

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, MAY, 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 May 15, 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 May 10, 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 GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 21, HEALTH REGULATIONS," which was introduced and passed a first reading at a meeting held April 17, 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 May 15, 2019 is now before the Council for its consideration and a public hearing.

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

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

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

The Clerk read the ordinance by title: "AN ORDINANCE AMENDING AND SUPPLEMENTING THE GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 21, HEALTH 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.

There was no response – no person appearing in 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.

WHEREAS, an ordinance entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 21, HEALTH REGULATIONS," was introduced and passed a first reading at a meeting held April 17, 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 May 15, 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-19-32.

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 3, POLICE REGULATIONS," which was introduced and passed a first reading at a meeting held April 17, 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 May 15, 2019 is now before the Council for its consideration and a public hearing.

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

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

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

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

There was no response – no person appearing in 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 La Pelusa 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 April 17, 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 May 15, 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-19-33.

Yeas - Council Members Carroll, Gullace, LaPelusa, Perez 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 17, PROPERTY MAINTENANCE," which was introduced and passed a first reading at a meeting held April 17, 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 May 15, 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 17, PROPERTY MAINTENANCE,"

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 in 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.

WHEREAS, an ordinance entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 17 PROPERTY MAINTENANCE," was introduced and passed a first reading at a meeting held April 17, 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 May 15, 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-19-34.

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

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04. The Clerk announced:

AN ORDINANCE ENTITLED, "ORDINANCE AUTHORIZING THE EXECUTION OF AN ENCROACHMENT AGREEMENT WITH MHP 33 PROSPECT AVENUE URBAN RENEWAL, LLC TO ALLOW CERTAIN ENCROACHMENTS INTO THE PUBLIC RIGHT OF WAY ADJACENT TO BLOCK 455, LOT 1.01," which was introduced and passed a first reading at a meeting held April 17, 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 May 15, 2019 is now before the Council for its consideration and a public hearing.

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

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

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

The Clerk read the ordinance by title: ORDINANCE AUTHORIZING THE EXECUTION OF AN ENCROACHMENT AGREEMENT WITH MHP 33 PROSPECT AVENUE URBAN RENEWAL, LLC TO ALLOW CERTAIN ENCROACHMENTS INTO THE PUBLIC RIGHT OF WAY ADJACENT TO BLOCK 455, LOT 1.01

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 in protest against or object to the ordinance or to its passage.

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

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

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

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

WHEREAS, an ordinance entitled, "ORDINANCE AUTHORIZING THE EXECUTION OF AN ENCROACHMENT AGREEMENT WITH MHP 33 PROSPECT AVENUE URBAN RENEWAL, LLC TO ALLOW CERTAIN ENCROACHMENTS INTO THE PUBLIC RIGHT OF WAY ADJACENT TO BLOCK 455, LOT 1.01," was introduced and passed a first reading at a meeting held April 17, 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 May 15, 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-19-35.

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

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05. The Clerk announced:

AN ORDINANCE ENTITLED, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING THE REDEVELOPMENT PLAN ENTITLED REDEVELOPMENT PLAN 69-71 NEW HOOK ROAD BLOCK 416 LOTS 1 AND 2 FOR THE PROPERTY LOCATED AT 69-71 NEW HOOK ROAD, WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 416, LOTS 1 & 2 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ. (DELTA STORAGE)," which was introduced and passed a first reading at a meeting held April 17, 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 May 15, 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: "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING THE REDEVELOPMENT PLAN ENTITLED REDEVELOPMENT PLAN 69-71 NEW HOOK ROAD BLOCK 416 LOTS 1 AND 2 FOR THE PROPERTY LOCATED AT 69-71 NEW HOOK ROAD, WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 416, LOTS 1 & 2 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE

PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ. (DELTA STORAGE),”

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 in 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.

WHEREAS, an ordinance entitled, “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING THE REDEVELOPMENT PLAN ENTITLED REDEVELOPMENT PLAN 69-71 NEW HOOK ROAD BLOCK 416 LOTS 1 AND 2 FOR THE PROPERTY LOCATED AT 69-71 NEW HOOK ROAD, WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 416, LOTS 1 & 2 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ. (DELTA STORAGE),” was introduced and passed a first reading at a meeting held April 17, 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 May 15, 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-19-36.

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 April 17, 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 May 15, 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.

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

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

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

WHEREAS, an ordinance entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC," was introduced and passed a first reading at a meeting held April 17, 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 May 15, 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-19-37.

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

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07. The following members of the public spoke:

Gail Godesky 828 Kennedy Blvd, Bayonne, NJ
Congratulated Robert Sloan on his retirement.

Peter Franco 127 West 12th Street, Bayonne, NJ
Spoke about the noise level from all of the new constructions.

Michael Shatravka 528 Avenue A, Bayonne NJ
Spoke about garbage collection.

Michael Morris 123 Avenue C, Bayonne, NJ
Spoke about garbage collection

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08. 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, Subsections 18.2 are hereby amended and supplemented as follows (Additions ****between asterisks and/or in bold and underlined****, deletions ~~{within brackets and/or struck through}~~):

7-18.2 Trucks, Truck Tractors, ~~{and}~~ Trailers, ****and Commercial Vehicles****, Special Regulations.

- a. Parking of Truck Tractors, Trailers and Vehicles Exceeding Sixteen Thousand (16,000) pounds, Gross Weight. No tractor of any gross weight, no trailer of any type whether or not attached to a truck tractor or other type of motor vehicle and no other vehicle exceeding sixteen thousand (16,000) pounds gross weight shall be parked on any public street or in any municipal parking lot except that such a vehicle may park on public streets for the amount of time that is necessary for the operator to load or unload the vehicle in pursuance of the business for which the truck or other type of motor vehicle is used.
- b. Parking of Vehicles Transporting Certain Goods Regulated. No person shall park a vehicle used to transport petroleum or petroleum products, fertilizer, garbage or any other refuse or any product or material emitting offensive or obnoxious odors on any public street for any time longer than is necessary for the operator to load or unload the

vehicle in pursuance of the business in which the truck is used, except that a vehicle used to transport petroleum or petroleum products may, subject to the other provisions of this chapter or other ordinances, be parked on the street in front of any place of business operated by the owner of the truck during the hours that the owner's establishment is open for business.

****c.** Parking of Commercial Vehicles less than Sixteen Thousand (16,000) pounds. No person shall park a commercial vehicle on any public street for any time longer than is necessary for the operator to load or unload the commercial vehicle or to provide goods or services in pursuance of the business in which the commercial vehicle is used, except that one (1) commercial vehicle may be parked on a residential lot provided that it is owned and/or operated by the occupant of the residence, and is not prohibited commercial vehicle.

a. Prohibited commercial vehicles include:

- i. Vehicles in accordance with 17-18.2 (a) and (b);
- ii. Vehicles greater than 21 feet long or 8.5 feet wide or 8 feet wide. Including appurtenances;
- iii. Towing and recovery vehicles;
- iv. Vehicles carrying commercial freight in plain view;
- v. Trailers used for transporting equipment, whether attached or unattended to another vehicle;
- vi. Vehicles with three (3) or more axles;
- vii. Solid waste collection vehicles. Tractors and/or trailers of trucks, dump trucks, cement mixer trucks, construction equipment, or similar such vehicles or equipment;
- viii. Food trucks; and
- ix. Licensed rental motor vehicles without the issuance of parking decals in a form to be approved by the City of Bayonne.**

~~{e}}~~****d.**** Exceptions. Unless otherwise prohibited by rule, ordinance, statute or other law, truck tractors, trailers and vehicles exceeding sixteen thousand (16,000) pounds, gross weight are permitted to park on the following streets or parts thereof upon obtaining a yearly parking decal, which shall be permanently affixed to the driver's side door of the vehicle. The Director of Public Safety or his designee shall issue parking decals in a form to be approved. There shall be no fee for issuance of a parking decal to residents of the City of Bayonne. In the case of nonresidents, an annual fee of five hundred (\$500.00) dollars shall be paid by each permittee for each decal issued. Decals shall be renewed on an annual basis on or before January 31 of each prospective year. The decal shall not be transferrable. Permit fees shall not be pro-rated.

Section 2. If any section, paragraph provision of this Ordinance shall be adjudged invalid, such adjudication shall not affect the validity of the remaining sections, paragraphs or provisions of this Ordinance, which shall otherwise remain in full force and effect.

Section 3. This Ordinance shall take effect upon final passage and publication as required by law.

