and demolition waste ("13C" or "C&D debris") shall mean waste, building material and rubble resulting from construction, remodeling, repair and demolition operations on residential houses, commercial buildings, pavements and other structures. The following materials may be found in construction and demolition waste:

- l. treated and untreated wood scrap;
- m. wood pallets and large wooden items;
- n. concrete, asphalt, bricks, blocks and other masonry;
- o. plaster and wallboard;
- p. roofing materials;
- q. ferrous and nonferrous metal;
- r. non-asbestos building insulation;
- s. plastic scrap;
- t. dirt;
- u. glass (window and door); and
- v. other miscellaneous materials; but shall not include other solid waste types.**

Construction, renovation, and demolition waste will not be picked up by the City of Bayonne or its agents. These items must be disposed of by a private company.

It shall be permissible to dispose of the following types of household waste/debris, notwithstanding that such waste/debris may be considered C&D debris: toilets, plaster boards cut into a maximum of 4 feet by 4 feet sections and tiles. A sticker obtained from the Division of Solid Waste Management must be placed on these items before disposal. These items must be disposed of in accordance with the Division of Solid Waste Management and must be scheduled for pick-up through the Recycling Coordinator at 201-858-6070 or 201-858-6099 at least one business day prior to pick-up day.

Electronic waste (E-Waste) shall mean all computers, monitors, laptops, portable computers and televisions. These items must be scheduled for pick-up Monday-Friday through the Recycling Coordinator at 201-858-6070 or 201-858-6099 at least one business day prior to pick-up day. Please note that other electronic devices (keyboards, mice, printers, microwaves, etc.) are not included in E-waste.

Scrap metal shall mean and include all discarded products made of steel, aluminum or other materials, used for any purpose, excluding food and/or beverage packaging *i.e.*

refrigerators, freezers, toaster ovens, washers, dryers, furnaces, stoves, ranges, hot water heaters, air conditioners, trash compactors, dishwashers, metal files, and metal lockers. These items will be collected on Tuesdays.

17-3.3 Illegal Dumping.

****a.**** It shall be unlawful for any person to discard or dump along any street or road, on or off any right-of-way or on private property, any household or commercial solid waste, rubbish, refuse, junk, vehicle or vehicle parts, rubber tires, appliances or furniture in any place not specifically designated for the purpose of solid waste storage or disposal. (1972 Code § 6-1.3; Ord. No. O-11-28).

**** b.** It shall be unlawful for any person to commingle recyclable materials with solid waste for the purpose of solid waste or recycling materials storage or disposal. It shall also be unlawful to commingle construction, renovation, and demolition debris with solid waste and/or recyclable materials for the purpose of solid waste or recyclable materials storage or disposal.

e. It shall be unlawful for any person to solicit or receive gratuities of any kind for any work or services provided by the City or its authorized agent, for collection of any household or commercial solid waste, recyclable material, rubbish, refuse, junk, vehicle or vehicle parts, rubber tires, appliances, furniture or for prohibited construction and demolition material. This shall not apply to small tokens of goodwill on special occasions as long as it does not result in favorable treatment for the giver.

f. Any violation of this section shall result in the payment of damages to the City of Bayonne in accordance with the General Provisions of Chapter One.

Editor's Note: See also Chapter 3, Police Regulations*

17-3.6 Use of Litter and Trash Receptacles

d. *Enforcement.*

1. Violation of any provision of this section shall be cause for an enforcement document to be issued to the violator by the ~~{Health Officer}~~ ****Police Department, Litter Inspector, Parking Enforcement Officers, Health Official, Recycling Coordinator, or any municipal officials designated or authorized by {those persons}** ****either the Department of Public Works, Director of Public Safety or the Health Officer.**** The recipient of an enforcement document shall be entitled to a hearing in a municipal court having jurisdiction to contest such action.

17-3.10 Construction Sites.

****a.**** It shall be unlawful for any owner, agent, or contractor in charge of a construction or demolition site to permit the accumulation of litter before, during, or immediately following completion of any construction or demolition project. It shall be the duty of the owner, agent, or contractor in charge of a construction site to furnish containers adequate to accommodate flyable or non-flyable debris or trash at areas convenient to construction areas, and to maintain and empty the receptacles in such a manner and with such a frequency as to prevent spillage of refuse. (1972 Code § 6-1.10; Ord. No. O-11-28).

****b.** It shall be unlawful for any owner, agent, or contractor in charge of a renovation, construction or demolition site to permit disposal of renovation, construction or demolition waste in any place not specifically designated for the purpose of construction or demolition debris storage or disposal.

e. Any violation of this section shall result in the payment of damages to the City of Bayonne in accordance with the General Provisions of Chapter One.

f. Fines levied and collected pursuant to this section shall be deposited into the Recycling Program Income Account.

Editor's Note: See also Chapter 3, Police Regulations*

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

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 17, PROPERTY MAINTENANCE," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, April 17, 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.

* * * * *

12. Council Member LaPelusa introduced:

AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED 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, Article 9, Sale of Tobacco to Minors, Section 2, Sale or Furnishing of Cigarettes or Tobacco to Minors Prohibited, Subsection a. be and is hereby amended and supplemented as follows (Additions ****between asterisks and/or in bold****, deletions ~~{within brackets and/or struck through}~~):

3-9.2 Sale or Furnishing of Cigarettes or Tobacco to Minors Prohibited.

a. Any person who directly or indirectly, acting as agent or otherwise, distributes for commercial purposes at no cost or at minimal cost or with coupons or rebate offers or sells, gives or furnishes to a minor under the age of ~~{eighteen (18)}~~ ****twenty-one (21)**** years, any cigarettes made of tobacco or of any other matter or substance which can be smoked or any cigarette paper or tobacco in any form, including smokeless tobacco, either from a vending machine or by retail counter sales, is subject to a penalty of not more than one thousand two hundred fifty (\$1,250.00) dollars for each offense. This section shall in no way impede the ability of the municipality to pursue remedies under N.J.S.A. 2A:170-51 if the municipality should so choose.

Council Member LaPelusa moved a resolution, seconded by Council Member Carroll, 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, April 17, 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.

* * * * *

13. Council Member LaPelusa introduced:

CALENDAR YEAR 2019
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO
ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Municipal Council of the City of Bayonne in the County of Hudson finds it advisable and necessary to increase its CY 2019 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Municipal Council hereby determines that a 1.0 % increase in the budget for said year, amounting to \$1,104,427 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Municipal Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Municipal Council of the City of Bayonne, in the County of Hudson, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2019 budget year, the final appropriations of the City of Bayonne shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$3,864,793, and that the CY 2019 municipal budget for the City of Bayonne be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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 "CALENDAR YEAR 2018 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, April 17, 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.

* * * * *

14. Council Member Carroll 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 7-37, Restrictive Parking For Residents With Disabilities, Subsection 1.4(h) is hereby amended and supplemented as follows (Additions ****between asterisks and/or in bold****, deletions ~~{within brackets and/or struck through}~~):

7-37 RESTRICTIVE PARKING FOR RESIDENTS WITH DISABILITIES.

7-37.1 Procedures to Apply for a Restrictive Parking Zone.

h. Penalties for Violation.

