

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, SEPTEMBER 25th, 2019.

The Council met at 7:01 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 September 25th, 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 SEPTEMBER 20TH, 2019."

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

The Clerk called the roll.

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

The Council President led the Pledge of Allegiance.

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01. The Clerk announced:

AN ORDINANCE ENTITLED, "AN ORDINANCE 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, "which was introduced and passed a first reading at a meeting held August 21st, 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 September 25th, 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 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."

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: MARK RUBINO 88 WEST 24TH 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, 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 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.," was introduced and passed a first reading at a meeting held August 21, 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 September 25, 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-19-53

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

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02. The Clerk announced:

AN ORDINANCE ENTITLED, "AN ORDINANCE ADOPTING AN AMENDMENT TO THE AMENDED AND RESTATED SCATTERED SITES REDEVELOPMENT PLAN FOR BLOCK 37, LOT 1 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 August 21st, 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 September 25th, 2019 is now before the Council for its consideration and a public hearing.

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

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

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

The Clerk read the ordinance by title: "AN ORDINANCE ADOPTING AN AMENDMENT TO THE AMENDED AND RESTATED SCATTERED SITES REDEVELOPMENT PLAN FOR BLOCK 37, LOT 1 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.

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

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

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

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

Council Member 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 ADOPTING AN AMENDMENT TO THE AMENDED AND RESTATED SCATTERED SITES REDEVELOPMENT PLAN FOR BLOCK 37, LOT 1 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 August 21st, 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 September 25th, 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-19-54

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

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03. The Clerk announced:

AN ORDINANCE ENTITLED, “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,” which was introduced and passed a first reading at a meeting held August 21st, 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 September 25th, 2019 is now before the Council for its consideration and a public hearing.

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

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

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

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

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

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

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

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

Yeas - Council Members Carroll, Gullace, LaPelusa, Perez
Abstain - 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 August 21, 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 September 25, 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-19-55

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

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04. The following members of the public spoke:

EDWARD GRIMES, AVENUE B, BAYONNE, NJ
Addressed the Council of wheelchair access at public properties.

MIKE MORRIS, 123 AVENUE C, BAYONNE, NJ

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05. Council President Nadrowski introduced:

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

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

Section 1. That the Revised General Ordinances of the City of Bayonne, Chapter 7, TRAFFIC, Subsection 7-16.1, Parking Prohibited During Certain Hours on Certain Streets, is hereby amended and supplemented as follows (Additions **between asterisks and/or in bold**, deletions {within brackets and/or struck through}):

Name of Street	Sides	Hours	Location
East 21 st Street	West	6:30 AM to 8:00 AM and 5:00 PM to 6:30 PM Monday to Friday	the western most edge of 13 East 21st Street and continuing 32 feet east
West 44 th Street	North	Monday to Friday {10:00 AM to 1:30 PM} 7:00 AM to 9:00 AM and 4:00 PM To 6:00 PM ONLY	Beginning at the intersection of the north east corner of Kennedy Blvd. and West 44 th Street and extending to a point of 84 feet in an easterly direction

Council President Nadrowski 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 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, October 16 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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06. Council Member Perez introduced:

BOND ORDINANCE PROVIDING FOR VARIOUS 2019 CAPITAL IMPROVEMENTS, BY AND IN THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY (THE "CITY"); APPROPRIATING \$7,750,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$7,380,948 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COSTS THEREOF

BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the City of Bayonne, in the County of Hudson, State of New Jersey (the "City"). For the said improvements or purposes stated in Section 3, there is hereby appropriated the aggregate sum of \$7,750,000, said sum being inclusive of a down payment in the aggregate amount of \$369,052 for said improvements or purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"). The down payment is now available by virtue of a provision or provisions in a previously adopted budget or budgets of the City for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$7,750,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the City are hereby authorized to be issued in the aggregate principal amount not exceeding \$7,380,948 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the City in an aggregate principal amount not exceeding \$7,380,948 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said obligations are to be issued include, but are not limited to, as follows:

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
(i) <u>Department of Public Works.</u> Acquisition And Installation, As Applicable, Of Various Equipment And Non-Passenger Vehicles, Including But Not Limited To, A Boom Truck, Garbage Truck, Salter Truck, Three Pick-Up Trucks With Plows And A Truck Lift;	\$863,000	\$821,904	\$41,096	7.17 years
(ii) <u>Fire Department.</u> Acquisition And Installation, As Applicable, Of Various Equipment, Including But Not Limited To, Self-Contained Breathing Apparatus, Air Packs And Air Bottles For First Responders, A Video Communication System, Fire Hoses And Nozzles, Turnout Gear And Fire Hydrant Improvements;	\$342,000	\$325,714	\$16,286	5.45 years
(iii) <u>Police Department.</u> Acquisition And Installation, As Applicable, Of Equipment For The City-Wide Trunked Radio System;	\$685,000	\$652,380	\$32,620	7 years

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
(iv) <u>City Library</u> . Various Capital Improvements And Acquisition And Installation, As Applicable, Of Fixtures And Equipment;	\$50,000	\$47,619	\$2,381	15 years
(v) <u>Water/Sewer Department</u> . Various Capital Improvements To The City's Water And Sewer Systems, Including But Not Limited To, Flood Mitigation Improvements Associated With The City's Combined Sewer Overflow System;	\$2,580,000	\$2,457,142	\$122,858	30 years
(vi) <u>Road Department</u> . Various Roadway Improvements In And Throughout The City; Which Improvements Shall Include, But Not Be Limited To, As Applicable, Excavation, Milling, Paving, Reconstruction And Boxing Out And Resurfacing Or Full Depth Pavement Replacement, And Where Necessary, The Sealing Of Pavement Cracks, Resetting Of Utility Castings, Drainage Work, And Associated Sidewalk, Driveway And Curb Ramp Improvements And Aesthetic Improvements And Construction Of Or Improvements To Pedestrian Bridges; And	\$3,000,000	\$2,857,142	\$142,858	20 years
(vii) <u>Administration</u> . Various Capital Improvements To City Hall And Acquisition And Installation Of Equipment, As Applicable, Therefore, Including But Not Limited To, Network Equipment And Information Technology Improvements, And Heating Ventilation And Air Conditioning Equipment.	\$230,000	\$219,047	\$10,953	10 years
TOTALS	<u>\$7,750,000</u>	<u>\$7,380,948</u>	<u>\$369,052</u>	

(b) The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$7,380,948.

(c) The aggregate estimated cost of said improvements or purposes is \$7,750,000, the excess amount thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the down payment available for said purposes.

(d) All such improvements or purposes set forth in Section 3(a) shall include, but are not limited to, as applicable, all engineering and design work, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and also shall include all work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto and all in accordance with the plans and specifications therefor.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Hudson make a contribution or grant in aid to the City for the improvements and purposes authorized hereby and the same shall be received by the City prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Hudson. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, and/or the County of Hudson shall be received by the City after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the City, provided that no note shall mature later than one (1) year from its date unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the City shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes

shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of N.J.S.A. 40A:2-8.1. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at a public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The capital budget of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith and a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services, Department of Community Affairs, State of New Jersey, is on file in the Office of the Clerk of the City and is available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

- (a) The purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the City may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.
- (b) The average period of usefulness of said purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 19.78 years.
- (c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the City and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, Department of Community Affairs, State of New Jersey, and such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$7,380,948 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.
- (d) An aggregate amount not exceeding \$1,476,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements herein before described.

SECTION 8. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy *ad valorem* taxes upon all the taxable property within the City for the payment of the principal of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The City hereby declares the intent of the City to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 9 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

SECTION 10. The City Chief Financial Officer is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the City and to execute such disclosure document on behalf of the City. The City Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the City pursuant to Rule 15c2-12 of the Securities and Exchange Commission⁴ (the "Rule") for the benefit of holders and beneficial owners of obligations of the City and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the City fails to comply with its undertaking, the City shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. The City covenants to maintain the exclusion from gross income under Section 103(a) of the Code of the interest on all bonds and notes issued under this bond ordinance.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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

BE IT RESOLVED, that an ordinance entitled “BOND ORDINANCE PROVIDING FOR VARIOUS 2019 CAPITAL IMPROVEMENTS, BY AND IN THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY (THE “CITY”); APPROPRIATING \$7,750,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$7,380,948 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COSTS THEREOF; and a resolution fixing, Wednesday, October 16, 2019, 2017 at 7:00 P.M., and the Dorothy E. Harrington Council Chambers, Municipal Building, as the time and place for a public hearing and final passage.” 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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07. Council Member Perez introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDED REDEVELOPMENT PLAN FOR CERTAIN PROPERTY LOCATED AT 117-121 PROSPECT AVE, WHICH PROPERTY IS IDENTIFIED AS BLOCK 441, LOT 10, AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY 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, 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 March 13, 2018, the Planning Board held a public hearing, duly noticed under the Redevelopment Law, and reviewed an investigation/report titled “Preliminary Investigation Non-Condensation Area in Need of Redevelopment 117-121 Prospect Avenue Block 441 Lot 10” prepared by Suzanne Mack, PPAICP, City of Bayonne, Division of Planning & Zoning, Department of Administration, dated February 13, 2018 (the “Study”) and any persons interested in or affected by a determination that the Study Area is a non-condemnation redevelopment area were given an opportunity to be heard, and any objections to such a determination and evidence in support of those objections, were received and considered and made part of the public record: and

WHEREAS, on May 16, 2018, the Municipal Council adopted an ordinance approving the redevelopment plan for the Property titled “Redevelopment Plan 117-121 Prospect Avenue Block 441 Lot 10” dated March 13, 2018, (the “Redevelopment Plan”); and

WHEREAS, the Municipal Council authorized the reopening of the Redevelopment Plan to include the 25th Street Right of Way; and

WHEREAS, on September 23, 2019, the Planning Board held a public hearing and recommended the adoption of the Redevelopment plan titled "Amended Redevelopment 117- 121 Prospect Ave Block 441 Lot 10" September 15, 2019; and

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 afore-mentioned recitals are incorporated herein as though fully set forth at length.

