

REGULAR MEETING

OF THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, NEW JERSEY, HELD IN THE COUNCIL CHAMBER, MUNICIPAL BUILDING, 630 AVENUE C, ON WEDNESDAY, SEPTEMBER 23, 2020.

The Council met at 7:02 P.M.

The Council President Nadrowski announced: “I would like to advise all those present that notice of this regular meeting of the Municipal Council of the City of Bayonne of SEPTEMBER 23, 2020, 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 on September 18, 2020.”

And NOTICE WAS HEREBY GIVEN that the Municipal Council of the City of Bayonne will conduct this meeting through VIRTUAL/REMOTE communication equipment in conformance with the directives of the Executive Orders of the State of New Jersey for the purpose of conducting City business.

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, LaPelusa, Perez and President Nadrowski.

Absent: Council Member Gullace

The Council President led the Pledge of Allegiance.

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

WHEREAS, Lillian Glazewski began working for the City of Bayonne within its Planning and Zoning Department as its Land Use Administrator in 1995; and

WHEREAS, in 1998 Lillian was transferred to the Law Department at the behest of Law Director Joseph G. Nichols; and

WHEREAS, 18 months later, having completed her mission in the Law Department, Lillian Glazewski returned to her job as the Land Use Administrator for the City of Bayonne’s Planning and Zoning Boards, a position she still holds today; and

WHEREAS, Lillian Glazewski’s organizational skills and professional expertise are exceeded only by that of her ability to work with a smile on her face and make the world around her a much better place; and

WHEREAS, during her tenure as Land Use Administrator, Lillian has been an integral part of Bayonne’s passage through two of the greatest periods of real estate development and growth in the past half century and she has helped facilitate the former Military Ocean Terminal’s transformation into the bustling Peninsula at Bayonne Harbor that it is today and has overseen and organized the documentation and meetings that led to Bayonne’s residential building renaissance over the past six years; and

WHEREAS, Lillian Glazewski’s has served under and with Mayors Leonard P. Kiczek, Joseph V. Doria, Jr., Terrence Malloy, Mark Smith and Jimmy Davis, Law Directors Joseph G. Nichols, Jay Coffey and Nancy A. Kist, Planning/Zoning Board attorneys Stanley Susskind, Rody J. Costanzo and Rich Campisano, City Planners John Fussa and Suzanne Mack, Zoning Officers John Zgola, Donna Ward and Alicia Losonczy and all of them have benefitted greatly from Lillian’s guidance over these past 25 years; and

WHEREAS, this Municipal Council and those that have preceded us know full well how much Lillian Glazewski has meant to the City of Bayonne these last two and half decades; and

WHEREAS, Lillian Glazewski’s intelligence, competency, smiling face and pleasant demeanor have helped her to overcome the demands and obstacles she was confronted with on an everyday basis; and

WHEREAS, September 30, 2020 will be Lillian Glazewski's last day of work as the City's Land Use Administrator and this will be a very sad day for all of the people over the last 25 years whose lives have been made a bit easier, a bit better and a LOT happier because they were lucky enough to have come in contact with her; and

WHEREAS, Lillian will miss Maureen Pona, Tracey Tuohy, Melissa Mathews, Jackie McNulty, Rob Russo, Mika Apte, Sue Bischoff, Michele Hennessey, Jennifer Mattaliano, Megan Januska, the mellifluous voice of Tommy Cotter, Joe DeMarco and all the Ladies of the Law Department as much as they will miss her; and

WHEREAS, the City of Bayonne has been blessed with having Lillian Glazewski as part of its family for the past 25 years and will be a lesser place when she is no longer gracing our presence, but we know it is time for this wonderful woman and two-time cancer survivor to enjoy her three sons, four grandchildren and loving husband on a full time basis; and

WHEREAS, September 30, 2020 has been declared "Lillian Glazewski Day" in the City of Bayonne; now,

THEREFORE, BE IT, RESOLVED, that the City of Bayonne hereby recognizes Lillian Glazewski for her 25 years of work with the City of Bayonne, thanks her for the incalculable contributions she has made towards Bayonne's real estate redevelopment and, most importantly, lauds her for her innate ability to make people's lives better by just being Lillian.

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

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02. The Clerk announced:

AN ORDINANCE ENTITLED, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC," which was introduced and passed a first reading at a meeting held AUGUST 19, 2020, was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of SEPTEMBER 23, 2020 is now before the Council for its consideration and a public hearing.

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

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

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

The Clerk read the resolution 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 resolution an opportunity to be heard concerning it. The council president will recognize anyone who wishes to speak.

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

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

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

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

WHEREAS, an ordinance entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC," was introduced and passed a first reading at a meeting held AUGUST 19, 2020, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of SEPTEMBER 23, 2020; 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-20-47

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

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03. The following members of the public spoke:

Gail Godesky addressed the Council of face masks and social distancing.

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04. Council Member LaPelusa introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING THE REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 1207-1211 JOHN F. KENNEDY BOULEVARD, WHICH ARE IDENTIFIED AS BLOCK 24, LOTS 2 AND 3 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 30A:12A-1 ET. SEQ.

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 August 21, 2019, the Municipal Council of the City (the “Municipal Council”) designated the property located at 1207-1211 John F. Kennedy Boulevard, which are identified as Block 24, Lots 2 and 3 on the official 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 “1207-1211 John F. Kennedy Boulevard Redevelopment Plan” dated July 2, 2020 (the “Redevelopment Plan”); and

WHEREAS, the Planning Board reviewed the Redevelopment Plan and, in accordance with the Redevelopment Law, on July 14, 2020, conducted a public hearing wherein the Planning Board recommended the adoption of the Redevelopment Plan, and concluded that said Redevelopment Plan is consistent with the Master Plan of the City of Bayonne; and

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

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

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

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

Section 2. The Redevelopment Plan designated for the property located at 1207-1211 John F. Kennedy Boulevard, which are identified as Block 24, Lots 2 and 3 on the official tax map of the City of Bayonne is hereby adopted pursuant to the terms of N.J.S.A. 40A:12A-7 of the Redevelopment Law.

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

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

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

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

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

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING THE REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 1207-1211 JOHN F. KENNEDY BOULEVARD; WHICH ARE IDENTIFIED AS BLOCK 24, LOTS 2 AND 3 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 et seq.," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, October 21, 2020 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, LaPelusa, Perez and President Nadrowski.

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05. Council President Nadrowski introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING THE REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 196A AVENUE E. 196-198 AVENUE E, AND 200 AVENUE E, WHICH ARE IDENTIFIED AS BLOCK 458, LOTS 7, 8, AND 9 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 30A:12A-1 ET. SEQ.

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 August 21, 2019, the Municipal Council of the City (the "Municipal Council") designated the property located at 196A Avenue E, 196-198 Avenue E and 200 Avenue E, which are identified as Block 458, Lots 7, 8 and 9 on the official 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 “196-200 Avenue E Redevelopment Plan – Avenue E and East 19th Street, Block 458 Lots 7, 8, & 9 City of Bayonne, Hudson County, NJ” dated July 2, 2020 (the “Redevelopment Plan”); and

WHEREAS, the Planning Board reviewed the Redevelopment Plan and, in accordance with the Redevelopment Law, on July 14, 2020, conducted a public hearing wherein the Planning Board recommended the adoption of the Redevelopment Plan, and concluded that said Redevelopment Plan is consistent with the Master Plan of the City of Bayonne; and

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

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

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

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

Section 2. The Redevelopment Plan designated for the property located at 196A Avenue E, 196-198 Avenue E and 200 Avenue E, which are identified as Block 458, Lots 7, 8 and 9 on the official tax map of the City of Bayonne is hereby adopted pursuant to the terms of N.J.S.A. 40A:12A-7 of the Redevelopment Law.

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

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

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

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

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

BE IT RESOLVED, that an ordinance entitled “AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING THE REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 196A AVENUE E, 196-198 AVENUE E AND 200 AVENUE E, WHICH ARE IDENTIFIED AT BLOCK 458, LOTS 7, 8 AND 9 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1, ET SEQ,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, October 21, 2020 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, LaPelusa, Perez and President Nadrowski.

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06. Council President Nadrowski introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING THE REDEVELOPMENT PLAN FOR THE PROPERTIES LOCATED AT WEST 5TH STREET IDENTIFIED AS BLOCK 300.01, LOTS 1, 2 AND 3, BLOCK 301.03, LOTS 2 AND 3, AND BLOCK 511, LOT 1 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 30A:12A-1 ET. SEQ. (A& P 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 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 July 17, 2019, the Municipal Council of the City (the "Municipal Council") by resolution designated Block 300.01, Lots 2 and 3 as a condemnation 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, on July 17, 2019, the Municipal Council by resolution designated Block 301.03, Lots 2 and 3 as a non-condemnation 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 Municipal Council by resolution expanded the this redevelopment plan to include Block 511, Lot 1 as a non-condemnation 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 "Bayview Redevelopment Plan" dated August 3, 2020 (the "Redevelopment Plan"); and

WHEREAS, the Planning Board reviewed the Redevelopment Plan and, in accordance with the Redevelopment Law, on August 11, 2020, conducted a public hearing wherein the Planning Board recommended the adoption of the Redevelopment Plan, and concluded that said Redevelopment Plan is consistent with the Master Plan of the City of Bayonne; and

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

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

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

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

Section 2. The Redevelopment Plan designated for the properties identified as Block 300.01, Lots 2 and 3, Block 301.03, Lots 2 and 3, and Block 511, Lot 1 on the official tax map of the City of Bayonne is hereby adopted pursuant to the terms of N.J.S.A. 40A:12A-7 of the Redevelopment Law.

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

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

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

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

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

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING THE REDEVELOPMENT PLAN FOR THE PROPERTIES LOCATED AT AVENUE A AND NORTH STREET, 159-161 AVENUE A, AVENUE AND NEWARK BAY, 175 AVENUE A AND WEST 5TH STREET WHICH ARE IDENTIFIED AT BLOCK 300.01, LOTS 1, 2 AND 3, BLOCK 301.03, LOTS 2 AND 3, AND BLOCK 511, LOT 1 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1, ET SEQ," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, October 21, 2020 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, LaPelusa, Perez and President Nadrowski.

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07. Council Member LaPelusa introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING THE REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 219 WEST 5th STREET AND IDENTIFIED AS BLOCK 301.01, LOT 1 AND 6 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 30A:12A-1 ET SEQ. (NACIREMA)

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 August 21, 2019, the Municipal Council of the City (the "Municipal Council") designated the property located at 219 West 5th Street and identified as Block 301.01, Lot 1 on the official 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 "Block 301.01, Lots 1 & 6 – 2019 West 5th Street" dated August 3, 2020 (the "Redevelopment Plan"); and

WHEREAS, the Planning Board reviewed the Redevelopment Plan and, in accordance with the Redevelopment Law, on August 11, 2020, conducted a public hearing wherein the Planning Board recommended the adoption of the Redevelopment Plan, and concluded that said Redevelopment Plan is consistent with the Master Plan of the City of Bayonne; and

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

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

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

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

Section 2. The Redevelopment Plan designated for the property located at 219 West 5th Street and identified as Block 301.01, Lot 1 and 6 on the official tax map of the City of Bayonne is hereby adopted pursuant to the terms of N.J.S.A. 40A:12A-7 of the Redevelopment Law.

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

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

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

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

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

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE OR THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING THE REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 219 WEST 5TH STREET IDENTIFIED AT BLOCK 301.01, LOTS 1 AND 6 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1, ET SEQ," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, October 21, 2020 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, LaPelusa, Perez and President Nadrowski.

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08. Council President Nadrowski introduced:

AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDED REDEVELOPMENT PLAN TITLED AMENDED AND RESTATED REDEVELOPMENT PLAN TEXACO REDEVELOPMENT AREA FOR THE PROPERTY IDENTIFIED AS BLOCK 332, LOT 3, BLOCK 360 LOT 2, BLOCK 373, LOTS 1, 2, 13, 14 AND 15, BLOCK 390 LOTS 1, RG67, BLOCK 391, LOTS 1 AND 2 AND BLOCK 511, LOTS 5 AND 6 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 (TEXACO)

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 in August 2003, the Municipal Council of the City (the "Municipal Council") designated the identified as Block 332, Lot 3; Block 360, Lot 2; Block 373, Lots 1, 2, 13, 14 and 15, Block 390 Lots 1, RG67, Block 391, Lots 1 and 2 and Block 511, Lots 5 and 6 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 "Amended and Restated Redevelopment Plan Texaco Redevelopment Area" dated September 16, 2015 and amended by the Municipal Council on June 19, 2019 (the "Redevelopment Plan"); and

WHEREAS, the Municipal Council agreed with the Planning Board's recommendation and by Ordinance adopted the Redevelopment Plan and all subsequent amendments; and

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

WHEREAS, an Amended Redevelopment Plan for the Redevelopment Area titled "Second Amended and Restated Redevelopment Plan Texaco Redevelopment Area", has been prepared by and submitted to the Municipal Council for review (the "Amended Plan"); and

WHEREAS, the Municipal Council directs the Planning Board to conduct a hearing to review the Amended Plan to determine if it is consistent with the City's Masterplan; and

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

WHEREAS, the Municipal Council believes that the adoption of the Amended 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 Municipal Clerk is hereby directed to forward a copy of this Ordinance and the Amended Plan to the Bayonne Planning Board for a consistency review and comment pursuant to N.J.S.A. 40A:12A-7(f).

Section 3. The Redevelopment Plan titled "Second Amended and Restated Redevelopment Plan Texaco Redevelopment Area" for the property identified as Block 332, Lot 3; Block 360, Lot 2; Block 373, Lots 1, 2, 13, 14 and 15, Block 390 Lots 1, RG67, Block 391, Lots 1 and 2 and Block 511, Lots 5 and 6 is hereby adopted pursuant to N.J.S.A. 40A:12A-7 of the Redevelopment Law.

Section 4. The zoning district map in the zoning ordinance of the Borough 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 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 President Nadrowski moved a resolution, seconded by Council President Member Carroll which was read by the Clerk and adopted.

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDED REDEVELOPMENT PLAN TITLED AMENDED AND RESTATED REDEVELOPMENT PLAN TEXACO REDEVELOPMENT AREA FOR THE PROPERTY IDENTIFIED AS BLOCK 332, LOT 3; BLOCK 360, LOT 2; BLOCK 373, LOTS 1, 2, 13, 14 AND 15; BLOCK 390, LOTS 1, RG67, BLOCK 391, LOTS 1 & 2; AND BLOCK 511, LOTS 5 & 6 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A: 12A-1 ET SEQ," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, October 21, 2020 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, LaPelusa, Perez and President Nadrowski.

* * * * *

09. Council Member LaPelusa introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING THE AMENDED REDEVELOPMENT PLAN FOR THE PENINSULA AT BAYONNE HARBOR FOR THE MARITIME, LOFTS AND LANDING DISTRICTS, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 30A:12A-1 ET. SEQ. (Lincoln Equities)

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, the on November 23, 1999 the City Council designated the Property as a non-condemnation area in need of redevelopment (the Redevelopment Area").

