

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, OCTOBER 21, 2020.

The Council met at 7:04 P.M.

The Council President Nadrowski announced: "I would like to advise all those present that notice of this regular meeting of the Municipal Council of the City of Bayonne of OCTOBER 21, 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 October 16, 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, Gullace, Perez and President Nadrowski.

The Council President led the Pledge of Allegiance.

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Congressman Payne addressed the Council on the subject of the pandemic and it's affect on the Congressional 10th District and the Postal Service.

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01. The Clerk announced:

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 HUDSON, STATE OF NEW JERSEY AND APPROPRIATING \$100,000 THEREFOR FROM THE CAPITAL IMPROVEMENT FUND OF THE CITY," which was introduced and passed a first reading at a meeting held SEPTEMBER 23, 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 OCTOBER 21, 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 Member Perez, which motion was adopted.

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

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

The Clerk read the resolution by title "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 HUDSON, STATE OF NEW JERSEY AND APPROPRIATING \$100,000 THEREFOR FROM THE CAPITAL IMPROVEMENT FUND OF THE CITY,"

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 following persons spoke: Peter Franco
Heda Adbel

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

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

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

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

WHEREAS, an ordinance entitled, "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 HUDSON, STATE OF NEW JERSEY AND APPROPRIATING \$100,000 THEREFOR FROM THE CAPITAL IMPROVEMENT FUND OF THE CITY," was introduced and passed a first reading at a meeting held SEPTEMBER 23, 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 OCTOBER 21, 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-20-48.

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

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02. The Clerk announced:

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 \$2,086,786 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,086,786 BONDS OR NOTES TO FINANCE THE COST THEREOF," which was introduced and passed a first reading at a meeting held SEPTEMBER 23, 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 OCTOBER 21, 2020 is now before the Council for its consideration and a public hearing.

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

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

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

The Clerk read the resolution by title, "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 \$2,086,786 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,086,786 BONDS OR NOTES TO FINANCE THE COST THEREOF,"

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 following person spoke: Peter Franco

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

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

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

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

WHEREAS, an ordinance entitled, "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 \$2,086,786 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,086,786 BONDS OR NOTES TO FINANCE THE COST THEREOF," was introduced and passed a first reading at a meeting held SEPTEMBER 23, 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 OCTOBER 21, 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-20-49.

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

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03. The Clerk announced:

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.," which was introduced and passed a first reading at a meeting held SEPTEMBER 23, 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 OCTOBER 21, 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, Gullace, Perez and President Nadrowski.

The Clerk read the resolution by title, "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.,"

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.

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

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

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

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

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

WHEREAS, an ordinance entitled, , "AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, 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.," was introduced and passed a first reading at a meeting held SEPTEMBER 23, 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 OCTOBER 21, 2020; and

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

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

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

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

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

RESOLVED, that the said ordinance be passed and designated as Ordinance No. O-20-50.

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

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04. The Clerk announced:

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.," which was introduced and passed a first reading at a meeting held SEPTEMBER 23, 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 OCTOBER 21, 2020 is now before the Council for its consideration and a public hearing

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

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

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

The Clerk read the resolution by title "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.,"

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 following person spoke: Peter Franco

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

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

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

WHEREAS, an ordinance entitled, "AN ORDINANCE 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," was introduced and passed a first reading at a meeting held SEPTEMBER 23, 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 OCTOBER 21, 2020; and

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

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

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

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

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

RESOLVED, that the said ordinance be passed and designated as Ordinance No. O-20-51.

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

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05. The Clerk announced:

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.," which was introduced and passed a first reading at a meeting held SEPTEMBER 23, 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 OCTOBER 21, 2020 is now before the Council for its consideration and a public hearing.

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

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

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

The Clerk read the resolution by title, "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."

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 following persons spoke: Peter Franco
Richard D'Angelis
Esquire representative for Palmer Asphalt
Sue Mack, City Planner
Mehda Abdel
Kamal Patel

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 Member Gullace which motion was adopted.

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

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

WHEREAS, an ordinance entitled, "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. (Bayview/A&P)," was introduced and passed a first reading at a meeting held SEPTEMBER 23, 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 OCTOBER 21, 2020; and

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

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

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

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

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

RESOLVED, that the said ordinance be passed and designated as Ordinance No. O-20-52.

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

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06. The Clerk announced:

AN ORDINANCE ENTITLED, "AN ORDINANCE OF 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.," which was introduced and passed a first reading at a meeting held SEPTEMBER 23, 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 OCTOBER 21, 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 Member Perez, which motion was adopted.

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

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

The Clerk read the resolution by title, "AN ORDINANCE OF 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."

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 following persons spoke: Peter Franco

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

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

Yeas - Council Members Carroll, LaPelusa, Gullace, 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 OF 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.," was introduced and passed a first reading at a meeting held SEPTEMBER 23, 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 OCTOBER 21, 2020; and

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

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

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

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

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

RESOLVED, that the said ordinance be passed and designated as Ordinance No. O-20-53.

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

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07. The Clerk announced:

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." which was introduced and passed a first reading at a

meeting held SEPTEMBER 23, 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 OCTOBER 21, 2020 is now before the Council for its consideration and a public hearing.

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

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

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

The Clerk read the resolution by title, "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."

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 following persons spoke: Peter Franco

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 Member Carroll which motion was adopted.

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

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

WHEREAS, 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," was introduced and passed a first reading at a meeting held SEPTEMBER 23, 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 OCTOBER 21, 2020; and

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

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

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

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

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

RESOLVED, that the said ordinance be passed and designated as Ordinance No. O-20-54.

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

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08. The Clerk announced:

AN ORDINANCE ENTITLED, "AN 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. 40A:12A-1 ET SEQ.," which was introduced and passed a first reading at a meeting held SEPTEMBER 23, 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 OCTOBER 21, 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 Member Perez, which motion was adopted.

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

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

The Clerk read the resolution by title, "AN 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. 40A:12A-1 ET SEQ.,"

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 following person spoke: Peter Franco

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

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

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

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

WHEREAS, an ordinance entitled, "AN 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. 40A:12A-1 ET SEQ." was introduced and passed a first reading at a meeting held SEPTEMBER 23, 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 OCTOBER 21, 2020; and

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

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

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

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

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

RESOLVED, that the said ordinance be passed and designated as Ordinance No. O-20-55.

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

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09. The Clerk announced:

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," which was introduced and passed a first reading at a meeting held SEPTEMBER 23, 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 OCTOBER 21, 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, Gullace, Perez and President Nadrowski.

The Clerk read the resolution by title, "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,"

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.

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

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

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

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

Council Member Perez 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 OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING THE VACATION OF A PORTION OF ROAD "A" a.k.a MEMORIAL BOULEVARD," was introduced and passed a first reading at a meeting held SEPTEMBER 23, 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 OCTOBER 21, 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-20-56.

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

* * * * *

10. The Clerk announced:

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 SEPTEMBER 23, 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 OCTOBER 21, 2020 is now before the Council for its consideration and a public hearing.

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

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

Yeas - Council Members Carroll, LaPelusa, Gullace, 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.

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

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

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

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

Council Member Perez 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 SEPTEMBER 23, 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 OCTOBER 21, 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-20-57.

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

* * * * *

11. The following members of the public spoke:

Peter Franco addressed the Council concerning the employment of the Business Administration and the Division of Municipal Services.

Gamal Patel addressed the Council on the matter of the redevelopment of Bayonne.

* * * * *

12. Council Members Perez introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING THE REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 122 AVENUE E, 124 AVENUE E, 126 AVENUE E, 126½ AVENUE E, 128 AVENUE E, 130 AVENUE E, 132 AVENUE E, 134-136 AVENUE E, 138 AVENUE E, 140 AVENUE E, 165 AVENUE E, 167 AVENUE E, 169 AVENUE E, 170-180 AVENUE E, AND 157-163 AVENUE E WHICH PROPERTIES ARE IDENTIFIED AS BLOCK 467, LOTS 17, 18, 19, 20, 21, 22, 23, 24, 25, & 26, BLOCK 234, LOTS 8.01, 11,

12, & 13, AND BLOCK 458, LOT 1 & 1.01, AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 30A:12A-1 ET. SEQ. (SILK LOFTS)

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

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

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

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

WHEREAS, the Municipal Council by resolution has requested, authorized and directed the Planning Board to reopen and amend the Redevelopment Plan; 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 Silk Lofts Redevelopment Plan” dated October 6, 2020 (the “Amended Redevelopment Plan”); and

WHEREAS, the Planning Board reviewed the Amended Redevelopment Plan and, in accordance with the Redevelopment Law, on October 13, 2020, conducted a public hearing wherein the Planning Board recommended the adoption of the Amended 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 Amended Redevelopment Plan, the Municipal Council desires to adopt the Amended Redevelopment Plan in order to effectuate a plan that is consistent with the goals and objectives of the City for the redevelopment of the Property; and

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

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

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

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

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

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

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

Section 6. This Ordinance shall take effect in accordance with all applicable laws. Council Member Perez moved a resolution, seconded by Council President Nadrowski, which was read by the Clerk and adopted.

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE ADOPTING AN AMENDED AND RESTATED REDEVELOPMENT PLAN FOR SILK LOFTS REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED 122 AVENUE E, 124 AVENUE E, 126 AVENUE E, 126-1/2 AVENUE E, 128 AVENUE E, 130 AVENUE E, 132 AVENUE E, 134-136 AVENUE E, 138 AVENUE E, 140 AVENUE E, 165 AVENUE E, 167 AVENUE E, 169 AVENUE E, 170-180 AVENUE E AND 157-163 AVENUE E, WHICH PROPERTY IS IDENTIFIED AS BLCOK 467, LOTS 17,18,19,20,21,22,23,24,25 & 26; Block 234, Lots 8.01,11,12 & 13 AND BLOCK 458, LOTS 1 & 1.01 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY 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, November 4, 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, Gullace, Perez and President Nadrowski.

* * * * *

13. Council Members LaPelusa introduced:

AN ORDINANCE OF THE CITY OF BAYONNE, NEW JERSEY AMENDING THE GENERAL ORDINANCES OF THE CITY, CHAPTER 35, ZONING REGULATIONS, SECTION 5.2 ENTITLED R-1 SINGLE FAMILY RESIDENTIAL DISTRICT; SECTION 5.3 ENTITLED R-2 DETACHED/ATTACHED RESIDENTIAL DISTRICT; SECTION 5.4 ENTITLED R-3 MEDIUM DENSITY RESIDENTIAL DISTRICT; SECTION 5.5 ENTITLED R-M HIGH DENSITY RESIDENTIAL DISTRICT; SECTION 5.6 ENTITLED WR PLANNED WATERFRONT RECREATION DISTRICT; SECTION 5.7 ENTITLED WR PLANNED WATERFRONT RECREATION DISTRICT; SECTION 5.10 ENTITLED CBD CENTRAL BUSINESS DISTRICT (BROADWAY CORRIDOR); SECTION 5.11 ENTITLED UPTOWN BUSINESS DISTRICT (BROADWAY CORRIDOR); SECTION 5.12 ENTITLED ORS OFFICE/RETAIL SERVICE DISTRICT (BROADWAY CORRIDOR); SECTION 5.16 ENTITLED IL-A AND IL-B LIGHT INDUSTRIAL DISTRICTS; SECTION 5.17 ENTITLED I-H HEAVY INDUSTRIAL DISTRICT; SECTION 5.19 ENTITLED I-H-O SPECIALIZED HEAVY INDUSTRIAL DISTRICT OVERLAY

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"), has completed its periodic general reexamination of the Master Plan of the City pursuant to N.J.S.A. 40:55D-89 of the Municipal Land Use Law, N.J.S.A. 40:55D-1 to -163 (the "MLUL"); and

WHEREAS, the Planning Board re-examined and amended the Master Plan in August 2017 as a result of and as contained in the Master Plan Re-examination Report (the "Reexamination"), the Planning Board identified storm water management as a major issue; and

WHEREAS, the Planning Board, as contained in the Reexamination, assessed the changes that have taken place in the community since the adoption of the last Master or Reexamination Plan, including changes in policy; and

WHEREAS, one of the policy changes assessed was the adoption of the Green Buildings and Environmental Sustainability Plan Element (2008), which provides for, encourages and promotes the treatment of storm water on-site and optimizing climatic conditions through site orientation and design; and

WHEREAS, another of the policy changes assessed was the New Jersey Department of Environmental Protection ("NJDEP") adoption of the New Jersey Pollutant Discharge Elimination System Phase II Stormwater Regulation Program Rules (2004), which focus on establishing storm water management design and performance standards for new or proposed development, among other things; and

WHEREAS, the Planning Board, as contained in the Reexamination, declared improving stormwater management; addressing environmental and stormwater management issues associated with the combined sewer systems; improving existing combined sewer outfalls and separating stormwater and sanitary sewer systems where new infrastructure is installed, as major objectives of the Reexamination; and

WHEREAS, the Planning Board, as contained in the Reexamination, recommended that sustainable design guidelines be considered during the planning and design process, including employing cost-effective, appropriate technologies for storm water management and requiring pervious surface or storm-water management systems for any proposed development to reduce the impacts on the City's sewer system be updated; and

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

WHEREAS, it is the national policy of United States Environmental Protection Agency ("USEPA") and the state policy of the 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, 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; and

WHEREAS, upon receipt and review of the Planning Board's Reexamination and the requirements of the City's LTCP, the Municipal Council desires to update the City's Zoning Regulations, all as delineated herein above, in furtherance of the Master Plan Reexamination and the City's LTCP obligations; and

WHEREAS, N.J.S.A. 40:55D-62.1, as amended in 2005, declares that notice of a hearing on an amendment to the zoning ordinance proposing a change to the classification or boundaries of a zoning district is not required if the proposed change to classification or boundary has been recommended in a periodic general reexamination of the Master Plan by the Planning Board; and

WHEREAS, the Municipal Council believes that updating the City's Zoning Regulations is in the best interest of the City.

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 Revised General Ordinances of the City of Bayonne, Chapter 35, Zoning Regulations, Section 5.2 entitled R-1 Single Family Residential District, Subsection E entitled Area, Yard and Structure Requirements, is hereby amended and supplemented as follows (additions ****between asterisks and/or in bold****, deletions ~~{within brackets and/or struck through}~~):

35-5.2 R-1 Single Family Residential District.

a. No change

b. No change

c. No change

d. No change

e. Area, Yard and Structure Requirements.

1. No change

2. No change

3. No change

4. No change

5. No change

6. No change

7. Maximum lot coverage of principal and accessory structure: ~~{None}~~ ****70%****

f. No change

Section 3. The Revised General Ordinances of the City of Bayonne, Chapter 35, Zoning Regulations, Section 5.3, R-2 Detached/Attached Residential District, Subsection E, Area, Yard and Structure Requirements, is hereby amended and supplemented as follows (additions ****between asterisks and/or in bold****, deletions ~~{within brackets and/or struck through}~~):

35-5.3 R-2 Detached/Attached Residential District.

- a. No change
- b. No change
- c. No change
- d. No change
- e. Area, Yard and Structure Requirements.
 1. No change
 2. No change
 3. No change
 4. No change
 5. No change
 6. No change
 7. Maximum lot coverage: {90%} ****70 %****
- f. No change

Section 4. The Revised General Ordinances of the City of Bayonne, Chapter 35, Zoning Regulations, Section 5.4 entitled R-3 Medium Density Residential District, Subsection E entitled Area, Yard and Structure Requirements, is hereby amended and supplemented as follows (additions ****between asterisks and/or in bold****, deletions ~~{within brackets and/or struck through}~~):

35-5.4 R-3 Medium Density Residential District.

- a. No change
- b. No change
- c. No change
- d. No change
- e. Area, Yard and Structure Requirements.
 1. No change
 2. No change
 3. No change
 4. No change
 5. No change
 6. No change
 7. Maximum lot coverage of principal and accessory structure: {None} ****70%****
 8. No change
- f. No change

Section 5. The Revised General Ordinances of the City of Bayonne, Chapter 35, Zoning Regulations, Section 5.5 entitled R-M High Density Residential District, Subsection E entitled Area, Yard and Structure Requirements, is hereby amended and supplemented as

follows (additions ****between asterisks and/or in bold****, deletions ~~(within brackets and/or struck through)~~):

35-5.5 R-M Medium Density Residential District.

- a. No change
- b. No change
- c. No change
- d. No change
- e. Area, Yard and Structure Requirements.
 1. No change
 2. No change
 3. No change
 4. No change
 5. No change
 6. No change
 7. Maximum lot coverage of principal and accessory structure: ~~{None}~~ ****70%****
 8. No change
- f. No change

Section 6. The Revised General Ordinances of the City of Bayonne, Chapter 35, Zoning Regulations, Section 5.7, WR Planned Waterfront Recreation District, Subsection E, Area, Yard and Structure Requirements, is hereby amended and supplemented as follows (additions ****between asterisks and/or in bold****, deletions ~~(within brackets and/or struck through)~~):

35-5.7 WR Planned Waterfront Recreation District.

- a. No change
- b. No change
- c. No change
- d. No change
- e. Area, Yard and Structure Requirements.
 1. No change
 2. No change
 3. No change
 4. No change
 5. Maximum impervious coverage: 50% per planned development tract; ~~{80%}~~ ****70%**** per individual lot.
 6. No change
 7. No change
- f. No change

Section 7. The Revised General Ordinances of the City of Bayonne, Chapter 35, Zoning Regulations, Section 5.10 CBD Central Business District (Broadway Corridor), Subsection E, Area, Yard and Structure Requirements, is hereby amended and supplemented as follows (additions ****between asterisks and/or in bold****, deletions ~~(within brackets and/or struck through)~~):

35-5.10 CBD Central Business District (Broadway Corridor).

- a. No change
- b. No change

- c. No change
- d. No change
- e. Area, Yard and Structure Requirements.
 - 1. No change
 - 2. No change
 - 3. No change
 - 4. No change
 - 5. No change
 - 6. No change
 - 7. Maximum lot coverage of principal and accessory structure: {80%} ****70%****
 - 8. No change
 - 9. No change
- f. No change

Section 8. The Revised General Ordinances of the City of Bayonne, Chapter 35, Zoning Regulations, Section 5.11 Uptown Business District (Broadway Corridor), Subsection E, Area, Yard and Structure Requirements, is hereby amended and supplemented as follows (additions ****between asterisks and/or in bold****, deletions ~~{within brackets and/or struck through}~~):

- 35-5.11 Uptown Business District (Broadway Corridor).
- a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. Area, Yard and Structure Requirements.
 - 1. No change
 - 2. No change
 - 3. No change
 - 4. No change
 - 5. No change
 - 6. No change
 - 7. Maximum lot coverage of principal and accessory structure: {80%} ****70%****
 - 8. No change
 - f. No change

Section 9. The Revised General Ordinances of the City of Bayonne, Chapter 35, Zoning Regulations, Section 5.12 ORS Office/Retail Service District (Broadway Corridor), Subsection E, Area, Yard and Structure Requirements, is hereby amended and supplemented as follows (additions ****between asterisks and/or in bold****, deletions ~~{within brackets and/or struck through}~~):

- 35-5.12 ORS Office/Retail Service District (Broadway Corridor).
- a. No change
 - b. No change

- c. No change
- d. No change
- e. Area, Yard and Structure Requirements.
 - 1. No change
 - 2. No change
 - 3. No change
 - 4. No change
 - 5. No change
 - 6. No change
 - 7. Maximum lot coverage of principal and accessory structure: {None} **70%**
 - 8. No change
- f. No change

Section 10. The Revised General Ordinances of the City of Bayonne, Chapter 35, Zoning Regulations, Section 5.16 IL-A and IL-B Light Industrial Districts, Subsection E, Area, Yard and Structure Requirements, is hereby amended and supplemented as follows (additions **between asterisks and/or in bold**, deletions ~~within brackets and/or struck through~~):

35-5.16 IL-A and IL-B Light Industrial Districts.

- a. No change
- b. No change
- c. No change
- d. No change
- e. Area, Yard and Structure Requirements.
 - 1. No change
 - 2. No change
 - 3. No change
 - 4. No change
 - 5. No change
 - 6. No change
 - 7. No change
 - 8. ****Maximum lot coverage of principal and accessory structures (Both Districts): 80%****
- f. No change

Section 11. The Revised General Ordinances of the City of Bayonne, Chapter 35, Zoning Regulations, Section 5.17 I-H Heavy Industrial District, Subsection E, Area, Yard and Structure Requirements, is hereby amended and supplemented as follows (additions **between asterisks and/or in bold**, deletions ~~within brackets and/or struck through~~):

35-5.17 I-H Heavy Industrial District.

- a. No change
- b. No change
- c. No change
- d. No change
- e. Area, Yard and Structure Requirements.
 - 1. No change

2. No change
3. No change
4. No change
5. No change
6. No change
7. No change
8. ****Maximum lot coverage of principal and accessory structures: 80%****

f. No change

Section 12. The Revised General Ordinances of the City of Bayonne, Chapter 35, Zoning Regulations, Section 5.19 I-H-O Specialized Heavy Industrial District Overlay, Subsection E, Area, Yard and Structure Requirements, is hereby amended and supplemented as follows (additions ****between asterisks and/or in bold****, deletions ~~{within brackets and/or struck through}~~):

35-5.19 I-H-O Specialized Heavy Industrial District Overlay.

