

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, NOVEMBER 6th, 2019.

The Council met at 7:11 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 NOVEMBER 6th, 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 NOVEMBER 1ST, 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, Perez and President Nadrowski.

Absent: Council Member LaPelusa

The Council President led the Pledge of Allegiance.

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01. The Clerk announced:

AN ORDINANCE ENTITLED, "AN ORDINANCE AUTHORIZING THE CITY OF BAYONNE TO ENTER INTO A LEASE WITH BAYONNE LITTLE LEAGUE AND BAYONNE CAL RIPKEN LEAGUE FOR THE USE OF PORTIONS OF BLOCK 392, LOTS 1 & 2 (MORE COMMONLY KNOWN AS THE BAYONNE LITTLE LEAGUE SITE) AND BLOCK 474.02, LOT 1.01 (MORE COMMONLY KNOWN AS THE CAL RIPKEN LEAGUE SITE) FOR YOUTH RECREATION BASEBALL AND SOFTBALL PURPOSES," which was introduced and passed a first reading at a meeting held October 16 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 November 6, 2019 is now before the Council for its consideration and a public hearing.

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

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

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

Absent: Council Members LaPelusa

The Clerk read the ordinance by title "AN ORDINANCE AUTHORIZING THE CITY OF BAYONNE TO ENTER INTO A LEASE WITH BAYONNE LITTLE LEAGUE AND BAYONNE CAL RIPKEN LEAGUE FOR THE USE OF PORTIONS OF BLOCK 392, LOTS 1 & 2 (MORE COMMONLY KNOWN AS THE BAYONNE LITTLE LEAGUE SITE) AND BLOCK 474.02, LOT 1.01 (MORE COMMONLY KNOWN AS THE CAL RIPKEN LEAGUE SITE) FOR YOUTH RECREATION BASEBALL AND SOFTBALL PURPOSES,"

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

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

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

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

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

Absent: Council Members LaPelusa

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

WHEREAS, an ordinance entitled, "AN ORDINANCE AUTHORIZING THE CITY OF BAYONNE TO ENTER INTO A LEASE WITH BAYONNE LITTLE LEAGUE AND BAYONNE CAL RIPKEN LEAGUE FOR THE USE OF PORTIONS OF BLOCK 392, LOTS 1 & 2 (MORE COMMONLY KNOWN AS THE BAYONNE LITTLE LEAGUE SITE) AND BLOCK 474.02, LOT 1.01 (MORE COMMONLY KNOWN AS THE CAL RIPKEN LEAGUE SITE) FOR YOUTH RECREATION BASEBALL AND SOFTBALL PURPOSES," 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 November 6, 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-19-60.

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

Absent: Council Members LaPelusa

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02. The Clerk announced:

AN ORDINANCE ENTITLED, "AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT WITH POST ROAD AFFORDABLE URBAN RENEWAL LLC," which was introduced and passed a first reading at a meeting held October 16 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 November 6, 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, Perez and President Nadrowski.

Absent: Council Members LaPelusa

The Clerk read the ordinance by title, "AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT WITH POST ROAD AFFORDABLE URBAN RENEWAL LLC.,"

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, Perez and President Nadrowski.

Absent: Council Members LaPelusa

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

WHEREAS, an ordinance entitled, AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT WITH POST ROAD AFFORDABLE URBAN RENEWAL LLC.,” was introduced and passed a first reading at a meeting held October 16th, 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 November 6th, 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-19-61.

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

Absent: Council Members LaPelusa

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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 October 16 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 November 6, 2019 is now before the Council for its consideration and a public hearing.

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

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

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

Absent: Council Members LaPelusa

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

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

Absent: Council Members LaPelusa

Council Member Perez moved a resolution for final passage, seconded by Council Member Gullace, 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 October 16th, 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 November 6th, 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-19-62.

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

Absent: Council Members LaPelusa

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04. The Clerk announced:

AN ORDINANCE ENTITLED, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC," which was introduced and passed a first reading at a meeting held October 16th, 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 November 6th, 2019 is now before the Council for its consideration and a public hearing.

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

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

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

Absent: Council Members LaPelusa

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 Carroll, which motion was adopted.

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

Absent: Council Members LaPelusa

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

WHEREAS, an ordinance entitled, "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 October 16th, 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 November 6th, 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-19-63.

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

Absent: Council Members LaPelusa

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05. The following member of the public spoke:

Ana Cannella - 135 W 29th St. Bayonne, NJ
Addressed the council on the subject of bike lanes.

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06. Council Member Carroll introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING THE AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 130-134 AVENUE F, EAST 23RD ST, MECHANIC ST, 37, 39 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 OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 30A:12A-1 ET. SEQ.

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

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

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

WHEREAS, on 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-Condemnation 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

WHEREAS, on January 17, 2018, the Municipal Council by resolution designated the Redevelopment 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 Municipal Services prepared a redevelopment plan for the Redevelopment Area (the "Redevelopment Plan"); and

WHEREAS, the Municipal Council agreed with the Planning Board's recommendation and by Ordinance O-18-23, dated May 16, 2018 the Municipal Council adopted the Redevelopment Plan; and

WHEREAS, on September 25, 2019, the Municipal Council directed the Planning Board, to reopen, review and prepare an amendment to the redevelopment plan for the Property and make recommendations to the Municipal Council in accordance with the Redevelopment Law; and

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Municipal Services has prepared a revised redevelopment plan for the Property titled "Amended and Restated

Redevelopment Plan 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”, (the “Amended Redevelopment Plan”); and

WHEREAS, on November 12, 2019, the Planning Board reviewed the Redevelopment Plan and recommended the adoption of the Redevelopment Plan to the Municipal Council and concluded that said Redevelopment Plan is consistent with the Master Plan of the City of Bayonne; and

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

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

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

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

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

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

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

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

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

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

Absent: Council Members LaPelusa

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07. Council Member Carroll introduced:

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

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

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

RESTRICTIVE PARKING ZONES

DELETE

147. Rufina Rodriguez, 185 West 48th Street
Beginning at a point on the south side of West 48th Street, 140 feet west of the southwest corner of West 48th Street and Kennedy Blvd., and extending to a point 8 feet west thereof.

274. Geatano Alessi, 146 West 37th Street
Beginning at a point on the south side of West 37th Street, 183 feet west of the southwest corner of Kennedy Blvd. and 37th Street, and extending to a point 22 feet westerly thereof.

284. Aurea Roman, 92 Andrew Street
Beginning at a point on the south side of Andrew Street, 230 feet east of the southeast corner of Kennedy Blvd. and Andrew Street, and extending to a point 18 feet east thereof.

307. Newr Habeb, 726 Avenue A

Beginning at a point on the east side of Avenue A, 168 feet north of the northwest corner of Avenue A and West 31st Street, and extending to a point 17 feet north thereof.

ADD

009. Theresa Augustyniak, 19 West 11th Street

Beginning at a point on the north side of West 11th Street, 249 feet west of the northwest corner of Broadway and West 11th Street, and extending to a point 16 feet west thereof.