WHEREAS, pursuant to N.J.S.A. 40A:12A-7, on August 24, 2001, the City duly adopted an ordinance approving the redevelopment plan entitled "The Peninsula at Bayonne Harbor BLRA Redevelopment Plan", (the "Redevelopment Plan") for the Redevelopment Area; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7, the city has amended the Redevelopment on several occasions with the last amendment being adopted by the City Council on May 16, 2018, (the "Amended Redevelopment Plan"); and

WHEREAS, the Municipal Council, as a redevelopment entity to authorized and directed the Planning Board to reopen and amend the Amended Redevelopment Plan to address

acquisition of additional land, the needs of additional infrastructure improvements and amended uses for the Redevelopment area and surrounding properties; and

WHEREAS, pursuant to the provisions of *N.J.S.A. 40A:12A-7(e)* of the Redevelopment Law, the Planning Board, through the City's staff and/or Planning Board professionals, has prepared a redevelopment plan for the Redevelopment Area titled "Amendment to the Peninsular At Bayonne Harbor Redevelopment Plan- Maritime, The landing and lofts Districts" dated September 8, 2020 (the "Amended Plan"); and

WHEREAS, the Planning Board reviewed the Redevelopment Plan and, in accordance with the Redevelopment Law, on September 8, 2020, conducted a public hearing wherein the Planning Board recommended the adoption of the Redevelopment Plan, and concluded that said Redevelopment Plan is consistent with the Master Plan of the City of Bayonne; and

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

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

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

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

Section 2. The Redevelopment Plan titled Amendment to the Peninsular at Bayonne Harbor Redevelopment Plan- Maritime, The landing and lofts Districts" dated September 8, 2020 is hereby adopted pursuant to the terms of N.J.S.A. 40A:12A-7 of the Redevelopment Law.

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

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

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

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

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

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING THE AMENDED REDEVELOPMENT PLAN FOR THE PENINSULAR AT BAYONNE HARBOR FOR THE MARITIME, LOFTS AND LANDING DISTRICTS, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 et seq.*" just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, October 21, 2020 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, LaPelusa, Perez and President Nadrowski.

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10. Council Member LaPelusa introduced:

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

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

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

RESTRICTIVE PARKING ZONES
DELETE

130. Benjamin Jackson, 43 Andrew Street
Beginning at a point on the north side of Andrew Street, 147 feet east of the northeast corner of Avenue A and Andrew Street, and extending to a point 22 feet east thereof.

363. Ethel O'Rourke, 13 Andrew Street
Beginning at a point on the North side of Andrew Street, 158 feet west of the northwest corner of Broadway and Andrew Street, and extending to a point 19 feet west thereof.

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

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

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11. The Council as a whole moved the following resolution 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.

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

From MARIA L. WRIGHT filing a notice of claim alleging property damage to her automobile when it was struck by a police vehicle at East 19th Street on July 23, 2020

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

From Edward J. Ahearn, Esq. filing a notice claim on behalf of ALLISON R. FORD alleging personal injuries resulting from a fall on May 20, 2020 at Broadway and intersection at 35th Street.

14. The Council as a whole moved the following communication be received and filed, which motion was adopted
From SHAWN P. O'LEARY filing a notice of claim alleging damage to his automobile when it was struck on August 7. 2020 by garbage truck while parked on Garretson Avenue.

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

From the Superior Court of New Jersey, in the matter entitled, "MARIO BARBERI TRUST vs. SUEZ BAYONNE, BAYONNE MUNICIPAL UTILITIES AUTHORITY AND BAYONNE FIRE DEPT., et als.

16. 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.

17. 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.

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

BID REPORT FOR THE MUNICIPAL COUNCIL

Date: 04/09/20 Ad Date: 02/14/20 Date bids accepted: 03/13/20
Attending: Amy Dellabella, Justin Cornell, CME Engineer

Bid titled: IMPROVEMENTS TO FITZPATRICK PARK

Picerno Giordano Construction 200 Market Street Kenilworth, NJ 07033	\$2,086,786.25
Zenith Construction Services Inc. 365 Thomas Blvd. Orange, NJ 07050	\$2,299,816.00
Grade Construction 110 Pennsylvania Avenue Paterson, NJ 07503	\$2,491,835.56
Your Way Construction Inc. 404 Coit Street	

Irvington, NJ 07111

\$3,145,014.50

After review by the Department Director, the Purchasing Department will prepare a request for contract award and forward it to the City Clerk for inclusion in future Council Agenda. If other than the lowest bidder is recommended, an explanation will be provided with that report. If bids are to be rejected, an appropriate report will be prepared.

Please retain this report, as the information above may not be repeated in the request for award documents or in the event of a bid rejection.

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

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

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

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

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

RESOLVED, That the official minutes of the regular council meeting held Wednesday, AUGUST 19, 2020 be and the same are hereby approved.

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

RESOLVED, That the official minutes of the council caucus meeting held Wednesday, August 12, 2020, be and the same are hereby approved.

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- 22.** 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 \$ 27.60 drawn of the Bureau of Rabies Control, State Department of Health, Trenton, New Jersey, covering the issuance of licenses Nos. 755-763 inclusive, 8 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.

* * * * *

- 23.** 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
5	4	32 COLONIAL BAYONNE LLC	3,047.52
177	5	ELIASAR MORALES	1,599.51
300.01	2	175 AVENUE A HOLDINGS LLC	4,703.11
300.01	3	175 AVENUE A HOLDINGS LLC	111,778.61
340	14	RTLF-NJ LLC	2,296.47
366	10	ROBERT & JANE MURRAY	3,619.42
TOTAL			127,044.64

* * * * *

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

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

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

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

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

BE IT RESOLVED, That the City Clerk be and is hereby authorized to advertise for bids for the construction of the Bayonne Bridge area parking lot.

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

WHEREAS, the City is in need of various professional services and/or extraordinary unspecifiable services for the upcoming calendar year commencing January 1, 2021 and ending December 31, 2021 including, but not limited to, professional legal services, engineering services, accounting services, information technology services, *etc.*, now, therefore, be it

RESOLVED, the Municipal Council hereby authorizes the advertisement of various Requests for Qualifications/Proposals for the aforesaid professional and or extraordinary unspecifiable services for the upcoming calendar year commencing January 1, 2021 and ending December 31, 2021 pursuant to the fair and open contracting provisions set forth in *N.J.S.A. 19:44A-20.4* and *N.J.S.A. 19:44A-20.5*.

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28. 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 \$734.21 for the licensing fee for the period commencing with a billing date of September 15, 2020; and

WHEREAS, funds are certified as available in account #0-01-20-101-0000-090; 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 \$798.30

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

WHEREAS, the City of Bayonne's Fire Department has demonstrated a need to procure a Seven (7) Room Webcast Audio Visual System ("Webcast Audio Visual System") to increase efficiency in firefighter training; and

WHEREAS, the Chief of the Fire Department is in receipt of a Quote from CSAV Systems, LLC, 283 Route 34, Colts Neck, NJ 07722 dated June 2, 2020 (Project Number 12764U) for said Webcast Audio Visual System for the amount of \$28,498.00; and

WHEREAS, pursuant to Executive Order No. 103, the Governor of the State of New Jersey concurrently invoked a State of Emergency under N.J.S.A. App.A.:9-33 *et seq.*, and a Public Health Emergency under N.J.S.A. 26:13-1 *et seq.*, in response to the coronavirus outbreak; and

WHEREAS, Executive Order No. 103 contemplates that the spread of Covid-19 would disrupt the timely delivery of goods and services necessary for the life, safety and health of the public; and

WHEREAS, Executive Order No. 103 further addresses the difficulty in procuring of goods and services by relaxing public contract laws at the State level; and

WHEREAS, Local Finance Notice 2020-06 provides that pursuant to N.J.S.A. 19:44A-20.12, emergency contracts awarded for purposes of coronavirus response are excepted from Pay-to-Play due to public exigency, and municipalities are not required to file an "emergency procurement report" with the State; and

WHEREAS, efficient firefighter training is essential to the serving the citizens of the City of Bayonne; and

WHEREAS, funds are certified as available in Capital Bond Ordinance 19-56; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and/or his designee is/are hereby authorized to take any and all actions and sign any and all documents necessary to procure the aforesaid Seven (7) Room Webcast Audio Visual System from CSAV Systems, LLC, 283 Route 34, Colts Neck, NJ 07722 for the amount of \$28,498.00 pursuant to CSAV Systems, LLC's, proposal dated June 2, 2020 (Project Number 12764U).

2. Funds shall be chargeable to Capital Bond Ordinance 19-56.

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

WHEREAS, due to the COVID-19 pandemic, the City of Bayonne's Fire Department has demonstrated a need to procure six (6) fire house security and monitoring camera systems

("Security Systems") for the purpose of identifying and monitoring individuals approaching and/or visiting the firehouses in order to ensure the health, welfare and safety of the City's firefighters and other City employees and to enforce social distancing and

WHEREAS, the Chief of the Fire Department is in receipt of a Quote for said Security Systems from SRA Security Systems, Inc., 45 West 53rd Street, Bayonne, New Jersey 07002 dated August 19, 2020, for the amount of \$25,150.00; and

WHEREAS, pursuant to Executive Order No. 103, the Governor of the State of New Jersey concurrently invoked a State of Emergency under N.J.S.A. App.A.:9-33 *et seq.*, and a Public Health Emergency under N.J.S.A. 26:13-1 *et seq.*, in response to the coronavirus outbreak; and

WHEREAS, Executive Order No. 103 contemplates that the spread of Covid-19 would disrupt the timely delivery of goods and services necessary for the life, safety and health of the public; and

WHEREAS, Executive Order No. 103 further addresses the difficulty in procuring of goods and services by relaxing public contract laws at the State level; and

WHEREAS, Local Finance Notice 2020-06 provides that pursuant to N.J.S.A. 19:44A-20.12, emergency contracts awarded for purposes of coronavirus response are excepted from Pay-to-Play due to public exigency, and municipalities are not required to file an "emergency procurement report" with the State; and

WHEREAS, the health, welfare and safety of the City's firefighters and other City employees is essential to serving the citizens of the City of Bayonne; and

WHEREAS, funds are certified as available in COVID-19 Account/CARES ACT; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and/or his designee is/are hereby authorized to take any and all actions and sign any and all documents necessary to procure the aforesaid Security Systems from SRA Security Systems, Inc., 45 West 53rd Street, Bayonne, New Jersey 07002.
2. Funds shall be chargeable to COVID-19 Account/CARES ACT.

* * * * *

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

WHEREAS, the City of Bayonne has been awarded a Fiscal Year 2020 Assistance to Firefighters Grant Program – COVID-19 Supplemental (AFG-S)(the "COVID-19 Supplemental Grant") in the amount of \$41,888.00 in Federal funding for the purpose of purchasing COVID-19 related equipment; and

WHEREAS, as a condition of the aforesaid COVID-19 Supplemental Grant, the City is required to contribute non-Federal funds equal to or greater than 10.0% of the Federal funds awarded, or \$4,188.80 for a total approved budget of \$46,076.80; and

WHEREAS, the City of Bayonne is required to formally accept these funds; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. That the Mayor and or his designee is/are authorized to take any and all actions and execute any and all documents necessary to effectuate the acceptance of the above referenced COVID-19 Supplemental Grant.
2. This resolution shall take effect immediately.

* * * * *

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

WHEREAS, the City of Bayonne has been awarded a Fiscal Year 2019 Assistance to Firefighters Grant ("FY2019 AFG") in the amount of \$74,090.21 in Federal funding for the purpose of purchasing fire fighter turnout gear washer/extraction equipment; and

WHEREAS, as a condition of the aforesaid FY2019 AFT, the City is required to contribute non-Federal funds equal to or greater than 10.0% of the Federal funds awarded, or \$7,409.09 for a total approved budget of \$81,500.00; and

WHEREAS, the City of Bayonne is required to formally accept these funds; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. That the Mayor and or his designee is/are authorized to take any and all actions and execute any and all documents necessary to effectuate the acceptance of the above referenced FY2019 AFG.
2. This resolution shall take effect immediately.

* * * * *

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

WHEREAS, Resolution 20-07-15-063 adopted July 15, 2020 authorized an agreement with the Bayonne Economic Opportunity Foundation (the "BEOF") to provide Community Development Block Grant Funds in the amount of \$57,060.00 for the purpose of providing the cost of asbestos abatement for the boiler room and heating system at the former Holy Family located at 237-249 Avenue for the period commencing September 1, 2019 through August 31, 2020; and

WHEREAS, said Resolution No. 20-07-15-063 contained scrivener's errors insofar as the correct date of the application submitted by the BEOF is February 19, 2020 and the period of the authorized agreement is September 1, 2020 and ending August 31, 2021; now, therefore, be it

RESOLVED, by the Municipal Council that Resolution No. 20-07-15-063 is hereby amended to reflect the date of the aforesaid application submitted by the BEOF is February 19, 2020 and the period of the authorized agreement with the BEOF is September 1, 2020 through August 31, 2021.

* * * * *

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

WHEREAS, due to the COVID-19 pandemic, the City is the recipient of additional Community Development Block Grant (CDBG) Funds from the U.S. Department of Housing and Urban Development (CDBG-CV Grants or CDBG COVID-19 Funds); and

WHEREAS, CDBG-CV Grants may be used to fund local public services and microenterprise assistance programs; and public health, emergency response, or temporary housing facilities that address COVID-19 impacts, and grant administration; and

WHEREAS, CDBG funded activities must benefit low- and moderate-income persons or meet the CDBG urgent need national objective criteria; and

WHEREAS, the Chamber of Commerce, 591 Avenue C, Bayonne, New Jersey 07002 is an organization which has among its objectives bringing our local business owners together for networking opportunities, promoting business advocacy, and be actively involved with City of Bayonne affairs ; and

WHEREAS, the Chamber of Commerce has requested and submitted a formal written application dated June 19, 2020 for said CDBG COVID-19 Funds in the amount of \$10,000 for the purpose providing small business seminars (the "Application"); and

WHEREAS, at the time of the submission of the Application, the amount of the CDBG COVID-19 Funds available for the purpose of said small business seminars had not yet been determined; and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said CDBG COVID-19 Funds for the purpose of said small business seminars has been determined to be \$15,000.00; and

WHEREAS, based upon the fact that excess funds beyond that which had been requested are now available, the Director of Community Development has determined that the award should be in the amount of \$15,000.00; and

WHEREAS, said CDBG-COVID 19 Funds are certified as available in Account CDBG CV-1078 now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Chamber of Commerce, 591 Avenue C, Bayonne, New Jersey 07002 for the provision of providing small business seminars in the amount of \$15,000.00 for the period commencing September 1, 2020 and ending August 31, 2021.

2. Funds shall be charged to Account #CDBG CV-1078.

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

WHEREAS, due to the COVID-19 pandemic, the City is the recipient of additional Community Development Block Grant (CDBG) Funds from the U.S. Department of Housing and Urban Development (HUD) (CDBG-CV Grants or CDBG COVID-19 Funds); and

WHEREAS, CDBG-CV Grants may be used to fund local public services and microenterprise assistance programs; and public health, emergency response, or temporary housing facilities that address COVID-19 impacts, and grant administration; and

WHEREAS, CDBG funded activities must benefit low- and moderate-income persons or meet the CDBG urgent need national objective criteria; and

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

WHEREAS, the Bayonne Economic Opportunity Foundation has requested and submitted a formal written application dated June 12, 2020 for said CDBG COVID-19 Funds in the amount of \$250,000.00 for the purpose of providing a COVID-19 rental assistance program; and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said CDBG COVID-19 Funds for the purpose of providing said COVID-19 rental assistance program has been determined to be \$250,00.00; and

WHEREAS, said CDBG COVID-19 Funds are certified as available in Account CDBG CV-1065 now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Bayonne Economic Opportunity Foundation, 555 Kennedy Blvd, Bayonne, New Jersey 07002 for the provision of providing a COVID-19 rental assistance program in the amount of \$250,000.00 for the period commencing September 1, 2020 and ending August 31, 2021.

