

REGULAR MEETING

OF THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, NEW JERSEY, HELD IN THE COUNCIL CHAMBER, MUNICIPAL BUILDING, 630 AVENUE C, ON WEDNESDAY, JULY 17, 2019.

The Council met at 7:06 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 July 17, 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 July 12, 2019."

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

The Clerk called the roll.

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

The Council President led the Pledge of Allegiance.

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01. The Clerk announced:

AN ORDINANCE ENTITLED, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDMENT TO THE AMENDED AND RESTATED SCATTERED SITE REDEVELOPMENT PLAN FOR BLOCK 393, LOTS 19 & 20 AND A PORTIONS OF BLOCK 393, LOTS 16, 17, 18 19, 20 AND 21 PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ. (AVE E TURNPIKE)," which was introduced and passed a first reading at a meeting held June 19,2019, 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 July 17, 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 resolution 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 AN AMENDMENT TO THE AMENDED AND RESTATED SCATTERED SITE REDEVELOPMENT PLAN FOR BLOCK 393, LOTS 19 & 20 AND A PORTIONS OF BLOCK 393, LOTS 16, 17, 18 19, 20 AND 21 PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ. (AVE E TURNPIKE),"

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 resolution or to its passage.

The Clerk made the following statement: "No protest against, objections to, or statements in favor of this resolution 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 President Nadrowski, which was read by the Clerk and adopted.

WHEREAS, an ordinance entitled, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDMENT TO THE AMENDED AND RESTATED SCATTERED SITE REDEVELOPMENT PLAN FOR BLOCK 393, LOTS 19 & 20 AND A PORTIONS OF BLOCK 393, LOTS 16, 17, 18 19, 20 AND 21 PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ. (AVE E TURNPIKE)" was introduced and passed a first reading at a meeting held June 19, 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 July 17, 2019 ; and

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

WHEREAS, said ordinance was referred to the Planning Board as required by the Municipal Land Use Law for a report; and

WHEREAS, the Planning Board has reviewed the said ordinance and has forwarded a resolution approving same; and

WHEREAS, a hearing was held and such ordinance was considered as required by law; and

WHEREAS, no legal objections to said ordinance or to its passage were made at the said hearing; now therefore, be it

RESOLVED, that the said ordinance be passed and designated as Ordinance No. O-19-43

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

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02. The Clerk announced:

AN ORDINANCE ENTITLED, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC;," which was introduced and passed a first reading at a meeting held June 19,2019, 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 July 17, 2019 is now before the Council for its consideration and a public hearing.

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

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

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

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

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

There was no response – no person appearing in protest against or object to the resolution 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 Member Gullace, 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 7, TRAFFIC;" was introduced and passed a first reading at a meeting held June 19, 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 July 17, 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-19-44.

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 7, TRAFFIC.," which was introduced and passed a first reading at a meeting held June 19, 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 July 17, 2019 is now before the Council for its consideration and a public hearing.

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

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

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

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

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

The following persons spoke: MIKE MORRIS, 123 AVENUE C

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

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

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

Council Member LaPelusa moved a resolution for final passage, seconded by Council Member Carroll, 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 June 19, 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 July 17, 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-19-45.

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

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04. The Clerk announced:

AN ORDINANCE ENTITLED, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC," which was introduced and passed a first reading at a meeting held June 19, 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 July 17, 2019 is now before the Council for its consideration and a public hearing.

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

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

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

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

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

There was no response – no person appearing in protest against or object to the resolution 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, “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 June 19, 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 July17, 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-19-46.

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

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05. The following members of the public spoke:

GAIL GODESKY 828 KENNEDY BLVD., BAYONNE, NJ
Addressed the Council regarding the rally for life and various other subjects.

BOB DODDA 74 E. 25TH STREET, BAYONNE, NJ
Addressed the Council on the subject of the warehouse on east 25th and parking issues.

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06. Council Member LaPelusa introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING THE REDEVELOPMENT PLAN ENTITLED REDEVELOPMENT PLAN BLOCK 278, LOT 4 (22 EAST 10TH STREET), BLOCK 278, LOT 3 (13-15 AVENUE E), BLOCK 278, LOT 2 (9 AVENUE E) FOR THE PROPERTY LOCATED AT 22-30 EAST 10TH STREET, 13-15 AVE. E AND 9 AVE. E, WHICH PROPERTY IS IDENTIFIED AS BLOCK 278, LOTS 4, 3 AND 2 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 *ET SEQ.* (BAYONNE POOL)

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

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

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

WHEREAS, on March 13, 2019, the City of Bayonne (the “City”) Municipal Council adopted a Resolution authorizing and directing the Planning Board to prepare a redevelopment plan pursuant to *N.J.S.A. 40A:12A-1* et seq. for Block 278 Lots 4, 3 and 2 as described on the Tax Map of the City of Bayonne, State of New Jersey, and

WHEREAS, on July 9, 2019, the Planning Board at a public hearing reviewed the Redevelopment Plan and recommended the adoption of the Redevelopment Plan to the Municipal Council and concluded that said Redevelopment Plan is consistent with the Master Plan of the City of Bayonne; and

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

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

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

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

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

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

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

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

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

Council Member 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, NEW JERSEY ADOPTING THE REDEVELOPMENT PLAN ENTITLED REDEVELOPMENT PLAN BLOCK 278, LOT 4 (22 EAST 10TH STREET), BLOCK 278, LOT 3 (13-15 AVENUE), BLOCK 278, LOT 2 (9 AVENUE E) FOR THE PROPERTY LOCATED AT 22-30 EAST 10TH STREET, 13-15 AVENUE E AND 9 AVENUE E AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1* ET SEQ,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, August 21, 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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07. Council President Nadrowski introduced:

AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY, DESIGNATING A CERTAIN PORTION OF A PUBLIC STREET KNOWN AS WEST 2ND STREET WITHIN THE CITY OF BAYONNE AS A PEDESTRIAN MALL, PURSUANT TO *N.J.S.A. 40:56-65 ET SEQ. (UNIMPROVED PORTION W 2ND STREET)*

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 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 previously adopted and from time to time amended the “Amended and Restated Redevelopment Plan Texaco Redevelopment Area” (“Redevelopment Plan”), dated September 11, 2015, as amended June 11, 2019; and

WHEREAS, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “Redevelopment Law”), on July 17, 2019, the City of Bayonne (the “City”) approved a redevelopment agreement with BCP, LLC (the “Redeveloper”) for the redevelopment of certain properties, including an unimproved portion of West 2nd Street (the “Redevelopment Agreement”).

WHEREAS, N.J.S.A. 40:56-65 authorizes the governing body of every municipality to adopt an ordinance to protect the public welfare and health and the interests of the public in the safe and effective movement of persons and to preserve and enhance the function and appearance of the business districts of such municipality.

WHEREAS, Pursuant to N.J.S.A. 40:56-66, a pedestrian mall or pedestrian mall improvement means any local improvement designed to be used primarily for the movements, safety, convenience and enjoyment of pedestrians, and a pedestrian mall improvement shall include but not be limited to pedestrian thoroughfares, public seating, park areas, outdoor cafes, trees, flower plantings, kiosks, street lighting and such other fixtures, equipment, facilities and appurtenances.

WHEREAS, Pursuant to N.J.S.A. 40:56-68 and 40:56-69, the City Council of the City of Bayonne make the following findings regarding the designation of a pedestrian mall in the City:

- (a) The street to be designated is not part of any State highway, is located primarily in a business district, will be improved to its maximum feasible width with regard to adjoining buildings and improvements;
- (b) Reasonably convenient alternate routes to other parts of the municipality and State exist for private vehicles;
- (c) Continued unlimited use of the street or part thereof by private vehicles may constitute a hazard to the health and safety of pedestrians;
- (d) Abutting properties can reasonably and adequately be provided with emergency vehicular services and receive and deliver merchandise and materials from other streets and alleys or by provisions for limited use of the streets by emergency vehicles and carriers of such merchandise and materials; and
- (e) It is in the best interests of the municipality and the public and of benefit to adjacent properties to use such street primarily for pedestrian purposes, and that pedestrian use is determined to be the highest and best use of such street or part thereof.

WHEREAS, the City Council of the City of Bayonne has determined that it would fulfill a public purpose to designate a portion of West 2nd Street, located at West 2nd Street between Ave. A and Kennedy Blvd (“Unimproved Portion of West 2nd St.”), which property is identified as W 2ND STREET between Blocks 373 and 362/510 as shown on the Official Tax Map of the City of Bayonne, County of Hudson, State of New Jersey, as a pedestrian mall to facilitate the public purpose to be served by the redevelopment of the certain properties, including a portion of West 2nd Street, and to limit the use of the surface of such street or part thereof at all times.

WHEREAS, access to the Unimproved Portion of West 2nd St. designated as a pedestrian mall for construction and maintenance of the West 2nd Street Plaza by the Redeveloper and its successors and assigns, shall be provided by the City by a lease agreement between the City and the Redeveloper and is authorized pursuant to this Ordinance.