Section 2. The Redevelopment Plan titled "Amended Redevelopment 117- 121 Prospect Ave Block 441 Lot 10" dated September 15, 2019 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 President Nadrowski, which was read by the Clerk and adopted.

BE IT RESOLVED, that an ordinance entitled "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDED REDEVELOPMENT PLAN FOR CERTAIN PROPERTY LOCATED AT 117-121 PROSPECT AVE, WHICH PROPERTY IS IDENTIFIED AS BLOCK 441, LOT 10, AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY 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, October 16, 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

08. Council Member LaPelusa introduced:

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

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

058. Cynthia Baldassarre, 24 Washington Parkway

Beginning at a point on the North side of Washington Parkway, 280 feet west of the northwest corner of Avenue A and Washington Parkway, and extending to a point 17 feet west thereof.

077. Aida Zaki, 87 West 50th Street

Beginning at a point on the North side of 50th Street, 310 feet east of the north east corner of Avenue B and 50th Street, and extending to a point 22 feet east thereof.

237. Juan Matos, 87 Andrew Street

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

417. Cordelia Grant, 795 Avenue E

Beginning at a point on the South side of Avenue E, 57 feet west of the southwest corner of 50th Street and Avenue E, and extending to a point 18 feet west thereof.

RELOCATE

289. Mercedes Castro from 25 Andrew Street to 14 West 42nd Street

OLD LOCATION: Beginning at a point on the north side of Andrew Street, 322 feet west of the northwest corner of Andrew Street and Broadway, and extending to a point 19 feet west thereof.

NEW LOCATION: Beginning at a point on the south side of West 42nd Street, 150 feet west of the southwest corner of Broadway and West 42nd Street, and extending to a point 16 feet west thereof.

331. Rosalind Baker-Brayboy, from 19 Hartley Place to 77 West 55th Street

OLD LOCATION: Beginning at a point on the west side of Hartley Place, 153 feet south of the southwest corner of Hartley Place and Linden Street, and extending to a point 23 feet south thereof.

NEW LOCATION: Beginning at a point on the north side of West 55th Street, 85 feet west of the northwest corner of Avenue C and West 55th Street, and extending to a point 16 feet west thereof.

384. Joseph Gebhardt, from 30 Newman Avenue to 1079 Avenue C

OLD LOCATION: Beginning at a point on the north side of West 2nd Street, 55 feet east of the northeast corner of West 2nd Street and Newman Avenue, and extending to a point 18 feet east thereof.

NEW LOCATION: Beginning at a point on the west side of West 52nd Street, 37 feet north of the northwest corner of Avenue C and West 52nd Street, and extending to a point 16 feet North thereof.

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

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, October 16 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

* * * * *

09. 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

* * * * *

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

From LOYAD BOOKER, filing notice of tort claim alleging property damage to his automobile on July 23, 2019, when it was struck by a rock while a city employee was mowing grass at 16th Street Park

* * * * *

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

From RACHEL VILLALOBOS, filing notice of tort claim alleging property damage to her automobile on June 18, 2019, when it was struck by a fire truck while parked in front of her home.

* * * * *

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

From Dean R. Maglione, Esq., filing notice of tort claim on behalf of VICTOR GONZALEZ, alleging personal injuries sustained July 13, 2019 in an alleged assault by police officers at 812 Broadway.

* * * * *

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

From Superior Court of New Jersey, Law Division Summons and Complaint in matter entitled, "HERRMANN vs. PAULANTO DENTAL LLC., et al., incl. THE CITY OF BAYONNE." (Sidewalk fall down on September 28, 2017 at 189-195 Avenue E)

* * * * *

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

From Superior Court of New Jersey, Law Division Summons and Complaint in matter entitled, MADASZ vs. ZONING BOARD OF ADJUSTMENT, incl. CITY OF BAYONNE, et al., (Overturn "bulk" variance under MLUL)

* * * * *

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, “TD BANK vs. CITY OF BAYONNE.” (1062-1068 Broadway, Block 41, Lot 17.01-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, “MERCER BAY LLC vs. CITY OF BAYONNE.” (1191-5 JF Kennedy Blvd., Block 32, Lot 10-commercial)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “ADIMOOLAN vs. CITY OF BAYONNE.” (717-719 Broadway, Block 145, lot 18 - commercial)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “ADIMOOLAN vs. CITY OF BAYONNE.” (687 JF Kennedy Blvd., Block 176, lot 22-commercial)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “ADIMOOLAN vs. CITY OF BAYONNE.” (361 Broadway, Block 240, lot 22-commercial)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, “ADIMOOLAN vs. CITY OF BAYONNE.” (416 Avenue C, Block 231, lot 55-commercial)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, ”TUBITO vs. CITY OF BAYONNE.” (381-383 Broadway, Block 239, Lot 15-commercial)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled,”265 AVENUE B, LLC vs. CITY OF BAYONNE.” (265 Avenue B, Block 38, Lot 17-commercial)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled,”124 AVENUE B, LLC vs. CITY OF BAYONNE.” (122-126 Avenue B, Block 88, Lot 6-commercial)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, "GOUDA vs. CITY OF BAYONNE." (23 Silver St., Block 325, Lot 16-Multi-Family)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled,"431 KENNEDY LLC vs. CITY OF BAYONNE." (431 JF Kennedy Blvd., Block 244, Lot 21-Multi-Family)

* * * * *

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

From the Tax Court of New Jersey, complaint in matter entitled, "BROADWAY 135 LLC vs. CITY OF BAYONNE." (671-673 Broadway, Block 153, Lot 15-commercial)

* * * * *

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

From Donohue, Gironda, Doria & Tompkins, LLC, REPORT OF AUDIT for the year ended December 31, 2018.

* * * * *

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

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

RESOLVED, That the following items which have been included on the agenda for this regular meeting as 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

* * * * *

29. 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.

* * * * *

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

DATE: September 4, 2019

TO: Donna Mauer, CFO
Madelene Medina, City Clerk

FROM: Janet Convery, Treasurer

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

Janet Convery
(signed)

* * * * *

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

From Donna L. Mauer, Chief Financial Officer, Supplemental Debt Statement as of September 25, 2019.

* * * * *

32. 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.

* * * * *

33. 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, August 21, 2019 be and the same are hereby approved.

* * * * *

34. 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, August 14, 2019, be and the same are hereby approved.

* * * * *

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

RESOLVED, That a warrant in the amount of \$ 30.60 drawn of the Bureau of Rabies Control, State Department of Health, Trenton, New Jersey, covering the issuance of licenses Nos. 961-973 inclusive, 13 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.

* * * * *

36. 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
97	29	DAMON PORTER	3,200.00
155	22 C0205	DANIEL ALONZO	2,160.88
156	10	KRISTINE LAPOINTE-SMITH	3,581.00
209	37	MICHAEL JAIKISSOON	2,499.76
272	28	PETER NAKHLA	2,024.74
350	20	CHRISTOPHER & SHARMA MONTGOMERY	2,429.00
363	1.01	CAMELOT AT BAYONNE	33,374.00
Total:			49,269.38

* * * * *

37. 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 the 25th Street Pedestrian Bridge Improvements.

* * * * *

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

WHEREAS, the Bayonne Economic Opportunity Foundation has requested and submitted a formal written application dated February 19, 2019 for said CDBG Grant Funds in the amount of \$49,000.00 for the purpose of providing BEOF Headstart security 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 BEOF Headstart security is limited to the amount of \$25,000.00; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-1014; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Bayonne Economic Opportunity Foundation, 555 Kennedy Blvd, Bayonne, New Jersey 07002 for the provision of providing BEOF Headstart security 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-1014

* * * * *

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

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

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

WHEREAS, the Bayonne Economic Opportunity Foundation has requested and submitted a formal written application dated February 21, 2019 for said CDBG Grant Funds in the amount of \$6,000.00 for the purpose of providing senior transportation insurance 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 senior transportation insurance is limited to the amount of \$6,000.00; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-1015; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Bayonne Economic Opportunity Foundation, 555 Kennedy Blvd, Bayonne, New Jersey 07002 for the provision of providing senior transportation insurance in the amount of \$6,000.00 for the period commencing September 1, 2019 and ending August 31, 2020.

2. Funds shall be charged to Account #CDBG-1015

* * * * *

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

WHEREAS, the Bayonne Economic Opportunity Foundation has requested and submitted a formal written application dated February 19, 2019 for said CDBG Grant Funds in the amount of \$58,000.00 for the purpose of providing fair housing counseling services and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said Community Development Block Grant Funds for the purpose of providing fair housing counseling services is limited to the amount of \$60,00.00; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-1011 now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Bayonne Economic Opportunity Foundation, 555 Kennedy Blvd, Bayonne, New Jersey 07002 for the provision of providing fair housing counseling services in the amount of \$60,000.00 for the period commencing September 1, 2019 and ending August 31, 2020.

2. Funds shall be charged to Account #CDBG-1011

* * * * *

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 Waterfront Project Inc., 830 Bergen Avenue Suite 4A, Jersey City, New Jersey 07306 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Waterfront Project Inc. has requested and submitted a formal written application dated February 22, 2019 for said CDBG Grant Funds in the amount of \$10,000.00 for the purpose of providing wills for low income senior 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 wills for low income senior program is limited to the amount of \$8,000.00; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-1026; 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 Waterfront Project Inc., 830 Bergen Avenue Suite 4A, Jersey City, New Jersey 07306 for the provision of providing wills for low income senior program in the amount of \$8,000.00 for the period commencing September 1, 2019 and ending August 31, 2020.

2. Funds shall be charged to Account #CDBG-1026

* * * * *

42. 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 Waterfront Project Inc., 830 Bergen Avenue Suite 4A, Jersey City, New Jersey 07306002 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Waterfront Project Inc. has requested and submitted a formal written application dated February 22, 2019 for said CDBG Grant Funds in the amount of \$20,000.00 for the purpose of providing housing counseling and legal advocacy 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 housing and legal advocacy program is limited to the amount of \$6,000.00; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-1025; 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 Waterfront Project Inc., 830 Bergen Avenue Suite 4A, Jersey City, New Jersey 07306 for the provision of providing housing counseling and legal advocacy program in the amount of \$6,000.00 for the period commencing September 1, 2019 and ending August 31, 2020.