067. Amanda Leonard, for her son, Avier Burgos, 380 Avenue C

Beginning at a point on the north side of Avenue C, 34 feet east of the north east corner of Avenue C and West 16th Street, and extending to a point 20 feet east thereof.

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

Absent: Council Members LaPelusa

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- 08.** 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, Perez and President Nadrowski

Absent: Council Members LaPelusa

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

From Pasquale Agresti, P.C., filing notice of tort claim on behalf of MARIO BARBERI, Trust alleging personal and property damage resulting from water damage from a fire at 16th Street and Broadway on July 10, 2019.

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

From Evans C. Agrapidis, Esq., filing notice of tort claim on behalf of EVEYLN ROMAN alleging personal injury sustained from a fall and the corner of 56th Street and Avenue B on September 24, 2019.

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

From BRET ELTERS, filing notice of tort claim alleging physical and psychological damage resulting from wrongfully detention and arrest at the Royal Caribbean Cruise ship on July 21, 2019.

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- 12.** 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, Perez and President Nadrowski

Absent: Council Members LaPelusa

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- 13.** 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. Finance

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

From Janet Convery, Treasurer, reporting on the transfer of the following amounts to the Board of Education on November 1, 2019. Finance

\$5,755,311.00-Claims and payroll for claims and payroll for November

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

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

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

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

Absent: Council Members LaPelusa

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- 16.** 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, October 16, 2019, be and the same are hereby approved.

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- 17.** 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, October 9, 2019, be and the same are hereby approved.

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

WHEREAS, the City Clerk’s Office has issued One hundred eleven (111) Marriage Licenses during the months of July, August and September and has collected \$25.00 per license, which is to be forwarded to the Division of Youth and Family Services, now, therefore be it

RESOLVED, that a warrant in the amount of Two thousand seven hundred seventy-five dollars (\$2775.00) be drawn to the order of the Treasurer, State of New Jersey and forwarded to the City Clerk’s Office for disbursement.

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19. 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
249	26	JOHN BUZINKAI JR.	1,983.73
125	4	CORELOGIC c/o US BANK	17.89
156	10	FOUNDATION TITLE, LLC.	3,581.00
156	37C0301	PABLO & M. RIC GONZALEZ-MONTERO	514.50
145	39	TITLE COASTAL REGION	2,053.00
Total:			8,150.12

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

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

WHEREAS, the City of Bayonne has a licensing account with ASCAP for such purposes; and

WHEREAS, there is presently owing a balance of \$725.37 for the licensing fee for the period commencing with a billing date of September 15, 2019; and

WHEREAS, funds are certified as available in account #9-01-20-101-0000-090; now therefore be it

RESOLVED, that the Treasurer is hereby authorized to issue a warrant payable to the AMERICAN SOCIETY OF COMPOSERS, AUTHORS, AND PUBLISHERS (ASCAP) to be mailed to ASCAP, 21678 Network Place, Chicago, IL 60673-1216 in the amount of \$725.37.

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

WHEREAS, the City of Bayonne is in need of continuing maintenance services for Alchemy brand document-imaging software housed in the Police Department; and

WHEREAS, Open Text, Inc., c/o J.P. Morgan Lockbox, 24685 Network Place Chicago, IL 60673 has provided the City with an invoice for said services for the period commencing January 1, 2020 and ending December 31, 2020, for a total contract amount of \$5,100.04; and

WHEREAS, funds for said agreement have been certified as available in Account #PS-9/0-1-25-240-0000-029 pending adoption of the 2020 budget; and

WHEREAS, N.J.S.A. 40A:11-3(a), allows for the award of a contract without the necessity of public advertising for bids where the municipality has a Qualified Purchasing Agent, and when the cost or price does not exceed \$29,000.00; now, therefore, be it

RESOLVED, that the Mayor and his designee of the City of Bayonne are hereby authorized to enter into a service agreement with Open Text, Inc., c/o J.P. Morgan Lockbox, 24685 Network Place Chicago, IL 60673, for application software support services for Alchemy brand document-imaging software housed in the Police Department for a one year period commencing January 1, 2020 and ending December 31, 2020, for a total contract amount of \$5,100.04, and said funds have been certified available in Account #PS-9 0-1-25-240-0000-029 pending adoption of the 2020 budget; and be it further

RESOLVED, that the Municipal Treasurer be and is hereby authorized and directed to issue a warrant payable to Open Text, Inc.in the amount of \$5,100.04 in payment for such services.

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

WHEREAS, the Police Department of the City of Bayonne has established that there is a continuing need for maintenance of eight Zetron brand 3200 9-1-1 Telephone Consoles in the communication center; and

WHEREAS, Mobile Techtronics, Inc., 1127 Lake Avenue, Clark, N. J. 07066, has previously been awarded a contract for such services, and is willing to provide this service under state contract number 83924(T-0109), at a cost of \$9,360.00, for a one year period commencing January 1, 2020 and ending December 31, 2020; and

WHEREAS, funds are certified available in various accounts pending adoption of the CY 2020 budget; now, therefore, be it

RESOLVED, that the Mayor and City Clerk are hereby authorized to enter into an agreement with Mobile Techtronics, Inc., 1127 Lake Avenue, Clark, NJ 07066, for maintenance of eight Zetron brand 3200 9-1-1 Telephone Consoles in the communication center, at a cost of \$9,360.00, for a one year period commencing January 1, 2020 and ending December 31, 2020; and be it further

RESOLVED, that funds are certified available in account PS-9-0-01-25-240-0000-029 pending adoption of the CY 2020 budget; and be it further

RESOLVED, that the Municipal Treasurer be and is hereby authorized and directed to issue a warrant payable to Mobile Techtronics, Inc., in the amount of \$9,360.00 in payment of said services.

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- 23.** 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 Improvements to Fitzpatrick Park

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

Whereas the City of Bayonne seeks to continue its signage program in eligible UEZ/SID districts, and

Whereas the City is desirous of making the program more accessible and manageable for businesses to participate, now therefore, be it

Resolved that the UEZ/Signage program shall be as follows:

1. For a business to be eligible it must be either a UEZ or SID member
2. The business is required to complete an approved application form —
3. If the eligible business is not the property owner, the property owner must consent to the new signage
4. An eligible business shall provide to the City an estimate from the proposed contractor for the work to be completed
5. All signage shall conform to existing Zoning regulations, or be approved after an architectural review
6. All signage must meet UCC requirements, fees, and inspections
7. Payment to the contractor shall be made by the business
8. For a UEZ or SID member, reimbursement to the business shall be \$4,000 or 50% of the full cost of the signage, whichever is less
9. For a UEZ and SID member, reimbursement to the business shall be \$6,000 or 50% of the full cost of signage, whichever is less.
10. Reimbursement shall only be made after inspection and proof of payment to the contractor is provided
11. Other procedural steps as may be required by the UEZ/SID office

* * * * *

25. 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 \$ 10.20 drawn of the Bureau of Rabies Control, State Department of Health, Trenton, New Jersey, covering the issuance of licenses Nos. 987-992 inclusive, 6 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.