4. Misuse of a restricted parking zone may result in the revocation of the parking zone. "Misuse" of a restricted parking zone may include, but is not limited to, allowing an unauthorized vehicle to park in the restricted zone{-} **** or the parking of the vehicle assigned to a designated restrictive parking zone in another non-designated space on the residential block of the permittee.****

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

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, April 17, 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.

* * * * *

15. Council Member LaPelusa introduced:

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

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

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

RESTRICTIVE PARKING ZONES

DELETE

079. Salvatore Cardella, 82 West 7th Street

Beginning at a point on the south side of West 7th Street, 47 feet east of the southeast corner of West 7th Street and Newman Avenue, and extending to a point 18 feet east thereof.

116. Cornelius Carroll, 135 West 2nd Street

Beginning at a point on the north side of West 2nd Street, 35 feet west of the northwest corner of West 2nd Street and Trask Avenue, and extending to a point 18 feet west thereof.

280. Daniel Zimmerman, 41 West 16th Street
Beginning at a point on the north side of West 16th Street, 181 feet east of the northeast corner of West 16th Street and Avenue C, and extending to a point 18 feet east thereof.

ADD

019. Dominick Rizzo, 11 Veterans Court
Beginning at a point on the west side of Avenue E, 147 feet south of the southwest corner of East 14th Street and Avenue E, and extending to a point 17 feet south thereof.

020. Mark Weaver, 63 East 4th Street
Beginning at a point on the north side of East 4th Street, 180 feet west of the northwest corner of East 4th Street and Hobart, and extending to a point 16 feet west thereof.

120. Jeanette and Robert Jensen, 7 East 1st Street
Beginning at a point on the north side of East 1st Street, 103 feet east of the northeast corner of East 1st Street and Broadway, and extending to a point 16 feet east thereof.

121. Nancy Lagomarsino, 224 Avenue B
Beginning at a point on the east side of Avenue B, 75 feet south of the southeast corner of Avenue B and West 51st Street, and extending to a point 16 feet south thereof.

128. Balys Bieliauskas, 27 West 39th Street
Beginning at a point on the north side of West 39th Street, 386 feet west of the northwest corner of Avenue C and West 39th Street, and extending to a point 17 feet east thereof.

140. Kirolos S. Raphael for his daughter, Pelagia K. Raphael, 875 Broadway
Beginning at a point on the south side of West 41st Street, 83 feet west of the southwest corner of Broadway and West 41st Street, and extending to a point 16 feet west thereof.

143. Helene Moorecraft, 102 West 50th Street
Beginning at a point on the south side of West 50th Street, 151 feet east of the southwest corner of Avenue B and West 50th Street, and extending to a point 16 feet east thereof.

RELOCATE

339. Ceceile Reed, 32 West 19th Street to 586-588 Avenue C
OLD LOCATION: Beginning at a point on the south side of West 19th Street, 420 feet west of the southwest corner of West 19th Street and Broadway, and extending to a point 19 feet west thereof.
NEW LOCATION: Beginning at a point on the east side of Avenue C, 56 feet south of the southeast corner of Avenue C and West 26th Street, and extending to a point 16 feet south thereof.

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

BE IT RESOLVED, that an ordinance entitled “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, April 17, 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.

* * * * *

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

WHEREAS, Section 2-1.3 of the Revised General Ordinances of the City of Bayonne permits the Municipal Council, by an affirmative vote of the members present

at a council meeting, to approve a consent agenda consisting of one or more communications or resolutions; now, therefore, be it

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

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

* * * * *

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

From JUSTIN M. MILLER, filing notice of tort claim alleging personal injuries and property damage to his automobile sustained on January 30, 2019, resulting from being struck in the rear by a municipal vehicle at 15th Street and Broadway.

* * * * *

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

From Superior Court of New Jersey, Chancery, Division Summons and Complaint in matter entitled, “PRO CAP 7, LLC, FIRST TRUST vs. DELAWARE DELTA, LLC, et al., incl. THE CITY OF BAYONNE.” (Foreclosure of tax sale certificate – City has Fire Department and building code violation liens on the property.)

* * * * *

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

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

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “RITE INVESTORS - NJBR vs. CITY OF BAYONNE.” (471 Broadway, Block 210, lot 25.01 - commercial)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “MPT OF BAYONNE, LLC vs. CITY OF BAYONNE.” (407-421 Avenue E, Block 164, lot 5.01, 408-422 Avenue E, Block 420.01, lot 2.01, 423 Avenue E, Block 159, lot 14, 425-427 Avenue E, Block 159 lot 15 - commercial & vacant)

* * * * *

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

From Donohue, Gironda, Doria & Tompkins, LLC, REPORT OF AUDIT for the year ended December 31, 2017.

* * * * *

23. 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.

* * * * *

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

March 13, 2019

Dear Council President Nadrowski
And Honorable Members of City Council

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

Sandra R. Dear 51 Boatworks Drive Bayonne, NJ 07002	Term expiring on December 31, 2019 (Replacing Gail Godesky as Regular Member)
---	--

Gail Godesky 828 Kennedy Blvd., Apt. 2B Bayonne, NJ 07002	Term expiring on December 31, 2022 (Appointment as Mayor's Designee)
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In conjunction with this appointment the City Clerk has been directed to add an accompanying item on the March 20, 2019 Council meeting agenda to be received and filed by the City Council.

Sincerely,
James M. Davis
Mayor
(signed)

* * * * *

25. 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.

* * * * *

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

DATE: March 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 Monday , March 4, 2019

\$ 5,692,692.00 CLAIMS & PAYROLL FOR MARCH 2019

Janet Convery
(signed)

* * * * *

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

BID REPORT
FOR THE MUNICIPAL COUNCIL

Date: 03/13/19 Ad Date: 02/25/19 Resolution #19-02-20-058

Date bids accepted: 03/13/19 Attending: Amy Dellabella, Purchasing Agent,
Justin Cornell, CME

Bid titled: **City Hall Bathroom Renovations**

LaRocca Inc.
50 Lewis Avenue
Jersey City, NJ 07306 \$112,500.00

BGD Contracting
120 West 52nd Street
Bayonne, NJ 07002 \$142,000.00

K & D Contractors LLC
351 Monroe Avenue
Kenilworth, NJ 07033 \$239,800.00

After review by the Department Director, the Purchasing Department will prepare a request for contract award and forward it to the City Clerk for inclusion in future Council Agenda.

If other than the lowest bidder is recommended, an explanation will be provided with that report.

If bids are to be rejected, an appropriate report will be prepared. Please retain this report, as the information above may not be repeated in the request for award documents or in the event of a bid rejection.

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

* * * * *

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

BID REPORT
FOR THE MUNICIPAL COUNCIL

Date: 03/13/19 Ad Date: 02/25/19 Resolution #19-02-20-057

Date bids accepted: 03/13/19 Attending: Amy Dellabella, Purchasing Agent,
Justin Cornell, CME

Bid titled: **Sgt. James J. Shea Memorial Shooting Range Roof Reconstruction**

Mak Group LLC
40 Summit Avenue
Clifton NJ 07013 \$110,433.00

Emjack Construction
521Hamburg Turnpike
Pompton Lakes, NJ 07442 \$112,210.00

Integrity Roofing Inc.
1385 Witherspoon St.
Rahway, NJ 07065 \$173,340.00

Journey Contracting Co., Inc.
395B Millstone Road
Millstone, NJ 08570 \$19,942.00

Roof Management Inc.
1627 Wyckoff Road
Wall, NJ 07727 \$295,670.00

After review by the Department Director, the Purchasing Department will prepare a request for contract award and forward it to the City Clerk for inclusion in future Council Agenda.