Section 4. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

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

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, June 19, 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 President Nadrowski introduced:

AN ORDINANCE AMENDING AND SUPPLEMENTING THE GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 21, HEALTH REGULATIONS

WHEREAS, Single-use checkout bags create significant litter problems in Bayonne's neighborhoods, parks, sewer systems and waterways; and

WHEREAS, the broad use of single-use carryout bags and their typical disposal creates an impediment to achievement of Bayonne's environmental goals; and

WHEREAS, the production and disposal of single-use checkout bags has significant environmental impacts, including the contamination of the environment, the depletion of natural resources, use of non-renewable polluting fossil fuels, and increased cleanup and disposal costs; and

WHEREAS, of all single-use carryout bags, plastic carryout bags have the greatest impacts on litter and marine life; and

WHEREAS, the reduction in the use of disposable plastic carryout bags helps to protect the marine environment, advance solid waste reduction, reduce greenhouse gas emissions and keep waterways clean; and

WHEREAS, studies document that banning plastic carryout bags will dramatically reduce the use of plastic bags and increase customers' use of reusable bags; and

WHEREAS, the Municipal Council finds that the reduction in the use of disposable plastic carryout bags by retail establishments in the City of Bayonne is a public benefit; and

WHEREAS, the Municipal Council desires to reduce the number of disposable plastic carryout bags that are being used, discarded and littered and to promote the use of reusable carryout bags and recyclable paper bags by retail establishments located within the City of Bayonne;

NOW, THEREFORE, 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 21, Health Regulations, is hereby amended and supplemented by the creation of Chapter 21, Health Regulations, Subsection 21-34, Prohibition of Disposable Plastic Carryout Bags:

21-34 PROHIBITION OF DISPOSABLE PLASTIC CARRYOUT BAGS AND PLASTIC STRAWS.

21-34.1 DEFINITIONS.

a. CARRYOUT BAG shall mean a bag provided by a retail establishment to a customer at the point of sale for customers, but shall not include:

1. Bags, whether plastic or not, in which loose produce or products are placed by a customer to deliver such items to the point of sale or check-out of a Retail Establishment;
2. Laundry or dry-cleaning bags;
3. Newspaper bags;
4. Bags used to contain or wrap frozen food, meat, fish or other items, whether prepackaged or not, to prevent or contain moisture;
5. Bags provided by pharmacists to contain prescription drugs; or
6. Bags sold in packages containing multiple bags intended for use as garbage, pest waste or yard waste bags.

b. DISPOSABLE PLASTIC CARRYOUT BAG shall mean a bag made of plastic which is not a Reusable Bag

.

c. FOOD SERVICE ESTABLISHMENT shall mean any establishment which serves made-to-order food or beverages for dine-in, take-out or delivery, but not including food trucks and mobile food carts.

d. RECYCLABLE shall mean material that can be sorted, cleansed and reconstituted using Bayonne's available recycling programs for the purpose of using the altered form in a new product. Recycling does not include burning, incinerating, converting or otherwise thermally destroying solid waste

.

e. RECYCLABLE PAPER BAG shall mean a paper bag that is 100% recyclable and contains at least 40% post-consumer recycled content and displays the words "Recyclable" and "made from 40% post-consumer recycled content" in a visible manner on the outside of the

bag.

f. RETAIL ESTABLISHMENT shall mean any commercial enterprise, whether or not operated for profit, including, but not limited to, mercantile establishments, department stores, food service establishments, restaurants, pharmacies, convenience and grocery stores, liquor stores, supermarkets, clothing stores, seasonal and/or temporary businesses, jewelry stores, and stores which sell household goods, or any other commercial establishment not specifically identified herein utilizing Disposable Plastic Carryout Bags for the convenience of merchandise, but excluding bazaars, fairs, carnivals or other special events operated by a nonprofit or religious institution.

g. REUSABLE BAG shall mean a bag with handles specifically designed and manufactured for multiple reuse and is either made from polyester, polypropylene, cotton or other durable material or plastic which is at least 2.25 mils in thickness and meets the following criteria:

1. Has a minimum lifetime capability of 125 or more uses carrying 22 or more pounds over a distance of at least 175 feet; and
2. Is capable of being washed so as to be cleaned and disinfected multiple times.

21-34.2 USE OF REUSABLE AND RECYCLABLE CARRYOUT BAGS MANDATORY.

All Retail Establishments shall provide customers only Reusable Bags and/or Recyclable Paper Bags. No Retail Establishment shall provide any single-use , plastic carryout bags to a customer at the checkout stand, cash register, point of sale, or other point of departure for the purpose of transporting products or goods out of the business or store, except as otherwise provided in this Chapter.

Nothing in this section, however, shall be read to preclude Retail Establishments from making reusable bags available for sale to customers or from customers using their own reusable bags.

21-34.3 EXEMPTIONS.

- a. Items required to be sold or delivered in plastic bags in compliance with State and Federal food safety and disposal laws are exempt from the provisions of this Article.
- b. Single use, plastic carryout bags may be used by businesses or stores to sell bait.

21-34.4 PLASTIC STRAW PROHIBITION.

No Retail Establishment shall sell or provide single-use plastic straws to customers.

21-34.5 PENALTIES.

Any person convicted of a violation of this section, upon conviction, be liable for the penalty stated in Chapter 1, Section 1-5.

21-34.6 SEVERABILITY.

If any section, cause or other portion of this Ordinance, or the application, thereof to any person or circumstance, shall for any reason be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or repeal the remainder of this Ordinance.

Section 2. This Ordinance shall not become effective until January 1, 2020.

Section 3. All other provisions of Chapter 21 shall remain in effect.

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 "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 21, HEALTH REGULATIONS," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, June 19, 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:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND MALAKSHMI GOLDSBOROUGH URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED GOLDSBOROUGH DRIVE, WHICH PROPERTY IS IDENTIFIED AS BLOCK 751, LOT 1.05 AND A PORTION OF 1.01 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, MALAKSHMI GOLDSBOROUGH URBAN RENEWAL, LLC (the "Entity") is the owner or Contract Purchaser of certain property identified on the Tax Maps of the City as Block 751, Lots 1.05 and 1.01 (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 is located within an Urban Enterprise Zone (a "UEZ"); and

WHEREAS, the Property is located within the Harbor Station South redevelopment area (the "Redevelopment Area"), which has been designated 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 (the "Local Redevelopment and Housing Law"); and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7, on January 20, 2016, the City duly adopted Ordinance 0-16-1, approving the redevelopment plan entitled "Redevelopment Plan For The Peninsula at Bayonne Harbor - Harbor Station South" as amended by such ordinance (and as same may be further amended from time to time, the "Redevelopment Plan") for the Redevelopment Area; and

WHEREAS, MAHALAXMI BAYONNE, LLC, an affiliate of Entity, is the designated redeveloper of the Property pursuant to a Development and Purchase and Sale Agreement, dated February 21, 2017 (the "Redevelopment Agreement"); and

WHEREAS, MALAKSHMI GOLDSBOROUGH URBAN RENEWAL, LLC, became the designated redeveloper of the Property pursuant to an assignment from MAHALAXMI BAYONNE, LLC; and

WHEREAS, the proposed project to be undertaken on the Property consists of the construction of four (4) separate residential buildings approximately twenty five (25) stories and three (3) separate residential buildings approximately (12) stories with approximately 1,589 apartments with associated commercial retail space to be constructed in phases along with the necessary site improvements as set forth in the Application (the "Project"); 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, MALAKSHMI GOLDSBOROUGH URBAN RENEWAL, LLC has applied to the City Council for tax exemption pursuant to the New Jersey Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et. seq. (the "Exemption Law") with respect to the Project; and

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

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

WHEREAS, as part of its application for a tax exemption, MALAKSHMI GOLDSBOROUGH 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, MALAKSHMI GOLDSBOROUGH 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 MALAKSHMI GOLDSBOROUGH 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 MALAKSHMI GOLDSBOROUGH 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 MALAKSHMI GOLDSBOROUGH 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 MALAKSHMI GOLDSBOROUGH URBAN RENEWAL, LLC there shall be paid to the City in lieu of any taxes to be paid on the improvements of the Project, an annual service charge determined as provided in the Financial Agreement.

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

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

BE IT RESOLVED, that an ordinance entitled "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND MALAKSHMI GOLDSBOROUGH URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED GOLDSBOROUGH DRIVE, WHICH PROPERTY IS IDENTIFIED AS BLOCK 751, LOT 1.05 AND A PORTION OF 1.01 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, June 19, 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 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

005. Janis Demellier, 55 Cottage Street

Beginning at a point on the north side of Cottage Street, 206 feet east of the northeast corner of Orient Street and Cottage Street, and extending to a point 22 feet west thereof.

