

REGULAR MEETING

OF THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, NEW JERSEY, HELD IN THE COUNCIL CHAMBER, MUNICIPAL BUILDING, 630 AVENUE C, ON WEDNESDAY, AUGUST 21st, 2019.

The Council met at 7:04 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 August 21st, 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 August 16, 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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The Council presented Jared Regan with a proclamation in recognition of Jared Helping Hands program for autistic children.

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01. The Clerk announced:

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.," which was introduced and passed a first reading at a meeting held July 17, 2019, was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of August 21st, 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 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.,"

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: PETER FRANCO 17 LINDEN STREET.

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

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

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

WHEREAS, an ordinance entitled, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING THE REDEVELOPMENT PLAN ENTITLED REDEVELOPMENT PLAN 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.," was introduced and passed a first reading at a meeting held July 17, 2019, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of August 21st, 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-19-47.

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

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02. The Clerk announced:

AN ORDINANCE ENTITLED, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY, 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)," which was introduced and passed a first reading at a meeting held July 17, 2019, was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of August 21st, 2019 is now before the Council for its consideration and a public hearing.

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

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

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

The Clerk read the ordinance by title: "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)"

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 Carroll, 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, "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)." was introduced and passed a first reading at a meeting held July 17, 2019, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of August 21st, 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-19-48.

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

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03. The Clerk announced:

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," which was introduced and passed a first reading at a meeting held July 17, 2019, was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of August 21st, 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 Gullace, which motion was adopted.

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

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

The Clerk read the ordinance by title: "ORDINANCE 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,"

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, "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" was introduced and passed a first reading at a meeting held July 17, 2019, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of August 21st, 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-19-49.

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

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04. The Clerk announced:

AN ORDINANCE ENTITLED, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND DTFG 39-43 WEST 25TH URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED AT 39-43 WEST 25TH STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 183, LOT 2.01 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE," which was introduced and passed a first reading at a meeting held July 17, 2019, was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of August 21st, 2019 is now before the Council for its consideration and a public hearing.

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

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

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

The Clerk read the ordinance by title: "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND DTFG 39-43 WEST 25TH URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED AT 39-43 WEST 25TH STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 183, LOT 2.01 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE"

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

The following persons spoke: PETER FRANCO 17 LINDEN STREET.

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

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

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

Nays – Council Member LaPelusa

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

WHEREAS, an ordinance entitled, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND DTFG 39-43 WEST 25TH URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED AT 39-43 WEST 25TH STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 183, LOT 2.01 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE." was introduced and passed a first reading at a meeting held July 17, 2019, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of 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-19-50.

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

Nays – Council Member LaPelusa

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05. The Clerk announced:

AN ORDINANCE ENTITLED, “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,” which was introduced and passed a first reading at a meeting held July 17, 2019, was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of August 21, 2019 is now before the Council for its consideration and a public hearing.

Council Member Perez moved that the following resolution of second reading be adopted, seconded by Council Member 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 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 July 17, 2019, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of 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-19-51.

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

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06. The Clerk announced:

AN ORDINANCE ENTITLED, “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,” which was introduced and passed a first reading at a meeting held July 17, 2019, was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of August 21, 2019 is now before the Council for its consideration and a public hearing.

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

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

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

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

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

There was no response – no person appearing in protest against or object to the 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 July 17, 2019, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of 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-19-52.

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

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07. The following members of the public spoke:

HELEN VARDAKIS 4 SUNSET AVENUE, BAYONNE, NJ
Addressed the Council on the subject of parking and property maintenance.

DIANA LEWIS 1 SUNSET AVENUE, BAYONNE, NJ
Addressed the Council on the subject of parking and unsafe conditions on 54th Street.

PETER FRANCO 17 LINDEN STREET, BAYONNE, NJ
Addressed the Council on the employment issue.

MIKE MORRIS 123 AVENUE C, BAYONNE, NJ
Addressed the Council commending the Police Dept. professionalism.

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08. Council Member Perez introduced:

AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN FOR PROPERTY LOCATED 63-97 WEST 23RD STREET, WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 194, LOT 1 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,
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 April 17, 2019, the Municipal Council directed the Planning Board, to prepare and review a redevelopment plan for the properties located at 63-97 west 23rd Street which properties are identified as Block 194, Lots 1 & 2 (the “Property”) on the official tax map of the City of Bayonne 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 prepared a redevelopment plan for the Property titled “Redevelopment Plan Block 194 Lots 1 & 2”, (the “Redevelopment Plan”); and

WHEREAS, on August 13, 2019, the Planning Board reviewed the Redevelopment Plan and recommended the adoption of the Redevelopment Plan to the Municipal Council and concluded that said Redevelopment Plan is consistent with the Master Plan of the City of Bayonne; and

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

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

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

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

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

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

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

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

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

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

BE IT RESOLVED, that an ordinance entitled “AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN FOR PROPERTY LOCATED 63-97 WEST 23RD STREET, WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 194, LOT 1 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.*,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, September 25, 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, and to forward a copy of said ordinance to the planning board for its review of and a report regarding same pursuant to NJSA 40:55D-26.

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

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09. Council Member LaPelusa introduced:

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

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

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

RESTRICTIVE PARKING ZONES

DELETE

009. Maryann Masresca, 120 Avenue E
Beginning at a point on the East side of Avenue E, 68 feet north of the northeast corner of Avenue E, and extending to a point 16 feet north thereof.

034. Annette Sisk, 43 Newman Avenue
Beginning at a point on the south side of Newman Avenue, 188 feet south of the southwest corner of 3rd Street and Newman Avenue, and extending to a point 17 feet south thereof.

035. Clara Durak, 171 West 25th Street
Beginning at a point on the north side of 25th Street, 242 feet west of the northwest corner of Avenue A and 25th Street, and extending to a point 22 feet west thereof.

036. William Burke, 69 West 29th Street
Beginning at a point on the north side of 29th Street, 221 feet west of the northwest corner of Avenue C and 29th Street, and extending to a point 22 feet west thereof.

051. Geraldine Boasci, 47 East 25th Street
Beginning at a point on the north side of 27th Street, 103 feet west of the northwest corner of Avenue E and 27th Street, and extending to a point 22 feet west thereof.

125. Gerard Kiley, 526 Avenue E
Beginning at a point on the East side of Avenue E, 188 feet south of the southeast corner of 34th Street and Avenue E, and extending to a point 22 feet south thereof.

207. Stephanie Kuzminski, 136 West 16th Street
Beginning at a point on the south side of 16th Street, 28 feet east of the southeast corner of 16th Street and Avenue A, and extending to a point 18 feet east thereof.

232. John Nadrowski, 28 Elm Court
Beginning at a point on the south side of Elm Court, 341 feet west of the southwest corner of Oak Street and Elm Court, and extending to a point 17 feet west thereof.

249. Grace Erickson, 100 Lexington Avenue
Beginning at a point on the east side of Lexington Avenue, 127 feet north of the northeast corner of Lexington Avenue and Egan Court, and extending to a point 22 feet north thereof.

275. Ivan Boshko, 37 West 21st Street
Beginning at a point on the west side of 21st Street, 223 feet east of the northeast corner of Avenue C and 21st Street, and extending to a point 22 feet east thereof.

374. Loly Marte, 92 West 29th Street
Beginning at a point on the south side of 29th Street, 139 feet east of the southeast corner of 29th Street and Kennedy Blvd., and extending to a point 19 feet east thereof.

ADD

018. Francis Olson, 75 Newman Avenue
Beginning at a point on the west side of Newman Avenue, 192 feet north of the northwest corner of West 3rd Street and Newman Avenue, and extending to a point 16 feet north thereof.