2. Funds shall be charged to Account #CDBG CV-1065.

* * * * *

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

WHEREAS, due to the COVID-19 pandemic, the City is the recipient of additional Community Development Block Grant (CDBG) Funds from the U.S. Department of Housing and Urban Development (HUD) (CDBG-CV Grants or CDBG COVID-19 Funds); and

WHEREAS, CDBG-CV Grants may be used to fund local public services and microenterprise assistance programs; and public health, emergency response, or temporary housing facilities that address COVID-19 impacts, and grant administration; and

WHEREAS, CDBG funded activities must benefit low- and moderate-income persons or meet the CDBG urgent need national objective criteria; and

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

WHEREAS, the Bayonne Economic Opportunity Foundation has requested and submitted a formal written application dated June 12, 2020 for said CDBG COVID-19 Funds in an amount to be determined for the purpose of providing a senior holiday grab'n'go program; and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said CDBG COVID-19 Funds for the purpose of providing said senior holiday grab'n'go program has been determined to be \$30,000.00; and

WHEREAS, said CDBG COVID-19 Funds are certified as available in Account CDBG CV-1066 now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Bayonne Economic Opportunity Foundation, 555 Kennedy Blvd, Bayonne, New Jersey 07002 for the provision of providing a senior holiday grab'n'go program in the amount of \$30,000.00 for the period commencing September 1, 2020 and ending August 31, 2021.

2. Funds shall be charged to Account #CDBG CV-1066.

* * * * *

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

WHEREAS, due to the COVID-19 pandemic, the City is the recipient of additional Community Development Block Grant (CDBG) Funds from the U.S. Department of Housing and Urban Development (HUD) (CDBG-CV Grants or CDBG COVID-19 Funds); and

WHEREAS, CDBG-CV Grants may be used to fund local public services and microenterprise assistance programs; and public health, emergency response, or temporary housing facilities that address COVID-19 impacts, and grant administration; and

WHEREAS, CDBG funded activities must benefit low- and moderate-income persons or meet the CDBG urgent need national objective criteria; and

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

WHEREAS, the Bayonne Economic Opportunity Foundation has requested and submitted a formal written application dated June 12, 2020 for said CDBG COVID-19 Funds in the amount of \$6,000 for the purpose office sanitation and PPE supplies ("Application"); and

WHEREAS, at the time of the submission of the Application, the amount of the CDBG COVID-19 Funds available for the purpose of said office sanitation and PPE supplies had not yet been determined; and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said CDBG COVID-19 Funds for the purpose of the aforesaid office sanitation and PPE supplies has been determined to be \$10,000.00; and

WHEREAS, based upon the fact that excess funds beyond that which had been requested are now available, the Director of Community Development has determined that the award should be in the amount of \$10,000.00; and

WHEREAS, said CDBG COVID-19 Funds are certified as available in Account CDBG CV-1067 now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Bayonne Economic Opportunity Foundation, 555 Kennedy Blvd, Bayonne, New Jersey 07002 for the provision of office sanitation and PPE supplies in the amount of \$10,000.00 for the period commencing September 1, 2020 and ending August 31, 2021.

2. Funds shall be charged to Account #CDBG CV-1067.

* * * * *

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

WHEREAS, due to the COVID-19 pandemic, the City is the recipient of additional Community Development Block Grant (CDBG) Funds from the U.S. Department of Housing and Urban Development (HUD) (CDBG-CV Grants or CDBG COVID-19 Funds); and

WHEREAS, CDBG-CV Grants may be used to fund local public services and microenterprise assistance programs; and public health, emergency response, or temporary housing facilities that address COVID-19 impacts, and grant administration; and

WHEREAS, CDBG funded activities must benefit low- and moderate-income persons or meet the CDBG urgent need national objective criteria; and

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

WHEREAS, the Bayonne Youth Center has requested and submitted a formal written application dated June 12, 2020 for said CDBG COVID-19 Funds for the amount of \$18,130.00 for the purpose of providing an after school virtual learning center for low and moderate income families (the "Application"); and

WHEREAS, at the time of the submission of the Application, the amount of the CDBG COVID-19 Funds available for the purpose of said after school virtual learning center for low income families had not yet been determined; and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said CDBG COVID-19 Funds for the purpose of said after school virtual learning center for low income families has been determined to be \$20,000.00; and

WHEREAS, based upon the fact that excess funds beyond that which had been requested are now available, the Director of Community Development has determined that the award should be in the amount of \$20,000.00; and

WHEREAS, said CDBG COVID- 19 Funds are certified as available in Account CDBG CV-1076; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Bayonne Youth Center, 524 Kennedy Blvd, Bayonne, New Jersey 07002 for the provision of providing an after school virtual learning center for low and moderate income families in the amount of \$20,000.00 for the period commencing September 1, 2020 and ending August 31, 2021.

2. Funds shall be charged to Account #CDBG CV-1076.

* * * * *

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

WHEREAS, due to the COVID-19 pandemic, the City is the recipient of additional Community Development Block Grant (CDBG) Funds from the U.S. Department of Housing and Urban Development (HUD) (CDBG-CV Grants or CDBG COVID-19 Funds); and

WHEREAS, CDBG-CV Grants may be used to fund local public services and microenterprise assistance programs; and public health, emergency response, or temporary housing facilities that address COVID-19 impacts, and grant administration; and

WHEREAS, CDBG funded activities must benefit low- and moderate-income persons or meet the CDBG urgent need national objective criteria; and

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

WHEREAS, the Waterfront Project Inc. has requested and submitted a formal written application dated June 10, 2020 for said CDBG Grant Funds in the amount of \$40,000.00 for the purpose of providing housing counseling and legal advocacy program COVID-19 expansion (the "Application"); and

WHEREAS, at the time of the submission of the Application, the amount of the CDBG COVID-19 Funds available for the purpose of providing the aforesaid housing counseling and legal advocacy program expansion had not yet been determined; and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said CDBG COVID-19 Funds for the purpose of providing housing counseling and legal advocacy program expansion has been determined to be \$45,000.00; and

WHEREAS, based upon the fact that excess funds beyond that which had been requested are now available, the Director of Community Development has determined that the award should be in the amount of \$45,000.00; and

WHEREAS, said CDBG COVID-19 Funds are certified as available in Account CDBG CV-1075; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Waterfront Project Inc., 830 Bergen Avenue Suite 4A, Jersey City, New Jersey 07306 for the provision of providing housing counseling and legal advocacy program COVID-19 expansion in the amount of \$45,000.00 for the period commencing September 1, 2020 and ending August 31, 2021.

2. Funds shall be charged to Account #CDBG CV-1075.

* * * * *

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

WHEREAS, due to the COVID-19 pandemic, the City is the recipient of additional Community Development Block Grant (CDBG) Funds from the U.S. Department of Housing and Urban Development (HUD) (CDBG-CV Grants or CDBG COVID-19 Funds); and

WHEREAS, CDBG-CV Grants may be used to fund local public services and microenterprise assistance programs; and public health, emergency response, or temporary housing facilities that address COVID-19 impacts, and grant administration; and

WHEREAS, CDBG funded activities must benefit low- and moderate-income persons or meet the CDBG urgent need national objective criteria; and

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

WHEREAS, the Bayonne Family Community Center has requested and submitted a formal written application dated June 10, 2020 for said CDBG COVID-19 Funds in the amount of \$200,000.00 for the purpose of child care program PPE supplies, utility bills and salaries; and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said CDBG COVID-19 Funds for the purpose of child care program PPE supplies, utility bills and salaries is limited to the amount of \$95,000.00; and

WHEREAS, said CDBG COVID-19 Funds are certified as available in Account CDBG CV-1069; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Bayonne Family Community Center, 259 Avenue E, Bayonne, New Jersey 07002 for the provision of child care program PPE supplies, utility bills and salaries in the amount of \$95,000.00 for the period commencing September 1, 2020 and ending August 31, 2021.

2. Funds shall be charged to Account #CDBG CV-1069.

* * * * *

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

WHEREAS, due to the COVID-19 pandemic, the City is the recipient of additional Community Development Block Grant (CDBG) Funds from the U.S. Department of Housing and Urban Development (HUD) (CDBG-CV Grants or CDBG COVID-19 Funds); and

WHEREAS, CDBG-CV Grants may be used to fund local public services and microenterprise assistance programs; and public health, emergency response, or temporary housing facilities that address COVID-19 impacts, and grant administration; and

WHEREAS, CDBG funded activities must benefit low- and moderate-income persons or meet the CDBG urgent need national objective criteria; and

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

WHEREAS, the Wallace Temple Community Activity Resource Enrichment Site has requested and submitted a formal written application dated June 15, 2020 for said CDBG COVID-19 Funds in the amount of \$18,050.00 for the purpose of providing the C.A.R.E.S living faith food pantry expansion; and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said CDBG COVID-19 Funds for the purpose of providing the C.A.R.E.S living faith food pantry expansion is limited to the amount of \$15,000.00; and

WHEREAS, said CDBG COVID-19 Funds are certified as available in Account CDBG CV-1079; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Wallace Temple Community Activity Resource Enrichment Site, 392 Avenue C, Bayonne, New Jersey 07002 for the provision of providing the C.A.R.E.S. living faith food pantry expansion in the amount of \$15,000.00 for the period commencing September 1, 2020 and ending August 31, 2021.

2. Funds shall be charged to Account #CDBG CV-1079.

* * * * *

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

WHEREAS, due to the COVID-19 pandemic, the City is the recipient of additional Community Development Block Grant (CDBG) Funds from the U.S. Department of Housing and Urban Development (HUD) (CDBG-CV Grants or CDBG COVID-19 Funds); and

WHEREAS, CDBG-CV Grants may be used to fund local public services and microenterprise assistance programs; and public health, emergency response, or temporary housing facilities that address COVID-19 impacts, and grant administration; and

WHEREAS, CDBG funded activities must benefit low- and moderate-income persons or meet the CDBG urgent need national objective criteria; and

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

WHEREAS, the Jewish Community Center of Bayonne ("JCCOB") has requested and submitted a formal written application dated June 9, 2020 for said CDBG COVID-19 Funds in the amount of \$20,000.00 for the purpose of after school program PPE supplies (the "Application"); and

WHEREAS, at the time of the submission of the Application, the amount of the CDBG COVID-19 Funds available for the purpose of said after school program PPE supplies had not yet been determined; and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said CDBG COVID-19 Funds for the purpose of said after school program PPE supplies has been determined to be \$30,000.00; and

WHEREAS, based upon the fact that excess funds beyond that which had been requested are now available, the Director of Community Development has determined that the award should be in the amount of \$30,000.00; and

WHEREAS, said CDBG COVID-19 Funds are certified as available in Account CDBG CV-1070; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Jewish Community Center of Bayonne, 1050 Kennedy Blvd., Bayonne, New Jersey 07002 for the provision of after school program PPE supplies in the amount of \$30,000.00 for the period commencing September 1, 2020 and ending August 31, 2021.

2. Funds shall be charged to Account #CDBG CV-1070.

* * * * *

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

WHEREAS, due to the COVID-19 pandemic, the City is the recipient of additional Community Development Block Grant (CDBG) Funds from the U.S. Department of Housing and Urban Development (HUD) (CDBG-CV Grants or CDBG COVID-19 Funds); and

WHEREAS, CDBG-CV Grants may be used to fund local public services and microenterprise assistance programs; and public health, emergency response, or temporary housing facilities that address COVID-19 impacts, and grant administration; and

WHEREAS, CDBG funded activities must benefit low- and moderate-income persons or meet the CDBG urgent need national objective criteria; and

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

WHEREAS, the Victory Hall has requested and submitted a formal written application dated June 12, 2020 for said CDBG COVID-19 Funds in the amount of \$1,200.00 for the purpose of art instruction/development program individualized art supplies/PPE supplies (the "Application"); and

WHEREAS, at the time of the submission of the Application, the amount of the CDBG COVID-19 Funds available for the purpose of said art instruction/development program individualized art supplies/PPE supplies had not yet been determined; and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said CDBG COVID-19 Funds for the purpose of art instruction/development program individualized art supplies/PPE supplies has been determined to be \$3,645.00; and

WHEREAS, based upon the fact that excess funds beyond that which had been requested are now available, the Director of Community Development has determined that the award should be in the amount of \$3,645.00; and

WHEREAS, said CDBG COVID-19 Funds are certified as available in Account CDBG CV-1077; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Victory Hall, W 46th Street ., Bayonne, New Jersey 07002 for the provision of providing art instruction/development program individualized art supplies/PPE supplies in the amount of \$3,645.00 for the period commencing September 1, 2020 and ending August 31, 2021.
2. Funds shall be charged to Account #CDBG CV-1077.

* * * * *

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

WHEREAS, due to the COVID-19 pandemic, the City is the recipient of additional Community Development Block Grant (CDBG) Funds from the U.S. Department of Housing and Urban Development (HUD) (CDBG-CV Grants or CDBG COVID-19 Funds); and

WHEREAS, CDBG-CV Grants may be used to fund local public services and microenterprise assistance programs; and public health, emergency response, or temporary housing facilities that address COVID-19 impacts, and grant administration; and

WHEREAS, CDBG funded activities must benefit low- and moderate-income persons or meet the CDBG urgent need national objective criteria; and

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

WHEREAS, the Community Day Nursery has requested and submitted a formal written application dated June 12, 2020 for said CDBG COVID-19 Funds in the amount of \$35,000.00 for the purpose of child care program PPE supplies (the "Application"); and

WHEREAS, at the time of the submission of the Application, the amount of the CDBG COVID-19 Funds available for the purpose of said child care program PPE supplies had not yet been determined; and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said CDBG COVID-19 Funds for the purpose of the aforesaid child care program PPE supplies has been determined to be \$40,000.00; and

WHEREAS, based upon the fact that excess funds beyond that which had been requested are now available, the Director of Community Development has determined that the award should be in the amount of \$40,000.00; and

WHEREAS, said CDBG COVID-19 Funds are certified as available in Account CDBG CV-1074; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Community Day Nursery., 591 Broadway, Bayonne, New Jersey 07002 for the provision of providing child care program PPE supplies in the amount of \$40,000.00 for the period commencing September 1, 2020 and ending August 31, 2021.
2. Funds shall be charged to Account #CDBG CV-1074.

