

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, DECEMBER 16, 2020.

The Council met at 7:01 P.M.

The Council President Nadrowski announced: "I would like to advise all those present that notice of this regular meeting of the Municipal Council of the City of Bayonne of DECEMBER 16, 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 December 11, 2020."

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

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

The Clerk called the roll.

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

Absent: Council Member Gullace

The Council President led the Pledge of Allegiance.

* * * * *

01. The Clerk announced:

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, 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 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 October 21, 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 the meeting of November 10, 2020 at which meeting it was tabled for further consideration to this meeting of December 16, 2020 is now before the Council for its consideration and a public hearing.

Council President Nadrowski motioned to table until 1/20/21 seconded by Council Member Perez which motion was adopted.

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

Absent – Council Member Gullace.

* * * * *

02. The Clerk announced:

AN ORDINANCE ENTITLED, “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND SOUTH COVE DEVELOPMENT IV URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED 191 LEFANTE WAY, WHICH PROPERTY IS IDENTIFIED AS BLOCK 412 LOT 2.03 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE,” which was introduced and passed a first reading at a meeting held November 10, 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 December 16, 2020 is now before the Council for its consideration and a public hearing. **(South Cove)**

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

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

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

Absent – Council Member Gullace.

The Clerk read the resolution by title, “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND SOUTH COVE DEVELOPMENT IV URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED 191 LEFANTE WAY, WHICH PROPERTY IS IDENTIFIED AS BLOCK 412 LOT 2.03 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE,”

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

Yeas - Council Members Carroll, LaPelusa, 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, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND SOUTH COVE DEVELOPMENT IV URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED 191 LEFANTE WAY, WHICH PROPERTY IS IDENTIFIED AS BLOCK 412 LOT 2.03 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE," was introduced and passed a first reading at a meeting held NOVEMBER 10TH, 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 DECEMBER 16, 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-20-59

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

Absent – Council Member Gullace.

* * * * *

03. The Clerk announced:

AN ORDINANCE ENTITLED, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND 17 AVENUE E URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED 9 AVENUE E, 13-15 AVENUE E AND 22-30 EAST 10TH STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 278 LOT 2, 3 AND 4 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE," which was introduced and passed a first reading at a meeting held November 10, 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 December 16, 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, Perez and President Nadrowski.

Absent – Council Member Gullace.

The Clerk read the resolution by title, "ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND 17 AVENUE E URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED 9 AVENUE E, 13-

15 AVENUE E AND 22-30 EAST 10TH STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 278 LOT 2, 3 AND 4 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE,”

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

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

Absent – Council Member Gullace.

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

WHEREAS, an ordinance entitled, “ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND 17 AVENUE E URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED 9 AVENUE E, 13-15 AVENUE E AND 22-30 EAST 10TH STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 278 LOT 2, 3 AND 4 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE,” was introduced and passed a first reading at a meeting held NOVEMBER 10TH, 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 DECEMBER 16, 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-20-60

Yeas - Council Members Carroll, Perez and President Nadrowski.

Nays- Council Member LaPelusa

Absent – Council Member Gullace.

* * * * *

04. The Clerk announced:

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 ADOPTION OF A NEW SECTION ENTITLED, TELECOMMUNICATIONS FACILITIES IN THE PUBLIC RIGHT OF WAY," which was introduced and passed a first reading at a meeting held November 10, 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 December 16, 2020 is now before the Council for its consideration and a public hearing.," which was introduced and passed a first reading at a meeting held November 10, 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 December 16, 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 Carroll, which motion was adopted.

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

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

Absent – Council Member Gullace.

The Clerk read the resolution by title, "AN ORDINANCE TO PROVIDE FOR THE AMENDMENT OF CHAPTER 27 OF THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE WITH THE ADOPTION OF A NEW SECTION ENTITLED, TELECOMMUNICATIONS FACILITIES IN THE PUBLIC RIGHT OF WAY,"

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

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

Absent – Council Member Gullace.

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

WHEREAS, an ordinance entitled, "AN ORDINANCE TO PROVIDE FOR THE AMENDMENT OF CHAPTER 27 OF THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE WITH THE ADOPTION OF A NEW SECTION ENTITLED, TELECOMMUNICATIONS FACILITIES IN THE PUBLIC RIGHT OF WAY," was introduced

and passed a first reading at a meeting held NOVEMBER 10TH, 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 DECEMBER 16, 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-20-61

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

Absent – Council Member Gullace.

* * * * *

05. The Clerk announced:

AN ORDINANCE ENTITLED, “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,” which was introduced and passed a first reading at a meeting held November 10, 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 December 16, 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 LaPelusa, which motion was adopted.

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

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

Absent – Council Member Gullace.

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

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

Absent – Council Member Gullace.

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

WHEREAS, an ordinance entitled, “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,” was introduced and passed a first reading at a meeting held NOVEMBER 10TH, 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 DECEMBER 16, 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-20-62.

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

Absent – Council Member Gullace.

* * * * *

06. Council President Nadrowski introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY
AUTHORIZING THE VACATION OF A PORTION OF ROAD “D”

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

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

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

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

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

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

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

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

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

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

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

SECTION 3. In the event utilities, if any, presently located under the right of way being vacated hereunder, are not moved to another location, an easement is reserved for the benefit of such public utility companies, including any cable television company as defined in the “Cable Television Act” (N.J.S.A. 48:5A-1 et seq.) for the purpose of ingress and egress over and upon the area subject to this vacation ordinance in order to maintain, repair or replace existing utility facilities including water lines, sewer lines, gas lines and telephone, electrical and cable television wires and poles which may be located either beneath or above the surface of the area subject to this vacation.

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

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

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

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

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

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

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

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING THE VACATION OF A PORTION OF ROAD "D"," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, January 20, 2021 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

Absent – Council Member Gullace.

* * * * *

07. Council Members Perez introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING THE REDEVELOPMENT PLAN FOR PROPERTY LOCATED AT 21 W 46TH ST., 19 W 46TH ST., 17 W 46TH ST., 12 W 47TH ST., 14 W 47TH ST., 16 W 47TH ST. 20 W 47TH ST., 22 W 47TH ST. AND 24 W 47TH STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 77, LOTS 13, 14, 15, 27, 28, 29, 30, 31, AND 32, ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 30A:12A-1 ET. SEQ.

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

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

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

WHEREAS, on May 12, 2020, the Planning Board adopted a resolution recommending that the Study Area be determined by the Municipal Council to be a non-condemnation "area in need of redevelopment" under the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*; and

WHEREAS, on June 17, 2020 the City Council designated the Property as a non-condemnation area in need of redevelopment (the Redevelopment Area") and authorizing the Planning Board to create a Redevelopment Plan; and

WHEREAS, pursuant to the provisions of *N.J.S.A. 40A:12A-7(e)* of the Redevelopment Law, the Planning Board, through the City's staff and/or Planning Board professionals, has prepared a redevelopment plan for the Redevelopment Area titled "Resnick Phase II Redevelopment Plan" dated October 27, 2020 (the "Redevelopment Plan"); and

WHEREAS, the Planning Board reviewed the Redevelopment Plan and, in accordance with the Redevelopment Law, on November 9, 2020, conducted a public hearing wherein the Planning Board recommended the adoption of the Redevelopment Plan, and concluded that said Redevelopment Plan is consistent with the Master Plan of the City of Bayonne; and

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

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

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

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

Section 2. The Redevelopment Plan titled "Resnick Phase II Redevelopment Plan" dated October 27, 2020 is hereby adopted pursuant to the terms of N.J.S.A. 40A:12A-7 of the Redevelopment Law.

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

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

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

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

Council Member 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 OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING THE REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 21 W. 46TH ST., 19 W. 46TH ST., 17 W. 46TH ST., 12 W. 47TH ST., 14 W. 47TH ST., 16 W. 47TH ST., 20 W. 47TH ST., 22 W. 47TH ST., AND 24 W. 47TH ST., WHICH PROPERTY IS IDENTIFIED AS BLOCK 77, LOTS 13, 14, 15, 27, 28, 29, 30, 31 AND 32 ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:3012-1 ET SEQ. ," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, January 20, 2021 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

RESOLVED, that the City Clerk be and is hereby authorized and directed to publish said ordinance according to law, with a notice of its introduction and passage on first reading, and the time and place when and where said ordinance will be further considered for final passage, and to forward a copy of said ordinance to the planning board for its review of and a report regarding same pursuant to NJSA 40:55D-26.

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

Absent – Council Member Gullace.

* * * * *

08. Council Members LaPelusa introduced
ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON AMENDING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND PLATTYKILL URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED AT 18-52 EAST 12TH STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 268, LOT 2 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE

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, Plattykill Urban Renewal, LLC (the "Entity") is the owner of certain property identified on the Tax Maps of the City as Block 268, Lot 2 (the "Property") as more particularly described by the metes and bounds description set forth in the application submitted by the Entity (the "Application"); and

WHEREAS, the Property is currently receiving a tax exemption pursuant to the New Jersey Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et. seq. (the "Exemption Law") as the property operates as a 147 unit low and moderate income apartment complex; and
WHEREAS, under the terms of the proposed agreement the Entity will be required to maintain the low and moderate income units as a condition of the financial agreement; and

WHEREAS, under the terms of the agreement the Entity is required to undertake the rehabilitation of each individual unit within the property to be completed within twenty-four months of the effective date of the financial agreement; and

WHEREAS, the Entity has requested an extension related to the required construction time framed based upon the need to protect the safety and welfare of the residents from increased exposure due to Covid-19; and

WHEREAS, the agreement permits the Municipal Council to grant and extension due to the current state of emergency related to the pandemic; and

WHEREAS, the City Council deems it to be in the best interest of the residents to extent the time frame for the commencement and completion of the required rehabilitation of the project.

NOW THEREFORE, be it ordained that the City Council of the City of Bayonne does hereby amend the Agreement with Plattykill Urban Renewal, LLC as follows:

Section 1. The Rehabilitation of the Project shall commence by July 1, 2021 and shall be completed no later than December 31, 2022.

Section 2. All other terms and conditions of the Agreement between the City of Bayonne and Plattykill Urban Renewal, LLC remain in full force and effect.

Section 3. The tax exemption granted remains conditioned on the rehabilitation of the 147 units within the property and the maintenance of the low- and moderate-income designation of each unit.

Section 4. Counsel is authorized to prepare, and the Mayor is hereby authorized to execute any additional documents that may be necessary to implement and carry out the intent of the Ordinance.

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

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON AMENDING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND PLATTYKILL URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED AT 18-52 EAST 12TH STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 268, LOT 2 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, January 20, 2021 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

Absent – Council Member Gullace.

* * * * *

09. Council Members LaPelusa introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND EOM 90 AVE E URBAN RENEWAL LLC FOR THE PROPERTY LOCATED AT 90-102 AVENUE E, WHICH PROPERTY IS IDENTIFIED AS BLOCK 467, LOTS 8 AND 9 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE

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

WHEREAS, the Municipal Council of the City (the “Municipal Council”) adopted 9802-04-040, which designated the entire City of Bayonne as an area in need of rehabilitation in accordance with the provisions of *N.J.S.A. 40A:12A-14* of the Redevelopment Law; and

WHEREAS, the EOM 90 AVE E Urban Renewal LLC (the “Entity”) is the Owner of the property identified on the Tax Maps of the City as Block 467, Lots 8 and 9 (the “Property”), as more particularly described in the tax exemption application and its exhibits (the “Application”) submitted by the Entity to the City; and

WHEREAS, the City has designated the Property as an area in need of redevelopment (the “Redevelopment Area”) pursuant to *N.J.S.A. 40A:12A-1 et seq.*, as amended and supplemented (the “Local Redevelopment and Housing Law”); and

WHEREAS, the City adopted a redevelopment plan for the Property, entitled “Redevelopment Plan, Block 467 Lots 8 and 9”, (the “Redevelopment Plan”); and

WHEREAS, by Resolution, the City Council designated EOM 90 AVE E Urban Renewal LLC. as the redeveloper (the “Redeveloper”) to undertake the necessary redevelopment of the Property with the construction of one (1) multi-family residential building containing 70 residential apartments and 70 on-site parking spaces, as well as related improvements, in accordance with the Redevelopment Plan (the “Project”); and

WHEREAS, by Resolution, the City Council authorized the negotiation and execution of a Redevelopment Agreement between EOM 90 AVE E Urban Renewal LLC. and the City (the “Redevelopment Agreement”); and

WHEREAS, the EOM 90 AVE E Urban Renewal LLC has submitted the Application to the City for the approval of an exemption for the Project pursuant to the Long Term Tax Exemption Law, which Application and all its Exhibits are attached as Exhibit A; and

WHEREAS, the EOM 90 AVE E Urban Renewal LLC has applied to the City Council for tax exemption pursuant to the New Jersey Long Term Tax Exemption Law, *N.J.S.A. 40A:20-1 et seq.* (the “Exemption Law”) with respect to the Project; and

WHEREAS, the City and the EOM 90 AVE E Urban Renewal LLC reviewed the request and adjusted the terms of the Financial Agreement, and

WHEREAS, the City Council finds that the requested tax exemptions will benefit the City and its inhabitants by furthering and improving the quality like of the projects residents and maintaining the affordability of the property, and reclaiming an empty parcel and that the benefits would substantially outweigh the costs, if any, associated with the tax exemptions;

WHEREAS, the City Council further finds that the requested tax exemptions are important to the City and that without the incentive of the tax exemptions, it is unlikely that the Project will be undertaken; and

WHEREAS, as part of its application for a tax exemption, the EOM 90 AVE E Urban Renewal LLC has submitted a form of Financial Agreement (the "Financial Agreement") providing for payments in lieu of taxes, a copy of which is attached to this Ordinance; and

WHEREAS, the EOM 90 AVE E Urban Renewal LLC has presented to this body certain financial information, copies of which are attached as exhibits to this Ordinance; and

WHEREAS, the City Council deems it to be in the best interest of the City to pass an Ordinance authorizing the City to enter into the proposed Financial Agreement with EOM 90 AVE E Urban Renewal LLC on the terms and conditions stated in the applicable form of Financial Agreement attached to this Ordinance;

NOW THEREFORE, be it Ordained that the City Council of the City of Bayonne does hereby adopt the tax exemptions for EOM 90 AVE E Urban Renewal LLC as follows:

Section 1. The development of the Project is hereby approved for the grant of a tax exemption under the Exemption Law by virtue of, pursuant to and in conformity with the provisions of the Exemption Law.

Section 2. The Mayor is hereby authorized to execute the Financial Agreement with EOM 90 AVE E Urban Renewal LLC in substantially the form attached hereto and subject to any further review, analysis or modifications that counsel may deem appropriate.

Section 3. During the term of the tax exemption with respect to EOM 90 AVE E Urban Renewal LLC, there shall be paid to the City in lieu of any taxes to be paid on the improvements of the Project, an annual service charge determined as provided in the Financial Agreement.

Section 4. Counsel is authorized to prepare, and the Mayor is hereby authorized to execute any additional documents that may be necessary to implement and carry out the intent of the Financial Agreement.

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

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND EOM 90 AVENUE E URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED AT 90-102 AVENUE E, WHICH PROPERTY IS IDENTIFIED AS BLOCK 467, LOTS 8 AND 9 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, January 20, 2021 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

Absent – Council Member Gullace.

* * * * *

10. Council Members Perez introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE 746 AVE E BAYONNE URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED AT 732-746 AVENUE E, WHICH PROPERTY IS IDENTIFIED AS BLOCK 393, LOTS 3, 4 AND 5 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE.

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

WHEREAS, the Municipal Council of the City (the “Municipal Council”) adopted 9802-04-040, which designated the entire City of Bayonne as an area in need of rehabilitation in accordance with the provisions of *N.J.S.A. 40A:12A-14* of the Redevelopment Law; and

WHEREAS, the 746 AVE E BAYONNE URBAN RENEWAL, LLC is the owner or will be owner of the property identified on the Tax Maps of the City as Block 393, Lots 3, 4 and 5 (the “Property”), as more particularly described in the tax exemption application and its exhibits (the “Application”) submitted by the Entity to the City; and

WHEREAS, the Property is located in the City’s Urban Enterprise Zone created pursuant to the New Jersey Urban Enterprise Zones Act, *N.J.S.A. 52:27H-60 et seq.* and has been designated as an area in need of redevelopment (the “Redevelopment Area”) pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*, as amended and supplemented (the “Local Redevelopment and Housing Law”); and

WHEREAS, on November 7, 2018, the City Council enacted Ordinance No. #18-63, adopting a Redevelopment Plan for the Property entitled “Amendment to the Scattered Site Redevelopment Plan for a Portion of the Plan located at 736-742 Avenue E, Block 393, Lots 3, 4 and 5 (Beacon Oil), dated September 11, 2018 (the “Redevelopment Plan”); and

WHEREAS, by Resolution, the City Council designated 746 AVE E BAYONNE URBAN RENEWAL, LLC. as the redeveloper (the “Redeveloper”) to undertake the necessary redevelopment of the Property with the construction of one (1) multi-family residential building containing 82 residential apartments and 82 on-site parking spaces, as well as related improvements, in accordance with the Redevelopment Plan (the “Project”); and

WHEREAS, by Resolution, the City Council authorized the negotiation and execution of a Redevelopment Agreement between 746 AVE E BAYONNE URBAN RENEWAL, LLC. and the City (the “Redevelopment Agreement”); and

WHEREAS, the 746 AVE E BAYONNE URBAN RENEWAL, LLC has submitted the Application to the City for the approval of an exemption for the Project pursuant to the Long Term Tax Exemption Law, which Application and all its Exhibits are attached as Exhibit A; and

WHEREAS, the 746 AVE E BAYONNE URBAN RENEWAL, LLC has applied to the City Council for tax exemption pursuant to the New Jersey Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et. seq. (the "Exemption Law") with respect to the Project; and

WHEREAS, the City and the 746 AVE E BAYONNE URBAN RENEWAL, LLC reviewed the request and adjusted the terms of the Financial Agreement, and

WHEREAS, the City Council finds that the requested tax exemptions will benefit the City and its inhabitants by furthering and improving the quality like of the projects residents and maintaining the affordability of the property, and reclaiming an empty parcel and that the benefits would substantially outweigh the costs, if any, associated with the tax exemptions;

WHEREAS, the City Council further finds that the requested tax exemptions are important to the City and that without the incentive of the tax exemptions, it is unlikely that the Project will be undertaken; and

WHEREAS, as part of its application for a tax exemption, the 746 AVE E BAYONNE URBAN RENEWAL, LLC has submitted a form of Financial Agreement (the "Financial Agreement") providing for payments in lieu of taxes, a copy of which is attached to this Ordinance; and

WHEREAS, the 746 AVE E BAYONNE URBAN RENEWAL, LLC has presented to this body certain financial information, copies of which are attached as exhibits to this Ordinance; and

WHEREAS, the City Council deems it to be in the best interest of the City to pass an Ordinance authorizing the City to enter into the proposed Financial Agreement with 746 AVE E BAYONNE URBAN RENEWAL, LLC on the terms and conditions stated in the applicable form of Financial Agreement attached to this Ordinance;

NOW THEREFORE, be it ordained that the City Council of the City of Bayonne does hereby adopt the tax exemptions for 746 AVE E BAYONNE URBAN RENEWAL, LLC as follows:

Section 1. The development of the Project is hereby approved for the grant of a tax exemption under the Exemption Law by virtue of, pursuant to and in conformity with the provisions of the Exemption Law.