- a. No change
- b. No change
- c. No change
- d. No change
- e. Area, Yard and Structure Requirements.
 1. No change
 2. No change
 3. No change
 4. No change
 5. No change
 6. No change
 7. No change
 8. Maximum Lot Coverage: ~~{95%}~~ ****80%****

f. No change

g. No change

Section 13. The Area, Yard, Height and Density Requirements Schedule for the Zoning Regulations has been updated in accordance with this Ordinance and is attached hereto as Exhibit A to this Ordinance.

Section 14. Any and all prior Zoning Regulations of the City that are inconsistent with this Ordinance are superseded by the Zoning Regulations adopted by this Ordinance.

Section 15. 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 16. A copy of this Ordinance and Exhibit A shall be available for public inspection at the office of the City Clerk during regular business hours.

Section 17. This Ordinance shall take effect in accordance with all applicable laws.

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

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE OF THE CITY OF BAYONNE, NEW JERSEY AMENDING THE GENERAL ORDINANCES OF THE CITY, CHAPTER 35, ZONING REGULATIONS, SECTION 5.2 ENTITLED R-1 SINGLE FAMILY RESIDENTIAL DISTRICT; SECTION 5.3 ENTITLED R-2 DETACHED/ATTACHED RESIDENTIAL DISTRICT; SECTION 5.4

ENTITLED R-3 MEDIUM DENSITY RESIDENTIAL DISTRICT; SECTION 5.5 ENTITLED R-M HIGH DENSITY RESIDENTIAL DISTRICT; SECTION; SECTION 5.7 ENTITLED WR PLANNED WATERFRONT RECREATION DISTRICT; SECTION 5.10 ENTITLED CBD CENTRAL BUSINESS DISTRICT (BROADWAY CORRIDOR); SECTION 5.11 ENTITLED UPTOWN BUSINESS DISTRICT (BROADWAY CORRIDOR); SECTION 5.12 ENTITLED ORS OFFICE/RETAIL SERVICE DISTRICT (BROADWAY CORRIDOR); SECTION 5.16 ENTITLED IL-A AND IL-B LIGHT INDUSTRIAL DISTRICTS; SECTION 5.17 ENTITLED I-H HEAVY INDUSTRIAL DISTRICT; SECTION 5.19 ENTITLED I-H-O SPECIALIZED HEAVY INDUSTRIAL DISTRICT OVERLAY,” 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, Gullace, Perez and President Nadrowski.

* * * * *

14. Council Members LaPelusa introduced:

CITY OF BAYONNE SMALL CELL WIRELESS ORDINANCE

AN ORDINANCE TO PROVIDE FOR THE AMENDMENT OF CHAPTER 27 OF THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE WITH THE ADDITION OF A NEW SECTION ENTITLED “TELECOMMUNICATIONS FACILITIES IN THE PUBLIC RIGHT-OF-WAY”

STATEMENT OF PURPOSE: The purpose of this Ordinance is to provide for reasonable regulations concerning the placement of small cell wireless facilities within the City, consistent with state and federal law through the implementation of a right-of-way approval and permitting procedure.

WHEREAS, the City of Bayonne (“City”) is aware that the telecommunications industry is rapidly developing and there is a strong desire among telecommunications companies to look for areas within municipalities for the placement of small cell wireless facilities, herein known as “small cells,” “5G towers” and “personal wireless service facilities” by accessing rights-of-way within municipalities; and

WHEREAS, the rights-of-way are municipal properties and provide a valuable resource to its citizens by permitting the public to travel freely over and across these designated properties without unreasonable encroachments or interference; and

WHEREAS, the City recognizes that the use of these properties must be managed carefully with the utmost consideration given to general welfare and best interest of its citizens; and

WHEREAS, the Federal Telecommunications Act (FTA) preserves a local government’s ability to “manage the public rights-of-way...on a competitively neutral and non-discriminatory basis” (47 U.S.C. §253 (c)); and

WHEREAS, the FTA further preserves a local government’s authority over the “placement construction and modification of personal wireless service facilities” (47 U.S.C. §332(c)(7)(A)); and

WHEREAS, the FTA makes it unlawful for a local government to prohibit or have the effect of prohibiting the provisions of personal wireless service (47 U.S.C. 332(c)(7)(B)(i)(II)); and

WHEREAS, the FTA provides that municipalities “shall not unreasonably discriminate among providers of functionally equivalent services” (47 U.S.C. §332(c)(7)(B)(i)(I)); and

WHEREAS, recent developments in wireless technology, specifically the development of 5G technology, involve the placement of small cells, cabinets and equipment in municipal rights of-way; and

WHEREAS, pursuant to N.J.S.A. 48:3-19 and N.J.S.A. 48:17-10 New Jersey municipalities must give consent before a small cell including a small antenna can be placed on existing poles or new poles erected within public rights-of-way; and

WHEREAS, the erection of new poles and ground level cabinets in the public right-of-way raises significant aesthetic and safety concerns including, but not limited to, concerns related to sight triangles and other safety related issues; aesthetic concerns and safety concerns associated with the use of roadways by the public such as the public's ability to pass and repass over same, and; the impact on the streetscape and character of residential neighborhoods; and

WHEREAS, pursuant to regulations adopted by the Federal Communications Commission ("FCC"), in order to ensure the safety of its citizens and preserve the aesthetic quality of the City, the City may impose regulations on related infrastructure including, but not limited to, small cells, all poles, antennas and cabinets located on municipal rights-of-way provided such aesthetic requirements and/or restrictions are: 1) reasonable; 2) no more burdensome than those applied to other types of infrastructure deployment; and 3) published in advanced; and

WHEREAS, the TCA further provides that municipalities may "require fair and reasonable compensation" from telecommunications providers for the use of the public right-of-way, provided said compensation is applied on a "competitively neutral and nondiscriminatory basis" among providers, and if said compensation is "publicly disclosed", 47 U.S.C. 253(c); and

WHEREAS, the FCC adopted an Order entitled "Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment," (FCC-18-133A or "Carr's Order"), which was mostly upheld by the Ninth Circuit Court of Appeals on August 12, 2020; and

WHEREAS, in pertinent part, Carr's Order 1) establishes safe harbors for fees that municipalities can charge for one-time event application processing as well as recurring fees for right-of-way access, which are presumed acceptable under TCA; 2) provides that one-time fees and recurring fees, or rates, above the safe harbor levels may be imposed, and are not considered an effective prohibition of service within the meaning of the TCA (47 U.S.C. 253(c)) provided such fees are a reasonable approximation of actual costs, and the costs themselves are objectively reasonable, and non-discriminatory; and 3) places 60 and 90 day shot clock time limits on the municipal decision making process for applications for the placement of small wireless facilities, the replacement of existing poles and the placement of new poles in the public right-of-way; and

WHEREAS, the City has determined the most efficient way to effectuate this process is to set forth clear standards in relation to the positioning of poles, cabinets and antennas for the benefit of its citizens and any utilities that use or seek to make use of Bayonne's rights-of-way safely, and to require all technology companies seeking to use municipal rights-of way for the purpose of erecting telecommunication equipment apply for and be granted permits and, furthermore, pay the permitted fees, which may change from time to time, in accordance with legal thresholds established by the FCC, state and federal laws and court orders; and,

WHEREAS, the City has recommended that such additional provisions be mandatorily imposed within the City of Bayonne's Revised General Ordinances ("RGO") as part of the anticipated telecommunication development of municipal rights-of-way; and

WHEREAS, the current antenna code, RGO Chapter 35-26 Wireless Telecommunications Towers, Facilities and Antennas is intended to govern macro cell sites on rooftops and freestanding

towers and, thus, is insufficient to govern the unique circumstances and requirements of small cell facilities in the rights-of-way; and

WHEREAS, this Ordinance is limited to the installation of facilities in the public rights-of-way and shall have no effect on the installation of wireless telecommunications facilities and antennas on private lands pursuant to Zoning Section 35-26 Wireless Telecommunications Towers, Facilities and Antennas; and

WHEREAS, the FCC Broadband Deployment Advisory Committee (BDAC) formed a Model Code for Municipalities Working Group and, in July 2018, published a Model Code for Municipalities for Small Wireless Facilities deployments. This model code is compliant with the Telecommunications Act, and FCC declaratory rulings and orders issued in 2009, 2014 and 2018. Thus, a municipality that adopts this code substantially in its original form will be in compliance with Federal laws and FCC guidelines for cell site deployments; and

WHEREAS, this Ordinance utilizes the FCC Model Code for Municipalities template to ensure compliance with Federal law and FCC regulations; and

WHEREAS, the City acknowledges that there may already exist a number of small cell facilities in the public rights-of-way that were approved under terms and conditions that would not be in compliance with this proposed ordinance; and

WHEREAS, in the event of any inconsistencies between this Chapter and any agreements, licenses or franchises in existence, which govern said existing small cell facilities, the provisions of this Chapter shall control, and shall supersede and replace any conflicting terms in said agreements or licenses, and shall govern all future relationships between the City and parties in said licenses and agreements;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Bayonne that the Revised General Ordinances be amended as follows:

Chapter 27 of the Revised General Ordinances of the City of Bayonne is hereby amended, supplemented and revised and shall be titled "Chapter 27 Telecommunications Facilities in the Public Right-of-Way", which shall read, in its entirety, as follows:

CHAPTER 27 – TELECOMMUNICATIONS FACILITIES IN THE PUBLIC RIGHT-OF-WAY

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Section 27-1 Short Title, Purpose and Definitions

27-1.1 Short Title.

This Chapter is titled the “Telecommunications Facilities in the Public Right-of-Way” and amends all applicable provisions of the City of Bayonne Revised General Ordinances, and any existing local laws, rules, orders, resolutions and ordinances relating to the subject matter of this Chapter.

27-1.2 Purpose.

It is the intent of this Chapter 27 of the Revised General Ordinances to regulate the placement of telecommunications equipment, including poles, towers, antennas and other infrastructure located on Municipal Rights-of-Way. The placement of telecommunications equipment outside of the Municipal Right-of-Way shall be governed by Chapter 35 Zoning Regulations; section 35-26 Wireless Telecommunications Towers, Facilities and Antennas.

It is furthermore intended that this Chapter shall control in the event of any inconsistency between the provisions of this Chapter and any existing agreements, licenses or franchises in existence and which govern existing Small Wireless Facilities in the Municipal Right-of-Way, and that the prevailing terms of this Chapter shall supersede and replace any conflicting terms in said agreements or licenses, and shall govern all future relationships between the City and the applicable parties in said licenses and agreements.

27-1.3 Definitions.

- a. "Administrative Review" means ministerial review of an Application by the City relating to the review and issuance of a Permit, including review by the Construction Official, Zoning Officer, Director of Public Works, engineer, wireless consultants with knowledge beyond the expertise of City personnel, or other City staff or designees to determine whether the issuance of a Permit is in conformity with the applicable provisions of this Chapter. Administrative permit issuance is non-discretionary and based on whether an application is in conformity with the provisions of this Chapter, as well as any other applicable local, state and federal laws and regulations governing small cell deployment. This process does not involve the exercise of discretion.
- b. "Antenna" means communications equipment that transmits and/or receives over-the-air electromagnetic signals used in the provision of Wireless Services. This definition does not apply to broadcast antennas, antennas designed for amateur radio use, or satellite dishes for residential or household purposes.
- c. "Applicable Codes" means uniform building, fire, safety, electrical, plumbing, or mechanical codes adopted by a recognized national code organization to the extent such codes have been adopted by the City or otherwise are applicable in the jurisdiction.
- d. "Applicant" means a Person or entity who submits an Application under this Chapter.
- e. "Application" means a written request submitted by an Applicant to the City for a Permit (i) to locate or Collocate, or to modify, a Communications Facility underground or on any existing Support Structure, Pole, or Tower, or (ii) to construct, modify or Replace a new Support Structure, Pole or Tower or any other structure on which a Communications Facility will be Collocated.
- f. "City" means the City of Bayonne, or any agency, department, district, subdivision or any instrumentality thereof, including, but not limited to public utility districts, or municipal electric utilities. The term shall not include courts of the State having jurisdiction over the City or any entities that do not have zoning or permitting authority or jurisdiction. The City may hereinafter be referred to as the "City", "the City of Bayonne", "Bayonne" or "the City".
- g. "City Pole" means a Pole owned, managed or operated by or on behalf of the City.
- h. "Collocate" means to install, mount, maintain, modify, operate and/or replace a Communications Facility on an existing Support Structure, Pole, or Tower or any other structure capable of supporting such Communications Facility. "Collocation" has a corresponding meaning. The term does not include the installation of a new Utility Pole, Tower or Support Structure in the Public Right-of-Way.
- i. "Communications Facility" means, collectively, the equipment at a fixed location or locations that enables communication between user equipment and a communications network, including: (i) radio transceivers, Antennas, coaxial, fiber-optic or other cabling, power supply (including backup battery), and comparable equipment, regardless of

technological configuration; and (ii) all other equipment associated with any of the foregoing. A Communications Facility does not include the Pole, Tower or Support Structure to which the equipment is attached.

- j. "Communications Service Provider" means a cable operator, as defined in 47 U.S.C. §522(5), a provider of information service, as defined in 47 U.S.C. §153(24); or a provider of telecommunications service, as defined in 47 U.S.C. §153(53); or provider of fixed wireless or other wireless services as defined in 47 U.S.C. §332(c)(7)(C)(i).
- k. "Contract for Professional Services" means a contract through which the City has entered into an arrangement with an individual, attorney consultant or firm for same to provide professional consulting services pursuant to this Chapter, said contract being in conformance with New Jersey Public Contracts Law, Pay-to-Play Laws and other applicable laws governing such contracts and agreements.
- l. "Decorative Pole" means a City Pole that is specially designed and placed for aesthetic purposes.
- m. "Deployable" means a portable, self-contained Wireless Facility that can be moved to a specified location or area and provide Wireless Services on a temporary or emergency basis such as a "cell on wheels" or "COW," "cell on light truck" or "COLT," tethered balloon, tethered drone or other unmanned device.
- n. "Designee" means the person appointed by the City from time to time who shall serve as the initial point-of-contact for the City for all matters concerning this Chapter, and who may be an official of the City or a person contracted for professional services.
- o. "Discretionary Review" means review of an Application by the City relating to the review and issuance of a Permit, that is other than an Administrative Review. Discretionary Review involves discretion on the part of the City (subject to any applicable limits on such discretion) in determining whether to issue a Permit and may be subject to one or more public hearings or meetings, including appearances before the planning board, zoning board of adjustment and referral to the Historic Preservation Commission for commentary and recommendations
- p. "Eligible Facilities Request" means an eligible facility request as set forth in 47 C.F.R. Section 1.40001(b)(3), as may be amended from time to time.
- q. "FCC" means the Federal Communications Commission of the United States.
- r. "Fee" means a one-time, nonrecurring charge, whether a fixed amount or cost- based amount based on time and expense.
- s. "Historic Property" means any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the National Register maintained by the United States Secretary of the Interior (in accordance with Section VI.D.1.a.i-v of the Nationwide Programmatic Agreement codified at 47 C.F.R. Part 1, Appendix C) or established pursuant to state historic preservation law.

- t. "Laws" means, collectively, any and all Federal, State, or local law, statute, common law, code, rule, regulation, order, or ordinance.
- u. "Occupant" means any occupant of the Public Right-of-Way, including any Wireless Provider, Wireless Infrastructure Provider, utility company, or public or private entity with a physical presence or right to maintain a physical presence on, under or across the Public Right-of-Way.
- v. "Ordinary Maintenance, Repair and Replacement" means (i) with respect to a Communications Facility and/or the associated Support Structure, Pole or Tower, inspections, testing, repair and modifications that maintain functional capacity, aesthetic and structural integrity, and (ii) with respect to a Communications Facility only, the replacement or upgrade of Antennas and/or other components of the Communications Facility (specifically, such as a swap out or addition of small cell Antennas and radio equipment as required by the Applicant), with Antennas and/or other components substantially similar, in color, aggregate size and other aesthetics to that previously permitted by the City (and/or consistent with the same height and volume limits for Wireless facilities under this Chapter), so long as the Support Structure, Pole, or Tower will structurally support, or prior to installation will be modified to support, the structural load. Modifications are limited to by the structural load analysis supplied by the Applicant to the City, and by the volume limits in Section 27-2.8 Design Standards. Modifications beyond the foregoing must be requested in writing by the Applicant and are subject to Discretionary Review by the City.
- w. "Permit" means a written authorization (in electronic or hard copy format) required by the City to initiate, continue, or complete installation of a Communications Facility, or an associated Support Structure, Pole, or Tower.
- x. "Person" means an individual, corporation, limited liability company, partnership, association, trust, or other entity or organization, including the City.
- y. "Pole" means a pole, such as a utility, lighting, traffic, or similar pole, made of wood, concrete, metal or other material, located or to be located within the Public Right of Way or Utility Easement. The term includes the vertical support structure for traffic lights but does not include a horizontal structure to which signal lights or other traffic control devices are attached unless the City grants a waiver for such pole. The term does not include electric transmission poles or structures. A Pole does not include a Tower or Support Structure.
- z. "Provider" means a Communications Service Provider or a Wireless Provider.
- aa. "Public Right of Way", "Public ROW" or "Municipal ROW" means the area on, below, or above property that has been designated for use as or is used for a public roadway, highway, street, sidewalk, alley or similar purpose, but not including a federal interstate highway or other area not within the legal jurisdiction, or within the legal ownership or control of the municipality.
- bb. "Rate" means a recurring charge.

- cc. "Replace" or "Replacement" means, in connection with an existing Pole, Support Structure or Tower, or Communications Facility, as the case may be, to replace (or the replacement of) same with a new structure, similar in design, size and scale to the existing structure and in conformance with current City building code, zoning provisions and other applicable regulations, in order to address limitations of, or change requirements applicable to, the existing structure to structurally support Collocation of a Communications Facility. In connection with replacement of a Pole or Tower to support Collocation of a Wireless Facility, similarity in size and scale shall be evaluated consistent with 47 C.F.R. 1.40001 Subpart b(7).
- dd. "Small Wireless Facility" means a Wireless Facility that meets both of the following qualifications: (i) each Wireless Provider's Antenna (including, without limitation, any strand-mounted Antenna) could fit within an enclosure of no more than three (3) cubic feet in volume; and (ii) all other wireless equipment associated with the facility is cumulatively no more than twenty eight (28) cubic feet in volume. The following types of associated, ancillary equipment are not included in the calculation of equipment volume: electric meter, concealment elements, telecommunications demarcation box, grounding equipment, power transfer switch, cut-off switch, and vertical cable runs for connection of power and other services. The following additional parameters apply to Small Wireless Facilities: (i) Total height of Small Wireless Facility and supporting structure is less than 50 feet, or the Small Wireless Facility is mounted on structures no more than 10% taller than adjacent structures, or the Small Wireless Facility does not extend the existing structure to a height of greater than 50 feet or by more than 10% of the original height, whichever is greater.
- ee. "State" means the State of New Jersey.
- ff. "Support Structure" means a building, a billboard, a water tank or any other structure to which a Communications Facility is or may be attached. Support Structure does not include a Pole or a Tower.
- gg. "Tower" means any structure built for the sole or primary purpose of supporting a Wireless Facility, such as a self-supporting Tower, a monopole, a lattice Tower or a guyed Tower. Tower also includes a structure designed to conceal from the general public the Wireless Facility. A Tower does not include a Pole or a Support Structure.
- hh. "Utility Easement" means the area on, below, or above privately-owned property that has been designated for use as or is used for a specific utility purpose (such as for electric, cable or other utility purpose), and is evidenced by a recorded instrument in the public land records pursuant to a recorded plat, easement or right of way or is otherwise a legally enforceable easement, and does not include any portion of a Public Right of Way.
- ii. "Wireless Facility" means a Communications Facility installed and/or operated by a Wireless Provider. The term does not include: (i) the Support Structure, Tower or Pole on, under, or within which the equipment is located or Collocated; or (ii) coaxial, fiber-optic or other cabling that is between Communications Facilities or Poles or that is otherwise not

immediately adjacent to or directly associated with a particular Antenna. A Small Wireless Facility is one example of a Wireless Facility.

- jj. “Wireless Infrastructure Provider” means any Person, including a Person authorized to provide telecommunications service in the State, that builds or installs and/or operates Wireless Facilities or Poles, Towers or Support Structures on which Wireless Facilities are or are intended to be used for Collocation, but that is not a Wireless Services Provider.
- kk. “Wireless Provider” means a Wireless Infrastructure Provider or a Wireless Services Provider.
- ll. “Wireless Services” means any wireless services including, without limitation, personal wireless services as that term is defined in 47 U.S.C. § 332(c)(7)(C)(i), fixed wireless and other wireless services.
- mm. “Wireless Services Provider” means a Person who provides Wireless Services.