048. Victor Munoz, 32 West 41st Street

Beginning at a point on the south side of 41st Street, 305 feet east of the southeast corner of Avenue C and West 41st Street, an extending to a point 16 feet east thereof.

055. William Caban, 67 West 19th Street

Beginning at a point on the north side of 19th Street, 184 feet west of the northwest corner of Avenue C and West 19th Street, and extending to a point 16 feet west thereof.

RELOCATE

401. Gemyana Han, from 133 West 30th Street to 313 Avenue A

OLD LOCATION: Beginning at a point on the north side of 20th Street, 123 feet east of the northeast corner of 20th Street and Avenue A, and extending to a point 18 feet east thereof.

NEW LOCATION: Beginning at a point on the south side of Avenue A, 53 feet west of the southwest corner of Avenue A and Pavonia Court, and extending to a point 16 feet west thereof.

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

BE IT RESOLVED, that an ordinance entitled “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, September 25, 2019 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

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10. 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

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

From DAVID P. FINN, filing notice of tort claim alleging property damage to his automobile on June 6, 2019, resulting from being struck by a city-owned vehicle while parked in front of his home on County Village Court

* * * * *

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

From VICTOR WASILEWSKI, filing notice of tort claim alleging property damage to his automobile on July 22, 2019, resulting from being struck by a fire truck while parked in front of his home on West 31st Street.

* * * * *

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

From the Superior Court of New Jersey, Law Division, Summons and Complaint in matter entitled, “CATHERINE CARR, DONALD CARR, as husband per quod vs. THE CITY OF BAYONNE et al., incl.” (Personal injury)

* * * * *

14. 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, “J & J BUILDERS, LLC. vs. CITY OF BAYONNE.” (156-160 Avenue E, Block 445, lot 8.01 – Multi-dwelling)

* * * * *

15. 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, “701 BROADWAY REALTY c/o BANK OF AMERICA vs. CITY OF BAYONNE.” (701-705 Broadway, Block 145, lot 13 - commercial)

* * * * *

16. 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, “930 KENNEDY BLVD. APARTMENTS, INC. vs. CITY OF BAYONNE.” (930 Kenn. Blvd., Block 118, lot 1 – Multi-dwelling)

* * * * *

17. 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, “155 BROADWAY, LLC vs. CITY OF BAYONNE.” (155-157 Broadway, Block 330, lot 10- commercial))

* * * * *

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 “DELAWARE DELTA, LLC vs. CITY OF BAYONNE.” (973-975 Broadway, Block 70, Lot 20-commercial)

* * * * *

19. 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

* * * * *

20. 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.

* * * * *

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

DATE: August 2, 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 August 2, 2019

\$ 5,755,311.00 CLAIMS & PAYROLL FOR SEPTEMBER 2019

Janet Convery
(signed)

* * * * *

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

BID REPORT
FOR THE MUNICIPAL COUNCIL

Date: 07/26/19 Ad Date: 07/08/19 Resolution #19-01-16-06

Date bids accepted: 07/25/19 Attending: Amy Dellabella, Purchasing Agent,
Nicholas DeCotiss, Matrix Engineering

Bid titled: Newark Bay Waterfront Access Project Veteran's Park 25th Street.

Bidders:	Total Base Bid Amount
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Persistent Construction Inc. 58 Industrial Avenue Fairview, NJ 07022	\$993,094.00
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HBC Co., Inc. 131 Washington St. Lodi, NJ 07644	\$1,188,890.00
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Aspen Landscaping Contracting Inc. 1121 Springfield Road Union, NJ 07083	\$2,081,594.00
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After review by the Department Director, the Purchasing Department will prepare a request for contract award and forward it to the City Clerk for inclusion in future Council Agenda. If other than the lowest bidder is recommended, an explanation will be provided with that report. If bids are to be rejected, an appropriate report will be prepared. Please retain this report, as the information above may not be repeated in the request for award documents or in the event of a bid rejection.

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

* * * * *

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

BID REPORT
FOR THE MUNICIPAL COUNCIL

Date: 08/06/19 Ad Date: 07/08/19 Resolution #19-02-20-057

Date bids accepted: 07/31/19 Attending: Amy Dellabella, Purchasing Agent,
Rob Russo, CME

Bid titled: Sgt. James J. Shea Memorial Shooting Range Building Modifications

Molba Construction
392 Liberty Street
Little Ferry, NJ 07643

Total Base Bid: \$1,482,425.00

After review by the Department Director, the Purchasing Department will prepare a request for contract award and forward it to the City Clerk for inclusion in future Council Agenda. If other than the lowest bidder is recommended, an explanation will be provided with that report. If bids are to be rejected, an appropriate report will be prepared. Please retain this report, as the information above may not be repeated in the request for award documents or in the event of a bid rejection.

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

* * * * *

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

BID REPORT
FOR THE MUNICIPAL COUNCIL

Date: 08/06/19 Ad Date: 07/16/19 Resolution #19-06-19-025

Date bids accepted: 07/31/190 Attending: Amy Dellabella, Purchasing Agent,
Rob Russo, CME

Bid titled: 2019-Roadway Improvements

4-Clean Up Inc.
4501 Dell Avenue
PO Box 5098
North Bergen, NJ 07047

Total Bid: \$1,088,724.10

After review by the Department Director, the Purchasing Department will prepare a request for contract award and forward it to the City Clerk for inclusion in future Council Agenda. If other than the lowest bidder is recommended, an explanation will be provided with that report. If bids are to be rejected, an appropriate report will be prepared. Please retain this report, as the information above may not be repeated in the request for award documents or in the event of a bid rejection.

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

* * * * *

25. 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.

* * * * *

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

RESOLVED, that the official minutes of the regular council meeting held Wednesday, July 17, 2019 be and the same are hereby approved.

* * * * *

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

RESOLVED, that the official minutes of the council caucus meeting held Wednesday, July 10, 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 a warrant in the amount of \$ 43.20 drawn of the Bureau of Rabies Control, State Department of Health, Trenton, New Jersey, covering the issuance of licenses Nos. 941-960 inclusive, 21 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.

* * * * *

29. 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
78	31	Catherine Amadeo	7,991.30
143	23	Ryan J. Walker	3,687.00
165	7	Chetram & Drupattie Kissoon	3,412.00
339	18	Katherine Ashe	2,785.00
345	8	Maria Rama	1,956.00
Total:			19,831.30

* * * * *

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

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

WHEREAS, by way of Resolution No. 09-11-10-048 adopted by the Municipal Council on November 10, 2009 the City entered into a License Agreement to play the aforesaid music at their various functions as stated above; and

WHEREAS, the licensing fee for the year commencing June 1, 2019 through May 31, 2020 is \$711.00; and

WHEREAS, funds are certified as available in Account #7-01-21-101-0000-090 (BA-2); now therefore be it

RESOLVED, that the Treasurer is hereby authorized to issue a warrant payable to Broadcast Music, Inc., P.O. Box 630893, Cincinnati, OH 45263-0893, in the amount of \$711.00; and be it further

RESOLVED, that funds are certified available in Account #9-01-21-101-0000-090 (BA-2).