Section 2. The Mayor is hereby authorized to execute the Financial Agreement with 746 AVE E BAYONNE URBAN RENEWAL, LLC in substantially the form attached hereto and subject to any further review, analysis or modifications that counsel may deem appropriate.

Section 3. During the term of the tax exemption with respect to 746 AVE E BAYONNE URBAN RENEWAL, LLC, there shall be paid to the City in lieu of any taxes to be paid on the improvements of the Project, an annual service charge determined as provided in the Financial Agreement.

Section 4. Counsel is authorized to prepare, and the Mayor is hereby authorized to execute any additional documents that may be necessary to implement and carry out the intent of the Financial Agreement.

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 OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND 746 AVENUE E BAYONNE URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED AT 732-746 AVENUE E, WHICH PROPERTY IS IDENTIFIED AS BLOCK 393, LOTS 3, 4 AND 5 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, January 20, 2021 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

Absent – Council Member Gullace.

* * * * *

11. Council Members LaPelusa introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON AMENDING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND PARKVIEW REALTY URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED AT 101 EAST 23rd STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 445, LOT 1.01 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE TO CORRECT THE ANNUAL SERVICE CHARGE SCHEDULE.

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, Parkview Realty Urban Renewal, LLC (the "Entity") is the owner of certain property identified on the Tax Maps of the City as Block 445, Lot 1.01 (the "Property"); and

WHEREAS, the Entity and the City previously entered into a Financial agreement pursuant to the New Jersey Long Term Tax Exemption Law, *N.J.S.A. 40A:20-1 et. seq.* (the "Exemption Law") dated December 18, 2017, which was duly approved by adoption of an Ordinance of the City Council and duly recorded in the Hudson County Register's Office on February 16, 2018, in Deed Book 9283 at Page 161 for the Property; and

WHEREAS, upon further review and inspection an error was discovered related to the schedule of payments of the Annual Service Charge and term contained in the Financial Agreement; and

WHEREAS, in order to comply with *N.J.S.A. 40A:20-1 et. seq.* it is necessary to amend the agreement to correct the payment schedule; and

WHEREAS, the City Council recognizes the need to amend the Financial Agreement as stated in the Corrective Amendment to Financial Agreement attached hereto as Exhibit A.

NOW THEREFORE, be it ordained that the City Council of the City of Bayonne does hereby amend the Financial Agreement entered into with Parkview Realty Urban Renewal, LLC as follows:

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

Section 2. Article III of the Financial Agreement, entitled "Duration of Agreement", Section 3.01, entitled "Term" is corrected as follows:

The time frames stated in Section 3.01 with respect to the term are corrected to be (i) thirty-five (35) years from the date of the Effective Date or (ii) thirty (30) years from the Annual Service Charge Start Date.

All other provisions of Article III shall remain unchanged.

Article IV of the Financial Agreement, entitled "Annual Service Charge", Section 4.03, entitled "Annual Service Charge Amount", is corrected as follows:

Delete entirety of provisions labeled "Stage One" through "Stage Five" and replace with the following:

- (a) Stage One: From the date of issuance of a Certificate of Occupancy ("ASC Commencement Date") until the 10th anniversary of the ASC Commencement Date, the Annual Service Charge shall be 11% of the Annual Gross Revenue; from the first day after the 10th anniversary of the ASC Commencement Date until the 15th anniversary of the ASC Commencement Date, the Annual Service Charge shall be 12% of the Annual Gross Revenue;
- (b) Stage Two: From the first day after the 15th anniversary of the ASC Commencement Date until the 20th anniversary of the ASC Commencement Date, the Annual Service Charge shall be equal to the greater of 12% of the Annual Gross Revenue or 20% of otherwise applicable taxes;
- (c) Stage Three: From the first day after the 20th anniversary of the ASC Commencement Date until the 25th anniversary of the ASC Commencement Date, the Annual Service Charge shall be equal to the greater of 13% of the Annual Gross Revenue or 40% of otherwise applicable taxes;
- (d) Stage Four: From the first day after the 25th anniversary of the ASC Commencement Date until the 27th anniversary of the ASC Commencement Date, the Annual Service Charge shall be equal to the greater of 13% of the Annual Gross Revenue or 60% of otherwise applicable taxes;
- (e) Stage Five: From the first day after the 27th anniversary of the ASC Commencement Date until the 30th anniversary of the ASC Commencement Date, the Annual Service Charge shall be equal to the greater of 13% of the Annual Gross Revenue or 80% of otherwise applicable taxes.

All other provisions of Article IV shall remain unchanged.

Article X of the Financial Agreement, Section 10.01, entitled Notice, Paragraph A, is amended to provide:

When sent to the Entity, it shall be addressed as follows:
Parkview Realty Urban Renewal, LLC
c/o Cypress Equity Investments
248 Columbia Turnpike, Ste. 302
Florham Park, NJ 07932
Att: Mr. James Puleo, Project Manager

All other provisions of Article X shall remain unchanged

Section 3. All other terms and conditions of the Financial Agreement between the City of Bayonne and Parkview Realty Urban Renewal, LLC remain in full force and effect.

Section 4. Counsel is authorized to prepare, and the Mayor is hereby authorized to execute any additional documents that may be necessary to implement and carry out the intent of the Ordinance.

Section 5. This Ordinance shall take effect in accordance with all applicable laws.

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

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON AMENDING THE FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND PARKVIEW REALTY URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED 101 EAST 23RD STREET, WHICH IS IDENTIFIED AS BLOCK 445, LOT 1.01 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE TO CORRECT THE ANNUAL SERVICE CHARGE SCHEDULE," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, January 20, 2021 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

Absent – Council Member Gullace.

* * * * *

12. Council Members Perez introduced

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING A MAINTENANCE AND REPAIR AGREEMENT WITH 957 BROADWAY URBAN RENEWAL, LLC FOR THE INSTALLATION OF A SEWER CONNECTOR PIPE

WHEREAS, 957 BROADWAY URBAN RENEWAL, LLC is the owner and Redeveloper of property identified as Block 77 Lot 16.01 commonly known 957 Broadway (“the Redevelopment Area”), and

WHEREAS, in connection with the development of the Redevelopment Area, 957 BROADWAY URBAN RENEWAL, LLC is required to build and maintain a 12” SDR-26 PVC pipe through the public right of way, and

WHEREAS, the Planning Board of the City of Bayonne as part of the site plan approved the installation of the 12” SDR-26 PVC pipe, and

WHEREAS, the City of Bayonne is not responsible for the repair, maintenance, operation or replacement of the 12” SDR-26 PVC pipe, and

WHEREAS, 957 BROADWAY URBAN RENEWAL, LLC has agreed to be responsible for the installation, repair, maintenance, operation and replacement of the 12” SDR-26 PVC pipe, and

WHEREAS, 957 BROADWAY URBAN RENEWAL, LLC and the City have agreed to enter into a “Pipe Maintenance and Repair Agreement” in the form attached hereto as Exhibit A.

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. Authorization is hereby granted to the Mayor or his designee to enter into the Pipe Maintenance and Repair Agreement upon terms and conditions acceptable to the City Attorney similar to the form attached hereto as Exhibit A and on the condition that no cost or expense shall be borne by the City relating in any way to Agreement.

Section 3. 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 OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING A MAINTANCE AND REPAIR AGREEMWNT WITH 957 BORADWAY URBAN RENEWAL, LLC FOR THE INSTALLATION OF A SEWER CONNECTORE PIPE,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, January 20, 2021 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

Absent – Council Member Gullace.

* * * * *

13. Council Members Carroll introduced

AN ORDINANCE OF THE CITY OF BAYONNE, NEW JERSEY AMENDING AND SUPPLEMENTING THE GENERAL ORDINANCES OF THE CITY, CHAPTER 33, PLANNING AND DEVELOPMENT REGULATIONS, SECTION 33-2.2 DEFINITIONS; CHAPTER 35, ZONING REGULATIONS, SECTION 35-4.22 RESERVED, SECTION 35-5.8 C-1 NEIGHBORHOOD COMMERCIAL DISTRICT, SECTION 35-5.10 CBD CENTRAL BUSINESS DISTRICT (BROADWAY CORRIDOR), SECTION 35-5.11 UPTOWN BUSINESS DISTRICT (BROADWAY CORRIDOR), SECTION 35-5.12 ORS OFFICE/RETAIL SERVICE DISTRICT (BROADWAY CORRIDOR), SECTION 35-5.13 H-C HIGHWAY COMMERCIAL/SELECTED LIGHT INDUSTRIAL DISTRICT, SECTION 35-5.16 IL-A AND IL-B LIGHT INDUSTRIAL DISTRICTS; AND CHAPTER 4, LICENSING, REGISTRATION AND BUSINESS REGULATIONS, SECTION 4-30 RESERVED; ESTABLISHING ZONING AND LICENSING REQUIREMENTS FOR REGULATED CANNABIS ESTABLISHMENTS

WHEREAS, the City Council of 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"), wishes to create land use regulations and licensing requirements for regulated cannabis establishments that also protect the health, safety and general welfare of the community; and

WHEREAS, the Jake Honig Compassionate Use Medical Cannabis Act (the "Act"), N.J.S.A. 24:6I-1 to -30, permits the authorized cultivation, processing, manufacturing, preparing, packaging, transferring, sale, purchase, research, possession, use, and consumption of medical cannabis and products created from or which include cannabis; and

WHEREAS, the City finds that the expansion of the medical cannabis program in the State has provided needed compassionate relief to the many persons suffering from chronic and/or serious debilitating illnesses who may benefit; and

WHEREAS, on November 3, 2020, the citizens of New Jersey voted to approve Public Question No. 1, amending and supplementing Section VII of Article IV of the New Jersey Constitution to authorize the growth, cultivation, processing, manufacturing, preparing, packaging, transferring, and retail purchasing and consumption of cannabis, or products created from or which include cannabis for persons twenty-one (21) years or older in New Jersey, and further authorized municipalities to enact an additional municipal tax of up to two (2) percent on the receipts from each sale of cannabis or products created from or which include cannabis; and

WHEREAS, the City finds, given the Schedule I status of cannabis under the federal Controlled Substance Act, complexities with access to banking and the level of cash transactions in cannabis-related businesses, and other concerns associated with cannabis-related businesses, that only qualified operators should be permitted to safely operate strictly regulated cannabis facilities in the municipality on a limited basis and subject to reasonable time, manner, and place restrictions, in order to balance patients' and consumers' interests and the creation of jobs and economic opportunity within the City with public safety; and

WHEREAS, in light of the enactment of the Act on July 2, 2019, expanding the New Jersey Medicinal Marijuana Program, and the passage of Public Question No. 1 on November 3, 2020, it is in the best interest of the City to proactively establish licensing requirements for regulated cannabis establishments and imposing a municipal tax to support enforcement activities.

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 33 Planning and Development Regulations, Section 2.2, entitled "Definition of Terms", is hereby amended and supplemented as follows (additions ****between asterisks and/or in bold****, deletions ~~{within brackets and/or struck through}~~):

33-2.2 Definition of Terms.

****CANNABIS SUPPLIER.** A State-regulated cannabis grower, also referred to as a cannabis cultivation facility; a cannabis processor, also referred to as a cannabis product manufacturing facility; a medical cannabis alternative treatment center; or a clinical registrant, all of which shall possess prior to commencing operations one of the classes of permit or permit endorsement issued by the State of New Jersey that authorizes such cannabis establishment to cultivate, manufacture, process, wholesale, and/or study or research cannabis or cannabis-derived or infused products, provided that such facility shall not dispense, sell, or distribute cannabis or cannabis products from such facility.

CANNABIS RETAILER. A State-regulated cannabis retailer, medical cannabis alternative treatment center, or clinical registrant, which shall possess prior to commencing operations one of the classes of permit or permit endorsement issued by the State of New Jersey that authorizes the dispensation, sale, or distribution of cannabis or cannabis-derived or infused products and/or related clinical research, provided that such facility shall not cultivate, manufacture, process, or wholesale cannabis or cannabis products from such facility.

CANNABIS ESTABLISHMENT. A cannabis supplier or cannabis retailer.**

SECTION 3. The Revised General Ordinances of the City of Bayonne, Chapter 35, Zoning Regulations, Section 4, entitled "General Provisions", Subsection 22, entitled "Reserved", is hereby amended and supplemented as follows (additions ****between asterisks and/or in bold****, deletions ~~{within brackets and/or struck through}~~):

**** 35-4.22 Cannabis Establishments.**

Cannabis establishments shall be permitted, pursuant to this Chapter, only if the following requirements are complied with:

- a. The regulations of this Section are subject to the enabling authority of the State of New Jersey and are subject to compliance with all statutes and/or regulations adopted by the State of New Jersey or its instrumentalities. If any provision of this Section is inconsistent with the statutes and/or regulations of the State of New Jersey, the State statutes and/or regulations shall prevail.
- b. Prior to the operation of any cannabis establishment, a permit or license must be obtained from the State of New Jersey and from the City of Bayonne for the applicable type(s) of cannabis establishment. No cannabis establishment shall be permitted to operate without State and municipal permits or licenses.

- c. Permitted uses shall, at all times, comply with the terms and conditions of the licensee's cannabis establishment license for permits or licenses issued by the State of New Jersey and the City of Bayonne.
- d. No cannabis establishment shall be allowed as a Home Professional Occupation as defined in Chapter 33-2.2 and Chapter 35-4.25.
- e. No cannabis establishment shall be housed in a vehicle or any movable or mobile structure.
- f. Odor. Cannabis establishments shall have equipment to mitigate odor. The building shall be equipped with a ventilation system with carbon filters sufficient in type and capacity to mitigate cannabis odors emanating from the interior of the premises.
- g. Noise. Outside generators and other mechanical equipment used for any kind of power supply, cooling, or ventilation shall be enclosed and have appropriate baffles, mufflers, and/or other noise reduction systems to mitigate noise pollution.
- h. Security. All cannabis establishments shall be secured in accordance with State of New Jersey statutes and regulations; shall have a round-the-clock video surveillance system, 365 days a year; and shall have trained security personnel onsite at all times during operating hours.
- i. Hours. No cannabis retailer may open to customers for business before 8:00 am or remain open to customers for business after 10:00 pm.
- j. Prohibited uses. Except as expressly permitted by this Chapter and Chapter 4, Section 30 of the General Ordinances, entitled Cannabis Establishments, as well as any other activity involved in the cultivation, manufacture, processing, testing, dispensation, distribution and/or sale of cannabis, marijuana or cannabis products, are expressly prohibited as land uses or otherwise in the City of Bayonne.
- k. Reserved**

SECTION 4. The Revised General Ordinances of the City of Bayonne, Chapter 35, Zoning Regulations, Section 5.8, entitled "C-1 Neighborhood Commercial District", is hereby amended and supplemented as follows (additions **between asterisks and/or in bold**, deletions ~~within brackets and/or struck through~~):

- a. Permitted Uses.
 - 1. No change
 - 2. No change
 - 3. No change
 - 4. No change
 - 5. No change
 - 6. No change
 - 7. No change

8. No change

9. No change

10. No change

11. No change

12. ****Cannabis** retailers licensed by the State of New Jersey and the City of Bayonne.******

b. No change

c. No change

d. No change

e. No change

SECTION 5. The Revised General Ordinances of the City of Bayonne, Chapter 35, Zoning Regulations, Section 5.10, entitled "CBD Central Business District (Broadway Corridor)", is hereby amended and supplemented as follows (additions ****between asterisks and/or in bold****, deletions ~~{within brackets and/or struck through}~~):

a. Permitted uses.

1. No change

2. No change

3. No change

4. No change

5. No change

6. No change

7. No change

8. No change

9. No change

10. No change

11. No change

12. No change

13. No change

14. ****Cannabis** retailers licensed by the State of New Jersey and the City of Bayonne.******

b. No change

c. No change

d. No change

e. No change

f. No change

SECTION 6. The Revised General Ordinances of the City of Bayonne, Chapter 35, Zoning Regulations, Section 5.11, entitled "Uptown Business District (Broadway Corridor)", is hereby amended and supplemented as follows (additions ****between asterisks and/or in bold****, deletions ~~{within brackets and/or struck through}~~):

a. Permitted uses.

1. No change

2. No change

3. No change

4. No change

5. No change

6. No change

7. No change

8. ****Cannabis** retailers licensed by the State of New Jersey and the City of Bayonne.******

b. No change

c. No change

d. No change

e. No change

f. No change

SECTION 7. The Revised General Ordinances of the City of Bayonne, Chapter 35, Zoning Regulations, Section 5.12, entitled "ORS Office/Retail Service District (Broadway Corridor)", is hereby amended and supplemented as follows (additions ****between asterisks and/or in bold****, deletions ~~{within brackets and/or struck through}~~):

a. Permitted uses.

1. No change

2. No change

3. No change

4. No change

5. No change

6. No change

7. No change

8. No change

9. ****Cannabis retailers licensed by the State of New Jersey and the City of Bayonne.****

- b. No change
- c. No change
- d. No change
- e. No change

SECTION 8. The Revised General Ordinances of the City of Bayonne, Chapter 35, Zoning Regulations, Section 5.13, entitled “H-C Highway Commercial/Selected Light Industrial District”, is hereby amended and supplemented as follows (additions ****between asterisks and/or in bold****, deletions ~~{within brackets and/or struck through}~~):

a. Permitted uses.

- 1. No change
- 2. No change
- 3. No change
- 4. No change
- 5. No change
- 6. No change
- 7. No change
- 8. No change
- 9. No change
- 10. No change
- 11. No change

12. ****Cannabis suppliers or cannabis retailers licensed by the State of New Jersey and the City of Bayonne.****

- b. No change
- c. No change
- d. No change
- e. No change
- f. No change

SECTION 9. The Revised General Ordinances of the City of Bayonne, Chapter 35, Zoning Regulations, Section 5.16, entitled “IL-A and IL-B Light Industrial Districts”, is hereby amended and supplemented as follows (additions ****between asterisks and/or in bold****, deletions ~~{within brackets and/or struck through}~~):

a. Permitted Principal Uses.

1. No change
 2. No change
 3. No change
 4. No change
 5. No change
 6. No change
 7. No change
 8. ****Cannabis suppliers or cannabis retailers licensed by the State of New Jersey and the City of Bayonne.****
- b. No change
- c. No change
- d. No change
- e. No change
- f. No change

SECTION 10. LICENSING, REGISTRATION AND BUSINESS REGULATIONS AMENDMENT

That a Section 4-30, entitled “Cannabis Establishments,” shall be created and added to the Revised General Ordinances of the City of Bayonne, Chapter 4, Licensing, Registration and Business Regulations, as follows ((additions ****between asterisks and/or in bold****):

****4-30 Cannabis Establishments**

The regulations of this Ordinance are subject to the enabling authority of the State of New Jersey and are subject to compliance with all statutes and/or regulations adopted by the State of New Jersey or its instrumentalities, including the Cannabis Regulatory Commission. If any provision of this Ordinance is inconsistent with state statutes and/or regulations, the state statutes and/or regulations shall prevail.