* * * * *

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

WHEREAS, due to the COVID-19 pandemic, the City is the recipient of additional Community Development Block Grant (CDBG) Funds from the U.S. Department of Housing and Urban Development (HUD) (CDBG-CV Grants or CDBG COVID-19 Funds); and

WHEREAS, CDBG-CV Grants may be used to fund local public services and microenterprise assistance programs; and public health, emergency response, or temporary housing facilities that address COVID-19 impacts, and grant administration; and

WHEREAS, CDBG funded activities must benefit low- and moderate-income persons or meet the CDBG urgent need national objective criteria; and

WHEREAS, the UCP of Hudson County, Inc. ("UCP") has requested and submitted a formal written application dated June 10, 2020 for said CDBG COVID-19 Funds in the amount of \$10,000.00 for the purpose of pediatric medical day care center PPE supplies (the "Application"); and

WHEREAS, at the time of the submission of the Application, the amount of the CDBG COVID-19 Funds available for the purpose of UCP pediatric medical day care center PPE supplies had not yet been determined; and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said CDBG COVID-19 Funds for the purpose of pediatric medical day care center PPE supplies has been determined to be \$20,000.00; and

WHEREAS, based upon the fact that excess funds beyond that which had been requested are now available, the Director of Community Development has determined that the award should be in the amount of \$20,000.00; and

WHEREAS, said CDBG COVID-19 Funds are certified as available in Account CDBG CV-1071; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the UCP of Hudson County Inc., 721 Broadway, Bayonne, New Jersey 07002 for the provision of providing pediatric medical day care PPE supplies in the amount of \$20,000.00 for the period commencing September 1, 2020 and ending August 31, 2021.

2. Funds shall be charged to Account #CDBG CV-1071.

* * * * *

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

WHEREAS, due to the COVID-19 pandemic, the City is the recipient of additional Community Development Block Grant (CDBG) Funds from the U.S. Department of Housing and Urban Development (HUD) (CDBG-CV Grants or CDBG COVID-19 Funds); and

WHEREAS, CDBG-CV Grants may be used to fund local public services and microenterprise assistance programs; and public health, emergency response, or temporary housing facilities that address COVID-19 impacts, and grant administration; and

WHEREAS, CDBG funded activities must benefit low- and moderate-income persons or meet the CDBG urgent need national objective criteria; and

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

WHEREAS, the Bayonne PAL Day Care Center has requested and submitted a formal written application dated June 12, 2020 for said CDBG COVID-19 Funds in the amount of \$3,500.00 for the purpose of after school program and summer camp child care program PPE supplies (the "Application"); and

WHEREAS, at the time of the submission of the Application, the amount of the CDBG COVID-19 Funds available for the purpose of said after school program and summer camp child care program PPE supplies had not yet been determined; and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said CDBG COVID-19 Funds for the purpose of the aforesaid after school program and summer camp child care program PPE supplies has been determined to be \$15,000.00; and

WHEREAS, based upon the fact that excess funds beyond that which had been requested are now available, the Director of Community Development has determined that the award should be in the amount of \$15,000.00; and

WHEREAS, said CDBG COVID-19 Funds are certified as available in Account CDBG CV-1073; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Bayonne PAL Day Care Center, 550 Avenue A, Bayonne, New Jersey 07002 for the provision of providing after school program and summer camp child care program PPE supplies in the amount of \$15,000.00 for the period commencing September 1, 2020 and ending August 31, 2021.

2. Funds shall be charged to Account #CDBG CV-1073.

* * * * *

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

WHEREAS, due to the COVID-19 pandemic, the City is the recipient of additional Community Development Block Grant (CDBG) Funds (CDBG-CV Grants or CDBG COVID-19 Funds) from the U.S. Department of Housing and Urban Development; and

WHEREAS, CDBG-CV Grants may be used to fund local public services and microenterprise assistance programs; and public health, emergency response, or temporary housing facilities that address COVID-19 impacts, and grant administration; and

WHEREAS, the City of Bayonne has a need for the administration, execution and oversight of the City of Bayonne's CDBG COVID-19 Funds ("CDBG COVID-19 Grant Administration Services"); and

WHEREAS, pursuant to Executive Order No. 103, the Governor of the State of New Jersey concurrently invoked a State of Emergency under N.J.S.A. App.A.:9-33 *et seq.*, and a Public Health Emergency under N.J.S.A. 26:13-1 *et seq.*, in response to the coronavirus outbreak; and

WHEREAS, Executive Order No. 103 contemplates that the spread of Covid-19 would disrupt the timely delivery of goods and services necessary for the life, safety and health of the public; and

WHEREAS, Executive Order No. 103 further addresses the difficulty in procuring of goods and services by relaxing public contract laws at the State level; and

WHEREAS, Local Finance Notice 2020-06 provides that pursuant to N.J.S.A. 19:44A-20.12, emergency contracts awarded for purposes of coronavirus response are excepted from Pay-to-Play due to public exigency, and municipalities are not required to file an "emergency procurement report" with the State; and

WHEREAS, the Bayonne Economic Opportunity Foundation (the "BEOF"), 555 Kennedy Boulevard, Bayonne, New Jersey is qualified, ready, willing and able to provide said CDBG COVID-19 Grant Administration Services for an amount of \$166,532.00; and

WHEREAS, the BEOF is currently under contract designated as Agreement No. CY20-002 with the City for the administration, execution and oversight of the City of Bayonne's Community Development Block Grant Programs and/or other HUD programs: and

WHEREAS, these CDBG COVID-19 Grant Administration Services are separate and apart from the services provided under Agreement No. CY20-002; and

WHEREAS, funds are certified as available in Account CDBG-CV 1064; now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with the Bayonne Economic Opportunity Foundation, 555 Kennedy

Boulevard, Bayonne, New Jersey 07002 to provide the aforesaid CDBG COVID-19 Grant Administration Services for a maximum contract amount of \$166,532.00 for a period of one year commencing September 1, 2020 and ending August 31, 2021.

2. A notice of this action shall be printed once in a newspaper of general circulation within the boundaries of the City of Bayonne.

3. Funds shall be charged to Account CDBG-CV 1064.

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

WHEREAS, the New Jersey Department of Health & Human Services Division of Aging Services provides grants to eligible governmental units that provide nutrition programs for senior citizens; and;

WHEREAS, the County of Hudson is a recipient of aforementioned funding from the State of New Jersey, and;

WHEREAS, the County of Hudson provides grants to qualifying municipalities for the administration and execution of the Congregate Meals program, and;

WHEREAS, the City of Bayonne's Office on Aging provides meals to senior congregate sites & to homebound elderly individuals over the age of sixty (60) through the pandemic, and;

WHEREAS, the County of Hudson has awarded the City of Bayonne Congregate Meals Grant in the amount of \$95,284.00, and;

WHEREAS, the Grant Agreement requires a 25% (twenty five percent) matching fund contribution for acceptance of the same, computing to \$23,821.00, and

WHEREAS, the Chief Financial Officer has certified that funds are available to provide the cost of the matching funds in the amount of \$23,821.00, and

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

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

1. The City of Bayonne accepts \$95,284.00 from the County of Hudson.
2. The Division of Finance is hereby authorized to establish the proper accounts for these funds.
3. The City will provide matching funds in the amount of \$23,821.00 for the grant.

* * * * *

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

WHEREAS, the New Jersey Department of Health & Human Services Division of Aging Services provides grants to eligible governmental units that provide counseling programs for senior citizens; and;

WHEREAS, the County of Hudson is a recipient of aforementioned funding from the State of New Jersey, and;

WHEREAS, the County of Hudson provides grants to qualifying municipalities for the administration and execution of the Older Americans Act of 1965 Program, and;

WHEREAS, the City of Bayonne's Office on Aging has provides counseling and emergency assistance to elderly individuals over the age of sixty (60), and;

WHEREAS, the County of Hudson has awarded the City of Bayonne Older American's Grant in the amount of \$49,026.00, and;

WHEREAS, the Grant Agreement requires a 25% (twenty five percent) matching fund contribution for acceptance of the same, computing to 12,256.50, and;

WHEREAS, the Chief Financial Officer has certified that funds are available to provide the cost of the matching funds in the amount of \$12,256.50, and;

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

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

1. The City of Bayonne accepts \$49,026.00 from the County of Hudson.
2. The Division of Finance is hereby authorized to establish the proper accounts for these funds.
3. The City will provide matching funds in the amount of \$12,256.50 for the grant.

* * * * *

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

WHEREAS, the City of Bayonne advertised a Request for Qualifications ("RFQ") for professional engineering services as Special Project Engineer on an on-call basis during CY2019 ("Special Project Engineering Services") pursuant to the Fair and Open Process pursuant to N.J.S.A. 19:44A:20.4.5; and

WHEREAS, pursuant to said advertisement, the City of Bayonne awarded the contract for the aforesaid Special Project Engineering Services to Jacobs Engineering Group, Inc. ("Jacobs"), 208 Voorhis Avenue, River Edge New Jersey 07661 by way of Resolution 18-12-19-093 adopted on December 19, 2018; and

WHEREAS, said Resolution No. 18-12-19-093 contained a scrivener's error insofar as it was the City's intention to award the contract to John Pavlovich, P.E., 208 Voorhis Avenue, River Edge, New Jersey 07661 (formerly of Jacobs); and

WHEREAS, the City is not in receipt of a Response to the City's RFQ for the aforesaid Special Project Engineering Services from Jacobs; now, therefore, be it

RESOLVED, by the Municipal Council that Resolution No. 18-12-19-093 is hereby amended to reflect that the contract for the aforesaid Special Project Engineering Services is awarded to John Pavlovich, P.E., 208 Voorhis Avenue, River Edge, New Jersey 07661.

* * * * *

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

WHEREAS, the City's lower mid-town business district owners are looking to host a Covid-19 compliant outdoor dining festival to promote and support the lower mid-town business district; and

WHEREAS, this outdoor dining festival will require Broadway from the North Side of 18th Street to the North Side of 25th Street to be closed to vehicular traffic from 5 p.m. to 11 p.m. on September 24, 2020; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor, City Clerk and Public Safety Director are hereby authorized to take any and all actions and/or execute any and all documents necessary to allow for the lower mid-town business district owners' Covid-19 compliant Outdoor Dining event to take place on September 24, 2020, (Rain Date, September 25, 2020) on Broadway from the North Side of 18th Street to the North Side of 25th Street and to close same to vehicular traffic from 5:00 p.m. to 11:00 p.m.

* * * * *

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

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

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

WHEREAS, the Bayonne Economic Opportunity Foundation has requested and submitted a formal written application dated February 19, 2019 for said CDBG Grant Funds in the amount of \$24,325 for the purpose of providing the cost of asbestos-containing material abatement design and oversight of the boiler room asbestos abatement at the former Holy Family located at 237-249 Avenue A from Matrix New World Engineering, 26 Columbia Turnpike, Florham Park, NJ 07932; and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said Community Development Block Grant Funds for the purpose of providing the cost of asbestos-containing material abatement design and oversight of the boiler room asbestos abatement at the former Holy Family located at 237-249 Avenue A from Matrix New World Engineering, 26 Columbia Turnpike, Florham Park, NJ 07932

WHEREAS, said CDBG Funds are certified as available in Account CDBG-1080; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Bayonne Economic Opportunity Foundation, 555 Kennedy Blvd, Bayonne, New Jersey 07002 for the provision of providing the cost of asbestos- containing material abatement design and oversight of the boiler room asbestos abatement at the former Holy Family located at 237-249 Avenue A from Matrix New World Engineering, 26 Columbia Turnpike, Florham Park, NJ 07932 in the amount of \$24,325.00 for the period commencing September 1, 2020 and ending August 31, 2021.

2. Funds shall be charged to Account #CDBG-1080

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY, AUTHORIZING A \$2,082,786 EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-48 TO FUND IMPROVEMENTS TO FITZPATRICK PARK (Below 3%)

WHEREAS, an emergency has arisen for the need to fund improvements to Fitzpatrick Park, and no adequate provision was made in the FY 2020 budget for the aforesaid purpose, and N.J.S.A. 40A:4-46 provides for the creation on an emergency appropriation for the purpose mentioned above; and

WHEREAS, the total amount of the emergency appropriations created, including the appropriation to be created by this resolution is \$2,082,786 and three (3%) percent of the total operating appropriations in the budget for FY 2020 is \$4,297,530; and

WHEREAS, the foregoing appropriation together with prior appropriations does not exceed three (3%) percent of the total operating appropriations (including utility operation appropriations) in the budget for FY 2020,

NOW, THEREFORE, BE IT RESOLVED, (by not less than 2/3 of all governing body members affirmatively concurring) that in accordance with N.J.S.A. 40A:4-48:

Section 1. An emergency appropriation is hereby made for "OTHER EXPENSES" in the amount of \$2,082,786 to fund improvements to Fitzpatrick Park including, but not limited to, storm water management system improvements, including but not limited to, the installation of an underground detention system and separation of the storm sewer system from the sanitary system, and various other park improvements, including but not limited to, ADA compliant walkways, playground areas, a hockey roller rink, patio areas with picnic tables, game tables, splash park (including but not limited to a recirculation system), lighting and landscaping improvements, and other park equipment or amenities and associated landscaping and aesthetic improvements and on file in the City Finance Office.

Section 2. That said emergency appropriation shall be provided for in full in the FY 2021 budget or funded with bonds or bond anticipation notes authorized by a bond ordinance, and is requested to be excluded from CAPS, pursuant to N.J.S.A. 40A:4-45.3c(1).

Section 3. That two (2) certified copies of this resolution be filed with the Director of the Division of Local Government Services.

Section 4. This resolution shall take effect immediately.

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

* * * * *

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

WHEREAS, pursuant to Resolution No. 19-02-20-060 adopted February 20, 2019, the City Clerk, advertised in the Jersey Journal on February 14, 2020 that sealed bids for Improvements to Fitzpatrick Park would be received on March 13, 2020; and

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

Picerno Giordano Construction 200 Market Street Kenilworth, NJ 07033	\$2,086,786.25
Zenith Construction Services Inc. 365 Thomas Blvd. Orange, NJ 07050	\$2,299,816.00
Grade Construction 110 Pennsylvania Avenue Paterson, NJ 07503	\$2,491,835.56
Your Way Construction Inc. 404 Coit Street Irvington, NJ 07111	\$3,145,014.50

; and

WHEREAS, the Purchasing Agent and the City Engineer have examined the bids and have determined that the bid of Picerno Giordano Construction, 200 Market Street, Kenilworth, NJ 07033 for a total contract amount of \$2,086,786.25 is a regular bid and is the most advantageous to the City; and

WHEREAS, the award of this contract is subject to the approval of the New Jersey Department of Environmental Protection; and

WHEREAS, funds are certified as available in Emergency Appropriation pending adoption of and subject to said adoption of a resolution authorizing an Emergency Appropriation being considered at this City Council meeting; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The contract for Improvements to Fitzpatrick Park be awarded to:

Picerno Giordano Construction
200 Market Street
Kenilworth, NJ 07033

for the total contract amount of \$2,086,786.25.