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. Pursuant to the findings set forth above, the Unimproved Portion of West 2nd St., as more fully described and set forth on the plan attached hereto, be and is hereby designated as a pedestrian mall, pursuant to N.J.S.A. 40:56-65 et seq.

Section 3. The plans and specifications for the construction of the West 2nd Street Plaza, pedestrian mall and pedestrian mall improvements, by the Redeveloper shall be submitted to the City Engineer for review and approval prior to commencement of work.

Section 4. Access to the portion of West 2nd Street designated as a pedestrian mall for construction and maintenance of the West 2nd Street Plaza by the Redeveloper and its successors and assigns, shall be provided by the City by a lease agreement between the City and the Redeveloper and is authorized pursuant to this Ordinance.

Section 5. It is in the best interests of the municipality and the public and of benefit to adjacent properties to use such street primarily for pedestrian purposes, and that pedestrian use is determined to be the highest and best use of such street or part thereof.

Section 6. The City Clerk shall publish this Ordinance in the manner required by N.J.S.A. 40:49-2, except that after same has been introduced and passed on first reading, as required by N.J.S.A. 40:56-71, the City Clerk shall, at least ten (10) days prior to the time fixed for final passage, mail a copy of this Ordinance, together with a notice of the introduction thereof and the date, time and place when this Ordinance shall be considered for final passage to the owners of the lots or parcels of land abutting or directly affected by the proposed pedestrian mall.

Section 7. If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

Section 8. That any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

Section 9. This Ordinance shall take effect in accordance with applicable laws.

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

BE IT RESOLVED, that an ordinance entitled "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY, DESIGNATING A CERTAIN PORTION OF A PUBLIC STREET KNOWN AS WEST 2ND STREET WITHIN THE CITY OF BAYONNE AS A PEDESTRIAN MALL, PURSUANT TO *N.J.S.A.* 40:56-65 *ET SEQ.* (UNIMPROVED PORTION W 2ND STREET)," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, August 21, 2019 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

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08. Council Member LaPelusa introduced:

ORDINANCE VACATING THE RIGHT-OF-WAY EASMENT RESERVED TO THE CITY OF BAYONNE AND CONVEYED TO DURAPORT REALTY IV, LLC OVER BLOCK 476.01 / Lot 10.01

WHEREAS, pursuant to the Local Land and Buildings Law, *N.J.S.A.* 40A:12-13(b)(4), a municipality, by ordinance and at private sale, may "release the public rights in the nature of easements, in, on, over or under any real property within the county or the municipality, as the case may be, upon such terms as shall be agreed upon with the owner of such lands, if the use of such rights is no longer desirable, necessary or required for public purposes;" and

WHEREAS, by Quit Claim Deed, dated June 29, 2016, and recorded in the Hudson County Clerk's Office in Deed Book 9130, Page 414, on July 12, 2016, as shown as Exhibit A to this Ordinance, the City of Bayonne (the "City") conveyed to Duraport Realty Four LLC ("Duraport") the property consisting of the land, buildings, structures or improvements located at Block 476.01, Lot 10.01, together with easements set forth in a certain Quitclaim Deed dated April 12, 2010, and recorded in Deed Book 8727, Page 44;

WHEREAS, by Quit Claim Deed, dated June 29, 2016, and recorded in the Hudson County Clerk's Office in Deed Book 9130, Page 424, on July 12, 2016, as shown as Exhibit B, the City conveyed to Port Johnson Realty LLC ("Port Johnson") a portion of a "New 40.0' Right-of-Way" ("Easement"), located at Block 476.01, Lot 10.02;

WHEREAS, as a result of the transfer, the City retains a 40.0' Easement through Block 476.01, Lot 10.01, is shown as Exhibit C to this Ordinance;

WHEREAS, the City of Bayonne Planning Board granted Final Site plan Approval to Duraport to construct a commercial property and make site improvements, including retaining walls;

WHEREAS, the original purpose of the easement was to provide public access to Block 476.01, Lot 4, and

WHEREAS, Block 476.01, Lot 4, is privately owned and the public does not have a right to access that property,

WHEREAS, the City Engineer has determined that it would be appropriate for the City to extinguish the Easement and for new easements to be provided, as appropriate.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Bayonne, in the County of Hudson, in the State of New Jersey, as follows

Section 1. The City hereby vacates and extinguishes any and all right, title and interest to the public in and to certain lands of the 40-foot right of way easement, located on Block 471.01, Lot 10.01, described more fully in the Deeds recorded with the Hudson County Clerk's Office in Book 9130, Page 414, and Book 9130, Page 424, subject to all conditions set forth hereinabove.

Section 2. The City Clerk, Mayor, his designee, and such City Professionals as are necessary, are hereby authorized and directed to take such actions as are necessary to effectuate the provisions of this Ordinance including but not limited to executing an Extinguishment of Easement in a form acceptable to the City Attorney.

Section 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance, which shall otherwise remain in full force and effect.

Section 4. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 5. This Ordinance shall take effect after final passage as provided by law.

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

BE IT RESOLVED, that an ordinance entitled "ORDINANCE VACATING THE RIGHT-OF-WAY EASMENT RESERVED TO THE CITY OF BAYONNE AND CONVEYED TO DURAPORT REALTY IV, LLC OVER BLOCK 476.01 / Lot 10.01," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, August 21, 2019 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

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09. Council Member LaPelusa introduced:

AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCE
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

048. Sozy Ishak, 780 Broadway

Beginning at a point on the South side of East 35th Street, 41 feet east of the Southeast corner of Broadway and East 35th Street, and extending to a point 17 feet east thereof.

221. Jose Collazo, 171 West 10th Street

Beginning at a point on the North side of 10th Street, 422 feet west of the Northwest corner of 10th Street and Avenue A, and extending to a point 19 feet west thereof.

263. Michael Bolowski, 157 West 21st Street

Beginning at a point on the West side of 21st Street, 154 feet west of the Northwest corner of Avenue A, and extending to a point 22 feet west thereof.

332. Dolores Krizenowski, 38 East 19th Street

Beginning at a point on the East side of 19th Street, 244 feet west of the Southwest corner of Avenue E and East 19th Street, and extending to a point 20 feet west thereof.

367. Kamal Morgan, 21 East 16th Street

Beginning at a point on the North side of East 16th Street, 25 feet east of the Northeast corner of Court Place and East 16th Street, and extending to a point 17 feet east thereof.

ADD

059. Maria Lopez, for her son Joel Fernandez, 18 East 29th Street

Beginning at a point on the South side of East 29th Street, 176 feet east of the Southeast corner of Broadway and East 29th Street, and extending to a point 16 feet east thereof.

060. Pat Lagis, 1067 Avenue C

Beginning at a point on the West side of 52nd Street, 92 feet south of the Southwest corner of Avenue C and West 52nd Street, and extending to a point 16 feet south thereof.

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

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, August 21, 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

* * * * *

10. Council President Nadrowski introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND TFG 39-43 W25TH URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED 389-43 W25TH STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 183, LOT 2.01 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, 39-43 W25th URBAN RENEWAL, LLC (the “Entity”) is the owner or Contract Purchaser of certain property identified on the Tax Maps of the City as Block 183, Lot 2.01 (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 the Urban Enterprise Zone and has been designated an area in need of Rehabilitation (the “Redevelopment Area”) pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*, as amended and supplemented (the “Local Redevelopment and Housing Law”); and

WHEREAS, pursuant to the Local Redevelopment and Housing Law the Planning Board of the City has approved preliminary and final site Plan approval for the Property; and

WHEREAS, the proposed project to be undertaken on the Property consists of the construction of a residential structure containing forty (40) residential units and forty (40) parking spaces, all submitted to the City of Bayonne Planning Board (the “Project”);

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

WHEREAS, the Entity 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;

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, the Entity 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, the Entity 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 39-43 W25th 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 39-43 W25th 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 39-43 W25th 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 39-43 W25th 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 TFG 39-43 W 25TH URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED 39-43 W 25TH STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 183, LOT 2.01 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, August 21, 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. 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

* * * * *

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

From MARIO E. McCoy, filing notice of tort claim alleging property damage to his automobile on June 7, 2019, resulting from being struck by a police vehicle at Avenue C and 18th Street.

* * * * *

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

From Michael A. Percario, Esq., filing notice of tort claim on behalf of ROSEMARY CALANDRA alleging personal injuries resulting in a fall on the sidewalk at 360 Avenue C.

* * * * *

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

From Norberto A. Garcia Esq., filing notice of tort claim on behalf of MARLON RAMOS, alleging property damage to his automobile on May 23, 2019 when it was struck by a city-owned vehicle at Broadway and 20th Street.