If other than the lowest bidder is recommended, an explanation will be provided with that report.

If bids are to be rejected, an appropriate report will be prepared. Please retain this report, as the information above may not be repeated in the request for award documents or in the event of a bid rejection.

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

29. 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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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 regular council meeting held Wednesday, February 20, 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.

RESOLVED, That the official minutes of the council caucus meeting held Wednesday, February 13, 2019, be and the same are hereby approved.

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

BE IT RESOLVED, that MATTHEW J. KLIMANSKY be and is hereby appointed to the Zoning Board of Adjustment of the City of Bayonne as Alternate #4 for a term to expire December 31, 2021.

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

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

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

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

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

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

BLOCK	LOT	PAYEE	AMOUNT
26	15	Kerwin Hamlet	2,537.71
28	19.01	Christopher T. Perez	3,229.15
43	10	Nely Morales	1,343.00
75	5 C0104	Erin Carlyle	2,032.71
94	31	Ayan Chattaraj	2,430.53
106	32	Mark Lenzo	2,318.81
161	39	Theresa Dynega	108.09
295	4	Sandra Esposito-Richardson	3,567.39
317	20	Mr. & Mrs. M. Murphy	3,130.00
335	11.02	CoreLogic	1,351.18
348	21	Rushmore Loan Management	1,519.22
366	9 C0109	Eva Reed	1,986.66
374	16	Rhoda Maier	2,527.95
Total:			28,082.40

34. 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 \$ 95.40 drawn of the Bureau of Rabies Control, State Department of Health, Trenton, New Jersey, covering the issuance of licenses Nos. 761-807 inclusive, 47 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.

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

WHEREAS, the City of Bayonne was performing certain roadway and infrastructure improvements in the City’s Right of Way in the vicinity of Lefante Way (between Route 440 and Avenue J) in the City of Bayonne, County of Hudson, State of New Jersey’

WHEREAS, as a result of the roadway work and infrastructure improvements, soils underlying the roadway bed were identified as “historic fill” and stockpiled on site pending testing and disposal;

WHEREAS, on August 17, 2018, NJDEP representatives conducted an investigation of the soil piles in the area of 67 LeFante Way in the City of Bayonne;

WHEREAS, because it was alleged by the NJDEP that the subject soils were stockpiled on site in excess of ninety (90) days, the City of Bayonne was issued a violation of the 40 C.F.R. 262.17 (b) through (e);

WHEREAS, because the City of Bayonne was alleged by NJDEP to not have arranged for an EPA identification number prior to stockpiling the subject soil, the City of Bayonne was issued a violation of 40 CFR 262.18(a);

WHEREAS, the monetary fine for both violations was levied by the NJDEP at the aggregate amount of \$20,000 (Twenty Thousand Dollars);

WHEREAS, the City engaged in voluntary corrective action to address the alleged deficiencies alleged as violation the Code of Federal Regulations, while at all relevant times denied any intentional conduct and knowing culpability for the referenced alleged infractions;

WHEREAS, taking into consideration the City's good faith defenses and after negotiations by the City's Law Department, the NJDEP has agreed to enter into a settlement with the City in the reduced amount of \$15,000 (Fifteen Thousand Dollars);

WHEREAS, it is in the best interests of the City and most costs-effective to our residents to avoid protracted litigation with the NJDEP and settle the matter amicably without any admittance of liability;

WHEREAS, in recognition of the cost savings for legal, expert and court costs for the City's taxpayers, it is in the City's nest interests to settle this matter amicably for the reduced amount of \$15,000 (Fifteen Thousand Dollars) without an admittance of liability and pursuant to payment terms to be agreed to between the NJDEP and the City of Bayonne and in accordance with certain other typical terms and conditions to be negotiated and finalized by the Law Department; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Law Department is authorized to enter into a Settlement Agreement with the NJDEP to amicably resolve a certain "Notice of Violation" issued to the City by the NJDEP on or about January 2, 2019 for the amount of \$15,000 (Fifteen Thousand Dollars) upon terms and conditions that are most beneficial to the City's taxpayers.
2. The Mayor and Clerk are hereby authorized to execute the subject Settlement Agreement with the NJDEP to amicably resolve a certain Notice of Violation issued to the City on or about January 2, 2019 for the amount off \$15,000 (Fifteen Thousand Dollars) in a form of settlement agreement that is approved by the Law Department.

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

WHEREAS, the Police Department of the City of Bayonne has established that there is a need for yearly maintenance of the citywide communications system infrastructure; and

WHEREAS, Motorola is capable of supplying such services under State Contract #83909 for a one year period commencing January 1, 2019 and ending December 31, 2019 at a cost of \$277,537.30, pursuant to Motorola Future Service Agreement No. USC000006618 dated September 4, 2018; and

WHEREAS, it is essential for the health, safety and welfare of the citizens of the City of Bayonne that the citywide communications system infrastructure be maintained at all times; and

WHEREAS, funds are certified as available in the following accounts pending adoption of the CY2019 budget:

Police Contractual Services, 9-01-25-240-0000-029;
Fire Contractual Services, 9-01-25-265-0000-029;
P.W. Contractual Services, 9-01-26-310-0000-029
Parking Utility E.O., 9-05-20-104-0000-199; and
Reimburse City-wide Communications System, G-02-41-821-767C-199;

now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and/or hi designee is hereby authorized to execute the aforesaid Future Service Agreement No. USC000006618 dated September 4, 2018, with Motorola, ATTN: National Service Support, 1299 East Algonquin Road, Schaumburg, IL 60196, for maintenance of the citywide communications system infrastructure for a one year period commencing

January 1, 2019 and ending December 31, 2019 for an amount of \$277,537.30 payable quarterly under State Contract #83909 are hereby ratified and affirmed.

2. The Treasurer is hereby authorized to issue quarterly checks in the amounts of \$69,384.32 payable for the first, second, and third quarters, and \$69,384.34 payable for the 4th quarter for a total contract amount of \$277,537.30 to Motorola Solutions representing payment for the aforesaid maintenance of the citywide communications systems infrastructure.