018. Yolanda Servodio, 88 Andrew Street

Beginning at a point on the south side of Andrew Street, 270 feet east of the southeast corner of Andrew Street and Kennedy Boulevard, and extending to a point 16 feet east thereof.

027. Hannah Sharkey 101 Lexington Avenue

Beginning at a point on the west side of Lexington Avenue, 164 feet south of the southwest corner of Lexington Avenue and East 4th Street, and extending to a point 22 feet south thereof.

061. Alice Dahl, 12 West 52nd Street

Beginning at a point on the south side of West 52nd Street, 182 feet south of the southwest corner of West 52nd Street and Broadway, and extending to a point 16 feet west thereof.

074. Jillian Elias, 85 East 28th Street

Beginning at a point on the north side of East 28th Street, 8 feet west of the northwest corner of Avenue F and East 28th Street, and extending to a point 22 feet west thereof.

109. Irene Jakubowski, 130 West 54th Street

Beginning at a point on the south side of West 54th Street, 245 feet west of the southwest corner of Avenue B and West 54th Street, and extending to a point 22 feet west thereof.

152. John Delaney, 23 East 35th Street

Beginning at a point on the north side of East 35th Street, 291 feet east of the northeast corner of East 35th Street and Broadway, and extending to a point 22 feet east thereof.

165. Francesco Vita, 163 West 20th Street

Beginning at a point on the north side of West 20th Street, 273 feet west of the northwest corner of West 20th Street and Avenue A, and extending to a point 18 feet west thereof.

171. Baher Shaarawy, 84 Andrew Street

Beginning at a point on the south side of Andrew Street, 320 feet east of the southeast corner of Andrew Street and Kennedy Boulevard, and extending to a point 22 feet east thereof.

252. Victor Fernandez, 166 Newman Avenue

Beginning at a point on the east side of Newman Avenue, 134 feet south of the southeast corner of West 7th Street and Newman Avenue, and extending to a point 18 feet south thereof.

273. Jane Young, 112 West 3rd Street

Beginning at a point on the south side of West 3rd Street, 101 feet west of the southwest corner of West 3rd Street and Humphrey Avenue, and extending to a point 19 feet east thereof.

392. German Magana, 26 East 49th Street

Beginning at a point on the south side of East 49th Street, 325 feet east of the southeast corner of East 49th Street and Broadway, and extending to a point 18 feet east thereof.

ADD

022. Norman Donegan, 203 Broadway

Beginning at a point on the west side of Broadway, 39 feet north of the northwest corner of Broadway and West 7th Street, and extending to a point 18 feet north thereof.

027. Ralph Soriero, 103 West 57th Street

Beginning at a point on the north side of West 57th Street, 129 feet east of the northeast corner of Avenue B and West 57th Street, and extending to a point 16 feet east thereof.

RELOCATE

237. Juan Matos from 41 West 16th Street to 87 Andrew Street

OLD LOCATION: Beginning at a point on the north side of West 6th Street, 180 feet east of the northeast corner of Avenue C and West 16th Street, and extending to a point 22 feet east thereof.

NEW LOCATION: Beginning at a point on the north side of Andrew Street, 444 feet west of the northwest corner of Avenue C and Andrew Street, and extending to a point 16 feet west thereof.

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

BE IT RESOLVED, that an ordinance entitled “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, June 19, 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. The Council as a whole moved the following communication be received and filed, which motion was 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

* * * * *

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

From Robert N. Blitz, Esq., filing notice of tort claim on behalf of UBALDO CHAVIANO alleging personal injuries resulting from a fall on the sidewalk on February 28, 2019 at 44 West 36th Street.

* * * * *

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

From Blume Forte Fried Zerres & Molinari, PC, filing notice of tort claim on behalf of JEAN DORNEVAL alleging personal injuries resulting from a fall in the vestibule of the GT Building (??) on January 8, 2019.

* * * * *

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

From MARIT S. MOWANNAS, filling notice of tort claim alleging personal injuries sustained on January 22, 2019, resulting from a fall on ice at Midtown Community School.

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

From ANDREW BARBA, filing notice of tort claim alleging property damage to his automobile on April 21, 2019, resulting from being backed into by a fire engine at West 26th Street and Avenue A.

* * * * *

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

From Superior Court of New Jersey, Chancery Division Summons and Complaint in matter entitled, "CARRINGTON MORTGAGE SERVICES, LLC vs. HARRINGTON, et al., incl. THE CITY OF BAYONNE." (Mortgage foreclosure, city holds a Community Development Office mortgage)

* * * * *

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

From Superior Court of New Jersey, Law Division Summons and Complaint in matter entitled, "DITECH FINANCIAL, LLC vs. McKENNA, et al., incl. THE CITY OF BAYONNE." (Mortgage foreclosure, city holds judgements against the property)

* * * * *

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

From the BAYONNE BOARD OF EDUCATION, resolution adopting 2019-2020 school budget and Certificate of School Taxes (Form A4F) setting \$68,688,020 to be levied for school district purpose for 2019.

* * * * *

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

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

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

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

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

May 14, 2019

Dear Council President Nadrowski
And Honorable Members of City Council:

Pursuant to section 2-19.3 of the Revised General Ordinances of the City of Bayonne, I hereby approve the appointment of Madelene Medina as Secretary of the Alcoholic Beverage Control Board for a three year term effective June 1, 2019 I hereby set the salary at \$7,853.00.

To comply with the requirements of the ordinance, the City Clerk has been directed to add an accompanying item on the May 15, 2019 Council meeting agenda for advice and consent by the City Council.

Sincerely,
James M. Davis
Mayor
(signed)

WHEREAS, pursuant to section 2-19.3 of the Revised General Ordinances of the City of Bayonne, the Alcoholic Beverage Control Board has appointed Madelene Medina as board secretary for a three year term commencing June 1, 2019 and expiring May 31, 2022; and

WHEREAS, pursuant to section 2-19.3 of the Revised General Ordinances the Honorable James M. Davis, Mayor, has approved said appointment and has fixed the salary for same at \$7,853.00 per year; and

WHEREAS, section 2-19.3 of the Revised General Ordinances requires that such appointment is also subject to the advice and consent of the Municipal Council; now, therefore be it

RESOLVED, that the Municipal Council of the City of Bayonne hereby advises of its approval of and consents to the appointment of Madelene Medina as secretary of the Alcoholic Beverage Control Board of the City of Bayonne for a three year term commencing June 1, 2019.

* * * * *

22. 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, and a resolution adopting the recommendation and ordering payment of claims.

* * * * *

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

DATE: April 26, 2019

TO: Donna Mauer, CFO
Robert Sloan, City Clerk

FROM: Janet Convery, Treasurer
Please be advised that a transfer to the Board of Ed will be made on May 2, 2019.

\$ 5,692,692.00 CLAIMS & PAYROLL FOR May, 2019.

Janet Convery
(signed)

* * * * *

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

* * * * *

25. 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, April 17, 2019 be and the same are hereby approved.

* * * * *

26. 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, April 10, 2019, be and the same are hereby approved.

* * * * *

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

WHEREAS, N.J.S.A. 4:22-1 requires the governing body of a municipality to submit at least one applicant for designation as a Municipal Humane Law Enforcement Officer who shall be responsible for animal welfare within the jurisdiction of the municipality, and who is required to enforce and abide by the animal cruelty laws of the State and ordinances of the municipality; and

WHEREAS, the Municipal Humane Law Enforcement Officer shall be authorized to perform all the duties set forth in N.J.S.A. 4:22-14.2 including but not limited to investigate and sign complaints, arrest violators, and otherwise act as an officer for detection, apprehension, and arrest of offenders against the animal welfare and animal cruelty laws of the State and ordinances of the municipality; and

WHEREAS, Stephanie Burt Schiraldi and Joseph Styles were designated as Municipal Humane Law Enforcement Officers for the period commencing May 16, 2018 and concluding May 15, 2019 pursuant to Resolution No. 18-05-16-069 adopted on August 15, 2018 as amended by Resolution No. 18-08-15-064 adopted on August 15, 2018; and

WHEREAS, the Business Administrator has recommended the re-designation of Stephanie Burt Schiraldi and Joseph Styles as Municipal Humane Law Enforcement Officers for the City of Bayonne and the Chief of Police has recommended that Stephanie Burt Schiraldi and Joseph Styles be re-appointed to the position of Municipal Humane Law Enforcement Officer; and

WHEREAS, the Business Administrator has recommended that Wayne Colegrove and Christopher Styles also be designated as Municipal Humane Law Enforcement Officers for the City of Bayonne and the Chief of Police has recommended that Wayne Colegrove and Christopher Styles also be appointed to the positions of Municipal Humane Law Enforcement Officers; now, therefore

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

- 1. Stephanie Burt Schiraldi and Joseph Styles are is hereby re-designated as Municipal Humane Law Enforcement Officers for the City of Bayonne for an annual term commencing May 16, 2019 and concluding May 15, 2020; and
- 2. Wayne Colegrove and Christopher Styles are hereby also designated at Municipal Humane Law Enforcement Officers for the City of Bayonne for an annual term commencing May 16, 2019 and concluding May 15, 2020.