Section 27-2 Governance of Deployment in the Public ROW

27-2.1 General Provisions of Agreement for Access to the Public ROW

- a. Applicability. Except as otherwise provided herein, the placement, installation, modification, replacement, repair and upgrade of any Communications Facilities, including Small Wireless Facilities, as well as the associated Poles, Towers or Support Structures, in the Public Right-of-Way shall be governed by this Chapter.
- b. Notice Prior to Any Work.
 - i. The City will appoint a Designee who will serve as the initial point of contact for the City for all matters pertaining to this Chapter.
 - ii. No action, application, installation, upgrade, maintenance, repair, replacement or, modifications by Applicant contemplated by this Chapter shall be commenced without first giving notice to the City Designee
 - iii. This notice requirement pertains to all work, including ordinary maintenance, repairs, upgrades and like-for-like equipment swap outs.
- c. Municipal Agreement. Prior to receiving a Permit to install a Communications Facility in the Public ROW, each Applicant shall be required to enter into a Municipal Agreement (e.g., Right of Way Access Agreement, Pole Attachment Agreement, License Agreement) between the City and the Applicant, on terms and conditions substantially the same for all Applicants and existing Occupants of the Public ROW. The terms and conditions of such Municipal Agreement will include the following:
 - i. Fees and Rates. As consideration to the City for entering into the Municipal Agreement and also as a condition precedent for the issuance of any required permits and approvals to install the applicable Communications Facilities in the public right-of-way, the Applicant shall pay the required fees and rates as set forth in Schedule A of this Chapter, and which may be amended or modified from time to time per revision and modification to local, state and federal laws and

regulations. Said fees shall include Application or One-Time fees and Recurring
Right-of-Way Occupancy Rates.

The Small Cell Permit Application Escrow, as described in Schedule A, shall be paid upon submission of an Application and shall be held in escrow and billed against actual incurred One-Time Fees and costs to process an Application, also as described below and in Schedule A of this Chapter. If said Small Cell Permit Application Escrow is insufficient to cover incurred One-Time Fees as described below and in Schedule A, then Applicant shall submit an additional amount equal to the initial Small Cell Permit Application Escrow to be further billed against incurred One-Time Fees and costs.

- (a) Reasonable Approximation: All one-time event fees will be a reasonable approximation of objectively reasonable costs.
 - (b) One Time Fees Apply to All Work: One-time fees and event fees apply to the initial installation of facilities as well as to any subsequent upgrade, repair, replacement, modification or alteration of same, with each instance of an upgrade or repair being a separate project subject to One-Time Fees.
 - (c) Separate and Distinct from Rates: One-time fees for subsequent upgrade, repair, maintenance, replacement, or modification of Small Wireless Facilities are separate and distinct from the recurring access and attachment Rates described in section 27-2.1(c)(i)(A),(B),(C) of this Chapter.
 - (d) Not Exhaustive: The aforementioned subsections and the fees described in Schedule A are not intended to be a complete list of potential one-time fees. Additional one-time fees may be required and shall be a reasonable approximation of objectively reasonable costs.
- Annual ROW Occupancy Rate shall be as specified in Schedule A of this Chapter and shall be paid within thirty (30) days of the issuance of the applicable Permit and annually thereafter, with payment being due on the anniversary of the first payment date for the balance of the Term. However, under no circumstances shall the Rate be remitted later than ninety (90) days after the full execution of the applicable Municipal Agreement between City and Applicant.
- Annual Attachment Rate, equal to an amount that represents a reasonable approximation of the objectively reasonable costs incurred by the City for attachment of each Small Wireless Facility to City-owned structures in the Public Right-of-Way. This amount shall be paid within thirty (30) days of issuance of the applicable Permit(s) and annually thereafter.

C. All Fees and Rates will be applied in a non-discriminatory manner to all Telecommunications Providers.

D. Make-Ready Fee, shall be determined on a site-specific, engineering basis, for work reasonably necessary to make a particular City Pole suitable for attachment of the applicable Communications Facility shall be paid upon submission of the Application as more particularly described in Subsection 27-2.3 below.

d. Other Terms.

i. Term. Unless otherwise agreed to in writing by the City and Applicant, the Agreement term shall be ten (10) years.

ii. Safety and Accessibility. The Applicant will demonstrate compliance with applicable safety and accessibility requirements, including those under Americans with Disabilities Act ("ADA"), OSHA and similar laws.

iii. The Municipal Agreement shall include, as an appendix thereof, a schedule containing the location of all proposed Small Wireless Facilities in the Public Right-of-Way. Said locations shall be as specific as possible and shall include, but not be limited to, latitude, longitude, the nearest proximate address, cross streets as well as lot and block numbers, if available. Applicants shall also provide for inclusion in the Municipal Agreement information indicating the horizontal and approximate vertical location, relative to the boundaries of the Public ROW, of all equipment which it owns or over which it has control and which is located in any Public Right-of-Way. Mapping data shall be provided for the City and in the format requested by the City engineer for inclusion in the mapping system used by the City engineer.

iv. RF Safety Reports. Applicant shall provide, within a week of request, a copy of a health and safety report evidencing compliance with FCC requirements concerning electromagnetic radiation emissions, and which will reflect the current configuration of the Small Wireless Facilities in question. After any modification, enhancement or addition to a Small Wireless Facility that modifies that facility's electromagnetic profile, Applicant will provide an updated health and safety report which reflect the most recent electromagnetic emissions levels.

v. Indemnification and Insurance Requirements.

Insurance. The Applicant shall at all times maintain a comprehensive liability insurance policy with a single amount of at least One Million Dollars (\$1,000,000.00) covering liability for any death, personal injury, property damage or other liability arising out of the construction and operation contemplated herein, and an excess liability policy (or "umbrella") policy amount in the amount of Five Million Dollars (\$5,000,000.00). Such coverage shall be primary, non-contributory and shall contain a waiver of subrogation. Evidence of same shall be provided prior

to the commencement of any work of any kind by the Applicant. Prior to the commencement of any work pursuant to this Agreement, the Applicant shall file with the City, a Certificate(s) of Insurance with endorsements evidencing the coverage provided by said liability and excess liability policies. The City shall notify Applicant within fifteen (15) days after the receipt of any claim or demand to the City, either by suit or otherwise, made against the City on account of any of Applicant or its sub-contractors, agents, employees, officers, servants, designees, guests and invitees, activities pursuant to the rights granted in this Agreement. Applicant shall notify the City Clerk within fifteen (15) days of receipt of any claim or demand of Applicant or its subcontractors, agents, employees, officer, servants, designees, guests or invitees by any aggrieved party for any work or action made pursuant to this Ordinance

Indemnification. Applicant, its successors, assigns, contractors, sub-contractors, agents, servants, officers, employees, designees, guests and invitees, hereby indemnify, defend and hold harmless the City, its successors and assigns, elected officials, officers, employees, servants, contractors, designees and invitees from and against any and all personal injury and property damage claims, demands, suits, actions at law or equity or otherwise, or related judgments, arbitration determinations, damages, liabilities, decrees of any person(s) or entities claiming to be or being harmed as a result of Applicant's actions under this Agreement and costs in connection therewith. This indemnification shall specifically include, but not be limited to, any and all costs, reasonable attorneys' fees, court costs and any other expenses that may be incurred by the City in connection with any and all claims, demands, suits, actions at law or equity or otherwise and/or arbitration proceedings which may arise in connection with Applicant's activities pursuant to the rights granted in this Agreement. This indemnification shall also specifically include that the City retains the right to choose its own defense counsel in regard to any action at law or equity pursuant to this section.

- vi. Reliable 24/7 Emergency Notification Contact Information will be provided by the Applicant to the City and incorporated into the Agreement.
- vii. Additional Agreement Terms: Additional terms, such as for termination, assignment and sublicensing rights, shall be as negotiated between the Applicant and City.
- viii. Nondiscriminatory. Applications will be processed on a nondiscriminatory basis.

27-2.2 Permitted Communications Facility Uses/Administrative Review; Application

- a. Permitted Use. The following uses within the Public ROW shall be a permitted use, subject to the entering into of a Municipal Agreement between Applicant and City as set forth in Section 27-2.1(c) above, and Administrative Review and the issuance of a Permit as set forth in this Section 27-2.2. All such uses shall be in accordance with all other applicable

provisions of this Chapter, including without limitation, those set forth in Section 27-2.5 below.

- (i) Collocation of a Small Wireless Facility or a Collocation that qualifies as an Eligible Facilities Request.
 - (ii) Modification of a Pole, Tower or Support Structure or Replacement of a Pole, for Collocation of a Communications Facility that qualifies as an Eligible Facilities Request or involves a Small Wireless Facility that does not exceed the maximum limitations set forth in Subsection 27-2.3(c)(i)(A)(i) below.
 - (iii) Construction of a new Pole or a monopole Tower (but no other type of Tower) to be used for Collocation of a Small Wireless Facility that does not exceed the maximum height and other applicable design standards set forth in this Chapter.
 - (iv) Construction of a Communications Facility, other than those set forth in subparagraphs (i), (ii) or (iii) in this Subsection 27-2.2(a), involving the installation of coaxial, fiber-optic or other cabling, that is installed underground (direct buried or in conduit) or aboveground between two or more Poles or a Pole and a Tower and/or Support Structure, and related equipment and appurtenances.
 - (v) Ordinary Maintenance, including any upgrade, repair, replacement, modification or alteration of a Communications Facility, with each upgrade, maintenance or repair being a separate instance subject to Administrative Review
 - (vi) The City reserves and retains the right to subject any installation or modification contemplated in this section as well as in this Chapter to Discretionary Review subject to the 60 and 90 day Shot Clock guidelines of FCC-18-133A. This may include public hearings and zoning board of adjustment approval. The Shot Clock guidelines will be adhered to for Discretionary Reviews unless compelling and extraordinary circumstances suggest otherwise.
 - (vii) All other installations, modifications and replacements not subject to Administrative Review and that do not qualify as a Permitted Use are subject to Discretionary Review under Chapter 35 Zoning Regulations, as described in Section 27-2.4 of this Chapter.
- b. Permit Required. No Person shall place any facility described in Subsection 27-2.2(a) above in the Public ROW without first filing an Application for same and obtaining a Permit thereof, except as otherwise expressly provided in this Chapter.
- c. Proprietary or Confidential Information in Application. The City shall make accepted Applications publicly available by reasonably available means such as a request pursuant to the Open Public Records Act ("OPRA"). Notwithstanding the foregoing, Applicant may designate portions of its Application materials that it reasonably believes contain proprietary or confidential information as "proprietary" or "confidential" by clearly marking each portion of such materials accordingly, and the City shall treat the information as proprietary and confidential, subject to applicable State and local "freedom of

information” or “sunshine” Laws and the City’s determination that the Applicant’s request for confidential or proprietary treatment of an Application material is reasonable. Confidential and proprietary information shall not include any information which is by law, regulation, ordinance, OPRA procedure and regulations or this Chapter, open and available for public inspection, including proposed Communications Facilities’ site locations.

- d. Administrative Review Application Requirements. The Application shall be made by the applicable Provider or its duly authorized representative and shall contain the following:
 - (i) The Applicant’s name, address, telephone number, and e-mail address, including emergency contact information for the Applicant.
 - (ii) The names, addresses, telephone numbers, and e-mail addresses of all consultants, if any, acting on behalf of the Applicant with respect to the filing of the Application.
 - (iii) A general description of the proposed work and the purposes and intent of the proposed facility or facilities. The scope and detail of such description shall be appropriate to the nature and character of the physical work to be performed, with special emphasis on those matters likely to be affected or impacted by the physical work proposed.
 - (iv) Detailed construction drawings regarding the proposed facility, as required by the Uniform Construction Code of the State of New Jersey, or as otherwise stated and required under applicable City ordinances.
 - (v) Demonstration of compliance with RF health and safety measures, as established by the TCA and FCC, via an RF Health and Safety Report. Applicant may utilize the RF Safety Reports provided in connection with the Municipal Agreement, as described in Section 2.1(d)(iv), for its applications for Administrative Review and Permit issuance.
 - (vi) Applicant shall demonstrate compliance with the Section 27-2.8 Design Standards as they pertain to appearance, siting and height of the proposed Communications Facilities and their support poles, towers or other structures.
 - (vii) To the extent the proposed facility involves Collocation on a Pole, Tower or Support Structure, a structural report performed by a duly licensed engineer evidencing that the Pole, Tower or Support Structure will structurally support the Collocation (or that the Pole, Tower or Support Structure will be modified to meet structural requirements) in accordance with Applicable Codes.
- e. Applicant shall demonstrate compliance with applicable environmental, historical and landmark laws, rules and regulations, including SHPO and NEPA approval, as needed or applicable, including obtaining any necessary permits and approvals from the appropriate local, state or federal department agency or other governing body.

f. Ordinary Maintenance, Repair and Replacement. Ordinary maintenance and repairs shall require administrative review and be subject to the provisions of Section 27-2.1(b) and (c) of this Chapter, including notification to the City Designee of any proposed work, repairs, replacement and modification. This will include coordination with the City DPW and Police Department for necessary street closures and safety protocols, as well as the payment of any required fees required under Section 27-2.1(a) above.

g. Information Updates. Any material change to information contained in an Application shall be submitted in writing to the City within thirty (30) days after the condition necessitating the change.

h. Application Fees. Unless otherwise provided by applicable Laws, all Applications pursuant to this Chapter shall be accompanied by the Fees required under Subsection 27-2.1(a) above.

27-2.3 Action on Administrative Review Applications

a. Review of Applications for Administrative Review.

(i) The City shall review the Application in light of its conformity with applicable provisions of this Chapter, and shall issue a Permit on nondiscriminatory terms and conditions, subject to the following requirements:

A. Within thirty (30) days of receiving an Application, the City must determine and notify the Applicant whether the Application is complete; or if an Application is incomplete. The City must specifically identify the missing information and may toll the approval interval in Subsection 27-2.3(a)(i)(D) below. The Applicant may resubmit the completed Application and the subsequent review will be limited to the specifically identified missing information subsequently completed, except to the extent material changes to the proposed facility have been made by the Applicant (other than those requested or required by the City) in which case a new Application and Application Fee for same must be submitted; and

B. If, within ten (10) days of receiving an Application, the City determines that said Application is incomplete and notifies the Applicant, then the sixty (60) or ninety (90) day approval interval the City has for making a final decision shall be reset upon submission by Applicant of a new Application containing the missing and incomplete information. The City will then have the full sixty (60) or ninety (90) day approval interval, as applicable, to render its final decision on the Application.

C. If, within more than ten (10) days but less than thirty (30) days of receiving an Application, the City determines that said Application is incomplete and notifies the Applicant, then the approval interval specified in section 27-2.3(a)(1)(D) below shall toll until the Applicant submits an Application containing the missing and incomplete information.

- D. The City must make its final decision to approve or deny the Application within sixty (60) days for a collocation, and ninety (90) days for any new structure, after the Application is complete (or deemed complete);
 - E. The City must advise the Applicant in writing of its final decision, and in the final decision document the basis for a denial, including referencing specific code provisions and/or regulations upon which the denial was based, including any federal law, or local or state laws and regulations, provided said local and state laws and regulations do not conflict with federal law. Denial may include lack of conformity with the City codes, ordinances and regulations, as well as local, state and federal environmental, landmark and historical regulations. A decision to deny an application shall be in writing and supported by clear evidence contained in a written record, publicly released, and sent to the applicant. The written decision, supported by such substantial evidence, shall constitute final action by the City. The review period or “shot clock” shall run until the written decision, supported by substantial evidence, is released and sent to the Applicant contemporaneously. The subsequent review by the City shall be limited to the deficiencies cited in the original denial and any material changes to the Application made to cure any identified deficiencies.
- b. Undergrounding Provisions. The City shall administer undergrounding provisions in a non-discriminatory manner. It shall be the objective of the City and all Public ROW Occupants to minimize disruption or discontinuance of service of all kinds to consumers, through mutual obligation to coordinate and timely complete such projects. An Occupant, including the Applicant, as the case may be, shall comply with nondiscriminatory City undergrounding requirements that 1) are in place and published prior to the date of initial filing of the Application, and 2) prohibit electric, telecommunications and cable providers from installing above-ground horizontal cables, Poles, or equivalent vertical structures in the Public ROW; and the City may require the removal of overhead cable and subsequently unused Poles. In areas where existing aerial utilities are being moved underground, Wireless Providers shall retain the right to remain in place, under their existing authorization, by buying out the ownership of the Pole(s), subject to the concurrence of the Pole owner and consent of the City (which consent may not be unreasonably withheld, conditioned or delayed) or, alternatively, the Wireless Provider may reasonably replace the existing Pole(s) or vertical structure locations for Antennas and accessory equipment, as a permitted use, within 50 feet of the prior location, unless a minimally greater distance is necessary for compelling public welfare. In neighborhoods or areas with existing underground utilities that do not have Small Wireless Facilities deployed as a permitted use, a new entrant Wireless Provider applying after utilities have been placed underground shall first seek existing vertical structure locations, if technically feasible for the wireless service to be deployed. To the degree such vertical structures are not available, and upon receiving an approved Permit, the Applicant shall be entitled to place Poles or vertical structures as necessary to provide the wireless service using vertical structures

commensurate with other vertical structures in the neighboring underground utility area. In neighborhoods or areas with existing underground utilities that do have Small Wireless Facilities deployed as a permitted use, a new entrant Wireless Provider applying after utilities have been placed underground shall first seek existing vertical structure locations, if technically feasible for the wireless service to be deployed. To the degree such vertical structures are not available, and upon receiving an approved Permit, the Applicant shall be entitled to place Poles or vertical structures as necessary to provide the wireless service using vertical structures commensurate with other vertical structures of Wireless Providers in the neighboring underground utility area. In neighborhoods with underground utilities, whether being converted from overhead utilities or initially underground, microwireless devices, typically strand-mounted, shall be treated like other Small Wireless Facilities in the Public ROW, requiring permitted use status, and subject to non-recurring and recurring Fees and Rates.

c. Effect of Permit.

- (i) Authority Granted; No Property Right or Other Interest Created. A Permit from the City authorizes an Applicant to undertake only certain activities in accordance with this Chapter and does not create a property right or grant City to the Applicant to impinge upon the rights of others who may already have an interest in the Public ROW.
- (ii) Duration. Any Permit for construction issued under this Chapter shall be valid for a period of six (6) months after issuance, provided that the six (6) month period shall be extended for up to an additional six (6) months upon written request of the Applicant (made prior to the end of the initial six (6) month period if the failure to complete construction is delayed as a result of circumstances beyond the reasonable control of the Applicant).

d. Removal, Relocation or Modification of a Communications Facility in the ROW.

- (i) Notice. Within sixty (60) days following written notice from the City, a Provider shall, at its own expense, protect, support, temporarily or permanently disconnect, remove, relocate, change or alter the position of any Communications Facility within the Public ROW whenever the City has determined that such removal, relocation, change or alteration, is reasonably necessary for the construction, repair, maintenance, or installation of any City improvement in or upon, or the operations of the City in or upon, the Public ROW, or pursuant to any redevelopment plan made pursuant to the Municipal Land Use Law contained in N.J.S.A. 40:55D, or any council resolution that approves any redevelopment plan for work that is performed by a private company other than the City. The City shall apply the same standards to all utilities in the Public ROW.
- (ii) Emergency Removal or Relocation of Facilities. The City retains the right and privilege to cut power to or move any Communications Facility located within the Public ROW of the City, as the City may determine to be necessary, appropriate or useful in response to any public welfare emergency, or safety emergency. If circumstances permit, the City shall notify the Provider and provide the Provider an opportunity to move its own facilities prior to cutting power to or removing the

Communications Facility and in all cases shall notify the Provider after cutting power to or removing the Communications Facility as promptly as reasonably possible.

(iii) Structural reconditioning, repair and replacement. From time to time, the City may paint, recondition, or otherwise improve or repair the City Poles in a substantial way ("Reconditioning Work"). The Provider shall reasonably cooperate with the City to carry out Reconditioning Work activities in a manner that minimizes interference with the Provider's approved use of the facility.

A. Prior to commencing Reconditioning Work, the City will use reasonable efforts to provide the Provider with at least sixty (60) days prior written notice. Upon receiving that notice, it shall be the Provider's sole responsibility to provide adequate measures to cover, remove, or otherwise protect the Provider's Communications Facility from the consequences of the Reconditioning Work, including but not limited to paint and debris fallout. The City reserves the right to require the Provider to remove all of the Provider's Communications Facility from the City Pole and surrounding premises during Reconditioning Work, provided the requirement to remove same is contained in the written notice required by this Subsection. All cost associated with the protection measures, including temporary removal, shall be the sole responsibility of the Provider. If the City fails in good faith to give notice of less than sixty (60) days, it will not affect the City's rights under this Subsection. In all cases, as much notice as possible should be provided, but in no case less than thirty (30) days' notice shall be provided. The City will provide the Provider with a date by which its equipment must be protected or removed. The Provider may request a modification of the City procedures for carrying out Reconditioning Work in order to reduce the interference with Provider's operation of its Communications Facility. If the City agrees to the modification, the Provider shall be responsible for all reasonable incremental cost related to the modification.