3. Funds shall be chargeable to the following accounts:

Police Contractual Services, 9-01-25-240-0000-029;
Fire Contractual Services, 9-01-25-265-0000-029;
P.W. Contractual Services, 9-01-26-310-0000-029;
Parking Utility E.O., 9-05-20-104-0000-199; and
Reimburse City-wide Communications System, G-02-41-821-767C-199

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

WHEREAS, the city clerk, advertised in the Jersey Journal on February 25, 2019 that sealed bids for City Hall bathroom renovations would be received on March 13, 2019; and

WHEREAS, pursuant to such advertisement, three (3) proposals were received from:	
Bidders	Bid Amount
LaRocca Inc. 50 Lewis Avenue Jersey City, NJ 07306	\$112,500.00
BGD Contracting 120 west 52nd Street Bayonne, NJ 07002	\$142,000.00
K & D Contractors LLC 351 Monroe Avenue Kenilworth, NJ 07033	\$239,800.00

and

WHEREAS, Amy Dellabella, R.P.P.O., Q.P.A. has examined the bids or proposals and has determined that the bid of LaRocca Inc.is a regular bid and is most advantageous to the City of Bayonne for City Hall bathroom renovations; and

WHEREAS, the Municipal Comptroller has filed a certification with the city clerk that funds are available; now, therefore, be it

RESOLVED, that the contract for City Hall bathroom renovations be awarded to:

LaRocca Inc.
50 Lewis Avenue
Jersey City, NJ 07306

for the following bid price: \$112,500.00, and that the contract be executed in the name of the City of Bayonne by the proper city officials and that the said sum be charged to account: CDBG 997.

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

WHEREAS, the city clerk, advertised in the Jersey Journal on February 25, 2019 that sealed bids for Sgt. James J. Shea Memorial Shooting Range Roof Reconstruction would be received on March 13, 2019; and

WHEREAS, pursuant to such advertisement, five (5) proposals were received from:	
Bidders	Bid Amount
Mak Group LLC 40 Summit Avenue Clifton NJ 07013	\$110,433.00

Emjack Construction 521Hamburg Turnpike Pompton Lakes, NJ 07442	\$112,210.00
Integrity Roofing Inc. 1385 Witherspoon St. Rahway, NJ 07065	\$173,340.00
Journey Contracting Co., Inc. 395B Millstone Road Millstone, NJ 08570	\$19,942.00
Roof Management Inc. 1627 Wyckoff Road Wall, NJ 07727	\$295,670.00

and

WHEREAS, Amy Dellabella, R.P.P.O., Q.P.A. has examined the bids or proposals and has determined that the bid of LaRocca Inc.is a regular bid and is most advantageous to the City of Bayonne for Sgt. James J. Shea Memorial Shooting Range Roof Reconstruction; and

WHEREAS, the Municipal Comptroller has filed a certification with the city clerk that funds are available; now, therefore, be it

RESOLVED, that the contract for Sgt. James J. Shea Memorial Shooting Range Roof Reconstruction; be awarded to:

Mak Group LLC
40 Summit Avenue
Clifton, NJ 07013

for the following bid price: \$110,433.00, and that the contract be executed in the name of the City of Bayonne by the proper city officials and that the said sum be charged to account: Capital Bond #O-17-21.

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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 of Bayonne is in need of professional engineering services in connection with special projects (specifically, traffic related matters) on an on-call basis during CY2019; and

WHEREAS, Remington & Vernick Engineers, One Harmon Plaza, Suite 210, Secaucus, NJ 07094 has submitted to the City of Bayonne a formal, written response to the City's Request for Qualifications/Proposals for said professional engineering special projects; and

WHEREAS, Remington & Vernick Engineers is qualified, ready, willing and able to provide said professional engineering and planning services; and

WHEREAS, funds have been certified as available in BA-2 pending adoption of the CY2019 budget and Escrow Accounts; 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, Remington & Vernick Engineers has qualified pursuant to the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5; 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 Remington & Vernick Engineers, One Harmon Plaza, Suite 210, Secaucus, NJ 07094 for professional engineering in connection with special projects (specifically, traffic related matter) on an on-call basis for the period commencing April 1, 2019 and terminating December 31, 2019 for an amount not to exceed \$70,000.00.

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

3. Funds have been certified as available in BA-2 pending adoption of the CY2019 budget and Escrow Accounts.

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

WHEREAS, the Director of Public Works anticipates that there will be a need for the purchase tires for use on various City vehicles throughout Calendar Year 2019; and

WHEREAS, Good Year Auto Service, is capable of supplying said tires for use on various City vehicles under State Contract #82527; and

WHEREAS, the Director of Public Works anticipates the cost to purchase said tires from Goodyear Auto Services will not exceed \$25,000.00 throughout Calendar Year 2019; and

WHEREAS, funds are certified as available in Vehicle Maintenance, 9-01-26-315-0000-029, pending adoption of the CY2019 budget (\$8,000.00 temporary encumbrance); now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Purchasing Agent of the City of Bayonne is hereby authorized to execute any and all documents necessary and take any and all actions to effectuate the purchase of tires for use on various City vehicles throughout Calendar Year 2019 from Good Year Auto Service under State Contract #82527 at a total cost not to exceed \$25,000.00.

2. Funds shall be chargeable to Vehicle Maintenance, 9-01-26-315-0000-029, pending adoption of the CY2019 budget (\$8,000.00 temporary encumbrance).

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

WHEREAS, the Director of Public Works anticipates that there will be a need for the purchase tires for use on various City vehicles throughout Calendar Year 2019; and

WHEREAS, F & S Tire Corp., Inc., 58 Brunswick Ave., Edison NJ 08817, is capable of supplying said tires for use on various City vehicles under State Contract #82527; and

WHEREAS, the Director of Public Works anticipates the cost to purchase said tires from F & s Tire Corp., Inc., will not exceed \$25,000.00 throughout Calendar Year 2019; and

WHEREAS, funds are certified as available in Vehicle Maintenance, 9-01-26-315-0000-029, pending adoption of the CY2019 budget (\$8,000.00 temporary encumbrance); now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Purchasing Agent of the City of Bayonne is hereby authorized to execute any and all documents necessary and take any and all actions to effectuate the purchase of tires for use on various City vehicles throughout Calendar Year 2019 from F & S Tire Corp., Inc., 58 Brunswick Ave., Edison NJ 08817 under State Contract #82527 at a total cost not to exceed \$25,000.00.

2. Funds shall be chargeable to Vehicle Maintenance, 9-01-26-315-0000-029 pending adoption of the CY2019 budget (\$8,000.00 temporary encumbrance).

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

WHEREAS, the Director of Public Works anticipates that there will be a need for the purchase various parts and supplies for use on various City vehicles throughout Calendar Year 2019; and

WHEREAS, Samuels, Inc., d/b/a Buy Wise is capable of supplying said tires for use on various City vehicles under State Contract #42071; and

WHEREAS, the Director of Public Works anticipates the cost to purchase said tires from Samuels, Inc., d/b/a Buy Wise will not exceed \$65,000.00 throughout Calendar Year 2019; and

WHEREAS, funds are certified as available in Vehicle Maintenance, 9-01-26-315-0000-030, pending adoption of the CY2019 budget (\$20,000.00 temporary encumbrance); now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Purchasing Agent of the City of Bayonne is hereby authorized to execute any and all documents necessary and take any and all actions to effectuate the purchase of various parts and supplies for use on various City vehicles throughout Calendar Year 2019 from Samuels, Inc., d/b/a Buy Wise under State Contract #42071 at a total cost not to exceed \$65,000.00.

2. Funds shall be chargeable to Vehicle Maintenance, 9-01-26-315-0000-030 pending adoption of the CY2019 budget (\$20,000.00 temporary encumbrance).