4-30.1 Definitions

CANNABIS ESTABLISHMENT. A Cannabis Supplier or Cannabis Retailer.

CANNABIS RETAILER: A State-regulated cannabis retailer, medical cannabis alternative treatment center, or clinical registrant, which shall possess prior to commencing operations one of the classes of permit or permit endorsement issued by the State of New Jersey that authorizes the dispensation, sale, or distribution of cannabis or cannabis-derived or infused products and/or related clinical research, provided that such facility shall not cultivate, manufacture, process, or wholesale cannabis or cannabis products from such facility.

CANNABIS SUPPLIER: A State-regulated cannabis grower, also referred to as a cannabis cultivation facility; a cannabis processor, also referred to as a cannabis product manufacturing facility; a medical cannabis alternative treatment center;

or a clinical registrant, all of which shall possess prior to commencing operations one of the classes of permit or permit endorsement issued by the State of New Jersey that authorizes such cannabis establishment to cultivate, manufacture, process, wholesale, and/or study or research cannabis or cannabis-derived or infused products, provided that such facility shall not dispense, sell, or distribute cannabis or cannabis products from such facility.

4-30.2 Licensing

a. Local licensing authority.

1. The City Administrator is hereby designated to act as the local licensing authority for the City for all cannabis establishments. Under all circumstances in which State law requires communication to the City by the Cannabis Regulatory Commission or any other State agency with regard to the licensing of cannabis establishments by the State, or in which State law requires any review or approval by the City of any action taken by the State licensing authority, the exclusive authority for receiving such communications and granting such approvals shall be exercised by the Administrator.
2. Under no circumstances shall a local license for a cannabis establishment issued by the Administrator be effective until or unless the State has issued the requisite permits or licenses to operate such a facility. It is the intent of this Chapter that no cannabis establishment may lawfully operate in the City of Bayonne without the issuance of a State permit or license and full regulatory oversight of the cannabis establishment by the Cannabis Regulatory Commission or other state licensing authority as well as oversight and issuance of a license by the City.

b. Classification of licenses. The City, subject to land use approval and State licensure, may issue the following municipal licenses to operate a cannabis establishment:

- Class I: Cannabis supplier license (grower)
- Class II: Cannabis supplier license (processor)
- Class III: Cannabis retailer license

c. Maximum number of licenses. The City may issue a maximum of one (1) Class I license, one (1) Class II license, and two (2) Class III licenses. Licensure in all classes may be, but are not required to be, held by the same entity or individual, but an entity may not hold more than one cannabis retailer license. Any license conditionally issued by the City is contingent upon the locally licensed entity's or individual's subsequent recipient of a State permit or license of the same class or type of regulated cannabis activity.

d. Application. Persons wishing to obtain any classification of cannabis license shall file a license application with the Administrator, on a standardized form established by the Administrator and available in the Administrator's office. The Administrator shall establish a reasonable application period and deadline for all applications. An application shall be deemed incomplete, and shall not be processed by the Administrator, until all documents and application fees are submitted. To be deemed complete, all applications shall be accompanied by the following:

1. The applicant shall submit proof that the applicant has or will have lawful possession of the premises proposed for the cannabis establishment, which proof may consist of: a deed, a lease, a real estate contract contingent upon

successful licensing, or a binding letter of intent by the owner of the premises indicating an intent to lease the premises to the entrant contingent upon successful licensing.

2. The applicant shall submit an affidavit and documentary proof of compliance with all state and local laws regarding affirmative action, anti-discrimination and fair employment practices. The applicant shall also certify under oath that they will not and shall not discriminate based on race, color, religion (creed), gender, gender expression, age, national origin (ancestry), disability, marital status, sexual orientation, or military status, in any of its activities or operations.
3. The location proposed for licensing by the applicant shall comply with all applicable municipal zoning laws and the location restrictions set forth in this Code.
4. The applicant shall submit, to the satisfaction of the Administrator, proof of financial capability to open and operate the marijuana establishment for which the applicant is seeking a license. Standards for proof of financial capability shall be determined by the Administrator.
5. The applicant shall submit all required nonrefundable fees for the application and conditional license in accordance with the following fee schedule:

Class I:	\$10,000 Cannabis supplier license (grower)
Class II:	\$10,000 Cannabis supplier license (processor)
Class III:	\$5,000 Cannabis retailer license
6. The applicant shall submit all annual registration fees required in accordance with the following fee schedule, which shall be refunded in the event the applicant does not receive a license:

Class I:	\$40,000 per year Cannabis supplier license (grower)
Class II:	\$20,000 per year Cannabis supplier license (processor)
Class III:	\$10,000 per year Cannabis retailer license
7. In addition to complying with any State requirement related to good character and criminal background, any person proposed to have an ownership interest in the license shall not have had any cannabis license or permit revoked for a violation affecting public safety in the State of New Jersey or a subdivision thereof within the preceding five (5) years.
8. The applicant and the application shall otherwise comply with any, and all qualification standards set forth in the State and City laws or regulations.
9. In the event there are multiple applicants for a license, the Administrator shall evaluate all applicants and issue a notification of award after consideration and evaluation of the following criteria:
 - (a) Applicant's owners' or principals' qualifications and experience operating in highly regulated industries, including cannabis, healthcare, pharmaceutical manufacturing, and retail pharmacies, with preference to experience operating such businesses within the State of New Jersey and where the value of owners' experience shall

outweigh the experience of non-owner principals (twenty percent, not to exceed 2,500 words);

- (b) Applicant's qualifications and experience related to public safety and security, including any of the applicant's owners' or principals' experience in law enforcement and drug enforcement (five percent, not to exceed 1,000 words), and a summary of the applicant's plans for storage of products and currency, physical security, video surveillance, security personnel, and visitor management (five percent, not to exceed 2,500 words);
- (c) Applicant's or its owners' experience conducting or supporting or plans to conduct institutional review board-approved research involving human subjects that is related to medical cannabis or substance abuse, where the value of past or ongoing clinical research with IRB approval shall outweigh plans to conduct such research (five percent, not to exceed 2,500 words), whether the applicant has had any assurance accepted by the U.S. Department of Health & Human Services indicating the applicant's commitment to complying with 45 CFR Part 46 (five percent), and whether the applicant has a research collaboration or partnership agreement in effect with an accredited U.S. school of medicine or osteopathic medicine with experience conducting cannabis-related research (five percent);
- (d) Applicant's or its owners' demonstrated commitment or sufficient experience as responsible employers, defined as the applicant entity being a party to a labor peace agreement or the applicant entity or its parent company being a party to a collective bargaining agreement in the regulated cannabis industry for at least one year prior to application for a Cannabis Establishment license, in an effort to create well-paying jobs with employee benefits in the municipality (twenty percent in total; five points for labor peace, full twenty points for collective bargaining agreement in effect for at least one year);
- (e) Summary of the applicant's environmental impact and sustainability plan (four percent, not to exceed 500 words); whether the applicant entity or its parent company has any recognitions from or registrations with federal or New Jersey state environmental regulators for innovation in sustainability (three percent); and whether the applicant entity or its parent company holds any certification under international standards demonstrating the applicant has an effective environmental management system or has a designated sustainability officer to conduct internal audits to assess the effective implementation of an environmental management system (three percent);
- (f) Applicant's ties to the host community, demonstrated by at least one shareholder's proof of residency in Bayonne for five or more years in the past ten years or at least one shareholder's continuous ownership of a business based in Bayonne for five or more years in the past ten years (five percent); and

- (g) Applicant's demonstrated commitment to diversity in its ownership composition and hiring practices and whether the applicant entity or its parent company holds any certifications as a NJ minority-owned, women-owned, or veteran-owned business (twenty percent in total; ten points for one certification and twenty points for two or more).

10. Notwithstanding the foregoing competitive application process, a notification of award and conditional municipal license shall entitle the recipient applicant to pursue a State permit or license in the appropriate classification for up to 12 months, which may be extended in the Administrator's discretion for an additional 6 months for good cause. No license to operate shall issue until the applicant has received a State permit and satisfied other prerequisites of municipal licensure. If the recipient of a notice of award and conditional license has not received a State permit or license within 12 months from issuance, unless extended for good cause, the Administrator shall issue a new request for applications and evaluate all applicants for licensure under the above criteria.

e. Term of license and license renewals.

1. Any local license issued pursuant to this Chapter shall be valid for a period of three (3) years from the date of issuance and shall be renewed in accordance with the provisions of this Chapter.
2. The Administrator may, at his/her discretion, adjust the renewal date of the local license to correlate with an applicant's State licensing and renewal schedule.
3. Renewal of any license shall be governed by any code amendments, additional restrictions or changes in regulations adopted since the previous license was issued or renewed.
4. Transfer of ownership of any local license or change of location of any license or modification to expand a licensed premise shall be subject to City Planning review and zoning approval.
5. Except where the Administrator has received a complete renewal application along with the requisite fees, and has issued a license renewal, it shall be unlawful for any person to manufacture, sell, distribute, transfer, transport, or otherwise remove cannabis or cannabis products from the premises of any license after the expiration date recorded on the face of the license.

40-30.3 Disciplinary Actions; Sanctions; Penalties

- a. Disciplinary actions. Procedures for investigation of license violations and for suspension, revocation, or other licensing sanctions as a result of any such violation shall be as follows:
1. First offense: Up to \$250 per violation per day;
 2. Second offense: Up to \$500 per violation per day;
 3. Third violation shall result in summary suspension.

- b. Summary suspension. Notwithstanding the foregoing section, when the Administrator has reasonable grounds to believe that a licensee has engaged in deliberate and willful violation of any applicable law or regulation, or that the public health, safety, and/or general welfare has been jeopardized and requires emergency action, the Administrator may enter a summary suspension order for the immediate suspension of such license pending further investigation.
 - 1. The summary suspension order shall be in writing and shall State the reasons therefore. The licensee shall be afforded an opportunity for a hearing as outlined herein.
 - 2. The Administrator shall convene a review panel consisting of the Administrator, a second administrative officer designated by the Mayor, and the Chief of Police. The hearing shall be scheduled within 30 days of the date of the order.
 - 3. The review panel is authorized to impose any fines, conditions, restrictions, suspensions, or combination thereof authorized by the State of New Jersey. In the absence of State specified penalties, the City may issue fines up to, but not to exceed, \$2,500 per offense and/or suspension of license for a period not to exceed 6 months.
- c. Inactive licenses. Following the commencement of retail sales of cannabis or cannabis products, the Administrator may suspend or revoke any license if the licensed premises have been inactive or unoccupied by the licensee for at least 6 months.
- d. State license. The Administrator may suspend or revoke any license if the corresponding State license or permit for the subject location is expired, surrendered, suspended, or revoked.

40-30.4 Reserved

40-30.5 Reserved**

SECTION 11. Any and all ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency, it being the legislative intent that all such ordinances or part of ordinances now existing or in effect unless the same are in conflict or inconsistent with any provision of this Ordinance shall remain in effect.

SECTION 12. The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 13. This Ordinance shall take effect upon passage and publication as provided by law.

SECTION 14. This Ordinance shall be a part of the General Ordinances of the City of Bayonne as though codified and fully set forth therein. The City Clerk shall have this Ordinance codified and incorporated in the official copies of the City Code. The City Clerk and the City Attorney are authorized and directed to change any Chapter, Article and/or Section number of the General Ordinances of the City of Bayonne in the event that the codification of this Ordinance

reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repeal of existing provisions not intended to be repealed.

Council Member Carroll 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 OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 35, ZONING REGULATIONS AND CHAPTER 4, LICENSING REGISTRATION AND BUSINESS REGULATIONS," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, January 21, 2020 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

Absent – Council Member Gullace.

* * * * *

14. Council Members Perez introduced

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

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

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

RESTRICTIVE PARKING ZONES
ADD

152. Michael Bell, Sr. for his son, Michael Bell II- 273 Avenue A
Beginning at a point on the south side, 63 feet west of the southwest corner of Avenue A and West 9th Street, and extending to a point 16 feet west thereof.

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

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE OF THE CITY OF BAYONNE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7. TRAFFIC," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, January 20, 2021 at 7:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and

place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

Absent – Council Member Gullace.

* * * * *

- 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 MA TERESITA TOLENTINO filing notice of claim alleging damage to her automobile at West 27th Street resulting from a fall tree on August 4, 2020.

* * * * *

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

From Rosemarie Arnold, Esq., filing notice of claim on behalf of SAVANNAH WRIGHT alleging personal injury resulting from a fall at 16 Sisson Court on August 17, 2020

* * * * *

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

From the Tax Court of New Jersey in the matter entitled, "LEVY/AUG BAYONNE LLC % ABS PARTNERS vs. the City of Bayonne."

* * * * *

- 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, “MERCER BAY LLC; BY LUKOIL N.A., tenant-taxpayer vs. the City of Bayonne.”

* * * * *

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

From the Tax Court of New Jersey in the matter entitled, “NJD DEVELOPMENT, LLC vs. the City of Bayonne.”

* * * * *

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

From the Tax Court of New Jersey in the matter entitled, “1061 BROADWAY DEVELOPMENT ASSOC., LLC vs. the City of Bayonne.”

* * * * *

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

From the Tax Court of New Jersey in the matter entitled, “DELAWARE DELTA, LLC vs. the City of Bayonne”

* * * * *

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

From the Tax Court of New Jersey in the matter entitled, “557-561 BROADWAY BAYONNE, LLC vs. the City of Bayonne.”

* * * * *

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

From the Tax Court of New Jersey in the matter entitled, “DELAWARE DELTA, LLC vs. the City of Bayonne.”

* * * * *

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

From the Tax Court of New Jersey in the matter entitled, “ORTHO SURG TEK, LLC vs. the City of Bayonne.”

* * * * *

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

From the Tax Court of New Jersey in the matter entitled, “DR. NARD, LLC vs. the City of Bayonne.”

* * * * *

- 27.** 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.

* * * * *

- 28.** 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.

December 15, 2020
11:17 AM

Bayonne City
Purchase Order Listing By Vendor Id

Page No: 1

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
Bid: Y

Paid: N
Held: N
State: Y

Void: N
Aprv: Y
Other: Y

Exempt: Y

Vendor #	Name		Status	Amount	Void Amount	Contract	PO Type
PO #	PO Date	Description					
ACHAR005	AC HARDWARE						
20-02923	11/06/20	LIGHTBULBS & KEYS	Open	30.05	0.00		
20-02931	11/13/20	KEYS FOR F.D	Open	20.31	0.00		
20-03139	11/17/20	KEYS/KEY-CASE/DUCT TAPE	Open	27.75	0.00		
20-03167	12/09/20	KEYS	Open	<u>5.96</u>	0.00		
				84.07			
ACTION005	ACTION INTERPRETING LLC						
20-03157	12/10/20	LEGAL INTERPRETER - RENT BRD	Open	213.75	0.00		
AFFOR005	AFFORDABLE HOUSING PROFESSIONA						
20-03100	12/04/20	Annual Membership Dues S.Mack	Open	75.00	0.00		
AGLIN005	AGL INHALATION THERAPY INC.						
20-02921	10/31/20	OXYGEN	Open	149.88	0.00		
20-03138	11/30/20	OXYGEN Nov'20	Open	<u>145.40</u>	0.00		
				295.28			
ALMIN005	ALM INDUSTRIES INC.						
20-03090	12/09/20	NJ Local Govt	Open	267.00	0.00		
ALPHA005	ALPHA DOG SOLUTIONS, INC						
20-02972	11/15/20	Muni Website Maint. Nov'20	Open	4,950.00	0.00	C0-00050	C
AMAZO005	AMAZON.COM						
20-02948	11/20/20	MAGNETIC REED SWITCH	Open	16.62	0.00		
V0000385	11/13/20	Amazon Supplies	Open	872.76	0.00		
V0000397	11/20/20	Xerox Toner	Open	<u>113.54</u>	0.00		
				1,002.92			
ANTHO025	ANTHONY BECKNER						
20-03141	12/07/20	Reimbsnt SC Halloween Candy	Open	91.12	0.00		
APPRO005	APPROVED FIRE PROTECTION						
20-03025	11/03/20	New Fire Extinguishers & Inspc	Open	621.37	0.00		
ARAMA005	ARAMARK UNIFORM SERVICES						
20-02956	10/20/20	CG Uniforms 10/20/20	Open	397.66	0.00		
20-03026	10/27/20	CG Uniforms 10/27-11/17/20	Open	<u>1,251.41</u>	0.00		
				1,649.07			
ATLAN065	ATLANTIC TACTICAL						
20-01609	07/22/20	FILTERS	Open	20,923.71	0.00		
ATLAN070	ATLANTIC TOMORROWS OFFICE						
V0000394	08/04/20	Ricoh Print Ctge MP3554	Open	897.00	0.00		

December 15, 2020
11:17 AM

Bayonne City
Purchase Order Listing By Vendor Id

Page No: 2

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
BAKER015	BAKER & TAYLOR								
		20-02849	10/16/20	BOOKS AND PUBLICATIONS	Open	903.59	0.00		
		20-02850	10/19/20	BOOKS AND PUBLICATIONS	Open	1,782.88	0.00		
		20-02854	10/26/20	BOOKS AND PUBLICATIONS	Open	130.00	0.00		
		20-02952	11/03/20	BOOKS AND PUBLICATIONS	Open	1,198.31	0.00		
		20-02953	11/09/20	BOOKS AND PUBLICATIONS	Open	1,019.50	0.00		
		20-03068	11/17/20	BOOKS AND PUBLICATIONS	Open	918.98	0.00		
		20-03069	11/20/20	Books & Publications	Open	1,192.02	0.00		
						7,145.28			
BARCO005	BARCO PRODUCTS								
		20-02960	10/07/20	Engraved Memorial Benches	Open	2,755.63	0.00		
BAYON080	BAYONNE EXTERMINATING CO.								
		20-03062	11/20/20	Mty Pest Ctrl. LIBR Oct-Nov'20	Open	139.10	0.00		
		20000183	03/16/20	Pets Control Services CY2020	Open	2,387.50	0.00	CO-00031	C
						2,526.60			
BAYON365	BAYONNE ECONOMIC OPPORTUNITY F								
		20000285	04/21/20	Senior Nutrition Prog.CY2020	Open	37,930.80	0.00	CO-00039	C
		CD-10319	12/06/19	CY2020 CDBG Admin & Planning	Open	18,333.37	0.00		B
		CD-10339	08/06/20	GY20 Sr. Transportation S&W	Open	4,098.04	0.00		B
		CD-10340	08/06/20	GY20 Fair Housing Counseling	Open	8,610.68	0.00		B
		CD-10360	09/11/20	GY21 CV Rental Assistance	Open	27,480.00	0.00		B
		CD-10361	09/11/20	GY21 CV Sr. Holiday Grab'n Go	Open	2,807.29	0.00		B
		CD-10362	09/11/20	GY21 CV Office Sanitation PPE	Open	1,092.72	0.00		B
		CD-10376	11/08/20	GY21 CV Admin & Planning	Open	10,593.82	0.00		B
						110,946.72			
BEOFD005	BEOFF/ DAL DESIGN GROUP								
		CD-10317	11/04/19	Architectural Plans HFA	Open	8,400.00	0.00		B
BERGE075	BERGEN COUNTY TECHNICAL SCHOOL								
		20-02908	11/09/20	TRAINING FOR NEW F/F RECRUITS	Open	3,360.00	0.00		
BEYER020	BEYER FLEET SALES & SERVICE								
		20-03029	07/21/20	HEATERS for COV-19 Reduction	Open	2,000.00	0.00		
BISCH005	SUSAN BISCHOFF								
		20-03072	11/24/20	STENO RCB 10/20/20	Open	175.00	0.00		
		20-03073	11/24/20	Steno RCB 11/17/20	Open	175.00	0.00		
		20-03080	11/24/20	Steno ZB 09/21,10/19, 11/16/20	Open	900.00	0.00		
		20-03081	11/24/20	Steno PB 10/13,11/09,09/08/20	Open	900.00	0.00		
						2,150.00			
BLACK040	BLACKSTONE AUDIOBOOKS INC								
		20-03070	11/10/20	BOOKS AND PUBLICATIONS	Open	590.16	0.00		
BOBSC005	BOB'S CARPET SERVICE								
		20-02922	11/04/20	P&T, CAPT PARSELY'S OFFICE	Open	1,098.50	0.00		
BOGUS005	BOGUSH INC								
		20-03158	12/10/20		Open	16,275.00	0.00		