* * * * *

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

From Kevin J. Knorr, filing notice of claim on behalf of THOMAS KEYES, alleging personal injuries resulting from automobile accident while driving a city-owned vehicle at Avenue C and Andrew Street on May 20, 2019.

* * * * *

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

From PATRICIA J. WARGO, filing notice of claim alleging property damage to her automobile on June 19, 2019 when it was struck by a fire truck while parked.

* * * * *

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

From the Superior Court of New Jersey, Chancery Division, Summons and Complaint in matter entitled, “BCB COMMUNITY BANK vs. D’AGOSTO, et al., incl. THE CITY OF BAYONNE.” (Mortgage foreclosure)

* * * * *

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

From Tax Court of New Jersey, complaint in matter entitled, “PORTLAND PETROLEUM, INC. vs. CITY OF BAYONNE.” (205 Port Jersey Blvd., Block 397, lot 2 - commercial)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “SUMO COMPANIES, INC. vs. CITY OF BAYONNE.” (103 Oak Street, Block 473.02, lot 1 - commercial)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “445 BROADWAY ASSOCIATES, LLC vs. CITY OF BAYONNE.” (455 Broadway, Block 216, lot 18-01 - commercial)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “NJD DEVELOPMENT LLC vs. CITY OF BAYONNE.” (752-764 Avenue E, Block 393, lot 16 - commercial)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “SMITH, MA c/o BWAY SERVICE CENTER vs. CITY OF BAYONNE.” (218-222 Broadway, Block 319, lot 26 - commercial)

* * * * *

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

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

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

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

* * * * *

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

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.

* * * * *

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

DATE: June 4, 2019

TO: Donna Mauer, CFO
Madelene Medina, City Clerk

FROM: Janet Convery, Treasurer

Please be advised that a transfer to the Board of Ed was made on July 2, 2019.

\$ 5,692,691.00 CLAIMS & PAYROLL FOR July, 2019.

Janet Convery

* * * * *

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

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

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

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

* * * * *

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

RESOLVED, that the official minutes of the regular council meeting held Wednesday, June 19, 2019 be and the same are hereby approved.

* * * * *

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

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

* * * * *

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 \$ 47.40 drawn of the Bureau of Rabies Control, State Department of Health, Trenton, New Jersey, covering the issuance of licenses Nos. 918-940 inclusive, 22 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 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 Chief Financial Officer 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
460	5	NICOLE SMITH	2,054.00
132	10	ARVEST CENTRAL MORTGAGE CO.	3,197.00
134	14	SOFIA ARANDA	4,759.82
134	21	PAOLA HABER	957.98
146	27	RYAN EHRLICH	2,401.68
147	7	PAOLA HERNANDEZ	2,671.00
155	22.01 C0106	ELIZA TANGONAN	533.72
Total:			16,575.20

* * * * *

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

WHEREAS, the City Clerk’s Office has issued Sixty-Eight (68) Marriage Licenses during the months of April, May and June and has collected \$25.00 per license, which is to be forwarded to the Division of Youth and Family Services, now, therefore be it

RESOLVED, that a warrant in the amount of One thousand seven hundred dollars (\$1700.00) be drawn to the order of the Treasurer, State of New Jersey and forwarded to the City Clerk’s Office for disbursement.

* * * * *

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

RESOLVED, that pursuant to and consistent with a State Training Fee Report dated July 1, 2019 by Richard Bielinski, Construction Official, the Municipal Treasurer is hereby authorized and directed to issue a warrant drawn to the order of the State of New Jersey, in the amount of \$29,248.00 representing payment of state surcharge fees on new construction and alterations collected during the second quarter of 2019; and be it further

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

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

* * * * *

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

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE PEDESTRIAN INTERSECTION IMPROVEMENTS-34TH STREET LIGHT RAIL STATION-PHASE II PROJECT

NOW, THEREFORE, BE IT RESOLVED. That the Mayor and Council of the City of Bayonne formally approved the grant application for the above stated project.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as “SST-2020-PEDESTRIAN INTERSECTION IMPROVEMENT-00038” to the New Jersey Department of Transportation on behalf of the City of Bayonne

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

* * * * *

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

ENABLING RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING THE ACCEPTANCE OF THE STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION GREEN ACRES PROGRAM GRANT

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

WHEREAS, the City of Bayonne desires to further the public interest by obtaining a loan of \$0 and/or a grant of one million dollars (\$1,000,000) from the State to fund the following project:

NEWARK BAY WATERFRONT ACCESS INFILL PROJECT –
GREEN ACRES #0901-17-040

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

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

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

Section 1. The Mayor and or the Business Administrator of the City of Bayonne or the successor to the office of Business Administrator is hereby authorized to:

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

Section 2. The Mayor of the City of Bayonne is hereby authorized to execute an agreement and any amendment thereto with the State known as

NEWARK BAY WATERFRONT ACCESS INFILL PROJECT –
GREEN ACRES #0901-17-040

Section 3. In the event the State’s funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project.

Section 4. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project.

Section 5. This resolution shall take effect immediately.

* * * * *

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

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

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

WHEREAS, the Bayonne Economic Opportunity Foundation has requested and submitted a formal written application dated January 13, 2017 for said CDBG Grant Funds for the purpose of providing building renovations for all BEOF buildings and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said Community Development Block Grant Funds for the purpose of providing the cost of preliminary assessment/phase 1 environmental site assessment of the former Holy Family located at 237-249 Avenue A from Matrix New World Engineering, 26 Columbia Turnpike, Florham Park, NJ 07932 and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-1008; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Bayonne Economic Opportunity Foundation, 555 Kennedy Blvd, Bayonne, New Jersey 07002 for the provision of providing the cost preliminary assessment/phase 1 environmental site assessment of the former Holy Family located at 237-249 Avenue A from Matrix New World Engineering, 26 Columbia Turnpike, Florham Park, NJ 07932 in the amount of \$9,000. 00 for the period commencing September 1, 2018 and ending August 31, 2019.

2. Funds shall be charged to Account #CDBG-1008

* * * * *

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

WHEREAS, the New Jersey Department of Community Affairs provides grants to conduct the state mandated inspections of hotels and multiple dwellings within its jurisdiction on behalf of the Bureau of Housing Inspection, and

WHEREAS, the City of Bayonne has requested and received authorization to conduct the same, and

WHEREAS, the City of Bayonne has applied for and has been awarded a grant in the amount of \$62,500.00 from the New Jersey Department of Community Affairs, Bureau of Housing Inspection Fiscal Year 2020 State Local Cooperative Housing Program

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Bayonne that the above referenced grant is hereby accepted and the Mayor is hereby authorized to execute grants documents as an authorized representative thereunder, as the representative of the City of Bayonne.

BE IT FURTHER RESOLVED, by the Municipal Council of the City of Bayonne

1. The City of Bayonne accepts \$62,500.00 from the New Jersey Department of Community Affairs, Bureau of Housing Inspection.

2. The Division of Finance is hereby authorized to establish the property account for these funds.

* * * * *

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

WHEREAS, the City of Bayonne has applied for and has been awarded a grant in the amount of up to \$52,566.00 from the Hazardous Discharge Site Remediation Fund Municipal Grant Program through the New Jersey Department of Environmental Protection and the New

Jersey Economic Development Authority for Preliminary Assessment and Site Investigation of the 5th Street Connection Property;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Bayonne that the above referenced grant is hereby accepted and the Mayor is hereby authorized to execute grant documents as an authorized representative thereunder, as the representative for the City of Bayonne.

BE IT FURTHER RESOLVED, that a comprehensive plan exists specifically for the development or the redevelopment of contaminated or potentially contaminated real property in the host municipality or that a realistic opportunity exists that the Project site will be developed or redeveloped within a three year period from completion of the remediation.

BE IT FURTHER RESOLVED, by the Municipal Council of the City of Bayonne that:

1. The City of Bayonne accepts the grant in the amount of up to \$52,566.00 from New Jersey Department of Environmental Protection and the New Jersey Economic Development Authority for preliminary assessment and site investigation of the 5th St. Connection Property.
2. The Division of Finance is hereby authorized to establish the proper account for these funds.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the New Jersey Economic Development Authority.

* * * * *

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

WHEREAS, the New Jersey Department of Transportation (NJDOT) provides grants to qualifying municipalities as it relates to infrastructure improvements under the new Local Freight Impact Fund (LFIF),

WHEREAS, the City of Bayonne is desirous of making improvements to the Peninsula at Bayonne Harbor Port Access Road and;

WHEREAS, the City of Bayonne has applied for and has been awarded a grant in the amount of 3,850,000.00 from the New Jersey Department of Transportation's (NJDOT) Fiscal Year 2018 Local Freight Impact Fund Program for the Peninsula at Bayonne Harbor Port Access Road Project;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Bayonne that the above referenced grant is hereby accepted and the Mayor is hereby authorized to execute grant documents as an authorized representative thereunder, as the representative for the City of Bayonne.