* * * * *

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

RESOLVED, That the application of the below listed organizations for RAFFLE LICENSE be granted:

LICENSEE	LICENSE
All Saints Catholic Academy-HSA	RL: 9418
John M. Baily, PTA	RL: 9419
Preschool Playhouse PTO	RL: 9420
Bayonne PAL Day Care	RL: 9421

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

CY 2019 BUDGETARY TRANSFER # 1

RESOLVED, that the budgetary transfers as set forth below pertaining to the CY 2019 appropriations be and the same are hereby authorized, and be it further,

RESOLVED, that the Comptroller be, and is hereby authorized and directed to make the said transfers in accordance herewith:

	CURRENT FUND	
FROM		TO

NO.	ACCOUNT	AMOUNT	ACCOUNT	AMOUNT
1.	GENERAL LIABILITY/ WORKER'S			
	COMP.	\$250,000.00	LAW DEPT - O.E.	
	\$5,000.			
			BUS.ADMINIISTRATI - O.E	\$175,000.
PARKS & PLAYGROUNDS - S&W	\$202,000.00		FINANCE -S&W	
	\$25,000.			
			FINANCE -O.E.	
	\$5,000.			CITY CLERK-
S&W	\$17,000.			
			TAX COLLECTOR- S&W	
		\$9,000.		PUB HEALTH
	SER.-S&W	\$42,000.		
		STREETS & ROAD MAIN.		51,000.
		STREETS & ROAD MAIN - O.E.		
		\$20,000.		
		BLDS & GROUNDS - O.E		\$20,000.
		PARK MAINT.-S&W		52,000.
		BLDS & GROUNDS - O.E.		\$20,000.
		PUBLIC DEFENDER - O.E.		\$11,000.
2.	MUNICIPAL COURT - S&W	\$11,000.00	MUNICIPAL COURT – O.E.	\$11,000.
		\$463,000.00		\$463,000.00

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

Absent: Council Members LaPelusa

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

WHEREAS, in order for the City to be certified to receive federal funding for construction projects through the Federal Aid Highway Program, the City was required to adopt Policies and Procedures and Standard Operating Procedures for Locally Administered Federal Aid Projects (“Policies and Procedures and SOP”); and

WHEREAS, the City did adopt said Policies and Procedures and SOP as required by the Federal Highway Administration by way of Resolution No. 19-05-15-053 adopted on May 15, 2019; and

WHEREAS, said Resolution No. 19-05-15-053, also authorized the City to submit a copy of the Policies and Procedures and SOP to the New Jersey Department of Transportation (the “NJDOT”) for final approval; and

WHEREAS, said Policies and Procedures and SOP adopted by the City required a three (3) year retention period for consultant procurement and executed contracts (“Consultant Procurement Documents”); and

WHEREAS, the City was advised that the NJDOT required a seven (7) year retention period for Consultant Procurement Documents; and

WHEREAS, in order to expedite the certification process, the Law Director authorized the Policies and Procedures and SOP be amended to conform to the seven (7) year retention period for Consultant Procurement Documents as required by the NJDOT prior to obtaining approval from this body; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The actions of the Law Director in authorizing the Policies and Procedures and SOP adopted by the Municipal Council on May 15, 2019 by way of Resolution 19-05-15-053 are hereby ratified and affirmed.

2. The Municipal Council hereby adopts the revised Policies and Procedures and SOP for Locally Administered Federal Aid Projects.

3. The revised Policies and Procedures and SOP for Locally Administered Federal Aid Projects shall supersede the Policies and Procedures adopted by the Municipal Council on May 15, 2019 pursuant to Resolution 19-05-15-053.

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

Absent: Council Members LaPelusa

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

WHEREAS, in accordance with Title VI of the Civil Rights Act of 1964, the Americans with Disabilities Act of 1990, and other associated non- _ discrimination laws in regard to access to services an activities provided by federal agencies and recipients of federal assistance; the City of Bayonne has drafted a Title VI/ADA Non-Discrimination Policy and Grievance Procedure to reaffirm the City's policy to allow all individuals the opportunity to participate in federal financially assisted services; now, therefore, be it

RESOLVED, the Municipal Council of the City of Bayonne hereby approves and adopts the Title VI/ADA Policy and Grievance Procedure.

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

Absent: Council Members LaPelusa

* * * * *

30. 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 140 EAST 22ND STREET, LLC AS REDEVELOPER FOR THE PROPERTY LOCATED AT 140 EAST22nd STREET, WHICH IS IDENTIFIED AS BLOCK 464.01, LOT 6 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE AND AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT WITH 140 EAST 22ND STREET, LLC FOR THE REDEVELOPMENT OF SUCH PROPERTY IN ACCORDANCE WITH THE REDEVELOPMENT PLAN (KENRICH CHEMICALS SITE)

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 February 14, 2019 the Municipal Council adopted a Resolution directing the Planning Board, to undertake an investigation to determine if property at 140 East 22nd Street which is identified as Block 464.01, Lot 6 as shown on the official tax map of the City of Bayonne (the "Property") is an area in need of redevelopment; and

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Administration has prepared a Preliminary Investigation for the Property dated April 22, 2019 (the "Study"); and

WHEREAS, the Planning Board reviewed the Study at a public hearing with notice and recommended the adoption of the Study to the Municipal Council and concluded that said Property should be designated an area in need of redevelopment; and

WHEREAS, upon receipt and review of the Planning Board's recommendations relating to the Study, the Municipal Council by Resolution dated May 15, 2019 designated the area in in need of redevelopment; and

WHEREAS, 140 East 22nd Street, LLC with an office address of 85 east 2nd Street, Bayonne Nj 07002, (the "Redeveloper") wishes to develop the Redevelopment Area; and

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

WHEREAS, the Municipal Council desires to designate 140 East 22nd Street, 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 negotiation of the “Redevelopment Agreement By and Between the City of Bayonne and 140 East 22nd Street, LLC concerning the Redevelopment Area identified as Block 464.01, Lot 6 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 subject to Council approval; and

Section 2. The Municipal Council, recognizes 140 East 22nd Street, LLC as redeveloper of Block 464.01, Lot 6, 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. This Resolution shall take effect immediately.

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

Absent: Council Members LaPelusa

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31. 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 THE EXECUTION OF A REDEVELOPMENT AGREEMENT FOR THE PROPERTY
LOCATED AT 537-543 BROADWAY, WHICH IS IDENTIFIED AS BLOCK 189, LOT 24 AS
SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE FOR THE
REDEVELOPMENT OF SUCH PROPERTY IN ACCORDANCE WITH THE REDEVELOPMENT
PLAN (MCDONALD’S)

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

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

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Municipal Services has prepared redevelopment plan for the Property titled “McDonald’s Rehabilitation Plan Block 189 Lot 6”; and

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

WHEREAS, the Municipal Council by Ordinance 0-17-29 on June 21, 2017, adopted the Redevelopment Plan; and

WHEREAS, McDonald’s Corporation, by Resolution dated June 21, 2017 was previously designated the Redeveloper 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 reaffirms the designation of McDonald’s Corporation, as redeveloper of the Redevelopment Area and authorized the execution of 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 McDonald’s Corporation, concerning the Redevelopment Area identified as Block 189, Lot 6 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. This Resolution shall take effect immediately.