B. If the City Poles need to be replaced ("Replacement Work"), the City shall provide Provider with at least sixty (60) days written notice to remove its Communications Facilities. The City shall also promptly notify Provider when the City Poles have been replaced and Provider may re-install its equipment. During the Replacement Work, the Provider may maintain a temporary Communications Facility on the property, or after approval by City, on any land owned or controlled by City, in the vicinity of the property. If the property will not accommodate the Provider's temporary Communications Facility or if the parties cannot agree on a temporary location, the Provider, at its sole option, shall have the right to suspend the applicable permit, until the replacement Pole is installed, upon thirty (30) days written notice to the City.

C. If the City Poles need to be repaired due to storm or other damage ("Repair Work"), the City shall notify the Provider to remove its

Communications Facilities as soon as possible. In the event of an emergency, the City shall contact the Provider by telephone at its emergency contact of record upon or prior to removing the Provider's equipment. Once the City Poles have been replaced or repaired, the City will promptly notify the Provider that it can reinstall its equipment. During City Repair Work, the Provider may maintain a temporary Communications Facility on the property, or after approval by Provider, on any land owned or controlled by the City in the vicinity of the property. All cost associated with any removal or protection of Communications Facilities shall be the sole responsibility of the Provider, except to the extent caused by third-parties or the City.

e. Attachment to City Poles in the Public ROW.

- (i) Make-Ready. For any attachment to City Poles in the Public ROW, the City shall provide a good faith estimate for any make-ready work necessary to enable the City Pole to support the proposed facility, including Replacement of the Pole if necessary, within sixty (60) days after receipt of a completed Application requesting attachment to the City Pole, unless a longer period is required in order to comply with New Jersey law, including, but not limited to, Local Public Contracts Law ("LPCL") and the New Jersey Local Unit Pay to Play. Make-ready work including any Pole Replacement shall be completed within one hundred and twenty (120) days of written acceptance of the good faith estimate by the Provider. City will make all reasonable estimates to complete the work within the stated timeframes. Such acceptance shall be signified by payment via check or other commercially reasonable and customary means specified by the City.

27-2.4 Applications Requiring Discretionary Review and Approval.

- a. Discretionary Review Required. All other uses not expressly set forth or referenced in Subsection 27-2.2(a) above shall require compliance with applicable City ordinance, including, but not limited to, Zoning Section 35-26 Wireless Telecommunications Towers, Facilities and Antennas and the district zoning regulations and any other applicable laws and ordinances of the City.

27-2.5 Other Public ROW Installation Requirements.

a. General Principles.

- (i) The City shall have the power to establish reasonable and non-discriminatory limitations on the placement of new or additional facilities within specific congested segments of the Public ROW if there is insufficient space to accommodate all of the requests of Applicants or other Persons to occupy and use the Public ROW. In making such decisions, the City shall to the extent possible accommodate all existing users and potential users (i.e. those who have submitted an Application to deploy facilities within the Public ROW) of the Public ROW, and shall be guided primarily by considerations of the public interest, the width and physical

condition of the Public ROW, the time of year with respect to essential utilities, the protection of existing facilities in the Public ROW and established plans for public improvements and development projects which have been determined to be in the public's interest.

- (ii) City Use of Unused Pole and Conduit Space. Applicant shall reserve and make available to the City unused space on its existing and proposed Poles and in its existing and proposed above ground and underground conduits. The City shall have first priority in utilizing available space on Poles and in conduits for its municipal facilities and equipment. Any use by the City of available Pole space or space within conduits shall be at no cost to the City except for any reasonable One-Time Make Ready Fees, for which the City will be responsible.
- (iii) Fewest Possible New Poles / Use of Existing Poles: Applicant shall use existing poles when possible for the placement of its Small Wireless Facilities and shall minimize the number of new proposed Poles in the right-of-way to the fewest possible to meet the coverage and capacity requirements. Applicant shall demonstrate that requesting fewer than the requested number would be insufficient to meet said coverage and capacity requirements and comply with any federal or FCC mandates. In addition, to the maximum extent possible while remaining compliant with engineering and structural requirements, Applicant shall make any proposed Pole available to the maximum number of additional Wireless Providers, and shall actively market the availability of same to said Wireless Providers, in order to reduce unnecessary construction of Poles in the Right-of-Way.
- (iv) Leasing of excess space in ducts, conduits and on a Pole is a matter between interested parties (subject to any applicable Pole Attachment regulations and any other applicable statutory, regulatory or contractual obligations); however, lessees or licensees of such physical facilities must still comply with the terms of this Chapter, unless otherwise expressly exempted by the City.
- (v) An Occupant of the Public ROW shall employ due care during the installation and maintenance process, and comply with all safety and Public ROW-protection requirements of applicable Federal, State and local Laws (and any generally applicable City guidelines, standards and practices), and any additional commonly accepted safety and Public ROW- protection standards, methods and devices (to the extent not inconsistent with applicable Laws). All facilities under the streets of the City shall be kept and maintained in a safe and well-ordered condition, and in good order and repair.
 - (A) Any permittee occupying any portion of the Public ROW shall erect a barrier around the perimeter of any excavation and provide any and all traffic-control devices, signs and lights appropriate to the level of complexity of the activity in order to protect, warn and guide

the public (vehicular and pedestrian) through the work zone. The manner and use of these devices shall be described within a traffic-control plan in accordance with the Manual on Uniform Traffic Control Devices, and existing procedures, including the City Work Site Evaluation process by which the construction office refers proposed work to the police department in order to develop safety measures to safeguard pedestrian and vehicular traffic as well as property. In the event of any conflict between the provisions of this subsection and the Work Site Evaluation process, the Work Site Evaluation procedures shall control.

- (B) Occupants of the Public ROW with open excavations awaiting final restoration shall maintain all devices until the City notifies the Occupant in writing that the City or the City's designated contractor is assuming responsibility for traffic control.
 - (C) Each Occupant shall designate a safety officer. The safety officer shall be responsible for safety-related issues affecting both the public and the Occupant's field employees and contractors for all job sites within the Public ROW.
- (vi) Location of Existing Facilities.
- (A) An Occupant of the Public ROW shall not place any fixtures or equipment where the same will interfere with any existing facility, and shall locate its lines and equipment in such a manner as not to interfere unnecessarily with the usual traffic patterns (vehicular or pedestrian) or with the rights or reasonable convenience of owners of property that abuts any Public ROW.
 - (B) To minimize disruption of public passage or infrastructure, to forestall or relieve overcrowding of the Public ROW, or to protect Historic Property or environmentally sensitive areas, the City may require, as a condition of issuing any Permit for placement of underground facilities that the Occupant place empty conduits in excess of its own present and reasonably foreseeable requirements for the purpose of accommodating the City's unspecified future use and future use by other Communications Service Providers. This addition of general excess conduit capacity will be done at Occupant's sole cost and expense. The Occupant shall cooperate with the City in any such construction,
 - (C) In the event that the City notifies the Occupant in advance that it is expressly interested in sharing the trenches or bores at a specific location area where construction is occurring, then the Occupant shall allow the City to place its infrastructure in the Occupant's trenches and bores as requested by the City. In these instances, the City will bear an incremental share of the costs of trenching, boring and the placement of conduit and infrastructure.

- (D) Before beginning excavation in any Public ROW, an Occupant shall contact the regional notification center for subsurface installations (One-Number Locator Service) to determine possible conflicts.
- (vii) Relocation of Existing Facilities.
 - (A) If relocation of facilities is required as a result of any public project, the City shall provide the greatest practical advance notice to the affected Occupants of the Public ROW and shall facilitate the greatest reasonable project coordination among the affected Occupants, whereas coordinated sequencing dependencies are common. Generally, projects of greater scale and scope will have a longer planning horizon, and commensurate notice.
 - (B) The objective of the relocation process recognizes the mutual obligations and responsibilities of the City and the Public ROW Occupants to avoid or minimize service disruption and to timely and economically complete the public project. Public ROW Occupants are obligated to proceed with diligent speed and attention so as to not unreasonable delay or complicate a public project.
 - (C) As general guidance, projects involving a public project of greater than \$100,000 dollars, or more than ten (10) utility poles, or more than one thousand (1000) frontage feet of public roadway would be smaller projects; and projects greater than any of the above would be larger projects. A reasonable, general expectation is that that smaller projects would provide ninety (90) days' notice, and larger projects would provide one hundred and eighty (180) days' notice to complete the relocation of the Public ROW Occupants.
 - (D) Unless otherwise provided by applicable Laws, the Occupant, at no cost to the City, shall accomplish the necessary relocation within a reasonable time from the date of the notification, but, in no event, no later than seven (7) days prior to the date the City has notified the Occupant that it intends to commence its work which mechanically requires the Occupant's relocation, or immediately in the case of emergencies. With as much notice as possible, but in no event less than one hundred and eighty (180) days following written notice from the City, a Provider shall, at its own expense, protect, support, temporarily or permanently disconnect, remove, relocate, change or alter the position of any Communications Facility.
 - (E) Facility within the Public ROW whenever the City has determined that such removal, relocation, change or alteration is reasonably necessary for the construction, repair, maintenance or installation of any City improvement in or upon, or the operations of the City in or upon, the Public ROW. The City will use its best efforts to accommodate the Provider's request for relocation of the Communications Facility.

- (F) Except as provided in Section 27-2.5(a)(iv)(B), the City may not directly or indirectly require an Applicant to perform services unrelated to the Communications Facility or Support Structure for which approval is sought, such as in-kind contributions, except reserving fiber, conduit or pole space for the City. Notwithstanding the foregoing, an Applicant may offer in-kind contributions related to Communications Facility or Support Structure for which approval is sought, on a reasonable and nondiscriminatory basis, including by contributing the cash value of an in-kind contribution already provided by another party.
- (viii) In the event of an emergency where any Communications Facility in the Public ROW creates or is contributing to an imminent danger to health, safety, or property, the City may protect, support, temporarily disconnect, remove, or relocate any or all parts of such Communications Facility, and charge the Occupant for actual and reasonable costs incurred. The City shall engage the emergency contact information of record or best available, if possible, for prior notice, and if not possible because of emergent and imminent danger, shall notify the Occupant promptly afterwards. Ten (10) days after notification as outlined in this Subsection, the City may remove any Communications Facilities that obstructs the progress of a public project. All costs associated with any removal or protection of Communications Equipment shall be the sole responsibility of the Provider.
- (ix) Abandonment of Facilities.
- (A) Any Occupant of the Public ROW, including any Applicant, Wireless Provider or Wireless Infrastructure Provider, that intends to permanently discontinue use of any facilities within the Public ROW shall notify the City in writing within thirty (30) days prior to abandonment. Such notice shall describe the facilities for which the use is to be discontinued, and the date of discontinuance of use. Upon notification, at its discretion, the City will choose from the following options within 14 days or any other agreed upon option, and so notify the Occupant of its decision:
1. Abandon the facilities in place and the Occupant shall further convey full title and ownership of such abandoned facilities to the City. The Occupant is responsible for all obligations of the facilities, or other associated liabilities until the conveyance to the City is completed; or
 2. The facilities shall be removed and the Occupant shall be liable for removing the facilities at its own cost. If an Occupant fails to remove facilities that the City requires it to remove, after ninety (90) days' notice to the Occupant, the

City may perform the work and shall be entitled to collect the cost from the Occupant its successors and/or assigns.

b. Additional Requirements.

(i) General. All deployments of Communications Facilities in the Public ROW shall comply with the following:

- (A) Compliance with ADA and other applicable Federal, State and local Laws and standards.
- (B) Pedestrian and vehicular traffic and safety requirements established by the City.
- (C) Existing Public ROW occupancy or management ordinances, not otherwise inconsistent with this Chapter.

(ii) Additional Permits. In addition to obtaining a Permit for installation of a Communications Facility in the Public ROW, an Applicant must obtain the following additional permits and approvals, as well as provide notice where indicated:

- 1. Notification to City Designee for all work contemplated in this Chapter, pursuant to Section 27-2.1
- 2. Construction Permit (including building and electrical subcodes), per statutory fees established by uniform construction code regulations contained in N.J.A.C. 5:23.
- 3. Zoning Permit, as applicable, per this Chapter
- 4. Street Opening Permit, if applicable, per City code Chapter 15 Streets and Sidewalks.
- 5. Telecommunications Consultation and Review performed by the City Designee or other such official of the city or professional contracted by the City, to include permit review, construction oversight for code and zoning compliance and post-installation inspection to ensure compliance with the technical specifications.
- 6. Engineering Review by an outside consultant, as needed
- 7. Discretionary Review: For Small Wireless Facilities applications not subject to Administrative Review pursuant to this Chapter.

(iii) Placement of facilities. The City engineer may assign specific corridors within the Public ROW, or any particular segment thereof as may be necessary, for each type of facilities that is or, pursuant to current technology that the City engineer expects will someday be located within the Public ROW. All excavation, obstruction, or other Permits issued by the City involving the installation or replacement of facilities shall designate the proper corridor for the facilities.

c. Existing Utility Easements in the Public Right of Way.

(i) Applicants will work with the City engineer to coordinate and protect existing utilities in the Public ROW.

(ii) Applicants will coordinate with the City engineer all public safety considerations prior to and during installation in the Public ROW to ensure

public safety response in the case of gas line, water line or electric City disturbance.

27-2.6 Attachment to and Replacement of Decorative Poles.

Notwithstanding anything to the contrary in this Chapter, the City may request that Applicant install a Small Wireless Facility on a new Decorative Pole, or Replace an existing Decorative Pole with a new Decorative Pole that is in keeping with the aesthetics of the existing Decorative Pole or the surrounding streetscape only upon satisfaction of the following additional requirements:

- (i) Issuance of a Permit under Subsection 27-2.2(a) above.
- (ii) The new Decorative Pole, Small Wireless Facilities attachment and/or the Replacement Decorative Pole is in keeping with the aesthetics of the Decorative Pole and surrounding streetscape in the judgement of the City.
- (iii) Can require installation of decorative poles as well as their replacement -

27-2.7 Batch Applications.

An Applicant seeking to construct, modify or replace a network of Communications Facilities may, at the Applicant's discretion and subject to the City's approval, batch Application requirements and file a consolidated Application and receive multiple permits or a single Permit for multiple Communications Facilities. The City's denial of any site or sites within a consolidated Application shall not affect other sites submitted in the same Application. The City shall grant a Permit(s) for any and all sites in a consolidated Application that it does not otherwise deny, subject to the requirements of this Section. An Applicant may submit simultaneously not more than five (5) separate Applications for a network of multiple Communications Facilities within adjacent, related geographic areas of the City.

27-2.8 Design Standards.

All above-ground Communications Facilities in the Public ROW requiring Administrative Review only shall conform to the following non-discriminatory design guidelines generally applicable to all facilities in the Public ROW:

(A) Siting and Design Requirements:

1. Pole Siting Standards. New Poles for use as support structures for Small Wireless Facilities shall conform to the following siting standards:
 - a. Height. No Proposed Pole shall be taller than fifty (50) feet or 110% of the height of Poles in the surrounding streetscape, whichever is higher.
 - b. Location, Safety and Aesthetics. No Proposed Pole shall be erected in the Right-of-Way unless it:
 - i. Is approved pursuant to the provisions of this Chapter;
 - ii. Replaces an Existing Pole; or

- iii. Any pole mounted antenna in installed on said New or Existing Pole is a minimum of one hundred fifty (150) linear feet from any other existing or proposed Small Wireless Facility; and
 - iv. Does not inhibit any existing sight triangles or sight distances; and
 - v. Allows adequate room for the public to pass and re-pass across, along and through the Right-of-Way; and
 - vi. Is finished and/or painted and/or otherwise camouflaged, in conformance with best available stealth technology methods, so as to blend in compatibly with its background and so as to minimize its visual impact on surrounding properties.
 - vii. Is compliant with Chapter 15 Streets and Sidewalks of the City Code as well as any applicable local and state laws and regulations pertaining to the installation of utility poles in the right-of-way, including promulgated by the Board of Public Utilities requiring approval of proposed locations prior to installation.
2. Ground Level Cabinet Siting Standards. Ground level cabinets shall conform to the following siting standards:
- a. Ground level cabinets are prohibited in the Public Right-of-Way in residential zones and any future residential zones.
 - b. Ground level cabinets are permitted in non-residential zones provided that such Ground Level Cabinet:
 - c. Is less than twenty-eight (28) cubic feet in volume; and
 - d. Is finished and/or painted so as to blend in compatibly with its background and so as to minimize its visual impact on surrounding properties; and
 - e. Does not inhibit any existing sight triangles or sight distance; and
 - f. Allows adequate room for the public to pass and repass across, along and through the Municipal Right-of-Way.
3. Pole Mounted Antenna and Pole Mounted Cabinet Siting Standards.
4. Pole mounted antennas are permitted on Existing Poles, provided that each pole mounted antenna:
- a. Does not exceed three (3) cubic feet in volume; and
 - b. Is finished and/or painted and/or otherwise camouflaged, in conformance with best available stealth technology methods, so as to blend in compatibly with its background

and so as to minimize its visual impact on surrounding properties; and

- c. Is a minimum of one hundred fifty (150) linear feet from any other existing or proposed Small Wireless Facility; and
- d. Does not inhibit any sight triangles or sight distance; and
- e. Allows adequate room for the public to pass and repass across, along and through the Public Right-of-Way.
- f. Pole mounted cabinets are permitted on Existing Poles in all residential zones and non-residential zones provided that each pole mounted cabinet:
 - i. Does not exceed sixteen (16) cubic feet; and
 - ii. Is finished and/or painted and/or otherwise camouflaged, in conformance with best available stealth technology methods, so as to blend in compatibly with its background and so as to minimize its visual impact on surrounding properties; and
 - iii. Does not inhibit any sight triangles or sight distance; and
 - iv. Allows adequate room for the public to pass and repass across the Public Right-of-Way.

(B) Maximum Height Requirements.

(i) Maximum Size of Permitted Use. Small Wireless Facilities, and new, modified or Replacement Poles, Towers and Support Structures (subject to the further limitation for Replacement of Support Structures described in Subsection 27-1.2(aa) above) to be used for Collocation of Small Wireless Facilities may be placed in the Public Right of Way as a permitted use in accordance with this Subsection 27-2.2, subject to the following requirements.

A. Each new, modified or Replacement Pole, Tower or Support Structure installed in the Public ROW shall not exceed the greater of:

- 1. Five (5) feet above the tallest existing Pole, Tower or Support Structure not exceeding 50 feet in the Public ROW, in place as of the effective date of this Chapter, and located within 500 feet of the new proposed Pole, Support Structure; or ten (10') feet on utility distribution poles where required by the electrical utility separation requirements; or
- 2. Fifty (50) feet above ground level.

B. Each modified or Replacement Pole, Tower, or Support Structure installed in the Public ROW shall not exceed the greater of:

1. five (5) feet above the height of the structure being modified or replaced in place as of the effective date of this Chapter; or ten (10) feet on utility distribution poles where required by the electrical utility separation requirements; or
2. the height limit under this Section 27-2.8(B)(i)(A)

Section 27-3 Miscellaneous Terms

27-3.1 Preexisting Sites and Municipal Agreements.

Any Communications Facilities in the Public Rights-of-Way existing at the time of the adoption of the provisions of this Chapter, whether or not a Municipal Agreement exists or is in force and effect with regard to same, shall be required to comply with the provisions of this Chapter.

Any Municipal Agreements entered into between the City and any Provider regarding Communications Facilities in the Public Rights-of-Way shall be required to conform to the provisions and standards of this Chapter. To the extent the provisions of any existing Municipal Agreement conflict with this Chapter, said provisions shall be replaced and superseded by the applicable terms of this Chapter.

27-3.2 Not Essential Services.

Communications Facilities regulated by this Chapter shall not be considered essential services or public utilities.

27-3.3 New Jersey One Call

Prior to the start of any installation of Poles, Small Wireless Facilities or other Communications Facilities that requires excavation, Applicant shall contact New Jersey One Call at 811 at least three (3) full business days prior to the commencement of work.

27-3.4 "Dig Once" Requirements

For all installations of Communications Facilities and Small Wireless Facilities that require the installation of above ground and underground communications and power cabling and conduit, along the Public ROW as well as utility easements and private property, the City's Department of Public Works or Construction Office may request that the project developer publicly offer to coordinate with Providers who operate, or have applied for facilities in the City through the Department of Public Works or other applicable department or agency to ensure the Public ROW and any planned utility easements are adequate to accommodate the deployment of both aboveground and underground Communications Facilities. Specifically, planned utility easements should allow for an adequate number of huts, utility Poles and other structures, as well as belowground conduit, to adequately serve current and anticipated Communications Facilities. Access to easements should be provided to Providers on a non- discriminatory basis and at a reasonable cost, or pursuant to applicable Laws.

27-3.5 Violation of this Chapter:

Violation of any of the provisions of this Chapter shall be a simple citation punishable with a civil penalty of \$500 for each violation which continues more than ten (10) days after written notice of such violation is provided to the Applicant. Each day, after such notice, that a violation occurs or is permitted to exist by the Applicant constitutes a separate offense.

27-3.6 Governance of Deployments Outside of the Public Right-of-Way.