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

WHEREAS, the Director of Public Works anticipates that there will be a need for the purchase various parts and supplies for use on various City vehicles throughout Calendar Year 2019; and

WHEREAS, Genuine Auto Part Co. d/b/a Napa Auto is capable of supplying said tires for use on various City vehicles under State Contract #42093; and

WHEREAS, the Director of Public Works anticipates the cost to purchase said parts and supplies for use on various City vehicles from Genuine Auto Part Co. d/b/a Napa Auto will not exceed \$45,000.00 throughout Calendar Year 2019; and

WHEREAS, funds are certified as available in Vehicle Maintenance, 9-01-26-315-0000-030, pending adoption of the CY2019 budget (\$15,000.00 temporary encumbrance); now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Purchasing Agent of the City of Bayonne is hereby authorized to execute any and all documents necessary and take any and all actions to effectuate the purchase of various parts and supplies for use on various City vehicles throughout Calendar Year 2019 from Genuine Auto Part Co. d/b/a Napa Auto under State Contract #42093 at a total cost not to exceed \$45,000.00.

2. Funds shall be chargeable to Vehicle Maintenance, 9-01-26-315-0000-030 pending adoption of the CY2019 budget (\$15,000.00 temporary encumbrance).

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

WHEREAS, the Director of Public Works anticipates that there will be a need for the purchase various parts and supplies for use on various City vehicles throughout Calendar Year 2019; and

WHEREAS, M & R Miller Auto Gear, 201 Kennedy Boulevard, Bayonne, New Jersey, is capable of supplying said tires for use on various City vehicles; and

WHEREAS, the Director of Public Works anticipates the cost to purchase said parts and supplies for use on City vehicles from M & R Auto Gear will not exceed \$35,000.00 throughout Calendar Year 2019; and

WHEREAS, funds are certified as available in Vehicle Maintenance, 9-01-26-315-0000-030, pending adoption of the CY2019 budget (\$10,000.00 temporary encumbrance); now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Purchasing Agent of the City of Bayonne is hereby authorized to execute any and all documents necessary and take any and all actions to effectuate the purchase of various

parts and supplies for use on various City vehicles throughout Calendar Year 2019 from M & R Miller Auto Gear, 201 Kennedy Boulevard, Bayonne, New Jersey at a total cost not to exceed \$35,000.00.

2. Funds shall be chargeable to Vehicle Maintenance, 9-01-26-315-0000-030 pending adoption of the CY2019 budget (\$10,000.00 temporary encumbrance).

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

WHEREAS, by way of Resolution No. 17-02-15-050 adopted by the Municipal Council on February 15, 2017, the City entered into Cooperative Pricing Agreement No. 65MCESCCPS (“Cooperative Pricing Agreement”) with the Educational Services Commission of New Jersey (formerly the Middlesex Regional Educational Services Commission) (the “Commission”) pursuant to N.J.S.A. 40A:11-1(5); and

WHEREAS, by way of Resolution No. 17-04-19-048 adopted by the Municipal Council on April 19, 2017, the Purchasing Agent procured the services of In-Line Air Conditioning Co., Inc., 85 East 21st Street, Bayonne, New Jersey for HVAC Services for Various City Buildings through the aforesaid Cooperative Pricing Agreement for an eighteen (18) month period commencing July 1, 2017, and ending December 31, 2018, for a total amount not to exceed \$115,000.00; and

WHEREAS, on September 4, 2018, the Commission approved the extension of the bid of In-Line Air Conditioning Co., Inc., through March 17, 2020, under the same terms, conditions and pricing as stated in In-Line Air Conditioning Co., Inc.’s, original bid; and

WHEREAS, the City was in continued need of HVAC Services for Various City Buildings from January 1, 2019, to the present; and

WHEREAS, the City determined it was in the best interest of the City to continue to procure the aforesaid HVAC Services for Various City Buildings from In-Line Heating & Cooling, Co., Inc., through the aforesaid Cooperative Pricing Agreement; and

WHEREAS, funds are certified as available in Account #9-1-26-310-0000-029 pending Temporary Emergency Appropriation #2 and adoption of the CY2019 budget; and

WHEREAS, the in Municipal Council has authorized the City to bid for HVAC Services for Various City Buildings; and

WHEREAS, the City is in need of continued services until such time as a new contract can be awarded and it is in the best interest of the City to continue with In-Line Heating & Cooling Co., Inc., through May 31, 2019 at the Cooperative Pricing Agreement rates; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The actions of the City in authorizing the continued procurement of HVAC Services for Various City Buildings from In-Line Air Conditioning Co., Inc., through the aforesaid Cooperative Pricing Agreement from January 1, 2019, to present and payments therefor are hereby ratified and affirmed.

2. The continued procurement of HVAC Services for Various City Buildings from In-Line Air conditioning Co., Inc., through the Cooperative Pricing Agreement through May 31, 2019 is hereby authorized.

3. Funds shall be charged to Account #9-1-26-310-0000-029 pending Temporary Emergency Appropriation #2 and adoption of the CY2019 budget.

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

WHEREAS, the Director of Public Works has established that there is a need for the installation of a new fire pump, replacement of discharge & suction valves, and replacement of foam eductors on Fire Engine #7; and

WHEREAS, Campbell Supply Company, 1015 Cranbury South River Road, South Brunswick, NJ 08831 (“Campbell”) is capable of supplying such installation under State

Contract #42074 at a cost of \$72,763.00, pursuant to Service Estimate Repair Order #11302 provided by Campbell; and

WHEREAS, funds are certified as available in Vehicle Maintenance, 9-01-26-315-0000-029, pending adoption of the CY2019 budget (temporary emergency appropriation); now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Purchasing Agent of the City of Bayonne is hereby authorized to execute any and all documents necessary and take any and all actions to effectuate the installation of the aforesaid fire pump, replacement of discharge & suction valves, and replacement of foam eductors on Fire Engine #7 through State Contract #42074 at a cost of \$72,763.00 pursuant to Service Estimate Repair Order #11302 provided by Campbell Supply Company.

2. Funds shall be chargeable to Vehicle Maintenance, 9-01-26-315-0000-029, pending adoption of the CY2019 budget (temporary emergency appropriation).

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

WHEREAS, the individual vendors of the New Jersey Council of Farmers and Communities (“Individual Vendors”) have requested permission to operate the 2019 Bayonne Farmers’ Market within the municipal lands designated as Fitzpatrick Park located at Avenue C between 26th and 27th Streets (“Fitzpatrick Park”); and

WHEREAS, the Farmers’ Market has proven a successful and desirable event in the City since 2012; and

WHEREAS, the City is agreeable to entering into License Agreements with the Individual Vendors allowing them to operate the 2019 Bayonne Farmers’ Market within Fitzpatrick Park every Tuesday from 2:00 p.m. until 7:00 p.m. commencing May 28, 2019, and ending the earlier of November 26, 2019 or upon written notice from the City for a sum not to exceed \$35/week; now, therefore, be it

RESOLVED that the Mayor and the City Clerk are hereby authorized and directed to take all steps necessary to execute License Agreements, in form and substance as is approved by the Law Director, with the individual vendors of the New Jersey Council of Farmers, to permit the use of municipal lands designated as Fitzpatrick Park located at Avenue C between 26th and 27th Streets pursuant to License Agreements, for the purpose of the 2019 Bayonne Farmers’ Market, every Tuesday from 2:00 p.m. until 7:00 p.m., commencing May 28, 2019, and ending the earlier of November 26, 2019, or upon written notice from the City, for a sum not to exceed \$35/week.