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

Absent: Council Members LaPelusa

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32. 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 746 AVENUE E BAYONNE LLC AS REDEVELOPR FOR THE PROPERTY
LOCATED AT 736 AVENUE E, 738 AVENUE E, AND 742 AVENUE E, WHICH ARE IDENTIFIED
AS BLOCK 393, LOTS 3, 4 & 5 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF
BAYONNE AND AUTHORIZING THE EXECUTION OF A REDEVELOPMENT
AGREEMENT WITH 746 AVENUE E BAYONNE, LLC FOR THE REDEVELOPMENT OF SUCH
PROPERTY IN ACCORDANCE WITH THE REDEVELOPMENT PLAN (BEACON OIL SITE)

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 736 Avenue E, 738 Avenue E, 742 Avenue E, which are identified as Block 393, Lots 3, 4 & 5 as shown on the official tax map of the City of Bayonne (the “Property”) and make recommendations to the Municipal Council in accordance with the Redevelopment Law; and

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Administration has prepared a redevelopment plan for the Property titled: “Amendment to the scattered Site Redevelopment Plan for a Portion of the Plan Located at 736-742 Avenue E, Block 393, Lots 3, 4 & 5 Beacon Oil (known as the Gulf Oil Site Lots 1, 2, 3, 4, 5)” dated September 11, 2018 (the “Redevelopment Plan”); and

WHEREAS, on September 11, 2018, the Planning Board reviewed the Redevelopment Plan and recommended the adoption of the Redevelopment Plan to the Municipal Council and concluded that said Redevelopment Plan is consistent with the Master Plan of the City of Bayonne; and

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

WHEREAS, the Municipal Council agreed with the Planning Board’s recommendation and on November 7, 2018, the Municipal Council adopted the Redevelopment Plan; and

WHEREAS, 746 AVENUE E BAYONNE LLC with an office address of 740 West Fingerboard Road, Staten Island, NY 10305 (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 746 Avenue E Bayonne LLC as redeveloper of the Redevelopment Area and enter into a Redevelopment Agreement with the developer, 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 746 AVENUE E BAYONNE LLC concerning the Redevelopment Area identified as Block 393, Lots 3, 4 & 5 in the City of Bayonne, in such a form deemed advisable by the City Attorney, subject to any and all conditions contained herein and such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel to the City; and

Section 2. The Municipal Council, upon the full execution of the Redevelopment Agreement recognizes 746 AVENUE E BAYONNE LLC as redeveloper of Block 393, Lots 3, 4 & 5 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 746 AVENUE E BAYONNE, LLC.

Section 4. This Resolution shall take effect immediately.

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

Absent: Council Members LaPelusa

* * * * *

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

WHEREAS, pursuant to Resolution No. 18-12-19-092 adopted by the Municipal Council on December 19, 2018 the City entered into Agreement No. CY19-025 with Matrix New World Engineering, Inc., 26 Columbia Turnpike, Florham Park, New Jersey 07932 for professional engineering services for various special projects for the period commencing January 1, 2019 and ending December 31, 2019 for a total contract amount not to exceed \$300,000.00; and

WHEREAS, the City Planner advised that it is necessary to increase the aforesaid Agreement No. CY19-025 with Matrix New World Engineering, Inc., in an amount not to exceed \$250,000.00 (not to exceed an additional \$50,000.00 attributable to the City of Bayonne and not to exceed and additional \$200,000.00 attributable to various developers' escrow accounts) to cover funds for additional work through the end of the contract term that was not anticipated at the time of the original contract award; and

WHEREAS, funds are certified as available in Account BA-2 pending Budget Transfer # 1 and UEZ O.E. and various developers' escrow accounts subject to the deposit of escrow funds into said developers' escrow accounts; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to execute an Amendment to Agreement No. CY19-025 with Matrix New World Engineering, Inc., 26 Columbia Turnpike, Florham Park, New Jersey 07932 for professional engineering services for various special projects increasing same in the amount of \$250,000.00 (not to exceed \$50,000.00 attributable to the City of Bayonne and not to exceed \$200,000.00 attributable to various developers' escrow accounts) making the total contract amount not to exceed \$550,000.00.

2. Funds shall be charged to Account BA-2 pending Budget Transfer # 1 and UEZ O. E. and various developers' escrow accounts subject to the deposit of escrow funds into said developers' escrow accounts.

3. All other terms of the contract shall remain the same.

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

Absent: Council Members LaPelusa

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

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

WHEREAS, N.J.A.C. 5:30-15 authorizes and establishes the procedures for the accounting, payment and establishment of reserves for compensated absences; and

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

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

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Accumulated Absences Trust Fund (N.J.A.C. 5:30-15)
2. The Clerk of the City of Bayonne is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

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

Absent: Council Members LaPelusa

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

WHEREAS, the State's Fiscal Year 2020 Appropriations Act (P.L. 2019, c. 150) requires municipalities to complete a Best Practices Inventory; and

WHEREAS, Local Finance Notice 2019-12 dated September 9, 2019 directs that the City must complete the Inventory and return it to the Division of Local Government Services by October 30, 2019; and

WHEREAS, the Chief Financial Officer has coordinated with the Business Administrator to gather the necessary information needed to complete the Best Practices Inventory Questionnaire and have certified same; and

WHEREAS, the data collected by the Division of Local Government Services will be used to encourage municipalities to consider and embrace a range of best practices that will help improve financial accountability and transparency; and

WHEREAS, the results of this Best Practices Inventory Questionnaire will enable the Division of Local Government Services to determine how much aid will be allocated under the Consolidated Municipal Property Tax Relief Act and Energy Tax Receipt Act; and

WHEREAS, the Act requires the completed questionnaire to be an agenda item for discussion at a Municipal Council meeting and the Municipal Clerk to certify to such; and

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the City of Bayonne accepts the Best Practices Inventory Questionnaire as prepared by the Chief Financial Officer and Business Administrator.

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

* * * * *

- 36.** 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 CONDUCT A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER CERTAIN PROPERTY HAVING AN ADDRESS OF 108 AVENUE F, 104-106 AVENUE F, 94-102 AVENUE F AND 101 EAST 21 ST WHICH ARE DESIGNATED AS CITY BLOCK 457.01 LOTS 2,3,4 AND 5 WITHIN THE CITY CONSTITUTES A NON-CONDEMNATION IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.* (SAMSON TANKS)

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 108 Avenue F, 104-106 Avenue F, 94- 102 Avenue F and 101 East 21 Street, which are designated as City Block 457.01 Lots 2, 3, 4 and 5 constitute a non-condemnation area in need of redevelopment as shown on the official Tax Map of the City (the “Study Area”), in accordance with the Redevelopment Law; and

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

WHEREAS, various properties adjacent to and surrounding the Study Area have previously been determined to be areas in need of redevelopment; and

WHEREAS, the preliminary investigation will be designed to evaluate the area to determine whether designation of the Study Area as a non-condemnation “area in need of redevelopment” is appropriate and in conformance with the statutory criteria contained in *N.J.S.A. 40A:12A-5*; and

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

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

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

Section 2. The Planning Board is hereby directed to conduct a preliminary investigation to determine whether the Study Area, or any portions thereof, constitute a Non Condemnation “area in need of redevelopment” according to the criteria set forth in *N.J.S.A. 40A:12A-5*.