This section is intended to govern the installation, placement, maintenance, modification, upgrade and repair of Communications Facilities, including Small Wireless Facilities, in the Public Right-of-Way. The placement of telecommunications equipment outside of the Public Right-of-Way shall be governed by Chapter 35 Zoning Regulations Section 35-26 Wireless Telecommunications Towers, Facilities and Antennas, as well as by other applicable codes and ordinances of the City.

27-3.7 Waiver.

The City Council, or other City person, agency or department with the authority to do so, may waive any provision or standard set forth in this Chapter where it is demonstrated that the strict enforcement of said standard:

- (i) Will prohibit or have the effect of prohibiting any telecommunications service pursuant to 47 U.S.C. 253(a); or
- (ii) Will prohibit or have the effect of prohibiting personal wireless service pursuant to 47 U.S.C. 332(c)(7)(B)(i)(II); or
- (iii) Will violate any requirement set forth in the FCC Order entitled "Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment," WT Docket No. 17-79; "Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment," WC Docket No. 17-84; or
- (iv) Will prohibit, or have the effect of prohibiting, the ability of an entity to provide wireless service to any prospective customer within the City.

27-3.8 Wireless Consultant Contact Information

As specified in section 27-2.1(b) herein, the City Designee shall be the initial point of contact for the City for all matters concerning this Chapter.

27-3.9 Effective Date.

This Chapter shall take effect twenty (20) days after its adoption by the City Council.

Schedule A

One Time Fees*	Rate*	Frequency	Note
Small Cell Permit Application Escrow	\$1500, per install or upgrade. To be held in escrow and billed against actual incurred costs per the below schedule of fees:	Per install or upgrade	Escrow to be used against incurred expenses. To be replenished as needed in increments of \$1500.
Construction Permit	Per Section 15-3.1	Per install or upgrade	Building/electrical
Zoning Permit	\$150. Per Section 33-4.1	Per install or upgrade	Structure/addition
Street Opening Permit	\$50. Per Section 25-1.3	Per street opening	\$50 up to 100 ft ²
Legal Consultation	Hourly rate per agreement	Per install or upgrade	Up to 3 hours/site
Engineering Review	Per agreement schedule between the City and the City engineer or contracted engineering firm performing engineering services on behalf of the City		
City/Police Presence	Per collective bargaining agreement between the City and the Bayonne Police Department personnel, established per ordinance	During install or upgrade	Traffic / safety
Inspections			
Recurring Fees*			
ROW Access Fee	\$270	Annual Access Rate	Per small cell site

*The fees described in this Schedule A are the fees in effect at the time of the adoption of this ordinance. All fees are subject to change as existing ordinances are amended and future ordinances adopted and future contracts and agreements entered into and effectuated by resolution. Any amendment, revision or addition to a City ordinance supersedes any prior inconsistent ordinances.

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 TO PROVIDE FOR THE AMENDMENT OF CHAPTER 27 OF THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE WITH THE ADDITIONS OF A NEW SECTION ENTITLED, “TELECOMMUNICATIONS FACILITIES IN THE PUBLIC RIGHT-OF-WAY,” 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, Gullace, Perez and President Nadrowski.

* * * * *

15. 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.

* * * * *

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

From THOMAS PELLICCIO filing notice of tort claim alleging damage to his automobile resulting for an accident with a police vehicle on July 31, 2020.

* * * * *

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

From the Superior Court of New Jersey in the matter entitled, LELETA TEAJMAN vs. WOODMONT BAY CLUB, WOODMONT PROPERTIES, CITY OF BAYONNE, et als.

* * * * *

- 18.** 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, MILAGIO PLUMNEY vs. KAREN A. GALLAGHER, KEVIN F. GALLAGHER, CITY OF BAYONNE, et als.

* * * * *

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

From the Tax Court of New Jersey in the matter entitled, "BAYONNE COVE II LLC vs. the City of Bayonne.".

* * * * *

- 20.** 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.

* * * * *

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

From Donna L. Mauer, Chief Financial Officer, reporting on vendor payments and recommending payment of same, and a resolution adopting the recommendation and ordering payment of claims. Finance

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P.O. Type: All
Range: First to Last
Format: Condensed
Include Non-Budgeted: Y
Include Project Line Items: Yes
First Enc Date Range: First to 12/31/20
Open: N
Rcvd: N
Paid: N
Held: N
Void: N
Aprv: Y
Bid: Y
State: Y
Other: Y
Exempt: Y

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
ABDEL020 SHOKRY ABDELSAYED ESQ.	20-02465	09/11/20	public defender 02/27/20	Open	900.00	0.00		
ABSOL010 ABSOLUTE PROTECTIVE SYSTEMS, I	20-02657	07/06/20	Annual Fire Extgr. Inpctn 2020	Open	215.50	0.00		
ACHAR005 AC HARDWARE	20-02699	09/03/20	Extension Cords, Key Storage	Open	56.97	0.00		
ACTIO005 ACTION INTERPRETING LLC	20-02467	09/01/20	RUSSIAN INTERPRETING 08/25/20	Open	220.00	0.00		
AERIA005 AERIAL-RISE, LLC	20-02449	07/20/20	Fire Truck Repair	Open	5,473.42	0.00		
AGLIN005 AGL INHALATION THERAPY INC.	20-02600	09/30/20	OXYGEN	Open	145.40	0.00		
ALLDA005 ALLDATA	20-02583	08/24/20	Repair - Series GEN3	Open	1,500.00	0.00		
ALLIN005 ALL INDUSTRIAL CHEM	20-02533	07/20/20	CG Supplies	Open	2,563.02	0.00		
ALPHA005 ALPHA DOG SOLUTIONS, INC	20-02598	07/15/20	Muni Website Maint Jul-Aug'20	Open	9,900.00	0.00	CO-00036	C
	20-02599	09/15/20	Muni Website Maint Sep'20	Open	4,950.00	0.00	CO-00050	C
	20-02727	10/15/20	Muni Website Maint Oct'20	Open	4,950.00	0.00	CO-00050	C
					19,800.00			
AMADE010 PETE AMADEO	20-02571	09/28/20	Flag Football Suppl. Reimbsmt.	Open	46.74	0.00		
	20-02654	10/06/20	Reimbsmt for Bike Club Suppls.	Open	30.96	0.00		
	20-02684	10/13/20	Reimbsmt for Suppls for Cancer	Open	124.08	0.00		
					201.78			
AMAZO005 AMAZON.COM	V0000338	09/02/20	Amazon Office Supplies	Open	442.39	0.00		
	V0000339	09/16/20	Amazon Office Supplies	Open	176.85	0.00		
	V0000340	10/01/20	Amazon Office Supplies	Open	2,271.06	0.00		
	V0000341	10/01/20	Amazon Office Supplies	Open	485.88	0.00		
	V0000342	08/10/20	Amazon Office Supplies	Open	1,037.94	0.00		
	V0000343	08/14/20	Copy Paper	Open	1,849.95	0.00		
	V0000344	08/14/20	Copy Paper	Open	1,992.79	0.00		
	V0000345	08/13/20	Copy Paper	Open	1,531.35	0.00		
	V0000346	08/27/20	Amazon Office Supplies	Open	1,210.28	0.00		
					10,998.49			

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Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
ARAMA005 ARAMARK UNIFORM SERVICES								
	20-02569	09/08/20	CG Uniforms Aug-Sep'20	Open	1,612.98	0.00		
	20-02582	09/22/20	CG Uniforms Sep'20	Open	795.32	0.00		
	20-02678	09/29/20	CG Uniforms 09/29/20	Open	<u>397.66</u>	0.00		
					2,805.96			
ASCAP005 ASCAP								
	20000682	10/09/20	License Fee for 2020-2021	Open	734.21	0.00		
BAKER015 BAKER & TAYLOR								
	20-02388	09/01/20	BOOKS AND PUBLICATIONS	Open	314.99	0.00		
	20-02487	09/13/20	BOOKS AND PUBLICATIONS	Open	762.13	0.00		
	20-02489	09/10/20	BOOKS AND PUBLICATIONS	Open	996.59	0.00		
	20-02490	09/15/20	BOOKS AND PUBLICATIONS	Open	783.38	0.00		
	20-02491	09/15/20	BOOK AND PUBLICATIONS	Open	592.89	0.00		
	20-02647	09/22/20	BOOKS AND PUBLICATIONS	Open	594.66	0.00		
	20-02649	09/29/20	BOOKS AND PUBLICATIONS	Open	<u>24.75</u>	0.00		
					4,069.39			
BART0015 BARTON NURSERIES								
	20-02586	09/25/20	Trees Sep'20	Open	4,610.00	0.00		
BAYON090 BAYONNE FAMILY COMMUNITY CENTE								
	CD-10346	08/06/20	GY20 Childcare Services	Open	13,750.00	0.00		B
BAYON365 BAYONNE ECONOMIC OPPORTUNITY F								
	20000285	04/21/20	Senior Nutrition Prog.CY2020	Open	37,930.80	0.00	CD-00039	C
	CD-10319	12/06/19	CY2020 CD&G Admin & Planning	Open	18,333.33	0.00		B
	CD-10339	08/06/20	GY20 Sr. Transportation S&W	Open	2,945.22	0.00		B
	CD-10340	08/06/20	GY20 Fair Housing Counseling	Open	6,860.82	0.00		B
	CD-10342	08/06/20	GY20 Sr. Transportation Ins.	Open	329.77	0.00		B
	CD-10362	09/11/20	GY21 CV Office Sanitation PPE	Open	<u>4,061.86</u>	0.00		B
					70,461.80			
BAYON505 BAYONNE ECONOMIC OPPORTUNITY F								
	CD-10336	07/02/20	Holy Family Academy Abatement	Open	57,060.00	0.00		B
BERGE045 BERGEN PASSAIC REGISTRAR'S ASS								
	20-02633	02/28/20	New Registrar's Membership	Open	75.00	0.00		
BETTY005 THE BETTY MILLS CO, INC								
	20-02360	09/17/20	WypAll L30 Towels	Open	187.72	0.00		
	20-02405	09/21/20	GARBAGE PICKERS UEZ	Open	<u>258.16</u>	0.00		
					445.88			
BORGE005 NORTON BORGES								
	20-02666	08/22/20	Balloons for Gregg Park Event	Open	160.00	0.00		
BRIDG005 BRIDGE AWARDS & TROPHIES LLC								
	20-02451	09/15/20	PW Men's & Women's Apparels	Open	745.00	0.00		
	20-02580	09/27/20	2020 Fall Baseball shirts	Open	<u>965.25</u>	0.00		
					1,710.25			

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Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
BUYW005 BUY WISE WHOLESALE AUTO PARTS								
	20000047	01/15/20	Auto Parts & Supplies	Open	18,586.63	0.00		B
BYWAT005 BYWATER SOLUTIONS								
	20-02576	09/24/20	Koha Sppt&Hostg. 10/20-10/21	Open	12,600.00	0.00		
CABLE020 CABLEVISION								
	20000651	09/16/20	Acct 07804030551014 Sep-Oct'20	Open	110.43	0.00		
	20000652	09/16/20	Acct 07804031398019 Sep-Oct'20	Open	224.94	0.00		
	20000653	09/16/20	Acct 07804032015018 Sep-Oct'20	Open	104.09	0.00		
	20000654	09/16/20	Acct 07804033378019 Sep-Oct'20	Open	134.94	0.00		
	20000655	09/16/20	Acct 07804033540014 Sep-Oct'20	Open	8.33	0.00		
	20000656	09/16/20	Acct 07804035999011 Sep-Oct'20	Open	139.88	0.00		
	20000657	09/16/20	Acct 07804038553012 Sep-Oct'20	Open	100.39	0.00		
	20000658	09/16/20	Acct 07804039775011 Sep-Oct'20	Open	236.23	0.00		
	20000663	09/16/20	Acct 07804036575026 Sep-Oct'20	Open	39.59	0.00		
	20000674	10/01/20	Acct 07804026567017 Oct'20	Open	24.36	0.00		
	20000675	10/01/20	Acct 07804026685017 Oct'20	Open	116.68	0.00		
	20000676	10/01/20	Acct 07804031452021 Oct'20	Open	26.16	0.00		
	20000677	10/01/20	Acct 07804031865018 Oct'20	Open	33.31	0.00		
	20000678	10/01/20	Acct 07804031897011 Oct'20	Open	11.45	0.00		
	20000679	10/01/20	Acct 07804039171011 Oct'20	Open	109.96	0.00		
	20000680	10/01/20	Acct 07804039744016 Oct'20	Open	126.43	0.00		
	20000697	10/01/20	Acct 07804037621026 Oct'20	Open	285.30	0.00		
					1,832.47			
CABLE030 CABLEVISION								
	20000684	10/01/20	Acct 50851 Oct'20	Open	3,455.35	0.00		
	20000685	10/01/20	Acct 52459 Oct'20	Open	3,321.84	0.00		
					6,777.19			
CAMPB015 CAMPBELL SUPPLY CO. INC.								
	20-02540	08/26/20	CG Supplies	Open	1,291.25	0.00		
	20-02541	09/21/20	Isolator	Open	59.72	0.00		
	20-02544	09/15/20	Water Pump Kit	Open	193.77	0.00		
	20-02606	09/29/20	Oil Seal	Open	60.10	0.00		
					1,604.84			
CAMP005 RICHARD CAMPISANO								
	20000025	01/10/20	Preliminary Investigations	Open	1,890.00	0.00		
	20000100	02/13/20	Prof.Serv.Zoning Board CY2020	Open	1,100.00	0.00	C0-00001	C
	20000101	02/13/20	Prof.Serv.Planning Board 2020	Open	900.00	0.00	C0-00006	C
	DE-10049	01/14/20	Developer Escrow Billing CY20	Open	7,997.50	0.00		
					11,887.50			
CAREE010 CAREER STEP LLC								
	20-02680	10/12/20	EMT CLASS	Open	531.00	0.00		
CDWGO005 CDW GOVERNMENT								
	20-01846	07/28/20	VGA AUDIO RECEIVER	Open	140.72	0.00		
	20-02138	08/20/20	MS OFFICE SOFTWARE LICENSE	Open	478.80	0.00		
	20-02440	09/30/20	CISCO MERAKI SYSTEMS LICENSE	Open	260.00	0.00		

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Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
CDWGO005 CDW GOVERNMENT			Continued					
	20-02445	09/30/20	PONIK-NETMOTION MOBILITY	Open	9,475.00	0.00		
					10,354.52			
CENTR025 CENTRAL PAINT								
	20-02560	09/21/20	Painting Supplies	Open	101.57	0.00		
	20-02579	09/30/20	Brushes & Rags	Open	988.62	0.00		
	20-02670	10/01/20	Painting Supplies	Open	224.52	0.00		
	20-02672	10/08/20	Painting Supplies	Open	183.18	0.00		
					1,497.89			
CERTI005 CERTIFIED PRODUCTS								
	20-02536	08/12/20	Repair Parts	Open	1,509.04	0.00		
CHAND005 CHANDELIER RESTAURANT								
	20-02595	10/05/20	PRISONER MEALS Sep'20	Open	93.50	0.00		
CHRIS055 CHRISTINE ZAPOLSKI OR								
	CD-10375	10/16/20	CDBG Home Rehabilitation	Open	20,000.00	0.00		
CITYO035 CITY OF BAYONNE								
	DE-10051	01/14/20	Developer Escrow Billing CY20	Open	96.98	0.00		
	V0000331	10/12/20		Open	985.41	0.00		
	V0000333	10/12/20		Open	996.58	0.00		
					2,078.97			
CIVIL005 CIVIL SOLUTIONS								
	20000240	04/03/20	Maint.of Digital Tax Map,2020	Open	3,185.00	0.00	CO-00025	C
CLEAR015 CLEARY GIACOBBE ALFIERI JACOBS								
	20000013	01/10/20	Special Redevelopment/Land Use	Open	41,024.30	0.00		
CMEAS005 CME ASSOCIATES								
	20000190	03/17/20	Municipal Engineer	Open	24,568.75	0.00	CO-00026	C
	20000564	08/17/20	Redevelopment Engineer	Open	14,270.00	0.00		
	DE-10048	01/14/20	Developer Escrow Billing CY20	Open	48,708.75	0.00		
					87,547.50			
COLUM005 COLUMBIA MATTRESS & FURNITURE								
	20-02739	10/21/20	BOOA Emergency Assistance	Open	420.00	0.00		
CONTI010 CONTINENTAL TRADING & HARDWARE								
	20-02481	08/31/20	Cordless Pruner	Open	1,399.26	0.00		
CONTR015 CONTROL SERVICES LLC								
	20-02462	03/03/20	INSTALL CAMERA POLE	Open	7,500.00	0.00		
CSAVS005 CSAV SYSTEMS LLC								
	20-02503	06/17/20	7- ROOM WEBCAST AV SYSTEMS	Open	28,498.00	0.00		
CUSTO005 CUSTOM BANDAG INC.								
	20-02530	08/19/20	Repair Parts	Open	1,034.30	0.00		
	20-02542	09/29/20	Repair Parts	Open	3,228.38	0.00		

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Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
CUSTO005 CUSTOM BANDAG INC.				Continued				
	20-02610	09/26/20	Repair Parts	Open	<u>1,273.61</u>	0.00		
					5,536.29			
CUSTO020 CUSTOM TRUCK & EQUIPMENT								
	V0000319	09/25/20	XTPRO60 Aerial Forestry Device	Open	142,350.00	0.00		
DELLA005 AMY DELLABELLA								
	V0000332	10/12/20	Patty Cash Reimbursement	Open	985.41	0.00		
	V0000334	10/12/20	PETTY CASH REIMBURSEMENT	Open	<u>996.58</u>	0.00		
					1,981.99			
DELTA010 DELTA STORAGE LLC								
	20-02458	08/26/20	Storage Unit 0151 Aug'20	Open	120.00	0.00		
DEMC0005 DEMCO, INC.								
	20-02249	09/15/20	MATERIALS AND SUPPLIES	Open	948.30	0.00		
DIFE0005 CHEVY OF JERSEY CITY								
	20-02529	09/04/20	Repair Parts	Open	605.58	0.00		
	20-02557	09/25/20	Repair Parts	Open	<u>112.38</u>	0.00		
					717.96			
DILLI005 DILLIN TIRE CO.								
	20-02526	09/02/20	Tire Repair	Open	90.00	0.00		
	20-02575	09/28/20	Used Tire Disposal Sep'20	Open	<u>547.00</u>	0.00		
					637.00			
DISBR005 ROBERT DISBROW								
	20-02644	10/06/20	EMT CLASS REIMBURSEMENT	Open	80.00	0.00		
DIVIS030 DIVISION OF STATE POLICE RERP								
	20-02628	10/05/20	Fire Equipment Cal. 2020	Open	320.00	0.00		
DYNAM005 DYNAMIC TESTING SERVICES, INC.								
	20-02585	09/30/20	CDL Testing Pgm Q3'20	Open	675.00	0.00		
EAGLE005 EAGLE POINT GUN								
	20-02475	09/17/20	AMMO FOR POLICE ACADEMY	Open	6,909.00	0.00		
	20-02478	09/17/20	BLANK AMMO- K9 COURSE	Open	<u>180.00</u>	0.00		
					7,089.00			
EASTC015 East Coast Emergency Lighting,								
	20-01742	08/24/20	PPE & STORAGE SYSTEM UNIT#1302	Open	3,092.00	0.00		
ELECT030 ELECTROSTATIC SPRAYING SYSTEMS								
	20-02275	09/25/20	REPAIRS TO ESS SPRAY NOZZLE	Open	118.88	0.00		
EMERG020 EMERGI-CLEAN INC.								
	20-02468	09/22/20	DECON SERVICES 9/22/20	Open	205.00	0.00		
	20-02626	09/28/20	9/27/20 SERVICES, INV# 2020582	Open	<u>416.50</u>	0.00		
					621.50			