December 15, 2020
11:17 AM

Bayonne City
Purchase Order Listing By Vendor Id

Page No: 3

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
BORGE005	NORTON BORGES	20-03083	11/02/20	Halloween Contest 10/31/20	Open	480.00	0.00		
BREWE005	BREWER ASSOCIATES	20-02984	10/31/20	Lin/SQF Readings Oct'20	Open	75.00	0.00		
		20-03082	11/25/20	Lin/SQF Readings Nov'20	Open	75.00	0.00		
						150.00			
BRIDG005	BRIDGE AWARDS & TROPHIES LLC	20-02968	10/30/20	Peewee Basketball Tees & Troph	Open	963.00	0.00		
		20-02969	11/04/20	Flag Football Trophies	Open	1,540.00	0.00		
		20-03154	12/08/20	Youth Floor Hockey Uniforms	Open	3,120.00	0.00		
						5,623.00			
BUYMI005	BUY WISE WHOLESALE AUTO PARTS	20000047	01/15/20	Auto Parts & Supplies	Open	460.39	0.00		B
CABLE020	CABLEVISION	20000753	11/16/20	Acct 0780403551014 Nov-Dec'20	Open	337.09	0.00		
		20000754	11/16/20	Acct 07804031398019 Nov-Dec'20	Open	224.94	0.00		
		20000755	11/16/20	Acct 0780432015018 Nov-Dec'20	Open	104.09	0.00		
		20000756	11/16/20	Acct 07804033379019 Nov-Dec'20	Open	134.94	0.00		
		20000757	11/16/20	Acct 07804033540014 Nov-Dec'20	Open	8.33	0.00		
		20000758	11/16/20	Acct 07804035999011 Nov-Dec'20	Open	139.88	0.00		
		20000759	11/16/20	Acct 07804036575026 Nov-Dec'20	Open	39.59	0.00		
		20000760	11/01/20	Acct 07804037621026 Nov'20	Open	285.30	0.00		
		20000761	11/16/20	Acct 07804038553012 Nov-Dec'20	Open	37.55	0.00		
		20000762	11/16/20	Acct 07804039775011 Nov-Dec'20	Open	236.23	0.00		
		20000795	12/01/20	Acct 07804026567017 Dec'20	Open	24.36	0.00		
		20000796	12/01/20	Acct 07804026685017 Dec'20	Open	108.28	0.00		
		20000797	12/01/20	Acct 07804031452021 Dec'20	Open	26.16	0.00		
		20000798	12/01/20	Acct 07804031865018 Dec'20	Open	33.31	0.00		
		20000799	12/01/20	Acct 07804039171011 Dec'20	Open	191.68	0.00		
		20000800	12/01/20	Acct 07804039744016 Dec'20	Open	126.43	0.00		
		20000811	12/01/20	Acct 07804031897011 Dec'20	Open	11.45	0.00		
		20000828	12/01/20	Acct 07804037621026 Dec'20	Open	285.30	0.00		
						2,354.91			
CABLE030	CABLEVISION	20000748	11/01/20	Acct 50851 Oct/Nov'20	Open	3,452.53	0.00		
		20000749	11/01/20	Acct 52459 Nov'20	Open	3,352.77	0.00		
		20000812	12/01/20	Acct 50851 Dec'20	Open	3,456.28	0.00		
		20000813	12/01/20	Acct 52459 Dec'20	Open	3,321.84	0.00		
						13,583.42			
CALHO005	CALHOUN ASSOCIATES INC.	20-02642	11/12/20	Cube Filters	Open	2,227.95	0.00		
CAMPB015	CAMPBELL SUPPLY CO. INC.	20-02998	10/27/20	Repair Parts	Open	329.12	0.00		
CAMP1005	RICHARD CAMPISANO	20000100	02/13/20	Prof.Serv.Zoning Board Cy2020	Open	6,837.50	0.00	C0-00001	C

December 15, 2020
11:17 AM

Bayonne City
Purchase Order Listing By Vendor Id

Page No: 4

Vendor #	Name		Status	Amount	Void Amount	Contract	PO Type
PO #	PO Date	Description					
CAMPI005	RICHARD CAMPISANO	Continued					
20000101	02/13/20	Prof.Serv.Planning Board 2020	Open	1,800.00	0.00	C0-00006	C
DE-10049	01/14/20	Developer Escrow Billing CY20	Open	5,022.50	0.00		
				13,660.00			
CDWG0005	CDW GOVERNMENT						
20-02903	11/12/20	SGT MUNOZ DVDS	Open	419.40	0.00		
20-02951	11/20/20	PROTECTIVE CASE FOR TABLET	Open	75.50	0.00		
20-03035	12/09/20	STATION & TABLET CASE	Open	405.54	0.00		
20-03056	12/07/20	PHONE & WIRES FOR T.R.O'S	Open	304.75	0.00		
				1,205.19			
CENTR025	CENTRAL PAINT						
20-02991	11/18/20	Waterborne Bonding	Open	93.58	0.00		
V0000391	11/17/20	Painting Supplies	Open	196.11	0.00		
				289.69			
CHASA005	CHASAN, LEYNER & LAMPARELLO, P						
20000157	03/09/20	Legal Service-Tax Appeals2020	Open	25,657.25	0.00	C0-00009	C
CITY0035	CITY OF BAYONNE						
20-03063	12/01/20	Elevator Insptn Fees LIBR 2020	Open	540.00	0.00		
20-03132	12/07/20	EoJ Return of Petty Cash-LIBR	Open	474.97	0.00		
DE-10051	01/14/20	Developer Escrow Billing CY20	Open	323.26	0.00		
				1,338.23			
CIVIL005	CIVIL SOLUTIONS						
20000240	04/03/20	Maint.of Digital Tax Map,2020	Open	2,695.00	0.00	C0-00025	C
CLIPS005	PAPER CLIPS						
V0000366	11/23/20	File Cabinet	Open	516.95	0.00		
CMEAS005	CME ASSOCIATES						
20000190	03/17/20	Municipal Engineer	Open	51,751.50	0.00	C0-00026	C
DE-10048	01/14/20	Developer Escrow Billing CY20	Open	23,457.25	0.00		
				75,208.75			
COACH005	COACHING SYSTEMS LLC						
20-02946	11/20/20	RESPONSE BOOKS FOR F.D. 2020	Open	369.40	0.00		
COMMI020	NJ MOTOR VEHICLE COMMISSION						
20-03165	10/28/20	TITLE/REGISTRATION	Open	825.00	0.00		
COMMI025	NEW JERSEY MOTOR VEHICLE COMMI						
20-03047	11/18/20	PROCESS 3 VEHICLES	Open	9.00	0.00		
COMMU090	COMMUNITY DAY NURSERY OR						
CD-10377	12/11/20	Emergency Repair - HVAC	Open	18,381.92	0.00		
CONSO010	CONSOLIDATED STEEL&ALUMINUM FE						
20-03030	09/30/20	SERVICE CALL	Open	195.00	0.00		

December 15, 2020
11:17 AM

Bayonne City
Purchase Order Listing By Vendor Id

Page No: 5

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
CONTE015	DAVID CONTE	20-03112	12/07/20	STORAGE CONTAINERS	Open	78.94	0.00		
CONTI010	CONTINENTAL TRADING & HARDWARE	20-02979	06/29/20	Repair Parts	Open	448.80	0.00		
CRYST005	CRYSTAL CLEAR VIDEO PRODUCTION	20000282	05/01/20	PSA Message Coordination	Open	2,500.00	0.00		
CUSTO005	CUSTOM BANDAG INC.	20-02915	10/30/20	Repair Parts	Open	410.20	0.00		
CYCLE005	BAY CYCLE	20-02932	09/19/20	9/19/20 REPAIRS TO MOTORCYCLE	Open	460.00	0.00		
		20-02933	10/30/20	REPAIRS MC#1 10/30/20	Open	865.00	0.00		
		20-02934	10/23/20	MC3 REPAIRS, 10/23/20	Open	261.00	0.00		
		20-03043	11/18/20	REPAIRS MOTORCYCLE# 3	Open	2,155.00	0.00		
						3,741.00			
DECOR005	RILEIGHS OUTDOOR DECOR	20-03155	12/10/20	Install-Remove-storage	Open	4,730.00	0.00		
DEDOU005	JOHN T. DEDOUSIS MD	20000195	03/18/20	Professional Medical Ser.2020	Open	13,000.00	0.00	C0-00017	C
DELLM005	DELL MARKETING L.P.	20-02780	11/20/20	COMPUTERS & LAPTOPS	Open	19,288.82	0.00		
DIESE005	DIESEL POWER & EQUIPMENT INDUS	20-03027	11/06/20	Diesel Emissions Inspections	Open	2,026.19	0.00		
DIFE005	CHEVY OF JERSEY CITY	20-02995	10/27/20	Hinge Kit	Open	169.03	0.00		
DILLI005	DILLIN TIRE CO.	20-02997	11/09/20	Tire Disposal	Open	255.00	0.00		
		20-03095	11/18/20	Tire Balancing	Open	168.00	0.00		
						423.00			
DISTA005	KERI L. DISTASO	20-03147	12/01/20	Clothing Reimbursement	Open	219.98	0.00		
DLSCO005	DLS CONTRACTING INC.	20000819	12/13/20	2020 Roadway Improvements	Open	982,466.35	0.00	C0-00055	C
DONNE015	RR DONNELLEY	20-02725	10/29/20	SAFETY PAPER FOR DEATH CERTS.	Open	735.00	0.00		
DONOH005	DONOHUE, GIRONDA & DORIA	20000810	12/10/20	Opinion On HCIA&AFS 2017,2018	Open	10,000.00	0.00		
DRIND005	D & R INDUSTRIAL SAW	20-03146	12/01/20	60lb Hammer	Open	117.75	0.00		

December 15, 2020
11:17 AM

Bayonne City
Purchase Order Listing By Vendor Id

Page No: 6

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
DYNAM005	DYNAMIC TESTING SERVICES, INC.	20-03149	11/23/20	CDL Testing Pgm Q4'20	Open	675.00	0.00		
EATON005	EATON CORP.	20-01531	06/15/20	ANN'L SPPT & BATTERY 20-21	Open	6,651.00	0.00		
EMERG020	EMERGI-CLEAN INC.	20-03004	11/12/20	Decon Svcs 11/09/20	Open	205.00	0.00		
		20-03005	11/16/20	DECON SERVICES 11/14/20	Open	<u>547.00</u>	0.00		
						752.00			
FAMIL005	FAMILY MEDICAL SUPPLY CENTER	20-02939	11/02/20	Mada Duo Tanks Nov'20	Open	328.90	0.00		
FANWO005	FANWOOD CRUSHED STONE CO.	20-02980	10/31/20	Mason Sand	Open	192.60	0.00		
FEDEX210	FEDEX	20-03089	11/16/20	Acct 2544-3505-8, C.Foley LLP	Open	25.78	0.00		
		V0000373	07/20/20	Acct 2356-4702-8 NJ Dep Transp	Open	<u>26.13</u>	0.00		
						51.91			
FIREF015	FIREFIGHTER ONE	20-02907	11/12/20	HAND TOOLS	Open	1,732.60	0.00		
		20-03052	12/04/20	BARRICADE TAPE	Open	<u>228.00</u>	0.00		
						1,960.60			
FLEXF005	FLEXFACTS	20000750	11/06/20	FSA Monthly Fee Oct'20	Open	252.00	0.00		
		20000808	12/08/20	FSA Monthly Service Nov'20	Open	<u>252.00</u>	0.00		
						504.00			
FLIRS005	FLIR SYSTEMS	V0000326	10/12/20	Thermometer Calibration	Open	410.00	0.00		
FSTIR005	F & S TIRE CORP. INC.	20-02996	09/24/20	Tires	Open	1,150.59	0.00		
GENE040	GENERAL PLUMBING SUPPLY	20-03016	11/05/20	Plumbing Supplies	Open	57.88	0.00		
		V0000363	10/19/20	Plumbing Supplies	Open	93.00	0.00		
		V0000390	08/13/20	Plumbing Supplies	Open	<u>243.70</u>	0.00		
						394.58			
GLEN005	GLENCO SUPPLY INC.	20-02613	11/11/20	Signage & Supplies	Open	6,616.00	0.00		
GLOB035	GLOBAL INDUSTRIAL EQUIP.CO.	V0000400	11/24/20	Janitorial Supplies	Open	1,874.91	0.00		
GLOB060	GLOBAL INTERACTIVE SOLUTIONS	V0000406	11/25/20	FD Zoom Event 11/25/20	Open	179.88	0.00		

December 15, 2020
11:17 AM

Bayonne City
Purchase Order Listing By Vendor Id

Page No: 7

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
GRAFF005	GRAFFITI SOLUTIONS								
		20-02793	10/30/20	Graffiti Remover	Open	800.00	0.00		
GRAIN005	GRAINGER								
		20-02240	09/02/20	Janitorial Supplies	Open	416.91	0.00		
		20-02919	11/16/20	MATERIALS AND SUPPLIES	Open	48.00	0.00		
		20-02988	12/01/20	Janitorial Supplies	Open	186.97	0.00		
		20-02989	12/01/20	Snow Shovels	Open	177.00	0.00		
		20-02990	12/01/20	Misc. CG Supplies	Open	456.19	0.00		
		20-03002	12/01/20	MEDICAL SUPPLIES	Open	362.64	0.00		
		W0000396	11/20/20	Glass Cleaner	Open	77.18	0.00		
						1,724.89			
GROUP005	FLAMAGAN'S CONTRACTING GROUP, I								
		20000818	12/13/20	Waterfront Walkway Project	Open	87,272.92	0.00	C0-00048	C
HELEN010	HELENA RUMAN ARCHITECTS								
		20-03115	07/31/20	LIBR CI PLanning for Grant	Open	16,000.00	0.00		
HERBE005	HERBERT'S ARMY & NAVY STORE								
		20-03041	11/16/20	Crossing Guard Vests	Open	449.80	0.00		
HERCR005	HERC RENTALS INC.								
		20-02786	12/04/20	HERC RENTAL	Open	1,223.50	0.00		
		20-03019	11/14/20	Buried Line Pipe & Camera Loc.	Open	45.00	0.00		
						1,268.50			
HUDSO120	HUDSON REGIONAL HEALTH COM								
		20000241	04/03/20	JOINT AGREEMENT FOR CY2020 ASS	Open	6,486.00	0.00	C0-00035	C
HUDSO125	HUDSON COUNTY REGISTER								
		CD-10324	12/15/19	Discharge of Mortgage	Open	91.00	0.00		
HYEPE005	HYE PETROLEUM								
		20-03042	11/10/20	Gas BPU-Jun, Aug, Sep, Oct, Nov '20	Open	126.91	0.00		
IHARP005	I. HALPER PAPER & SUPPLIES, INC								
		20-02928	11/12/20	COVID-19 SUPPLIES	Open	640.50	0.00		
		20-02929	11/12/20	FIRE DEPT. JANITORIAL SUPPLIES	Open	103.90	0.00		
		20-03049	11/30/20	JANITORIAL PRODUCTS	Open	1,180.80	0.00		
						1,925.20			
IMSA0005	IMSA								
		20-03150	12/02/20	PS Membership Fees	Open	270.00	0.00		
INDEP010	INDEPENDENCE CONTRACTORS								
		CD-10356	08/07/20	UST Closure	Open	8,740.00	0.00		B
INLIND005	IN-LINE AIR CONDITIONING								
		20-03023	10/30/20	HVAC Services 10/30-11/16/20	Open	12,377.89	0.00	C0-00005	C
		20-03151	12/10/20	HVAC Services MAR, NOV, DEC '20	Open	3,274.06	0.00	C0-00005	C
		20000583	08/28/20	Emergency Contract Air Ducts	Open	38,887.00	0.00		B

December 15, 2020
11:17 AM

Bayonne City
Purchase Order Listing By Vendor Id

Page No: 8

Vendor #	Name		Status	Amount	Void Amount	Contract	PO Type
PO #	PO Date	Description					
INLIN005	IN-LINE AIR CONDITIONING	Continued					
20000801	12/03/20	Overpayment of #55485	Open	18.00-	0.00		
				54,520.95			
INTEG010	INTEGRATED TECHNICAL SYSTEMS I						
20-03039	10/29/20	IRIS JUL,NOV'20, Covers	Open	3,085.00	0.00		
INTEG015	INTEGRATED MICRO SYSTEMS						
20-03091	12/01/20	Monthly IT Service Nov'20	Open	6,105.00	0.00	C0-00033	C
20000725	12/02/20	Video Conf Sys/City Council	Open	9,013.00	0.00	C0-00058	C
20000747	12/02/20	Lenovo Idea Pads Mayor & DPW	Open	1,426.00	0.00	C0-00058	C
20000782	12/02/20	IT Switches	Open	1,448.00	0.00	C0-00058	C
20000785	12/03/20	Lenovo IdeaPad Personnel	Open	713.00	0.00	C0-00058	C
				18,705.00			
INTER090	Interstate Waste Services						
20-02959	10/31/20	Rcycling Demo Scale 10/14/20	Open	1,304.16	0.00		
JERSE060	JERSEY JOURNAL						
20-02940	11/09/20	NOV AUCTION, AD# 0009771099	Open	125.79	0.00		
DE-10050	01/14/20	Developer Escrow Billing CY20	Open	116.85	0.00		
				242.64			
JEWEL005	JEWEL ELECTRIC SUPPLY CO.						
20-02553	11/02/20	Electrical Supplies	Open	557.97	0.00		
20-02978	09/25/20	Electrical Supplies	Open	184.70	0.00		
20-03143	11/23/20	Electric Supplies	Open	1,701.43	0.00		
20-03144	11/30/20	Flourescent Light Bulbs	Open	151.80	0.00		
W0000320	09/25/20	Electrical Supplies	Open	3,029.26	0.00		
W0000321	09/29/20	Ballasts	Open	126.08	0.00		
				5,751.24			
JJPRI005	J&J PRINTING CO.						
20-02810	11/14/20	NO PARKING SIGNS	Open	925.00	0.00		
20-02811	11/14/20	TO AND FROM ENVELOPES	Open	140.00	0.00		
20-02941	10/31/20	VEH IMPOUND & WORK SITE FORMS	Open	250.00	0.00		
20-02966	11/14/20	Permit Notices	Open	860.00	0.00		
20-03007	11/14/20	ENVELOPES FOR FIRE PREVENTION	Open	400.00	0.00		
20-03017	10/31/20	Plastic Hang Tags	Open	635.00	0.00		
20-03024	11/14/20	No Parking Forestry Signs	Open	295.00	0.00		
20-03037	10/18/20	Visitor Permits	Open	150.00	0.00		
				3,655.00			
JOHNA005	JOHN A. EARL INC.						
20-02853	11/10/20	Lotion Soap	Open	278.80	0.00		
JOSEP055	JOSEPH COUGHLIN						
20-02983	11/09/20	Fire official Lic.	Open	91.00	0.00		
JPSPL005	JP'S PLUMBING & HEATING CORP						
20-02958	10/28/20	Repair Jail Toilet	Open	275.00	0.00		