* * * * *

28. 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
54	9	Vincent Lucarelli	579.62
69	4 C0103	Georgina Sanchez	606.86
81	12	Theresa J. Smith	2,139.14
90	7	Jeanette Diaz	2,230.71

102	3	S. Bednarski POA for B. Penaskovic	6,319.00
130	20	SMP Real Estate, Co.	6,000.69
152	18	Maria Manetta	211.74
238	11	Marianne Silvani	890.65
255	22	Tawana Wideman	2,772.57
280	33	Carlos Rodriguez	250.29
Total:			22,001.27

29. 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 \$ 86.40 drawn of the Bureau of Rabies Control, State Department of Health, Trenton, New Jersey, covering the issuance of licenses Nos. 859-891 inclusive, 32 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.

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

WHEREAS, the City of Bayonne participates in the Community Development Block Grant (CDBG) through the U.S. Department of Housing and Urban Development (HUD); and

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

RESOLVED, that the Mayor is hereby authorized to sign all documents and certifications relating to the City’s FY 2019 CDBG Program for the amounts listed below; and be it further

RESOLVED, that the City of Bayonne is hereby authorized to submit its FY 2019 Annual Action Plan to the U.S. Department of Housing and Urban Development for the following anticipated amounts:

2019 CDBG Program	\$1,533,452.00
2019 CDBG Anticipated Program Income	\$100,000.00

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

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

WHEREAS, the Bayonne Community Day Nursery, 593 Broadway, Bayonne, NJ, is a non-profit organization dedicated to assisting and to providing social services to low- and moderate-income families; and

WHEREAS, the Bayonne Economic Opportunity Foundation (the “BEOF”) is the administrator of the City’s Community Development Block Grant Program; and

WHEREAS, the Bayonne Community Day Nursery operates a childcare program dedicated to assisting and providing social services to low- and moderate-income families, located at 593 Broadway, Bayonne, NJ; and

WHEREAS, the Bayonne Community Day Nursery, submitted a formal written application for CDBG funds, for the purpose of providing the cost of building renovations for

the rehabilitation of the Bayonne Community Day Nursery located at 593 Broadway that has serious code violations which are detrimental to public health and safety; and

WHEREAS, there was an urgent need to replace the existing heating/AC unit servicing Bayonne Community Day Nursery due to lack of heat during the winter months; and

WHEREAS, the building code official inspected the heating/AC unit and confirmed that said replacement was necessary; and

WHEREAS, a functioning heating unit is essential for the health, safety, and welfare of the employees and clients of the Bayonne Community Day Nursery; and

WHEREAS, In Line Heating & Air Conditioning Company, 85 East 21st Street, Bayonne, NJ 07002 (the "Contractor") submitted a proposal to the Community Day Nursery for said replacement of the heating/AC unit dated January 16, 2019 for the amount of \$14,180.00; and

WHEREAS, due to exigent circumstances the Executive Director of the BEOF in its capacity of the City's CDBG administrator, authorized the Contractor to effectuate the replacement said heating/AC unit prior to obtaining approval from this body; and

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

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

1. The actions of the City's CDBG Program administrator, the BEOF, in authorizing the replacement of the aforesaid heating/AC unit servicing the Bayonne Community Day Nursery located at 593 Broadway for the amount of \$14,180.00 pursuant to the Contractor's proposal dated January 16, 2019 are hereby ratified and affirmed.

2. The Mayor and City Clerk are hereby authorized to execute an agreement with the Bayonne Community Day Nursery for the period commencing September 1, 2018, and ending August 31, 2019, for the amount of \$14,180.00 to provide payment of the cost of the aforesaid replacement of the heating/AC unit for the Bayonne Community Day Nursery located at 593 Broadway pursuant to the Contractor's proposal dated January 16, 2019.

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

* * * * *

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

WHEREAS, the Hudson County Open Space, Recreation, and Historic Preservation Trust Fund ("County Trust Fund"), provides matching grants to municipal governments and to nonprofit organizations who are sponsored by their local municipality for assistance in the development or redevelopment of park improvements; and

WHEREAS, the City of Bayonne desires to further the public interest by obtaining a matching grant of \$500,000.00 (Project Total \$627,000.00) from the County Trust Fund to fund the following project:

IMPROVEMENTS TO 28TH STREET PARK; and

WHEREAS, this Municipal Council has reviewed the County Trust Fund Program Statement, and the Trust Fund Park Improvement application and instructions and desires to make an application for such a matching grant and provide application information and furnish such documents as may be required; and

WHEREAS, the County of Hudson shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and

WHEREAS, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Hudson for the above named project and ensure its completion on or about the project contract expiration date;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council:

1. That it is hereby authorized to submit the above completed project application to the County by the deadline of May 10, 2019, as established by the County; and
2. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, the City of Bayonne has, or will secure, the

- balance of funding necessary to complete the project, or modify the project as necessary; and
3. That City of Bayonne is committed to providing a match for the project in the amount of \$127,000.00; and
 4. That only those park improvements identified and approved in the project application, it Trust Fund contract, or other documentation will be considered eligible for reimbursement; and
 5. That the City of Bayonne agrees to comply with all applicable federal, state, and local laws, rules and regulations in its performance of the project; and
 6. That this resolution shall take effect immediately.

* * * * *

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

WHEREAS, the Hudson County Open Space, Recreation, and Historic Preservation Trust Fund ("County Trust Fund"), provides matching grants to municipal governments and to nonprofit organizations who are sponsored by their local municipality for assistance in the development or redevelopment of park improvements; and

WHEREAS, the City of Bayonne desires to further the public interest by obtaining a matching grant of \$500,000.00 (Project Total \$1,866,000.00) from the County Trust Fund to fund the following project:

IMPROVEMENTS TO RUSSELL GOLDING PARK; and

WHEREAS, this Municipal Council has reviewed the County Trust Fund Program Statement, and the Trust Fund Park Improvement application and instructions and desires to make an application for such a matching grant and provide application information and furnish such documents as may be required; and

WHEREAS, the County of Hudson shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and

WHEREAS, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Hudson for the above-named project and ensure its completion on or about the project contract expiration date;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council:

1. That it is hereby authorized to submit the above completed project application to the County by the deadline of May 10, 2019, as established by the County; and
2. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, the City of Bayonne has, or will secure, the balance of funding necessary to complete the project, or modify the project as necessary; and
3. That City of Bayonne is committed to providing a match for the project in the amount of \$1,366,000.00; and
4. That only those park improvements identified and approved in the project application, it Trust Fund contract, or other documentation will be considered eligible for reimbursement; and
5. That the City of Bayonne agrees to comply with all applicable federal, state, and local laws, rules and regulations in its performance of the project; and
6. That this resolution shall take effect immediately.

* * * * *

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

WHEREAS, the Municipal Council by resolution adopted September 11, 1974, did authorize the Mayor, on behalf of the City of Bayonne, to enter into a Joint Agreement for the establishment of the Regional Health Commission of Hudson County (the "Commission") in accordance with N.J.S.A. 26:3-83 to 94; and

WHEREAS, the Commission has provided the City with services in connection with the prevention of the use of the atmosphere as a receptor of waste thereby adversely affecting persons and property; and

WHEREAS, the City of Bayonne has continued membership in the aforesaid Commission on an annual basis in order to avail the City of the services offered; and

WHEREAS, pursuant to the terms of the aforesaid Joint Agreement, each participating municipality shall contribute to the Commission's budget on the basis of the percent of its population to the combined population of all participating municipalities; and

WHEREAS, the City's annual assessment for Calendar Year 2019 is \$25,944.00; and

WHEREAS, the City is in receipt of an invoice from the Commission in the amount of \$6,486.00 representing the City's contribution due the Commission for the first quarter of Calendar Year 2019; and

WHEREAS, it is in the best interests of the citizens of Bayonne to continue membership in the in the aforesaid Commission in order to continue to avail the City of the services offered; and

WHEREAS, funds are certified as available in Account 09-01-27-330-0000-029 for CY2019; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The continued membership of the City of Bayonne in the Commission for the first quarter of the Calendar Year 2019 is hereby ratified and affirmed.