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Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
FAMIL005 FAMILY MEDICAL SUPPLY CENTER								
	20-02597	10/02/20	Mada Duo Tanks Oct'20	Open	328.90	0.00		
FEDEX210 FEDEX								
	20-02685	10/05/20	Acct 254435058/ON Legal Doc's	Open	100.05	0.00		
	V0000310	09/14/20	Acct 2530-1877-1	Open	62.57	0.00		
					162.62			
FFEN005 FFF ENTERPRISES INC								
	20-02593	09/29/20	Second Flu Vaccine Shipment	Open	511.03	0.00		
FIRST015 INSYNC MUNICIPAL SYSTEMS								
	20000491	07/14/20	2020 Est. Bill Printing & Mail	Open	2,300.00	0.00		
FLEXF005 FLEXFACTS								
	20000698	10/14/20	FSA Monthly Fee Sep'20	Open	252.00	0.00		
FSTIR005 F & S TIRE CORP. INC.								
	20-02527	07/20/20	New Tire Service	Open	2,220.56	0.00		
FUNEX005 FUN EXPRESS, LLC.								
	20-02312	09/17/20	MATERIALS AND SUPPLIES	Open	186.49	0.00		
GABRI010 GABRIELLI KENWORTH OF NJ LLC								
	20-02525	09/03/20	Repair Parts	Open	462.18	0.00		
	20-02558	09/23/20	Thermostat	Open	179.88	0.00		
					642.06			
GENEL005 GEN-EL SAFETY & INDUSTRIAL PRO								
	20-02511	09/21/20	COVID-19 SUPPLIES (COVERALLS)	Open	1,325.20	0.00		
GENER040 GENERAL PLUMBING SUPPLY								
	20-02450	08/07/20	Plumbing Supplies	Open	1,372.69	0.00		
	20-02671	10/01/20	Plumbing Supplies	Open	85.40	0.00		
	V0000305	09/17/20	Plumbing Supplies	Open	402.99	0.00		
					1,861.08			
GERBE015 GERBER LIFE INSURANCE CO.								
	TR-10012	10/17/17	Stop Loss - Annual Premium	Open	40,041.25	0.00		
GIOVA005 GIOVATTO ADVERTISING, INC.								
	20-02512	10/08/20	Logos for City Hall	Open	2,500.00	0.00		
GOLDS005 GOLD'S CAR WASH, INC.								
	20-02578	09/16/20	Car Washes DPW Aug'20	Open	12.00	0.00		
	20-02622	09/16/20	Car Washes BD Jul-Aug'20	Open	40.00	0.00		
	20-02663	09/16/20	Scooter Washes BPU Aug'20	Open	5.00	0.00		
					57.00			
GRAIN005 GRAINGER								
	20-02434	09/22/20	BATTERIES	Open	15.94	0.00		
	V0000307	09/17/20	Inverter	Open	34.50	0.00		

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GRAIN005 GRAINGER			Continued					
	v0000325	09/29/20	Aerosol Lubricant	Open	57.90	0.00		
					108.34			
GRIF005 GRIFFIN								
	20-02528	08/21/20	Analyzers Software Update	Open	4,300.00	0.00		
GTBM005 GTBM/Info-Corp								
	20-01766	09/11/20	IN CAR REPORTING SYSTEMS	Open	15,624.40	0.00		
MADEH005 H.A. DEHART & SON.								
	20-02538	08/19/20	Repair Parts	Open	659.98	0.00		
HARRI055 HARRIS UNIFORM								
	20-02477	08/31/20	DOGGY BADGES	Open	156.00	0.00		
HECHT005 HECHT TRAILERS								
	20-02461	07/08/20	Hecht Trailers Jul-Aug'20	Open	117.00	0.00		
HERBE005 HERBERT'S ARMY & NAVY STORE								
	20-02495	09/10/20	LIBR Uniforms w/Names	Open	749.15	0.00		
	20-02651	09/10/20	DPW Uniforms	Open	17,840.43	0.00		
	20-02667	09/29/20	Crossing Guard Uniform	Open	150.00	0.00		
	20-02715	10/20/20	Bayonne UEZ	Open	455.88	0.00		
					19,195.46			
HINTZ005 CLARKE CATON HINTZ								
	20000028	01/11/20	COAH Consultant	Open	136.25	0.00		
HITAC005 HITACHI VANTARA CORP.								
	20000131	02/19/20	Security Camera System UEZ	Open	38,218.57	0.00		8
HORNS005 CHOPS HORNS								
	20-02713	10/20/20		Open	250.00	0.00		
	20-02714	10/20/20	A Night Out Outdoor Dining	Open	250.00	0.00		
					500.00			
HUDSO070 HUDSON COMMUNITY ENTERPRISES								
	20-02735	09/30/20	SITE SHREDDING 9/29/20	Open	714.00	0.00		
HUDSO120 HUDSON REGIONAL HEALTH COM								
	20000662	09/30/20	Public Health Program(EBL)2020	Open	2,400.00	0.00	c0-00030	c
HUDSO125 HUDSON COUNTY REGISTER								
	CD-10324	12/15/19	Discharge of Mortgage	Open	13.00	0.00		
HUDSO135 HUDSON COUNTY IMPROVEMENT AUTH								
	20000182	03/16/20	Solid Waste Mng.Plan CY2020	Open	387,187.26	0.00	c0-00032	c
HUDSO180 HUDSON COLLISION & AUTO REPAIR								
	20-02564	09/04/20	State nspection & Alignment	Open	180.00	0.00		

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HUDS0185 HUDSON HEALTH EAP, LLC	20000403	06/08/20	Mental H S.for(EAP) for Cy2020	Open	7,000.00	0.00	C0-00045	C
HUGHE005 Hughes & Finnerty P C	20000158	03/09/20	M.Public Defender CY2020	Open	5,833.33	0.00	C0-00011	C
IHARP005 I. HALPER PAPER & SUPPLIES, INC	20-02399	09/14/20	COVID-19 SUPPLIES	Open	513.50	0.00		
	20-02513	09/29/20	COVID-19 SUPPLIES	Open	837.25	0.00		
					1,350.75			
INLIN005 IN-LINE AIR CONDITIONING	20-02562	09/02/20	HVAC Services Sep'20	Open	1,177.18	0.00	C0-00005	C
	20-02596	09/23/20	HVAC Services Sep'20 (2)	Open	9,808.69	0.00	C0-00005	C
	20-02679	09/09/20	Svce Water Tower	Open	332.64	0.00	C0-00005	C
					11,318.51			
INSTI020 INSTITUTE FOR FORENSIC PSYCHOL	20-02469	09/23/20	PSYCH EVALS Sep'20	Open	8,500.00	0.00		
	20-02480	09/29/20	File Review for Appeal	Open	350.00	0.00		
					8,850.00			
INTEG010 INTEGRATED TECHNICAL SYSTEMS I	20-02665	09/29/20	IRIS Cntrt Oct'20 & Paper	Open	1,210.00	0.00		
INTEG015 INTEGRATED MICRO SYSTEMS	20-02686	10/05/20	IT Monthly Service Sep'20	Open	6,397.50	0.00	C0-00033	C
INTER090 Interstate Waste Services	20-02587	09/30/20	Rclg DemoScale 09/14/20	Open	395.20	0.00		
INVES015 INVESTMENT TITLE LLC	CD-10289	07/16/19	Search Invoice - D. Roman	Open	274.00	0.00		
JASPE005 JASPER ENGINES & TRANSMISSION	20-02524	08/24/20	Repair Parts	Open	4,179.00	0.00		
JCCAR005 JC CARMASH, LLC	20-02732	10/03/20	Car Washes PD Sep'20	Open	12.00	0.00		
JERSE060 JERSEY JOURNAL	20-02463	07/31/20	Jersey Journal Ads	Open	819.00	0.00		
	20-02518	08/03/20	Legal Advertisement Aug'20	Open	515.94	0.00		
	CD-10272	06/17/19	CD&G Legal Display	Open	405.98	0.00		
					1,740.92			
JEWEL005 JEWEL ELECTRIC SUPPLY CO.	20-02356	09/22/20	Electric Supplies	Open	455.00	0.00		
JEWIS005 JEWISH COMMUNITY CENTER OF BAY	CD-10349	08/06/20	GY20 Childcare Services	Open	4,000.00	0.00		B

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JJPRI005 J&J PRINTING CO.								
	20-02470	09/18/20	BUSINESS CARDS- RHODES	Open	65.00	0.00		
	20-02653	09/26/20	Business Cards T. Keys	Open	45.00	0.00		
					110.00			
JOHNS045 JOHN S. PAVLOVICH								
	20000704	10/20/20	Professional Engineering	Open	6,375.00	0.00		
KAYCI005 KAYCIE P. BALIS								
	20-02705	10/15/20	Bayonne Youth Football EMT	Open	280.00	0.00		
KENNE010 KENNEDY EVENT SERVICES INC								
	20-02659	07/28/20	Summer Sounds 08/5-26, 09/02	Open	7,500.00	0.00		
KEYLAB05 KEYTECH LABORATORIES								
	20-02632	09/22/20	Bitumin Concrete Testing	Open	3,650.00	0.00		
KILLH005 DONNA KILLMER								
	20-02660	10/06/20	2020 YCP Reimbursement	Open	73.92	0.00		
KNOWB005 KNOWBODY RESOURCES								
	20-02389	09/16/20	BOOKS AND PUBLICATIONS	Open	631.52	0.00		
KREFL005 KRE FLEET URBAN RENEWAL, LLC								
	EM-00031	10/21/20	Partial Release of Escrow Bond	Open	33,461.42	0.00		
KRIST015 KRISTEN BESSINGER								
	20-02454	09/21/20	OFFICE DECOR FOR FIRE DEPT.	Open	57.28	0.00		
	20-02505	09/28/20	CURTAINS FOR F.D & FIRE PREV.	Open	130.41	0.00		
					187.69			
LABCO005 LABCORP OF AMERICA HOLDING								
	20-02590	09/26/20	Pre-Employmt Drug Tstg Sep'20	Open	50.00	0.00		
	20-02625	09/26/20	Pre-Employment Drug Tsts Sep20	Open	935.00	0.00		
					985.00			
LANGU005 LANGUAGE LINE SERVICES								
	20000699	09/30/20	Phone Intptn Svce Sep'20	Open	195.67	0.00		
LAWSO005 LAWSON PRODUCTS INC.								
	20-02531	09/15/20	CG Supplies	Open	1,029.76	0.00		
LOOKO005 LOOKOUT BOOKS								
	20-02494	09/22/20	BOOKS AND PUBLICATIONS	Open	635.99	0.00		
LORCO005 LORCO PETROLEUM SERV								
	20-02532	06/04/20	Used Oil Removal	Open	315.00	0.00		
LOWES005 LOWES								
	20-02476	09/24/20	Materials and Supplies	Open	162.83	0.00		
	20-02479	09/22/20	SUPPLIES FOR AUDIO/VIDEO	Open	225.01	0.00		
	20-02673	10/09/20	Lowe's Supplies	Open	48.47	0.00		
	20-02681	10/13/20	AUDIO/VIDEO PROJECT	Open	104.43	0.00		

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LOWES005 LOWES	Continued							
	20-02682	10/13/20	COVID-19 SUPPLIES	Open	22.56	0.00		
	V0000217	08/26/20	Lowes Supplies	Open	1,113.84	0.00		
	V0000278	08/24/20	Lowes Supplies	Open	88.16	0.00		
	V0000308	09/17/20	Lowes Supplies	Open	326.47	0.00		
	V0000315	09/24/20	Lowes Supplies	Open	603.31	0.00		
	V0000336	09/24/20	Lowes Supplies	Open	244.76	0.00		
	V0000337	08/12/20	Lowes Supplies	Open	<u>131.02</u>	0.00		
					3,070.86			
MATRIX010 MATRIX NEW WORLD ENGINEERING, I								
	20000027	01/11/20	Special Projects Engineer	Open	12,495.00	0.00		
	CD-10374	10/16/20	HFA Boiler Oversight & Asbesto	Open	<u>17,972.13</u>	0.00		B
					30,467.13			
MCGLO005 JOHN MCGLOONE								
	20-02459	09/16/20	65" TV FOR TRAINING SCHOOL	Open	475.23	0.00		
MEDIA010 SMART APPLE MEDIA								
	20-02646	10/13/20	BOOKS AND PUBLICATIONS	Open	378.18	0.00		
MERCE020 MERCER COUNTY								
	20-02729	02/27/20	Course,GORDON, 2/3/20-2/7/20	Open	50.00	0.00		
MICRO025 MICROSYSTEMS-NJ.COM,L.L.C.								
	20-02698	01/05/20	Computer Maintenance & post ca	Open	12,844.72	0.00		
MIDAT005 MID-ATLANTIC TRUCK CENTER								
	20-02565	08/24/20	Truck Repair 08/24/20	Open	1,181.79	0.00		
	20-02584	09/09/20	Truck Repair 09/09/20	Open	<u>1,243.94</u>	0.00		
					2,425.73			
MIDWE010 MIDWEST TAPE								
	20-02492	09/02/20	BOOKS AND PUBLICATIONS	Open	34.48	0.00		
MILLE020 MILLENNIUM STRATEGIES LLC								
	20000110	02/13/20	Grant W.&Mng.Consulting CY2020	Open	11,000.00	0.00	C0-00020	C
MRMIL005 M & R MILLER AUTO GEAR								
	20-02627	10/06/20	CAR WASH SOAP	Open	29.97	0.00		
	20000046	01/15/20	Auto Parts & Supplies	Open	<u>3,203.61</u>	0.00		B
					3,233.58			
MUNIC030 MUNICIPAL EMERGENCY SERVICES								
	20-02661	09/30/20	TEETH SPINNING FOR SM-30F	Open	36.66	0.00		
MUNIC045 MUNICIPAL INSPECTION CORP.								
	20-02629	09/30/20	Elevator Inspections Sep'20	Open	5,853.00	0.00		
MUNIC060 MUNICIPAL COURT ADMIN. ASSOC.								
	20-02510	09/29/20	NCAA Membership dues	Open	200.00	0.00		

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NAPAA005 NAPA AUTO PARTS								
	20-02452	09/15/20	UNIV CHAIN LUBE	Open	6.29	0.00		
	20000048	01/15/20	Auto Parts & Supplies	Open	<u>1,325.01</u>	0.00		8
					1,331.30			
NEWJE085 NEW JERSEY FIRE EQUIP CO.								
	20-02453	04/30/20	RED HEAD ADAPTER	Open	280.00	0.00		
	20-02472	09/10/20	HYDRO-TEST/O" RINGS/RECHARGED	Open	140.00	0.00		
	20-02473	09/10/20	SCOTT DUAL EBSS-HANSEN	Open	619.20	0.00		
	20-02474	09/10/20	SCOTT CIRCUIT BOARD	Open	137.16	0.00		
	20-02702	10/08/20	N-95 MASKS/ADAPTER/CARTRIDGE	Open	<u>17,484.00</u>	0.00		
					18,660.36			
NEWJE170 NEW JERSEY REGISTRARS ASSOCIAT								
	20-02634	10/07/20	Membership for New Registrar's	Open	50.00	0.00		
NEWJE220 NEW JERSEY STATE BAR ASSOC.								
	20-02623	09/09/20	J. Connors Webcast Civil Trial	Open	179.00	0.00		
NEWJE235 NEW JERSEY DOOR WORKS LLC								
	20-02574	09/28/20	FD-200 CFM Door Repair	Open	578.25	0.00		
	20-02669	09/15/20	Door Repairs 330 Hook Rd.	Open	711.00	0.00		
	20-02675	10/06/20	Door Repair 630 Ave C FD	Open	578.25	0.00		
	20-02687	09/30/20	Door Repair 330 Hook Rd	Open	<u>2,655.00</u>	0.00		
					4,522.50			
NEWSP005 NEWSPAPER MEDIA GROUP, LLC								
	20-02460	09/10/20	Indoor Dinning/Back to School	Open	1,226.00	0.00		
NJLM0005 NJLM								
	20-02519	09/03/20	LEGISLATIVE BULLETIN 2020-21	Open	42.00	0.00		
OCLCF005 OCLC Inc.								
	20-02635	10/01/20	Cataloging & Metadata Oct'20	Open	1,458.77	0.00		
OFFIC005 NEW JERSEY PLANNING OFFICIALS								
	20-02630	10/01/20	NJPO Yearly Membership	Open	440.00	0.00		
PABCO005 PABCO INDUSTRIES								
	20-02121	09/16/20	Janitorial Supplies	Open	558.00	0.00		
	20-02353	09/29/20	Black Trash Bags	Open	930.00	0.00		
	20-02359	09/29/20	Heavy Duty Trash Bags	Open	<u>735.00</u>	0.00		
					2,223.00			
PACAS005 GUILLERMO PACAS								
	20-02656	10/06/20	Reimbsmt Driver CDL Exam	Open	80.00	0.00		
PASS0005 EZ PASS								
	20-02573	09/29/20	Acct 2000115108417 Replenishmt	Open	500.00	0.00		
PCAGE005 PC AGE CAREER INSTITUTE								
	20-02704	10/12/20	TRAINING	Open	4,472.50	0.00		

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PHILL010 PHILLY PRETZEL FACTORY								
	20-02658	08/31/20	Pretzels/Summer Camp Finale	Open	525.00	0.00		
PITNE005 PITNEY BOWES INC.								
	20-02507	09/10/20	LIBR Postage Meter Lease Q3'20	Open	180.00	0.00		
PIZZE015 SAN VITO PIZZERIA								
	20-02581	09/26/20	DPW Thank You Pizza	Open	250.00	0.00		
PRAXA005 PRAXAIR DISTRIBUTION, INC.								
	20-02611	09/22/20	Industrial Gases	Open	53.27	0.00		
PROAC010 PROACT, INC								
	TR-10014	10/23/17	Prescription Benefit Plan	Open	111,876.60	0.00		
PSEG0005 PSE&G								
	20-02738	10/21/20	BOOA Emergrncy Assistance	Open	300.00	0.00		
	20000659	09/23/20	Acct 7455992718 08/21-09/21/20	Open	29.07	0.00		
	20000660	09/21/20	Acct 7458/684208 08/19-09/17/2	Open	422.41	0.00		
	20000664	09/28/20	Acct 1301408603 Sep'20	Open	39,560.93	0.00		
	20000665	09/25/20	Acct 1301408905 07/09-09/04/20	Open	15,478.87	0.00		
	20000666	09/28/20	cct 1301409006 08/21-09/21/20	Open	4,202.29	0.00		
	20000689	09/29/20	Acct 1301408700 Sep'20	Open	63,986.54	0.00		
	20000690	10/05/20	Acct 6574856000 09/02-10/01/20	Open	852.50	0.00		
	20000691	10/05/20	Acct 6694264704 09/02-10/01/20	Open	1,270.91	0.00		
	20000692	10/07/20	Acct 7140006407 09/04-10/05/20	Open	648.34	0.00		
	20000693	10/12/20	Acct 7290827902 09/10-10/08/20	Open	199.47	0.00		
	20000694	10/12/20	Acct 7397419208 09/10-10/08/20	Open	18.06	0.00		
	20000695	10/07/20	Acct 7445172904 09/04-10/05/20	Open	43.90	0.00		
	20000696	10/08/20	Acct 7508489500 09/04-10/05/20	Open	58.35	0.00		
	20000700	10/13/20	Acct 1301408107 09/04-10/06/20	Open	4,346.92	0.00		
	20000701	10/12/20	Acct 1301408204 09/03-10/05/20	Open	887.86	0.00		
	20000702	10/02/20	Acct 1301408808 08/27-09/20/20	Open	212.75	0.00		
					132,519.17			
QUALI015 QUALITY AUTO GLASS								
	20-02537	08/18/20	windshield Replacement	Open	432.06	0.00		
	20-02543	09/14/20	windshield Replacemnts	Open	880.16	0.00		
	20-02607	09/22/20	windshield Replacement	Open	387.24	0.00		
					1,699.46			
RACHL005 RACHLES/MICHELE'S OIL COMPANY								
	20000279	04/15/20	Fuel billing CY2020	Open	21,855.58	0.00		
RADIA005 RADIATOR STORE, INC.								
	20-02534	08/20/20	Repair Parts	Open	1,048.00	0.00		
RAINB010 RAINBOW CLEANERS								
	20-02504	08/24/20	NAME INSTALL F/F SKELLY COAT	Open	80.00	0.00		
READY005 READY REFRESH BY NESTLE								
	20000667	09/12/20	Acct 0442720751 Aug-Sep'20	Open	253.77	0.00		

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READY005 READY REFRESH BY NESTLE			Continued					
20000668 09/10/20 Acct 0441205655 Aug-Sep'20				Open	<u>31.00</u> 284.77	0.00		
RECOR005 RECORDED BOOKS LLC								
20-02493 09/14/20 BOOKS AND PUBLICATIONS				Open	490.80	0.00		
RELIA020 RELIABLE WOOD PRODUCTS								
20-02561 09/08/20 Vegetative Recycling Sep'20				Open	600.00	0.00		
20-02567 08/06/20 Vegetative Recycling Aug'20				Open	<u>8,040.00</u> 8,640.00	0.00		
RELIA025 RELIABLE PAPER RECYCLING INC								
20-02674 09/30/20 Miced Paper Rclg Sep'20				Open	8,788.32	0.00	C0-00043	C
REPTR005 REPTRONICS								
20-02517 09/29/20 Service Call for windmer				Open	588.00	0.00		
RESNI005 RESNICK'S HARDWARE								
20-02499 09/29/20 KEY BEST/ALARM				Open	7.98	0.00		
20-02710 10/20/20 DINE OUT RENTED CHAIRS				Open	<u>409.00</u> 416.98	0.00		
RUDROTH5 RUDERMAN & ROTH, LLC.								
20000245 04/07/20 Legal Services - Labor CY2020				Open	5,956.50	0.00	C0-00007	C
RUSSE005 RUSSELL'S AUTO BODY								
LB-00005 01/24/20 Insurance Claims				Open	4,000.00	0.00		
RUTGE010 Tax Collection Program								
20000632 09/15/20 Tax Collection Review 11/20				Open	646.00	0.00		
RUTGE040 RUTGERS, THE STATE UNIVERSITY								
20-02572 09/29/20 Diseases&Pests of Trees Course				Open	225.00	0.00		
RUTGE070 RUTGERS, THE STATE UNIVERSITY								
20-02652 10/05/20 Course Suzanne Mack				Open	113.00	0.00		
SAFET010 SAFE-T								
20-02471 10/16/20 EQUIPMENT FOR NEW F/F RECRUITS				Open	2,364.45	0.00		
SIMSM005 SIMS METAL MANAGEMNET								
20-02677 09/30/20 Comingled Recycling Sep'20				Open	13,838.42	0.00	C0-00044	C
SPARK005 SPARKCLEAN								
20-02601 09/22/20 DEEP CLEAN 9/15/20 , 9/22/20				Open	1,700.00	0.00		
20-02602 08/18/20 8/18,8/25,9/1,9/8 CLEANINGS				Open	3,400.00	0.00		
20-02734 09/29/20 CLEANING 09/29/20				Open	<u>850.00</u> 5,950.00	0.00		
SPRIN015 SPRINT								
20000669 09/30/20 Acct 760119137 Aug-Sep'20				Open	54.08	0.00		