December 15, 2020
11:17 AM

Bayonne City
Purchase Order Listing By Vendor Id

Page No: 9

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
JSFIN005	J & S FINISHING INC	20-03085	10/29/20	21 Burgundy/White Varsity Jckt	Open	5,985.00	0.00		
KENNE025	KENNETH BOSOTINA	20000420	06/15/20	Reimb. of OOP Expenses	Open	472.33	0.00		
LABCO005	LABCORP OF AMERICA HOLDING	20-03179	11/28/20	Pre-Emg Drug Testing	Open	100.00	0.00		
LANGU005	LANGUAGE LINE SERVICES	20000763	10/31/20	Phone Intptn's Oct'20	Open	342.59	0.00		
LIBER035	LIBERTY LOCKSMITHS & SECURITY	20-03048	11/24/20	2017 FUSION CAR KEY	Open	345.00	0.00		
LIFES010	LIFE SAVERS INC.	20-01768	11/10/20	AED'S FOR PATROL VEHICLES	Open	7,990.00	0.00		
LOWES005	LOWES	20-02957	10/27/20	Lowes Supplies	Open	162.14	0.00		
		20-02963	11/17/20	Lowes Supplies	Open	91.48	0.00		
		20-02974	09/02/20	Lowes Supplies	Open	264.22	0.00		
		20-03006	11/16/20	HEATERS/SMOKE ALARM	Open	370.39	0.00		
		20-03014	11/12/20	Lowes Supplies	Open	209.71	0.00		
		20-03098	11/27/20	Lowes Supplies	Open	264.89	0.00		
		20-03145	12/07/20	Lowes Supplies	Open	275.70	0.00		
		20-03153	12/01/20	Lowes Supplies	Open	1,404.56	0.00		
		20-03166	12/09/20	MERCHANDISE FOR FIRE STATIONS	Open	153.34	0.00		
		20-03171	12/10/20	MERCHANDISE FOR KITCHEN ST.#3	Open	26.96	0.00		
						3,223.39			
MACKA005	MACKAY METERS INC.	20000820	12/14/20	Software Maintenance&Support	Open	11,510.60	0.00	CO-00062	C
MANUE005	MANUEL MARTINEZ	20-03084	11/25/20	Ability Day Pgm-Latin Dance	Open	210.00	0.00		
MATRI010	MATRIX NEW WORLD ENGINEERING,I	CD-10357	08/07/20	Oversight of UST	Open	433.08	0.00		B
		CD-10374	10/16/20	HFA Boiler Oversight & Asbesto	Open	800.00	0.00		B
						1,233.08			
MCCAB005	MCCABE AMBULANCE SERVICE INC	20-03099	12/03/20	Football Standby 10/25/20	Open	280.00	0.00		
MICHA050	MICHAEL MONCZEWSKI	20-02938	11/17/20	TOOLS-4 ENGINE SHADE FOR ST# 4	Open	207.19	0.00		
MIDAT005	MID-ATLANTIC TRUCK CENTER	20-02999	10/20/20	Repair Parts	Open	4,333.76	0.00		
MIDWE010	MIDWEST TAPE	20-02954	11/09/20	BOOKS AND PUBLICATIONS	Open	59.97	0.00		

December 15, 2020
11:17 AM

Bayonne City
Purchase Order Listing By Vendor Id

Page No: 10

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
MIDWE010	MIDWEST TAPE				Continued				
	20-03067	11/23/20	BOOKS AND PUBLICATIONS	Open	<u>156.66</u>	0.00			
					216.63				
MILLE020	MILLENNIUM STRATEGIES LLC								
	20000110	02/13/20	Grant W.&Mng.Consulting CY2020	Open	5,500.00	0.00		CO-00020	C
MOBIL025	MOBILE TECH, INC.								
	20-03137	12/04/20	RADIO REPAIR 12/04/20	Open	600.50	0.00			
MOTOR015	MOTOROLA SOLUTIONS INC.								
	20-03032	11/30/20		Open	70,008.54	0.00		CO-00002	C
	20-03168	12/01/20	BATTERIES	Open	<u>1,458.00</u>	0.00			
					71,466.54				
MIRMIL005	M & R MILLER AUTO GEAR								
	20-02926	11/10/20	HAND PUMP	Open	299.94	0.00			
	20-03174	12/21/20	LED C-STROBE	Open	137.70	0.00			
	20000046	01/15/20	Auto Parts & Supplies	Open	<u>870.55</u>	0.00			B
					1,308.19				
MUNIC045	MUNICIPAL INSPECTION CORP.								
	20-02910	10/31/20	Elevator Inspections Oct'20	Open	4,443.00	0.00			
NAPAA005	NAPA AUTO PARTS								
	20000048	01/15/20	Auto Parts & Supplies	Open	1,449.19	0.00			B
NEWJE085	NEW JERSEY FIRE EQUIP CO.								
	20-03172	10/29/20	TASK FORCE TIPS	Open	1,494.00	0.00			
	20-03173	12/04/20	ASSY HOSE/REGULATOR HOSE	Open	<u>1,670.40</u>	0.00			
					3,164.40				
NEWJE235	NEW JERSEY DOOR WORKS LLC								
	20-02961	11/04/20	Door Repair PD-HQ	Open	578.25	0.00			
	20-03015	11/06/20	Door Repair FS # 4	Open	3,850.00	0.00			
	20-03021	11/06/20	Door Repair 330 New Hool Rd CG	Open	697.92	0.00			
	20-03152	12/04/20	City Hall Door Repair	Open	<u>794.93</u>	0.00			
					5,921.10				
NEWSP005	NEWSPAPER MEDIA GROUP, LLC								
	20-02911	11/05/20	ADVERTISEMENT RABIES CLINIC	Open	650.00	0.00			
	20-03103	10/29/20	Bayonne Magazine	Open	3,000.00	0.00			
	20-03104	10/29/20	Bayonne Magazine SID	Open	1,500.00	0.00			
	20-03105	11/26/20	UEZ/Bayonne	Open	<u>1,448.00</u>	0.00			
					6,598.00				
NJMED010	NJ MEDICAL & HEALTH ASSOCIATES								
	20-03178	12/11/20	Pre-employ and RTW Phys. Exams	Open	425.00	0.00			
NWFIN005	NW FINANCIAL GROUP, LLC								
	20000314	05/04/20	Financial Advisory Ser.CY2020	Open	9,051.25	0.00		CO-00027	C

December 15, 2020
11:17 AM

Bayonne City
Purchase Order Listing By Vendor Id

Page No: 11

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
OCLCF005	OCLC Inc.	20-03061	12/01/20	Cataloging & Metadata Dec'20	Open	1,458.77	0.00		
PABCO005	PABCO INDUSTRIES	20-02791	11/12/20	Trash Bags	Open	945.00	0.00		
PARSO005	PARSONS ENVIRONMENT & INFRASTR	20-03000	11/05/20	Emission Tstg Mnthly Fee Oct'20	Open	72.54	0.00		
PASS0005	EZ PASS	20-03013	11/03/20	Food Van E-ZPass Violation	Open	53.95	0.00		
PASSP005	PASSPORT LABS, INC.	20000322	05/08/20	Sec.&third Y Software Sub.2020	Open	31,007.00	0.00	CO-00041	C
PC000005	KRIVIT & KRIVIT P.C.	20000180	03/12/20	Legal Ser&State Grant F Cy2020	Open	10,000.00	0.00	CO-00013	C
PERRYOLE	PERRY O. LEHRER, ESQ.	20000783	11/24/20	Arbitrator(Ruderman&Roth2020)	Open	13,078.06	0.00		
PHILL010	PHILLY PRETZEL FACTORY	20-02970	11/03/20	Rivet Cups, Halloween, PM-BB	Open	480.00	0.00		
PORTA005	PORT AUTHORITY OF NY & NJ	20000793	11/10/20	Mem Electric Sep'20	Open	257.94	0.00		
POWER005	POWER DMS INC	20-02925	11/02/20	1/1/21-12/31/21 ANNUAL FEE	Open	2,788.10	0.00		
PRAXA005	PRAXAIR DISTRIBUTION, INC.	20-02916	10/22/20	Industrial Gases	Open	53.91	0.00		
PSEG0005	PSEG	20000765	11/13/20	Acct 1301408107 10/06-11/04/20	Open	4,213.49	0.00		
		20000766	11/10/20	Acct 1301408204 10/06-11/03/20	Open	1,509.89	0.00		
		20000767	11/13/20	Acct 1301408301 10/06-11/04/20	Open	236.26	0.00		
		20000768	10/27/20	Acct 1301408603 Oct'20	Open	26,497.44	0.00		
		20000769	10/28/20	Acct 1301408700 Oct'20	Open	60,292.48	0.00		
		20000770	11/02/20	Acct 1301408808 09/26-10/20/20	Open	173.78	0.00		
		20000771	10/27/20	Acct 1301409006 Oct'20	Open	3,952.43	0.00		
		20000772	11/03/20	Acct 6574856000 10/02-10/30/20	Open	864.01	0.00		
		20000773	11/03/20	Acct 6694264704 10/02-10/30/20	Open	1,303.55	0.00		
		20000774	11/05/20	Acct 7140006407 10/06-11/03/20	Open	645.51	0.00		
		20000775	11/10/20	Acct 7290827902 10/09-11/06/20	Open	126.87	0.00		
		20000776	11/13/20	Acct 7394366901 10/14-11/11/20	Open	60.69	0.00		
		20000777	10/09/20	Acct 7397419208 10/09-11/06/20	Open	17.39	0.00		
		20000778	11/05/20	Acct 7445172904 10/06-11/03/20	Open	45.92	0.00		
		20000779	11/06/20	Acct 7508489500 10/06-11/04/20	Open	55.32	0.00		
		20000788	11/20/20	Acct 7455992718 10/21-11/18/20	Open	27.47	0.00		
		20000789	11/18/20	Acct 7458684208 10/17-11/16/20	Open	275.86	0.00		
		20000794	11/24/20	Acct 1301408905 09/06-11/06/20	Open	7,577.15	0.00		
		20000805	11/30/20	Acct 14014019006 Nov'20	Open	4,006.55	0.00		

December 15, 2020
11:17 AM

Bayonne City
Purchase Order Listing By Vendor Id

Page No: 12

Vendor #	Name						
PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
PSEG0005	PSE&G	Continued					
20000814	12/08/20	Acct 7140006407 11/04-12/04/20	Open	569.84	0.00		
20000815	12/08/20	Acct 7445172907 11/04-12/04/20	Open	51.62	0.00		
20000816	12/08/20	Acct 7508489500 11/06-12/04/20	Open	76.88	0.00		
20000822	12/01/20	Acct 1301408603 Nov'20	Open	27,236.72	0.00		
20000823	12/01/20	Acct 1301408700 Nov'20	Open	61,542.71	0.00		
20000824	12/03/20	Acct 1301408808 10/27-11/24/20	Open	169.22	0.00		
20000825	12/04/20	Acct 6574856000 10/31-12/02/20	Open	888.12	0.00		
20000826	12/04/20	Acct 6694264704 10/31-12/02/20	Open	<u>1,371.81</u>	0.00		
				203,788.98			
PUBLI125	PUBLIC WORKS ASSOCIATION OF NJ						
20-03060	01/01/20	CPWM Cert GC,JCe,RT,JCa	Open	120.00	0.00		
RAINB010	RAINBOW CLEANERS						
20-03008	11/08/20	CLEANING /REPAIRS FIREMEN GEAR	Open	480.00	0.00		
RAIN0005	RAINONE COUGHLIN MINCHELLO LLC						
20000792	12/02/20	Utility,Management Agreements	Open	1,680.00	0.00	c0-00061	C
READY005	READY REFRESH BY NESTLE						
20000751	11/12/20	Acct 0442720751 Oct-Nov'20	Open	244.77	0.00		
20000752	11/11/20	Acct 0441205655 Oct-Nov'20	Open	<u>113.38</u>	0.00		
				358.15			
RESNI005	RESNICK'S HARDWARE						
20-02913	10/30/20	NOVA Disinfectatnt	Open	119.96	0.00		
20-03040	11/13/20	Patching Cement	Open	138.18	0.00		
20-03086	11/19/20	Janitorial Supplies	Open	1,187.10	0.00		
20-03108	10/22/20	Ptbl Tables & Chairs 10/22/20	Open	191.80	0.00		
20-03109	10/15/20	10/15/20 DINE OUTDOOR	Open	<u>174.02</u>	0.00		
				1,811.06			
ROSEG005	ROSEGATE VILLAGE CONDO ASSOCIA						
20000156	03/06/20	Municipal Reimb.for PSE&G 2020	Open	159.69	0.00		
RUDROTH5	RUDERMAN & ROTH,LLC.						
20000245	04/07/20	Legal Services - Labor CY2020	Open	5,296.50	0.00	c0-00007	C
SAFET010	SAFE-T						
20-02930	10/29/20	GEAR FOR NEW RECRUITS	Open	43,412.52	0.00		
SHIIN005	SHI INTERNATIONAL CORP.						
20-02781	11/09/20	6/1/19-5/31/20 SWIFT911	Open	16,025.00	0.00		
20-02783	11/03/20	6/1/20-5/31/21 SWIFT911	Open	<u>16,025.00</u>	0.00		
				32,050.00			
SIGNA005	SIGNAL CONTROL PRODUCTS						
V0000365	11/09/20	Pole Cap for Ped Pole	Open	102.00	0.00		
SIMSM005	SIMS METAL MANAGEMNET						
20-03020	10/31/20	Comingled Recycling OCT'20	Open	11,334.68	0.00	c0-00044	C

December 15, 2020
11:17 AM

Bayonne City
Purchase Order Listing By Vendor Id

Page No: 13

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
SPARK005	SPARKCLEAN								
		20-02935	10/06/20	Cov19 Cleaning Oct'20	Open	3,400.00	0.00		
		20-03113	11/03/20	Cov19 Cleaning Nov'20	Open	<u>4,250.00</u>	0.00		
						7,650.00			
SPRIN015	SPRINT								
		20000806	11/30/20	Acct 760119137 Oct-Nov'20	Open	54.12	0.00		
SRASE005	SRA SECURITY SYSTEMS INC.								
		20-02447	11/09/20	CAMERA SYSTEM FOR FIRE HOUSES	Open	23,700.00	0.00		
STACK005	STACK COOLAHAN & STACK, LLC.								
		20000243	04/06/20	Real Estate Counseling S.2020	Open	15,000.00	0.00	CO-00016	C
STAND005	STANDARD ELEVATOR CORP.								
		20-03133	12/01/20	Mnthly Elvtr Svc LIBR Nov-Dec20	Open	492.30	0.00		
STAPL010	STAPLES, INC.								
		20-02788	10/31/20	Staples Office Supplies	Open	106.82	0.00		
		V0000369	10/29/20	Disinfectant Spray	Open	59.92	0.00		
		V0000374	11/05/20	Staples Office Supplies	Open	292.31	0.00		
		V0000379	11/10/20	Staples Office Supplies	Open	17.35	0.00		
		V0000384	11/14/20	Disinfectant Spray	Open	90.09	0.00		
		V0000393	11/20/20	Brown Envelopes	Open	16.93	0.00		
		V0000395	11/14/20	Staples Office Supplies	Open	585.69	0.00		
		V0000403	11/25/20	HP Toners	Open	<u>319.17</u>	0.00		
						1,488.28			
STATED025	STATE CHEMICAL MFG. CO.								
		20-02185	08/18/20	DPW Tools	Open	815.32	0.00		
STATED45	STATE OF NJ - DEPT. OF LABOR								
		20-02962	10/26/20	Boiler Inspection 4th St. Fire	Open	220.00	0.00		
		20-03028	11/04/20	Boiler Inspctn 330 Hook-DPW	Open	<u>220.00</u>	0.00		
						440.00			
STEVED005	STEVENS JERSEY CITY FORD								
		20-02994	10/29/20	Repair Parts	Open	388.82	0.00		
STREE005	STREET COP TRAINING								
		20-03009	11/20/20	TRAINING	Open	175.00	0.00		
SUBUR010	SUBURBAN DISPOSAL, INC.								
		20000124	02/14/20	Solid Wast collection CY2020	Open	200,000.00	0.00	CO-00023	C
		20000137	02/21/20	Recycling Collection CY2020	Open	<u>100,000.00</u>	0.00	CO-00022	C
						300,000.00			
SUNRA005	SUNRAY POWER OPCO V LLC								
		20000780	11/02/20	Solar Oct'20	Open	3,421.71	0.00		
		20000802	12/01/20	Solar Power Nov'20	Open	<u>2,719.92</u>	0.00		
						6,141.63			

December 15, 2020
11:17 AM

Bayonne City
Purchase Order Listing By Vendor Id

Page No: 14

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
SUNSH005 SUNSHINE CAR WASH, LLC								
	20-03045	10/31/20	Car Washes FD Oct'20	Open	45.00	0.00		
	20-03169	11/30/20	CAR WASHES FD Nov'20	Open	31.50	0.00		
					76.50			
TEAML005 TEAM LIFE INC								
	20-02807	11/02/20	MEDICAL SUPPLIES	Open	600.00	0.00		
	20-02927	11/10/20	DEFIBRILLATION PADS	Open	366.00	0.00		
					966.00			
TETHE005 TETHERVIEW, LLC								
	20000570	08/18/20	Hosting of City Meetings	Open	500.00	0.00	C0-00047	C
THOMS015 THOMSON REUTERS - WEST								
	20-03079	09/01/20	West Info Chgs Aug-Oct20	Open	4,134.39	0.00		
	20-03087	10/04/20	NJ Rules of Court Federal Key	Open	69.00	0.00		
					4,203.39			
TIMME010 TIMMERMAN'S								
	20-03001	11/06/20	Repair Part	Open	1,524.14	0.00		
TIMMOR05 TIMOTHY J.MORIARTY, ESQ.								
	20000115	02/13/20	Prof.Ser.as B.M.Prosecuter2020	Open	2,100.00	0.00	C0-00010	C
TOWIN005 ADVANCED TOWING								
	20-02944	11/17/20	AUCTION 11/17/20	Open	525.00	0.00		
TOWIN010 LOGAN TOWING								
	20-02942	11/17/20	AUCTION 11/17/20	Open	450.00	0.00		
TOWIN020 TUMINO'S TOWING								
	20-02943	11/17/20	AUCTION 11/17/20	Open	375.00	0.00		
TREKB005 TREK BICYCLE STORE								
	20-01575	09/23/20	POLICE BICYCLES	Open	23,183.38	0.00		
TURN0005 TURN OUT FIRE & SAFETY INC								
	20-03046	11/16/20	F/F UNIFORMS	Open	3,609.96	0.00		
ULINE005 ULINE								
	20-03127	11/30/20	PPE GLOVES	Open	146.29	0.00		
UNITE105 UNITED ROTARY BRUSH CORP.								
	20-02914	10/29/20	Repair Supplies	Open	1,580.08	0.00		
UNITE110 UNITED SITE SERVICES								
	20-02937	10/30/20	Ptbl RR 330 Hook BPD Nov'20	Open	180.00	0.00		
	20-03018	10/29/20	Pb1 RR 330 HR-RY,911 Mem Nov20	Open	468.01	0.00		
	20-03148	11/16/20	Ptbl RR Vets Stm 11/16-18/20	Open	709.46	0.00		
					1,357.47			
VERAL005 V E RALPH & SON INC.								
	20-01303	10/30/20	PPE MARKED & UNMARKED CARS	Open	925.00	0.00		