2. Funds shall be charged to Account #CDBG-1025

* * * * *

43. 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 Family Community Center, 259 Avenue E, Bayonne, New Jersey 07002 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Bayonne Family Community Center has requested and submitted a formal written application dated February 2, 2019 for said CDBG Grant Funds in the amount of

\$70,000.00 for the purpose of providing child care 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 child care services for low and moderate income families is limited to the amount of \$24,000.00; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-1022; 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 Family Community Center, 259 Avenue E, Bayonne, New Jersey 07002 for the provision of providing child care service for low and moderate income families in the amount of \$24,000.00 for the period commencing September 1, 2019 and ending August 31, 2020.

2. Funds shall be charged to Account #CDBG-1022

* * * * *

44. 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 Garden State Episcopal Community Development Corporation, 118 Summit Avenue, Jersey City, New Jersey 07304 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Garden State Episcopal Community Development Corporation has requested and submitted a formal written application dated February 20, 2019 for said CDBG Grant Funds in the amount of \$25,000.00 for the purpose of providing the Hudson County Homeless Street Outreach 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 the Hudson County Homeless Street Outreach program limited to the amount of \$10,000.00; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-1028; 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 Garden State Episcopal Community Development Corporation, 118 Summit Avenue, Jersey City, New Jersey 07304 for the provision of providing the Hudson County Homeless Street Outreach program 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-1028

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45. 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 Wallace Temple Community Activity Resource Enrichment Site, 392 Avenue C, Bayonne, New Jersey 07002 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Wallace Temple Community Activity Resource Enrichment Site has requested and submitted a formal written application dated February 22, 2019 for said CDBG Grant Funds in the amount of \$17,460.00 for the purpose of providing the C.A.R.E.S living faith food pantry; and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said Community Development Block Grant Funds for the purpose of providing the C.A.R.E.S living faith food pantry is limited to the amount of \$5,000.00; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-1027; 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 Wallace Temple Community Activity Resource Enrichment Site, 392 Avenue C, Bayonne, New Jersey 07002 for the provision of providing the C.A.R.E.S. living faith food pantry in the amount of \$5,000.00 for the period commencing September 1, 2019 and ending August 31, 2020.

2. Funds shall be charged to Account #CDBG-1027

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

WHEREAS, in accordance 14 U.S.C. § 141, the United States Coast Guard has requested that the following Memoranda of Agreement be entered into with the City of Bayonne Fire Department in order to provide various fire protection and emergency services to the USCG Aids to Navigation Team New York and tenant units:

USCG Aids to Navigation Team New York;
USCGC Penobscot Bay;
USCGC Katherine Walker;
USCGC Sturgeon Bay;
USCGC Line; and
USCG Hawser;

and

WHEREAS, the aforesaid Memoranda of Agreement set forth the terms and conditions under which the City of Bayonne Fire Department will provide various fire protection and emergency services to the United States Coast Guard; and

WHEREAS, it is in the best interests of the citizens of the City of Bayonne for the City of Bayonne Fire Department provide these various fire protection and emergency services to the United States Coast Guard; now, therefore, be it

RESOLVED, by the Municipal Council that the Mayor and/or his designee is/are hereby authorized to execute the aforesaid Memoranda of Agreement between the United States Coast Guard and the City of Bayonne Fire Department, which set forth the terms and conditions under which the City of Bayonne Fire Department will provide various fire protection and emergency services to the USCG Aids to Navigation Team New York and tenant units in a form acceptable to the Law Department.

* * * * *

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

WHEREAS, the City is in need of various professional services and/or extraordinary unspecifiable services for the upcoming calendar year commencing January 1, 2020 and ending December 31, 2020 including, but not limited to, professional legal services, engineering services, accounting services, information technology services, *etc.*, now, therefore, be it

RESOLVED, the Municipal Council hereby authorizes the advertisement of various Requests for Qualifications/Proposals for the aforesaid professional and or extraordinary unspecifiable services for the upcoming calendar year commencing January 1, 2020 and ending December 31, 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*.

* * * * *

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

WHEREAS, the Municipal Council adopted Ordinance O-19-50 entitled “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND TFG 39-43 W25TH URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED 389-43 W25TH STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 183, LOT 2.01 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE,” on August 21, 2019, effective September 10, 2019; AND

WHEREAS, said title contained a scrivener’s error and the correct title should read as “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND TFG 39-43 W25TH URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED 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;” now, therefore, be it

RESOLVED, that Ordinance O-19-50 adopted by the Municipal Council on August 21, 2019, effective September 10, 2019 is hereby amended to be entitled “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND TFG 39-43 W25TH 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.”; and be it further,

RESOLVED, that all references to the Urban Renewal Entity within the body of the ordinance shall be amended to reflect “TFG 39-43 W25TH URBAN RENEWAL, LLC” and that any incorrect reference to the address of the subject property shall be amended to reflect “39-43 WEST 25TH STREET.”

* * * * *

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

WHEREAS, the City of Bayonne has been awarded an FY 2019 Port Security Grant in the amount of \$18,750.00 (Grant #EMW-2019-PU-00297) (the “Grant”) from the U.S. Department of Homeland Security for the purpose of providing funds for fuel, maintenance, and equipment for marine operations related to port security; and

WHEREAS, the Grant is federally funded at one-hundred percent (%100) with no local matching funds; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and/or his designee(s) is/are hereby authorized to execute any and all documents and take any and all actions necessary to effectuate the receipt and implementation of the aforesaid grant funds.
2. The City agrees to be bound by the terms of the Agreement Articles – No. EMW-2019-PU-00297.

* * * * *

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

WHEREAS, Circulo Hispano Americano De Bayonne, a NJ Non-Profit Organization (“Circulo”) has requested permission to hold an event to be promoted as the Circulo Hispano Americano Festival to be held on Saturday, October 5, 2019 from 12:00 p.m. to 6:00 p.m. (with access starting at 10:30 a.m. and ending at 7:00 p.m.) on Broadway between 18th and 19th Streets for the purpose of conducting a Hispanic Heritage and Cultural Festival; and

WHEREAS, Circulo shall provide the City with the details of the proposed event in the form of a written application 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, Circulo has requested access to the aforementioned designated area on Broadway between 18th and 19th Streets from 10:30 a.m. to 7:00 p.m. in order to allow for load-in and load-out activities; and

WHEREAS, the Circulo is a not for profit Hispanic based organization dedicated to the furtherance of the celebration of all things Hispanic within the local community and, as such, has requested that any licensing fees be waived; and

WHEREAS, it is the opinion of the members of the Municipal Council that it is important to 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 Circulo to hold the Circulo Hispano Americano Festival on Saturday, October 5, 2019, from 12:00 p.m. to 7:00 p.m. (with access starting at 10:30 a.m. and ending at 7:00 p.m.) on Broadway between 18th and 19th Streets for the purpose of conducting a Hispanic Heritage and Cultural Festival; and be it further

RESOLVED, that there shall be no fee for said License.

* * * * *

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

WHEREAS, Governor Murphy has made reclaiming New Jersey’s historical position as the capital of American Innovation and Invention a centerpiece of his Stronger and Fairer economic development agenda; and

WHEREAS, two Census Tracts in the City of Bayonne, County of Hudson, New Jersey have been federally designated as Opportunity Zones; and

WHEREAS, the New Jersey Economic Development Agency (NJEDA) has issued an RFQ/RFP, the “Opportunity Zone Challenge Program” grant open to municipalities and counties; and

WHEREAS, the grant program encourages communities to build economic development capacity by developing community-specific plans that will frame their pursuit of Opportunity Zones-based investments; and

WHEREAS, the City of Bayonne, if awarded his funding, will partner with a local economic development organization in order to leverage current and future development plans within Bayonne’s Opportunity Zones in order to achieve the goals of the NJEDA Opportunity Zone Challenge Program; and

WHEREAS, the goal of all parties included within this Memoranda of Understanding (MOU), as a Formal Agreement, is to act in the best interest of the residents and business community in Bayonne;

NOW THEREFORE BE IT RESOLVED, that the parties of this MOU confirm and endorse the aforesaid.

BE IT RESOLVED, that the parties of this MOU confirm the following roles, responsibilities, and resource commitments per each entity:

CITY OF BAYONNE

Role: The City of Bayonne is the Lead Applicant for this proposal.

Responsibilities: The City of Bayonne will submit this application under its name. It will also serve as the sole entity with whom the NJEDA would execute a grant agreement should its application be approved. The City of Bayonne will work directly with the NJEDA to execute the grant application and the Marketing Prospectus Plan. It will be responsible for meeting the deliverables of the contract, including executing any required public bidding process to receive request for proposals to identify and engage an economic development consultant to assist in the development of the Marketing Prospectus Plan. The City of Bayonne will collect all data and documentation relevant to the Opportunity Zoning planning effort.

Resources Committed: The City of Bayonne hereby commits to provide in-kind staff time and support for the duration of the project period in order to successfully manage and carry out all grant-related activities.

BAYONNE CHAMBER OF COMMERCE

Role: The Bayonne Chamber of Commerce will act as a Strategic Partner to this proposal.

Responsibilities: The Bayonne Chamber of Commerce will participate in the development of the proposed Marketing Prospectus Plan, as directed by the City of Bayonne; provide recommendations on business outreach activities; provide guidance on potential ways to increase future private investment in Bayonne’s Opportunity Zones; and plan networking events for investors, developers, and business owners to promote the Marketing Prospectus Plan and encourage investment in the City’s Opportunity Zones.

Resources Committed: The Bayonne Chamber of Commerce hereby commits to provide in-kind staff time and support for the duration of the planning project period. The Bayonne Chamber of Commerce will also provide support through the planning and execution of networking events for investors, developers, and business owners to promote the Marketing Prospectus Plan and the City’s Opportunity Zones.