BE IT FURTHER RESOLVED, by the Municipal Council of the City of Bayonne that:

1. The City of Bayonne accepts \$3,850,000.00 from the New Jersey Department of Transportation (NJDOT) for improvements to Bayonne Harbor Port Access Road.
2. The Division of Finance is hereby authorized to establish the proper account for these funds.

* * * * *

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

WHEREAS, the New Jersey Department of Community Affairs provides grants to provide inclusive recreational opportunities for teenagers and adults with disabilities and;

WHEREAS, the City of Bayonne recognizes the importance of providing these opportunities to teenagers and adults for their growth and development and;

WHEREAS, the City of Bayonne has applied for and has been awarded a grant in the amount of 20,500.00 from the New Jersey Department of Community Affairs CY2019 Recreational Opportunities for Individuals with Disabilities Grant,

WHEREAS, the CY2019 Recreational Opportunities for Individuals with Disabilities Grant requires a \$4,000.00 local match and;

WHEREAS, the City of Bayonne is desirous of accepting the grant and utilizing local funds to execute the program,

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Bayonne that the above referenced grant is hereby accepted and the Mayor is hereby authorized to execute grant documents as an authorized representative thereunder, as the representative for the City of Bayonne.

BE IT FURTHER RESOLVED, by the Municipal Council of the City of Bayonne that:

- 1. The City of Bayonne accepts \$20,000.00 from the New Jersey Department of Community Affairs.
- 2. The Division of Finance is hereby authorized to establish the proper account for these funds.

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

WHEREAS, the Police Department of the City of Bayonne has established that there is a need a software license renewal and support for the Police Department’s IAPro Internal Affairs computer software; and

WHEREAS, CI Technologies (IAPro), P.O. Box 534, Townsend MA 01469-0534, is willing and able to supply said service for a one year period commencing July 1, 2019 and ending June 30, 2020 at a cost of \$2,122.42; and

WHEREAS, funds are certified as available in Account #9-201-25-240-0000-028, pending adoption of the CY 2019 Budget; and

WHEREAS, N.J.S.A. 40A:11-3(a), allows for the award of a contract without the necessity of public advertising for bids where the municipality has a Qualified Purchasing Agent, and when the cost or price does not exceed \$36,000.00; now, therefore, be it

RESOLVED, that the Mayor and City Clerk are hereby authorized to enter into an agreement with CI Technologies (IAPro), P.O. Box 534, Townsend MA 01469-0534, for a software license renewal and support for the Police Department’s IAPro Internal Affairs computer software for a one year period commencing July 1, 2019 and ending June 30, 2020 at a cost of \$2,122.42, and funds are certified available in account #9-201-25-240-0000-028, pending adoption of the CY 2018 Budget; and be it further

RESOLVED, that the Municipal Treasurer be and is hereby authorized and directed to issue a warrant payable CI Technologies (IAPro), in the amount of \$2,122.42 in payment for said services.

41. 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	LICENSE
All Saints Catholic Academy HSA	RL: 9394 RL: 9395
VFW Post #226-Joyce Herbert	RL: 9396
St. John Paul II Parish	RL: 9397 RL: 9398 RL 9399
St. Henry’s Parish	RL: 9400

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

WHEREAS, the local municipal budget for the calendar year 2019 was approved on the 15th day of May, 2018, and

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

WHEREAS, it is desired to amend said approve budget, now

THEREFORE BE IT RESOLVED, by the Municipal Council of the City of Bayonne, County of Hudson, that the following amendments to the approved budget of calendar year 2019 be made:

The Clerk read the amendment resolution in full.

	<u>FROM</u>	<u>TO</u>
General Revenue		
1. Surplus Anticipated	13,500,000.00	14,408,000.00
Total Surplus Anticipated	13,500,000.00	14,408,000.00
3. Miscellaneous Revenues		
Section A:		
Southshore Village Housing Corp/Post Road Gardens	0.00	54,850.00
Barnabas Bayonne	0.00	346,498.00
Bayonne Energy Center PILOT/Bayonne Energy Center Urban Renewal I	2,234,024.00	1,588,445.00
Bayonne Energy Center Urban Renewal II	0.00	514,675.00
195 East 22 nd Street Urban Renewal	0.00	60,000.00
Port Authority	1,981,127.00	103,766.00
Port Authority/Workbench	0.00	402,240.00
Port Authority/Global Auto Marine Terminal	0.00	1,106,468.50
Port Authority of New York & New Jersey	0.00	368,652.66
Section B:		
Consolidated Municipal Property Tax Relief Act	1,625,988.00	1,214,873.00
Energy Receipts Tax (PL 1997 Chpt 162&167)	7,203,813.00	7,614,928.00
Section G:		
Royal Caribbean Cruise Port	1,364,225.00	2,399,874.00
Port Authority Land Payment	6,360,045.00	5,000,000.00
Summary of Revenues		
1. Surplus Anticipated	13,500,000.00	14,408,000.00
Total Section A: Local Revenues	11,926,740.43	12,257,184.59
Total Section G: Special Items of Revenues w/prior consent DLGS	11,911,297.06	11,586,901.06
Total Miscellaneous Revenues	34,477,357.95	34,483,406.11
5. Subtotal General Revenues	48,250,142.95	49,164,191.11
6. Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes	80,477,973.84	79,137,816.84
Total Amount to be Raised by Taxes for Support of Municipal Budget	93,115,755.00	91,775,598.00
7. Total General Revenues	141,365,897.95	140,939,789.11
8. General Appropriations		
(A) Operations-within "CAPS"		
Planning & Zoning- Salaries & Wages	487,000.00	447,000.00
Business Administrator's Office-Other Expenses	875,000.00	825,000.00
Finance Office-Other Expenses	80,000.00	75,000.00
Law Department-Contracts	175,000.00	160,000.00
Water/Sewer Division-Other Expenses	150,000.00	140,000.00
Board of Health-Other Expenses	345,000.00	331,388.00
Police Uniform-Other Expenses	895,000.00	855,000.00
Fire Uniform-Salaries & Wages	20,600,000.00	20,589,977.00
Other Public Works-Other Expenses	325,000.00	300,000.00
Buildings & Grounds-Other Expenses	305,000.00	280,000.00
Vehicle Maintenance-Other Expenses	535,000.00	495,000.00
Total Operations within "CAPS"	92,635,570.30	92,361,935.30
(B) Contingent		

Total Operations Including Contingent Within "CAPS"	92,635,570.30	92,361,935.30
Detail:		
Salaries & Wages	59,391,000.00	59,340,977.00
Other Expenses (Including Contingent)	33,245,570.30	33,021,958.30
(H-1) Total General Appropriations for Municipal Purposes with "CAPS"	110,174,622.30	109,900.987.30
(A) Operations-Excluded from "CAPS"		
Public and Private Programs Offset by Revenues		
Emergency Management Assistance Matching Fund	0.00	10,023.00
Municipal Drug Alliance Matching Fund	0.00	13,612.00
Total Public and Private Programs Offset		
By Revenues	1,867,891.96	1,891,525.96
Total Operations-Excluded from "CAPS"	4,036.673.12	4,060,308.12
Detail:		
Other Expenses	2,406,763.12	2,430,398.12
(H-2) Total General Appropriations for Municipal Purposes Excluded from "CAPS"	18,817,955.12	18,841,590.12
(O) Total General Appropriations for Municipal Purposes Excluded from "CAPS"	29,338,955.12	29,362,590.12
(L) Subtotal General Appropriations	139,513,577.42	139,263,577.42
(M) Reserve for Uncollected Taxes	1,852,320.53	1,676,211.69
Total General Appropriations	141,365,897.95	140,939,789.11

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

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

The following persons spoke: Mike Morris, 123 Avenue C

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

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

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

WHEREAS, the foregoing amendments to the CY 2019 Local Municipal Budget were introduced and read at a meeting held July 17, 2019 ; and

WHEREAS, a public hearing of said amendments was held at this meeting of July 17, 2019 and it is desired to adopt same; now, therefore, be it

RESOLVED, that the foregoing amendment to the CY 2019 Local Municipal Budget be and the same are hereby adopted and incorporated into the said budget.

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

Council as whole moved a resolution for final adoption of the budget.

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

- (a) \$79,137,817 (Item 2 below) for municipal purposes, and
- (b) \$** (Item 3 below) for school purposes in Type I School Districts only (N.J.S. 18A:9-2) to be raised by taxation and certification to County Board of Taxation of the following summary of general revenues and appropriations.
- (c) \$10,521,000 (item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S.A. 18A:9-3) and certification to the County Board of Taxation of the following summary of general revenue and appropriations.