2. The award of this contract is subject to the approval of the New Jersey Department of Environmental Protection.

3. Funds shall be chargeable to Emergency Appropriation.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY DESIGNATING TFG 117-121 PROSPECT URBAN RENEWAL LLC AS REDEVELOPER FOR THE PROPERTY LOCATED AT 117-121 PROSPECT AVENUE, BAYONNE, NEW JERSEY, WHICH IS IDENTIFIED AS BLOCK 441 LOT 10 AND A PORTION OF THE 25TH STREET ROW AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE AND AUTHORIZING EXECUTION OF A REDEVELOPMENT AGREEMENT WITH TFG 117-121 PROSPECT URBAN RENEWAL, LLC FOR THE REDEVELOPMENT OF SUCH PROPERTY IN ACCORDANCE WITH THE REDEVELOPMENT PLAN

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

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

WHEREAS, on March 13, 2018, the Planning Board held a public hearing, duly noticed under the Redevelopment Law, and reviewed an investigation/report titled “Preliminary Investigation Non-Condensation Area in Need of Redevelopment 117-121 Prospect Avenue Block 441 Lot 10” prepared by Suzanne Mack, PPAICP, City of Bayonne, Division of Planning & Zoning, Department of Administration, dated February 13, 2018 (the “Study”) and any persons interested in or affected by a determination that the Study Area is a non-condemnation redevelopment area were given an opportunity to be heard, and any objections to such a determination and evidence in support of those objections, were received and considered and made part of the public record; and

WHEREAS, on March 13, 2018, the Planning Board further adopted the Resolution recommending that the Study Area be determined by the Municipal Council to be a non-condemnation “area in need of redevelopment” under the Redevelopment Law, N.J.S.A. 40A:12A-1 et. seq.; and

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

WHEREAS, on April 18, 2018, the Municipal Council by ordinance adopted the Redevelopment Plan, and set forth their reasons on the record; and

WHEREAS, TFG 117-121 Prospect, LLC a limited liability company of the State of New Jersey, with an office address of 492-C Cedar Lane, Suite 30, Teaneck, New Jersey 07666 (the “Entity”) is the contract purchaser of the Property; and

WHEREAS, the Entity is interested in redeveloping the Property for the purpose of implementing the Redevelopment Plan; and

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

WHEREAS, the Municipal Council desires to designate the Entity as redeveloper of the Property subject to the execution of a Redevelopment Agreement with the Entity for redevelopment of the Property which will set forth the rights and obligations of the respective parties as well as the anticipated time frame for the completion of certain tasks.

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

Section 1. TFG 117-121 Prospect Urban Renewal, LLC is hereby designated as the redeveloper of the Property, which is designated as Block 441, Lot 10 and a portion of the 25th Street ROW on the Tax Maps of the City of Bayonne (the “Redeveloper”) subject to the execution of a mutually agreeable Redevelopment Agreement, 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.

Section 2. The Municipal Council, recognizes TFG 117-121 Prospect Urban Renewal LLC as the Redeveloper of Block 441 Lot 10, in the City of Bayonne as provided for and in accordance with the provisions of the New Jersey Local Redevelopment and Housing Law; and

Section 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 TFG 117-121 Prospect Urban Renewal, LLC.

Section 4. This Resolution shall take effect immediately.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY TRANSFERRING REDEVELOPER DESIGNATION FROM LEHIGH REALTY CO., INC. TO CEI-HB URBAN RENEWAL, LLC RELATIVE TO THE PROPERTIES LOCATED AT 103-143 EAST 22ND STREET AND 43-75 MECHANIC STREET, WHICH IS IDENTIFIED AS BLOCK 451, LOT 1.01 AND A PORTION OF LOT 2.05 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE AND AUTHORIZING THE NEGOTIATION AND PREPARATION TO EXECUTE A REDEVELOPMENT AGREEMENT WITH CEI-HB URBAN RENEWAL, LLC FOR THE REDEVELOPMENT OF SUCH PROPERTY IN ACCORDANCE WITH THE REDEVELOPMENT PLAN (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, 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, N.J.S.A. 40A:12A-6 authorizes the governing body of any municipality, by resolution, to have its Planning Board of the City (the “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 conduct such an investigation to determine if certain property located at 103-143 EAST 22ND STREET AND 43-75 MECHANIC STREET, WHICH IS IDENTIFIED AS Block 451, Lot 1.01 and a portion of Lot 2.05 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE (the “Study Area”), constitute a non-condemnation “area in need of redevelopment,” in accordance with the Redevelopment Law; and

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

WHEREAS, the City adopted a redevelopment plan for the property located at 103-143 East 22ND Street and 43-75 Mechanic Street, which is identified as Block 451, Lot 1.01 and a portion of Lot 2.05 as shown on the official tax map of the City of Bayonne (the “Property”); and

WHEREAS, on December 18, 2019, the City Council adopted an amended redevelopment plan for the Property, entitled “Amended and Restated Redevelopment Plan, Ken’s Marine, Block 451, Lots 1.01 and 2.05”, dated December 11, 2019 (the “Redevelopment Plan”); and

WHEREAS, the CEI-HB URBAN RENEWAL, LLC (the “Entity”) is or will be the long term Owner/Lessee of the Property; and

WHEREAS, on July 18, 2018 and February 19, 2020, by Resolutions, the City Council designated and re-affirmed Lehigh Realty Co., Inc. as the redeveloper (the “Redeveloper”) to undertake the necessary redevelopment of the Property with the construction of one (1) multifamily residential building containing 354 residential apartments and 436 on-site parking spaces, as well as related improvements, in accordance with the Redevelopment Plan (the “Project”); and

WHEREAS, on those same dates and within those same Resolutions, the City Council authorized the negotiation and execution of a Redevelopment Agreement between Lehigh Realty Co., Inc. and the City (the “Redevelopment Agreement”); and

WHEREAS, Lehigh Realty Co., Inc. has or will transferred and assigned its designation as Redeveloper and its Redevelopment Agreement with all of its rights, interests and obligations therein, to the Entity herein, CEI-HB URBAN RENEWAL, LLC, which transfer and assignment is permitted under Applicable Law and under the Redevelopment Agreement; and

WHEREAS, the Entity is interested in redeveloping the Property; and

WHEREAS, the Entity wishes to develop the Property and use it for the purpose of implementing the Redevelopment Plan; and

WHEREAS, the Entity has requested that the Municipal Council, as a redevelopment entity, prepare a redevelopment agreement with the Entity providing for the development of the Property in accordance with the Redevelopment Plan or the Redevelopment Agreement; and

WHEREAS, the Municipal Council desires to designate the Entity as redeveloper of the Property subject to the negotiation and preparation of a Redevelopment Agreement with the Entity for redevelopment of the aforesaid Property which will set forth the rights and obligations of the respective parties as well as the anticipated time frame for the completion of certain tasks.

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

Section 1. CEI-HB URBAN RENEWAL, LLC is hereby designated as the redeveloper of the Property, which is designated as Block 451, Lot 1.01 and a portion of Lot 2.05 on the Tax Maps of the City of Bayonne (the “Redeveloper”) subject to the execution of a mutually agreeable Redevelopment Agreement, 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.

Section 2. The Municipal Council, recognizes CEI-HB URBAN RENEWAL, LLC as the Redeveloper of Block 451, Lot 1.01 and a portion of Lot 2.05, in the City of Bayonne as provided for and in accordance with the provisions of the New Jersey Local Redevelopment and Housing Law; and

Section 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 CEI-HB URBAN RENEWAL, LLC subject to further approval by the Municipal Council.

Section 4. This Resolution shall take effect immediately.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY DESIGNATING BAYVIEW JV, LLC AS REDEVELOPER OF THE PROPERTY LOCATED AT WEST 5TH STREET, BAYONNE, NEW JERSEY, WHICH ARE IDENTIFIED AS BLOCK 300.01, LOT 1, 2 AND 3, BLOCK 301.03, LOTS 2 AND 3, AND BLOCK 511, LOT 1 ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE AND AUTHORIZING THE NEGOTIATION AND PREPARATION OF A

REDEVELOPMENT AGREEMENT WITH BAYVIEW JV, LLC FOR THE REDEVELOPMENT OF SUCH PROPERTY IN ACCORDANCE WITH THE REDEVELOPMENT PLAN (A&P)

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, N.J.S.A. 40A:12A-6 authorizes the governing body of any municipality, by resolution, to have its Planning Board of the City (the "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, pursuant to the provisions of N.J.S.A. 40A:12A-7(e) and N.J.S.A. 40A:12A-15 of the Redevelopment Law, the Planning Board, through the City's staff and/or Planning Board professionals, is permitted to prepare a redevelopment plan; and

WHEREAS, the Municipal Council of the City (the "Municipal Council") by various resolutions designated Block 300.01, Lot 1, 2 and 3, Block 301.03, Lot 2 and 3 and Block 511, Lot 1 as a limited condemnation 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 "Bayview Redevelopment Plan" dated August 3, 2020 (the "Redevelopment Plan"); and

WHEREAS, the Planning Board reviewed the Redevelopment Plan and, in accordance with the Redevelopment Law, on August 11, 2020, conducted a public hearing wherein the Planning Board recommended the adoption of the Redevelopment Plan, and concluded that said Redevelopment Plan is consistent with the Master Plan of the City of Bayonne; and

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

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

WHEREAS, BAYVIEW JV, LLC, a limited liability company of the State of New Jersey, (the "Entity") is the contract purchaser and or owner of the Property; and

WHEREAS, the Entity is interested in redeveloping the Property; and

WHEREAS, the Entity wishes to develop the Property and use it for the purpose of implementing the Redevelopment Plan; and

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

WHEREAS, the Municipal Council desires to designate the Entity as redeveloper of the Property subject to the negotiation and preparation of a Redevelopment Agreement with the Entity for redevelopment of the aforesaid Property which will set forth the rights and obligations of the respective parties as well as the anticipated time frame for the completion of certain tasks.

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

Section 1. BAYVIEW JV, LLC is hereby conditionally designated as the redeveloper (the "Redeveloper") of the Property, which is designated as Block 300.01, Lot 1, 2 and 3, Block 301.03, Lot 2 and 3 and Block 511, Lot 1 on the Tax Maps of the City of Bayonne subject to the execution of a mutually agreeable Redevelopment Agreement, 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.

Section 2. The Municipal Council, recognizes BAYVIEW JV, LLC as the Redeveloper of Block 300.01, Lot 1, 2 and 3, Block 301.03, Lot 2 and 3 and Block 511, Lot 1 in the City of Bayonne as provided for and in accordance with the provisions of the New Jersey Local Redevelopment and Housing Law; and

Section 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 BAYVIEW JV, LLC subject to further approval by the Municipal Council.

Section 4. This Resolution shall take effect immediately.

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

* * * * *

58. 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 TRANSFERRING REDEVELOPER DESIGNATION FROM RAM DEVELOPMENT, LLC TO PARKVIEW REALTY URBAN RENEWAL II, LLC RELATIVE TO THE PROPERTIES LOCATED AT 130-134 AVENUE F, EAST 23RD STREET, MECHANIC STREET, 37 MECHANIC STREET, 39 MECHANIC STREET, AND 41 MECHANIC STREET IN THE CITY OF BAYONNE, WHICH 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 AND AUTHORIZING THE NEGOTIATION AND PREPARATION TO EXECUTE A REDEVELOPMENT AGREEMENT WITH PARKVIEW REALTY URBAN RENEWAL II, LLC FOR THE REDEVELOPMENT OF SUCH PROPERTY IN ACCORDANCE WITH THE REDEVELOPMENT PLAN (CARRUBA PROPERTY)

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

WHEREAS, pursuant to the Redevelopment Law, the Municipal Council (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 of the City (the "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 City adopted a redevelopment plan for the properties located at 130-134 Avenue F, East 23rd Street, Mechanic Street, 37 Mechanic Street, 39 Mechanic Street, and 41 Mechanic Street in the City of Bayonne, which are identified as Block 450, Lots 1, 10.01, 10.02, 22, 23, and 24 as shown of the official tax maps of the City of Bayonne (the "Property"); and

WHEREAS, on December 18, 2019, the City Council adopted an amended redevelopment plan for the Property, entitled "Amended and Restated Redevelopment Plan, 130-134 Avenue F, East 23rd Street, Mechanic Street, 37 Mechanic Street, 39 Mechanic Street, 41 Mechanic Street, Block 450, Lots 1, 10.01, 10.02, 22, 23 and 24", dated December 11, 2019 (the "Redevelopment Plan"); and

WHEREAS, PARKVIEW REALTY URBAN RENEWAL II LLC (the "Entity") is the owner or contract purchaser of certain property identified on the Tax Maps of the City as Block 450, Lots 1, 10.01, 10.02, 22, 23 and 24 (the "Property") as more particularly described by the metes and bounds description set forth in the application submitted by the Entity (the "Application"); and

WHEREAS, on May 16, 2018 and February 19, 2020, by Resolutions, the City Council designated and re-affirmed RAM Development, LLC as the redeveloper (the "Redeveloper") to undertake the necessary redevelopment of the Property with the construction of one (1) multi-family residential building, containing 197 residential apartments and 245 on-site parking spaces, as well as related improvements, in accordance with the Redevelopment Plan (the "Project"); and

WHEREAS, on those same dates and within those same Resolutions, the City Council authorized the negotiation and execution of a Redevelopment Agreement between RAM Development, LLC and the City (the "Redevelopment Agreement"); and

WHEREAS, RAM Development, LLC has or will transferred and assigned its designation as Redeveloper and its Redevelopment Agreement with all of its rights, interests and obligations therein, to the Entity herein, PARKVIEW REALTY URBAN RENEWAL II LLC, which transfer and assignment is permitted under Applicable Law and under the Redevelopment Agreement; and

WHEREAS, the Entity is interested in redeveloping the Property; and

WHEREAS, the Entity wishes to develop the Property and use it for the purpose of implementing the Redevelopment Plan; and

WHEREAS, the Entity has requested that the Municipal Council, as a redevelopment entity, prepare a redevelopment agreement with the Entity providing for the development of the Property in accordance with the Redevelopment Plan and or the Redevelopment Agreement; and

WHEREAS, the Municipal Council desires to designate the Entity as redeveloper of the Property subject to the negotiation and preparation of a Redevelopment Agreement with the Entity for redevelopment of the aforesaid Property which will set forth the rights and obligations of the respective parties as well as the anticipated time frame for the completion of certain tasks.

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

Section 1. PARKVIEW REALTY URBAN RENEWAL II, LLC is hereby designated as the redeveloper of the Property (the "Redeveloper"), which is designated as Block 450, Lots 1, 10.01, 10.02, 22, 23 and 24 on the Tax Maps of the City of Bayonne subject to the execution of a mutually agreeable Redevelopment Agreement, 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.

Section 2. The Municipal Council, recognizes PARKVIEW REALTY URBAN RENEWAL II, LLC as the Redeveloper of Block 450, Lots 1, 10.01, 10.02, 22, 23 and 24, in the City of Bayonne as provided for and in accordance with the provisions of the New Jersey Local Redevelopment and Housing Law; and

Section 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 PARKVIEW REALTY URBAN RENEWAL II, LLC subject to further approval by the Municipal Council.

Section 4. This Resolution shall take effect immediately.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ESTABLISHING GUIDELINES AND PARAMETERS FOR THE APPROVAL OF TAX ABATEMENTS UNDER N.J.S.A. 40A:20-1 ET. SEQ. FOR MULTIFAMILY PROJECTS

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

WHEREAS, the Municipal Council recognizes the benefits of redevelopment of abandoned, contaminated, outdated and or underutilized properties within the City; and

WHEREAS, the Municipal Council seeks to continue to encourage and support redevelopment within the City; and

WHEREAS, the Municipal Council understands that in various situations the redevelopment of a property requires the financial assistance of the City in the form of Tax Abatements pursuant to the New Jersey Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et. seq. (the "Exemption Law"); and

WHEREAS, in order to provide guidance to future investments and development within the City it is beneficial to establish guidelines and parameters regarding the granting of abatements under the Exemption Law; and

WHEREAS, the Municipal Council desires to limit the term of tax abatements for Multifamily Buildings to twenty years; and

WHEREAS, absent a showing of special or extraordinary circumstances any tax abatements granted after the date of this resolution shall be limited to twenty-year term.