December 15, 2020
11:17 AM

Bayonne City
Purchase Order Listing By Vendor Id

Page No: 15

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
VERAL005	V E RALPH & SON INC.				Continued				
		20-02936	11/10/20	NARCAN	Open	285.00	0.00		
		20-03044	11/20/20	BOUFFANT CAPS	Open	68.45	0.00		
						1,278.45			
VERIZ005	VERIZON BUSINESS								
		20000791	11/25/20	Acct 93282293 Oct-Nov'20	Open	311.02	0.00		
VERIZ020	VERIZON								
		20000764		# 551468196000113 Nov19-Sep20	Open	2.10	0.00		
		20000809	11/30/20	Acct 251285631000158 Dec'20	Open	183.74	0.00		
		20000817	11/30/20	Acct 351488641000171 Oct-Nov20	Open	2.65	0.00		
						188.49			
VERIZ075	VERIZON WIRELESS								
		20-03088	11/23/20	Acct 242078130-00002 Oct-Nov20	Open	963.00	0.00		
		20-03111	11/23/20	Acct 242078130-00001 Eqp Nov20	Open	5,274.80	0.00		
		20000781	10/23/20	Acct 786747072-00001 Sep-Oct20	Open	694.03	0.00		
		20000790	11/21/20	Acct 685477848-00001 Oct-Nov20	Open	1,521.70	0.00		
		20000803	11/23/20	Acct 786747072-00001 Oct-Nov20	Open	698.09	0.00		
		20000807	11/23/20	Acct 642003467-00001 Oct-Nov20	Open	527.90	0.00		
						9,679.52			
VICT0005	VICTORY HALL INC								
		CD-10352	08/06/20	GY20 Rainbow Thursdays Program	Open	1,500.00	0.00		B
VITAL005	VITAL SIGNS								
		20-03106	11/28/20	Holiday Banners	Open	3,175.00	0.00		
WBMA010	WB MASON CO. INC.								
		20-00653	11/13/20	Wipes	Open	65.98	0.00		
		20-01463	06/10/20	CF281A PRINT CARTRIDGE	Open	307.52	0.00		
		20-02219	08/31/20	BOQA Supplies	Open	61.04	0.00		
		20-02692	10/19/20	WBM Office Supplies	Open	316.80	0.00		
		20-02755	10/26/20	WBM OFFICE SUPPLIES	Open	74.94	0.00		
		20-02795	11/02/20	SUPPLIES	Open	101.57	0.00		
		20-02905	11/13/20	WBM OFFICE SUPPLIES	Open	157.14	0.00		
		20-02917	11/17/20	WBM office Supplies	Open	228.00	0.00		
		20-02987	12/02/20	OFFICE TONER/ INK REFILL	Open	744.55	0.00		
		V0000077	03/11/20	WBM office Supplies	Open	230.30	0.00		
		V0000081	03/23/20	Exam Gloves	Open	238.42	0.00		
		V0000172	06/11/20	Infrared Thermometers	Open	1,379.80	0.00		
		V0000200	07/10/20	Gloves, Masks, Sanitizer	Open	678.82	0.00		
		V0000317	09/28/20	Hard Drive	Open	143.37	0.00		
		V0000327	10/16/20	WBM Office Supplies	Open	332.99	0.00		
		V0000350	10/15/20	WBM Office Supplies	Open	20.44	0.00		
		V0000355	10/21/20	WBM office Supplies	Open	145.21	0.00		
		V0000371	05/29/20	Hand Sanitizer	Open	1,233.35	0.00		
		V0000372	06/06/20	WBM office Supplies	Open	154.74	0.00		
		V0000378	11/10/20	WBM office Supplies	Open	1,075.38	0.00		
		V0000380	11/16/20	Toner	Open	307.52	0.00		
		V0000381	11/13/20	WBM office Supplies	Open	352.07	0.00		
		V0000383	11/17/20	WBM office Supplies	Open	81.46	0.00		

December 15, 2020
11:17 AM

Bayonne City
Purchase Order Listing By Vendor Id

Page No: 16

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
WBMA010 WB MASON CO, INC.				Continued				
	V0000388	11/20/20	Copy Paper	Open	839.70	0.00		
	V0000389	11/18/20	Copy Paper	Open	<u>1,168.50</u>	0.00		
					10,439.61			
WELDO005 WELDON ASPHALT CO.								
	20-02981	10/31/20	Monthly Paving Repairs Oct'20	Open	915.91	0.00		
WOJTK005 SUSAN WOJTKOWSKI								
	20-03038	11/18/20	Reimbsmt Winter Uniform, Boots	Open	89.95	0.00		
XEROX020 XEROX CORPORATION								
	20-02964	11/01/20	Copiers w7845PT,w7225P,WC6655X	Open	548.13	0.00		
	CD-10325	12/15/19	Base & Meter Charges	Open	<u>681.30</u>	0.00		
					1,229.43			
YOUNG025 TERRY YOUNG								
	20-03102	09/03/20	Music at Museum Sound Syst.	Open	400.00	0.00		
Total Purchase Orders: 379 Total P.O. Line Items: 0 Total List Amount: 2,562,355.04 Total Void Amount: 0.00								

December 15, 2020
11:17 AM

Bayonne City
Purchase Order Listing By Vendor Id

Page No: 17

Totals by Year-Fund	Fund	Budget Total	Revenue Total	G/L Total	Total
Fund Description					
CURRENT FUND	0-01	974,322.85	0.00	0.00	974,322.85
PARKING FUND	0-05	<u>8,473.16</u>	<u>0.00</u>	<u>0.00</u>	<u>8,473.16</u>
Year Total:		982,796.01	0.00	0.00	982,796.01
CURRENT FUND	9-01	17,559.70	0.00	0.00	17,559.70
GENERAL CAPITAL FUND	C-04	206,116.12	0.00	0.00	206,116.12
	C-06	<u>42,517.60</u>	<u>0.00</u>	<u>0.00</u>	<u>42,517.60</u>
Year Total:		248,633.72	0.00	0.00	248,633.72
FEDERAL AND STATE GRANT FUND	G-02	1,148,657.39	0.00	0.00	1,148,657.39
CDBG	T-03	112,197.96	0.00	0.00	112,197.96
TRUST-OTHER	T-12	51,860.26	0.00	0.00	51,860.26
DOG TRUST	T-13	<u>650.00</u>	<u>0.00</u>	<u>0.00</u>	<u>650.00</u>
Year Total:		164,708.22	0.00	0.00	164,708.22
Total of All Funds:		<u>2,562,355.04</u>	<u>0.00</u>	<u>0.00</u>	<u>2,562,355.04</u>

* * * * *

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

From the Hon. James M. Davis, Mayor appoint the following individual to the HISTORIC PRESERVATION COMMISSION, and a resolution consenting the said appointments.

KELLY SWEENEY	Term to expire on December 31, 2022
KERI TOOMEY	Term to expire on December 31, 2022

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

* * * * *

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

From the Purchasing Agent reporting on bids received on November 24, 2020 for Snow Removal Services during Snow Emergencies II. (1 bidder)



CITY OF BAYONNE
BUSINESS ADMINISTRATION
Purchasing Division
630 Avenue "C", Bayonne, NJ 07002
Phone (201) 858-6090 Fax (201) 858-2600
purchasing@baynj.org



James M. Davis, Mayor

Amy Dellabella, R.P.P.O., Q.P.A.
Purchasing Agent

**BID REPORT
FOR THE MUNICIPAL COUNCIL**

Date: 11/24/20 Ad Date: 11/12/20 Resolution #20-09-23-025

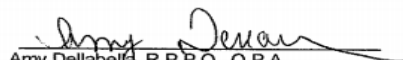
Date bids accepted: 11/24/20 Attending: Amy Dellabella, Purchasing Agent

Bid titled: **Snow Removal Services During Snow Emergency II**

Bidder:	Total Bid Price 1-3 feet of snow	Total Bid Price 3-6 feet of snow
Ken's Marine Service, Inc. 1 Ingham Avenue Bayonne, NJ 07002	\$209,250.00	\$341,000.00

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

Respectfully submitted,


Amy Dellabella, R.P.P.O., Q.P.A.
Purchasing Agent

Cc: John F. Coffey II, Corporation Counsel
Tommy Cotter, DPW Director

* * * * *

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

BID REPORT
FOR THE MUNICIPAL COUNCIL

Date: 11/24/20

Ad Date: 11/09/20

Resolution#20-06-17-035

Date bids accepted: 11/19/20

Attending: Amy Dellabella, Purchasing Agent

Bid titled: DPW UNIFORMS

See Attached Schedule of Unit Prices

Bidder:

Herbert's Army & Navy, LLC.
468 Broadway
Bayonne, NJ 07002

American Wear Inc.
201 N. 18th St
East Orange, NJ 07017

See Attached Schedule of Unit Prices

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

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

* * * * *

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

BID REPORT
FOR THE MUNICIPAL COUNCIL

Date: 12/02/20

Ad Date: 08/21/20

Date bids accepted: 11/17/20

Attending: Amy Dellabella,
Purchasing Agent,
Susan Ferraro, Esq. (Facetime)

Bid titled: Solid Waste Removal and Processing

<u>BIDDER</u>	<u>PROPOSED</u>		<u>ALTERNATIVE</u>	<u>ALTERNATIVE</u>	<u>PROPOSED</u>	<u>ALTERNATIVE</u>	<u>ALTERNATIVE</u>
	<u>OPTION#1</u>		<u>A</u>	<u>B</u>	<u>OPTION#2</u>	<u>A</u>	<u>B</u>
A & L DISPOSAL LLC 157 WEST 21ST STREET BAYONNE, NJ 07002	3 YEARS	\$4,272,000.00	ZERO	ZERO	ZERO	ZERO	ZERO
	OPTION YEAR 1	\$1,524,000.00	ZERO	ZERO	ZERO	ZERO	ZERO
	OPTION YEAR 2	\$1,624,000.00	ZERO	ZERO	ZERO	ZERO	ZERO
	TOTAL 5 YEARS	\$7,420,000.00	ZERO	ZERO	ZERO	ZERO	ZERO

<u>BIDDER</u>	<u>PROPOSED</u>		<u>ALTERNATIVE</u>	<u>ALTERNATIVE</u>	<u>PROPOSED</u>	<u>ALTERNATIVE</u>	<u>ALTERNATIVE</u>
	<u>OPTION#1</u>		<u>A</u>	<u>B</u>	<u>OPTION#2</u>	<u>A</u>	<u>B</u>
SUBURBAN DISPOSAL INC. 54 MONTESANO ROAD FAIRFIELD, NJ 07004	3 YEARS	\$8,386,000.00	ZERO	ZERO	\$8,708,000.00	ZERO	ZERO
	OPTION YEAR 1	\$3,099,000.00	ZERO	ZERO	\$3,218,000.00	ZERO	ZERO
	OPTION YEAR 2	\$3,316,000.00	ZERO	ZERO	\$3,444,000.00	ZERO	ZERO
	TOTAL 5 YEARS	\$14,801,000.00	ZERO	ZERO	\$15,370,000.00	ZERO	ZERO

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

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

* * * * *

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

BID REPORT FOR THE MUNICIPAL COUNCIL

Date: 12/02/20 Ad Date: 08/31/20 Date bids accepted: 11/17/20

Attending: Amy Dellabella, Purchasing
Susan Ferraro, Esq.(Facetime)

Bid titled: Recycling Collection, and Disposal

<u>BIDDER</u>	<u>PROPOSAL</u>	
JOSEPH SMENTKOWSKI INC.	3 YEARS	\$3,024,000.00

160 JAMES AVENUE JERSEY CITY, NJ 07306	OPTION YEAR 1	\$1,020,000.00
	OPTION YEAR 2	\$1,080,000.00
	TOTAL 5 YEARS	\$5,124,000.00

<u>BIDDER</u> A & I DISPOSAL LLC 157 WEST 21ST STREET BAYONNE, NJ 07002	<u>PROPOSAL</u> 3 YEARS OPTION YEAR 1 OPTION YEAR 2 TOTAL 5 YEARS	 \$2,994,000.00 \$1,098,000.00 \$1,198,000.00 \$5,290,000.00
--	---	--

<u>BIDDER</u> SUBURBAN DISPOSAL INC. 54 MONTESANO ROAD FAIRFIELD, NJ 07004	<u>PROPOSED OPTION#1</u> 3 YEARS OPTION YEAR 1 OPTION YEAR 2 TOTAL 5 YEARS	 \$4,889,000.00 \$1,794,000.00 \$1,901,000.00 \$8,594,000.00
--	--	--

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

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

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

* * * * *

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

BID REPORT

Date: 12/15/20
12/02/20

Bids Advertised: 10/27/20

Bids Received:

Nature of Contract:

EAST 25TH ST PEDESTRIAN BRIDGE REPLACEMENT

Honorable City Council,

I certify that I have reviewed the bid proposals for the above and find that the suggested vendor below is the most advantageous to the City of Bayonne. Specifications for the contract are on file in the Office of the City Clerk.

<u>BIDDER:</u>	<u>TOTAL BID AMOUNT</u>
GRADE CONSTRUCTIONS 110 PENNSYLVANIA AVENUE PATERSON, NJ 07503	\$2,643,569.71
ANSELM & DICICCO INC. 1977 SPRINGFIELD AVENUE MAPLEWOOD, NJ 07040	\$2,943,490.00
FLANAGHAN'S CONTRACTING GROUP INC. 90 OLD CAMPLAIN ROAD HILLSBOROUGH, NJ 08844	\$3,281,020.00
RAILROAD CONSTRUCTION CO INC 75-77 GROVE STREET PATERSON, NJ 07503	\$3,539,481.00
MOUNT CONSTRUCTION CO INC 427 S. WHITEHORSE PIKE BERLIN, NJ 08009	\$3,665,669.47
RENCO INC 24 TANNERY RD SUITE 1-B SOMERVILLE, NJ 08876	\$4,149,495.00
RML CONSTRUCTION INC 500 13 TH ST CARLSTADT, NJ 07072	\$4,268,245.00
ZENITH CONSTRUCTION SERVICES INC 365 THOMAS BLVD ORANGE, NJ 07050	\$4,449,396.00

Respectfully Submitted,
Amy Dellabella
Purchasing Agent

* * * * *

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

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

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

* * * * *

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

RESOLVED, That the official minutes of the regular council meeting held Tuesday, November 10, 2020 be and the same are hereby approved.

* * * * *

- 37.** 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, November 4, 2020, be and the same are hereby approved

* * * * *

- 38.** 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
24	1 C0910	SIMPLICITY TITLE LLC	1,493.54
30	39	CARLOS M. ORELLANA	538.86
35	36	DELAWARE DELTA, LLC	1,998.91
47	8 C0410	TALI BROWNSTEIN & CHRIS MIRALLA	784.90
59	17	JAMES FAMA & MICHAEL P. FAMA	916.06

104	7.01	WATERS, MCPHERSON, MCNEILL PC, ATTORNEYS FOR PINIERO, MANUEL & MARIA	615.84
104	7.02	WATERS, MCPHERSON, MCNEILL, PC. ATTORNEYS FOR PINIERO, MANUEL & MARIA	751.84
111	7	WATERS, MCPHERSON, MCNEILL, PC. ATTORNEYS FOR ERIC & LAURA MCCULLOUGH	631.24
117	10	WATERS, MCPHERSON, MCNEILL, PC. ATTORNEYS FOR SMITH, JOHN J. & CONCHITA	187.32
121	26	KLM NEW JERSEY REALTY, LLC.	1,837.26
143	8	WATERS, MCPHERSON, MCNEILL, PC. ATTORNEYS FOR SUNDLE, LOUISE & VINCENZA	808.29
163	4	WATERS, MCPHERSON, MCNEILL, PC. ATTORNEYS FOR PINEIRO, MANUEL & MARIA	123.17
186	14	WATERS, MCPHERSON, MCNEILL, PC. ATTORNEYS FOR MICHAEL TOMATORE	1,103.38
189	8	MICHAEL I. SCHNECK TRUSTEE FOR BONO REALTY TRUST	2,160.57
207	1.05	MICHAEL I. SCHNECK TRUSTEE FOR DISPASQUALE, JOHN	723.61
207	1.06	MICHAEL I. SCHNECK TRUSTEE FOR LUCARELLI, JOSEPH B.	697.96
211	16	MICHAEL I. SCHNECK TRUSTEE FOR VENTURE, MIESOWITZ	58,287.60
217	20	CHARELENE PECUNIA	3,100.00
229	25	CORELOGIC	7,106.72
266	3	KATHY PHILLIPS	2,402.54
330	10	MICHAEL I. SCHNECK TRUSTEE FOR 155 BROADWAY LLC	2,740.49
369	4	MARCO SCARABAGGIO	2,862.86
412	3	BRACH EICHLER LLC & NORTH HOOK ASSOCIATES, LLC BARJEFF	62,256.29
430	14	WATERS, MCPHERSON, MCNEILL, PC. ATTORNEYS FOR RAWADA B. LLC	84.68
430	15	WATERS, MCPHERSON, MCNEILL, PC. ATTORNEYS FOR PINEIRO, JOSE M. & GWENN L.	523.46

431

7

DEVAAN SEENATH

1,900.00

TOTAL

156,547.39

* * * * *

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

WHEREAS, pursuant to N.J.S.A. 10:4-6, et seq., known as the Open Public Meetings Act, all meetings of all public bodies wherein formal action, decisions or discussion relating to the public business of said bodies may take place, are required to be publicly announced and schedules posted of regular meetings for the calendar year; now, therefore be it

RESOLVED, as follows:

1. The City Council of the City of Bayonne shall meet for the calendar year 2020 according to the following schedule; the meetings are hereby designated as Caucus Meetings and Regular Meetings as indicated and shall be held in the Dorothy Harrington Council Chambers, 630 Avenue C, Bayonne, New Jersey, on the dates and at the times listed:

CAUCUS MEETINGS:

January 13	- 7:00 P.M.-Wed.
February 10	- 7:00 P.M.-Wed.
March 10	- 7:00 P.M.-Wed.
April 7	- 7:00 P.M.-Wed.
May 5	- 7:00 P.M.-Wed.
June 9	- 7:00 P.M.-Wed.
July 7	- 7:00 P.M.-Wed.
August 11	- 7:00 P.M.-Wed.
September 15	- 7:00 P.M.-Wed.
October 13	- 7:00 P.M.-Wed.
November 3	- 7:00 P.M.-Wed.
December 8	- 7:00 P.M.-Wed.