* * * * *

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

WHEREAS, Mack Made t/a the Bridge Arts Gallery (“Mack Made”) has requested permission to hold an event to be promoted as the Bridge Arts Festival to be held on Saturday, September 7, 2019 from 11:00 a.m. to 7:00 p.m. (with access for load-in and load-out activities beginning at 6:00 a.m. and ending 8:30 p.m.) during which various activities will be offered including, but not limited to, art exhibitions, musical events, dance exhibitions, vendors, a V.I.P. area where alcohol will be offered and a beer garden to be located throughout designated areas of Dennis P. Collins Park located at 1st Street consistent with the Site Map attached hereto and made a part hereof; and

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

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

RESOLVED, that the Mayor and City Clerk are hereby authorized to execute a License Agreement, in form and substance as is acceptable to the Law Director, allowing Mack Made to hold the Bridge Arts Festival on Saturday, September 7, 2019 from 6:00 a.m. to 8:30 p.m., throughout designated areas of Dennis P. Collins Park located at 1st Street consistent with the Site Map attached hereto and made a part hereof; and be it further

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

* * * * *

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

WHEREAS, the City is in need of professional legal services in connection with Real Estate Redevelopment to augment that which is already being provided for the period September 15, 2019 through September 14, 2020, now, therefore, be it

RESOLVED, the Municipal Council hereby authorizes the advertisement of Requests for Qualifications/Proposals for Special Redevelopment Legal Counsel for the period commencing September 15, 2019 and ending September 14, 2020 pursuant to the fair and open contracting provisions set forth in *N.J.S.A. 19:44A-20.4* and *N.J.S.A. 19:44A-20.5*.

* * * * *

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

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

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

WHEREAS, the Bayonne Youth Center has requested and submitted a formal written application dated February 12, 2019 for said CDBG Grant Funds for the amount of \$37,525.00

for the purpose of providing an after school learning center for low and moderate income families; and

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

WHEREAS, said CDBG Funds are certified as available in Account CDBG-1021; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Bayonne Youth Center, 524 Kennedy Blvd, Bayonne, New Jersey 07002 for the provision of providing an after school learning center for low and moderate income families in the amount of \$10,000.00 for the period commencing September 1, 2019 and ending August 31, 2020.

2. Funds shall be charged to Account #CDBG-1021

* * * * *

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

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

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

WHEREAS, the Community Day Nursery has requested and submitted a formal written application dated February 19, 2019 for said CDBG Grant Funds in the amount of \$65,000.00 for the purpose of providing pre-school child care for low and moderate income families; and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said Community Development Block Grant Funds for the purpose of providing pre-school child care for low and moderate income families is limited to the amount of \$40,000.00; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-1013; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Community Day Nursery., 591 Broadway, Bayonne, New Jersey 07002 for the provision of providing pre-school child care for low and moderate income families in the amount of \$40,000.00 for the period commencing September 1, 2019 and ending August 31, 2020.

2. Funds shall be charged to Account #CDBG-1013

* * * * *

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

WHEREAS, the Victory Hall has requested and submitted a formal written application dated February 18, 2019 for said CDBG Grant Funds in the amount of \$9,000.00 for the purpose of providing art instruction to adults/young adults developmentally disabled; and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said Community Development Block Grant Funds for the purpose of providing art instruction to adults/young adults developmentally disabled is limited to the amount of \$5,500.00; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-1023; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Victory Hall, W 46th Street, Bayonne, New Jersey 07002 for the provision of providing art instruction to adults/young adults developmentally disabled in the amount of \$5,500.00 for the period commencing September 1, 2019 and ending August 31, 2020.

2. Funds shall be charged to Account #CDBG-1023.

* * * * *

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

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

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

WHEREAS, the Bayonne PAL Day Care Center has requested and submitted a formal written application dated February 21, 2019 for said CDBG Grant Funds in the amount of \$75,000.00 for the purpose of providing an after school program and summer camp child care program and

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

WHEREAS, said CDBG Funds are certified as available in Account CDBG-1024; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Bayonne PAL Day Care Center, 550 Avenue A, Bayonne, New Jersey 07002 for the provision of providing an after school program and summer camp child care program in the amount of \$25,000.00 for the period commencing September 1, 2019 and ending August 31, 2020.

2. Funds shall be charged to Account #CDBG-1024

* * * * *

37. 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 Trinitas Regional Medical Center, 225 Williamson Street, Elizabeth, New Jersey 07207 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Trinitas Regional Medical Center has requested and submitted a formal written application dated February 14, 2019 for said CDBG Grant Funds in the amount of \$28,000.00 for the purpose of providing psychiatric and psychotherapeutic services for children and adolescents and

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

WHEREAS, said CDBG Funds are certified as available in Account CDBG-1019; 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 Trinitas Regional Medical Center, 225 Williamson Street, Elizabeth, New Jersey 07207 for the provision of providing psychiatric and psychotherapeutic services for children and adolescents in the amount of \$10,000.00 for the period commencing September 1, 2019 and ending August 31, 2020.
2. Funds shall be charged to Account #CDBG-1019

* * * * *

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

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

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

WHEREAS, the Windmill Alliance has requested and submitted a formal written application dated February 21, 2019 for said CDBG Grant Funds in the amount of \$25,000.00 for the purpose of providing community outreach services through HIGHWAYS program; and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said Community Development Block Grant Funds for the purpose of providing community outreach services through HIGHWAYS program is limited to the amount of \$25,000.00; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-1016; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Windmill Alliance, 141 Broadway, Bayonne, New Jersey 07002 for the provision of providing outreach services through HIGHWAYS program in the amount of \$25,000.00 for the period commencing September 1, 2019 and ending August 31, 2020.
2. Funds shall be charged to Account #CDBG-1016

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

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

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

WHEREAS, the Bayonne Youth Center has requested and submitted a formal written application dated February 12, 2019 for said CDBG Grant Funds for the amount of \$37,525.00 for the purpose of providing an after school learning center for low and moderate income families; and

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

WHEREAS, said CDBG Funds are certified as available in Account CDBG-1021; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Bayonne Youth Center, 524 Kennedy Blvd, Bayonne, New Jersey 07002 for the provision of providing an after school learning center for low and moderate income families in the amount of \$10,000.00 for the period commencing September 1, 2019 and ending August 31, 2020.

2. Funds shall be charged to Account #CDBG-1021

* * * * *

40. 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 Jewish Community Center of Bayonne, 1050 Kennedy Blvd, Bayonne, New Jersey 07002 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Jewish Community Center of Bayonne has requested and submitted a formal written application dated January 8, 2019 for said CDBG Grant Funds in the amount of \$9,000.00 for the purpose of providing Children's Academy after school program for low income children; 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 Children's Academy after school program for low income children limited to the amount of \$3,000.00; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-1018; 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 Jewish Community Center of Bayonne, 1050 Kennedy Blvd., Bayonne, New Jersey 07002 for the provision of Children's Academy after school program for low income families in the amount of \$3,000.00 for the period commencing September 1, 2019 and ending August 31, 2020.

2. Funds shall be charged to Account #CDBG-1018

41. 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 Trinitas Regional Medical Center, 225 Williamson Street, Elizabeth, New Jersey 07207 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Trinitas Regional Medical Center has requested and submitted a formal written application dated February 14, 2019 for said CDBG Grant Funds for the amount of \$24,000.00 for the purpose of providing substance abuse and addiction services for low and moderate income families; and

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

WHEREAS, said CDBG Funds are certified as available in Account CDBG -1020; 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 Trinitas Regional Medical Center, 225 Williamson Street, Elizabeth, New Jersey 07207 for the provision of providing substance abuse and addiction services for low and moderate income families in the amount of \$10,000.00 for the period commencing September 1, 2019 and ending August 31, 2020.