(d) \$ (Sheet 43) Open Space, Recreation, Farmland and
Historic Preservation Trust Fund Levy

(e)\$ 2,116,781 (Item 5 below) Minimum Library Tax

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY
AUTHORIZING AND DIRECTING THE PLANNING BOARD TO REOPEN AND AMEND THE
REDEVELOPEMENT PLAN FOR THE PROPERTY IDENTIFIED AS BLOCK 830, LOTS 1.05
& 1.06 AND A PORTION OF LOT 1 KNOWN AS MEMORIAL BOULEVARD AS SHOWN ON
THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE (BAYONNE BAY EAST)

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

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

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

WHEREAS, the Municipal Council previously directed the Planning Board, to prepare and review a redevelopment plan for the properties identified as Block 830, Lots 1.05 & 1.06 and a portion of Block 830 Lot 1 known as Memorial Boulevard on the official tax map of the City of Bayonne (the “Property”) and make recommendations to the Municipal Council in accordance with the Redevelopment Law; and

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Municipal Services has previously prepared a redevelopment plan for the Property titled “Peninsula at Bayonne Harbor BLRA Redevelopment Plan” which Redevelopment Plan was originally adopted on August 24, 2001 with amendments on December 15, 2004, January 26, 2006, July 19, 2006, June 20, 2007, and 24, 2008 (the “Amended Redevelopment Plan”); and

WHEREAS, Bayonne Partner’s Urban Renewal LLC, by Resolution was designated the Redeveloper of the Property for the purpose of implementing the Redevelopment Plan; and

WHEREAS, the Redeveloper has requested that the Municipal Council, as a redevelopment entity to authorize and direct the Planning Board to reopen and amend the Amended Redevelopment Plan; and

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

WHEREAS, the Municipal Council believes that it is in the best interest of the City to reopen and amend the Amended Redevelopment Plan for the property identified as Block 830, Lots 1.05 & 1.06 and a portion of Lot 1 on the City’s Tax Maps in order to expand the scope of the revitalization and redevelopment efforts in the City and make modifications to the Redevelopment Plan necessary to further the goals and objectives of the Master Plan.

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

Section 1. The Municipal Council of the City of Bayonne hereby authorizes and directs the Planning board to reopen the existing redevelopment plan entitled “Peninsula at Bayonne Harbor BLRA Redevelopment Plan” for Block 830, Lots 1.05, 1.06 and a portion of Lot 1 and make any modifications or changes to the redevelopment plan necessary to further the goals and objectives of the Master Plan; and

Section 2. This Resolution shall take effect immediately.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY
DESIGNATING CERTAIN PROPERTY LOCATED AT AVE A AND NORTH ST., WHICH PROPERTY IS IDENTIFIED AS BLOCK 300.01, LOTS 2 AND 3 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE AS A CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.* (A&P Property)

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 Avenue A and North St, which property is identified as Block 300.01, Lot 2 and 3, as shown on the official Tax Map of the City (the "Study Area"), constitute a non-condemnation "area in need of redevelopment," in accordance with the Redevelopment Law; and

WHEREAS, on July 9, 2019 the Planning Board held a public hearing, duly noticed under the Redevelopment Law, and reviewed an investigation/report titled "Preliminary Investigation Condemnation Area in Need of Redevelopment and Non-Condensation Area in Need of Redevelopment Block 300.01 Lots 2 and 3(Condemnation Area) Block 301.03 Lots 2 and 3 (Non-Condensation Area) City of Bayonne , Hudson County" prepared by Suzanne Mack, PPAICP, City of Bayonne, Division of Planning & Zoning, Department of Administration, (the "Study"); and

WHEREAS, 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, the study area contains various pipeline easements that restrict the use and development of the Property; and

WHEREAS, on July 9, 2019, the Planning Board further adopted the Resolution recommending that the Study Area be determined by the Municipal Council to be a "condemnation area in need of redevelopment" under the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.* as it relates to Block 301.03 Lots 2 and 3; 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 "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, and it shall authorize the City to exercise the power of eminent domain to acquire all or any portion of such 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 Avenue A and North St, which property is identified as Block 300.01, Lot 2 and 3, as shown on the official Tax Map of the City is hereby designated a 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 300.01, Lot 2 and 3, is designated a 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. This Resolution shall take effect immediately.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY
DESIGNATING CERTAIN PROPERTY LOCATED AT 161 AVE A, WHICH PROPERTY IS IDENTIFIED AS BLOCK 301.03, LOTS 2 AND 3 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.* (Dugan's Property)

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 161 Avenue A, which property is identified as Block 301.03, Lot 2 and 3, as shown on the official Tax Map of the City (the "Study Area"), constitute a non-condemnation "area in need of redevelopment," in accordance with the Redevelopment Law; and

WHEREAS, on July 9, 2019 the Planning Board held a public hearing, duly noticed under the Redevelopment Law, and reviewed an investigation/report titled "Preliminary Investigation Condemnation Area in Need of Redevelopment and Non-Condensation Area in Need of Redevelopment Block 300.01 Lots 2 and 3(Condemnation Area) Block 301.03 Lots 2 and 3 (Non-Condensation Area) City of Bayonne , Hudson County" prepared by Suzanne Mack, PPAICP, City of Bayonne, Division of Planning & Zoning, Department of Administration, (the "Study"); and

WHEREAS, 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 July 9, 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.* as it relates to Block 301.03 Lots 2 and 3; 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.

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 161 Avenue A, which property is identified as Block 301.03, Lot 2 and 3, 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 301.03, Lot 2 and 3, 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. This Resolution shall take effect immediately.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING AND DIRECTING THE PLANNING BOARD TO PREPARE AN AMEND THE REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 797-811 AVENUE E IDENTIFIED AS BLOCK 54 LOT 11 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.* AND DESIGNATING (RIGGIO VALVES)

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 797811 Avenue E and identified as Block 54, Lot 11 (the “Property”) as part of the City’s Urban Enterprise Zone, 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 (“Scattered Site Redevelopment Plan”); and

WHEREAS, the Scattered Site Redevelopment Plan included the Property located at 797-811 Avenue E, designated as Block 54, Lot 11 on the official tax map of the City (“the Property”); and

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

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

WHEREAS, the Municipal Council believes that the preparation of an amended 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.

WHEREAS, Patron Holdings, LLC with an office address of 797 Avenue E, Bayonne NJ 07002, (the “Redeveloper”) wishes to develop the Property and use it for the purpose of implementing the Redevelopment Plan; and

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

WHEREAS, the Municipal Council desires to designate Patron Holdings, LLC as redeveloper of the Property and enter into a Redevelopment Agreement with the redeveloper, as provided for and in accordance with the provisions of the Redevelopment Law.

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

Section 1. The Planning Board of the City of Bayonne is hereby authorized and directed to prepare a Redevelopment Plan for the Property identified as 797-811 Avenue E, Block 54, Lot 11 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 2. The Planning Board shall transmit the Redevelopment Plan to the Municipal Council for further consideration and action upon completion of same.

Section 3. The Municipal Council, recognizes designate Patron Holdings, LLC as redeveloper of the Property identified Block 54, Lot 11 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.

Section 4. 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 Member LaPelusa which was read by the Clerk and adopted

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY REAUTHORIZING AND DIRECTING THE PLANNING BOARD TO CONDUCT A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER TO INCLUDE ADDITIONAL PROPERTY IDENTIFIED AS EAST 25TH STREET RIGHT OF WAY IN THE REDEVELOPMENT AREA THAT CONSISTS OF BLOCK 441 LOT 10, AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE AND TO REOPEN AND AMEND THE REDEVELOPMENT PLAN (117-121 PROSPECT AVE)

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 13, 2018, 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 117-121 Prospect Avenue Block 441 Lot 10” prepared by Suzanne Mack, PPAICP, City of Bayonne, Division of Planning & Zoning, Department of Administration, dated February 13, 2018 (the “Study”); and

WHEREAS, on March 13, 2018, 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, by resolution on March 14, 2018, the Municipal Council designated the Study Area as a non-condemnation area in need of redevelopment for the property located at 117-121 Prospect Ave, which property is identified as Block 441, Lot 10, as shown on the official Tax Map of the City (the “Property”); and

WHEREAS, on April 18, 2018 the Municipal Council of the City of Bayonne, adopted an Ordinance approving the 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 117-121Prospect St Block 441, Lots 10” dated March 14, 2018 (the “Redevelopment Plan”); and

WHEREAS, the Redeveloper has requested that the Municipal Council, as a redevelopment entity authorize and direct the Planning Board to reopen and amend the existing redevelopment plan to include the 25th street right of way in the redevelopment area; 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 original study did not include the adjacent properties designated as 25th Street right of way on the Tax Map of the City of Bayonne, State of New Jersey, 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 adjacent to Block 441 Lot 10 identified as 25th Street right of way 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 City believes the expansion of the redevelopment area to include the adjacent right of way within 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 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; and

WHEREAS, the Planning Board is also directed and authorized to make any necessary amendments to the Redevelopment Plan.

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 property adjacent to Block 441 Lot 10, designated as 25th Street right of way on the City’s Tax Maps; to develop a map reflecting the expanded 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 Planning Board is hereby further directed to make any recommendations or changes to the Redevelopment plan for the property identified.