Section 3. The Planning Board is hereby directed to study the property located at 276 Prospect Ave, which property is identified 108 Avenue F, 104-106 Avenue F, 94- 102 Avenue F and 101 East 21 Street, which are designated as City Block 457.01 Lots 2, 3, 4 and 5 on the City’s Tax Maps; to develop a map reflecting the boundaries of the proposed redevelopment area; to provide public notice and conduct public hearings pursuant to *N.J.S.A. 40A:12A-6*; and to draft a report/Resolution to the Mayor and Municipal Council containing its findings.

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

Section 5. This Resolution shall take effect immediately

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

Absent: Council Members LaPelusa

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING AND DIRECTING THE PLANNING BOARD TO CONDUCT A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER CERTAIN PROPERTY HAVING AN ADDRESS OF 196-200 AVENUE E WHICH ARE DESIGNATED AS CITY BLOCK 458 LOTS 7, 8 AND 9 WITHIN THE CITY CONSTITUTES A NON-CONDEMNATION 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 196-200 Avenue E., which are designated as City Block 458, Lots 7, 8 and 9 constitute a non-condemnation area in need of redevelopment as shown on the official Tax Map of the City (the "Study Area"), in accordance with the Redevelopment Law; and

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

WHEREAS, various properties adjacent to and surrounding the Study Area have previously been determined to be areas in need of redevelopment; and

WHEREAS, the preliminary investigation will be designed to evaluate the area to determine whether designation of the Study Area as a non-condemnation "area in need of redevelopment" is appropriate and in conformance with the statutory criteria contained in *N.J.S.A. 40A:12A-5*; and

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

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

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

Section 2. The Planning Board is hereby directed to conduct a preliminary investigation to determine whether the Study Area, or any portions thereof, constitute a Non Condemnation "area in need of redevelopment" according to the criteria set forth in *N.J.S.A. 40A:12A-5*.

Section 3. The Planning Board is hereby directed to study the property located at 276 Prospect Ave, which property is identified 196-200 Avenue E, which are designated as City Block 458, Lots 7, 8 and 9 on the City's Tax Maps; to develop a map reflecting the boundaries of the proposed redevelopment area; to provide public notice and conduct public hearings pursuant to *N.J.S.A. 40A:12A-6*; and to draft a report/Resolution to the Mayor and Municipal Council containing its findings.

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

Section 5. This Resolution shall take effect immediately.

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

Absent: Council Members LaPelusa

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38. 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 CONDUCT A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER CERTAIN PROPERTY HAVING AN ADDRESS OF 46 HOOK RD AND 44 HOOK RD WHICH ARE DESIGNATED AS BLOCK 427 LOTS 2 AND 3 WITHIN THE CITY CONSTITUTES A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.*

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 46 Hook Rd and 44 Hook Rd, which are designated as Block 427 Lots 2 and 3 on the official tax maps of the City constitute a non-condemnation area in need of redevelopment as shown on the official Tax Map of the City (the "Study Area"), in accordance with the Redevelopment Law; and

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

WHEREAS, various properties adjacent to and surrounding the Study Area have previously been determined to be areas in need of redevelopment; and

WHEREAS, the preliminary investigation will be designed to evaluate the area to determine whether designation of the Study Area as a non-condemnation "area in need of redevelopment" is appropriate and in conformance with the statutory criteria contained in *N.J.S.A. 40A:12A-5*; and

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

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

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

Section 2. The Planning Board is hereby directed to conduct a preliminary investigation to determine whether the Study Area, or any portions thereof, constitute a Non Condemnation “area in need of redevelopment” according to the criteria set forth in *N.J.S.A. 40A:12A-5*.

Section 3. The Planning Board is hereby directed to study the property located at 276 Prospect Ave, which property is identified 46 Hook Rd and 44 Hook Rd, which are designated as Block 427 Lots 2 and 3 on the City’s Tax Maps; to develop a map reflecting the boundaries of the proposed redevelopment area; to provide public notice and conduct public hearings pursuant to *N.J.S.A. 40A:12A-6*; and to draft a report/Resolution to the Mayor and Municipal Council containing its findings.

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

Section 5. This Resolution shall take effect immediately.

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

Absent: Council Members LaPelusa

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39. 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. 19-06-19-057 adopted by the Municipal Council on June 19, 2019 the City entered into Agreement No. CY19-054 with DMR ARCHITECTS, 777 Terrace Avenue, Suite 607, Hasbrouck Heights, New Jersey 07604 for professional planning services for planning issues within the City of Bayonne, specifically, assistance with a comprehensive development plan for that portion of Bayonne located within the following boundaries: South of North Street to the Kill Van Kull (including, but not necessarily limited to, Blocks 296, 300, 300.01, 301.01, 301.02, 301.03, 301.04, 302, 311.01, 311.02, 312, 332, 331.01, 333.02, 333.03, 334, 345, 346, 360, 361, 362, 373, 390, 391, 504, 510 and 511); reviewing, updating and/or incorporating existing development plans into the proposed comprehensive development plan for the stated area; attending development review meetings and Council Meetings, as needed (the “Planning Project”) for a total contract amount not to exceed \$10,000.00; and

WHEREAS, the City Planner advised that it is necessary to increase the aforesaid Agreement No. CY19-054 with DMR ARCHITECTS, in an amount not to exceed \$35,000.00 for additional work that was not anticipated at the time of the original contract award; and

WHEREAS, funds are certified as available in Account BA-2 pending Budget Transfer #1; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to execute an Amendment to Agreement No. CY19-054 with DMR ARCHITECTS, 777 Terrace Avenue, Suite 607, Hasbrouck Heights, New Jersey 07604 for professional planning services for the Planning Project increasing same in the amount of \$35,000.00 making the total contract amount not to exceed \$45,000.00.

2. Funds shall be charged to Account BA-2 pending Budget Transfer #1.

3. All other terms of the contract shall remain the same.

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

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

WHEREAS, Janet Convey began her employment with the City of Bayonne on September 8, 1982 as a Senior Accountant for the Community Development Block Grant office; and

WHEREAS, due to her outstanding performance as a Senior Accountant Janet Convey was promoted to the position of Municipal Treasurer on January 19, 1993 and served in this position with distinction; and

WHEREAS, in the following years Janet Convey also served admirably as acting Municipal Comptroller, acting Director of Finance, and Bayonne Insurance Commission Chairperson; and

WHEREAS, Janet Convey is also a Certified Municipal Finance Officer; and

WHEREAS, Janet Convey in all of her capacities with the City of Bayonne has served with a sublime passion for detail; an extraordinary commitment for excellence; and a dedication that reeks of awesomeness; and

WHEREAS, Mayor James M. Davis has declared November 14, 2019 as Janet Convey Day; and

WHEREAS, this Municipal Council heartily endorses said declaration, now, therefore, be it

RESOLVED, that the Municipal Council of the City of Bayonne formally recognizes Janet Convey's thirty seven years of outstanding and peerless service, offers congratulations to her upon her retirement, and sends wishes that her future years are as rewarding to her as her past thirty-seven years have been rewarding to the City.