2. Funds shall be charged to Account #CDBG-1020

* * * * *

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

WHEREAS, by way of Resolution Nos. 18-09-12-035, 19-04-17-048 and 19-05-19-047 adopted by the Municipal Council on September 12, 2018, April 17, 2019 and May 19, 2019 respectively, the City of Bayonne entered into Agreement No. CY18-072 as amended pursuant to a First and Second Amendment, with the Bayonne Economic Opportunity Foundation, 555 Kennedy Boulevard, Bayonne, New Jersey (the "Subrecipient"), to provide Community Development Block Grant ("CDBG") funds in the amount of \$57,000.00 for the purpose of providing the cost of salary and fringe benefits for the Senior Transportation Program (the "Purpose") for the period commencing September 1, 2018, and ending August 31, 2019; and

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

WHEREAS, the Administrator of the City's Community Development Block Grant Program has advised that there are residual funds in the amount of \$1,306.79 available for these purposes; and

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

WHEREAS, funds are certified as available in Account CDBG – 969; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to execute a third amendment to Agreement No. CY18-072 with the Bayonne Economic Opportunity Foundation, 555 Kennedy Boulevard, Bayonne New Jersey increasing funds for the purpose of providing the aforesaid salaries and fringe benefits of bus drivers in connection with the Senior Citizen Transportation Program in the amount of \$1,306.79 making the total contract amount \$58,306.79.

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

3. All other terms and conditions of Agreement No. CY18-072 shall remain the same.

* * * * *

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

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

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

WHEREAS, as part of the City's Calendar Year 2019 budget, the City has determined that it would greatly benefit from another such sale of its tax levy;

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

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

WHEREAS, Counsel has performed professional legal services in connection with the City's prior tax levy sales and remains capable of performing such services; and

WHEREAS, Counsel has agreed to a fee of not to exceed \$15,000.00 at the rates set forth in the Agreement and funds are certified as available from the Bulk Levy Sale pending adoption of the CY 2019 budget;

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

1. The sale of the City of Bayonne's property tax levy is hereby authorized.
2. The Chief Financial Officer is hereby directed to prepare and distribute a Bid Package including a Notice of Sale, a form of Purchase and Sale Agreement, certain financial information related to the City, a form of Bid Document and any and all other documents and other information as may be required to properly and effectively conduct such sale of tax levy in accordance with the Act.
3. The Chief Financial Officer is hereby directed to cause the publication of the aforesaid Notice of Sale as required by the Act.
4. The Chief Financial Officer is hereby authorized to receive bids and take all actions in connection therewith in accordance with the Act and as to be described in the Notice of Sale.
5. Archer & Greiner, 10 Highway 35, Red Bank, New Jersey 07701 are hereby authorized to perform the above-mentioned professional legal services for a fee not to exceed \$15,000.00 at the rates set forth in the Agreement, plus reasonable and customary expenses, and funds are certified as available from the Bulk Levy Sale pending adoption of CY 2019 budget.
6. The City shall conclude its sale of the total property tax levy in the final month of CY 2019, provided that all statutory notice requirements are followed.
7. The Mayor, the Chief Financial Officer, the City Clerk and other appropriate representatives of the City are hereby authorized, in consultation with Counsel, to take all steps necessary to provide for the tax levy sale, including preparing and executing such agreements and documents on behalf of the City and taking all steps necessary or desirable to implement the terms of this resolution, such agreements and documents as may be necessary and appropriate and the transactions contemplated thereby. The manual or facsimile signature of the aforesaid appropriate representatives of City upon any documents utilized in connection with the tax levy sale shall be conclusive as to all such determinations or approvals set forth therein. The aforesaid appropriate representatives of the City shall also take such actions or refrain from such actions as are necessary for the tax levy sale and all such actions or inactions by the aforesaid City officers, officials or professionals heretofore are hereby ratified and confirmed, *nunc pro tunc*.
8. This resolution shall take effect immediately.

* * * * *

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

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Various Streets – 2020 – Bayonne Project.

BE IT RESOLVED that Council of the City of Bayonne formally approves the grant application for the above stated project; and

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2020-Variou Streets – 2020 – Bayonne-00227 to the New Jersey Department of Transportation on behalf of the City of Bayonne; and

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.

Certified as a true copy of the Resolution adopted by the Council
On this 23rd day of August, 2019

Madelene C. Medina, City Clerk

ATTEST and AFFIX SEAL _____
Madelene C. Medina James M. Davis
City Clerk Mayor

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

WHEREAS, the City of Bayonne is desirous of making improvements to New Hook Road,
and:

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

1. The City of Bayonne accepts \$2,500,000 from the New Jersey Department of Transportation (NJDOT) for improvements to New Hook Road.
2. The Division of Finance is hereby authorized to establish the proper account for these funds.

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

Police Unit 70	2005 Mercury Sable	VIN #1MEFM5OU15A620581
Police Unit 85	2005 Mercury Sable	VIN #1MEFM5OU45A600728
Police Unit 38	2005 Pontiac Grand AM	VIN #1G2NE52E35M108727
Police Unit 15	2013 Ford Taurus	VIN #1FAHP2M81DG144914
Police Unit 29	2014 Ford Taurus	VIN #1FAHP2MK4EG186071
Police Unit 4	2010 Chevy Impala	VIN #2G1WD5EM7A1114812
Police Unit 21	2010 Chevy Impala	VIN #2G1WD5EM9A1153871
Police Unit 16	2016 Ford Taurus	VIN #1FAHP2MK4GG1266827
Police Unit 9	2010 Chevy Impala	VIN #2G1WD5EM9A1114570
Police Unit 30	2010 Chevy Impala	VIN #2G1WD5EM2A115402

RESOLVED, by the Municipal Counsel as follows:

* * * * *

47. 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 established that there was a need for an annual software support and extended one-year warranties for all equipment deployed as part of the Digital Video Surveillance Network (DVSN) throughout the city; and

WHEREAS, Hitachi Data Systems (“Hitachi”), 2845 Lafayette Street, Santa Clara, CA 95050, provided the City with an IP-Surveillance Support Agreement to supply the aforesaid services for a one year period commencing July 1, 2019 and ending June 30, 2020 at a cost of \$46,500.00 and

WHEREAS, uninterrupted software support for said equipment deployed as part of the Digital Video Surveillance Network (DVSN) deployed throughout the city is essential for the safety and welfare of the citizens of the City of Bayonne; and

WHEREAS, Hitachi Vantara Corporation, the successor to Hitachi Data Systems, has completed and submitted a Business Entity Disclosure Certification certifying that it has not made any reportable contributions to a political or candidate committee in the City of Bayonne in the one (1) year next preceding July 1, 2019, and, furthermore, that the contract will prohibit Hitachi Vantara Corporation from making any reportable contributions through the contract term in accordance with N.J.S.A. 19:44A-20.5; and

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

WHEREAS, it is necessary to amend said IP-Surveillance Support Agreement to conform to Law Department standards; and

WHEREAS, funds are certified as available in Account Nos. 9-01-25-240-0000-028 for CY2019 and 0-01-25-240-0000-028 for CY2020 pending adoption of the CY2020 budget; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and/or his designee is hereby authorized to execute the IP-Surveillance Support Agreement with Hitachi Vantara Corporation, 2845 Lafayette Street, Santa Clara, CA 95050, for annual software support and extended one-year warranties for all equipment deployed as part of the Digital Video Surveillance Network (DVSN) deployed throughout the city for a one year period commencing July 1, 2019 and ending June 30, 2020 at a cost of \$46,500.00.
2. Funds are chargeable to Account Nos. 9-01-25-240-0000-028 for CY2019 and 0-01-25-240-0000-028 for CY2019.
3. The Municipal Treasurer be and is hereby authorized and directed to issue a warrant payable to Hitachi Vantara Corporation, in the amount of \$46,500.00 in payment for said services.
4. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

* * * * *

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

BE IT RESOLVED, that the City Clerk be and is hereby authorized to advertise for bids for Elevator Maintenance.

* * * * *

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

BE IT RESOLVED, that the City Clerk be and is hereby authorized to advertise for bids for Rock Salt.