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. Tax abatements granted after October 1, 2020 pursuant to the New Jersey Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et. seq. shall be limited to a term not to exceed twenty years.

Section 3. This Resolution shall take effect immediately.

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

* * * * *

60. 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 AN AGREEMENT WITH PRINCE HOLDINGS OF BAYONNE URBAN RENEWAL ENTERPRISE, LLC FOR THE CONSTRUCTION AND REPAIR OF THE DRAINAGE CULVERT LOCATED ON BLOCK 417, LOT 2

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"), AND

WHEREAS, PRINCE HOLDINGS OF BAYONNE URBAN RENEWAL ENTERPRISE, LLC (the "Developer") is a New Jersey limited liability company organized under the laws of the State of New, and

WHEREAS, the Developer is a New Jersey limited liability company and the Lessee of property owned by Cameron Royal Development, LLC ("CRD"), which property is designated as Block 453.04, Lot 1, (formerly known as Block 453.01, Lots 2.01, 3, 4, 5.01 and 9.01); Block 453.03, Lot 4 (formerly known as Block 453.01, Lots 6.01 and 7.01); and Block 503, Lot 9.02 (the "Property"); and

WHEREAS, as part of the Redevelopment of the Property the construction of a drainage Culvert on Block 417, Lot 2, containing a total of approximately 0.82 acres was required, and

WHEREAS, the Drainage Culvert is contained within an area (the "ACO Area") covered by an Administrative Consent Order between Exxon Mobil corporation (or one of its affiliates or predecessors, "ExxonMobil") and the New Jersey Department of Environmental Protection ("NJDEP") dated November 27, 1991 and as thereafter amended on December 24, 1998 or as thereafter amended (the "ACO"); and

WHEREAS, the City has received grant funding for improvements to New Hook road associated with the construction of the drainage and roadway enhancements, and

WHEREAS, the Developer and the City wish to enter into an Agreement whereby the City will undertake the responsibility for the design, permitting and construction of the Drainage Culvert Improvements in order to incorporate them into the New Hook Road Project; and

WHEREAS, in exchange the Developer will reimburse the City for the costs associated with the Drainage Culvert improvements; and

WHEREAS, the City engineer has estimated the costs of the Drainage Culvert improvements to be one hundred eighty-five thousand dollars (\$185,000) which the Developer has agreed to pay upon execution of an agreement;

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

Section 1. Permission is hereby granted to the Mayor or his designee to enter into an Agreement upon terms and conditions acceptable to the Town Attorney or Redevelopment Council with PRINCE HOLDINGS OF BAYONNE URBAN RENEWAL ENTERPRISE, LLC. similar to the form attached hereto as Exhibit A for the construction of the Drainage Culvert improvements on Block 417 Lot 2.

Section 2. This Resolution shall take effect immediately.

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

* * * * *

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

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

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

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Bayonne, that the City requests the Director of the Division of Local Government Services to approve the insertion of the following items of revenue in the CY2020 Municipal Budget:

Grant Name	From	To
Hudson County Cares Grant	\$2,724,219.45	\$6,814,245.00
FY2019 Assistance to Firefighters Grant Program	\$0	\$74,090.91
FY2020 Assistance to Firefighters Grant Program	\$0	\$41,888.00
Congregate Meals Program	373,285.00	468,569.00
Older American Act of 1965	70,127.00	119,153.00
Police Federal Forfeiture Funds	\$453,281.83	\$479,109.83
Bulletproof Vest Program	\$35,054.02	\$62,174.11
Bayview Feral Cat Colony Grant	\$0	\$10,000.00
Hudson County Open Space Grant (Fitzpatrick)	\$0	\$250,000.00

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

Grant Name	From	To
Hudson County Cares Grant	\$2,724,219.45	\$6,814,245.00
FY2019 Assistance to Firefighters Grant Program	\$0	\$81,500.00
FY2020 Assistance to Firefighters Grant Program	\$0	\$46,076.80
Congregate Meals Program	\$466,606.25	\$585,711.25
Older American Act of 1965	\$87,658.75	\$148,941.25

Police Federal Forfeiture Funds	\$453,281.83	\$479,109.83
Bulletproof Vest Program	\$35,054.02	\$62,174.11
Bayview Feral Cat Colony Grant	\$0.00	\$10,000.00
Hudson County Open Space (Fitzpatrick)	\$0.00	\$250,000.00

BE IT FURTHER RESOLVED, that the sum of \$47,675.39 representing the match amount required for the FY19 Assistance to Firefighters Grant, FY20 Assistance to Firefighters Grant, Older American Grant & Congregate Meals Grant is hereby under the Matching Funds for Grants in the CY20 Budget.

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

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING AND DIRECTING THE PLANNING BOARD TO CONDUCT A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER CERTAIN PROPERTY IDENTIFIED AS BLOCK 360, LOT 1, BLOCK 332, LOTS 2, 2.01, 4 AND 5, BLOCK 361, LOT 12 AND BLOCK 362, LOT 3 (MORE COMONLY KNOWN AS THE CASCHEM SITE) AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE WITHIN THE CITY CONSTITUTES A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.*

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 known as Block 360, Lot 1, Block 332, Lots 2, 2.01, 4 & 5, Block 361, Lot 12 and Block 362, Lots 3 as shown on the official tax map of the City of Bayonne (more commonly known as the CasChem Site) as shown on the official Tax Map of the City (the “Study Area”), constitute a non-condemnation “area in need of redevelopment,” in accordance with the Redevelopment Law; and

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

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

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

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

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

Section 3. The Planning Board is hereby directed to study the area known as Block 360, Lot 1, Block 332, Lots 2, 2.01, 4 & 5, Block 361, Lot 12 and Block 362, Lots 3 as shown on the official tax map of the City of Bayonne (more commonly known as the CasChem Site); to develop a map reflecting the boundaries of the proposed non-condemnation redevelopment area; to provide public notice and conduct public hearings pursuant to *N.J.S.A. 40A:12A-6*; and to draft a report/Resolution to the Mayor and Municipal Council containing its findings.

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

Section 5. This Resolution shall take effect immediately.

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

* * * * *

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

WHEREAS, the Director of Public Works has evidenced that City of Bayonne is in need of an Aerial Forestry Device for the purpose of permitting the DPW to trim, cut and remove trees throughout the City of Bayonne; and

WHEREAS, the City of Bayonne is a member of the Terex Utilities Sourcewell Cooperative (Contract #012418-TER) and has been a member of same for quite some time; and

WHEREAS, an XTPRO60 Aerial Forestry Device is available for purchase through Custom Truck and Equipment of Kansas City, Missouri through the Terex Utilities Sourcewell Cooperative in the amount of \$142,350.00; and

WHEREAS, funds are certified as available in Capital Account #C-04-55-941-1956-994; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor, Business Administrator and/or the Chief Financial Officer and/or their designee(s) is/are hereby authorized to sign any and all documents and take any and all actions to effectuate the acquisition of the aforementioned XTPRO60 Aerial Forestry Device from Custom Truck and Equipment of Kansas City, Missouri through the Terex Utilities Sourcewell Cooperative in the amount of \$142,350.

2. Funds shall be chargeable to Capital Account #C-04-55-941-1956-994.

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

* * * * *

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

WHEREAS, pursuant to Resolution No. 19-09-25-075 adopted on September 25, 2019, the City of Bayonne entered into Agreement No. CY19-067 with Cleary, Jacobbe, Alfieri, Jacobs, LLC, 955 State Route 34, Suite 200, Matawan, New Jersey 07747 for professional legal services as Special Redevelopment/Land Use Attorney for the period commencing September 15, 2019 and ending September 14, 2020 at a cost of not more than \$75,000.00 attributable to the City of Bayonne and at hourly rates as set forth in the response to the Request for Qualifications/Proposals ("RFQ/RFP") to be paid from various developers' escrow accounts pursuant to *N.J.S.A. 19:44A:20.4* and *5*; and

WHEREAS, due to the COVID-19 pandemic, it is necessary to extend the aforesaid Agreement No. CY19-067 through December 31, 2020 for an additional amount not to exceed \$25,000.00 attributable to the City, thereby making the total contract amount not to exceed

\$100,000.00 attributable to the City and at hourly rates as set forth in the response to the RFQ/RFP to be paid from various developers' escrow accounts; and

WHEREAS, pursuant to Executive Order No. 103, the Governor of the State of New Jersey concurrently invoked a State of Emergency under N.J.S.A. App.A.:9-33 *et seq.*, and a Public Health Emergency under N.J.S.A. 26:13-1 *et seq.*, in response to the coronavirus outbreak; and

WHEREAS, Executive Order No. 103 contemplates that the spread of Covid-19 would disrupt the timely delivery of goods and services necessary for the life, safety and health of the public; and

WHEREAS, Executive Order No. 103 further addresses the difficulty in procuring of goods and services by relaxing public contract laws at the State level; and

WHEREAS, Local Finance Notice 2020-06 provides that pursuant to N.J.S.A. 19:44A-20.12, emergency contracts awarded for purposes of coronavirus response are excepted from Pay-to-Play due to public exigency, and municipalities are not required to file an "emergency procurement report" with the State; and

WHEREAS, funds are certified as available in account 0-01-20-156-0000-028 and various developers' escrow accounts; now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an amendment to Agreement CY19-067 with the law firm of Cleary, Jacobbe, Alfieri, Jacobs, LLC, 955 State Route 34, Suite 200, Matawan, New Jersey 07747 for professional legal services as Special Redevelopment/Land Use Counsel extending same through December 31, 2020 at an additional cost not to exceed \$25,000.00 attributable to the City, thereby making the total contract amount not to exceed \$100,000.00 attributable to the City and at hourly rates as set forth in the response to the RFQ/RFP to be paid from various developers' escrow accounts.

2. Funds shall be charged to account 0-01-20-156-0000-028 and various developers' escrow accounts.

3. A notice of this action shall be printed once in a newspaper of general circulation within the boundaries of the City of Bayonne.

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

* * * * *

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

WHEREAS, due to the COVID-19 pandemic, the City is the recipient of additional Community Development Block Grant (CDBG) Funds from the U.S. Department of Housing and Urban Development (HUD) (CDBG-CV Grants or CDBG COVID-19 Funds); and

WHEREAS, CDBG-CV Grants may be used to fund local public services and microenterprise assistance programs; and public health, emergency response, or temporary housing facilities that address COVID-19 impacts, and grant administration; and

WHEREAS, CDBG funded activities must benefit low- and moderate-income persons or meet the CDBG urgent need national objective criteria; and

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

WHEREAS, the Windmill Alliance has requested and submitted a formal written application dated June 10, 2020 for said CDBG COVID-19 Funds in the amount of \$13,250.00 for the purpose of HIGHWAYS program building rental costs (the "Application"); and

WHEREAS, at the time of the submission of the Application, the amount of the CDBG COVID-19 Funds available for the purpose of HIGHWAYS program building rental costs had not yet been determined; and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said CDBG COVID-19 Funds for the purpose of said HIGHWAYS program building rental costs has been determined to be \$20,000.00; and

WHEREAS, based upon the fact that excess funds beyond that which had been requested are now available, the Director of Community Development has determined that the award should be in the amount of \$20,000.00; and

WHEREAS, said CDBG COVID-19 Funds are certified as available in Account CDBG CV-1072; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Windmill Alliance, 141 Broadway, Bayonne, New Jersey 07002 for the provision of HIGHWAYS program building rental costs in the amount of \$20,000.00 for the period commencing September 1, 2020 and ending August 31, 2021.

2. Funds shall be charged to Account #CDBG CV-1072.

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

* * * * *

66. Council Member Perez introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY
AUTHORIZING THE VACATION OF A PORTION OF ROAD "A" A.K.A. MEMORIAL BOULEVARD

WHEREAS, there exists a paper street in the City of Bayonne (the "City") known as Road "A" A.K.A. Memorial Boulevard as shown on a map entitled "Preliminary/Final Major Subdivision Plan, The Peninsula at Bayonne Harbor, Lot 2.07, Block 404," filed in the Hudson County Clerk's Office on March 31, 2006 as Map No. 4088; and

WHEREAS, a portion of Road "A" A.K.A. Memorial Boulevard, as more particularly described on the metes and bounds description attached hereto as Exhibit "A" (the "To Be Vacated Street") has never been utilized by the City as a public street; and

WHEREAS, the land area where the To Be Vacated Street is located, is currently owned by the Port Authority of New York and New Jersey (the "Port Authority"); and

WHEREAS, the Port Authority has entered into a contract to sell the land area where the To Be Vacated Street is located to LEG-BP Bayonne Owner, LLC; and

WHEREAS, LEG-BP Bayonne Owner, LLC (the "Redeveloper") has been designated the redeveloper of lands, including the area where the To Be Vacated Street is located, by the City of Bayonne in order to construct a redevelopment project in accordance with the development regulations of The Peninsula at Bayonne Harbor Redevelopment Plan; and

WHEREAS, the Redeveloper has requested that the City vacate the To Be Vacated Street in furtherance of its proposed redevelopment project; and

WHEREAS, pursuant to N.J.S.A. 40:67-19, the Mayor and Council have determined that the public interest will be better served by releasing these lands and extinguishing the public right to the To Be Vacated Street for the purpose of redevelopment; and

WHEREAS, it is the intent of this Ordinance to vacate the To Be Vacated Street, as more particularly set forth in the metes and bounds description attached hereto as Exhibit "A".

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

Section 1. Pursuant to the authority granted by N.J.S.A. 40:67-19, a portion of Road "A" A.K.A. Memorial Boulevard, as more particularly described in the metes and bounds description attached hereto as Exhibit "A" is hereby vacated.

Section 2. Title to the To Be Vacated Street, as more particularly set forth in the metes and bounds description attached hereto as Exhibit "A", shall vest in the Port Authority of New York and New Jersey or the then current owner of the lands at the time this Ordinance shall become effective.

Section 3. In the event utilities, if any, presently located under or within the right of way being vacated hereunder, are not moved to another location, an easement is reserved for the

benefit of such public utility companies, including any cable television company as defined in the "Cable Television Act" (N.J.S.A. 48:5A-1 et seq.) for the purpose of ingress and egress over and upon the area subject to this vacation ordinance in order to maintain, repair or replace existing utility facilities including water lines, sewer lines, gas lines and telephone, electrical and cable television wires and poles which may be located either beneath or above the surface of the area subject to this vacation.

Section 4. At least one week prior to the time fixed for the consideration of this Ordinance for final passage, a copy thereof, together with a notice of the introduction thereof and the time and place when and where the Ordinance will be further considered for final passage, shall be mailed to every person whose land may be affected by this Ordinance so far as may be ascertained. Said notices shall be mailed by the City Clerk in accordance with the provisions of N.J.S.A. 40:49-6.

Section 5. The City Clerk shall within sixty (60) days after this Ordinance becomes effective file a copy of the Ordinance, certified by the Clerk, under the seal of the City, to be a true copy of such Ordinance, together with a copy of the proof of publications thereof, in the Hudson County Clerk's Office with proper index to be provided for the purpose and entitled "vacations" in accordance with the provisions of N.J.S.A. 40:67-21.

Section 6. Any and all fees associated with the consideration and/or completion of this street vacation request are to be paid for by LEG-BP Bayonne Owner, LLC, the designated redeveloper of the lands.

Section 7. If any section, paragraph or provision of this Ordinance shall be adjudged invalid, such adjudication shall not affect the validity of the remaining sections, paragraphs or provisions of this Ordinance, which shall otherwise remain in full force and effect.