2. The Municipal Treasurer is hereby authorized to issue a warrant in the amount of \$6,486.00 payable to Hudson Regional Health Commission representing payment for the first quarter membership fee for Calendar Year 2019.

3. The continued membership of the City in the Commission for the second, third, and fourth quarters of the Calendar Year 2019 for a total annual assessment amount of \$25,944.00 is hereby authorized.

4. The Municipal Treasurer is hereby authorized to issue three (3) additional warrants in the amount of \$6,486.00 each payable to Hudson Regional Health Commission representing payment for the second, third, and fourth quarters of Calendar Year 2019 upon receipt of invoices for same.

5. Funds shall be charged to Account 09-01-27-330-0000-029.

* * * * *

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

WHEREAS, the City of Bayonne desires to conduct a study and develop a redevelopment plan for the south western section of the City that is south of North street and west of Kennedy Blvd. to the Newark Bay, and

WHEREAS, the City of Bayonne seeks qualified entities or individuals to assist the City in creating a Redevelopment plan for the entire area or portion thereof.

NOW, THEREFORE, BE IT RESOLVED, the Municipal Council hereby authorizes the advertisement of Requests for proposals for professional planning services pursuant to the fair and open contracting provisions set forth in N.J.S.A. 19:44A-20.4 and N.J.S.A. 19:44A-20.5

* * * * *

36. 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 specialized services for the exhibition of fireworks on July 3, 2019 (the "Performance Date"); and

WHEREAS, Garden State Fireworks, Inc., P. O. Box 403, Carlton Road, Millington, New Jersey, 07946 is willing to perform said services for an amount not to exceed \$12,500.00; and

WHEREAS, should the City determine in its sole and absolute discretion, that the said cannot be commenced or completed on the Performance Date due to weather conditions or safety concerns or for any other reason that is beyond the control of the City, Garden State Fireworks, Inc. is agreeable to performing said services on July 9th, 2019 ("Rain Date"); and

WHEREAS, funds are certified as available in Account 9-01-30-420-0000-028; now, therefore, be it

RESOLVED, that said contract shall be entered into only after review and approval by the Chief of Police and the Chief of the Fire Department of the City of Bayonne; and be it further

RESOLVED, that any display of fireworks pursuant to said agreement shall be of such a character, and so located, discharged, or fired, as in the opinion of the Chiefs of the Police and Fire Departments, after proper inspection, shall not be hazardous to property or endanger any person or persons; and be it further

RESOLVED, that said agreement shall contain an identification number and the specific types or kinds of fireworks to be used and shall name one person who shall be authorized to purchase, or otherwise order, and receive delivery of any fireworks; and be it further

RESOLVED, that any and all necessary permits/licenses as required by the State of New Jersey and/or the United States of America shall be provided to the City of Bayonne prior to and/or concomitant with the execution of said agreement; and be it further

RESOLVED, that a specific condition of said agreement shall be that the contracting party maintain insurance coverage in the amount of \$5,000,000.00 with the City of Bayonne listed as an added insured thereby conforming with the mandates of N.J.S.A. 21:3-5; and be it further

RESOLVED, that in the event that the above conditions are met, the Mayor and City Clerk are hereby authorized to enter into an agreement with Garden State Fireworks, Inc., P. O. Box 403, Carlton Road, Millington, New Jersey, 07946, for the exhibition of fireworks on July 3, 2019 for a contract amount not to exceed \$12,500.00 and any and all other documents necessary to effectuate said fireworks display; and be it further

RESOLVED, that should the City determine in its sole and absolute discretion, that the said services cannot be commenced or completed on the Performance Date due to weather conditions or safety concerns or for any other reason that is beyond the control of the City, Garden State Fireworks, Inc., shall perform said services on July 9th, 2019 ("Rain Date") at no additional cost to the City; and be it further

RESOLVED, that no bid need be solicited for these services insofar as the agreement complies with the statutory guidelines of N.J.S.A. 40A:11-3; and be it further

RESOLVED, that funds are certified as available by the Municipal Comptroller in Account 9-01-30-420-0000-028.

* * * * *

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

WHEREAS, the Bayonne Chamber of Commerce will be holding an event in the Dorothy E. Harrington Council Chambers on May 21, 2019; and

WHEREAS, the Bayonne Chamber of Commerce desires to serve alcohol at the event; and

WHEREAS, City of Bayonne Revised Ordinance 6-3.3 states that "No person shall sell or distribute alcoholic beverages within the City without having obtained a license in accordance with the Act referred to in Section 6-1 and the provisions of this chapter."; and

WHEREAS, the Bayonne Chamber of Commerce has requested a waiver of the requirements of City of Bayonne Revised Ordinance 6-3.3 in connection with its May 21, 2019 event; and

WHEREAS, this Municipal Council is satisfied that a waiver of the requirements of the aforesaid ordinance is warranted; and

WHEREAS, in order to serve alcohol on an unlicensed premises, the Bayonne Chamber of Commerce has contracted with the Vic Tavern, LLC, a local Bayonne licensed premises; and

WHEREAS, pursuant to New Jersey Alcohol Beverage Control laws, the Vic Tavern, LLC, is required to apply for a catering permit to serve alcohol off premises, which requires the signature of the owner of the premises upon which alcohol is to be served; and

WHEREAS, due to time constraints for submitting the permit application and because the Bayonne Chamber of Commerce held a similar event in October 2018, which was

successful, Mayor James M. Davis executed the permit application subject to Municipal Council approval of the within waiver request;

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

Section 1. The Bayonne Chamber of Commerce is hereby exempted from having to adhere to the requirements of City of Bayonne Revised Ordinance 6-3.3 in connection with its event of May 21, 2019, in the Dorothy E. Harrington Council Chambers and is further permitted to serve alcohol at said event in accordance with the Alcohol Beverage Control laws of the State of New Jersey.

Section 2. The actions of the Mayor in signing the permit application are hereby ratified and affirmed.

Section 3. This Resolution shall take effect immediately.

* * * * *

38. 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
UNICO National-Bayonne	8:00 PM 1081 Broadway June 6, 2019	RL: 9386
Jersey City Medical Center	6:00-10:00 PM 1241 Kenn. Blvd. October 14, 2019	RL: 9387
Bayonne Feral Cat Foundation	6:00 – 10:00 PM 290 Avenue E June 8, 2019	RL: 9388

* * * * *

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

#4 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	\$	67,061,663.00
Parking Utility	\$	729,060.00

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	\$	8,524,763.00
Parking Utility	\$	80,000.00

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

Current Fund	\$	8,524,763.00
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Parking Utility \$ 80,000.00

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.

* * * * *

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

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

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

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

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

WHEREAS, on May 1, 2019, the Planning Board held a public hearing, duly noticed under the Redevelopment Law, and reviewed an investigation/report titled “Preliminary Investigation Non-condemnation Area in Need of Redevelopment 140 East 22nd Street (Kenrich) Block 464.01, Lot 6” prepared by Suzanne Mack, PPAICP, City of Bayonne, Division of Planning & Zoning, Department of Administration, (the “Study”) and any persons interested in or affected by a determination that the Study Area is a non-condemnation redevelopment area were given an opportunity to be heard, and any objections to such a determination and evidence in support of those objections, were received and considered and made part of the public record; and

WHEREAS, on May 1, 2019, the Planning Board further adopted the Resolution recommending that the Study Area be determined by the Municipal Council to be a non-condemnation “area in need of redevelopment” under the Redevelopment Law, N.J.S.A. 40A:12A-1 et seq.; and

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

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 property located at 140 East 22nd Street, which property is identified as Block 464.01, Lot 6, as shown on the Official Tax Map of the City is hereby designated a non-condemnation “area in need of redevelopment” under the Redevelopment Law, N.J.S.A. 40A:12A-1 et seq.

Section 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 464.01, Lot 6, 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 140 East 22nd Street, which property is identified as Block 464.01, Lot 6, 23, 24, and 25, 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.