* * * * *

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

BE IT RESOLVED, that the City Clerk be and is hereby authorized to advertise for bids for Snow Removal.

* * * * *

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

WHEREAS, the City of Bayonne is desirous to improve and expand the recreational opportunities in the City, and preserve open spaces areas and expand local parks, and

WHEREAS, the City has undertaken projects to facilitate improvements to the Newark Bay Waterfront, and

WHEREAS, the City has applied to the Department of Environmental Protection and the Office of Natural Resource Restoration (ONRR) for grants to facilitate the project,

WHEREAS, the City has been awarded an Office of Natural Resource Restoration Grant in the amount of \$900,013.00 for the Newark Bay Waterfront Project by the State of New Jersey Department of Environmental Protection and Office of Natural Resource Restoration (ONRR), and

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 the grant in the amount of \$900,013.00 from New Jersey Department of Environmental Protection and the Office of Natural Resource Restoration (ONRR) for the Newark Bay Waterfront Project.
- 2. The Division of Finance is hereby authorized to establish the proper account for these funds.

* * * * *

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

WHEREAS, the City of Bayonne is desirous to improve and expand the recreational opportunities in the City, and preserve open spaces areas and expand local parks, and

WHEREAS, the City has undertaken projects to facilitate improvements to the Newark Bay Waterfront, and

WHEREAS, the City has applied to the Department of Environmental Protection and the Garden State Preservation Trust (GSPT) for grants to facilitate the project,

WHEREAS, the City has been awarded a Green Acres Grant in the amount of \$1,000,000.00 for the Newark Bay Waterfront Project by the State of New Jersey Department of Environmental Protection and Garden State Preservation Trust (GSPT), and

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 the grant in the amount of up to \$1,000,000.00 from New Jersey Department of Environmental Protection and the Garden State Preservation Trust (GSPT) for the Newark Bay Waterfront Project.
- 2. The Division of Finance is hereby authorized to establish the proper account for these funds.

* * * * *

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

WHEREAS, the property known as Block 450, Lot 10.01 Qualifier T01 (cell tower) also known as Foot of East 23rd Street, was assessed at \$58,400 for the taxing year 2019; and

WHEREAS, the 2019 tax assessment on the property known as Block 450, Lot 10.01 known as Foot of East 23rd Street, also included the assessment for the cell tower; and

WHEREAS, the Tax Assessor of the City of Bayonne deems that the 2019 tax assessment on Block 450, Lot 10.01 Qualifier T01 (cell tower) was in error and should be canceled; and request that the Tax Collector cancel these charges in the amount \$5,039.92; and

NOW, therefore be it resolved as follows:

- 1. The Municipal Council of the City of Bayonne that the assessment of \$58,400 tax year 2019 be hereby canceled and real estate taxes in the amount of \$5,039.92 be hereby canceled.
- 2. The City’s Tax Counsel, City Attorney, CFO, Treasurer and Tax Collector are authorized to take any action necessary to effectuate this resolution.
- 3. This resolution shall take effect immediately.

54. 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
Friends of Special Children	RL: 9401
Hudson County Hospice Volunteers	RL: 9402
St. Vincent DePaul RC Church	RL: 9403
Hudson County Animal League	RL: 9404 RL: 9405
P>S. #14 PTO	RL: 9406

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

WHEREAS, pursuant to the Worker and Community Right to Know Act, N.J.S.A. 34:5A-1 et seq. and the regulations promulgated thereunder, N.J.A.C. 8:59-1 et seq., the City of Bayonne is required to complete and file certain Right to Know Surveys with respect to each of the City buildings throughout the City and enter said information in the database of the New Jersey State Department of Health;

WHEREAS, the Right to Know Surveys provide a scheme for identifying, reporting and labeling hazardous substances and for providing employees with information about hazardous substances that may be present at the workplace, if any.;

WHEREAS, the City was required to submit completed 2013, 2014 and 2015 Right to Know Surveys from various City locations to the New Jersey Department of Health via its online submission system by certain deadlines that were required to completed for Calendar Years 2013, 2014 and 2015 by certain deadline;

WHEREAS, although the City was current with the filing of all other Right to Know Surveys to date and in a timely manner, the City was nevertheless assessed an initial administrative penalty in the amount of \$39,000 (Thirty Nine Thousand Dollars) (“Initial Administrative Penalty”) on or about June 2, 2017 for not timely complying with the filing requirements of the 2013, 2014 and 2015 Right to Know Surveys as required by N.J.S.A. 34:5A-1 et seq. and the regulations promulgated thereunder, N.J.A.C. 8:59-1 et seq.;

WHEREAS, the City denied liability for any violations, objected to the amounts assessed and the City challenged the assessment of the Initial Administrative Penalty based upon a number of good faith defenses and requested a hearing in the Office of Administrative Law;

WHEREAS, after engaging in litigation in the Office of Administrative Law with the New Jersey State Department of Health and taking into consideration the City's good faith defenses and after negotiations by the City's Law Department, the New Jersey State Department of Health has agreed to enter into a global settlement agreement with the City in the reduced amount of \$15,000 (Fifteen Thousand Dollars) to resolve all dispute regarding the outstanding 2013, 2014 and 2015 Right to Know Surveys;

WHEREAS, it is in the best interests of the City and most cost-effective to our residents to avoid protracted litigation with the New Jersey State Department of Health and settle the matter amicably without any admittance of liability;

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

RESOLVED, by the Municipal Council as follows:

1. The Law Department is authorized to enter into a Settlement Agreement with the New Jersey State Department of Health to amicably resolve a certain "Administrative Order and Notice of Assessment and Penalties" issued to the City by the New Jersey State Department of Health on or about June 2, 2017 in the reduced amount of \$15,000 (Fifteen Thousand Dollars) upon terms and conditions that are most beneficial to the City's taxpayers.
2. The Business Administrator is authorized to execute the subject Settlement Agreement with the New Jersey State Department of Health to amicably resolve a certain "Administrative Order and Notice of Assessment and Penalties" issued to the City by the New Jersey State Department of Health on or about June 2, 2017 for the reduced amount of \$15,000 (Fifteen Thousand Dollars) in a form of settlement agreement that is approved by the Law Department.

* * * * *

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

WHEREAS, the city clerk, advertised in the Jersey Journal on July 8, 2019 that sealed bids for Sgt. James J. Shea Memorial Shooting Range Building Modifications would be received on July 31, 2019; and

WHEREAS, bids for the above were received on: July 31, 2019 as reported on the Municipal Council Bid Report; and

WHEREAS, Robert Russo the Engineer has reviewed the bids and has recommended that the City Council consider rejecting the bids based on N.J.S.A.40A:11-13.2, as checked for the reason that

a.) The lowest bid substantially exceeds the cost estimates for the good or services;

; and be it further

RESOLVED, that the city clerk be and is hereby authorized to re-advertise for bids, and that any actions taken by the city clerk and the purchasing agent to re-advertise for bids are hereby ratified and confirmed.