Section 5. The results of such preliminary investigation and or amendments to the Redevelopment Plan shall be submitted to the Mayor and Municipal Council for review and approval in accordance with the provisions of the Redevelopment Law.

Section 6. This Resolution shall take effect immediately.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY DESIGNATING BCP, LLC AS REDEVELOPER FOR THE PROPERTY LOCATED 796-798 AVENUE E, WHICH IS IDENTIFIED BLOCK 393 LOTS 19 AND 20 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE FOR THE REDEVELOPMENT OF SUCH PROPERTY IN ACCORDANCE WITH THE AMENDED SCATTERED SITE REDEVELOPMENT PLAN (TURNPIKE LOTS)

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, the Municipal Council directed the Planning Board, to prepare and review a redevelopment plan for various properties located throughout the City including property which is identified as Block 393 Lots 19 and 20 as shown on the official tax map of the City of Bayonne (the “Property”) and make recommendations to the Municipal Council in accordance with the Redevelopment Law; and

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Administration has prepared a redevelopment plan for the Property titled “Amended and Restated Scattered Site Redevelopment Plan”, dated May 15, 2019 (the “Redevelopment Plan”) which included improvements to Block 393, Lots 19 and 20; and

WHEREAS, the Planning Board reviewed the Redevelopment Plan at a public hearing on June 11, 2019 and recommended the adoption of the Redevelopment Plan to the Municipal Council and concluded that said Redevelopment Plan is consistent with the Master Plan of the City of Bayonne; and

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

WHEREAS, BCP, LLC with an office address of 131 Island Drive, Ocean Ridge, FL 33435, (the “Redeveloper”) wishes to develop a portion of the Redevelopment Area identified as Block 393, Lots 19 and 20 and use it for the purpose of implementing the Redevelopment Plan; and

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

WHEREAS, the Municipal Council desires to designate BCP, LLC as redeveloper of a portion 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, recognizes BCP, LLC as redeveloper of the Property identified Block 393, Lot 19 and 20 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 2. This Resolution shall take effect immediately.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY
AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT FOR THE
REDEVELOPMENT OF THE PROPERTY LOCATED BETWEEN AVENUE A AND JFK
BOULEVARD, WHICH IS IDENTIFIED AS WEST 2ND STREET AS SHOWN ON THE
OFFICIAL TAX MAP OF THE CITY OF BAYONNE IN ACCORDANCE WITH THE TEXACO
REDEVELOPMENT PLAN AND THE PROPERTY LOCATED AT 796-798 AVENUE E
WHICH IS IDENTIFIED BLOCK 393, LOTS 19 AND 20 AS SHOWN ON THE OFFICIAL
TAX MAP OF THE CITY IN ACCORDANCE WITH THE AMENDED AND RESTATED
SCATTERED SITE REDEVELOPMENT PLAN

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

WHEREAS, 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 (“Scattered Site Redevelopment Plan”); and

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

WHEREAS, the Municipal Council adopted an Ordinance on June 19, 2019 approving the Amended Texaco Redevelopment Plan which permitted additional uses; and

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

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Administration has from time to time amended the Scattered Site Redevelopment Plan; and

WHEREAS, the Planning Board at a public hearing on June 11, 2019 reviewed the Scattered Site Redevelopment Plan and recommended the adoption of an amended Redevelopment Plan as it relates to Block 393 Lots 19 and 20 to the Municipal Council and concluded that said Amended Redevelopment Plan is consistent with the Master Plan of the City of Bayonne; and

WHEREAS, the Municipal Council adopted an Ordinance on July 17, 2109 adopting the Amended and Restated Scattered Site Redevelopment Plan for Block 393, Lots 19 and 20; and

WHEREAS, BCP, LLC, (the “Redeveloper”) wishes to develop the Redevelopment Area and use it for the purpose of implementing the Amended Texaco Redevelopment Plan and Amended Scattered Site Redevelopment Plan in regards to W 2nd street and Block 393 Lots 19 and 20; and

WHEREAS, the Municipal Council, by Resolution on January 16, 2019, designated the Redeveloper to undertake the necessary development and construction of the 2nd Street Property, located at West 2nd Street between Ave. A and Kennedy Blvd (“Unimproved Portion of West 2nd St.”), in accordance with the Amended Texaco Redevelopment Plan (“2nd Street Project”);

WHEREAS, the Municipal Council, by on July 17 2019, designated the Redeveloper to undertake the necessary development and construction of the Property, located at Block 393, Lots 19 and 20, in accordance with the Amended Scattered Site Redevelopment Plan, (“50th Street Project”);

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 Amended Texaco Redevelopment and Amended Scattered Site Redevelopment Plans (the “Redevelopment Agreement”).

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

Section 1. The Municipal Council of the City of Bayonne hereby authorizes the execution of the “Redevelopment Agreement By and Between the City of Bayonne and BCP, LLC.” concerning the Unimproved Portion of West 2nd St., which property is identified as W2nd Street between Blocks 373 and 362/510 as shown on the Official Tax Map of the City of Bayonne, and the 50th Street Property, located at Block 393, Lots 19 and 20, both in the City of Bayonne, in such a form deemed advisable by the City Attorney, subject to any and all conditions contained herein and such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel to the City; and

Section 2. The Municipal Council, upon the full execution of the Redevelopment Agreement recognizes BCP, LLC, as redeveloper of Unimproved Portion of West 2nd St. and 50th Street Property, located at Block 393, Lots 19 and 20, in the City of Bayonne as provided for and in accordance with the provisions of the New Jersey Local Redevelopment and Housing Law; and

Section 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 BCP, LLC.

Section 5. This Resolution shall take effect immediately.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING THE EXECUTION OF AN AMENDED REDEVELOPMENT AGREEMENT BETWEEN MCDONALDS CORPORATION AND THE CITY OF BAYONNE FOR THE REDEVELOPMENT OF THE PROPERTY LOCATED 537-543 BROADWAY, WHICH IS IDENTIFIED AS BLOCK 189, LOT 24 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE IN ACCORDANCE WITH THE REDEVELOPMENT PLAN

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

WHEREAS, 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 June 21, 2017, the City of Bayonne (the "City") Municipal Council adopted a Resolution designating McDonald's Corporation as the redeveloper (the "Redeveloper") of the property located at 537-543 Broadway identified as Block 189, Lot 24 on the official tax map of the City (the "Property"); and

WHEREAS, the Planning Board of the City approved a redevelopment plan for the Property and granted preliminary and final site plan approval for the Property by Resolution dated December 12, 2017 (the "Site Plan Approvals"); and

WHEREAS, the Municipal Council by Resolution previously authorized the execution of a redevelopment agreement between the City and Redeveloper; and

WHEREAS, the redevelopment of the Property has been delayed by no fault of the City or the Redeveloper; and

WHEREAS, the Redeveloper continues to wish to develop the Property in accordance with the Site Plan Approvals; and

WHEREAS, the Redeveloper has requested that the Municipal Council, as a redevelopment entity, amend the redevelopment agreement with the Redeveloper providing for the development of the Property in accordance with Site Plan Approvals.

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

Section 1. The Municipal Council of the City of Bayonne hereby authorizes the execution of an amended "Redevelopment Agreement By and Between the City of Bayonne and MCDONALD'S CORPORATION concerning property located at 537-543 Broadway which property is identified as Blocks 189 Lot 24 as shown on the Official Tax Map of the City of Bayonne, in such a form deemed advisable by the City Attorney, subject to any and all conditions contained herein and such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel to the City; and

Section 2. The Municipal Council, recognizes MCDONALD'S CORPORATION, as redeveloper of the Property, located 537-543 Broadway at Block 189, Lot 24, in the City of Bayonne as provided for and in accordance with the provisions of the New Jersey Local Redevelopment and Housing Law; and

Section 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 Property by MCDONALD’S CORPORATION.

Section 5. This Resolution shall take effect immediately.

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

* * * * *

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

A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER
FOR THE AFFORDABLE HOUSING TRUST FUND

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

WHEREAS, N.J.S.A. 40A:12A-3 et seq. provides for receipt of Affordable Housing Trust Fund by the municipality to provide for the operating costs to administer this act; and

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Affordable Housing Trust Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

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

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Affordable Housing Trust Fund (N.J.S.A. 40A:12A-3 et seq.).
2. The Clerk of the City of Bayonne, County of Hudson is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

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

* * * * *

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

WHEREAS, N.J.S.A 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the municipal budget when such item has been made available after the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount,

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Bayonne, that the City requests the Director of the Division of Local Government Services to approve the insertion of the following items of revenue in the CY2019 Municipal Budget:

Grant Name	From	To
FY18 Local Freight Grant	\$0	\$3,850,000.00
HDSRF Grant	\$0	\$52,566.00
CY19 ROID Grant	\$0	\$20,000.00
State Housing Inspection Grant	\$0	\$52,500.00
Older Americans Grant	\$69,561.00	\$118,878.00
Congregate Nutrition Grant	\$371,929.00	\$460,429.00

BE IT FURTHER RESOLVED, that a like sum be approved to be appropriated in the same budget,

Grant Name	From	To
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FY18 Local Freight Grant	\$0	\$3,850,000.00
HDSRF Grant	\$0	\$52,566.00
CY19 ROID Grant	\$0	\$24,000.00
State Housing Inspection Grant	\$0	\$52,500.00
Older Americans Grant	\$86,951.25	\$148,597.50
Congregate Nutrition Grant	\$464,911.25	\$573,536.25

BE IT FURTHER RESOLVED, that the sum of \$119,107.25 representing the match amount required for the ROID, Older American Grant & Congregate Meals Grant is hereby under the Recreation Trust Fund, Older American & Congregate Meals Appropriation in the CY19 Budget.