* * * * *

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

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

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

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

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

WHEREAS, on May 1, 2019, the Planning Board held a public hearing, duly noticed under the Redevelopment Law, and reviewed an investigation/report titled “Preliminary Investigation Non-condemnation Area in Need of Redevelopment 70 Hobart Avenue and 86 Hobart Avenue Block 359, Lots 10.01 & 4.05” prepared by Suzanne Mack, PPAICP, City of Bayonne, Division of Planning & Zoning, Department of Administration, Dated April 22, 2019 (the “Study”) and any persons interested in or affected by a determination that the Study Area is a non-condemnation redevelopment area were given an opportunity to be heard, and any objections to such a determination and evidence in support of those objections, were received and considered and made part of the public record; and

WHEREAS, on May 1, 2019, the Planning Board further adopted the Resolution recommending that the Study Area be determined by the Municipal Council to be a non-condemnation “area in need of redevelopment” under the Redevelopment Law, N.J.S.A. 40A:12A-1 et seq.; and

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

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 property located at 70 and 86 Hobart Avenue which property is identified as Block 359, Lots 10.01 and 4.05, as shown on the Official Tax Map of the City is hereby designated a non-condemnation “area in need of redevelopment” under the Redevelopment Law, N.J.S.A. 40A:12A-1 et seq.

Section 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 70 and 86 Hobart Avenue which property is identified as Block 359, Lots 10.01 and 4.05, 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 70 and 86 Hobart Avenue which property is identified as Block 359, Lots 10.01 and 4.05, as shown on the Official Tax Map of the City 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, and President Nadrowski.

Absent – Council Member Perez

* * * * *

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

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

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

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

WHEREAS, the Mayor and Municipal Council consider it to be in the best interest of the City to have the Planning Board of the City (the “Planning Board”) conduct such an investigation to determine if certain properties located and known as West 2nd Street between Ave A and Kennedy Blvd (unimproved portion), which property is identified as W 2nd Street between Blocks 373 and 362/510 as shown on the official Tax Map of the City (the “Study Area”), constitute a non-condemnation “area in need of redevelopment,” in accordance with the Redevelopment Law; and

WHEREAS, on May 1, 2019, the Planning Board held a public hearing, duly noticed under the Redevelopment Law, and reviewed an investigation/report titled “Preliminary

Investigation Non-condemnation Area in Need of Redevelopment West 2nd Street” prepared by Suzanne Mack, PPAICP, City of Bayonne, Division of Planning & Zoning, Department of Administration, Dated April 29, 2019 (the “Study”) and any persons interested in or affected by a determination that the Study Area is a non-condemnation redevelopment area were given an opportunity to be heard, and any objections to such a determination and evidence in support of those objections, were received and considered and made part of the public record: and

WHEREAS, on May 1, 2019, the Planning Board further adopted the Resolution recommending that the Study Area be determined by the Municipal Council to be a non-condemnation “area in need of redevelopment” under the Redevelopment Law, N.J.S.A. 40A:12A-1 et seq.; and

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

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 property located and known as West 2nd Street between Ave A and Kennedy Blvd (unimproved portion), which property is identified as W 2nd Street between Blocks 373 and 362/510, as shown on the Official Tax Map of the City is hereby designated a non-condemnation “area in need of redevelopment” under the Redevelopment Law, N.J.S.A. 40A:12A-1 et seq.

Section 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 West 2nd Street which property is identified and known as West 2nd Street between Ave A and Kennedy Blvd (unimproved portion) between Blocks 373 and 362/510, 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 and known as West 2nd Street between Ave A and Kennedy Blvd (unimproved portion), which property is identified as W 2nd Street between Blocks 373 and 362/510, 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.

* * * * *

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

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 1099 to 1105 Ave C and 66-68 West 54th Street which property is identified as Block 34, Lots 26, 27, 28, 29 and 30 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 located at 1099 to 1105 Ave C and 66-68 West 54th Street which property is identified as Block 34, Lots 26, 27, 28, 29 and 30 on the City’s Tax Maps; to develop a map reflecting the boundaries of the proposed non-condemnation redevelopment area; to provide public notice and conduct public hearings pursuant to N.J.S.A. 40A:12A-6; and to draft a report/Resolution to the Mayor and Municipal Council containing its findings.

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

Section 5. This Resolution shall take effect immediately

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

* * * * *

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

WHEREAS, on March 16, 2005, the City Council adopted Resolution 05-03-16-048 authorizing and directing the Planning Board of the City of Bayonne to conduct a preliminary investigation to determine whether certain scattered sites in locations through the City, which include the properties located at 27-31 Prospect Avenue and 33-39 Prospect Avenue, which properties are identified as Block 455, Lots 1, 2 and 3, as shown on the official Tax Map of the City, constituted an area in need of redevelopment in accordance with the Redevelopment Law; and

WHEREAS, by Resolution 05-12-14-064, dated December 14, 2005, the City Council designated Block 455, Lots 1 and 2 as an area in need of redevelopment in accordance with the provisions of N.J.S.A. 40A:12A-6 of the Redevelopment Law; and

WHEREAS, on September 13, 2017, the City Council authorized and directed the Planning Board to conduct a preliminary investigation to determine if certain

property located at 41 Prospect Avenue, which property is designated as Block 455, Lot 3 on the official Tax Map of the City, constituted an area in need of redevelopment in accordance with the provisions of N.J.S.A. 40A:12A-6 of the Redevelopment Law; and

WHEREAS, on December 13, 2017, the City Council designated Block 455, Lot 1, 2 and 3 as an area in need of redevelopment; and

WHEREAS, by Ordinance on February 14, 2018, the City Council adopted a Redevelopment Plan [as defined in the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40a:12A-1, et seq.] titled "Redevelopment Plan Madison Hill II Block 455, Lots 1, 2, & 3" dated January 17, 2018 (the "Redevelopment Plan"); and

WHEREAS, on February 14, 2018, by Resolution, the City Council designated the Redeveloper (under its previous name of MHP 33 Prospect Avenue, LLC) to undertake the necessary development and construction of the Property for the construction of a five story multi-family residential building with 76 residential apartments and seventy seven (77) on-site parking spaces, as well as related improvements, in accordance with the Redevelopment Plan (the "Project"); and

WHEREAS, on April 3, 2018, MHP 33 Prospect Avenue, LLC became MHP 33 Prospect Avenue Urban Renewal, LLC via an Amendment to the Certificate of Formation filed with the State of New Jersey; and

WHEREAS, MHP 33 Prospect Avenue Urban Renewal, LLC previously applied to the City Council for tax exemption pursuant to the New Jersey Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et. seq. (the "Exemption Law") with respect to the Project; and

WHEREAS, by Ordinance on January 16, 2019 the City Council approved a financial agreement pursuant to N.J.S.A. 40A:20-1 et. Seq with MHP 33 Prospect Avenue Urban Renewal, LLC, and

WHEREAS, the City has received a request to consent to the transfer of the financial agreement from MHP 33 Prospect Avenue Urban Renewal, LLC to QOZ Prospect Property Urban Renewal, LLC, and

WHEREAS, N.J.S.A. 40A:20-1 et seq. permits the transfer of project to another urban renewal entity under certain conditions, and

WHEREAS, QOZ Prospect Property Urban Renewal, LLC, has agreed to accept all of the financial obligations and responsibilities under the existing financial agreement and redevelopment agreement, and

WHEREAS, QOZ Prospect Property Urban Renewal, LLC has demonstrated the financial ability to complete the project and seeks to be designated the Redeveloper of the project,

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

Section 1. The Municipal Council of the City of Bayonne hereby authorizes and consents to the transfer of the financial agreement between the City of Bayonne and MHP 33 Prospect Avenue Urban Renewal, LLC to QOZ Prospect Property Urban Renewal, LLC.

Section 2. QOZ Prospect Property Urban Renewal, LLC is hereby designated as the Redeveloper of Block 455, Lot 1, 2 and 3.

Section 3. During the term of the tax exemption with respect to QOZ Prospect Property 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 documents that may be necessary to implement and carry out the transfer of the Financial Agreement and Redeveloper's Agreement.

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

* * * * *

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

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

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

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

WHEREAS, the Municipal Council directed the Planning Board, to prepare and review the redevelopment plan for properties located in the Texaco Redevelopment Area (the “Property”) and make recommendations to the Municipal Council in accordance with the Redevelopment Law; and

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Administration has prepared an amended and restated redevelopment plan for the Property titled “Amended and Restated redevelopment Plan Texaco Redevelopment Area”, dated May ___, 2019 (the “Amended Redevelopment Plan”) which included improvements to West 2nd Street; and

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

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

WHEREAS, the Municipal Council believes that the adoption of the Amended Redevelopment Plan is in the best interest of the City for the redevelopment of the 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 Amendment to the Redevelopment Plan is hereby adopted pursuant to the terms of N.J.S.A. 40A:12A-7 of the Redevelopment Law.