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

* * * * *

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

WHEREAS, pursuant to Resolution No. 19-06-19-025, the city clerk, advertised in the Jersey Journal on July 16, 2019 that sealed bids for 2019 Roadway Improvements would be received on August 9, 2019; and

WHEREAS, pursuant to such advertisement, one (1) proposal was received from:	
Bidder	Bid Amount

4-Clean Up, Inc.
4501 Dell Avenue
North Bergen, NJ 07047
\$1,088,724.10

;and

WHEREAS, the bid of 4-Clean Up, Inc., was the sole bid received for 2019 Roadway Improvements; and

WHEREAS, the Purchasing Agent, the City Engineer and the Director of Public Works have examined the bid and have determined that the bid of 4-Clean Up, Inc., (Total Bid Amount \$1,088,724.10 – Del Item #6A – Allowance for Uniformed Police Director - \$100,000.00 and Alt C – Polymer Cement Slurry Surfacing - \$80,500.00) is a regular bid and is the most advantageous to the City; and

WHEREAS, the Municipal Comptroller has filed a certification with the city clerk that funds are available in Accounts: 2019 Municipal Aid Program \$840,760.00, and Various Capital Improvements 2018 - \$67,464.10; now, therefore, be it

RESOLVED, that the contract for 2019 Roadway Improvements be awarded to:

4-Clean Up, Inc.
4501 Dell Avenue
North Bergen, NJ 07047

for the following bid price: \$1,088,724.10 (Del Item #6A – Allowance for Uniformed Police Director - \$100,000.00 and Alt C – Polymer Cement Slurry Surfacing - \$80,500.00), and that the contract be executed in the name of the City of Bayonne by the proper city officials and that the said sum be charged to accounts: 2019 Municipal Aid Program \$840,760.00, and Various Capital Improvements 2018 - \$67,464.10.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AREA IN NEED OF REDEVELOPMENT STUDY FOR PROPERTY LOCATED 39 EAST 22TH STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 206, LOT 1 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE CONSTITUTES A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT AND AUTHORIZING AND DIRECTING THE PLANNING BOARD TO PREPARE A REDEVELOPMENT PLAN PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.* (MT CARMEL SCHOOL)

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

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

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

WHEREAS, on January 16, 2019, the City of Bayonne (the “City”) Municipal Council adopted a Resolution authorizing and directing the Planning Board to conduct an investigation pursuant to *N.J.S.A. 40A:12A-6* to determine whether Block 206 Lot 1 described on the Tax Map of the City of Bayonne, State of New Jersey, satisfy the criteria to be designated as areas in need of redevelopment under *N.J.S.A. 40A:12A-5*; and

WHEREAS, the preliminary investigation was presented at a public hearing to the Planning Board on August 13, 2019 and the Board recommended the Study Area be designated as a non-condemnation “area in need of redevelopment” in conformance with the statutory criteria contained in *N.J.S.A. 40A:12A-5*; and

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

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

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

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

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

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

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

Section 2. The Study Area located at 39 East 22th Street, which property is identified as Block 206, Lot 1 as shown on the official Tax Map of the City constitute a non-condemnation “area in need of redevelopment,” in accordance with the Redevelopment Law according to the criteria set forth in *N.J.S.A. 40A:12A-5*.

Section 3. The Municipal Council hereby directs the City Clerk to transmit a copy of the within resolution to the Commissioner of the Department of Community Affairs and to serve notice that Block 206, Lot 1 is designated a non-condemnation redevelopment area on the owners of such Study Area and other parties within ten (10) days of the date hereof, in accordance with *N.J.S.A. 40A:12A-6.b(5)*.

Section 4. The Planning Board of the City of Bayonne is hereby authorized and directed to prepare a Redevelopment Plan for the Study Area identified as Block 206, Lot 1, as shown on the Official Tax Map of the City in accordance with the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*

Section 5. The Planning Board shall transmit the Redevelopment Plan to the Municipal Council for further consideration and action upon completion of same.

Section 6. This Resolution shall take effect immediately.

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

* * * * *

59. Council Member 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 ADOPTING AREA IN NEED OF REDEVELOPMENT STUDY FOR PROPERTY DESIGNATED AS EAST 25TH STREET RIGHT OF WAY AND 117-121 PROSPECT STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 441, LOT 10 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE CONSTITUTES A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT AND AUTHORIZING AND DIRECTING THE PLANNING BOARD TO PREPARE A REDEVELOPMENT PLAN PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.*

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

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

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

WHEREAS, on July 17, 2019, the City of Bayonne (the “City”) Municipal Council adopted a Resolution authorizing and directing the Planning Board to conduct an investigation pursuant to *N.J.S.A. 40A:12A-6* to determine whether the 25th Street Right of Way and Block 441 Lot 10 as described on the Tax Map of the City of Bayonne, State of New Jersey, satisfy the criteria to be designated as areas in need of redevelopment under *N.J.S.A. 40A:12A-5*; and

WHEREAS, the preliminary investigation was presented at a public hearing to the Planning Board on August 13, 2019 and the Board recommended the Study Area be designated as a non-condemnation “area in need of redevelopment” in conformance with the statutory criteria contained in *N.J.S.A. 40A:12A-5*; and

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

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

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

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

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

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

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

Section 2. The Study Area located at 117-121 Prospect Street and the 25th Street Right of Way, which property is identified as Block 441, Lot 10 as shown on the official Tax Map of the City constitute a non-condemnation “area in need of redevelopment,” in accordance with the Redevelopment Law according to the criteria set forth in *N.J.S.A. 40A:12A-5*.

Section 3. The Municipal Council hereby directs the City Clerk to transmit a copy of the within resolution to the Commissioner of the Department of Community Affairs and to serve notice that Block 441, Lot 10 and the 25th Street right of way is designated a non-condemnation redevelopment area on the owners of such Study Area and other parties within ten (10) days of the date hereof, in accordance with *N.J.S.A. 40A:12A-6.b(5)*.

Section 4. The Planning Board of the City of Bayonne is hereby authorized and directed to prepare a Redevelopment Plan for the Study Area identified as Block 441, Lot 10, as shown on the Official Tax Map of the City in accordance with the Redevelopment Law, *N.J.S.A. 40A:12A-1* et seq.

Section 5. The Planning Board shall transmit the Redevelopment Plan to the Municipal Council for further consideration and action upon completion of same.

Section 6. This Resolution shall take effect immediately.

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

* * * * *

60. Council Member Perez moved the following resolution, seconded by Council Member LaPelusa, 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
ONRR Grant	\$0	\$900,013.00
Green Acres Grant	\$0	\$1,000,000.00
Port Authority Grant	\$0	\$2,000,000.00
Safe Streets 2013 Grant	\$0	\$205,000.00
2019 Distracted Driving Grant	\$0	\$5,500.00

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

Grant Name	From	To
ONRR Grant	\$0	\$900,013.00
Green Acres Grant	\$0	\$1,000,000.00
Port Authority Grant	\$0	\$2,000,000.00
Safe Streets 2013 Grant	\$0	\$205,000.00
2019 Distracted Driving Grant	\$0	\$5,500.00

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.

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY
AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF BAYONNE AND THE PORT
AUTHORITY OF NEW YORK AND NEW JERSEY FOR ADDITIONAL FUNDS RELATED TO THE
BAYONNE BRIDGE RAISE THE ROADWAY PROJECT

WHEREAS, the Bayonne Bridge, which was constructed by the Port Authority and joins the City of Bayonne with the Borough of Staten Island, is a critical link in the northern metropolitan highway bypass system; and

WHEREAS, the Port Authority has undertaken a project to reconstruct the Bayonne Bridge to increase the vertical clearance by raising the roadway (herein after the “Project”); and

WHEREAS, the Project required the use of the City Streets and Port Authority’s Right of Way for the construction and staging activities; and

WHEREAS, the City of Bayonne has received previous money from the Port Authority for open space and construction mitigation purposes in connection with the Project; and

WHEREAS, the Port Authority has agreed to provide an additional Two Million Dollars and No Cents (\$2,000,000.00) to the City of Bayonne, for the project delays, to be used for neighborhood enhancements located in the impact zone or at Collins Park; and

WHEREAS, the City of Bayonne seeks to use the additional funds to enhance the neighbor within the impact zone and further add to the benefits of the Project; and

WHEREAS, the Port Authority and the City of Bayonne have agreed to the conditions for the use and acceptance of the funds as set forth in the proposed agreement attached hereto as Exhibit A.