BE IT FURTHER RESOLVED, that notification of these budget changes will be made by the Chief Financial Officer to the Director of the Division of Local Government Services through the electronic submission process.

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

* * * * *

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

A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR THE SNOW REMOVAL TRUST FUND

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

WHEREAS, N.J.S.A. 40A:4-62.1 allows for unexpended balances budgeted annually for snow removal to lapse into a reserve to provide for the operating costs of any purpose related to snow removal; and

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Snow Removal Trust fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

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

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Snow Removal Trust Fund (N.J.S.A. 40A:4-62.1).

The Clerk of the City of Bayonne, County of Hudson is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING AND DIRECTING THE PLANNING BOARD TO CONDUCT A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER CERTAIN PROPERTY IDENTIFIED AS BLOCK 478 LOTS 1.01, 2, AND 2.01; BLOCK 479 LOT 1; BLOCK 481 LOTS 1, 2, 4 AND 5.02 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE WITHIN THE CITY CONSTITUTES A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ. (NEW HOOK ROAD)

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 identified as Block 478, Lot 1.01, 2 and 2.01; Block 479 Lot 1; Block 481 Lot1, 2, 4 and 5.02 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 for property identified as Block 478, Lot 1.01, 2 and 2.01; Block 479 Lot 1; Block 481 Lot1, 2, 4 and 5.02 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

* * * * *

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

WHEREAS, pursuant to Resolution No. 17-11-08-039 adopted on November 8, 2017, the Purchasing Agent procured hardware and equipment and a one-year software subscription to implement said parking management system for municipal parking lots from NuPark Parking Management Systems (“NuPark”), 912 Petaluma Drive, Cedar Park, TX 78613 for the combined cost of \$64,775.00 through the National Cooperative Purchasing Alliance Contract Number 05-17 (the “National Cooperative Purchasing Contract”); and

WHEREAS there existed a need for additional hardware to further implement the parking management system; and

WHEREAS, the Director of Public Safety authorized the purchase and installation of said additional hardware through the National Cooperative Purchasing Alliance Contract from Passport Labs, Inc. (“Passport”), 128 S. Tryon Street, Suite 2200, Charlotte, NJ, as successor to NuPark, for the amount of \$32,750.00; and

WHEREAS, the City is in receipt of an Invoice from Passport, for the amount of \$32,750.00 representing the cost of said additional hardware and the installation thereof; and

WHEREAS, the purchase of said additional hardware was in the best interests of the citizens of Bayonne; and

WHEREAS, funds are certified as available in Account C-06-10-1561-0000-020; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The actions of the Director of Public Safety in authorizing the purchase of said additional hardware and the installation thereof to further implement said parking management system from Passport Labs, Inc., 128 S. Tryon Street, Suite 2200, Charlotte, NC through the National Cooperative Purchasing Alliance Contract Number 05-17 for the amount of \$32,750.00 are hereby ratified and affirmed.

2. The Municipal Treasurer is hereby authorized to issue a warrant to Passport Labs, Inc., in the amount of \$32,750.00 representing payment for said additional hardware and installation.

3. Funds shall be charged to Account C-06-10-151-0000-020.

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

* * * * *

56. Council Member LaPelusa moved the following resolution, seconded by Council President Nadrowski, which was read by the Clerk and failed adoption.

WHEREAS there exists a need for software, hardware and equipment necessary to implement a parking management system for municipal parking lots; and

WHEREAS, pursuant to Resolution No. 17-11-08-039 adopted on November 8, 2017, the Purchasing Agent procured hardware and equipment and a one-year software subscription to implement said parking management system for municipal parking lots (the "Subscription") from NuPark Parking Management Systems, ("NuPark") 912 Petaluma Drive, Cedar Park, TX 78613 for the combined cost of \$64,775.00 through the National Cooperative Purchasing Alliance Contract Number 05-17;; and

WHEREAS, pursuant to Quote #BAY1017 dated October 31, 2017, received from NuPark, the cost of continuing the Subscription for a second and third year is \$29,531.00 and \$31,007.00, respectively; and

WHEREAS, NuPark has merged with Passport Labs, Inc., ("Passport") 128 S. Tryon Street, Suite 2200, Charlotte, NC; and

WHEREAS, the City is in receipt of an Invoice from Passport, as successor to NuPark for the amount of \$29,531.00 representing the cost of the second year of the Subscription; and

WHEREAS, it is in the best interests of the City to renew the Subscription for the second year and to authorize renewal of the Subscription for the third year subject to the City's right to determine that it is no longer in the best interests to renew the Subscription for the third year; and

WHEREAS, funds for the second year renewal are certified as available in Account C-06-10-151-0000-020; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.5(3), the continuation of the Subscription for a third year shall be subject to the availability and appropriation of funds in the CY2020 temporary and permanent budget in Account C-06-10-151-0000-020; therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The continuation of the aforesaid Subscription is hereby authorized for the second and third years for the amounts of \$29,531.00 and \$31,007.00 respectively.

2. Funds for the second year renewal are available now, however, pursuant to N.J.A.C. 5:30-5.5(3), the continuation of this Subscription for the third year renewal shall be subject to the availability and appropriation of sufficient funds in the CY2020 calendar year temporary and permanent budgets.

3. The Municipal Council reserves the right to from determine that it is no longer in the best interests of the City to renew the Subscription for the third year under the aforesaid Quote #BAY1017 and take appropriate action at that time.

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY (THE "CITY"), AUTHORIZING SPECIAL EMERGENCY NOTES IN AN AMOUNT NOT TO EXCEED \$747,890 TO FUND THE IMPLEMENTATION OF A CITY-WIDE PROPERTY REVALUATION OF REAL PROPERTY IN THE CITY

WHEREAS, the City Council of the City of Bayonne, in the County of Hudson, State of New Jersey (the "City"), finally adopted an ordinance on January 16, 2019 authorizing a special emergency appropriation pursuant to N.J.S.A. 40A:4-53, in the aggregate amount of \$747,890 to meet certain expenses incurred, or to be incurred, to fund the implementation of a City-Wide Property Revaluation of real property in the City (the "Project"); and

WHEREAS, N.J.S.A. 40A:4-53 provides that it shall be lawful to make such appropriations specifically for the purposes of the Project and N.J.S.A. 40A:4-55 allows "special emergency notes" (the "Notes") to be issued to finance the costs of such Project, which payment for such Notes shall be provided for in the succeeding annual budgets by the inclusion of an appropriation of at least one-fifth (1/5) of the amount of such Notes; and

WHEREAS, the City now seeks to authorize the issuance of Notes in the amount of \$747,890.

NOW THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY (by not less than two-thirds (2/3) of all the members of the governing body affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-55 as follows:

1. Pursuant to the ordinance finally adopted on January 16, 2019, special emergency appropriations have been made for the Project in an amount not to exceed \$747,890.
2. The special emergency appropriations set forth in Section 1 hereof shall be provided for in the budgets of the succeeding years by the inclusion of not less than \$149,578 annually in each of the next five years' succeeding budgets.
3. Special emergency notes (the "Notes"), in an amount not to exceed \$747,890 are hereby authorized, pursuant to N.J.S.A. 40A:4-55 to provide for such special emergency appropriation to fund the costs of the Project. Such Notes may be renewed from time to time, but shall not be issued for a period to exceed one year. At least 1/5 of all such Notes, and the renewals thereof, shall mature and be paid in each year so that all Notes and renewals shall have matured and be paid no later than the last day of the fifth year following the date of this resolution.
4. Such Notes shall be executed by the Mayor and the Chief Financial Officer of the City and the official seal shall be thereunto affixed and attested to by the Clerk of the City.
5. All Notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the City. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. It is hereby delegated to the Chief Financial Officer of the City the authority to determine all matters in connection with the Notes issued, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. The Chief Financial Officer is also hereby authorized to sell part or all of the Notes from time to time at a public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this resolution is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the Notes so sold, the price obtained and the name of the purchaser.
6. The City covenants to maintain the exclusion from gross income under section 103(a) of the Code, of the interest on the Notes issued under this resolution.
7. (a) The City reasonably expects to reimburse the expenditures toward the costs of the Project described in this resolution incurred and paid for by the City prior to the issuance of the Notes authorized by this resolution with the proceeds of such Notes. No funds from sources other than the Notes have been or are reasonably expected to be reserved or allocated on a long-term basis or otherwise set aside

by the City, or any member of the same “controlled group” as the City, within the meaning of Treasury Regulation Section 1.150-1(e), pursuant to its budget or financial policies with respect to expenditures of the City to be reimbursed.