TERM OF MEMORANDUM OF UNDERSTANDING (FORMAL AGREEMENT)

This Formal Agreement is conditional upon successful award of a contract between the NJEDA and City of Bayonne. If awarded, this Formal Agreement will have an initial term of one (1) year from the date of the Formal Agreement, with anticipation of a six (6) month (or 26-week) planning period and potential for a one (1) month extension. This Formal Agreement may be terminated earlier upon written notice from any and all parties to this Formal Agreement. Similarly, any and all parties to this Formal Agreement may include addendums to add additional partners as needed and appropriate.

* * * * *

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

WHEREAS, the City of Bayonne desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for \$20,000.00 to carry out a project to provide inclusive recreational opportunities for teenagers and adults with disabilities as a part of Bayonne’s recreational program.

BE IT THEREFORE RESOLVED,

1. that the MAYOR AND COUNCIL OF THE CITY OF BAYONNE does hereby authorize the application for such a grant; and,
2. recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between THE CITY OF BAYONNE and the New Jersey Department of Community Affairs;
3. the MAYOR AND COUNCIL OF THE CITY OF BAYONNE authorizes the expenditure of the required 20% match for this grant opportunity.

BE IT FURTHER RESOLVED, that the persons whose names, titles and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement and any other documents necessary in connection therewith:

* * * * *

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

WHEREAS, on September 16, 2019, Global Container Terminal submitted an application for an FY2019 Port Infrastructure Development Program (“PIDP”) grant (“Grant”) on behalf of the City of Bayonne for the purpose of funding the Bayonne Marine Terminal Modernization Project located in the Port of New York and New Jersey (the “Project”) to establish a safer, more efficient, and more environmentally sustainable terminal operation through wharf and yard infrastructure modernization; and

WHEREAS, as part of the application package, the Mayor has provided a letter in support of the Project to the U.S. Department of Transportation dated September 4, 2019; and

WHEREAS, the Grant is federally funded at one-hundred percent (100%) with no local matching funds; and

WHEREAS, Global Terminal is committed to a match of \$100,000 million to the \$25 million in federal funds at no cost to the City; and

WHEREAS, the Project will directly benefit the citizens of the City of Bayonne in areas such as safety, economic competitiveness, environmental protection and quality of life; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. Any and all actions taken by the Mayor in connection with the submission of the application for an FY2019 Port Infrastructure Development grant for the amount of \$25 million dollars in Federal funds for the purposes mentioned above are hereby ratified and affirmed.

2. The City of Bayonne fully supports and endorses submission of the aforementioned FY2019 PDIP Grant application.

* * * * *

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

WHEREAS, the BUILD Discretionary Grant Program provides a unique opportunity for localities to invest in roads, bridges, transit, rail, ports, and intermodal transportation projects that have significant local or regional impact; and

WHEREAS, on July 15, 2019, Global Container Terminal submitted an application for an FY2019 BUILD grant application on behalf of the City of Bayonne for the purpose of funding the Bayonne Marine Terminal Modernization Project located in the Port of New York and New Jersey (the "Project") to establish a safer, more efficient, and more environmentally sustainable terminal operation through wharf and yard infrastructure modernization; and

WHEREAS, as part of the application package, the Mayor has provided a letter in support of the Project to the U.S. Department of Transportation dated July 15, 2019; and

WHEREAS, the Grant is federally funded at one-hundred percent (100%) with no local matching funds; and

WHEREAS, Global Terminal is committed to a match of \$100,000 million to the \$25 million in federal funds at no cost to the City; and

WHEREAS, the Project will directly benefit the citizens of the City of Bayonne in areas such as safety, economic competitiveness, environmental protection and quality of life; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. Any and all actions taken by the Mayor in connection with the submission of the application for an FY2019 BUILD grant for the amount of \$25 million dollars in Federal funds for the purposes mentioned above are hereby ratified and affirmed.

2. The City of Bayonne fully supports and endorses submission of the aforementioned FY2019 BUILD Grant application.

* * * * *

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

WHEREAS, it is desirous to enhance the attractiveness of our commercial shopping districts in order to increase economic activity, and

WHEREAS, improving the various crosswalk within the shopping districts will contribute to not only to pedestrians safely but also to the overall appearance of the districts, now therefore, be it

RESOLVED that the UEZ Coordinator is hereby authorized to create a UEZ/SID project entitled "Crosswalks".

* * * * *

56. 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 Russell Golding Park, and

WHEREAS, the City has applied to the County of Hudson Open Space Trust Fund for grant funding to facilitate the project,

WHEREAS, the City has been awarded an Open Space Grant in the amount of \$500,000.00 for the Improvements to Russell Golding Park by the County of Hudson Open Space Trust Fund, 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 \$500,000.00 from County of Hudson Open Space Trust Fund for the Improvements to Russell Golding Park, and
- 2. The Division of Finance is hereby authorized to establish the proper account for these funds.

57. 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 28th St. Park, and

WHEREAS, the City has applied to the County of Hudson Open Space Trust Fund for grant funding to facilitate the project,

WHEREAS, the City has been awarded an Open Space Grant in the amount of \$250,000.00 for the Improvements to 28th St. Park by the County of Hudson Open Space Trust Fund, 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 \$250,000.00 from County of Hudson Open Space Trust Fund for the Improvements to 28th St. Park, and
- 2. The Division of Finance is hereby authorized to establish the proper account for these funds.

58. 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
St. John’s II Parish	RL: 9407
Blessed Miriam Teresa Demjanovich	RL: 9408

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

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions: and

WHEREAS, the Annual Report of Audit for the year ended December 31, 2018 has been filed by a Registered Accountant with the Municipal Clerk as pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs, as per; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations"; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations" as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 - to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a dated fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW THEREFORE, BE IT RESOLVED, that the Municipal Council of the City of Bayonne, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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

* * * * *

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

19-09-25- 360

CAPITAL BUDGET AMENDMENT

WHEREAS, The local capital budget for the year CY 19 was adopted on the 17 day of JULY, 20 19 and,

WHEREAS, it is desired to amend said adopted capital budget section,
NOW THEREFORE BE IT RESOLVED, by the MUNICIPAL COUNCIL of the CITY of BAYONNE County of HUDSON,
that the following amendment(s) to the adopted Capital budget section of CY19 be made:

RECORDED VOTE	COUNCIL MEMBERS			
	(	(		(
AYES:	(	NAYS:	(	ABSTAIN
	(		(	(
	(		(	ABSENT
	(		(	(

CAPITAL BUDGET (CURRENT YEAR ACTION)
CY19
PLANNED FUNDING SERVICES FOR CURRENT YEAR CY19

1 PROJECT	2 PROJECT NUMBER	3 ESTIMATED TOTAL COST	4 AMOUNTS RESERVED IN PRIOR YEARS	5(a) 19 BUDGET APPROPRIATIONS	5(b) CAPITAL IMPROVEMENT FUND	5(c) CAPITAL SURPLUS	5(d) GRANTS IN AID AND OTHER FUNDS	5(e) DEBT AUTHORIZED	6 TO BE FUNDED IN FUTURE YEARS
Various Capital Improvements	1	7,750,000.00			\$370,000.00			\$7,380,000.00	
TOTAL ALL PROJECTS		\$7,750,000.00			\$370,000.00			\$7,380,000.00	

YEAR CAPITAL PROGRAM CY19
ANTICIPATED PROJECT SCHEDULE AND FUNDING REQUIREMENT

1 PROJECT	2 PROJECT NUMBER	3 ESTIMATED TOTAL COST	4 ESTIMATED COMPLETION TIME	BUDGET YEAR	FUNDING AMOUNTS PER YEAR					
Various Capital Improvements	1	\$7,750,000.00	2019	2019	2019 \$7,750,000	2020	2021	2022	2023	2024
TOTAL ALL PROJECTS		\$7,750,000.00			\$7,750,000					

SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS

1 PROJECT	2 ESTIMATED TOTAL COST	3. BUDGET APPROPRIATIONS		4 CAPITAL IMPROVEMENT FUND	5 CAPITAL SURPLUS	6 GRANTS IN AID AND OTHER FUNDS	7. BONDS AND NOTES		(C) ASSESSMENT	(D) SCHOOL
		(A) CURRENT YEAR 1997	(B) FUTURE YEARS				(A) GENERAL	(B) SELF LIQUIDATING		
Various Capital Improvements	\$7,750,000			\$370,000			\$7,380,000			
TOTAL ALL PROJECTS	\$7,750,000			\$370,000			\$7,380,000			

Be it Further Resolved, that two certified copies of this resolution be filed forthwith in the office of the Director of Local Government Services.

It is hereby certified that this is a true copy of a resolution amending the capital budget section adopted by the governing body on the 25th day of

September, 20 19.

Certified by me

(Date)

TRENTON, NEW JERSEY

APPROVED, 20.