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

Absent: Council Members LaPelusa

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41. Council President Nadrowski introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING THE AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 101 EAST 23rd STREET, WHICH PROPERTIES ARE 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. 40A:12A-1 ET SEQ, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 30A:12A-1 ET. SEQ. (PARKVIEW I)

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

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

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

WHEREAS, by Resolution dated June 22, 2016, the Municipal Council of the City (the "Municipal Council") designated the property located at 101 East 23rd Street; 103 East 23rd Street; 105 East 23rd Street; East 23rd Street; 102-106 East 24th Street; and 162-170 Avenue F, which property is identified as Block 445, Lot 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, by Resolution dated May 18, 2016, the Planning Board of the City (the "Planning Board") has been directed by the Municipal Council to prepare and review the Redevelopment Plan, and to transmit its recommendations relating to the Redevelopment Plan to the Municipal Council in accordance with the provisions of N.J.S.A. 40A:12A-7 of the Redevelopment Law; 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, by Resolution R-6, dated July 20, 2016, the Municipal Council designated Parkview Realty Holdings, LLC, a limited liability company of the State of New York, with an office address of 1441 Brooklyn, New York 11219, as the redeveloper of the Redevelopment Area (the "Redeveloper") subject to the negotiation and preparation of a Redevelopment Agreement; and

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

WHEREAS, the Municipal Council agreed with the Planning Board's recommendation and by Ordinance O-16-56, dated September 19, 2016 the Municipal Council adopted the Amended Redevelopment Plan; and

WHEREAS, by Resolution dated September 25, 2019, the Planning Board has been directed by the Municipal Council to prepare and review the Redevelopment Plan, and to transmit its recommendations relating to the Redevelopment Plan to the Municipal Council in accordance with the provisions of N.J.S.A. 40A:12A-7 of the Redevelopment Law; and

WHEREAS, a second Amended Redevelopment Plan titled Redevelopment Plan Avenue F between 23rd & 24th Street Block 445, Lot 1.01 has been prepared by the City Planning Department which made corrections to the Redevelopment Plan; and

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

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

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

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

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

Section 2. Upon introduction of the Ordinance the Redevelopment plan shall be transmitted to the Planning Board for review and determination of consistency with the City's master plan and any other recommendations.

Section 3. The Amended Redevelopment Plan is hereby adopted pursuant to the terms of N.J.S.A. 40A:12A-7 of the Redevelopment Law.

Section 4. The zoning district map in the zoning ordinance of the City is hereby amended to include the Property per the boundaries described in the Amended Redevelopment Plan and the provisions thereon.

Section 5. 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 6. 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.

This Ordinance shall take effect in accordance with all applicable laws

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

BE IT RESOLVED, that an ordinance entitled “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING THE AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE Property LOCATED AT 101 EAST 23rd STREET, WHICH PROPERTIES ARE 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. 40A:12A-1 ET SEQ, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 30A:12A-1 ET. SEQ. (PARKVIEW I),” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, December 18, 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, Perez and President Nadrowski

Absent: Council Members LaPelusa

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42. Council President Nadrowski introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDED AND RESTATED SCATTERED SITE 14 REDEVELOPMENT PLAN FOR THE PROPERTIES IDENTIFIED AS BLOCK 451, LOTS 1.01 AND 2.05 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE (KENS MARINE)

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, on November 11, 2009, the Bayonne Municipal Council (the “Municipal Council”) adopted Resolution No. 09-11-10-052 requesting the Planning Board of the City (the “Planning Board”) to conduct a preliminary investigation to determine whether Block 451, Lots 1.01, 1.02, 2.03, 2.04 and 2.05 on the City’s Tax Maps (the “Study Area”), qualified as “an area in need of redevelopment” in accordance with the criteria set forth in N.J.S.A. 40A: 12A-5, and if so, to prepare a redevelopment plan for the Study Area; and

WHEREAS, on November 13, 2013, the Municipal Council adopted A resolution designating and reaffirming the Study Area comprised of Block 451, Lots 1.01 and 2.05 as an area in need of rehabilitation (the “Rehabilitation Area”); and

WHEREAS, pursuant to Ordinance O-13-36, on November 13, 2013, the Municipal Council also adopted a Redevelopment Plan for portions of Route 440 West between East 22nd Street and New Hook Road, consisting of Block 452.02, Lots 3-9, and 11 and Block 451, Lots 1.01, 1.02, 2.03, 2.04 and 2.05 on the City’s Tax Maps (the “Property”) titled “Scattered Site Redevelopment Project: Phase II Site 14: Rt. 440 West Redevelopment Plan” dated October 16, 2013 (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 now believes that it is in the best interest of the City to reopen and amend the Redevelopment Plan for the Property in order to expand the scope of the revitalization and redevelopment efforts in the City and make necessary modifications to the Redevelopment Plan; and

WHEREAS, on September 25, 2019, 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 "Ken's Marine, Block 451, Lots 1.01 and 2.05, City of Bayonne, County of Hudson, NJ," has been prepared by the City Planning Department (the "Amended Redevelopment Plan"); and

WHEREAS, on December 10, 2019, the Planning Board reviewed the Amended Redevelopment Plan to determine if said Amended Redevelopment Plan is consistent with the Master Plan of the City of Bayonne; and

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

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

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

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

Section 2. Upon introduction of the Ordinance the Redevelopment plan shall be transmitted to the Planning Board for review and determination of consistency with the City's master plan and any other recommendations.

Section 3. The Amended Redevelopment Plan is hereby adopted pursuant to the terms of N.J.S.A. 40A:12A-7 of the Redevelopment Law. Further, the Amended Redevelopment Plan shall amend, replace and supersede any prior redevelopment plans with respect to the Property.

Section 4. 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 5. 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 6. A copy of this Ordinance and the Amended Redevelopment Plan shall be available for public inspection at the office of the City Clerk during regular business hours.

Section 7. This Ordinance shall take effect in accordance with all applicable laws.