Section 8. This Ordinance shall take effect upon final passage and publication as required by law.

Section 9. All prior Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

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

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING THE VACATION OF A PORTION OF ROAD "A" a.k.a MEMORIAL BOULEVARD," 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, LaPelusa, Perez and President Nadrowski.

* * * * *

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

BE IT RESOLVED, that the Municipal Council of the City of Bayonne hereby consents to and confirms the foregoing appointments.

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

* * * * *

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

WHEREAS, due to the COVID-19 pandemic, the City is in need of a high volume scanner and a large format printer for use in its Planning and Zoning Department to minimize paper

handling and aid in the prevention of the spread of the COVID-19 virus as well as other diseases; and

WHEREAS, the City is in receipt of a Quote for the aforesaid scanner and printer from TGI Office Automation, 110 Fieldcrest Avenue, Edison, New Jersey 08837 dated September 10, 2020 for the amount of \$14,100.00; and

WHEREAS, pursuant to Executive Order No. 103, the Governor of the State of New Jersey concurrently invoked a State of Emergency under N.J.S.A. App.A.:9-33 *et seq.*, and a Public Health Emergency under N.J.S.A. 26:13-1 *et seq.*, in response to the coronavirus outbreak; and

WHEREAS, Executive Order No. 103 contemplates that the spread of Covid-19 would disrupt the timely delivery of goods and services necessary for the life, safety and health of the public; and

WHEREAS, Executive Order No. 103 further addresses the difficulty in procuring of goods and services by relaxing public contract laws at the State level; and

WHEREAS, Local Finance Notice 2020-06 provides that pursuant to N.J.S.A. 19:44A-20.12, emergency contracts awarded for purposes of coronavirus response are excepted from Pay-to-Play due to public exigency, and municipalities are not required to file an “emergency procurement report” with the State; and

WHEREAS, the health, welfare and safety of City employees is essential to serving the citizens of the City of Bayonne; and

WHEREAS, funds are certified as available in G02418770000199; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and/or his designee is/are hereby authorized to take any and all actions and sign any and all documents necessary to procure the aforesaid high volume scanner and large format printer for use in the City’s Planning and Zoning Department from TGI Office Automation, 110 Fieldcrest Avenue, Edison, New Jersey 08837 for the amount of \$14,100.00 pursuant to TGI Office Automation’s quote dated September 10, 2020.

2. Funds shall be chargeable to G02418770000199.

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

* * * * *

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

WHEREAS, Chandravandan P. Majmundar filed a 2010 tax appeal and LPM Services filed a 2010 tax appeal and 2012-2019 tax appeals with the Tax Court of the State of New Jersey for the following properties:

456-458 Broadway	Block: 211	Lot: 16
452 Broadway	Block: 211	Lot: 17
450 Broadway	Block: 211	Lot: 18
446-448 Broadway	Block: 211	Lot: 19

; and

WHEREAS, after an exchange of information regarding the property’s condition, size and value a settlement agreement was proposed whereby the following would be effectuated:

<u>Tax Year</u>	<u>Assessment</u>	<u>Block 211</u>	<u>Lot 16</u>
2010	487,000		
2012-2019	432,000		

Reduction of assessment to \$360,000 for the years 2010-2019*

*No tax appeal filed in 2011

Block 211 Lot 17

<u>Tax Year</u>	<u>Assessment</u>
2010	182,000
2012-2020	127,400

Withdrawal of all appeals by taxpayer

Block 211 Lot 18

<u>Tax Year</u>	<u>Assessment</u>
2010	182,000
2012-2019	127,400

Withdrawal of all appeals by taxpayer

Block 211 Lot 19

<u>Tax Year</u>	<u>Assessment</u>
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WHEREAS, the City's Tax Assessor and legal counsel have recommended that the City enter into a settlement agreement whereby the tax appeals referenced above are settled as set forth above, resulting in a refund/credit to the taxpayer of \$54,699.12; and

WHEREAS, this Municipal Council has considered the recommendation of the Tax Assessor and legal counsel and desires to enter into the proposed settlement; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The above recitals are incorporated herein.
2. Legal Counsel and the Tax Assessor are hereby authorized to enter into and execute a Stipulation of Settlement on behalf of the City of Bayonne consistent with the terms set forth above.
3. The terms of such stipulation shall provide for the resulting refund to be made in the form of a credit or refund.
4. The City's Legal Counsel, Law Director, CFO, Treasurer and Tax Collector are further authorized to take any and all action necessary to effectuate this settlement and resolution and the resulting judgment(s).
5. This resolution shall take effect immediately.

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

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

WHEREAS, 155 Broadway, LLC filed tax appeals for the years 2017, 2018, 2019 and 2020 with the Tax Court of the State of New Jersey for the following property

155-157 Broadway Block: 330 Lot 10

; and

WHEREAS, after an exchange of information regarding the property's condition, size and value, a settlement agreement is proposed whereby the following would be effectuated:

Block 330 Lot 10

<u>Tax Year</u>	<u>Assessment</u>	<u>Settlement</u>	<u>Tax Rate</u>	<u>Reduction</u>	<u>Refund/Credit</u>
2017	259,700	259,700	0.08239	\$-0-	\$-0-
2018	259,700	150,000	0.08458	\$109,700	\$9,278.43
2019	259,700	200,000	0.08630	\$ 59,700	\$5,152.11
2020	556,800	450,000	0.02566	\$106,800	\$2,740.49

WHEREAS, the City's Tax Assessor and legal counsel have recommended that the City enter into a settlement agreement whereby the tax appeals referenced above are settled as set forth above, resulting in a refund/credit to the taxpayer of \$17,171.03; and

WHEREAS, this Municipal Council has considered the recommendation of the Tax Assessor and legal counsel and desires to enter into the proposed settlement; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The above recitals are incorporated herein.
2. Legal Counsel and the Tax Assessor are hereby authorized to enter into and execute a Stipulation of Settlement on behalf of the City of Bayonne consistent with the terms set forth above.
3. The terms of such stipulation shall provide for the resulting refund to be made in the form of a credit or refund.
4. The City's Legal Counsel, Law Director, CFO, Treasurer and Tax Collector are further authorized to take any and all action necessary to effectuate this settlement and resolution and the resulting judgment(s).
5. This resolution shall take effect immediately.

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

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71. Council Member LaPelusa introduced:

CAPITAL ORDINANCE PROVIDING FOR A DEPOSIT IN CONNECTION WITH THE ACQUISITION OF MARIST HIGH SCHOOL AND ASSOCIATED PROPERTY, BY AND IN THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY AND APPROPRIATING \$100,000 THEREFOR FROM THE CAPITAL IMPROVEMENT FUND OF THE CITY

WHEREAS, the City of Bayonne, in the County of Hudson, State of New Jersey (the "City"), wishes to make a deposit in connection with the acquisition of the Marist High School and associated property; and

WHEREAS, the cost of said improvements or purposes is estimated to be \$100,000; and

WHEREAS, the City desires to authorize the appropriation and expenditure of \$100,000 from the Capital Improvement Fund of the City for the purpose of making a deposit in connection with the acquisition of the Marist High School and associated property.

BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY (a majority of the full membership thereof affirmatively concurring), AS FOLLOWS:

SECTION 1. The capital improvements or purposes described in Section 2 of this Capital Ordinance are hereby authorized as general capital improvements to be undertaken by the City. For the said improvements or purposes, there is hereby appropriated the amount of \$100,000 from the Capital Improvement Fund of the City to fund said deposit.

SECTION 2. The capital expenditure authorized by this Capital Ordinance includes, but is not limited to, a deposit in connection with the acquisition of the Marist High School and associated property and also shall include all work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto.

SECTION 3. The expenditure of the \$100,000, consisting of an appropriation of \$100,000 from the Capital Improvement Fund of the City for the improvement or purpose set forth in Section 2 hereof, is hereby authorized and approved. The Mayor, the Clerk, the Chief Financial Officer and any other official/officer of the City are each hereby authorized and directed to execute, deliver and perform any agreement to undertake the improvements or purposes set forth herein and to effectuate the transaction contemplated hereby.

SECTION 4. The capital budget of the City is hereby amended to conform with the provisions of this capital ordinance to the extent of any inconsistency herewith and a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs is on file in the Office of the Clerk and is available for public inspection.

SECTION 5. This ordinance shall take effect immediately after final adoption and approval by the Mayor.

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

BE IT RESOLVED, that an ordinance entitled "CAPITAL ORDINANCE PROVIDING FOR A DEPOSIT IN CONNECTION WITH THE ACQUISITION OF MARIST HIGH SCHOOL AND ASSOCIATED PROPERTY, BY AND IN THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY AND APPROPRIATING \$100,000 THEREFOR FROM THE CAPITAL IMPROVEMENT FUND OF THE CITY ," 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, LaPelusa, Perez and President Nadrowski.

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73. Council Member LaPelusa introduced:

BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO FITZPATRICK PARK, BY AND IN THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY, APPROPRIATING \$2,082,786 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,082,786 BONDS OR NOTES TO FINANCE THE COST THEREOF

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

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the City. For the said improvements or purposes stated in Section 3, there is hereby appropriated the sum of \$2,082,786 said sum being inclusive of the amount of \$661,713 from a Hudson County Open Space Grant (the "Grant") and all appropriations heretofore made therefor. No down payment is required pursuant to the provisions of N.J.S.A. 40A:2-11(c) of the Local Bond Law (the "Local Bond Law"), as the improvements or purposes described in Section 3 of this bond ordinance shall be funded by loans from the New Jersey Infrastructure Bank.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and until the Grant is received, negotiable bonds of the City are hereby authorized to be issued in the principal amount of \$2,082,786 pursuant to the Local Bond Law. Until the Grant is received and in anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the City in a principal amount not exceeding \$2,082,786 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued are improvements to Fitzpatrick Park including, but not limited to, storm water management system improvements, including but not limited to, the installation of an underground detention system and separation of the storm sewer system from the sanitary system, and various other park improvements, including but not limited to, ADA compliant walkways, playground areas, a hockey roller rink, patio areas with picnic tables, game tables, splash park (including but not limited to a recirculation system), lighting and landscaping improvements, and other park equipment or amenities and associated landscaping and aesthetic improvements, also including all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction, inspection and contract administration and all work, materials, labor and appurtenances necessary therefor or incidental thereto (collectively, the "Project").

(b) The estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$2,082,786.

(c) The estimated cost of said improvements or purposes is \$2,082,786.

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

SECTION 5. All bond anticipation notes issued hereunder shall mature at such time as may be determined by the Chief Financial Officer, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

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

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

- (a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements or purposes which the City may lawfully undertake as general improvements or purposes, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.
- (b) The average period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 30 years.
- (c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the City and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$2,082,786 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.
- (d) An aggregate amount not exceeding \$750,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

SECTION 8. Unless paid from other sources, the full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. Unless paid from other sources, the obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy *ad valorem* taxes upon all

the taxable property within the City for the payment of the obligations and the interest thereon without limitation as to rate or amount.

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

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

SECTION 11. Should the bonds or notes issued hereunder be issued on a tax-exempt basis, the City covenants to maintain the exclusion from gross income under Section 103(a) of the Code of the interest on all bonds and notes issued under this ordinance.

SECTION 12. The Project was originally funded through an emergency appropriation resolution duly adopted by the City and the appropriations and bonds and notes authorized and set forth herein shall hereinafter fund the Project.

SECTION 13. This bond ordinance shall take effect twenty (20) days after final adoption, and approval by the Mayor, as provided by the Local Bond Law.

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

BE IT RESOLVED, that an ordinance entitled "BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO FITZPATRICK PARK, BY AND IN THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY, APPROPRIATING \$2,082,786 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,082,786 BONDS OR NOTES TO FINANCE THE COST THEREOF," 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, LaPelusa, Perez and President Nadrowski.

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

Authorizing the purchase of a replacement City Hall garage door and articulating arms from NEW JERSEY DOOR WORKS (NJDW) in an amount not to exceed \$40,000.00.

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

NO RESOLUTION ATTACHED WILL RESCIND AND MOVE TO NEXT MEETING

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

From the Donna Mauer, CFO submitting SUPPLEMENTAL DEBT STATEMENT as of September 23, 2020.

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

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

WHEREAS, 662 Avenue C Urban Renewal, LLC is the owner of the property at 662-666 Avenue C, Bayonne, New Jersey, (shown as Block: 163, Lot: 45 on the Tax Map of the City of Bayonne); and

WHEREAS, consistent with and pursuant to Ordinance O-16-11 (passed on March 16, 2016; Approved on March 17, 2016; effective as of April 5, 2016) the City of Bayonne and 662 Avenue C Urban Renewal, LLC entered into a Financial Agreement as of June 29, 2016 for the property at 662-666 Avenue C; and

WHEREAS, consistent with the terms of said Financial Agreement real property taxes on the improvements to the property ceased as of February 1, 2020; and

WHEREAS, the City's Tax Assessor, Tax Collector and Chief Financial Officer concur that taxes on the improvements to the property ceased as of February 1, 2020 and have recommended that any tax bills for improvements on the property issued from that date be cancelled and any and all taxes paid in connection therewith be refunded and/or credited to the taxpayer; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The above recitals are incorporated herein.
2. Consistent with the terms of the above referenced Financial Agreement, the Tax Collector is hereby authorized and directed to cancel any and all tax bills for improvements from February 1, 2020 forward.
3. The Tax Collector is further authorized to calculate and provide credits and/or refunds to the taxpayer for any and all tax payments made for the improvements to the subject property from February 1, 2020 forward.
4. This resolution shall take effect immediately.

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

* * * * *

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

WHEREAS, due to the COVID-19 pandemic, the City was in need of COVID-19 testing for its employees in connection with its "return to work" plan ("COVID-19 Testing"); and

WHEREAS, pursuant to Executive Order No. 103, the Governor of the State of New Jersey concurrently invoked a State of Emergency under N.J.S.A. App.A.:9-33 *et seq.*, and a Public Health Emergency under N.J.S.A. 26:13-1 *et seq.*, in response to the coronavirus outbreak; and

WHEREAS, Executive Order No. 103 contemplates that the spread of Covid-19 would disrupt the timely delivery of goods and services necessary for the life, safety and health of the public; and

WHEREAS, Executive Order No. 103 further addresses the difficulty in procuring of goods and services by relaxing public contract laws at the State level; and

WHEREAS, Local Finance Notice 2020-06 provides that pursuant to N.J.S.A. 19:44A-20.12, emergency contracts awarded for purposes of coronavirus response are excepted from Pay-to-Play due to public exigency, and municipalities are not required to file an "emergency procurement report" with the State; and

WHEREAS, the Bayonne Medical Center, 29 East 29th Street, Bayonne, New Jersey 07002 is able and learned in connection with COVID-19 testing and protocols, and well qualified to advise and assist the City in connection with same; and

WHEREAS, the Bayonne Medical Center, was qualified, ready, willing and able to provide said CDBG COVID-19 Testing for an amount of \$110.00 per test; and

WHEREAS, due to exigent circumstances, the City's Chief Financial Officer authorized the Bayonne Medical Center to perform the aforesaid COVID-19 Testing for an amount of \$110.00 per test prior to obtaining approval from this body; and

WHEREAS, said COVID-19 Testing was essential for the health, welfare and safety of the employees and citizens of the City of Bayonne; and

WHEREAS, funds are certified as available in Account #G-02-41-877-0000-199 (CARES Act Grant); now, therefore be it

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

1. The actions of the Chief Financial Officer in authorizing the Bayonne Medical Center to perform the aforesaid COVID-19 Testing are hereby ratified and affirmed.
2. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with the Bayonne Medical Center, 29 East 29th Street, Bayonne, New Jersey 07002 for the aforesaid COVID-19 testing for City of Bayonne employees in connection with its "return to work" plan for the amount of \$110.00 per test for a total contract amount not to exceed \$75,000.00.
3. Funds shall be charged to Account #G-02-41-877-0000-199 (CARES Act Grant).