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

Section 1. Permission is hereby granted to the Mayor to enter into an Agreement on behalf of the City of Bayonne with the Port Authority upon the terms and conditions as substantially contained in the attached agreement and subject to any further review, analysis or modifications that counsel for the City may deem appropriate.

Section 2. This Resolution shall take effect immediately.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY
AUTHORIZING A RIGHT OF ENTRY AGREEMENT WITH PSE&G FOR BLOCK 452.02 LOT 4.01(POTENTIAL SITE FOR SUBSTATION)

WHEREAS, Public Service Electric and Gas Company (hereinafter “PSE&G”) is in the process of upgrading its existing Electrical Facilities (hereinafter “Facility Upgrades”) in order to provide safe and reliable service to the public, and

WHEREAS, PSE&G has identified property located within Block 452.02 Lot 4.01 as a possible location for a substation (hereinafter the “Project Area”), and

WHEREAS, The proposed Facility Upgrades will require ingress and egress to the Project Area in order to conduct the following Pre-Construction Site Analysis Activities: Topographic Elevation Survey, Phase I & II Environmental Site Assessment, Geotechnical and Soil Analysis, and Building Hazard Analysis, and

WHEREAS, PSE&G has requested a right of entry upon and across the Project Area for PSE&G, its employees, contractors, subcontractors, agents and assigns, for the purpose of conducting the Pre-Construction Activities cited above.

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

Section 1. Permission is hereby granted to the Mayor or his designee to enter into a Right of Entry Agreement with PSE&G for Block 452.02 Lot4.01 in substantially the form of the attached hereto as Exhibit A.

Section 2. This Resolution shall take effect immediately.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY
AUTHORIZING A LICENSE AGREEMENT WITH THE MATTHEWS FOUNDATION FOR THE ESTABLISHMENT OF A COMMUNITY GARDEN

WHEREAS, the Mathews Foundation Inc. is a registered educational non-profit organization founded by Friday and Melissa Mathews, residents of Bayonne, with the goal of building educational focused community projects that are accessible to all, and

WHEREAS, the Mathews Foundation Inc. is proposing to build and maintain an educational community garden for Bayonne's residents with the goal of the project to provide a place for diverse groups in the community to learn and participate in environmental sciences and gardening, and

WHEREAS, the Mathews Foundation Inc. seeks to partner with the Board of Education, the City and other community groups, to develop an educational garden that will provide an enriching experience of outside learning with-in our city limits, and

WHEREAS, the Mathews Foundation Inc. has identified property located within Collin’s park as a possible location for the placement of a community garden, and

WHEREAS, the Mathews Foundation Inc. has submitted a proposal for the creation and maintenance of the community garden at no cost to the City, and

WHEREAS, the City recognizes the benefits of establishing and maintaining a community garden, and

WHEREAS, the City desires to enter into a license agreement with the Mathews Foundation Inc. for the establishment of a community garden, and

WHEREAS, the City maintains the right to revoke the permission granted with or without cause, upon ninety (90) days' written notice to the Mathews Foundation Inc., and

WHEREAS, the Mathews Foundation Inc. will post insurance to protect the City's interests and will defend and indemnify the City with respect to any loss or damage arising from the issuance of the License;

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

Section 1. Permission is hereby granted to the Mayor or his designee to enter into a License Agreement upon terms and conditions acceptable to the Law Division with the Mathews Foundation Inc. on the condition that: 1) no cost or expense shall be borne by the City relating in any way to the Mathews Foundation Inc.'s request for access and proposed scope of use; 2) the Mathews Foundation Inc. shall pay the required annual fee of \$1 starting September 1, 2019 for the Property and 3) the Mathews Foundation Inc. shall abide by any and all requirements of the City deemed necessary to protect the City's property and citizens.

Section 2. This Resolution shall take effect immediately.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY
ESTABLISHING THE BOARD OF DIRECTORS OF THE HARBOUR PLACE SPECIAL
IMPROVEMENT DISTRICT

WHEREAS, the City of Bayonne by Ordinance established the Harbour Place Special Improvement District, and

WHEREAS, in accordance with the ordinance and proposed by laws it is necessary to appoint members to the Board of Directors of the Special Improvement District, and

WHEREAS, the Ordinance and proposed bylaws establish a nine (9) member Board of Directors, consisting of six (6) representatives of property owners within the district, one (1) resident within the district, a member of the Municipal Council and the Mayor or their Designee.

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

Section 1. The following individuals are hereby appointed to serve as Directors to the Harbour Place Special Improvement District in accordance with the Ordinance and proposed bylaws:

- 1) Jack Halpern, Property owner
- 2) Noah Chrismer, Property owner
- 3) Joseph Forgione, Property owner
- 4) Raj Gupta, Property owner
- 5) Elli Rieder, Property owner
- 6) Wasseem Boraie, Property owner
- 7) Salvatore Gullace, Council Representative
- 8) Joseph DeMarco, Mayor's Designee
- 9) TBD, Resident

Section 2. This Resolution shall take effect immediately.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY
AUTHORIZING A LEASE AND LICENSE AGREEMENT WITH SEASTREAK, LLC FOR THE
OPERATION OF A PASSENGER FERRY SERVICE FROM THE CITY OF BAYONNE TO
MANHATTAN

WHEREAS, the City of Bayonne has entered into discussions with the Port Authority of New York and New Jersey for the lease of property located at the Peninsula at Bayonne Harbor to be used as a passenger ferry terminal; and

WHEREAS, the City of Bayonne has designated SeaStreak, LLC, as the ferry operator of the ferry service to be operated from the leased property; and

WHEREAS, in order to increase the transportation opportunities available for residents and businesses within the City and to continue to promote the development of the Peninsula at Bayonne Harbor the creation of a passenger ferry terminal is necessary; and

WHEREAS, the Mayor and Municipal Council of the City of Bayonne desire to enter into an agreement with SeaStreak, LLC for the lease of land and operation of a passenger ferry services, and

WHEREAS, the City of Bayonne and SeaStreak, LLC have agreed to the conditions and terms of the lease as set forth in the proposed agreement attached hereto as Exhibit A.

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

Section 1. Permission is hereby granted to the Mayor to enter into an Agreement on behalf of the City of Bayonne with SeaStreak, LLC upon the terms and conditions as substantially contained in the attached agreement and subject to any further review, analysis or modifications that counsel for the City may deem appropriate.

Section 2. This Resolution shall take effect immediately.

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

* * * * *

66. Council Member Perez introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDMENT TO THE AMENDED & RESTATED SCATTERED SITE REDEVELOPMENT PLAN FOR BLOCK 37 LOT 1 PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.* (BAYER SITE) (WOODMONT PROPERTIES PHASE II)

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 Scattered site Redevelopment Plan (“Redevelopment Plan”) dated December 7, 2005, and

WHEREAS, the Redevelopment Plan included Block 37 Lot 1; and

WHEREAS, on August 15, 2018 by Resolution the Municipal Council directed the Planning Board, to amend, prepare and review the redevelopment plan for properties located in the Scattered Site Redevelopment Area identified as Block 37 Lot 1 (the “Property”) and make recommendations to the Municipal Council in accordance with the Redevelopment Law; and

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Administration has prepared an amended and restated redevelopment plan for the Property titled “Amended Scattered Site Redevelopment Plan, Bayer Property, Block 37 Lot 1, Woodmont Phase II”, dated March 17, 2019, and revised May 8 , 2019 (the “Amended Redevelopment Plan”); and

WHEREAS, the Planning Board reviewed the Amended Redevelopment Plan and recommended the adoption of the Amended Redevelopment Plan 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 believes that it is in the best interest of the City to amend the Redevelopment Plan for property identified as Block 37 Lot 1 as shown on the official tax map of the City of Bayonne on the City's Tax Maps in order to expand the scope of the revitalization and redevelopment efforts in the City and make modifications to the Redevelopment Plan necessary to further the goals and objectives of the Master Plan.