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STACK005 STACK COOLAHAN & STACK,LLC.								
	20000243	04/06/20	Real Estate Counseling S.2020	Open	7,500.00	0.00	C0-00016	C
STAPL010 STAPLES, INC.								
	V0000284	09/02/20	Staples Office Supplies	Open	105.54	0.00		
	V0000309	09/18/20	Nitrile Gloves	Open	126.24	0.00		
	V0000311	09/29/20	PC & Printer	Open	1,039.07	0.00		
	V0000312	09/19/20	Staples Office Supplies	Open	365.06	0.00		
	V0000316	09/24/20	Office Chair	Open	176.27	0.00		
	V0000323	10/03/20	Exam Gloves	Open	19.32	0.00		
					1,831.50			
STATE040 STATE LINE FIRE & SAFETY INC.								
	20-02664	10/01/20	REPAIR RESCUE TOOLS	Open	851.40	0.00		
STEVE005 STEVENS JERSEY CITY FORD								
	20-02548	09/22/20	Repair Parts	Open	731.04	0.00		
	20-02605	08/28/20	Repair Parts	Open	6,726.34	0.00		
	20-02676	09/29/20	Vehicle Maint. 09/29/20	Open	171.91	0.00		
					7,629.29			
SUARE005 WERNER, SUAREZ & MORAN, LLC								
	20000116	02/13/20	Prof.Serv.for Rent Control2020	Open	240.00	0.00	C0-00008	C
SUBUR010 SUBURBAN DISPOSAL, INC.								
	20000124	02/14/20	Solid Wast collection CY2020	Open	141,166.66	0.00	C0-00023	C
	20000137	02/21/20	Recycling Collection CY2020	Open	85,833.33	0.00	C0-00022	C
					226,999.99			
SUNRA005 SUNRAY POWER OPCO V LLC								
	20000703	10/01/20	Solar Power Sep'20	Open	5,291.84	0.00		
SUNSH005 SUNSHINE CAR WASH, LLC								
	20-02455	08/31/20	CAR WASHES FD Aug'20	Open	54.00	0.00		
	20-02456	09/30/20	CAR WASHES PD Aug'20	Open	265.50	0.00		
	20-02683	10/01/20	VEHICLE WASHES FD SEP'20	Open	36.00	0.00		
	20-02731	10/20/20	Car Washes PD SEP'20	Open	270.00	0.00		
					625.50			
SYSTE005 ABACUS DATA SYSTEMS, INC.								
	20-02621	08/24/20	Amicus Attorney User Aug'20	Open	320.00	0.00		
	20-02624	09/24/20	Amicus Attorney User Sep'20	Open	320.00	0.00		
					640.00			
TAPIN005 TAPINTO LLC								
	20-02711	10/20/20	advertising for 9/1/2020	Open	1,100.00	0.00		
	20-02712	10/20/20	Advertising for 8/1/2020	Open	1,100.00	0.00		
					2,200.00			
TELLN005 ROBERT TELLMAN								
	20-02655	10/06/20	Reimbsnt Driver CDL Exam	Open	80.00	0.00		

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Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
TENNA005 TENNANT SALES & SERVICE								
	20-02545	08/25/20	Repair Parts	Open	60.55	0.00		
TERRE015 TERRENCE M LYNCH								
	20-02509	08/21/20	"ZOOM" Presentation LIBR	Open	300.00	0.00		
THOMA030 THOMAS J KOEHL ESQ.								
	20-02466	09/10/20	ALT PUBLIC DEFENDER SERVICES	Open	300.00	0.00		
TIMMOR05 TIMOTHY J.MORIARTY, ESQ.								
	20000115	02/13/20	Prof.Ser.as B.M.Prosecuter2020	Open	2,400.00	0.00	CD-00010	C
TRANS005 BORKER TRANSMISSIONS								
	20-02563	09/03/20	Transmission Repairs	Open	8,731.99	0.00		
TRANS045 TRANSUNION RISK ALTERNATIVE DA								
	20-02592	10/01/20	Trnsuin Onln Svce Aug-Sep'20	Open	245.70	0.00		
TRIAD005 TRIAD ASSOCIATES								
	CD-10283	07/09/19	CDBG Admin & Planning Consult	Open	7,465.00	0.00		
TRIAI010 TRI AIR TESTING INC								
	20-02662	09/30/20	AIR ANALYSIS	Open	195.01	0.00		
TRIAN010 TRIANGLE T.V. AIR CONDITIONING								
	20-02737	10/21/20	BOOA Emergency Assistance	Open	500.00	0.00		
TRIMA005 TRIMALAWN EQUIPMENT								
	20-02608	09/22/20	Repair Parts	Open	91.46	0.00		
TRINITAS TRINITAS REGIONAL MEDICAL CENT								
	20000244	04/07/20	Mental Health Services Cy2020	Open	13,625.00	0.00	CD-00021	C
TRIUS010 TRIUS INC.								
	20-02539	08/07/20	Repair Parts	Open	751.34	0.00		
	20-02609	09/29/20	Acuator Switch	Open	72.32	0.00		
					823.66			
TULPE005 TULPEHOCKEN SPRING WATER INC								
	20-02591	09/23/20	9/23/20 DELIVERY, INV#230099	Open	26.99	0.00		
	20-02594	10/07/20	PD WATER DELIVERIES Jun'20	Open	73.98	0.00		
					100.97			
TURN0005 TURN OUT FIRE & SAFETY INC								
	20-02506	09/24/20	UNIFORMS FOR FIRE DEPT.	Open	1,195.48	0.00		
	20-02555	10/05/20	UNIFORMS FOR NEW RECRUITS	Open	7,023.94	0.00		
	20-02618	09/24/20	UNIFORMS	Open	548.96	0.00		
					8,768.38			
ULINE005 ULINE								
	v0000300	09/14/20	JANITORIAL SUPPLIES	Open	301.19	0.00		

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Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
UNITE110 UNITED SITE SERVICES								
	20-02464	09/04/20	Ptbl RR 33 Hook PD Sep'20	Open	180.00	0.00		
	20-02566	09/03/20	Ptbl RR 9/11M & HR-Y Sep'20	Open	468.01	0.00		
					648.01			
VERAL005 V E RALPH & SON INC.								
	20-02514	09/24/20	COVID-19 SUPPLIES	Open	112.65	0.00		
	20-02700	04/17/20	COVID-19 SUPPLIES	Open	106.25	0.00		
	20-02701	04/17/20	COVID-19	Open	49.30	0.00		
	20-02703	05/13/20	PROTECTIVE GOGGLES/COVID-19	Open	125.00	0.00		
	20-02706	10/12/20	PROTECTIVE GOGGLES/COVID-19	Open	212.00	0.00		
					605.20			
VERIZ005 VERIZON BUSINESS								
	20000661	09/25/20	Acct 93282293 Aug-Sep'20	Open	339.64	0.00		
VERIZ020 VERIZON								
	20-02457	09/15/20	Acct 750717365000190 Sep-Oct20	Open	19.65	0.00		
	20000687	09/30/20	Acct 251285631000158 Oct'20	Open	183.76	0.00		
					203.41			
VERIZ045 VERIZON								
	20-02733	10/06/20	Acct 151937649000114 Oct-Sep20	Open	154.99	0.00		
VERIZ075 VERIZON WIRELESS								
	20-02516	09/23/20	Acct 242078130-00002 Aug-Sep20	Open	3,902.14	0.00		
	20-02588	09/23/20	Acct 242078130-00001 Aug-Sep20	Open	570.86	0.00		
	20-02589	09/25/20	Acct 382696480-00001 Aug-Sep20	Open	2,437.67	0.00		
	20-02730	10/01/20	Acct 682559572-00001 Sep'20	Open	1,216.40	0.00		
	20000670	08/01/20	Acct 286793355-00001 Jul-Aug20	Open	539.25	0.00		
	20000671	09/23/20	Acct 642003467-00001 Aug-Sep20	Open	525.06	0.00		
	20000672	09/23/20	Acct 786747072-00001 Aug-Sep20	Open	692.49	0.00		
	20000673	09/21/20	Acct 685477848-00001 Aug-Sep20	Open	565.62	0.00		
	20000688	10/01/20	Acct 286793355-00001	Open	613.26	0.00		
					11,062.75			
WBMA010 WB MASON CO. INC.								
	20-02035	08/10/20	Office Supplies	Open	295.27	0.00		
	20-02139	09/25/20	DESK CHAIR	Open	199.00	0.00		
	20-02242	09/03/20	SUPPLIES	Open	504.41	0.00		
	20-02302	09/14/20	NARCO, TYLER, CATH	Open	172.84	0.00		
	20-02354	09/18/20	OFFICE SUPPLIES	Open	186.01	0.00		
	20-02358	09/21/20	Office Supplies	Open	180.60	0.00		
	20-02361	09/18/20	WBM Office Supplies	Open	56.97	0.00		
	20-02362	09/18/20	P&E, RAMOS	Open	222.77	0.00		
	20-02403	09/22/20	Office Supplies	Open	234.86	0.00		
	20-02416	09/23/20	COVID-19 SUPPLIES	Open	200.00	0.00		
	20-02433	09/29/20	OFFICE SUPPLIES	Open	130.85	0.00		
	20-02442	10/01/20	DB & RAMOS	Open	151.27	0.00		
	20-02446	10/01/20	chair	Open	457.12	0.00		
	20-02497	10/01/20	Office Supplies	Open	117.63	0.00		
	20-02615	10/09/20	COVID-19 SUPPLIES	Open	500.00	0.00		
	20-02619	10/09/20	TRAFFIC, DB	Open	376.15	0.00		

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Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
WBMA010 WB MASON CO. INC.			Continued					
	V0000282	09/21/20	Chair	Open	395.30	0.00		
	V0000285	09/04/20	WBM Office Supplies	Open	1,602.28	0.00		
	V0000288	08/28/20	WBM Office Supplies	Open	169.62	0.00		
	V0000301	09/17/20	Copier Paper	Open	559.80	0.00		
	V0000314	09/21/20	Copier Paper	Open	559.80	0.00		
	V0000324	09/30/20	WBM Office Supplies	Open	193.46	0.00		
					7,466.01			
WHITM005 WHITMAN								
	20-02577	06/19/20	Asbestos/Lead Paint Testing	Open	11,850.00	0.00		
WILLI075 WILLIAM BARTOS								
	20-02515	10/01/20	IPAD SCREEN REPAIR	Open	225.94	0.00		
	20-02603	10/06/20	BLUE TARPS	Open	33.55	0.00		
					259.49			
WILLI090 WILLIS TOWERS WATSON								
	LB-00002	12/26/19	Insurance Renew & Cancellation	Open	4,150.30	0.00		
XEROX020 XEROX CORPORATION								
	20-02508	09/09/20	W7225P Aug'20,MC6655XD Sep'20	Open	332.79	0.00		
	CD-10297	08/14/19	Base & Meter Charges	Open	669.56	0.00		
					1,002.35			
Total Purchase Orders: 388 Total P.O. Line Items: 0 Total List Amount: 2,014,757.21 Total Void Amount: 0.00								

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Totals by Year-Fund	Fund	Budget Total	Revenue Total	G/L Total	Total
Fund Description					
CURRENT FUND	0-01	1,379,114.48	0.00	0.00	1,379,114.48
PARKING FUND	0-05	3,472.21	0.00	0.00	3,472.21
Year Total:		1,382,586.69	0.00	0.00	1,382,586.69
CURRENT FUND	9-01	7,607.00	0.00	0.00	7,607.00
GENERAL CAPITAL FUND	C-04	170,952.43	0.00	0.00	170,952.43
FEDERAL AND STATE GRANT FUND	G-02	116,449.29	0.00	0.00	116,449.29
CDBG	T-03	154,246.21	0.00	0.00	154,246.21
TRUST-OTHER	T-12	110,303.69	0.00	0.00	110,303.69
LIABILITY FUND - TRUST OTHER	T-17	8,150.30	0.00	0.00	8,150.30
REDEVELOPMENT ESCROW	T-27	64,461.60	0.00	0.00	64,461.60
Year Total:		337,161.80	0.00	0.00	337,161.80
Total of All Funds:		2,014,757.21	0.00	0.00	2,014,757.21

* * * * *

22. 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; ow, 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.

* * * * *

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

20-10-21-023

RESOLVED, That the official minutes of the regular council meeting held Wednesday, September 23, 2020 be and the same are hereby approved.

* * * * *

24. 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, September 16, 2020, be and the same are hereby approved

* * * * *

25. 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
54	10	SAMEH HEMAEN	1,863.00
77	32	ANTHONY COFONE & HELEN ROBLES-COFONE	1,804.00
90	19	NICHOLAS PICCOLO	1,946.00
147	4	ARLENE PAMITTAN & NICHOLAS MOY	1,553.00
224	2	CLEAR SKIES TITLE AGENCY	3,757.00
243	12	PRICELLA & PEARL HOWARD	3,102.00
262	2	ALEXANDER & IMAINI WALDMAN	2,805.00
357	38	CORELOGIC	2,418.18
434	24	LUCAS DIAZ	2,876.00
TOTAL			22,188.18

* * * * *

- 26.** 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 \$ 35.40 drawn of the Bureau of Rabies Control, State Department of Health, Trenton, New Jersey, covering the issuance of licenses Nos. 764-777 inclusive, 12 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.

* * * * *

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

WHEREAS, the City Clerk's Office has issued One Hundred forty (140) Marriage Licenses during the months of July, August and September and has collected \$25.00 per license, which is to be forwarded to the Division of Youth and Family Services, now, therefore be it

RESOLVED, that a warrant in the amount of Three Thousand five hundred dollars (\$3,500.00) be drawn to the order of the Treasurer, State of New Jersey and forwarded to the City Clerk's Office for disbursement.

* * * * *

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

WHEREAS, Anthony Farone tendered a check in the sum of \$250.00 to the City of Bayonne in connection with an application for a municipal peddlers license for which sum has been confirmed as received by the City Clerk; and

WHEREAS, said application was submitted for the St. Patrick's Day Parade which was canceled due to the COVID-19 pandemic

WHEREAS, Anthony Farone has requested that he be reimbursed the above noted application fee in the amount of \$250.00; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Comptroller and/or other appropriate officials of the City of Bayonne are hereby authorized to issue a reimbursement in the amount of \$250.00 payable to Anthony Farone in connection with the above noted withdrawn application.

* * * * *

- 29.** 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 BEOF ROOF REPLACEMENT.

* * * * *

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

WHEREAS, the State of New Jersey is under a State of Emergency as a result of the COVID-19 pandemic, and

WHEREAS, due to the State of Emergency, it was necessary to purchase ten (10) new police vehicles ("New Police Vehicles") in order provide essential emergency services and to ensure the health, safety and welfare of the citizens of the City of Bayonne; and

WHEREAS, the City did purchase the New Police Vehicles pursuant to Resolution No. 20-03-18-066 adopted March 18, 2020; and

WHEREAS, to facilitate social distancing of its members, the City of Bayonne's Police Department is in need of ten (10) computer systems for the New Police Vehicles ("Computer Systems"); and

WHEREAS, Gold Type Business Machines, Inc., 351 Paterson Avenue, East Rutherford, New Jersey ("GTBM") is capable of supplying said Computer Systems under State Contract #83904; and

WHEREAS, the Director of Public Safety is in receipt of a Quote for said Computer Systems from GTBM for the amount of \$88,138.50; 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 Purchasing Agent of the City of Bayonne is hereby authorized to execute any and all documents necessary and take any and all actions to effectuate the purchase of the aforesaid Computer Systems from GTBM under State Contract #83904 for the amount of \$88,138.05.

2. Funds shall be chargeable to Account G-02-41-877-0000-199.

* * * * *

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

WHEREAS, the Police Department of the City of Bayonne established that there was a need for an semi-annual software support and extended one-year warranties for all equipment deployed as part of the Digital Video Surveillance Network (DVSN) throughout the city; and

WHEREAS, Hitachi Data Systems ("Hitachi"), 2845 Lafayette Street, Santa Clara, CA 95050, provided the City with an IP-Surveillance Support Agreement to supply the aforesaid services for a six month period commencing July 1, 2020 and ending December 31, 2020 at a cost of \$23,250.00 and

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

WHEREAS, Hitachi Vantara Corporation, the successor to Hitachi Data Systems, has completed and submitted a Business Entity Disclosure Certification certifying that it has not made any reportable contributions to a political or candidate committee in the City of Bayonne in the one (1) year next preceding July 1, 2020, and, furthermore, that the contract will prohibit Hitachi Vantara Corporation from making any reportable contributions through the contract term in accordance with N.J.S.A. 19:44A-20.5; and

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

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

WHEREAS, funds are certified as available in Account No. 0-01-25-240-0000-028; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and/or his designee is hereby authorized to execute the IP-Surveillance Support Agreement with Hitachi Vantara Corporation, 2845 Lafayette Street, Santa Clara, CA 95050, for annual software support and extended one-year warranties for all equipment deployed as part of the Digital Video Surveillance Network (DVSN) deployed throughout the city for a one year period commencing July 1, 2020 and ending December 31, 2020 at a cost of \$23,250.00.

2. Funds are chargeable to Account No.0-01-25-240-0000-028

3. The Municipal Treasurer be and is hereby authorized and directed to issue a warrant payable to Hitachi Vantara Corporation, in the amount of \$23,250.00 in payment for said services.

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

* * * * *

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

WHEREAS, Resolution 20-07-15-053 adopted July 15, 2020 authorized the Purchasing Agent and/or the Director of Public Safety and/or his designee(s) to execute any and all documents necessary and take any and all actions to effectuate the procurement and installation of the equipment and services necessary to implement a Fixed Automated Plate Reader initiative throughout the City of Bayonne ("Equipment and Installation Services") through NJ State Blanket Purchase Order No. M0003 at a total cost of \$73,718.79; and

WHEREAS, SHI International Corp., provided the City with a Pricing Proposal Quotation #19102522 for the Equipment and Installation Services dated July 6, 2020, in the amount of \$73,718.79, under NJ State Blanket Purchase Order No. M0003; and

WHEREAS, SHI International Corp. has also provided the City with Pricing Quotation #19147647 dated July 15, 2020 in the amount of \$8,500.00 for annual maintenance of said equipment ("Annual Maintenance"); and

WHEREAS, funds for the Equipment and Installation Services in the amount of \$73,718.79 are certified as available in Account T-12-56-931-8023-199; and

WHEREAS, funds for the Annual Maintenance in the amount of \$8,500.00 are certified as available in Account 0-01-25-240-0000-024; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Municipal Treasurer is hereby authorized to issue payment in the amount of \$82,218.79 to SHI International Corp. representing payment for the Equipment and Installation Services (\$73,718.78) and Annual Maintenance (\$8,500.00).

2. Funds shall be chargeable to Accounts T-12-56-931-8023-199 (\$73,718.78) and 0-01-25-240-0000-024 (\$8,500.00).

* * * * *

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

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The City Council of the City of Bayonne, County of Hudson, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the City Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the City Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Hudson;

NOW, THEREFORE, BE IT RESOLVED by the City of Bayonne, County of Hudson, State of New Jersey hereby recognizes the following:

1. The City Council does hereby authorize submission of a strategic plan for the Bayonne Municipal Alliance grant year October 1, 2020 to June 30, 2021 in the amount of:

DEDR	\$ 14,940.00
Cash Match	\$ 3,735.00

In-Kind \$ 11,205.00

2. The City Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

APPROVED: _____
(James Davis), Mayor

CERTIFICATION

I, Madelene C. Medina, Municipal Clerk of the City of Bayonne, County of Hudson, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the City Council on this 21st day of October, 2020.

Madelene C. Medina, Municipal Clerk

* * * * *

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

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 City has in need to purchase Hurst Jaws of Life Vehicle Extrication Tools for the Fire Department; and

WHEREAS, State Line Fire & Safety, Inc., 50 Park Avenue, Park Ridge, NJ 07666 has provided the City with a Quote dated September 30, 2020 for the amount of \$29,430.00; and

WHEREAS, funds are certified as available in Account #C-04-55-942-1956-994; now, therefore, be it

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

1. The Purchasing Agent is hereby authorized to take any and all actions necessary to procure the aforesaid Hurst Jaws of Life Vehicle Extrication Tools from State Line Fire & Safety, Inc., 50 Park Avenue, Park Ridge, NJ 07666 for the amount of \$29,430.00.