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

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

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

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

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

* * * * *

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

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

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

WHEREAS, pursuant to N.J.S.A. 52:27h-60 et seq. the City has included property located at 796 and 798-804 Avenue E and identified as Block 393, Lots 19 and 20 (the “Property”) as part of the City’s Urban Enterprise Zone, and

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

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

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

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

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

WHEREAS, the Municipal Council believes that the preparation of a Redevelopment Plan is in the best interests of the City for the redevelopment of the Property and in accordance with the City’s master Plan.

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

Section 1. 796 and 798-804 Avenue E, identified as Block 393, Lots 19 and 20, as shown on the official Tax Map of the City are hereby designated a non-condemnation “area in need of redevelopment” under the Redevelopment Law, N.J.S.A. 40A:12A-1 et seq.

Section 2. The Municipal Council hereby directs the City Clerk to transmit a copy of the within resolution to the Commissioner of the Department of Community Affairs and to serve notice that 796 and 798-804 Avenue E, Block 393, Lots 19 and 20, is designated a non-condemnation redevelopment area on the owners of such Property and other parties within ten (10) days of the date hereof, in accordance with N.J.S.A. 40A:12A-6.b(5).

Section 3. The Planning Board of the City of Bayonne is hereby authorized and directed to prepare a Redevelopment Plan for the Property identified as 796 and 798-804 Avenue E, Block 393, Lots 19 and 20 as shown on the official Tax Map of the City in accordance with the Redevelopment Law, N.J.S.A. 40A:12A-1 et seq.

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

Section 5. This Resolution shall take effect immediately.

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

* * * * *

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

WHEREAS, Resolution No. 18-09-12-035 adopted by the Municipal Council on September 12, 2018, authorized an agreement between the City of Bayonne and the Bayonne Economic Opportunity Foundation (the "BEOF"), 555 Kennedy Boulevard, Bayonne, New Jersey, to provide CDBG grant funds in the amount of \$38,000.00 for the purpose of providing the cost of salary and fringe benefits for the Senior Transportation Program (the "Purpose") for the period commencing September 1, 2018, and ending August 31, 2019; and

WHEREAS, pursuant to said Resolution No. 18-09-12-035, the City entered into Agreement No. CY18-072 with the BEOF; and

WHEREAS, pursuant to Municipal Council Resolution No. 19-04-17-058 adopted on April 17, 2019, said Agreement No. CY18-072 was amended to reduce the CDBG grant funds for said Purpose to \$30,000.00, the correct amount of said CDBG grant funds allocated to the BEOF for said Purpose; and

WHEREAS, the City's CDBG Administrator advised that the aforesaid Senior Transportation Program had been temporarily suspended and is being reinstituted on a part-time basis, i.e., Tuesdays, Thursdays, and Fridays from 9:00 a.m. to 3:00 p.m. at an additional cost not to exceed \$27,000.00 through April 30, 2020; and

WHEREAS, the City's CDBG Administrator, has also advised that funds are certified as available in Account CDBG-969; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into a Second Amendment to the aforesaid Agreement No. CY18-072 with the BEOF increasing same in the amount of \$27,000.00 and extending same through April 30, 2020, for the purpose of providing the cost of the Senior Transportation Program pursuant to the above-stated modification, and making the total contract amount \$57,000.00.

2. Funds shall be charged to Account CDBG-969.

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

* * * * *

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

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

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

WHEREAS, 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, 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 with the exception of the properties commonly known as Block 402, Lot 3 and Block 297, Lot 3 on the Tax Map of the City of Bayonne, State of New Jersey (the "Revised Study Areas"); and

WHEREAS, the Municipal Council agreed with the Planning Board's recommendation and by Ordinance O-06-02 on January 25, 2006, the Municipal Council adopted the Redevelopment Plan; and

WHEREAS, the City of Bayonne, Division of Planning & Zoning, at the request of the Municipal Council has prepared an amended redevelopment plan for the Redevelopment Area titled “Amended and Restated Scatter Site Redevelopment Plan NJ Transit 34th Street Station” dated March 5, 2019 (the “Amended Redevelopment Plan”); and

WHEREAS, the Municipal Council agreed with the Planning Board’s recommendation and by Ordinance April 17, 2019, the Municipal Council adopted the Amended Redevelopment Plan; and

WHEREAS, PROSPECT AVENUE URBAN RENEWAL LLC. with an office address of 3 2nd St, Jersey City, NJ 07302, (the “Redeveloper”) wishes to develop the Redevelopment Area and use it for the purpose of implementing the Redevelopment Plan; and

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

WHEREAS, the Municipal Council desires to revoke all prior designations and designate PROSPECT AVENUE URBAN RENEWAL LLC. as redeveloper of the Redevelopment Area and enter into a Redevelopment Agreement with the redeveloper, as provided for and in accordance with the provisions of the Redevelopment Law.

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

Section 1. The Municipal council hereby revokes any and all prior designations as Redeveloper concerning the Redevelopment Area.

Section 2. The Municipal Council of the City of Bayonne hereby authorizes the execution of the “Redevelopment Agreement By and Between the City of Bayonne and PROSPECT AVENUE URBAN RENEWAL LLC.” concerning the Redevelopment Area identified as Block 407 Lots 1, 2, and 3 and Block 408, Lots 1 and 2 in the City of Bayonne, in such a form deemed advisable by the City Attorney, subject to any and all conditions contained herein and such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel to the City; and

Section 3. The Municipal Council, upon the full execution of the Redevelopment Agreement recognizes PROSPECT AVENUE URBAN RENEWAL LLC. as redeveloper of 407 Lots 1, 2 and 3 and Block 408, Lots 1 and 2, in the City of Bayonne (the “Redeveloper”) as provided for and in accordance with the provisions of the New Jersey Local Redevelopment and Housing Law; and

Section 4. The Mayor and Clerk are hereby authorized to execute the Redevelopment Agreement, with such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel, on behalf of the City of Bayonne, acting as the redevelopment entity for the redevelopment of the Redevelopment Area by PROSPECT AVENUE URBAN RENEWAL LLC..

Section 5. This Resolution shall take effect immediately.

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

* * * * *

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

WHEREAS, by way of Resolution No. 15-04-22-061 adopted on April 22, 2015, the City of Bayonne entered into an Interlocal Agreement for Cooperative Purchasing with the Houston-Galveston Area Council (“H-GAC”) Purchasing Program pursuant to N.J.S.A. 5:34-6.2; and

WHEREAS, the City of Bayonne advertised a Notice of Intent to Award a Contract Under a National Cooperative Purchasing Agreement, specifically through the aforesaid H-GAC Purchasing Program, to Spartan Motors USA, Inc., for one (1) 2018 Spartan Metro Star 1500 gpm Fire Engine; and

WHEREAS, the comment period will conclude at the close of business hours on May 27, 2019; and

WHEREAS, this contract is being awarded pursuant to a non-fair and open process pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, funds are certified as available in Account Fire - OE; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The contract for one (1) 2018 Spartan Metro Star 1500 gpm Fire Engine is hereby awarded to Spartan Motors USA, Inc., through the H-GAC Cooperative Pricing Agreement for the amount of \$439,946.00 provided that the following conditions are met:

a. The comment period has concluded and no objections have been filed with the City Clerk;

b. Spartan Motors USA, Inc., completes and submits a Business Entity Disclosure Certification which certifies that Spartan Motors USA, Inc., has not made any reportable contributions to a political or candidate committee in the City of Bayonne in the previous one year, and that the contract will prohibit Spartan Motors USA, Inc., from making any reportable contributions through the term of the contract; and

c. Any and all other obligations, if any, attendant to the provisions of the laws governing purchases through Cooperative Pricing Agreements have been met pursuant to N.J.S.A. 5:34-6.2(b)(3).

2. In the event the above conditions have been met, the Mayor and/or his designee is/are hereby authorized to take any and all actions and execute any and all documents necessary to effectuate same.

3. Funds shall be chargeable to Account – Fire O.E.

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

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

* * * * *

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

SFY 2019 MUNICIPAL BUDGET

BE IT RESOLVED, that the following statements of revenue and appropriations shall constitute the Municipal Budget for the Calendar Year 2019;

BE IT FURTHER RESOLVED, that said budget be published in the Jersey Journal in the issue of June 5, 2019.

Notice is hereby given that the Budget and Tax Resolution was approved by the City Council of the City of Bayonne, County of Hudson, on May15, 2019.