A TRUE COPY

Madeline L. Madonia
CITY CLERK

DIRECTOR OF LOCAL GOVERNMENT SERVICES

capbudam

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

* * * * *

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

WHEREAS, pursuant to Resolution No. 15-10-21-047 adopted by the Municipal Council on October 21, 2015, the City entered into Agreement No. CY15-087 with Suburban Disposal, 54 Montesanno Road, Fairfield, New Jersey 07004 ("Suburban") for the collection of Solid Waste for a base contract term of three (3) years, commencing November 1, 2015 and ending October 31, 2018 at a cost of \$4,440,000, with two (2) additional one (1) year options at a cost of \$1,590,000 per year, if exercised; and

WHEREAS, pursuant to Resolution No. 16-01-20-043 adopted on January 20, 2016 and Resolution No. 17-01-18-036 adopted on January 18, 2017, the Municipal Council authorized increases in the base contract as follows:

1. an increase of \$1,000 / week (\$147,333.33 for 147.3 weeks) for the collection of solid waste from Grammar and High Schools on Tuesdays instead of Mondays during the base contract term and a one-time increase of \$8,500 for the purchase of four (4) eight (8) yard dumpsters; and

2. an increase of \$1,000 / week (\$104,000 for 104 weeks) for the collection of solid waste from Grammar and High Schools on Saturdays in addition to the regularly scheduled days, during the remaining base contract term,

thereby making the total contract amount \$4,699,833.33; and

WHEREAS, pursuant to Resolution 18-10-17-050 adopted on October 17, 2018 the City exercised the first one (1) year option to renew Agreement No. CY15-087 commencing November 1, 2018 and ending October 31, 2019, for a base amount of \$1,590,000 plus the increased amounts of \$52,000 and \$52,000 to cover the continued additional collection on Tuesdays instead of Mondays and Saturday, as stated above, for the first one (1) year option period and a total contract amount not to exceed \$6,393,833.33; and

WHEREAS, the Director of Public Works has concluded that it is in the best interests of the City to extend Agreement No. CY15-087 for a two month period commencing November 1, 2019 and ending December 31, 2019 for an additional amount

of \$282,333.32 (\$141,166.66 per month), making the total contract amount \$6,676,166.65 in order to allow for the advertisement and receipt of new bids for the collection of solid waste services; and

WHEREAS, funds are certified as available in Account #'s 9-01-32-465-0000-028; now, therefore, be it

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

1. The Mayor and City Clerk are hereby authorized to execute an amendment to Agreement No. CY15-087 with Suburban Disposal, Inc., 54 Montesano Road, Fairfield, New Jersey for the Collection of Solid Waste for a two month period commencing November 1, 2019 and ending December 31, 2019 for an additional amount of \$282,333.32 (\$141,166.66 per month), making the total contract amount, inclusive of the expired base contract term and the initial one (1) year option, \$6,676,166.65.

2. Funds shall be charged to Account # 9-01-32-465-0000-028.

3. All other terms and conditions of Agreement No. CY15-087 as amended shall remain the same.

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

* * * * *

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

WHEREAS, pursuant to Resolution No. 15-10-21-048 adopted by the Municipal Council on October 21, 2015, the City entered into Agreement No. CY15-086 with Suburban Disposal, 54 Montesanno Road, Fairfield, New Jersey 07004 ("Suburban") for the collection of Recyclable Materials for a base contract term of three (3) years, commencing November 1, 2015 and ending October 31, 2018 at a cost of \$2,940,000, with two (2) additional one (1) year options at a cost of \$1,030,000 per year, if exercised; and

WHEREAS, pursuant to Resolution 18-10-17-049 adopted on October 17, 2018, the City exercised the first one (1) year option to renew Agreement No. CY15-086 commencing November 1, 2018 and ending October 31, 2019, for an additional amount not to exceed \$1,030,000, and a total contract amount, inclusive of the expired base contract term, not to exceed \$3,970,000; and

WHEREAS, the Director of Public Works has concluded that it is in the best interests of the City to extend Agreement No. CY15-086 for a two month period commencing November 1, 2019 and ending December 31, 2019 for an additional amount of \$170,666.66 (\$85,333.33 per month), and making the total contract amount \$4,140,666.66 in order to allow for the advertisement and receipt of new bids for the collection of recyclable materials; and

WHEREAS, funds are certified as available in Account #' 9-01-32-465-0000-028; now, therefore, be it

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

1. The Mayor and City Clerk are hereby authorized to execute an amendment to Agreement No. CY15-086 with Suburban Disposal, Inc., 54 Montesano Road, Fairfield, New Jersey for the Collection of Recyclable Material for a two month period commencing November 1, 2019 and ending December 31, 2019 for an additional amount of \$170,666.66 (\$85,333.33 per month), and a total contract amount, inclusive of the expired base contract term and the initial one (1) year option, not to exceed \$4,140,666.66.

2. Funds shall be charged to Account # 9-01-32-465-0000-028 for CY2019.

3. All other terms and conditions of Agreement No. CY15-086 remain the same.

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

* * * * *

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

WHEREAS, pursuant to Resolution No. 19-07-17-059, adopted on July 17, 2019, the Municipal Council authorized the purchase and installation of MK Beacon on-street parking meters from Integrated Technical Systems, Inc., through the New Jersey Parking Institute Cooperative; and

WHEREAS, the City of Bayonne is in need of software, maintenance and support services known as “Gateway / Hosting / Notification Services” for the operation of the MK Beacon on-street parking meters; and

WHEREAS, Mackay Meter, Inc., having its principal place of business at P.O. Box 338, 1342 Abercrombie Road, New Glasgow, Nova Scotia, Canada B2H 5E3 (“Mackay”), provides Gateway / Hosting / Notification services for its meters; and

WHEREAS, Mackay has provided the City with a proposed fee schedule, a copy of which is attached hereto as Schedule “A”, for said services for a monthly fee of \$8.00 per parking meter (532 meters) and \$0.10 per credit card transaction or, in the alternative and at the City’s discretion, \$12.00 per parking meter and \$0.00 per credit card transaction; and

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

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

WHEREAS, funds are certified as available in the Parking Utility General Fund; and

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

RESOLVED, by the Municipal Council as follows:

1. The Mayor and the City Clerk are hereby authorized to enter into a contract, in substance and form as it acceptable to the Law Director, with Mackay Meter, Inc., having its principal place of business at P.O. Box 338, 1342 Abercrombie Road, New Glasgow, Nova Scotia, Canada B2H 5E3 for software, maintenance and support services known as “Gateway / Hosting / Notification Services” for operation of the MK Beacon on-street parking meters purchased pursuant to Municipal Council Resolution No. 19-07-17-059, for a period of one (1) year beginning on the date of commencement of operation of the MK Beacon on-street parking meters, for the monthly fee of \$8.00 per parking meter (532 meters) and \$0.10 per credit card transaction, until such time as the Director of Public Safety should determine that it is more beneficial to switch to a fee structure for a monthly fee of \$12.00 per parking meter and \$0.00 per credit card transaction; and

2. Funds shall be charged to the Parking Utility General Fund.

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

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

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY DESIGNATING CERTAIN PROPERTY LOCATED AT 1207- 1211 JOHN F. KENNEDY BOULEVARD, WHICH PROPERTY IS IDENTIFIED AS BLOCK 24, LOTS 2 AND 3 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.

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

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

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

WHEREAS, the Mayor and Municipal Council consider it to be in the best interest of the City to have the Planning Board of the City (the “Planning Board”) conduct such an investigation to determine if certain property located at 1207- 1211 John F. Kennedy Boulevard, which property is identified as Block 24, Lots 2 and 3, as shown on the official Tax Map of the City (the “Study Area”), constitute a non-condemnation “area in need of redevelopment,” in accordance with the Redevelopment Law; and

WHEREAS, on September 10, 2019 the Planning Board held a public hearing, duly noticed under the Redevelopment Law, and reviewed an investigation/report titled “Preliminary Investigation Non-Condensation Area in Need of Redevelopment Block 24, Lots 2 and 3 City of Bayonne, Hudson County” prepared by Suzanne Mack, PPAICP, City of Bayonne, Division of Planning & Zoning, Department of Administration, (the “Study”); and

WHEREAS, any persons interested in or affected by a determination that the Study Area is a non-condemnation redevelopment area were given an opportunity to be heard, and any objections to such a determination and evidence in support of those objections, were received and considered and made part of the public record: and

WHEREAS, on September 10, 2019, the Planning Board further adopted the Resolution recommending that the Study Area be determined by the Municipal Council to be a non-condemnation “area in need of redevelopment” under the Redevelopment Law, N.J.S.A. 40A:12A-1 et seq. as it relates to Block 24 Lots 2 and 3; and

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

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

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

Section 2. The property located at 1207-1211 John F. Kennedy Boulevard, which property is identified as Block 24, Lot 2 and 3, as shown on the official Tax Map of the City is hereby designated a non-condemnation “area in need of redevelopment” under the Redevelopment Law, N.J.S.A. 40A:12A-1 et seq.

Section 3. The Municipal Council hereby directs the City Clerk to transmit a copy of the within resolution to the Commissioner of the Department of Community Affairs and to serve notice that Block 24, Lot 2 and 3, is designated a non-condemnation redevelopment area on the owners of such Study Area and other parties within ten (10) days of the date hereof, in accordance with N.J.S.A. 40A:12A-6.b(5).

Section 4. This Resolution shall take effect immediately.

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

* * * * *

65. 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 DESIGNATING 17 AVENUE E, LLC AS REDEVELOPER FOR THE PROPERTY LOCATED AT 9-15 AVENUE E AND 22 EAST 10TH STREET, WHICH ARE IDENTIFIED AS BLOCK 278, LOTS 2, 3 AND 4 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE AND AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT WITH 17 AVENUE E, LLC FOR THE REDEVELOPMENT OF SUCH PROPERTY IN ACCORDANCE WITH THE REDEVELOPMENT PLAN

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

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

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

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

WHEREAS, the Municipal Council agreed with the Planning Board’s recommendation and by Ordinance 0-19-47 on August 21, 2019, the Municipal Council adopted the Redevelopment Plan; and

WHEREAS, 17 Avenue E, LLC with an office address of 22 East 10th Street, New Jersey 07002, (the “Redeveloper”) wishes to develop the Redevelopment Area and use it for the purpose of implementing the Redevelopment Plan; and

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

WHEREAS, the Municipal Council desires to designate 17 Avenue E, LLC as redeveloper of the Redevelopment Area and enter into a Redevelopment Agreement with the redeveloper, as provided for and in accordance with the provisions of the Redevelopment Law.

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

Section 1. The Municipal Council of the City of Bayonne hereby authorizes the execution of the “Redevelopment Agreement By and Between the City of Bayonne and 17 Avenue E, LLC concerning the Redevelopment Area identified as Block 278, Lots 2, 3 and 4 in the City of Bayonne, in such a form deemed advisable by the City Attorney, subject to any and all conditions contained herein and such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel to the City; and

Section 2. The Municipal Council, condition upon the full execution of the Redevelopment Agreement recognizes 17 Avenue E, LLC as redeveloper of Block 278,

Lots 2, 3 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 3. The Mayor and Clerk are hereby authorized to execute the Redevelopment Agreement, with such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel, on behalf of the City of Bayonne, acting as the redevelopment entity for the redevelopment of the Redevelopment Area by 17 Avenue E, LLC.