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

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

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

Section 2. The Amendment to the Amended & Restated Scattered Site 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.

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

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDMENT TO THE AMENDED & RESTATED SCATTERED SITE REDEVELOPMENT PLAN FOR BLOCK 37, LOT 1 PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, September 25, 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, and to forward a copy of said ordinance to the planning board for its review of and a report regarding same pursuant to NJSA 40:55D-26.

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

* * * * *

68. 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 LOFTS ON AVENUE E URBAN RENEWAL ENTITY II AS REDEVELOPER FOR THE PROPERTY LOCATED 317 AVENUE E, WHICH IS IDENTIFIED BLOCK 191 LOT 5.02 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE FOR THE REDEVELOPMENT OF SUCH PROPERTY IN ACCORDANCE WITH THE REDEVELOPMENT PLAN (ST JOSEPH CHURCH)

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 property which is identified as Block 191 Lots 5.02 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 “St Joseph’s Redevelopment Plan”, dated June 13, 2017 (the “Redevelopment Plan”) which included improvements to Block 191, Lot 5.02; and

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

WHEREAS, upon receipt and review of the Planning Board’s recommendations relating to the Redevelopment Plan, the Municipal Council on July 19, 2017 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, Lofts on Avenue E Urban Renewal Entity II, (the “Redeveloper”) wishes to develop the a portion of the Redevelopment Area identified as Block 191, Lot 5.02 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 Lofts on Avenue E Urban Renewal Entity II 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 Lofts on Avenue E Urban Renewal Entity II as redeveloper of the Property identified Block 191, Lot 5.02 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. All prior designations for the property are hereby revoked.

Section 3. This Resolution shall take effect immediately.

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

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

WHEREAS, Thomas Aldo Donato, a Jersey City native but an adopted son of Bayonne, was ordained into the priesthood on May 29, 1965; and

WHEREAS, “Father Donato,” as he was known to the children and parishioners of St. Vincent of De Paul parish from 1973 to 1982 and “Pastor Donato,” as he was known to the children and parishioners of Our Lady of Assumption parish from 1982-1988, was revered for his intelligence, wit, welcoming personality and unconditional commitment to his parishes;

WHEREAS, Pastor Donato’s inherent talents and qualities and commitment to the Church were recognized by the Catholic Church in 1996 when Pope John Paul II named him a Prelate of Honor with the title of Reverend Monsignor; and

WHEREAS, in 2004 Reverend Monsignor Donato returned to Bayonne as Pastor of Saint Henry's Parish and on May 21, 2004 he was appointed as Titular Bishop of Jamestown and Auxiliary Bishop of Newark; and

WHEREAS, the City of Bayonne would be remiss if it did not recognize and celebrate the contributions and benefits The Most Reverend Thomas Aldo Donato visited upon the City of Bayonne through his years of service with St. Vincent's, Assumption and St. Henry's parishes; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. That West 29th Street between Avenue C and John F. Kennedy Boulevard shall hereafter be known as "Bishop Thomas A. Donato Way."

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

* * * * *

70. 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 LOFTS ON AVENUE E URBAN RENEWAL ENTITY I AS REDEVELOPER FOR THE PROPERTY LOCATED 306-322 AVENUE E, WHICH IS IDENTIFIED BLOCK 440 LOTS 3.01 AND 4 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE FOR THE REDEVELOPMENT OF SUCH PROPERTY IN ACCORDANCE WITH THE REDEVELOPMENT PLAN (ST JOSEPH PARKING LOT)

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

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 property which is identified as Block 440 Lots 3.01 and 4 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 "St Joseph's Redevelopment Plan", dated June 13, 2017 (the "Redevelopment Plan") which included improvements to Block 440, Lots 3.01 and 4; and

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

WHEREAS, upon receipt and review of the Planning Board's recommendations relating to the Redevelopment Plan, the Municipal Council on July 19, 2017 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, Lofts on Avenue E Urban Renewal Entity I, (the "Redeveloper") wishes to develop the a portion of the Redevelopment Area identified as Block 440, Lots 3.01 and 4 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 Lofts on Avenue E Urban Renewal Entity I 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 Lofts on Avenue E Urban Renewal Entity I as redeveloper of the Property identified Block 440, Lot 3.01 and 4 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. All prior designations for the property are hereby revoked.

Section 3. This Resolution shall take effect immediately.

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

* * * * *

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

August 21, 2019

Dear Council President Nadrowski
And Honorable Members of City Council:

Please be advised that I am appointing Friday Mathews, Jr., to the Planning Board replacing Issa Musharbash for the balance of his unexpired term of December 31, 2022.

In conjunction with this appointment, the City Clerk has been directed to add an accompanying item on the August 21, 2019 Council meeting agenda to be received and filed by the City Council.

Sincerely,
James M. Davis
Mayor
(signed)

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

* * * * *

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

August 21, 2019

Dear Council President Nadrowski
And Honorable Members of City Council:

Please be advised that I am recommending the appointing of the following individuals to the Zoning Board of Adjustment:

Nick DiLullo (currently Alternate #1) to replace Frank Peiliterri as a Regular Member for the balance of the latter’s unexpired term ending December 31, 2023.

Arrigo DeRos (currently an Alternate #2) to replace Matt Dorans as a Regular Member for the balance of the latter’s unexpired term ending December 31, 2021.

Matthew Klimansky, Jr. (currently Alternate #4) to serve as Alternate #1 for the duration of his term through December 31, 2021;

John R. Calcaterra to serve as Alternate #2 for the balance of the term ending December 31, 2021; and

Jake Iapicca to serve as Alternate #3 for the balance of the term ending December 31, 2019.

Ramon Veloz to serve as Alternate #4 for the balance of the term ending December 31, 2019.

In conjunction with these proposed appointments, the City Clerk has been directed to add an accompanying item on the August 21, 2019 Council meeting agenda to be received and filed by the City Council and also to prepare a resolution providing for your advice and consent to these proposed appointments.

Sincerely,

James M. Davis
Mayor
(signed)

BE IT RESOLVED, that the following individuals be and are hereby appointed to the Planning Board of the Zoning Board of Adjustment of the City of Bayonne:

Nick DiLullo (currently Alternate #1) to replace Frank Peiliterri as a Regular Member for the balance of the latter's unexpired term ending December 31, 2023.

Arrigo DeRos (currently an Alternate #2) to replace Matt Dorans as a Regular Member for the balance of the latter's unexpired term ending December 31, 2021.

Matthew Klimansky, Jr. (currently Alternate #4) to serve as Alternate #1 for the duration of his term through December 31, 2021;

John R. Calcaterra to serve as Alternate #2 for the balance of the term ending December 31, 2021; and

Jake Iapicca to serve as Alternate #3 for the balance of the term ending December 31, 2019.

Ramon Veloz to serve as Alternate #4 for the balance of the term ending December 31, 2019.

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

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

WHEREAS, the City is in need of professional legal services in connection with Utility Agreement and Management to augment that which is already being provided for the period October 1, 2019 through June 30, 2020, now, therefore, be it

RESOLVED, the Municipal Council hereby authorizes the advertisement of Requests for Qualifications/Proposals for Utility Agreement and Management Special Legal Counsel for the period commencing October 1, 2019 and ending June 30, 2020 pursuant to the fair and open contracting provisions set forth in N.J.S.A. 19:44A-20.4 and N.J.S.A. 19:44A-20.5.

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

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At 8:14 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