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

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The City Council of the City of Bayonne, County of Hudson, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the City Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the City Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Hudson;

NOW, THEREFORE, BE IT RESOLVED by the City of Bayonne, County of Hudson, State of New Jersey hereby recognizes the following:

1. The City Council does hereby authorize submission of a strategic plan for the Bayonne Municipal Alliance grant year July 1, 2019 to June 30, 2020 in the amount of:

DEDR	\$ 54,448.00
Cash Match	\$ 13,612.00
In-Kind	\$ 40,836.00

2. The City Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

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

Whereas, the Tax Assessor for the City of Bayonne had approved the exemption application filed by a 100% Disabled Veteran who owns and occupies a one unit condominium located at Block 377, Lot 7, Qual. C0207 – 19 Zabriskie Avenue in the City of Bayonne, for the 2019 Tax Year and currently, and

Whereas, the qualified veteran has filed proof of a qualifying 100% disability prior to his purchase of the above stated property on January 2, 2019, and

Whereas, the Veteran, through the Municipal Tax Assessor, has asked that the City Council honor the exemption as of the date of his disability;

Now therefore be it resolved as follows:

1. The property taxes on the one unit condominium located at Block 377, Lot 7, Qual. C0207 – 19 Zabriskie Avenue in the City of Bayonne occupied by said qualifying veteran are hereby canceled effective January 2, 2019 with the assessor to revise the assessment going forward and the tax collector to calculate any resulting overpayment of the tax bills from that date to the date of passage of this resolution based on the final tax rate and the amount of tax actually billed and paid for the period to which the cancellation of taxes approved by this resolution applies.
2. The Tax Collector upon performing the above calculations is authorized to refund any overpayment amount which exceeds such outstanding taxes, so as to assure that the exemption is fully effectuated by the end of the current Tax Year. The Tax Collector is further authorized to credit or adjusting all future bills in conformance with this resolution for the duration of the veteran's qualified status with respect to this property.
3. The Tax Collector, Tax Assessor and City Treasurer are authorized to take any and all appropriate action to effectuate this resolution, including but not limited to, cancellation of taxes as set forth above and the refund or credit of any excess taxes which may have been paid by said qualifying veterans during the periods noted herein.

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

Whereas, Tax Counsel for the City of Bayonne has with the agreement of the City Tax Assessor reached proposed settlement agreements with respect to certain multi-year State Court Tax Appeals on the following properties as detailed on the attached Schedule A :

- Block 396 Lot 1, 20 Pulaski Street (V & J, Inc.IT M Jasme Properties, LLC).

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

Now therefore be it resolved as follows:

1. The above recitals are incorporated herein.
2. Tax Counsel for the City of Bayonne is authorized to enter into and execute stipulations of settlement on behalf of the City of Bayonne consistent with the

terms provided on the attached schedule A with respect to the outstanding appeals listed in that schedule for: Block 396 Lot 1, 20 Pulaski Street (V & J, Inc.IT M Jasme Properties, LLC).

3. The terms of such stipulation to provide for the resulting refund to be paid within ninety (90) days of the entry of judgment, with no interest to apply.
4. The City's Tax Counsel, City Attorney, CFO, Treasurer and Tax Collector are authorized to take any action necessary to effectuate this resolution and the resulting judgment(s).
5. This resolution shall take effect immediately.

* * * * *

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

Whereas, Tax Counsel for the City of Bayonne has with the agreement of the City Tax Assessor reached proposed settlement agreements with respect to certain multi-year State Court Tax Appeals on the following properties as detailed on the attached Schedule A :

- Block 154 Lot 47, 688-690 Broadway (The Four B's).

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

Now therefore be it resolved as follows:

1. The above recitals are incorporated herein.
2. Tax Counsel for the City of Bayonne is authorized to enter into and execute stipulations of settlement on behalf of the City of Bayonne consistent with the terms provided on the attached schedule A with respect to the outstanding appeals listed in that schedule for: Block 154 Lot 47, 688-690 Broadway (The Four B's).
3. The terms of such stipulation to provide for the resulting refund to be paid within ninety (90) days of the entry of judgment, with no interest to apply.
4. The City's Tax Counsel, City Attorney, CFO, Treasurer and Tax Collector are authorized to take any action necessary to effectuate this resolution and the resulting judgment(s).
5. This resolution shall take effect immediately.

* * * * *

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

WHEREAS, N.J.S.A. 40A:4-40 allows the Reserve for Uncollected Taxes, when approved by resolution of the governing body, to be calculated using a three (3) year average of prior years' percentage of cash collections; and

WHEREAS, the tax collection rate has been reduced by the amount of tax appeals awarded and using last year's years reduced rate alone would increase the amount to be raised by taxation.

RESOLVED, that the Chief Financial Officer is authorized to use a three (3) year average of prior cash collections for the calculation of the CY 2019 budget appropriation "Reserve for Uncollected Taxes."

* * * * *

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

WHEREAS, by way of Resolution No. 19-02-20-049 adopted by the Municipal Council on February 20, 2019, the City accepted 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, by way of said Resolution No. 19-02-20-049 the City entered into Agreement No. CY19-043 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; and

WHEREAS, the aforementioned amount of \$88,500 reflected the initial amount of Title III Grant funds to be received by the City to be allocated to #561 Congregate Nutrition; and

WHEREAS, the total projected amount of said Title III Grant funds to be allocated to #561 Congregate Nutrition is \$177,500, which includes the initial \$88,500 plus an additional projected amount of \$88,500; and

WHEREAS, it is the City's intention to utilize \$83,241.00 of said projected additional grant funds for the purpose of continuing to provide a Nutritional Feeding Program for Senior Citizens consistent with #561 Congregate Nutrition; now, therefore, be it

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

1. The Mayor and City Clerk are hereby authorized to enter into an amendment to Agreement No. CY19-043 with the Bayonne Economic Opportunity Foundation, 555 Kennedy Boulevard, Bayonne, New Jersey 07002 increasing same in the amount of \$83,241.00 consistent with the projected amount of additional Title III Grant #561 Congregate Nutrition funds making the total contract amount \$455,170 subject to the receipt and acceptance of said projected additional Title III Grant Funds by the City.