2. Funds shall be chargeable to account #C-04-55-942-1956-994.

* * * * *

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

WHEREAS, the Director of Public Safety has determined that the following vehicles are out of service and beyond repair:

2001 American LaFrance Fire Engine

1999 Ford Expedition
2006 Ford F-350
1995 Pierce Fire Engine

WHEREAS, the Director of Public Safety has further determined that the City no longer has a need for the aforesaid vehicles and that said vehicles should be sold as scrap or at auction to the highest bidder; now, therefore, be it

RESOLVED by the Municipal Counsel as follows:

The Director of Public Safety and/or any other appropriate City Official is/are hereby authorized sell as scrap or to auction off the above listed vehicles to the highest bidder subject to the applicable statutes and regulations governing such sales.

* * * * *

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

WHEREAS, the Director of Public Safety has demonstrated a need to purchase a 2021 Ford F-150 pick-up truck for the Fire Department; and

WHEREAS, Winner Ford of Cherry Hill, New Jersey is capable of supplying said pick-up truck under State Contract #17-FLEET-00212; and

WHEREAS, the Director of Public Safety is in receipt of a Quote for said 2021 Ford F-150 pick up truck for the amount of \$\$32,113.00; and

WHEREAS, funds are certified as available in Account C-04-55-942-1956-994; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Purchasing Agent of the City of Bayonne is hereby authorized to execute any and all documents necessary and take any and all actions to effectuate the purchase of the aforesaid 2021 Ford F-150 pick-up truck for the Fire Department from Winner Ford of Chery Hill, New Jersey under State Contract #17-FLEET-00212 for the amount of \$32,113.00.

2. Funds shall be chargeable to Account C-04-55-942-1956-994.

* * * * *

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

RESOLUTION: APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE IMPROVEMENT TO EAST 22ND STREET PROJECT. (LOCAL FREIGHT GRANT)

NOW THEREFORE, BE IT RESOLVED that Council of the City of Bayonne formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as LFIF-2021-Improvements to East 22nd Street P-00010 to the New Jersey Department of Transportation on behalf of the City of Bayonne.

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

Certified as a true copy of the Resolution adopted by the Council
On this 27th day of October, 2020

Madelene C. Media
Clerk

* * * * *

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

RESOLUTION NO. 20-10-21-038

City of Bayonne
Hudson County, New Jersey

SUBMITTED THIS 21ST DAY OF OCTOBER, 2020
TO THE MAYOR AND COUNCIL OF THE CITY OF BAYONNE:

**A RESOLUTION TO AUTHORIZE THE SUBMISSION OF A GRANT APPLICATION
TO THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE FY2020
TRANSPORTATION ALTERNATIVES SET-ASIDE PROGRAM**

WHEREAS, the FY2020 Transportation Alternatives Set-Aside Program (the "Program") provides federal funds for community based "non-traditional" projects designed to strengthen the cultural, aesthetic, and environmental aspects of the nation's intermodal system; and,

WHEREAS, the FY2020 Program is being administered by the New Jersey Department of Transportation; and,

WHEREAS, the maximum amount of grant funds available is \$1 million, and the City of Bayonne will provide additional funds to fully fund the project; and,

WHEREAS, the attached grant application describes the terms and conditions of applying for the grant funding; and,

WHEREAS, the City of Bayonne (the "City") is experiencing significant pedestrian traffic across the intersection at Route 440 and East 22nd Street between the commercial center east of Route 440 and the 22nd Street Light Rail Station; and,

WHEREAS, the City recognizes that there is a significant need for improved pedestrian access across Route 440 and safer pedestrian access to the 22nd Street Light Rail Station, as the existing pedestrian route is dangerous and inaccessible;

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

- A. The City of Bayonne hereby accepts the terms of the grant funding and authorizes the electronic submission of the grant application identified as *TA-2020-22nd Street Pedestrian Bridge Projec-00046* to the New Jersey Department of Transportation on behalf of the City of Bayonne; and,
- B. The Mayor and Council of the City of Bayonne hereby authorizes submission of the grant application identified as *TA-2020-22nd Street Pedestrian Bridge Projec-00046*

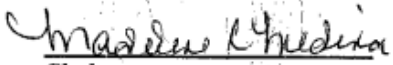
to the New Jersey Department of Transportation for a requested amount not to exceed \$1 million; and,

C. The City of Bayonne alone will assume maintenance responsibility over all improvements completed with grant funding awarded under the FY2020 Transportation Alternatives Set-Aside Program; and,

D. In accordance with 23 CFR § 635.105(a)(4) the City of Bayonne hereby designates Suzanne Mack as the responsible charge for this program. Suzanne Mack is a full-time employee of the City of Bayonne in the role of City Planner, and will be responsible charge for the proposed project.

E. This resolution shall take effect immediately upon passage.

Certified as a true copy of the Resolution adopted by the Council
On this 27th day of Oct, 2020

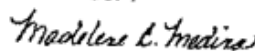

Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL _____
Clerk

Mayor

A TRUE COPY


CITY CLERK

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

WHEREAS, the City of Bayonne is desirous to address Pedestrian Safety in a comprehensive manner, including but not limited to, education, engineering and enforcement; and

WHEREAS, the City has undertaken steps to facilitate programs that target the community as whole, with a special emphasis on children, senior citizens & non-English speaking residents; and

WHEREAS, the City is desirous to improve high risk pedestrian intersections with enhanced crosswalk markings and signage; and

WHEREAS, the City has applied to the Department of Traffic and Highway Safety for grants to facilitate improvements to pedestrian safety; and

WHEREAS, the City has been awarded a grant in the amount of \$30,000.00 for the FY2021 Pedestrian Safety Grant by the State of New Jersey Department of Traffic and Highway Safety, and

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

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

1. The City of Bayonne accepts the grant in the \$30,000.00 from New Jersey Department of Traffic and Highway Safety for the FY2021 Pedestrian Safety Grant.
2. The Division of Finance is hereby authorized to establish the proper account for these funds.

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

WHEREAS, North Hook Associates filed a 2020 direct tax appeal with the Tax Court of the State of New Jersey for the property known as 69-73 LeFante Way (Block 412, Lot 3); and

WHEREAS, after an exchange of information regarding the property's size resulted in an agreed upon reduction in taxable square footage of warehouse space from 89,175 square feet to 69,979 square feet; and

WHEREAS, the reduction in taxable square footage prompted the parties to propose a settlement whereby the assessed value of the property would be reduced from \$11,270,900.00 to \$8,844,700.00 for the tax year 2020; and

WHEREAS, the City's Tax Assessor and legal counsel have recommended that the City enter into a settlement agreement whereby the 2020 assessed value of the property is reduced from \$11,270,900.00 to \$8,844,700.00, resulting in a refund/credit to the taxpayer of \$62,256.29; 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.

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

WHEREAS, the City of Bayonne employed ALBERT ROESINGER as a Police Sergeant at 630 Avenue C, Bayonne, New Jersey; and

WHEREAS, ALBERT ROESINGER is an active member of the PFRS; and

WHEREAS, as of November 30th, 2021, ALBERT ROESINGER will have twenty-three (23) years, ten (10) months and nine (9) days of PFRS Service Credit, meeting the minimum service credit requirement of at least 4 years of PFRS members; and

WHEREAS, based on the documentation supplied by professionals retained by the City of Bayonne, the City of Bayonne is of the opinion that ALBERT ROESINGER is totally and permanently disabled and is no longer able to perform his assigned duties; and

WHEREAS, the City of Bayonne is unable to provide an alternative to the PFRS covered position with duties capable of being performed by said ALBERT ROESINGER; and

WHEREAS, the Business Administrator, Public Safety Director and Police Chief have consented to the processing of the Involuntary Disability Retirement application for ALBERT ROESINGER; now, therefore, be it

RESOLVED, as follows:

- 1. That the Business Administrator, Public Safety Director and the Police Chief are hereby authorized to process an Involuntary Disability Retirement application for ALBERT ROESINGER.
- 2. Copies of this resolution shall be forwarded to all parties involved in this administrative action.

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42. Council Member Perez moved the following resolution, seconded by Council Member Gullace 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
FY2020 Bullet Proof Vest Grant	0.00	\$26,880.00
FY2021 Pedestrian Safety Grant	0.00	\$30,000.00

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

Grant Name	From	To
FY2020 Bullet Proof Vest Grant	0.00	\$26,880.00
FY2021 Pedestrian Safety Grant	0.00	\$30,000.00

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

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

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43. Council Member LaPelusa moved the following resolution, seconded by Council Member Perez 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 \$11,425 for the purpose of providing the cost of Indoor Environmental Health Assessment (IEHA) 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 Indoor Environmental Health Assessment (IEHA) 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-1081; 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 Indoor Environmental Health Assessment (IEHA) 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 \$11,425.00 for the period commencing September 1, 2020 and ending August 31, 2021.

3. Funds shall be charged to Account #CDBG-1081

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

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY
AUTHORIZING THE DESIGNATION AND TRANSFER OF THE REDEVELOPMENT
AGREEMENT FROM MCDONALD'S CORP TO MCDONALD'S REAL ESTATE COMPANY
FOR THE PROPERTY LOCATED AT 537-543 BROADWAY, WHICH IS IDENTIFIED AS
BLOCK 189, LOT 24 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF
BAYONNE FOR THE REDEVELOPMENT OF SUCH PROPERTY IN ACCORDANCE WITH
THE REDEVELOPMENT PLAN (MCDONALD'S)

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

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

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

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

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

WHEREAS, McDonald's Corporation, by Resolution dated June 21, 2017 was previously designated the Redeveloper for the purpose of implementing the Redevelopment Plan; and

WHEREAS, the Redeveloper has requested that the Municipal Council, as a redevelopment entity, designate McDonald's Real Estate Company as the new Redeveloper and authorize the transfer of the redevelopment agreement with McDonald's Corp. to McDonald's Real Estate Company providing for the development of the Property in accordance with the Redevelopment Plan (the "Redevelopment Agreement"); and

WHEREAS, the Municipal Council affirms the designation of McDonald's Real Estate Company, as Redeveloper of the Redevelopment Area and authorized the execution of a Redevelopment Agreement with the Redeveloper, as provided for and in accordance with the provisions of the Redevelopment Law.

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

Section 1. The Municipal Council of the City of Bayonne hereby designates with McDonald's Real Estate Company as the redeveloper of the Redevelopment Area and revokes all prior designations.

Section 2. The Municipal Council of the City of Bayonne authorizes the re-execution and or transfer of the "Redevelopment Agreement By and Between the City of Bayonne and McDonald's Corp. to McDonald's Real Estate Company, concerning the Redevelopment Area identified as Block 189, Lot 6 in the City of Bayonne, in such a form deemed advisable by the City Attorney, subject to any and all conditions contained herein and such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel to the City.

Section 3. This Resolution shall take effect immediately.

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

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

WHEREAS, in response to the COVID-19 pandemic, the City of Bayonne's Director of Public Safety must take certain measures to ensure the health, safety and security of the Municipal Building and it's employees; and

WHEREAS, in order to ensure the health, safety and security of the Municipal Building and it's employees and to maintain the integrity of operations and security at the Municipal Building during the COVID-19 pandemic, certain security upgrades to the underground garage, as more particularly set forth in Proposal #239760 submitted by New Jersey Door Works, 689 Ramsey Avenue, Hillside, NJ 07205 for the amount of \$63,975.00, which proposal is attached hereto as Schedule A ("Scope of Work"), have been deemed necessary in order to prevent the spread of COVID-19 by infected individuals entering the Building; 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, safety and welfare of the City's employees is essential to serving the citizens of the City of Bayonne; and

WHEREAS, funds are certified as available in Account G-02-41-877-0000-199; 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 New Jersey Door Works, 689 Ramsey Avenue, Hillside, NJ 07206 to perform the aforesaid Scope of Work pursuant to Proposal #239760 attached hereto as Schedule A for an amount of \$63,975.00.

2. Funds shall be chargeable to Account G-02-41-877-0000-199.

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

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

WHEREAS, the State of New Jersey is under a State of Emergency as a result of the COVID-19 pandemic, and

WHEREAS, in order provide essential emergency services ensuring the health, safety and welfare of the citizens of the City of Bayonne in the most efficient manner, and to ensure social distancing by its members, it is necessary for the Police Department to purchase twenty (20) new desk top computers and two (2) laptop computers ("Computers"); and

WHEREAS, Dell Marketing, LLC, ("Dell") is capable of supplying said Computers under State Contract #89850; and

WHEREAS, the City of Bayonne Director of Public Safety is in receipt of Quote #300007180288 from Dell for said Computers for the amount of \$20,999.25; 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 Purchasing Agent of the City of Bayonne is hereby authorized to execute any and all documents necessary and take any and all actions to effectuate the purchase of the aforesaid Computers from Dell under State Contract #89850 for the amount of \$20,999.25.

2. Funds shall be chargeable to Account G-02-41-877-0000-199.

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

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

WHEREAS, Resolution Nos. 20-06-17-063 and 20-06-17-064 adopted June 19, 2020 authorized the City Clerk to advertise for bids for Solid Waste Collection and the Collection of Recyclable Materials ("Collection Services") respectively; and

WHEREAS, pursuant to said resolutions, the City Clerk advertised in the Jersey Journal on August 21, 2020 that sealed bids for the aforesaid Collection Services for a period of three (3) years with two (2) one (1) year options, exercisable in the municipality's discretion, to commence November 1, 2020 in accordance with the terms of the Bid Specifications and *N.J.A.C. 7-26H6 et seq.*, would be received on October 23, 2020; and

WHEREAS, the Director of Public Works and the Chief Financial Officer have advised that it would be in the best interest of the City to amend the Bid Specifications by Addendum to change the contract term to commence on January 1, 2021 to coincide with the City's calendar year; and

WHEREAS, said modifications constitute a material change to the Specifications and, as such, the City must advertise the Addendum reflecting the new contract term commencing January 1, 2021; now, therefore, be it

RESOLVED, by the Municipal Council that the City Clerk is hereby authorized to advertise the Addendum to the previously advertised bids for Solid Waste Collection and the Collection of Recyclable Materials for a period of three (3) years with two (2) one (1) year options exercisable in the municipality's discretion, to commence January 31, 2021.

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

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

WHEREAS, the City is in need of professional planning and engineering services in connection with NJDOT Local Concept Development Study for a Pedestrian Bridge over Rt. 440 at 34th Street in accordance with the Federal Procedures for Administration and Inspection of Federal Aid Highway Projects for the calendar year 2021, now, therefore, be it

RESOLVED, the Municipal Council hereby authorizes the advertisement of Requests for Qualifications/Proposals for planning and engineering services to prepare the Local Concept Development Study for a period commencing January 1, 2021 pursuant to the fair and open contracting provisions set forth in NJSA 19:44 A 20.2 and *N.J.S.A. 19:44A-20.4* and *N.J.S.A. 19:44A-20.5*.

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

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

WHEREAS, pursuant to Resolution No. 15-10-21-047 adopted by the Municipal Council on October 21, 2015, the City entered into Agreement No. CY15-087 with Suburban Disposal, 54 Montesanno Road, Fairfield, New Jersey 07004 ("Suburban") for the collection of Solid Waste for a base contract term of three (3) years, commencing November 1, 2015 and ending October 31, 2018 at a cost of \$4,440,000.00, with two (2) additional one (1) year options at a cost of \$1,590,000.00 per year, if exercised; and

WHEREAS, pursuant to Resolution Nos. 18-10-17-050 adopted on October 17, 2018 and 19-12-18-087 adopted December 18, 2019, respectively, the City exercised both options under Agreement No. CY15-087 extended the base term through October 31, 2020 for a total contract amount of \$8,087,833.25; and

WHEREAS, pursuant to Resolution No. 20-06-17-063 adopted June 19, 2020, the City Clerk advertised in the Jersey Journal on August 21, 2020 that sealed bids for Solid Waste Collection Services for a period of three (3) years with two (2) one (1) year options, exercisable in the municipality's discretion, to commence November 1, 2020 in accordance with the terms of the Bid Specifications and *N.J.A.C. 7-26H6 et seq.*, would be received and opened on October 23, 2020; and

WHEREAS, the Director of Public Works and the Chief Financial Officer have advised that it would be in the best interest of the City to amend the Bid Specifications to provide for a contract term commencing January 1, 2021 consistent with the City's calendar year; and

WHEREAS, in order to amend the upcoming contract term to a calendar year commencing January 1, 2021, it is necessary to extend Agreement No. CY15-087 through December 31, 2020; and

WHEREAS, Suburban is agreeable to extending said Agreement No. CY15-087 through December 31, 2020 for an amount not to exceed \$400,000.00; 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. The Mayor and City Clerk are hereby authorized to take any and all actions and execute any and all documents to effectuate the extension of Agreement No. CY15-087 through December 31, 2020 for an amount not to exceed \$400,000.00, thereby making the total contract amount not to exceed \$8,487,833.25.

2. Funds shall be chargeable to account #0-01-32-465-0000-028.

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

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

WHEREAS, pursuant to Resolution No. 15-10-21-048 adopted by the Municipal Council on October 21, 2015, the City entered into Agreement No. CY15-086 with Suburban Disposal, 54 Montesanno Road, Fairfield, New Jersey 07004 ("Suburban") for the collection of Recyclable Materials for a base contract term of three (3) years, commencing November 1, 2015 and ending October 31, 2018 at a cost of \$4,440,000.00, with two (2) additional one (1) year options at a cost of \$1,590,000.00 per year, if exercised; and

WHEREAS, pursuant to Resolution Nos. 18-10-17-049 adopted on October 17, 2018 and 19-12-18-086 adopted December 18, 2019, respectively, the City exercised both options under Agreement No. CY15-086 extended the base term through October 31, 2020 for a total contract amount of \$4,993,999.96; and

WHEREAS, pursuant to Resolution No. 20-06-17-064 adopted June 19, 2020, the City Clerk advertised in the Jersey Journal on August 21, 2020 that sealed bids for the collection of Recyclable Materials for a period of three (3) years with two (2) one (1) year options, exercisable in the municipality's discretion, to commence November 1, 2020 in accordance with the terms of the Bid Specifications and *N.J.A.C. 7-26H6 et seq.*, would be received and opened on October 23, 2020; and

WHEREAS, the Director of Public Works and the Chief Financial Officer have advised that it would be in the best interest of the City to amend the Bid Specifications to provide for a contract term commencing January 1, 2021 consistent with the City's calendar year; and

WHEREAS, in order to amend the upcoming contract term to a calendar year commencing January 1, 2021, it is necessary to extend Agreement No. CY15-086 through December 31, 2020; and

WHEREAS, Suburban is agreeable to extending said Agreement No. CY15-086 through December 31, 2020 for an amount not to exceed \$200,000.00; 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. The Mayor and City Clerk are hereby authorized to take any and all actions and execute any and all documents to effectuate the extension of Agreement No. CY15-086 through December 31, 2020 for an amount not to exceed \$200,000.00, thereby making the total contract amount not to exceed \$5,193,999.96.

2. Funds shall be chargeable to account #0-01-32-465-0000-028.

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

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

district owners are looking to host a Covid-19 compliant outdoor dining festival to promote and support the upper mid-town business district; and

WHEREAS, the City of Bayonne is desirous of assisting all of its business owners and operators during the COVID-19 crisis and believes that these outdoor dining festivals are beneficial to the business owner and operators and to the City of Bayonne as a whole; and

WHEREAS, this outdoor dining festival will require Broadway from the South Side of 29th Street to the North Side of 32nd Street to be closed to vehicular traffic from 4 p.m. to 10 p.m. on October 22, 2020 (rain date of October 23, 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 upper mid-town business district owners' Covid-19 compliant Outdoor Dining event to take place on October 22, 2020 (Rain Date, October 23, 2020) on Broadway South Side of 29th Street to the North Side of 32nd Street from 4 p.m. to 10 p.m. and to close same to vehicular traffic from 4:00 p.m. to 11:00 p.m. on said dates as noted above.

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

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

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

WHEREAS, the City of Bayonne is desirous of assisting all of its business owners and operators during the COVID-19 crisis and believes that these outdoor dining festivals are beneficial to the business owner and operators and to the City of Bayonne as a whole; and

WHEREAS, this outdoor dining festival will require Broadway from the South Side of 5th Street to the North Side of Cottage Street to be closed to vehicular traffic from 12:00 p.m. to 4:00 p.m. on October 24, 2020 (rain date of October 25, 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 downtown business district owners' Covid-19 compliant Outdoor Dining event to take place on October 24, 2020 (Rain Date, October 25, 2020) on Broadway from the South Side of 5th Street to the North Side of Cottage Street from 12:00 p.m. to 4:00 p.m. and to close same to vehicular traffic from 1200 p.m. to 4:00 p.m. on said dates as noted above.

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

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At 9:20 P.M., Council President Nadrowski motion to adjourn, seconded by Council Member Carroll, which motion was adopted.

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

President – Sharon A. Nadrowski

Clerk – Madelene C. Medina