REGULAR MEETINGS:

January 4	-3:30 P.M.-Mon.
January 20	-7:00 P.M.-Wed.
February 17	-7:00 P.M.-Wed.
March 17	-7:00 P.M.-Wed.
April 14	-7:00 P.M.-Wed.
May 12	-7:00 P.M.-Wed.
June 16	-7:00 P.M.-Wed.
July 14	-7:00 P.M.-Wed.
August 18	-7:00 P.M.-Wed.
September 22	-7:00 P.M.-Wed.
October 20	-7:00 P.M.-Wed.
November 10	-7:00 P.M.-Wed.
December 15	-7:00 P.M.-Wed.

2. Caucus meetings are for the purpose of discussing matters of council business for inclusion on the agenda for the regular meeting, along with any other Council business. The public may attend but may not participate; formal action will not be taken at Caucus meetings. Formal action will be taken at Regular Meetings, which may include action on new business items not presented or discussed at the caucus meeting.

3. The City Council may adjourn any regular or adjourned meeting to a future date and may schedule such other meetings during the calendar year as its business may require. Proper notice to the public shall be given by the City Clerk regarding adjourn meetings, if any.

4. The City Clerk is hereby directed to ensure that proper notice of City Council meetings of all types is provided to the public as follows:

- a) Posting a copy of the Annual Schedule (this resolution) and appropriate notices of meetings on the bulletin board in the lobby of the Municipal Building.

- b) Filing a copy of said notices in the City Clerk's Office.
- c) Mailing, faxing, or otherwise delivering copies of said notices to the Jersey Journal and the Star Ledger within the time prescribed by the Open Public Meetings Act.
- d) Complying with any additional statutory requirements not specified herein.

* * * * *

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

WHEREAS, the Police Department of the City of Bayonne has established that there is a need for the purchase and installation of equipment for eight (8) position Zetron Max call taking systems ("Zetron Max Equipment") due to the COVID-19 pandemic; and

WHEREAS, the Police Department is in receipt of an Estimate/Quotation from Mobile Techtronics, Inc., 1127 Lake Avenue, Clark, NJ 07066 for the purchase and installation of said Zetron Max Equipment dated November 4, 2020 for the amount of \$18,460.00; and

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

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, similarly, Local Finance Notice (LFN 2020-06) addresses the emergency procurement of such goods on the local level and provides, "[i]n circumstances where an emergency affecting public health, safety or welfare requires the immediate delivery of goods or the performance of services, a contract may be awarded without public bidding regardless of the bid threshold. N.J.S.A. 40A:11-6 (Local Public Contracts Law) ..."; and

WHEREAS, LFN 2020-06 further 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, it is essential for the health, welfare and safety of the citizens of Bayonne that the Police Department is equipped with said Zetron Max Equipment; and

WHEREAS, funds are certified as available in Account #C -02-41-877-0000- 199, now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and/or his designee is hereby authorized to take any and all actions and execute any and all documents necessary to procure the aforesaid Zetron Max Equipment from Mobile Techtronics, Inc. pursuant to its Estimate/Quotation dated November 4, 2020 for the amount of \$18,460.00.

2. The Treasurer is hereby authorized issue a check payable to Mobile Techtronic's, Inc., in the amount of \$18,460.00 representing payment for the aforesaid Zetron Max Equipment.

3. Funds Mas shall be chargeable to Account #C -02-41-877-0000-199.

* * * * *

41. 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 had a need to procure twelve (12) police bicycles with gear ("Police Bicycles") due to the COVID-19 pandemic; and

WHEREAS, the Police Department did procure the aforesaid Police Bicycles from Trek Bicycle Store, 205 Union Avenue, Belleville, NJ 08730; and

WHEREAS, the Police Department is in receipt of Work Order #051320184143397 from Trek Bicycle Store for the amount of \$23,183.38 representing the cost of the aforesaid Police Bicycles; and

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

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, similarly, Local Finance Notice (LFN 2020-06) addresses the emergency procurement of such goods on the local level and provides, "[i]n circumstances where an emergency affecting public health, safety or welfare requires the immediate delivery of goods or the performance of services, a contract may be awarded without public bidding regardless of the bid threshold. N.J.S.A. 40A:11-6 (Local Public Contracts Law) ..."; and

WHEREAS, LFN 2020-06 further 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, it is essential for the health, welfare and safety of the citizens of Bayonne that the Police Department is equipped with said Police Bicycles; and

WHEREAS, funds are certified as available in Account #C -02-41-877-0000-199, now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Municipal Treasurer is hereby authorized to issue payment to Trek Bicycle Store in the amount of \$28,183.38 to cover the cost of the aforesaid Police Bicycles pursuant to Trek Bicycle Store's Work Order #051320184143397.

2. Funds Mas shall be charged to Account #C -02-41-877-0000-199.

* * * * *

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

MUNICIPAL COUNCIL OF THE CITY OF BAYONNE

RESOLUTION NO. 20-12-16- 042

WHEREAS, the Police Department of the City of Bayonne has established that there is a need for the purchase of ten (10) Mobile Radios for ten (10) recently purchased police vehicles ("Mobile Radios"); and

WHEREAS, Motorola Solutions, Inc. ("Motorola"), 123 Tice Boulevard, Woodcliff, NJ 07677 is capable of providing said Mobile Radios through State Contract #83909; and

WHEREAS, the Police Department is in receipt of a proposal from Motorola dated November 6, 2020 for the purchase said Mobile Radios for the amount of \$28,785.00; and

WHEREAS, funds are certified as available in Account #0-01-25-240-0000-030; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and/or his designee is hereby authorized to take any and all actions and execute any and all documents necessary to procure the aforesaid Mobile Radios from Motorola through State Contract No. 83909 for the amount of \$28,785.00 pursuant to Motorola's proposal dated November 6, 2020.
2. The Treasurer is hereby authorized to issue a check payable to Motorola in the amount of \$28,875.00 representing payment for the aforesaid Mobile Radios.
3. Funds shall be chargeable to Account #0-01-25-240-0000-030.

* * * * *

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

WHEREAS, the Police Department of the City of Bayonne has established that there is a need for the procure equipment and installation for new wiring and software for the Police Communications Center ("Wiring and Software") due to the COVID-19 pandemic; and

;

WHEREAS, Zetron, Inc., P.O. Box 97004, Redmond, Washington 97004 ("Zetron") is capable of providing said Wiring and Software through State Contract #83924; and

WHEREAS, the Police Department is in receipt of Quote #69521-01 from proposal from Zetron for the purchase and installation of said Wiring and Software for the amount of \$238,675.00; and

WHEREAS, funds are certified as available in Account #C-02-41-877-0000-199; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and/or his designee is hereby authorized to take any and all actions and execute any and all documents necessary to procure the aforesaid Wiring and Software from Zetron through State Contract No. 83924 for the amount of \$238,675.00 pursuant to Zetron's Quote #69521-01.

2. The Treasurer is hereby authorized to issue a check payable to Zetron in the amount of \$238,675.00 representing payment for the aforesaid Mobile Radios.

3. Funds shall be chargeable to Account WHEREAS, the Police Department is in receipt of a proposal from Motorola dated November 6, 2020 for the purchase said Mobile Radios for the amount of \$28,785.00; and

* * * * *

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

WHEREAS, the City of Bayonne is a member of the Hudson County Cooperative Pricing System; and

WHEREAS, the City of Bayonne has a need to acquire Rock Salt for City Streets; and

WHEREAS, the Director of Public Works has determined that it is in the best interest of the City to procure said Rock Salt for City Streets through the aforesaid Hudson County Cooperative Pricing System through Bid #7394 from Atlantic Salt, 134 Middle Street, Lowell, MA 01852 at a cost of \$55.00 per ton for a total cost not to exceed \$25,000.00; and

WHEREAS, funds are certified as available in Account #0-01-26-291-0000-030 for CY2020; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.5(e), the award of the contract shall be subject to the availability and appropriation of funds in the CY2021 temporary and permanent budgets in account #1-01-26-291-0000-030; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Purchasing Agent be and is hereby authorized to procure said Rock Salt for City Streets through the Hudson County Cooperative Pricing System through Bid #7394 from Atlantic Salt, 134 Middle Street, Lowell, MA 01852 at a cost of \$55.00 per ton for a total not to exceed \$25,000.0.

2. Funds shall be charged to Account #0-01-26-291-0000-030 for CY2020;

3. Funds shall be charged to Account #1-01-26-291-0000-030 for CY2021.

4. Pursuant to N.J.A.C. 5:30-5.5(e), the award of this contract for CY2021 shall be subject to the availability and appropriation of funds in the CY2021 temporary and permanent budgets in account #1-01-20-135-0000-029.

* * * * *

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

WHEREAS, in preparation for re-opening, it was consistent with CDC guidelines and public health mandates, and in the best interest of the employees and residents of the City, to clean and sanitize the ductwork and vents, and to install purification devices in air handlers, in the HVAC systems servicing various municipal buildings (“HVAC Work”); and

WHEREAS, the City adopted Resolution No, 20-06-17-058 on June 17, 2020 authorizing the Director of Public Works to procure said HVAC Work from In-Line Heating & Air Conditioning Company, 85 East 21st Street. Bayonne, NJ 07002 through the Educational Services Commission of New Jersey Cooperative Pricing Agreement No. 65MCESCCPS for the total amount of \$100,000.00; and

WHEREAS, the Director of Public Works has advised that it is necessary to increase the amount authorized to procure said HVAC Work in the amount of \$50,000 due to additional HVAC Work that was not anticipated at the time of the authorization of the original amount of \$100,000; and

WHEREAS, funds are certified as available in Account #G-02-41-877-000-199 and eligible for reimbursement under FEMA grants and other federal and state mitigation legislation; now, therefore, be it

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

1. There original amount of \$100,000 authorized to procure the aforesaid HVAC Work from In-Line Heating & Air Conditioning Company, 85 East 21st Street Bayonne, NJ 07002 through the Educational Services Commission of New Jersey Cooperative Pricing Agreement No. 65MCESCCPS by way of Resolution No. 20-06-17-058 is hereby increased in the amount of \$50,000, thereby making the amount of \$150,000.00.

2. Funds shall be charged to Account #G-002-41-87-000-100 and reimbursement sought from FEMA and pursuant to available federal and state mitigation legislation.

* * * * *

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

WHEREAS, the City of Bayonne’s Public Safety Director has evidenced that there is a need for the purchase two (2) unmarked 2021 Ford Explorer XLT for use in the Police Department and

WHEREAS, Stevens Ford, Jersey City, New Jersey has provided the City of Bayonne with a quotation for the purchase of two (2) vehicles without partitions for the amount of \$36,989.80 for the total amount of \$73,979.60 under Department of Justice Account; and

WHEREAS, funds have been certified as available in Department of Justice Grant Account G-02-41-704-700C-199 now, therefore be it

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

1. The Purchasing Agent of the City of Bayonne is hereby authorized to execute any and all documents and take any and all actions necessary to effectuate the purchase of two (2) unmarked 2021 Ford Explorer XLT vehicles without partitions for the amount of \$36,989.80, for use in the Police Department pursuant to the quotation provided by Stevens Ford, Jersey City, New Jersey under the Department of Justice Account for a total amount of \$73,989.60.

2. Funds shall be chargeable to Department of Justice Grant Account G-02-41-704-700C-199.

* * * * *

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

WHEREAS, the City is the recipient of Community Development Block Grant (CDBG) Funds from the U.S. Department of Housing and Urban Development to benefit the City's low- and moderate-income families, or to aid in the prevention or elimination of slums and blight; and

WHEREAS, the Community Day Nursery (the "CDN"), 591 Broadway, Bayonne, NJ, is a non-profit organization dedicated to assisting and to providing social services to low- and moderate-income families; and

WHEREAS, the Bayonne Economic Opportunity Foundation (the "BEOF") is the administrator of the City's Community Development Block Grant Program (the "City's CDBG Administrator"); and

WHEREAS, the CDN submitted a formal written application for CDBG funds for the purpose of providing the cost of building renovations for the rehabilitation of the CDN Facility located at 591 Broadway, Bayonne, NJ (the "CDN Facility") that has serious code violations which are detrimental to public health and safety; and

WHEREAS, there was an urgent need to replace one (1) existing heating and cooling unit (the "Heating and Cooling Unit") servicing the CDN Facility to ensure proper heating during the winter months; and

WHEREAS, the building code official inspected the Heating and Cooling Unit and confirmed that said replacement was necessary; and

WHEREAS, functioning heating and cooling units are essential for the health, safety, and welfare of the employees and clients of the CDN; and

WHEREAS, In-Line Heating & Air Conditioning Company, 85 East 21st Street, Bayonne, NJ (the "Contractor") provided the CDN with Proposal #0000056811 dated October 27, 2020 for the amount of \$18,381.92 for the replacement the Heating and Cooling Unit (the "Work"); and

WHEREAS, due to exigent circumstances the Executive Director of the City's CDBG Administrator authorized the Contractor to perform the Work prior to obtaining approval from this body; and

WHEREAS, said Work has been completed and approved by the City's Building Code Official; and

WHEREAS, funds were available in Account CDBG-1082; now, therefore, be it

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

1. The actions of the Executive Director of the City's CDBG Administrator in authorizing the Work are hereby ratified and affirmed.
2. The Mayor and City Clerk are hereby authorized to execute an agreement with the CDN for the amount of \$18,381.92 in order to provide CDBG funds for payment for said replacement of the Heating and Cooling Unit pursuant to Proposal #0000056811 dated October 27, 2020 submitted by the Contractor.
3. The Municipal Treasurer is hereby authorized to issue a warrant in the amount of \$18,381.92 to the Community Day Nursery to cover the cost of the replacement of the Heating and Cooling Unit pursuant to the Contractor's proposal.
4. Funds shall be charged to Account CDBG – 1082.

* * * * *

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

RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO CANCEL APPROPRIATIONS IN THE CY 2020 BUDGET AND STATE AND FEDERAL GRANT FUND

WHEREAS, N.J.S.A. 40A:4-60 allows for the cancelation of unexpended balances of appropriations prior to the end of the fiscal year by resolution of the governing body; and

WHEREAS, certain appropriations were set up in the State and Federal Grant Fund which will be used to fund capital projects and these appropriation must be cancelled and set up in the Capital fund

Now, therefore, be it resolved, that the Municipal Council of the City of Bayonne hereby authorizes the Chief Financial Officer to cancel the balances in the following appropriations in the CY 2020 budget in accordance with N.J.S.A. 40A:4-60:

23-220Employee Group Insurance	\$950,000
25-266 Fire Uniform Personnel S&W	\$650,000

BE IT FURTHER RESOLVED, by the Municipal Council of the City of Bayonne that the following appropriations in the State and Federal Grant Fund are here by canceled:

Account #	Amount:
G-02-41-856-790C-003	\$36,713
G-02-41-949-0000-199	\$250,000
G-02-41-948-0000-199	\$125,000
G-02-41-964-0000-199	\$250,000

* * * * *

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

WHEREAS, the City of Bayonne utilizes the property at 440 Avenue C (Block: 225, Lot: 46) as a public park pursuant to a long-term lease with the property owner; and

WHEREAS, the property owner through March of 2020 was Friendship Baptist Church of Bayonne an exempt entity; and

WHEREAS, in March of 2020 the property was sold to Jia Shao and Wei Zhao, thereby negating the exempt status of the property; and

WHEREAS, the City of Bayonne desires to continue utilizing the property as a public park consistent with the long-term lease; and

WHEREAS, notwithstanding the fact that the property is used for an exempt purpose as a public park, the statutes of the State of New Jersey do not allow for the property to be listed as an exempt property; and

WHEREAS, the property owner and the City have come to an agreement whereby the property owner will pay the taxes on the property as required under the law and the City will, in turn, reimburse the property owner on a quarterly basis upon being provided with proof that taxes have been paid; and

WHEREAS, the property owner has paid the sum of \$5,579.26 in taxes for the year 2020; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Municipal Treasurer is hereby authorized to issue payment to Jia Shao and Wei Zhao in the amount of \$5,579.26 as a refund for real property taxes paid in the year 2020 for the property identified as Block: 225, Lot: 46 on the tax maps of the City of Bayonne.
2. The Municipal Treasurer is further authorized to reimburse the property owner on a quarterly basis for any and all real estate taxes paid in connection with the aforesaid Block and Lot, so long as the City of Bayonne utilizes this property as a public park, upon presentation by the property owner of proof that taxes have been paid for a particular quarter.
3. The Mayor and Clerk are hereby authorized to enter into an amendment to the long-term lease memorializing this arrangement upon terms and conditions satisfactory to the Law Director,
4. This resolution shall take effect immediately.

* * * * *

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

WHEREAS, the City of Bayonne has established that there is a need for the purchase Thermal Imaging Cameras and Video Management Server ("Thermal Imaging Equipment") for use in municipal facilities due to the COVID-19 pandemic; 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, similarly, Local Finance Notice (LFN 2020-06) addresses the emergency procurement of such goods on the local level and provides, “[i]n circumstances where an emergency affecting public health, safety or welfare requires the immediate delivery of goods or the performance of services, a contract may be awarded without public bidding regardless of the bid threshold. N.J.S.A. 40A:11-6 (Local Public Contracts Law) ...”; and

WHEREAS, LFN 2020-06 further 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, it is essential for the health, welfare and safety of the citizens and employees of the City Bayonne that the City is equipped with said Thermal Imaging Equipment; and

WHEREAS, the City is in receipt of a quote from Johnston Communications, 36 Commerce Street, Springfield, New Jersey 07081 dated December 27, 2020 for the aforesaid Thermal Imaging Equipment for the amount of \$189,189.97; and

WHEREAS, funds are certified as available in Account #G-02-41-077-0000-199; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and/or his designee is hereby authorized to take any and all actions and execute any and all documents necessary to procure the aforesaid Thermal Imaging Equipment from Johnston Communications, 36 Commerce Street, Springfield, New Jersey 07081 pursuant to its quote dated December 27, 2020 for the amount of \$189,189.97.

2. The Treasurer is hereby authorized to issue payment to Johnston Communications to cover the cost of the aforesaid Thermal Imaging Equipment.