Section 4. This Resolution shall take effect immediately

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

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY DESIGNATING FVIOP BAYONNE 25 URBAN RENEWAL, LLC AS REDEVELOPER FOR THE PROPERTY LOCATED AT 39-43 W 25th STREET, WHICH IS IDENTIFIED AS BLOCK 183, LOTS 2.01 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE AND AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT AND TRANSFER OF THE FINANCIAL AGREEMENT WITH FVIOP BAYONNE 25 URBAN RENEWAL, LLC FOR THE REDEVELOPMENT OF SUCH PROPERTY IN ACCORDANCE WITH THE REDEVELOPMENT PLAN (FORUM 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, on August 16, 2017, the Municipal Council directed the Planning Board, to prepare and review a redevelopment plan for the properties located at 39-43 West 25th Street & 45 West 25th Street, which properties are identified as Block 183, Lots 1 & 2.01 (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 revised redevelopment plan for the Property titled “Redevelopment Plan (Forum) Block 183 Lots 1 & 2.01”, dated December 4, 2017 (the “Redevelopment Plan”); and

WHEREAS, on November 14, 2017, the Planning Board reviewed the Redevelopment Plan and recommended the adoption of the Redevelopment Plan to the Municipal Council and concluded that said Redevelopment Plan is consistent with the Master Plan of the City of Bayonne; and

WHEREAS, the Municipal Council agreed with the Planning Board’s recommendation and by Ordinance 0-18-03 on January 17, 2018, the Municipal Council adopted the Redevelopment Plan; and

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

WHEREAS, on August 16, 2017, the Municipal Council directed the Planning Board, to prepare and review a redevelopment plan for the properties located at 39-43 West 25th Street & 45 West 25th Street, which properties are identified as Block 183, Lots 1 & 2.01 (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 revised redevelopment plan for the Property titled “Redevelopment Plan (Forum) Block 183 Lots 1 & 2.01”, dated December 4, 2017 (the “Redevelopment Plan”); and

WHEREAS, on November 14, 2017, the Planning Board reviewed the Redevelopment Plan and recommended the adoption of the Redevelopment Plan to the Municipal Council and concluded that said Redevelopment Plan is consistent with the Master Plan of the City of Bayonne; and

WHEREAS, the Municipal Council agreed with the Planning Board's recommendation and by Ordinance 0-18-03 on January 17, 2018, the Municipal Council adopted 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 Redeveloper has requested that the Municipal Council, authorized the transfer of the financial agreement for Block 183, Lot 2.01 to FVIOP Bayonne 25 Urban Renewal, LLC, and

WHEREAS, the Municipal Council desires to designate FVIOP Bayonne 25 Urban Renewal, LLC, as redeveloper of the Redevelopment Area and enter into a Redevelopment Agreement with the redeveloper, as provided for and in accordance with the provisions of the Redevelopment Law.

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

Section 1. The Municipal Council of the City of Bayonne hereby authorizes the execution of the "Redevelopment Agreement By and Between the City of Bayonne and FVIOP Bayonne 25 Urban Renewal, LLC, concerning the Redevelopment Area identified as Block 183, Lots 2.01 in the City of Bayonne, in such a form deemed advisable by the City Attorney, subject to any and all conditions contained herein and such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel to the City; and

Section 2. The Municipal Council, pursuant to the terms of the financial agreement authorize the transfer of the financial agreement for Block 183 Lot 2.01.

Section 3. The Municipal Council, condition upon the full execution of the Redevelopment Agreement, recognizes FVIOP Bayonne 25 Urban Renewal, LLC, as redeveloper of Block 183, Lots 2.01, in the City of Bayonne (the "Redeveloper") as provided for and in accordance with the provisions of the New Jersey Local Redevelopment and Housing Law; and

Section 4. The Mayor and Clerk are hereby authorized to execute the Redevelopment Agreement, with such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel, on behalf of the City of Bayonne, acting as the redevelopment entity for the redevelopment of the Redevelopment Area by FVIOP Bayonne 25 Urban Renewal, LLC.

Section 5. This Resolution shall take effect immediately.

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

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY DESIGNATING BAYVIEW JV, LLC AS REDEVELOPER FOR THE PROPERTY LOCATED AT 175 AVENUE A, WHICH IS IDENTIFIED AS BLOCK 300.01, LOTS 2 AND 3 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE AND AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT AND DIRECTING AND AUTHORIZING THE PLANNING BOARD TO REOPEN AND AMEND THE 8TH STREET REDEVELOPMENT PLAN (PORTION OF A&P 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, on July 9, 2019 the Planning Board held a public hearing, duly noticed under the Redevelopment Law, and reviewed an investigation/report titled “Preliminary Investigation Condemnation Area in Need of Redevelopment and Non-Condemnation Area in Need of Redevelopment Block 300.01 Lots 2 and 3(Condemnation Area) Block 301.03 Lots 2 and 3 (Non-Condemnation Area) City of Bayonne , Hudson County” prepared by Suzanne Mack, PPAICP, City of Bayonne, Division of Planning & Zoning, Department of Administration, (the “Study”); and

WHEREAS, on July 17, 2019, the Municipal Council adopted a Resolution designating the property identified as Block 300.01 Lots 2 and 3 as an area in need of redevelopment, and

WHEREAS, Bayview JV, LLC, with address of 1250 Route 28, Suite 101, Branchburg, NJ (the “Redeveloper”) wishes to develop the Redevelopment Area and use it for the purpose of implementing a 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 a Redevelopment Plan (the “Redevelopment Agreement”); and

WHEREAS, the Redeveloper has requested that the Municipal Council, authorize and direct the Planning Board to reopen and amend the Redevelopment for the property identified as Block 300.01 Lots 2 and 3, and

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

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

Section 1. The Municipal Council of the City of Bayonne hereby authorizes the execution of the “Redevelopment Agreement By and Between the City of Bayonne and Bayview JV, LLC, concerning the Redevelopment Area identified as Block 300.01, Lots 2 and 3 in the City of Bayonne, in such a form deemed advisable by the City Attorney, subject to any and all conditions contained herein and such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel to the City; and

Section 2. The Municipal Council, conditioned upon the full execution of the Redevelopment Agreement, recognizes Bayview JV, LLC, as redeveloper of Block 300.01, Lots 2 and 3, in the City of Bayonne (the “Redeveloper”) as provided for and in accordance with the provisions of the New Jersey Local Redevelopment and Housing Law.

Section 3. The Planning Board is hereby authorized to reopen and amend the 8th Street Redevelopment Plan for Block 300.01 Lots 2 and 3.

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

Section 5. This Resolution shall take effect immediately.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING AND DIRECTING THE PLANNING BOARD TO REOPEN AND AMEND THE REDEVELOPEMENT PLAN FOR THE PROPERTY LOCATED AT 122 AVENUE E, 124 AVENUE E, 126 AVENUE E, 126½ AVENUE E, 128 AVENUE E, 130 AVENUE E, 132 AVENUE E, 134-136 AVENUE E, 138 AVENUE E, 140 AVENUE E, 165 AVENUE E, 167 AVENUE E, 169 AVENUE E, 170-180 AVENUE E, AND 157-163 AVENUE E WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 467, LOTS 17, 18, 19, 20, 21, 22, 23, 24, 25, & 26, BLOCK 234, LOTS 8.01, 11, 12, & 13, AND BLOCK 458, LOT 1 & 1.01, AS SHOWN ON THE OFFICIAL TAX MAP IN THE CITY OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET. SEQ. (SILK LOFTS)

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

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

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

WHEREAS, on July 19, 2017, the Municipal Council by resolution designated certain properties located at 122 Avenue E, 124 Avenue E, 126 Avenue E, 126 ½ Avenue E, 128 Avenue E, 130 Avenue E, 132 Avenue E, 134-136 Avenue E, 138 Avenue E, 140 Avenue E, 165 Avenue E, 167 Avenue E, 169 Avenue E, 170-180 Avenue E, and 157-163 Avenue E, which property is identified as Block 467, Lots 17, 18, 19, 20, 21, 22, 23, 24, 25, & 26, Block 234, Lots 8.01, 11, 12, & 13, and Block 458, Lots 1 & 1.01 as shown on the Official Tax Map of the City as a non-condemnation “area in need of redevelopment” (the “Redevelopment Area”); and

WHEREAS, the Municipal Council previously directed the Planning Board, to prepare and review a redevelopment plan for Redevelopment Area and make recommendations to the Municipal Council in accordance with the Redevelopment Law; and

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Municipal Services has previously prepared a redevelopment plan for the Property titled “Silk Lofts Redevelopment Plan” (the “Redevelopment Plan”); and

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

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

WHEREAS, the Municipal Council believes that it is in the best interest of the City to reopen and amend the Amended Redevelopment Plan for the property included in the Redevelopment Area in order to expand the scope of the revitalization and redevelopment efforts in the City and make modifications to the Redevelopment Plan necessary to further the goals and objectives of the Master Plan.

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

Section 1. The Municipal Council of the City of Bayonne hereby authorizes and directs the Planning board to reopen the existing redevelopment plan titled “Silk Lofts Redevelopment Plan” properties located at 122 Avenue E, 124 Avenue E, 126 Avenue E, 126 ½ Avenue E, 128 Avenue E, 130 Avenue E, 132 Avenue E, 134-136 Avenue E, 138 Avenue E, 140 Avenue E, 165 Avenue E, 167 Avenue E, 169 Avenue E, 170-180 Avenue E, and 157-163 Avenue E, which property is identified as Block 467, Lots 17, 18, 19, 20, 21, 22, 23, 24, 25, & 26, Block 234, Lots 8.01, 11, 12, & 13, and Block 458, Lots 1 & 1.01 and make any modifications or changes to the redevelopment plan necessary to further the goals and objectives of the Master Plan; and

Section 2. This Resolution shall take effect immediately.