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

* * * * *

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

WHEREAS, the Director of Public Safety and/or the Director of Public Works has/have determined that the following vehicle is out of service and beyond repair:

Department of Public Works, 1993 Ford Taurus, VIN #1FALP5248SSA203792

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

RESOLVED, by the Municipal Counsel as follows:

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

* * * * *

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

WHEREAS, Section 17-23, Charitable Clothing Bins, of the Revised General Ordinances of the City of Bayonne requires that a permit be obtained by a qualifying non-profit organization in order for it to place donation clothing bins within the City of Bayonne, provided certain requirements in the ordinance are met; and

WHEREAS, H AND M LEASING CORP., c/o Marc Field, 1245 Marconi Blvd., Copiague, NY 11726 has applied for a permit for three (3) clothing donation bins to be located at 400 Bayonne Crossing Way, and has paid the appropriate fees and supplied the required documents; now, therefore be it

RESOLVED, that the application of H AND M LEASING CORP., c/o Marc Field, 1245 Marconi Blvd., Copiague, NY 11726 for three (3) clothing donation bins to be located at 400 Bayonne Crossing Way at the specific location designated on the map submitted as part of their application, be and is hereby approved for the calendar year 2018; and be it further

RESOLVED, that the City Clerk be and is hereby authorized and directed to issue a permit for three (3) clothing donation bins to H AND M LEASING CORP., c/o Marc Field, 1245 Marconi Blvd., Copiague, NY 11726 for calendar year 2019.

* * * * *

56. 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
Friends of Special Children	7:00 PM 53 Prospect Avenue June 7, 2019	RL: 9369
Soaring Height Adult Guild	12:00 – 4:00 PM 1241 Kenn. Blvd. April 27, 2019	RL: 9370 RL: 9371
John M. Bailey PTA	6:00 – 8:00 PM 75 West 10 th Street April 4, 2019	RL: 9372 RL: 9373
Henry E. Harris PTA	5:00 – 10:00 PM 1081 Broadway May 10, 2019	RL: 9374 RL: 9375
Trinity Parish in Bergen Point	6:00-10:00 PM 141 Broadway October 19, 2019	RL: 9375

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING AND DIRECTING THE PLANNING BOARD TO CONDUCT A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER CERTAIN PROPERTY LOCATED AT 1207 AND 1209-1211 KENNEDY BOULEVARD, WHICH PROPERTY IS IDENTIFIED AS BLOCK 24, LOTS 2 AND 3 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.* (CORNER PROPERTY ON 54TH AND KENNEDY)

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 1207 and 1209-1211 Kennedy Boulevard, which property is identified as Block 24, Lots 2 and 3 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 24 Lots 2 and 3 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.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AREA IN NEED OF REDEVELOPMENT STUDY FOR PROPERTY LOCATED AT 222-30 EAST 10TH STREET, 13-15 AVE. E AND 9 AVE. E, WHICH PROPERTY IS IDENTIFIED AS BLOCK 278, LOTS 4, 3 AND 2 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE CONSTITUTES A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT AND AUTHORIZING AND DIRECTING THE PLANNING BOARD TO PREPARE A REDEVELOPMENT PLAN PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.* (BAYONNE POOL)

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

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

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

WHEREAS, on December 19, 2018, the City of Bayonne (the “City”) Municipal Council adopted a Resolution authorizing and directing the Planning Board to conduct an investigation pursuant to *N.J.S.A. 40A:12A-6* to determine whether Block 278 Lots 4, 3 and 2 described on the Tax Map of the City of Bayonne, State of New Jersey, satisfy the criteria to be designated as areas in need of redevelopment under *N.J.S.A. 40A:12A-5*; and

WHEREAS, the preliminary investigation was presented at a public hearing to the Planning Board on March 12, 2019 and the Board recommended the Study Area be designated as a non-condemnation “area in need of redevelopment” in conformance with the statutory criteria contained in *N.J.S.A. 40A:12A-5*; and

WHEREAS, the Planning Board passed a resolution adopting the findings of the Redevelopment Study and recommending to the City Council that the Study Areas be designated an area in need of redevelopment pursuant to *N.J.S.A. 40A:12A-6*; and

WHEREAS, the Municipal Council adopts the findings and recommendations of the Planning Board designating the for the Study Area as a non-condemnation “area in need of redevelopment,” and the City is desirous of continuing revitalization and redevelopment efforts in the City.

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

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

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

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

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

Section 2. The Study Area located at 22-30 east 10th Street, 13-15 Ave E and 9 Ave E, which property is identified as Block 278, Lots 4, 3 and 2 as shown on the official Tax Map of the City constitute a non-condemnation “area in need of redevelopment,” in accordance with the Redevelopment Law according to the criteria set forth in *N.J.S.A. 40A:12A-5*.

Section 3. The Municipal Council hereby directs the City Clerk to transmit a copy of the within resolution to the Commissioner of the Department of Community Affairs and to serve notice that Block 278, Lots 4, 3 and 2 is designated a non-condemnation redevelopment area on the owners of such Study Area and other parties within ten (10) days of the date hereof, in accordance with *N.J.S.A. 40A:12A-6.b(5)*.

Section 4. The Planning Board of the City of Bayonne is hereby authorized and directed to prepare a Redevelopment Plan for the Study Area identified as Block 278, Lots 4, 3 and 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 5. The Planning Board shall transmit the Redevelopment Plan to the Municipal Council for further consideration and action upon completion of same.

Section 6. This Resolution shall take effect immediately.

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

* * * * *

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

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
Law Enforcement-Uniform-S&W	\$98,000.00	Bus. Administration-O.E.	\$85,000.00
Water & Sewer-S&W	\$ 7,000.00	Vehicle Maintenance-O.E.	\$15,000.00
Tax Collector-S&W	\$ 3,000.00	Utilities	\$ 8,000.00

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

* * * * *

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

#2 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	\$	9,151,963.00
Parking Utility	\$	249,000.00

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	\$	6,008,500.00
Parking Utility	\$	190,000.00

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

Current Fund	\$	6,008,500.00
Parking Utility	\$	190,000.00

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.

* * * * *

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

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres (“State”), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the City of Bayonne desires to further the public interest by obtaining a grant of \$1,134,189.00 from the State to fund the following project(s):

The Cottage Street Park and 28th Street Park Redevelopment Project at a cost of \$1,512,252.00

NOW, THEREFORE, the Bayonne Municipal Council resolves that James M. Davis or the successor to the office of the Mayor is hereby authorize to:

- (a) Make application for such a loan and/or such grant
- (b) Provide additional application information and furnish such documents as may be required
- (c) Act as the authorized correspondent of the above named applicant, and

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State’s funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above names project;

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL

1. That the Mayor of the above named body or board is hereby authorize to execute an agreement and any amendment thereto with the State know as Cottage Street Park and 28th Street Park and;
2. That the applicant has its matching share of the project, if a match is required, in the amount of \$378,063.00
3. That, in the event that State’s funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project, and;
4. The applicant agrees to comply with all applicable federal, state and local laws, rules and regulations in its performance of the project.
5. That this resolution shall take effect immediately

A public hearing was held with respect to the Green Acres application. Resident Jill Pustarino spoke and made suggestions for the parks. Mike Resigno also spoke.