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

BE IT RESOLVED, that an ordinance entitled "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDED AND RESTATED SCATTERED SITE 14 REDEVELOPMENT PLAN FOR THE PROPERTIES IDENTIFIED AS BLOCK 451, LOTS 1.01 AND 2.05 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, December 18, 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, Perez and President Nadrowski

Absent: Council Members LaPelusa

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

WHEREAS, the City of Bayonne is in need of media, public relations, marketing and strategic insight in connection with matters attendant to the potential closure of the Bayonne Medical Center; and

WHEREAS, Vision Media Marketing, having its principal place of business at 854 8th Street, Secaucus, NJ (“VMMI”), is ready, willing and able to provide said services on an immediate basis; and

WHEREAS, VMMI 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 retainer of \$3,000.00 plus third party costs; and

WHEREAS, the Business Administrator has determined and certified in writing that the values of the services will not exceed \$17,500; and

WHEREAS, bids need not be solicited for these services pursuant to the statutory guidelines of N.J.S.A. 40A:11-4 insofar as the projected cost of said services will not exceed the bid threshold; and

WHEREAS, funds are certified as available in BA O.E. pending Budget Transfer #1; and

WHEREAS, VMMI 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 VMMI 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 VMMI 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 Vision Media Marketing, Inc., had its principal place of business at 854 8th Street, Secaucus, NJ for media, public relations, marketing and strategic insight support in connection with matters attendant to the potential closure of the Bayonne Medical Center; for a period of not more than three (3) months, with a retroactive start date of October 18, 2019 and a termination date of January 17, 2020, for the fixed cost of \$3,000.00 per month plus third party costs; and
2. Given the exigencies of this matter, any and all actions of the Mayor and/or Business Administrator resulting in the engagement of VMMI prior to this date are hereby ratified and affirmed; and
3. The Business Disclosure Entity Certification and the Determinate of Value shall be place on file with this resolution.
4. Funds have been certified as being available in Account BA O.E. pending Budget Transfer #1.
5. 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, Perez and President Nadrowski

Absent: Council Members LaPelusa

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

WHEREAS, the City of Bayonne is in need of professional legal services specifically related to matters involving Bayonne Medical Center and its potential closure; and

WHEREAS, Epstein, Becker & Green, P.C., having its principal place of business at One Gateway Center, Newark, NJ 07102 is ready, willing and able to provide said services on an immediate basis; and

WHEREAS, Epstein, Becker & Green, P.C. has provided the City with a proposal fee schedule, a copy of which is attached hereto as Schedule "A", for said services in an amount not to exceed \$17,499.00; and

WHEREAS, the Business Administrator has determined and certified in writing that the values of the services will not exceed \$17,500; and

WHEREAS, bids need not be solicited for these services pursuant to the statutory guidelines of N.J.S.A. 40A:11-4 insofar as the projected cost of said services will not exceed the bid threshold; and

WHEREAS, funds are certified as available in BA O.E. pending Budget Transfer #1; and

WHEREAS, Epstein, Becker & Green, P.C. must complete and submit 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 Epstein, Becker & Green, P.C. 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 Epstein, Becker & Green, P.C. 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 Epstein, Becker & Green, P.C., had its principal place of business at One Gateway Center, Newark, NJ 07102 for professional legal services in connection with matters attendant to the potential closure of the Bayonne Medical Center; in an amount not to exceed \$17,499.00;and
2. The Business Disclosure Entity Certification and the Determinate of Value shall be place on file with this resolution.
3. Funds have been certified as being available in Account BA O.E. pending Budget Transfer #1.
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, Perez and President Nadrowski

Absent: Council Members LaPelusa

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

AN ORDINANCE AMENDING AND SUPPLEMENTING THE GENERAL ORDINANCES OF THE CITY OF BAYONNE, CREATING CHAPTER 38, BAYONNE MUNICIPAL HOSPITAL AUTHORITY

WHEREAS, Bayonne Hospital (now known as Bayonne Medical Center) was established to serve the citizens of Bayonne in 1888 and has been providing affordable and convenient healthcare services to the residents of the City of Bayonne, in the County of Hudson (the "City") since its inception; and

WHEREAS, the City has been advised by the current owner, CarePoint Health, that it intends to close the Bayonne Medical Center and that it will be submitting a Certificate of Need to the New Jersey Department of Health and Senior Services for permission to do so; and

WHEREAS, it is hereby declared that a serious public emergency exists affecting the health, safety and welfare of the people of the City resulting from the fact that Bayonne Medical Center may close, unless the City takes certain actions.

WHEREAS, the Municipal Hospital Authority Law authorized cities to acquire certain existing urban hospitals and to operate them; and

WHEREAS, it is the purpose of this newly created chapter to form such an authority to acquire Bayonne Medical Center in order to ensure that the citizens of the City continue to have access to affordable healthcare, to maintain and improve the health and welfare of its citizens and, to the extent deemed necessary by the City, for such facilities to obtain the financial support and other resources from the City that are needed to operate; and

WHEREAS, the formation of such an authority, the acquisition by such authority of Bayonne Medical Center and the operation thereof by such authority is hereby declared to be a public use and purposes; and

WHEREAS, the Municipal Council of the City of Bayonne now desires to create, through the provisions of the Municipal Hospital Authorities Law, a Municipal Hospital Authority to acquire and operate Bayonne Medical Center; now, therefore, be it

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, are hereby amended and supplemented by the creation of Chapter 38, Bayonne Municipal Hospital Authority, as follows:

CHAPTER 38 – BAYONNE MUNICIPAL HOSPITAL AUTHORITY

38-1 Creation of the Bayonne Municipal Hospital Authority

Pursuant to N.J.S.A. 30:9-23.15 et seq. (the “Municipal Hospital Authority Law”), there is hereby created a body corporate and politic and an agency and instrumentality of the City known as the Bayonne Municipal Hospital Authority (the “Municipal Hospital Authority”). The sole purpose of this authority shall be to operate and maintain a hospital.

38-2 Powers

The Municipal Hospital Authority shall have all the powers permitted by statute and shall be subject to the procedures and limitations of the “Local Authorities Fiscal Control Law” consistent with the mandates of the Municipal Hospital Authority Law.

38-3 Board, Membership, Officers and Directors

- a. The Municipal Hospital Authority shall consist of 11 members, consisting of one Class I member, two Class II hospital members, six Class III public members and two Class IV members.
- b. The Class I member shall be the Mayor of the City or his designee, ex-officio.
- c. The Class II hospital members shall serve on, and be appointed by, the medical staff executive committee of the hospital, to terms concurrent with their membership on the executive committee, and who need not be residents of the City
- d. The Class III public members shall be appointed by the Mayor of the City, with the advice and consent of the City Council. None of the Class III public members shall be officers or employees of the City, the Municipal Hospital Authority or of the management entity which is required to manage the hospital. At least four of the Class III members shall be residents of the City. At least two of the Class III public members shall have special expertise as follows: one shall have extensive expertise in finance of private or nonprofit organizations, and one shall have extensive expertise in nonprofit organizational management. The Class III public members shall serve for terms of five year and until their respective successors have been appointed and qualified; except that of the six members first appointed by the Mayor, (i) one Class III public member shall serve for an initial term of one year, one for a term of two years, one for a term of three years, one for a term of four years and two for a term of five years. All subsequent terms of Class III public members shall be for five years and shall be staggered in accordance with the above-referenced schedule. The terms of all Class III public members shall begin on July 1 and end on June, except that (A) the terms of office of the initial Class III public members shall begin on the date(s) such members are appointed and qualified, and (B) the term of office of any Class III public member shall terminate if such member no longer meets the above qualifications.
- e. The hospital’s chief executive officer or a designee thereof shall serve as a nonvoting Class IV member. The Commissioner of Community Affairs of the State of New Jersey shall appoint one individual as a nonvoting Class IV member.
- f. Any vacancy occurring in the office of member, from any cause, shall be filled in the same manner as the original appointment, but for the unexpired term.
- g. A certificate of the appointment or reappointment of each Class III public member shall be filed with the Municipal Clerk, and that certificate shall be conclusive evidence of the due and proper appointment of that member.