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

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY
AUTHORIZING AND DIRECTING THE PLANNING BOARD TO REOPEN AND
AMEND THE REDEVELOPEMENT PLAN FOR THE PROPERTIES IDENTIFIED AS
BLOCK 452.02, LOTS 3-9, AND 11 AND BLOCK 451, LOTS 1.01, 1.02, 2.03, 2.04

AND 2.05 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, (KEN'S MARINE SELF STORAGE)

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

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

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

WHEREAS, the Mayor and Municipal Council considered it to be in the best interest of the City to have the Planning Board of the City (the "Planning Board") conduct such an investigation to determine if certain properties located at 130-134 Avenue F, East 23rd St, Mechanic St, 136 Avenue F, 37 Mechanic St, 39 Mechanic St, and 41 Mechanic St, which properties are identified as Block 450, Lots 1, 10.01, 10.02, 21, 22, 23, and 24, as shown on the official Tax Map of the City (the "Study Area"), constitute a non-condemnation "area in need of redevelopment," in accordance with the Redevelopment Law; and

WHEREAS, on September 13, 2017, the Municipal Council directed the Planning Board, to prepare and review an amended Redevelopment Plan for the Property and make recommendations to the Municipal Council in accordance with the Redevelopment Law; and

WHEREAS, an amended Redevelopment Plan, which includes the Property titled "Lehigh Realty aka Ken's Marine, 101-143 East 22nd Street & 43-75 Mechanic Street, Block 451, Lots 1.01 and 2.05, City of Bayonne, County of Hudson, NJ," dated March 6, 2018, has been prepared by the City Planning Department (the "Amended Redevelopment Plan"); and

WHEREAS, on March 13, 2018, 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 agreed with the Planning Board's recommendation and by Ordinance O-18-35, dated July 18, 2018 the Municipal Council adopted the Redevelopment Plan; and

WHEREAS, the Redeveloper has requested that the Municipal Council, as a redevelopment entity authorize and direct the Planning Board to reopen and amend the Redevelopment Plan to address the needs of infrastructure improvements for the Redevelopment area and surrounding properties; and

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

WHEREAS, the Municipal Council believes that it is in the best interest of the City to reopen and amend the Amended Redevelopment Plan for the property included in the Redevelopment Area in order to expand the scope of the revitalization and redevelopment efforts in the City and make modifications to the Redevelopment Plan necessary to further the goals and objectives of the Master Plan.

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

Section 1. The Municipal Council of the City of Bayonne hereby authorizes and directs the Planning board to reopen the existing redevelopment plan titled "'Lehigh Realty aka Ken's Marine, 101-143 East 22nd Street & 43-75 Mechanic Street, Block 451, Lots 1.01 and 2.05, City of Bayonne, County of Hudson, NJ," dated March 6, 2018, which property is identified as Block 450, Lots 451, Lots 1.01 and 2.05 on the Tax Map of the City of Bayonne and make any modifications or changes to the redevelopment plan necessary to further the goals and objectives of the Master Plan; and

Section 2. This Resolution shall take effect immediately.

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

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING AND DIRECTING THE PLANNING BOARD TO REOPEN AND AMEND THE REDEVELOPEMENT PLAN FOR THE PROPERTY LOCATED AT 101 EAST 23RD STREET WHICH PROPERTY IS IDENTIFIED AS BLOCK 445, LOTS 1.01 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 30A:12A-1 ET. SEQ. (PARKVIEW PHASE 1)

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

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

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

WHEREAS, by Resolution dated June 22, 2016, the Municipal Council of the City (the "Municipal Council") designated the property located at 101 East 23rd Street, which property is identified as Block 445, Lots 1.01 formerly Lots 1, 2, 3, 4, 5 and 7 on the Tax Map of the City of Bayonne as an area in need of redevelopment under the Redevelopment Law in accordance with the provisions of *N.J.S.A. 40A:12A-6* of the Redevelopment Law (the "Redevelopment Area"); and

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Municipal Services has prepared a redevelopment plan for the Redevelopment Area titled "Redevelopment Plan Block 445, Lots 1, 2, 3, 4, 5 and 7" dated June 3, 2016 (the "Redevelopment Plan"); and

WHEREAS, the Planning Board reviewed the Redevelopment Plan and, in accordance with the Redevelopment Law, on June 14, 2016, conducted a public hearing wherein the Planning Board recommended the adoption of the Redevelopment Plan; and

WHEREAS, the Municipal Council agreed with the Planning Board's recommendation and by Ordinance O-3, dated July 20, 2016 the Municipal Council adopted the Redevelopment Plan; and

WHEREAS, subsequent to the passage of the Redevelopment Plan, the Municipal Council was advised of certain errors and omissions in the Redevelopment Plan, including without limitation the minimum lot area required for projects undertaken within the Redevelopment Area pursuant to the terms and conditions of the Redevelopment Plan; and

WHEREAS, an Amended Redevelopment Plan (the "Amended Redevelopment Plan") dated September 13, 2016 has been prepared by the City Planning Department which makes the necessary corrections to the Redevelopment Plan; and

WHEREAS, on October 19, 2016, the Municipal Council by Ordinance O-16-56 adopted the amended Redevelopment Plan (the "Amended Redevelopment Area"); and

WHEREAS, the Redeveloper has requested that the Municipal Council, as a redevelopment entity to authorize and direct the Planning Board to reopen and amend the Amended Redevelopment Plan to address the needs of infrastructure improvements for the Redevelopment area and surrounding properties; and

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

WHEREAS, the Municipal Council believes that it is in the best interest of the City to reopen and amend the Amended Redevelopment Plan for the property included in the Redevelopment Area in order to expand the scope of the revitalization and redevelopment efforts in the City and make modifications to the Redevelopment Plan necessary to further the goals and objectives of the Master Plan.

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

Section 1. The Municipal Council of the City of Bayonne hereby authorizes and directs the Planning board to reopen the existing redevelopment plan titled "Redevelopment Plan Block 445, Lots 1, 2, 3, 4, 5 and 7", which property is identified as Block 445, Lots 1.01 formerly Lots 1, 2, 3, 4, 5 and 7 on the Tax Map of the City of Bayonne and make any modifications or changes to the redevelopment plan necessary to further the goals and objectives of the Master Plan; and

Section 2. This Resolution shall take effect immediately

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

* * * * *

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

WHEREAS, ARCO Design/Build, 44 South Broadway, Suite 1003, White Plains, New York, a private developer and PSIP Avenue A Urban Renewal, LLC, property owner of Block 333.03, Lot 2 (collectively referred to herein for ease of reference as "ARCO") have proposed to replace an existing 6" water main with a new 10" water main ("Improvement") within the Bayview Court right-of-way to service a proposed warehouse development at the end of Bayview Court (Block 333.03, Lot 2) (the "Work"); and

WHEREAS, the new water main will be constructed within the footprint of the existing main, crossing a Consolidated Rail Corporation ("Conrail") right-of-way which intersects with Bayview Court; and

WHEREAS, Edwards Engineering Group, Inc., PO Box 8437, Somerville, New Jersey 08876 has submitted an application package and Drawings: SITE IMPROVEMENTS & WAREHOUSE AT 99 AVENUE A, CITY OF BAYONNE Sheets SK1, SK2 and SK3 dated Aril 23, 2019 and accompanying Pipe Data Sheet; and

WHEREAS, Conrail has provided to the City and to ARCO Design /Build and its contractors, a Letter of Understanding dated June 26, 2019, General Conditions and an Excavated Material and Groundwater Management Plan attached thereto as Exhibit A setting forth the terms and conditions under which Conrail is agreeable to allowing ARCO access to its right of way in connection with the Work; and

WHEREAS, access into the City's Right of Way is also specifically conditioned upon ARCO Design /Build and any related entity legally designated by the City, relinquishment of any and all right or claim of ownership in the new 10" water main, which Improvement shall be constructed and installed in a non-negligent manner and in good working order, and then upon completion, the ownership of the Improvement shall be designated as the property of City of Bayonne and the Improvement shall thereafter then be maintained by the City;

WHEREAS, the City desires to cooperate with ARCO and Conrail (if necessary) to accomplish the Work to service the new warehouse development; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. Permission is hereby granted to ARCO to access the City's ROW located at the end of Bayview Court (Block 333.03, Lot 2) for the purpose of replacing the existing 6" water main with a new 10" water main pursuant to an application package and Drawings submitted by Edwards Engineering Group, Inc. and Drawings: SITE IMPROVEMENTS & WAREHOUSE AT 99 AVENUE A, CITY OF BAYONNE Sheets SK1, SK2 and SK3 dated Aril 23, 2019 and accompanying Pipe Data Sheet attached hereto and made a part hereof on the condition that: 1) ARCO enters into a Right of Entry/Access Agreement in a form acceptable to the City and approved by the City's Law Department; 2) No cost or expense shall be borne by the City relating in any way to ARCO's and/or their LSRP's request for access; 3) the application submitted by Edwards Engineering Group, Inc. is approved by the City's engineer and the City's LSRP at ARCO's expense; 4) no permits will issue without a fully executed Right of Entry/Access Agreement; 5) valid permits to be issued by the City's Building Department prior to the start of any work; and 6) ARCO shall abide by any and all requirements of the City and Conrail that deemed necessary to protect the City's property and citizens including payment of any and all costs of the City's professionals and costs required to be paid to Conrail that is in anyway related to its request for

access.

2. The Mayor and City Clerk are hereby authorized to sign any and all documents necessary to effectuate the installation of the Improvement, including executing an agreement with Conrail, if such a Memorandum of Understanding is determined to be appropriate and necessary in the opinion of the Law Department.