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

* * * * *

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

WHEREAS, Tax Counsel for the City of Bayonne has with the agreement of the City Tax Assessor reached proposed settlement agreements with respect to certain State Court Tax Appeals related to Bayonne Golf Holdings, LLC on the properties appealed by it in 2018 and 2019, as follows:

Plaintiff will Withdraw the 2018 appeal on all parcels under appeal in 2019, including but not limited to Block 412 Lot 5.03 (1-53 Lefante Way) and all of the several Blocks and Lots assessed with it as part of the Golf Course, Block 418 Lot 1 (47-49 Hook Road) containing the maintenance building and Block 406 Lot 3 (550-552) Avenue E in exchange for a 2019 Assessment reduction as follows:

<u>Block 418 Lot 1 47-49 Hook Road</u>			
Plaintiff Withdrawal of 2018 appeal			
The 2019 Assessment reduction.			
	<u>Original Assessment</u>		<u>Settlement</u>
Land:	\$166,000	Land:	\$166,000
Impvt.:	<u>\$100,000</u>	Impvt.:	<u>\$ 75,000</u>
Total:	\$266,000	Total:	\$241,000

<u>Block 412 Lot 5.03 1-53 Lefante Way</u>			
Plaintiff Withdrawal of 2018 appeal			
2019 Assessment			
	<u>Original Assessment</u>		<u>Settlement</u>
Land:	\$2,320,400	Land:	\$2,320,400
Impvt.:	<u>\$3,412,200</u>	Impvt.:	<u>\$1,990,700</u>
Total:	\$5,732,600	Total:	\$4,311,100

<u>Block 406 Lot 33 550-552 Avenue E</u>			
Plaintiff Withdrawal of 2018 appeal and NO reduction or appeal for 2019.			

The above 2019 Reduction to be accomplished by a 2019 County Tax Board Appeal filed by Plaintiff, followed by an agreed to Stipulation of Settlement in the above amounts.

WHEREAS, the tax assessor of the City of Bayonne and Special Tax Appeal Counsel in consultation with the City’s expert appraiser recommend this settlement;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The above case recitals are incorporated herein.
2. Tax Counsel for the City of Bayonne and/or the City Law Director are authorized to enter into and execute stipulations of settlement on behalf of the City of Bayonne consistent with the terms provided above with respect to the outstanding appeals noted above related to Bayonne Golf Holdings, LLC.
3. The terms of such stipulation for 2019 are to be without interest and consistent with the rules of the County Tax Board providing for a credit to be applied by the end of the 2019 Tax Year. .

4. The City's Special Tax Counsel, City Attorney, CFO, Treasurer and Tax Collector are authorized to take any action necessary to effectuate this resolution and the resulting judgment(s).

5. This resolution shall take effect immediately.

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

* * * * *

63. Council Member Perez introduced:

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, be and is hereby amended and supplemented by adding section 7-17.8, as follows (all new material):

§7-17.8 Properties Not Entitled to Receive Residential Parking Permits.

a. *Purpose.*

WHEREAS, the City of Bayonne, is authorized to determine the issuance of residential parking permits in areas designated as residential zones; and

WHEREAS, it is in the economic interest of the City and its residents to promote redevelopment within the City in order to support local businesses, increase rateables, remediate contaminated properties and reclaim abandoned industrial and commercial sites; and

WHEREAS, during the approval process for new developments, testimony is routinely presented to the City's Planning Board by redevelopers or their experts that the proposed developments have sufficient parking to accommodate the needs of those residing in the new development, without utilizing existing on-street City parking that would adversely affect the surrounding residential neighborhoods; and

WHEREAS, to alleviate unfavorable parking conditions in residential neighborhoods; to limit the impact of new developments on existing residential neighborhoods; to protect the residents of those neighborhoods from unreasonable burdens in gaining access to their residences; to preserve the character of the existing residential neighborhoods; to preserve the value of the property in the residential neighborhoods; to protect those residential neighborhoods from polluted air, excess noise, trash and refuse caused by the entry of additional vehicles; to promote efficiency in the maintenance of those streets in a clean and safe condition; and to preserve the safety of children and other pedestrians and traffic safety, and the peace, good order, comfort, convenience and welfare of the inhabitants of the City; and

WHEREAS, this restriction will enhance the quality of life by alleviating traffic conditions, reducing demand for on-street parking, encouraging reliance on mass transit, ride sharing services, bike share facilities and other alternative means of transportation, within residential neighborhoods and the City, at large; the City of Bayonne may exclude certain multi-family, residential, commercial or industrial Developments from obtaining Residential Parking Permits.

b. *Definitions.*

1. "Development" shall mean any multi-family, mixed-use, commercial or industrial project within the City.

2. "Multi-family" shall mean any mixed-use or residential building in excess of ten (10) residential units.

3. "Redevelopment Area" shall mean any area designated by the City as an Area in Need of Redevelopment pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., as amended and supplemented.

4. "Redevelopment Plan" shall mean any plan or amendment recommended by the Planning Board of the City of Bayonne and adopted by the Municipal Council.

c. *Excluded Properties.*

Any and all occupants residing within Developments located within a Redevelopment Area wherein a Redevelopment Plan was adopted by the City on or after January 1, 2015, are hereby excluded by the City from obtaining any Residential Parking Permits under Chapter 7-17 or any other provisions of the City Municipal Code.

d. *Miscellaneous.*

1. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
2. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Bayonne City Code.
3. This ordinance shall take effect at the time and in the manner as provided by law.
4. The City Clerk and the Law Director may 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 repeals of existing provisions.

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, April 17, 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.

* * * * *

64. Council Member Carroll moved the following resolution, seconded by Council Member Perez, 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 (the “BEOF”), 555 Kennedy Blvd., Bayonne, New Jersey 07002 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the BEOF has requested and submitted a formal written application dated January 13, 2017 for said CDBG Grant Funds for the purpose of providing building renovations to bring its buildings up to code as per HUD regulations; and

WHEREAS, the BEOF leases the former Holy Family Site located at 237-249 Avenue A which is in need of environmental consulting services to provide scope specific asbestos abatement design and oversight; and

WHEREAS, the BEOF is in receipt of a proposal from Matrix New World Engineering, 26 Columbia Turnpike, Florham Park, NJ 07932 dated March 11, 2019, in the amount of \$75,780.48 to provide the aforesaid environmental consulting services; 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 an environmental consultant to provide scope specific asbestos abatement design and oversight of the former Holy Family Site located at 237-249 Avenue A from Matrix New World Engineering, 26 Columbia Turnpike, Florham Park, NJ 07932; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-1002; 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 provision of providing the cost an environmental consultant to provide scope specific asbestos abatement design and oversight of the former Holy Family Site located at 237-249 Avenue A from Matrix New World Engineering, 26 Columbia Turnpike, Florham Park, NJ 07932 in the amount of \$75,780.48 for the period commencing September 1, 2018 and ending August 31, 2019.

2. Funds shall be charged to Account #CDBG-1002.

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

65. Council Member Carroll 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
East 2nd Street between Lexington and Hobart Avenues	South	Monday through Friday 9:00 a.m. to 4:00 p.m. (for use as a loading zone)	Beginning at a point 62 feet east from stop sign of East 2 nd Street and Lexington Avenue extending 60 feet east thereof.

Council Member Carroll 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, April 17, 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.

66. Council Member LaPelusa moved the following resolution, seconded by Council Member Perez, 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 HVAC services.

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

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At 8:00 P.M., Council Member LaPelusa moved the following resolution, seconded by Council Member Carroll, which was read by the Clerk and adopted.

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

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President – Sharon A. Nadrowski

Clerk – Robert F. Sloan