(b) This paragraph 7 is intended to be and hereby is a declaration of the City’s official intent to reimburse the expenditures toward the costs of the Project described in this resolution incurred and paid for prior to the issuance of the Notes with the proceeds of such issuance of the Notes by the City, in accordance with Treasury Regulation Section 1.150-2(e)(1), and no action (or inaction) will be an artifice or device in accordance with Treasury Regulation Section 1.148-10 to avoid, in whole or in part, arbitrage yield restrictions or arbitrage rebate requirements or to avoid restrictions under Sections 142 through 147 of the Code. The proceeds of the Notes used by the City to reimburse itself for expenditures towards the Project described in this resolution incurred and paid for, will not be used directly or indirectly (i) to “refund” an issue of governmental obligations within the meaning of Section 148 of the Code, (ii) to create or increase the balance of a “sinking fund” within the meaning of Treasury Regulation Section 1.148-1(c)(2) with respect to any obligation of the City, or to replace funds that have been, are being or will be used for sinking fund purposes, (iii) to create or increase the balance in a “reserve or replacement fund” within the meaning of Section 148(d) of the Code and Treasury Regulation Section 1.148-2(f) with respect to any obligation of the City or to replace funds that have been, are being or will be so used for reserve or replacement fund purposes, or (iv) to reimburse the City for any expenditure or payment that was originally paid with the proceeds of any obligation of the City (other than borrowing by the City from one of its own funds or the funds of a member of the same “controlled group” within the meaning of Treasury Regulation Section 1.150-1(e))

(c) The Notes to be issued by the City to finance those expenditures towards the Project described in this resolution to be reimbursed will be issued in an amount not to exceed \$747,890, which moneys shall be expended from a fund of the City, entitled “Current Account,” which fund contains moneys which can be expended for any lawful project of the City.

(d) That the expenditures incurred and paid towards the Project described in this resolution to be reimbursed with the proceeds of the Notes will be “capital expenditures” in accordance with the meaning of Treasury Regulation Section 1.150-2(d)(3).

8. Two (2) certified copies of this resolution will be filed with the Director of the Division of Local Government Services pursuant to N.J.S.A. 40A:4-53.

9. This resolution will take effect immediately.

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

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

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

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

Section 1. That the Revised General Ordinances of the City of Bayonne, Chapter 7, TRAFFIC, is hereby amended and supplemented to include the following sub-section, 17A Parking in Front of Driveways, in its entirety:

7-17A Parking in Front of Driveways.

7-17A.1 Parking In Front of Driveways

a. Parking shall be permitted in front of private driveways whenever both the motor vehicle and driveway involved are owned by the same person, whenever the motor vehicle is owned by a member of the same household as the owner of the private driveway, or whenever the owner of the private driveway authorizes the parking of a motor vehicle in front of the private driveway; and where such parking is not otherwise prohibited and the permitting thereof would not interfere with the normal and/or safe flow of traffic.

b. A motor vehicle shall not be permitted to be parked in front of a private driveway unless the owner of the private driveway or a member of the owner's family has been issued a valid permit and the permit is properly displayed, or unless the owner has authorized another party to use and display the owner's permit for parking in front of the private driveway, and the permit is valid and properly displayed.

c. An owner of a private driveway shall be eligible to apply for up to three permits for his own motor vehicles or for use by other parties authorized by the owner to park in front of the private driveway. Each member of the owner's household who owns a motor vehicle shall also be eligible to apply for a permit issued under this section. The permit shall be 5 1/2 inches by 8 1/2 inches in size, shall bear an appropriate certification of authenticity and shall be displayed prominently within the vehicle when it is parked so as to be seen from the middle of the street.

d. There shall be no fee for permits.

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC ," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, August 121, 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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59. Council President Nadrowski moved the following resolution, seconded by Council Member Gullace, which was read by the Clerk and adopted

WHEREAS, by way of Resolution 19-06-19- 031 adopted by the Municipal Council on June 19, 2109, the City was authorized to enter into the New Jersey Parking Institute Cooperative pursuant to N.J.S.A. 40A:11-11(5); and

WHEREAS, the City has established a need for the acquisition of new MK Beacon on-street parking meters and the installation of same throughout the City; and

WHEREAS, through the New Jersey Parking Institute Cooperative, the City of Bayonne has identified a purveyor of the MK Beacon on-street parking meters; and

WHEREAS, the City of Bayonne can realize substantial cost savings by procuring said MK Beacon on-street parking meters and the installation of same from Integrated Technical Systems, Inc., 8 Capital Drive, Wallingford, CT 06492 through the aforesaid New Jersey Parking Institute Cooperative in the amount of \$434,741.80; and

WHEREAS, the City of Bayonne can realize additional savings via financing same through a Government Obligation Contract with Fleetwood Finance Leasing, LLC, 184 North Avenue East, Suite 4, Cranford, New Jersey 07016, whereby the sum of \$434,741.80 would be payable via 1 payment of \$100,000.00 with 59 monthly payments thereafter of \$6557.83 and a buyout of \$1.00 at the conclusion of the regular monthly payments; and

WHEREAS, the City is in receipt of a quote from Integrated Technical Systems, Inc., for said acquisition and installation of the aforementioned MK Beacon on-street parking meters in the amount of \$434,741.80; and

WHEREAS, funds are certified as available in the following Accounts:

Parking Utility Capital: \$100,000 (Lump Sum); and
Parking Utility Operating: \$32,789.15 for CY2019; and
Parking Utility Operating pending adoption of future budgets

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

1. The Chief Financial Officer and/or his designee(s) is/are hereby authorized to sign any and all documents including, but not limited to a Lease Agreement or Government Obligation Contract with Fleetwood Finance Leasing LLC, and take any and all actions to effectuate the acquisition and installation of the aforementioned MK Beacon on-street parking meters from Integrated Technical Systems, Inc., through the New Jersey Parking

Institute Cooperative for a total amount of \$434,741.80.

2. The Municipal Treasurer is hereby authorized to make payments to Fleetwood Finance Leasing, LLC, pursuant to the terms of said Lease Agreement or Government Obligation Contract.

3. Funds shall be chargeable to Accounts:

Parking Utility Capital: \$100,000 (Lump Sum); and
Parking Utility Operating: \$32,789.15 for CY2019; and
Parking Utility Operating pending adoption of future budgets.

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

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

RESOLUTION OF THE CITY OF BAYONNE ESTABLISHING A FUN FOR TRAP, NEUTER AND RELEASE PROGRAM

WHEREAS, the Municipal Council of the City of Bayonne recognize that the city has a feral cat population within the City limits; and

WHEREAS, in the effort to manage the feral cat population and obtain an accurate count of the feral cats, the City hereby establishes a fund of five thousand dollars (\$5,000) for the purpose of creating a Trap, Neuter and Release pilot program, otherwise known as TNR and

WHEREAS, residents upon application to the City’s health office or designated animal control officer may request that a feral cat located on their property be removed as part of the TNR program; and

WHEREAS, the City’s Health office and designated animal control officer are hereby directed to create and design a TNR program; and

WHEREAS, the City will work with necessary licensed professionals to ensure compliance with all state and local regulations in the application of a program

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

Section 1. The CFO of the City of Bayonne is directed to establish a fund of \$5,000 for dedicated use in the Trap, Neuter and Release of feral cats.

Section 2. The health department and the designated animal control officer are authorized to establish a pilot TNR program for the City of Bayonne

Section 3. This Resolution shall take effect immediately.

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

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

WHEREAS, THIRD QUARTERS TAX BILLS HAVE BEEN MAILED ON JULY 17, 2019 AND IT IS DESIRABLE TO ESTABLISH A GRACE PERIOD FOR PAYMENT OF SAID TAX BILLS; NOW THEREFORE, BE IT

RESOLVED THAT THE GRACE PERIOD FOR THE TAX BILLS NOMINALLY DUE ON AUGUST 1ST, 2019 IS AUGUST 16TH, 2019, AND ANY TAX BILLS PAID AFTER THIS DATE SHALL HAVE INTEREST CALCULATED BACK TO AUGUST 1ST, 2019.

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

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At 8:18 P.M., Council President Nadrowski motion to adjourn, seconded by Council Member Carroll, which motion was adopted.

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

President – Sharon A. Nadrowski

Clerk – Madelene C. Medina