A Hearing on the Budget and Tax Resolution will be held in the Dorothy E. Harrington Council Chambers, Municipal Building, 630 Avenue C, Bayonne, NJ, on June 19, 2019 at 7:00 P.M. at which time and place objections to said Budget and Tax Resolution for the year 2019 may be presented by taxpayers or other interested parties.

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

* * * * *

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

WHEREAS, the City procured HVAC Services from In-Line Heating & Cooling, Co., Inc., through the Educational Services Commission of New Jersey Cooperative Pricing Agreement No. 65MCESCCPS (the "Cooperative Pricing Agreement") pursuant to N.J.S.A. 40A:11 – 10(a)(1) since July 1, 2017 pursuant to Resolution No. 17-04-19-048 adopted by the Municipal Council on April 19, 2017; and

WHEREAS, pursuant to Resolution No. 19-03-20-045 adopted on March 20, 2019, the Municipal Council authorized the continued procurement of the aforesaid HVAC services from In-Line through May 31, 2019; and

WHEREAS, the City has determined it is 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 Cooperative Pricing Agreement for the period commencing June 1, 2019 through March 31, 2020, at which time the Cooperative Pricing Agreement expires; and

WHEREAS, due to the expiration of the Cooperative Pricing Agreement, the City has determined that it is desirable to include two (2) one (1) year options to renew in the event In-Line Air Conditioning, Inc., should be the successful bidder through the Educational Services Commission of New Jersey cooperative bid process; and

WHEREAS, funds are certified as available in the following Accounts: 28-371 (\$7,265), 25-240 (\$2,755); 25-265 (\$9,795); 29-390 (\$15,725); 26-310 (\$39,460); 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 In-Line Air Conditioning, Inc., for the continued procurement of HVAC Services for Various City Buildings including the South Harbor Fire Station from In-Line Air Conditioning Co., Inc., through the aforesaid Cooperative Pricing Agreement from June 1, 2019, through March 31, 2020, for an amount not to exceed \$75,000.00 with two (2) one (1) year options to renew in the event In-Line Air Conditioning, Inc., should be the successful bidder through the Educational Services Commission of New Jersey cooperative bid process.

2. Funds shall be charged to the following Accounts: 28-371 (\$7,265); 25-240 (\$2,755); 25-265 (\$9,795); 29-390 (\$15,725); 26-310 (\$39,460).

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

* * * * *

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

WHEREAS, by way of Resolution No. 16-02-17-041 adopted by the Municipal Council on February 17, 2016, the City entered into Agreement No. CY16-029 with In-Line Heating & Cooling, Inc., ("In-Line") for maintenance of the HVAC System at the South Harbor Fire Station located on Chosin Few Way for a one year term, billed quarterly in the amount of \$1,125.00, for a total contract amount of \$4,500.00 (the "Contract"); and

WHEREAS, by way of Resolution No. 17-04-19-048 adopted by the Municipal Council on April 4, 2017, the City continued to utilize the services of In-Line for maintenance of the HVAC System at the South Harbor Fire Station through the Educational Services Commission of New Jersey under Cooperative Pricing Agreement No. 65MCESCCPS pursuant to N.J.S.A. 40A:11-10(a)(1); and

WHEREAS, the Parties desire to memorialize and extend the Contract by entering into a Contract Addendum to the aforesaid Agreement No. CY16-029 for the period commencing February 17, 2017, and ending May 31, 2019, pursuant to the bid prices submitted by In-Line to the Educational Services Commission under Cooperative Pricing Agreement No. 65MCESCCPS for a total amount not to exceed \$12,000.00; and

WHEREAS, funds are certified as available in Account #9-01-25-265-0000-029; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an Addendum to Agreement No. CY16-029 with In-Line Heating & Cooling, Inc., for the period commencing as of February 17, 2017, and ending May 31, 2019, pursuant to the bid prices submitted by In-Line to the Educational Services Commission under Cooperative Pricing Agreement No. 65MCESCCPS for a total amount not to exceed \$12,000.00.

2. Funds shall be chargeable to Account #9-01-25-265-0000-029.

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

* * * * *

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

ADOPTING POLICIES AND PROCEDURES AND STANDARD OPERATING PROCEDURES
FOR THE MANAGEMENT OF FEDERAL AID PROJECTS

WHEREAS, the Federal Highway Administration provides federal funding for construction projects within the City of Bayonne; and

WHEREAS, the City of Bayonne is generally the recipient of such federal funding for specific projects through the New Jersey Department of Transportation; and

WHEREAS, management of such projects must comply with Title 23CFR635 et. Seq.; and

WHEREAS, the New Jersey Department of Transportation has requested that the city of Bayonne adopt Policies and Procedures and Standard Operating Procedures for Locally Administered Federal Aid Projects.

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

1. The Policies and Procedures and Standard Operating Procedures for Locally Administered Federal Aid Projects dated May 2019 attached hereto and made a part hereof is hereby adopted.
2. Upon adoption, a copy of the Policies and Procedures and Standard Operating Procedures for Locally Administered Federal Aid Projects dated May 2019 together with a certified copy of this Resolution shall be submitted to the New Jersey Department of Transportation for final approval.

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

* * * * *

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

WHEREAS, Robert F. Sloan, long regarded as the greatest ice hockey player of all right handed ice hockey playing tenured municipal clerks with a law degree who live on the south side of a peninsula in Hudson County, began his career with the City of Bayonne as an Assistant City Attorney in 1975, the same year the current Law Director entered 8th grade and the current Council President entered kindergarten; and

WHEREAS, Robert F. Sloan was appointed as the City Clerk of the City of Bayonne in 1978 and began honing his public persona, people skills and rapier-like wit by verbally

jousting with the likes of Harry Ziskind, Ernie Lettieri, Andy Zakutansky, Joe O'Hara (the "Committee of One"), Hugh Roarty and Lenny Kantor at public meetings; and

WHEREAS, Robert F. Sloan also had the singular distinction of being both the City of Bayonne's Law Director and City Clerk from 1982 to 1990; and

WHEREAS, Robert F. Sloan has served admirably under Mayors Dennis P. Collins, Richard A. Rutkowski, Leonard P. Kiczek, Joseph V. Doria, Jr., Terrence Malloy, Mark Smith and James M. Davis during his four decade career; and

WHEREAS, Robert F. Sloan has provided guidance and counsel to Council Presidents John P. Foye, Neil A. DeSena, John J. Halecky, Joseph L. Makowski, Vincent LoRe, Jr., Terrence P. Ruane and Sharon A. Nadrowski and eleven separate city councils during his unprecedented tenure as Bayonne's City Clerk; and

WHEREAS, over the course of his career Robert F. Sloan has been an integral part of the City of Bayonne's growth and success and our community is a much, much better place for having him in it; and

WHEREAS, throughout his many years of service, Robert F. Sloan has served as an example to his peers, co-workers and residents of Bayonne in his both professional achievements and the fairness, trust and compassion he exhibited in his dealings with the general public; and

WHEREAS, Robert F. Sloan's dedication and commitment to the City of Bayonne over the past four decades is testament to his character, intelligence and fortitude and is something that should be admired, exemplified and emulated; and

WHEREAS, Robert F. Sloan is retiring with the longest term of service of any Clerk in history of Bayonne and is only the third City Clerk to serve the City of Bayonne since our City adopted its current form of government in 1962, having succeeded Jack Lee and Robert Lee in the position; and

WHEREAS, Robert F. Sloan's days of service may have been long, but the years have gone by much too quickly and the love that Robert F. Sloan has shown for Bayonne must not go unrecognized; now, therefore, be it

RESOLVED, as follows:

1. June 6, 2019 is hereby designated as "Robert F. Sloan Day" in the City of Bayonne and is to be afforded all the pomp and circumstance that accompanies such a designation.
2. The lane abutting the back of City Hall allowing for traffic to go from 28th Street to 27th Street is hereby designated "Bob Sloan Way" and street signs shall be erected commemorating same. In that way, as much as City Hall was a part of Robert F. Sloan, he shall now be a part of City Hall.
3. This Municipal Council, on behalf of the Mayor, employees of the City of Bayonne and our citizens, hereby extends to Robert F. Sloan, upon the occasion of his retirement, our appreciation and gratitude for his years of service and wish him health, success and prosperity for years to come.
4. A copy of this Resolution, fully engrossed, shall be provided to Robert F. Sloan.

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

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At 8:35 P.M., Council President Nadrowski moved to adjourn seconded by Council Member Carroll

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

President – Sharon A. Nadrowski

Clerk – Robert F. Sloan