- h. A member shall receive no compensation for services, but shall be entitled to reimbursement from the Municipal Hospital Authority for actual expenses necessarily incurred in the discharge of the duties of member.
- i. The powers of the Municipal Hospital Authority shall be vested in the members thereof in office from time to time. Five voting members shall constitute a quorum for the purpose of conducting business and exercising powers and all other purposes. Action may be taken by the Municipal Hospital Authority upon the affirmative vote of the majority, but not less than five of the voting members present, unless in any case the bylaws of the Municipal Hospital Authority shall require a larger number.
- j. The Municipal Hospital Authority shall select a chairman and a vice-chairman from among the Class III public members, and it may employ an executive director who may be its secretary.
- k. For inefficiency or neglect of duty or misconduct in office, a member may be removed by the governing body or officer by which he was appointed; but a member may be removed only after the member has been given a copy of the charges at least 10 days prior to the hearing thereon and has had the opportunity to be heard in person or by counsel. In the event of a removal of a member, a record of the proceedings, together with the charges and findings thereon, shall be filed in the office of the Municipal Clerk

Section 2. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

Section 3. The Mayor and Clerk are hereby authorized to execute any and all necessary documents in order to implement the intent of this Ordinance.

Section 4. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competing jurisdiction, the remainder of the Ordinance shall not be affected thereby.

Section 5. Any ordinances or part thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section 6. This Ordinance shall take effect upon publication in an official newspaper of the City, as required by and in conformance with law.

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

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENREAL ORDINANCES OF THE CITY OF BAYONNE, CREATING CHAPTER 38, BAYONNE MUNICIPAL HOSPITAL AUTHORITY ," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, ** 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, Perez and President Nadrowski

Absent: Council Members LaPelusa

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

WHEREAS, "Post Road Affordable Urban Renewal LLC" (hereinafter referred to as the "Sponsor") proposes to acquire and rehabilitate the Post Road Gardens Apartments housing project, a 2510unit (250 revenue generating and 1 superintendent) apartment complex for low

income elderly residents, and which is located at 537 Avenue A, City of Bayonne (hereinafter referred to as the "Project") pursuant to the provisions of the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended (N.J.S.A. 55:14K-1 et seq), the rules promulgated thereunder at N.J.A.C. 5:80-1.1 et seq., and all applicable guidelines promulgated thereunder (the foregoing hereinafter collectively referred to as the "HMFA Requirements") within the City of Bayonne (hereinafter referred to as the "Municipality") on the site described at Block 192, Lot 27 and Block 21, Lot 4.02 as shown on the Official Assessment Map of the City of Bayonne; and

WHEREAS, the Project will be subject to the HMFA Requirements and the mortgage and other loan documents executed between the Sponsor and the New Jersey Housing and Mortgage Finance Agency (hereinafter referred to as the "Agency"); and

WHEREAS, pursuant to the HMFA Requirements, the governing body of the Municipality hereby determines that there is a need for this housing project in the Municipality.

NOW THEREFORE, BE IT RESOLVED, by the Council of the City of Bayonne (the "Council") that:

1. The Council finds and determines that the Project proposed by the Sponsor meets or will meet an existing housing need;
2. The Council does hereby adopt the within Resolution and makes the determination and findings herein contained by virtue of, pursuant to, and in conformity with the provisions of the HMFA Law to enable the Agency to process the Sponsor's application for Agency funding to finance the Project.
3. Resolution No. 19-06-19-056 is hereby rescinded in its entirety.

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

Absent: Council Members LaPelusa

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

WHEREAS, the City of Bayonne and 252-268 AVENUE E URBAN RENEWAL, LLC, a New Jersey limited liability company, having its principal place of business at c/o Skye Development LLC, 540 Broadway, Bayonne, New Jersey 07002, Attention: Mitchell Burakovsky (the "Borrower"), have entered into a certain Financial Agreement dated November 26, 2016 (together with all amendments thereto and modifications, renewals, extensions and replacements thereof, the "Financial Agreement"); and

WHEREAS, PROVIDENT BANK, a banking corporation organized and existing under the laws of the State of New Jersey having an address at 100 Wood Avenue South, Iselin, New Jersey 08830 (together with its successors and assigns, "Mortgage") is providing financing in the original principal amount of up to \$22,380,000.00 (the "Loan Amount") to 252-268 AVENUE E URBAN RENEWAL, LLC is borrowing for the construction of a 98-unit multi-family project located at 252-268 Avenue E, Lot 1.01 in Block 446, City of Bayonne, Hudson County, New Jersey (the "Property"); and

WHEREAS, the Loan from Provident Bank to 252-268 AVENUE E URBAN RENEWAL LLC shall be evidenced by a Construction Loan Note made by 252-268 AVENUE E URBAN RENEWAL LLC in favor of Mortgagee in the maximum principal amount of \$22,380,000.00 (as modified, extended, amended, restated or assigned, the "Note"), the Note being secured by, among other things, a Construction Mortgage, Assignment of Rents and Security Agreement (as modified, extended, amended, restated or assigned, the "Mortgage") on the Property, and will be advanced to Borrower pursuant to a certain Construction Loan Agreement between 252-268 AVENUE E URBAN RENEWAL LLC and Mortgagee (as modified, extended, amended, restated or assigned, the "Loan Agreement"); and

WHEREAS, in order to perfect the above noted loan documentation Provident Bank has requested that the City of Bayonne enter into a "Recognition Agreement" whereby the City of Bayonne will, among other things, represent, warrant and covenant to Mortgage that, as of a date certain:

- (a) The Financial Agreement, including all exhibits and other attachments thereto and all amendments thereto and modifications thereof is in full force and effect and has not been cancelled, modified, supplemented, amended, extended, renewed or terminated;

- (b) To the best of the City's knowledge, there exists no default, breach or violation by either party under the Financial Agreement; and
- (c) That the City consents to the Mortgage and to the perfection of the lien created thereunder upon Borrower's interest in and to the Property; now, therefore be it
- (d) RESOLVED, that the Mayor and Clerk are hereby authorized to execute a Recognition Agreement with Provident Bank, in form and substance acceptable to the Director of Law, and any other documentation necessary to perfect same, in order to allow for the above noted loan to issue and for the property to be developed.

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

Absent: Council Members LaPelusa

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At 8:11 P.M., Council President Nadrowski motion to adjourn, seconded by Council Member Perez, which motion was adopted.

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

Absent: Council Members LaPelusa

President – Sharon A. Nadrowski

Clerk – Madelene C. Medina