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

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

MUNICIPAL COUNCIL OF THE CITY OF BAYONNE

RESOLUTION NO. 19-09-25- 372

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
CY19 Open Space Grant (28 th St.)	\$0.00	250,000.00
CY19 Open Space Grant (Russell Golding Park)	\$0.00	\$500,000.00
CY18 Clean Communities Grant	\$0.00	98,761.14
FY2019 Port Security Grant	\$0.00	\$18,750.00
FY18 EMAA Grant	\$0.00	\$10,000.00

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

Grant Name	From	To
CY19 Open Space Grant (28 th St.)	\$0.00	250,000.00
CY19 Open Space Grant (Russell Golding Park)	\$0.00	\$500,000.00
CY18 Clean Communities Grant	\$0.00	98,761.14
FY2019 Port Security Grant	\$0.00	\$18,750.00
FY18 EMAA Grant	\$0.00	\$20,022.90
Congregate Meals Program	\$573,536.25	\$575,536.25

BE IT FURTHER RESOLVED, that the sum of \$10,022.90 representing the match amount required for the FY18 EMAA Grant is hereby appropriated under the Fire Department Other Expenses Account in the CY19 Budget

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

A TRUE COPY
Madeline L. Medina
CITY CLERK

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

73. 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 16, 2019 that sealed bids for the Newark Bay Waterfront Access Project – Veterans Park 25th Street park would be received on July 25, 2019; and

WHEREAS, pursuant to such advertisement, the following three (3) proposals were received from:

Bidder Base Bid

Bidder	Persistent Construction, Inc.	HBC Company, Inc.	Aspen Landscaping Contracting, Inc.
Base Bid	\$993,094.00	\$1,188,890.00	\$2,081,594.00

and

WHEREAS, Amy Dellabella, Purchasing Agent and Andrew Raichle, PE City Engineer, have examined the bids or proposals and have determined that the bid of Persistent Construction, Inc, 58 Industrial Ave. Fairview NJ 07022, is the lowest qualified bidder bid and is most advantageous to the City of Bayonne for construction of waterfront walkways located within Veterans Park (25th Street Bayonne; and

WHEREAS, the Municipal council desires to award the project pursuant to the base bid, and

WHEREAS, the Municipal Comptroller has filed a certification with the city clerk that funds are available in from the grant received from Green Acres and ONRR grant, the funds to be distributed as follows: \$900,013 from ONRR Grant and \$93,081 from Green Acres Grant; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The contract for Newark Bay Waterfront Access Project – Veterans Park 25th Street be awarded to:

Persistent Construction, Inc, 58 Industrial Ave. Fairview NJ 07022 for a total bid amount not to exceed \$993,094 based on the specifications as contained in the bid package for the base bid

2. The contract be executed in the name of the City of Bayonne by the proper city officials.

3. Said sum be charged to ONRR grant, (G-02-41-946-0000-199 in the amount of \$900,013 and \$93,081 from Green Acres Grant Account (G-02-41-738-715A-199) in the amount of \$93,081.00.

Summary

The City previously received grant money from the state of approximately 1.8 million for waterfront improvements. This project is for the area of land adjacent to Veterans field on the 25ht street side near the playground on the waterfront. This is part of the long-term goal of connecting the west side from 54th street to Collins Park through a series of walkways

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING AND DIRECTING THE PLANNING BOARD TO REOPEN AND AMEND THE REDEVELOPEMENT PLAN FOR THE PROPERTY LOCATED AT 130-134 AVENUE F, EAST 23RD ST, MECHANIC ST, 37 MECHANIC ST, 39 MECHANIC ST, AND 41 MECHANIC ST, BLOCK 450, LOTS 1, 10.01, 10.02, 22, 23 AND 24 AS SHOWN ON THE OFFICIAL TAX MAP IN 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, N.J.S.A. 40A:12A-6 authorizes the governing body of any municipality, by resolution, to have its Planning Board conduct a preliminary investigation to determine whether an area of the municipality is a non-condemnation “area in need of redevelopment” pursuant to the criteria contained in N.J.S.A. 40A:12A-5; and

WHEREAS, the Mayor and Municipal Council considered it to be in the best interest of the City to have the Planning Board of the City (the "Planning Board") conduct such an investigation to determine if certain properties located at 130-134 Avenue F, East 23rd St, Mechanic St, 136 Avenue F, 37 Mechanic St, 39 Mechanic St, and 41 Mechanic St, which properties are identified as Block 450, Lots 1, 10.01, 10.02, 21, 22, 23, and 24, as shown on the official Tax Map of the City (the "Study Area"), constitute a non-condemnation "area in need of redevelopment," in accordance with the Redevelopment Law; and

WHEREAS, on January 9, 2018, the Planning Board held a public hearing, duly noticed under the Redevelopment Law, and reviewed an investigation/report for the properties identified as Block 450, Lots 1, 10.01, 10.02, 22, 23, and 24 (the "Redevelopment Area"), which was entitled "Preliminary Investigation Non-Condensation Area in Need of Redevelopment 130- 134 Avenue F, East 23rd St, Mechanic St, 37 Mechanic St, 39 Mechanic St, and 41 Mechanic St, Block 450, Lots 1, 10.01, 10.02, 22, 23 and 24" prepared by Suzanne Mack, PPAICP, City of Bayonne, Division of Planning & Zoning, Department of Administration, (the "Study") and any persons interested in or affected by a determination that the Redevelopment Area is a non-condemnation redevelopment area were given an opportunity to be heard, and any objections to such a determination and evidence in support of those objections, were received and considered and made part of the public record; and

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

WHEREAS, on January 17, 2018, the Municipal Council by resolution designated the Study Area as a non-condemnation area in need of redevelopment and authorized and directed the Planning Board to prepare and review a redevelopment plan for the property located at 130-134 Avenue F, East 23rd St, Mechanic St, 37 Mechanic St, 39 Mechanic St, and 41 Mechanic St, which properties are identified as Block 450, Lots 1, 10.01, 10.02, 22, 23 and 24 as shown on the official Tax Map of the City (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 prepared a redevelopment plan for the Property titled "Redevelopment Plan Mechanic Street, 130-134 Avenue F, East 23rd Street, Mechanic Street, 37 Mechanic Street, 39 Mechanic Street, and 41 Mechanic Street, Block 450, Lots 1, 10.01, 10.02, 22, 23, and 24, City of Bayonne, Hudson County, New Jersey" (the "Redevelopment Plan"); and

WHEREAS, the Municipal Council adopted the Redevelopment Plan as Ordinance No. O-18-23; and

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

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

WHEREAS, the Municipal Council believes that it is in the best interest of the City to reopen and amend the Redevelopment Plan for the property included in the Redevelopment Area in order to expand the scope of the revitalization and redevelopment efforts in the City and make modifications to the Redevelopment Plan necessary to further the goals and objectives of the Master Plan.

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

Section 1. The Municipal Council of the City of Bayonne hereby authorizes and directs the Planning board to reopen the existing redevelopment plan titled "Redevelopment Plan Mechanic Street, 130-134 Avenue F, East 23rd Street, Mechanic Street, 37 Mechanic Street, 39 Mechanic Street, and 41 Mechanic Street, Block 450, Lots 1, 10.01, 10.02, 22, 23, and 24, City of Bayonne, Hudson County, New Jersey."

Section 2. This Resolution shall take effect immediately.

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

* * * * *

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

WHEREAS, the City of Bayonne is in need of professional legal services as Special Redevelopment/Land Use Attorney; and

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

WHEREAS, on September 10, 2019 the City of Bayonne received three proposals for this position from the following firms:

Rainone, Coughlin, Minchello
Cleary, Giacobbe, Alfieri, Jacobs, LLC
Maraziti Falcon, LLP

; and

WHEREAS, the formal written response of the law firm of Cleary, Giacobbe, Alfieri, Jacobs, LLC, 955 State Route 34, Suite 200, Matawan, New Jersey 07747 to the City of Bayonne's Request for Qualifications/Proposals for said professional legal services has been adjudged to be the most advantageous to the City of Bayonne; and

WHEREAS, this professional services contract was determined under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4 and .5; and

WHEREAS, the law firm of Cleary, Giacobbe, Alfieri, Jacobs, LLC, is qualified, ready and able to provide said services; and

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

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

WHEREAS, funds are certified as available in account 9-01-20-156-0000-028 for CY2019 and 0-01-20-156-0000-028 for CY2020 pending adoption of the CY2020 budget and various developers' escrow accounts; now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with the law firm of Cleary, Giacobbe, Alfieri, Jacobs, LLC, 955 State Route 34, Suite 200, Matawan, New Jersey 07747 for professional legal services as Special Redevelopment/Land Use Counsel for the period commencing September 15, 2019 and ending September 14, 2020 at a cost of not more than \$75,000.00 attributable to the City of Bayonne and at hourly rates as set forth in the response to the Request for Qualifications/Proposals to be paid from various developers' escrow accounts.
2. Funds shall be charged to account 9-01-20-156-0000-028 for CY2019 and 0-01-20-156-0000-028 for CY2020 pending adoption of the CY2020 budget and various developers' escrow accounts.
3. A notice of this action shall be printed once in a newspaper of general circulation within the boundaries of the City of Bayonne.

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

* * * * *

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

WHEREAS, Tom Callan, 1217 Newmarket Drive, Virginia Beach, VA 23464 was erroneously issued Dumpster Permit No. 47815 by the Building Department for a dumpster to be located in the street in front of 473 Kennedy Boulevard for a permit fee of \$95.00; and

WHEREAS, dumpster permits for dumpsters to be located on Kennedy Boulevard must exclusively be issued by the County of Hudson; and

WHEREAS, Tom Callan has requested a refund of the permit fee of \$95.00 paid to the Building Department; and

WHEREAS, funds are certified as available in Account # 9-01-55-220-0000-000; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Comptroller and/or other appropriate official(s) of the City of Bayonne is/are hereby authorized to issue a warrant in the amount of \$95.00 payable Tom Callan, 1217Newmarket Drive, Virginia Beach, VA 23464 representing reimbursement of the fee for Dumpster Permit No. 47815.
2. Funds shall be charged to Account # 9-01-55-220-0000-000.

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

* * * * *

At 7:35 P.M., Council President Nadrowski motion to adjourn, seconded by Council Member Gullace, which motion was adopted.

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

President – Sharon A. Nadrowski

Clerk – Madelene C. Medina