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

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

RESOLUTION TO NEGOTIATE A REGIONAL APPROACH TO IMPLEMENTING THE USEPA AND NJDEP MANDATED "LONG TERM CONTROL PLAN" FOR COMBINED SEWER OVERFLOWS

WHEREAS, the City of Bayonne of is a "Combined Sewer Overflow" ("CSO") Municipality; and

WHEREAS, all CSO Municipalities are authorized to use CSOs by the United States Environmental Protection Agency ("USEPA") pursuant to its National Pollutant Discharge Elimination System permitting program; and

WHEREAS, it is the national policy of USEPA and the state policy of the New Jersey Department of Environmental Protection ("NJDEP") to reduce and/or completely eliminate the volume of wastewater that flows out of CSOs and into local waterbodies without any treatment; and

WHEREAS, in accordance with its national CSO policy, USEPA has required all permitted entities to create "long term control plans," pursuant to which each permitted entity must identify all actions that the entity will implement to achieve the goals and level of CSO control that USEPA sets forth in its national CSO policy; and

WHEREAS, long term control plans most frequently require the completion of massive public infrastructure projects that are highly technically complex, take many years or even decades to develop and implement, and place severe economic burdens on the residents who live in the areas where implementation takes place; and

WHEREAS, in 2015, NJDEP required all New Jersey CSO Municipalities to develop a CSO Long Term Control Plan ("LTCP") in order to comply with USEPA's national CSO policy, which must be submitted to NJDEP for approval on October 1, 2020; and

WHEREAS, the City of Bayonne has participated in a working group of CSO Municipalities and the Passaic Valley Sewerage Commission ("PVSC") (collectively referred to as the "CSO Group") to develop a regional LTCP (the "Regional Approach") for submission to NJDEP; and

WHEREAS, the Regional Approach would achieve the NJDEP goal of capturing 85 percent by volume of combined sewage for treatment based on a regional annual average compared to achieving 85 percent capture for each municipality; and

WHEREAS, the Regional Approach will achieve the goal of 85 percent regional capture through the development of public infrastructure projects located in each of the CSO Group municipalities and a project to improve flow to the PVSC plant;

WHEREAS, the CSO Group has conducted analyses showing that implementing the Regional Approach would create a cost savings of approximately \$500,000,000, which could be shared among participating CSO Group members and would decrease the financial burden of implementing a LTCP and associated public infrastructure projects for each municipality; and

WHEREAS, the CSO Group members are currently negotiating an agreement to share the cost savings associated with implementing the Regional Approach; and

WHEREAS, if a CSO Group member does not agree to pursue the Regional Approach prior to the submission of the LTCP and/or if a CSO Group member fails to enter into the negotiated cost savings agreement, then such CSO Group member will be obligated to pursue their own Municipal Alternative to implementing a LTCP and associated public infrastructure projects; and

WHEREAS, this municipal council believes it is in the best interests of the City of Bayonne to negotiate in good faith to reach an agreement to share the cost savings associated with implementing the Regional Approach.

NOW, THEREFORE, BE IT RESOLVED that the City of Bayonne agrees to negotiate in good faith with the CSO Group members to reach an agreement to share the cost savings associated with implementing the Regional Approach; and

BE IT FURTHER RESOLVED that the Council President and/or the Council President's designee, the Business Administrator, the City Engineer, Law Director and the City's Financial Analyst/Consultant is/are hereby authorized and directed to collectively negotiate on behalf of the City of Bayonne for the purposes of developing an agreement to share the cost savings associated with implementing the Regional Approach; and

BE IT FURTHER RESOLVED that the City of Bayonne acknowledges that if an agreement can be reached between the CSO Group members to share the cost savings associated with the Regional Approach the City of Bayonne agrees to adopt and enter into such agreement upon approval of this municipal council; and

BE IT FURTHER RESOLVED that the City of Bayonne acknowledges that if the City of Bayonne does not enter into the negotiated cost savings agreement, then it will be obligated to pursue its own Municipal Alternative to implementing a LTCP and associated public infrastructure projects; and

BE IT FURTHER RESOLVED that the City of Bayonne retains the ability to withdraw from negotiations at any time upon seven (7) days written notice to the other participants. The City of Bayonne expressly acknowledges that upon withdrawal, it will be required to commence implementation of its Municipal Alternative for CSO long term control; and

BE IT FURTHER RESOLVED that a copy of this Resolution, along with matching resolutions from the other New Jersey CSO Municipalities, be delivered to any and all relevant and necessary entities

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

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

RESOLUTION TO CALL ON THE GOVERNOR AND UNITED STATES CONGRESSIONAL DELEGATION FROM NEW JERSEY TO PROVIDE ECONOMIC RELIEF FOR THE IMPLEMENTATION OF THE USEPA AND NJDEP MANDATED "LONG TERM CONTROL PLAN" FOR COMBINED SEWER OVERFLOWS

WHEREAS, the City of Bayonne is a "Combined Sewer Overflow" ("CSO") municipality; and

WHEREAS, all CSO Municipalities are authorized to use CSOs by the United States Environmental Protection Agency ("USEPA") pursuant to its National Pollutant Discharge Elimination System permitting program; and

WHEREAS, it is the national policy of USEPA and the state policy of the New Jersey Department of Environmental Protection ("NJDEP") to reduce and/or completely eliminate the volume of wastewater that flows out of CSOs and into local waterbodies without any treatment; and

WHEREAS, in accordance with its national CSO policy, USEPA has required all permitted entities to create "long term control plans," pursuant to which each permitted entity must identify all actions that the entity will implement to achieve the goals and level of CSO control that USEPA sets forth in its national CSO policy; and

WHEREAS, New Jersey is the last state in the United States to develop long term control plans in accordance with USEPA's national CSO policy; and

WHEREAS, long term control plans most frequently require the completion of massive public infrastructure projects that are highly technically complex, take many years or even decades to develop and implement, and place severe economic burdens on the residents who live in the areas where implementation takes place; and

WHEREAS, in 2015, the NJDEP required all New Jersey CSO Municipalities to develop a CSO Long Term Control Plan ("LTCP") in order to comply with USEPA's national CSO policy, which must be submitted to USEPA and NJDEP for approval on June 1, 2020 ; and

WHEREAS, according to USEPA, "Environmental Justice" means "the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation and enforcement of environmental laws, regulations and policies;" and

WHEREAS, according to the USEPA, "Fair Treatment" means "no group of people should bear a disproportionate share of the negative environmental consequences resulting from industrial, governmental and commercial operations or policies;" and

WHEREAS, the cost of the LTCP will place a severe economic burden on the residents of our Municipality as well as the other CSO Municipalities; and

WHEREAS, the cost regionally could be in excess of two billion dollars (\$2,000,000,000); and

WHEREAS, it is clear that the severe economic burden that the LTCPs will place on the Municipalities' residents in no way comports with USEPA's definitions of "Environmental Justice" or "Fair Treatment;" and

WHEREAS, economic relief from the federal government is necessary for implementation and completion of the LTCPs.

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council of the City of Bayonne, calls on the Governor as well as the members of our United States Congressional Delegation to provide economic relief for the purpose of facilitating the implementation and construction of a LTCP for the control of the Municipality's combined sewer overflow points.

BE IT FURTHER RESOLVED that a copy of this Resolution, along with matching resolutions from the other New Jersey CSO Municipalities, be delivered immediately to the Governor and all members of our United States Congressional Delegation.

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

* * * * *

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

WHEREAS, Resolution 20-01-16-069 adopted January 16, 2020, authorized an agreement with Sims Municipal Recycling, 1 Linden Avenue East, Jersey City, New Jersey 07306 to receive and market certain recyclable materials from the City and from the City's private recycling collection contractor(s), specifically for metal cans and plastics ("Receipt and Marketing of Recyclable Materials") for a one (1) year period commencing January 1, 2020 and ending December 31, 2020 at a cost not to exceed \$100,000.00 pursuant to the Fair and Open Process pursuant to N.J.S.A.19:44A:20.4 and 5; and

WHEREAS, the Chief Financial Officer has advised that it is necessary to increase said contract award in the amount of \$100,000.00, thereby making the total contract amount not to exceed \$200,000.00 due to the COVID-19 pandemic; and

WHEREAS, pursuant to Executive Order No. 103, the Governor of the State of New Jersey concurrently invoked a State of Emergency under N.J.S.A. App.A.:9-33 *et seq.*, and a Public Health Emergency under N.J.S.A. 26:13-1 *et seq.*, in response to the coronavirus outbreak; and

WHEREAS, Executive Order No. 103 contemplates that the spread of Covid-19 would disrupt the timely delivery of goods and services necessary for the life, safety and health of the public; and

WHEREAS, Executive Order No. 103 further addresses the difficulty in procuring of goods and services by relaxing public contract laws at the State level; and

WHEREAS, Local Finance Notice 2020-06 provides that pursuant to N.J.S.A. 19:44A-20.12, emergency contracts awarded for purposes of coronavirus response are excepted from Pay-to-Play due to public exigency, and municipalities are not required to file an "emergency procurement report" with the State; and

WHEREAS, funds are certified as available in Account No. 0-01-32-465-0000-028; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. Resolution No. 20-01-15-069 awarding a contract to Sims Municipal Recycling for the Receipt and Marketing of Recyclable Materials is hereby amended to reflect that that the contract award is hereby increased in the amount of \$100,000.00, thereby making the total contract award not to exceed \$200,000.00.

2. Funds shall be charged to Account No. 0-01-32-465-0000-028.

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

* * * * *

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

WHEREAS, pursuant to Resolution No. 18-12-19-070 adopted on December 19, 2018, the City entered into Agreement No. CY19-001 with Integrated Micro Systems, Inc., (Integrated"), 74 Lee Avenue, Haledon, New Jersey 07508-1208 for information technology, computer systems and network administration and support services for the period commencing January 1, 2019, and ending December 31, 2019, for an amount not to exceed \$50,000.00; and

WHEREAS, pursuant to Resolution Nos. 20-03-19-045 adopted March 19, 2020 and 20-06-17-045 adopted June 17, 2020, said Agreement No. CY19-001 was extended through December 31, 2020 and increased to a total contract amount of \$154,000.00; and

WHEREAS, the City was in need of additional communications and technological support and equipment that was not anticipated within the scope of Agreement No. CY19-001; and

WHEREAS, pursuant to Executive Order No. 103, the Governor of the State of New Jersey concurrently invoked a State of Emergency under N.J.S.A. App.A.:9-33 *et seq.*, and a Public Health Emergency under N.J.S.A. 26:13-1 *et seq.*, in response to the coronavirus outbreak; and

WHEREAS, Executive Order No. 103 contemplates that the spread of Covid-19 would disrupt the timely delivery of goods and services necessary for the life, safety and health of the public; and

WHEREAS, Executive Order No. 103 further addresses the difficulty in procuring of goods and services by relaxing public contract laws at the State level; and

WHEREAS, Local Finance Notice 2020-06 provides that pursuant to N.J.S.A. 19:44A-20.12, emergency contracts awarded for purposes of coronavirus response are excepted from Pay-to-Play due to public exigency, and municipalities are not required to file an "emergency procurement report" with the State; and

WHEREAS, due to the COVID-19 pandemic, it was necessary to procure said communications and technological support and equipment through the aforesaid Agreement No.CY19-001; and

WHEREAS, it is necessary to increase said Agreement CY19-001 in the amount of \$60,000.00, thereby making the total contract amount not to exceed \$214,000.00 to cover said additional communications and technological support and equipment; and

WHEREAS, said additional communications and technological services are essential to the serving the citizens of the City; and

WHEREAS, funds are certified as available in account #0-01-31-460-0000-020; 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. CY19-001 with Integrated Micro Systems, Inc., to include the aforesaid additional communications and technological services and equipment and increasing same in the amount of \$60,000.00, thereby making the total contract amount not to exceed \$214,000.00 to cover the cost of said additional communications and technological services and support.

2. Funds shall be chargeable to account #0-01-31-460-0000-020.

3. All other terms and conditions of the contract remain the same.

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

* * * * *

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

WHEREAS, Resolution 20-05-13-032 adopted May 13, 2020, authorized an Agreement with TetherView, 1000 Sanger Avenue, Oceanport, NJ 07757 ("TetherView") for the provision of remote web-hosting services for the City's various public meetings during the COVID-19 pandemic for an amount not to exceed \$15,000.00 pursuant to the quote received from TetherView dated May 5, 2020; and

WHEREAS, the Chief Financial Officer has advised that it is necessary to increase the amount of said Agreement with TetherView in the amount of \$5,000.00 due to the continued need for said web-hosting services not anticipated at the time of the receipt of TetherView's original quote, thereby making the total contract amount not to exceed \$20,000.00; and

WHEREAS, pursuant to Executive Order No. 103, the Governor of the State of New Jersey concurrently invoked a State of Emergency under N.J.S.A. App.A.:9-33 *et seq.*, and a Public Health Emergency under N.J.S.A. 26:13-1 *et seq.*, in response to the coronavirus outbreak; and

WHEREAS, Executive Order No. 103 contemplates that the spread of Covid-19 would disrupt the timely delivery of goods and services necessary for the life, safety and health of the public; and

WHEREAS, Executive Order No. 103 further addresses the difficulty in procuring of goods and services by relaxing public contract laws at the State level; and

WHEREAS, Local Finance Notice 2020-06 provides that pursuant to N.J.S.A. 19:44A-20.12, emergency contracts awarded for purposes of coronavirus response are excepted from Pay-to-Play due to public exigency, and municipalities are not required to file an "emergency procurement report" with the State; and

WHEREAS, funds are certified as available in Account No. G-02-41-877-0000-199; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Chief Financial Officer and/or her designee is/are hereby authorized to take any and all actions and execute any and all documents necessary to increase the aforesaid Agreement with TetherView in the amount of \$5,000.00, thereby making the total contract amount not to exceed \$20,000.00.

2. Funds shall be charged to Account No. G-02-41-877-0000-199.

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

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

WHEREAS, the City of Bayonne (City") permanently appointed Joseph N. Scerbo as its Deputy Chief of Police effective as of August 5, 2020; and

WHEREAS, in order to assure the performance of the various covenants, advantages and considerations inuring to the parties, which each party acknowledges is to its/his mutual and reciprocal benefit and advantage, the parties desire to enter into an Employment Agreement setting forth the rights, duties and responsibilities of each party; now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an Employment Agreement with Joseph N. Scerbo setting forth the terms upon which Geisler will be employed as the Deputy Chief of Police for the City of Bayonne in a form acceptable to the Law Director.

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

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At 8:35 P.M., Council Member Perez motion to adjourn, seconded by Council Member LaPelusa, which motion was adopted.

President – Sharon A. Nadrowski

Clerk – Madelene C. Medina