3. Funds shall be chargeable to Account #G-02-41-077-0000-199

* * * * *

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

Granting 1 Raffle licenses to qualified organizations

* * * * *

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

WHEREAS, New Cingular Wireless, PCS, LLC, 1025 Lenox Park Boulevard, NE, 3rd Floor, Atlanta, Georgia 30319 (“AT&T”) is a telecommunications utility authorized to provide services

by the New Jersey Board of Public Utilities ("BPU") and the Federal Communications Commission ("FCC"); and

WHEREAS, AT&T has requested that the City of Bayonne ("City") grant it permission for constructing, installing, operating, repairing and maintaining a telecommunications system with various City Rights of Way; and

WHEREAS, prior to commencement of work, AT&T will present a detailed scope of work ("Scope of Work") and will coordinate with the City's Engineer, Construction Official and other applicable City Officials and personnel; and

WHEREAS, AT&T agrees to execute a Right-of-Way Access Agreement for a ten (10) year period effective from the effective date of the City's Small Cell Ordinance, "CITY OF BAYONNE SMALL CELL WIRELESS ORDINANCES," with four (4) successive five (5) year renewal terms unless AT&T provides City written notice of termination at least ninety (90) days prior to the expiration of the current term; and

WHEREAS, AT&T agrees to pay the City's reasonable fees and expenses incurred by the City for professional and legal services, police oversight and any other expenses incurred by the City as well as all applicable permit fees as a result of the Scope of Work and as contemplated in N.J.S.A. 54:30A-124(a); and

HEREAS, N.J.S.A. 48:17-10 and N.J.S.A. 40:67-1 authorizes the City to grant municipal consent for the Scope of Work to be presented by AT&T in the City's Rights-of-Way; and

WHEREAS, it is deemed to be in the best interest of the City and its citizenry, including the commercial and industrial citizens, for the City to grant municipal consent to AT&T to occupy said public rights-of-way within the City for this purpose; and

WHEREAS, the granting of such consent shall be non-exclusive and shall be conditioned upon AT&T's continued compliance with all applicable existing City ordinances as may be amended from time to time and with all future ordinances as may be enacted to the extent such ordinances are consistent with state and federal law and its entering into a Rights-of-Way Access Agreement with the City; and

WHEREAS, the granting of such consent shall further be subject to availability of adequate space on existing poles as determined by the City's Engineering professionals and taking into account other same or similar telecommunication projects that have been previously approved on a first-come, first-served basis; and

WHEREAS, AT&T agrees to indemnify, defend and hold the City harmless as to all claims and liability resulting from any injury or damage which may arise from the construction, installation, operation, repair, maintenance, disconnect, replacement and removal of its telecommunications facilities within certain public rights-of-way; now, therefore be it

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

1. Non-exclusive consent is hereby granted to AT&T to use certain public rights-of-way within the City for the purpose of installation, operation, repair, and maintenance of a telecommunications system for a period of ten (10) years from the effective date of the City's Small Cell Ordinance, "CITY OF BAYONNE SMALL CELL WIRELESS ORDINANCES," subject to the mutual covenants and obligations as set forth in a Rights-of-Way Access Agreement executed by the parties in final form and substance as is acceptable to the Law Director.

2. The Mayor and City Clerk are hereby authorized to execute said Rights-of-Way Access Agreement.

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

Absent – Council Member Gullace.

* * * * *

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

WHEREAS, the City Clerk advertised in the Jersey Journal that sealed bids for E. 25th STREET PEDESTRIAN BRIDGE REPLACEMENT would be received on December 2, 2020; and

WHEREAS, pursuant to the aforesaid advertisement, the following eight (8) bids were received:

See Attached

; and

WHEREAS, the Purchasing Agent and the City Engineer have examined the bids or proposals and have determined that the bid of Grand Construction of Paterson, New Jersey for the amount of \$2,643,569.71 is a regular bid and is the most advantageous bid to the City for E. 25th STREET PEDESTRIAN BRIDGE REPLACEMENT; and

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

RESOLVED, by the Municipal Council as follows:

1. The contract for E. 25th STREET PEDESTRIAN BRIDGE REPLACEMENT is hereby awarded to Grand Construction of Paterson New Jersey for a total contract amount of \$2,643,569.71.

2. The Mayor and City Clerk are hereby authorized to execute the contract on behalf of the City of Bayonne.

3. Funds shall be chargeable to Capital Bond Ordinance Account

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

Absent – Council Member Gullace.

* * * * *

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

MUNICIPAL COUNCIL OF THE CITY OF BAYONNE
RESOLUTION NO. 20-12-16-054

WHEREAS, the City Clerk advertised in the Jersey Journal on November 9, 2020 that sealed bids for **DPW UNIFORMS** would be received on November 19, 2020; and

WHEREAS, pursuant to the aforesaid advertisement, the following two (2) bids were received:

<u>Bidder</u>	<u>Bid Amount</u>
Herbert's Army & Navy, LLC 468 Broadway Bayonne, NJ 07002	See Attached Schedule of Unit Prices
American Wear Inc. 201 N. 18 th St East Orange, NJ 07017	See Attached Schedule of Unit Prices

; and

WHEREAS, the Purchasing Agent and the Director of Public Works and Parks and Recreation have examined the bids or proposals and have determined that the bid of **Herbert's Army & Navy, LLC**, is a regular bid and is the most advantageous bid for DPW UNIFORMS; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.5(e), the award of the contract for **CY2021** shall be subject to the availability and appropriation of funds in the **CY2021** temporary and permanent budgets in account **#1-01-26-0000-032**; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.5(e), the award of the contract for **CY2022** and **CY2023** shall be subject to the availability and appropriation of funds for the **CY2022** and **CY2023** temporary and permanent budgets; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The contract for **DPW UNIFORMS** is hereby awarded to **Herbert's Army & Navy, LLC, 468 Broadway, Bayonne, NJ 07002** for a contract term of three (3) years, commencing **January 1, 2021** through **December 31, 2024**, with a mutually agreed two-year extension through December 31, 2026 for a total term of Five (5) years for a contract amount not to exceed **\$40,000.00** annually, for a total contract amount not to exceed **\$120,000.00** for the three (3) year term.
2. The Mayor and City Clerk are hereby authorized to execute the contract on behalf of the City of Bayonne.
3. Funds shall be chargeable to Account **#1-01-26-0000-032** for **CY2021**.
4. Pursuant to N.J.A.C. 5:30-5.5(e), the award of the contract shall be subject to the availability and appropriation of funds in the **CY2021, CY2022** and **CY2023** budgets.

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

Absent - Council Member Gullace.

* * * * *

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

WHEREAS, the City Clerk advertised that sealed bids for “SOLID WASTE REMOVAL AND PROCESSING” would be received on October 23, 2020 and subsequently re-advertised Addendum No. 1, amending the contract term to commence on January 1, 2021 and the bid return date to November 17, 2020; and

WHEREAS, pursuant to said advertisement, two (2) bids were received as reported on the attached Municipal Council Bid Report prepared by the Purchasing Agent; and

WHEREAS, the City Clerk is in receipt of a bid protest dated December 14, 2020 submitted by McManimon Scotland Bauman, on behalf of Suburban Disposal, Inc., (“Suburban”); and

WHEREAS, the Law Director has reviewed the bid protest, the alleged bid defects and applicable law and is of the opinion that the bid submitted by A&L Disposal, LLC, (“A&L”) contains a material, non-waivable defect in that the bid bond received for 10% of the bid price contains language rendering it conditional; therefore, the bid does not conform to the statutory requirements and should be deemed non-responsive and rejected in accordance with N.J.S.A. 40A:11-23.2; and

WHEREAS, the remaining bid submitted by Suburban, as reported on the attached Bid Report sets forth a 3-year cost of \$8,386,000 (an average of \$2,795,333 per year) or a 5-year cost of \$14,801,000 (an average of \$2,960,200 per year), which substantially exceed the City’s appropriation for collection of solid waste; and

WHEREAS, the Law Director and Purchasing Agent have reviewed the bids and recommend that the City Council reject the bid received by A&L as non-responsive under N.J.S.A. 40A:11-23.2; and

WHEREAS, the Director of Public Works and CFO / Acting Business Administrator have further reviewed the remaining bid received by Suburban and recommend that the City Council reject said bid pursuant to N.J.S.A. 40A:11-13.2, in that it substantially exceeds the City’s appropriation for the services; and

WHEREAS, the Director of Public Works and the Purchasing Agent recommend re-advertising the bid; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The bid submitted by A&L Disposal, LLC is deemed non-responsive based on the defective bid bond submitted and, therefore, rejected pursuant to N.J.S.A. 40A:11-23.2;
2. The bid submitted by Suburban Disposal, Inc., is deemed substantially in excess of the City’s appropriation for said services and therefore rejected pursuant to N.J.S.A. 40A:11-13.2;
3. The City Clerk is hereby authorized and directed to re-advertise for bids for SOLID WASTE REMOVAL AND PROCESSING.

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

Absent – Council Member Gullace

* * * * *

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

WHEREAS, the City Clerk advertised that sealed bids for “RECYCLING COLLECTION, PROCESSING & MARKETING” would be received on October 23, 2020 and subsequently re-advertised Addendum No. 1, amending the contract term to commence on January 1, 2021, amending the name to “RECYCLING COLLECTION AND PROCESSING,” and continuing the bid return date to November 17, 2020; and

WHEREAS, pursuant to said advertisement, three (3) bids were received as reported on the attached Municipal Council Bid Report prepared by the Purchasing Agent; and

WHEREAS, the City Clerk is in receipt of a bid protest dated December 14, 2020 submitted by McManimon Scotland Bauman, on behalf of Suburban Disposal, Inc., (“Suburban”) and a bid protest dated December 15, 2020 submitted by Chiaia & Associates, LLC, on behalf of “J. Smentkowski, Inc.” (“JSI”); and

WHEREAS, the Law Director has reviewed the bid protests, the alleged bid defects and applicable law and is of the opinion that the bids submitted by A&L Disposal, LLC, (“A&L”) and JSI contain a material, non-waivable defect in that the respective bid bonds received for 10% of the bid price contain language rendering them conditional; therefore, the bids do not conform to the statutory requirements and should be deemed non-responsive and rejected in accordance with N.J.S.A. 40A:11-23.2; and

WHEREAS, the remaining bid submitted by Suburban, as reported on the attached Bid Report sets forth a 3-year cost of \$4,889,000 (an average of \$1,629,667 per year) or a 5-year cost of \$8,594,000 (an average of \$1,718,800 per year), which substantially exceed the City’s appropriation for collection of recyclable materials; and

WHEREAS, the Law Director and Purchasing Agent have reviewed the bids and recommend that the Municipal Council reject the bids received by A&L and JSI as non-responsive under N.J.S.A. 40A:11-23.2; and

WHEREAS, the Director of Public Works and CFO / Acting Business Administrator have further reviewed the remaining bid received by Suburban and recommend that the City Council reject said bid pursuant to N.J.S.A. 40A:11-13.2, in that it substantially exceeds the City’s appropriation for the services; and

WHEREAS, the Director of Public Works and the Purchasing Agent recommend re-advertising the bid; now; therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The bid submitted by A&L Disposal, LLC is deemed non-responsive based on the defective bid bond submitted and, therefore, rejected pursuant to N.J.S.A. 40A:11-23.2;
2. The bid submitted by Joseph Smentkowski, Inc., is deemed non-responsive based on the defective bid bond submitted and, therefore, rejected pursuant to N.J.S.A. 40A:11-23.2;
3. The bid submitted by Suburban Disposal, Inc., is deemed substantially in excess of the City’s appropriation for said services and, therefore, rejected pursuant to N.J.S.A. 40A:11-13.2;

4. The City Clerk is hereby authorized and directed to re-advertise for bids for RECYCLING COLLECTION AND PROCESSING.

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

Absent – Council Member Gullace

* * * * *

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

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

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

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

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

WHEREAS, the City Council by Resolution authorized the Planning Board (“Planning Board”) of the City of Bayonne to conduct an investigation determine if certain identified as Block 360, Lot 1; Block 332 Lot 2, 2.01, 4 and 5; Block 361 Lot 12 and Block 362 Lot 3, as shown on the official Tax Map of the City (the “Study Area”) constituted a non-condemnation “area in need of redevelopment,” in accordance with the Redevelopment Law; and

WHEREAS, on November 9, 2020, the Planning Board held a public hearing, duly noticed under the Redevelopment Law, and reviewed an investigation/report titled “Non-Condensation Area in Need of Redevelopment Block 360, Lot 1; Block 332 Lot 2, 2.01, 4 and 5; Block 361 Lot 12 and Block 362 Lot 3,” (the “Study”); and

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

WHEREAS, on November 9, 2020, the Planning Board adopted a resolution recommending that the Block 360, Lot 1; Block 332 Lot 2, 2.01, 4 and 5; Block 361 Lot 12 and Block 362 Lot 3, within the Study Area be determined by the Municipal Council to be a non-condemnation “area in need of redevelopment” under the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*; and

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

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

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

WHEREAS, the Municipal Council believes that the preparation of a Redevelopment Plan is in the best interests of the City for the redevelopment of the Study Area and directs the Planning board to prepare same.

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

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

Section 2. The Study Area identified as Block 360, Lot 1; Block 332 Lot 2, 2.01, 4 and 5; Block 361 Lot 12 and Block 362 Lot 3as shown on the official Tax Map of the City constitute a non-condemnation "area in need of redevelopment," in accordance with the Redevelopment Law according to the criteria set forth in *N.J.S.A. 40A:12A-5*.

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

Section 4. The Planning Board of the City of Bayonne is hereby authorized and directed to prepare a Redevelopment Plan for the Study Area identified as Block 360, Lot 1; Block 332 Lot 2, 2.01, 4 and 5; Block 361 Lot 12 and Block 362 Lot 3 on the official Tax Records of the City in accordance with the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*

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

Section 6. This Resolution shall take effect immediately.

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

Absent – Council Member Gullace.

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY DESIGNATING CERTAIN PROPERTY LOCATED AT 7 AND 9 COTTAGE STREET AND 218-222 BROADWAY, WHICH PROPERTY IS IDENTIFIED AS BLOCK 319, LOTS 1.01, 1.02 AND 26, AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE WITHIN THE CITY CONSTITUTES A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT AND AUTHORIZING AND DIRECTING THE PLANNING BOARD TO PREPARE A REDEVELOPMENT PLAN PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.* (DELTA GAS STATION)

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

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

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

WHEREAS, the City Council by Resolution authorized the Planning Board ("Planning Board") of the City of Bayonne to conduct an investigation determine if certain property located at 7 and 9 Cottage Street and 218-222 Broadway, which property is identified as Block 319, Lots 1.01, 1.02 and 26, as shown on the official Tax Map of the City (the "Study Area") constituted a non-condemnation "area in need of redevelopment," in accordance with the Redevelopment Law; and

WHEREAS, on November 9, 2020, the Planning Board held a public hearing, duly noticed under the Redevelopment Law, and reviewed an investigation/report titled "Non-Condensation Area in Need of Redevelopment Block 319, Lots 1.01, 1.02 and 26," (the "Study"); and

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

WHEREAS, on November 9, 2020, the Planning Board adopted a resolution recommending that the Block 319, Lots 1.01, 1.02 and 26, within the Study Area be determined by the Municipal Council to be a non-condemnation "area in need of redevelopment" under the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*; and

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

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

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

WHEREAS, the Municipal Council believes that the preparation of a Redevelopment Plan is in the best interests of the City for the redevelopment of the Study Area and directs the Planning board to prepare same.

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

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

Section 2. The Study Area located at 7 and 9 Cottage Street and 218-222 Broadway which property is identified as Block 319, Lots 1.01, 1.02 and 26, as shown on the official Tax Map of the City constitute a non-condemnation "area in need of redevelopment," in accordance with the Redevelopment Law according to the criteria set forth in *N.J.S.A. 40A:12A-5*.

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

Section 4. The Planning Board of the City of Bayonne is hereby authorized and directed to prepare a Redevelopment Plan for the Study Area located at 7 and 9 Cottage Street and 218-222 Broadway which property is identified as Block 319, Lots 1.01, 1.02 and 26, on the official Tax Records of the City in accordance with the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*

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

Section 6. This Resolution shall take effect immediately.

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

Absent – Council Member Gullace.

* * * * *

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

A RESOLUTION REQUESTING PERMISSION FOR A DEDICATION BY RIDER
FOR THE POLICE FORFEITURE TRUST FUND

20-12-16-059

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

WHEREAS, NJS 2C:64-6 allows for the receipt of any proceeds resulting from forfeited property or any money seized from the prosecutor or Attorney General pursuant to this chapter; and

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

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

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Police Forfeiture Trust Fund (NJS 2C:64-6).
2. The Clerk of the City of Bayonne, County of Hudson is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

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

Absent – Council Member Gullace.

* * * * *

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

CY 2020 BUDGETARY TRANSFER # 1

RESOLVED, that the budgetary transfers as set forth below pertaining to the CY 2020 appropriations be and the same are hereby authorized, and be it further,

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

accordance herewith:

CURRENT FUND

<u>ACCOUNT</u>	<u>ACCOUNT NAME</u>	<u>FROM</u>	<u>TO</u>
20-111	Municipal Council S&W		7,000.00
20-156	Law Department Contracts OE		100,000.00
23-215	General Liability/Worker's Compensation	350,000.00	
25-240	Police Uniform S&W	600,001.00	
25-240	Police Uniform OE		50,000.00
26-290	Streets & Roads Maintenance S&W		10,000.00
26-310	Buildings & Grounds S&W	300,000.00	
26-310	Buildings & Grounds OE		50,000.00
27-330	Public Health Services S&W	100,000.00	
28-371	Swimming Pool S&W		12,500.00
28-371	Swimming Pool OE	12,500.00	
30-415	Reserve for Accumulated Absences		333,000.00
32-465	Solid Waste Collection		250,000.00
33-464	Tipping Fees		450,000.00
36-472	Social Security		100,000.00
45-930	Note Interest		1.00

PARKING UTILITY

<u>ACCOUNT</u>	<u>ACCOUNT NAME</u>	<u>FROM</u>	<u>TO</u>
55-502	Parking Utility OE	12,000.00	
55-541	Parking Utility Social Security		12,000.00

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

Absent – Council Member Gullace

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY DESIGNATING 22ND STREET PARTNERS, LLC AS REDEVELOPER OF THE PROPERTY LOCATED AT 21 EAST 22ND STREET, BAYONNE, NEW JERSEY, WHICH ARE IDENTIFIED AS BLOCK 206, LOT 1.01 ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE AND AUTHORIZING THE PREPARATION AND EXECUTION OF A REDEVELOPMENT AGREEMENT WITH 22ND STREET PARTNERS, LLC FOR THE REDEVELOPMENT OF SUCH PROPERTY IN ACCORDANCE WITH THE REDEVELOPMENT PLAN

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

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

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

WHEREAS, by Resolution dated August 21, 2019, the Municipal Council of the City (the “Municipal Council”) designated the property located at 21 East 22nd Street, which property is identified as Block 206, Lots 1.01 on the Tax Map of the City of Bayonne as an area in need of redevelopment under the Redevelopment Law in accordance with the provisions of N.J.S.A. 40A:12A-6 of the Redevelopment Law (the “Redevelopment Area”); and

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Municipal Services has prepared a redevelopment plan for the Redevelopment Area titled “Mount Carmel Redevelopment Plan Block 206, Lot 1.01” dated May 13, 2020 (the “Redevelopment Plan”); and

WHEREAS, the Municipal Council by Ordinance at a Public Hearing adopted the Redevelopment Plan in the best interest of the City for the redevelopment of the Property.

WHEREAS, 22ND STREET PARTNERS LLC, a limited liability company of the State of New Jersey, (the “Entity”) is the owner of the Property; and

WHEREAS, the Entity is interested in redeveloping the Property in accordance with the Redevelopment Plan; and

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

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

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

Section 1. 22ND STREET PARTNERS LLC is hereby designated as the redeveloper (the “Redeveloper”) of the Property, which is designated as Block 206 Lot 1.01 on the Tax Maps of the City of Bayonne subject to the execution of a mutually agreeable Redevelopment Agreement, in such a form deemed advisable by the City Attorney, subject to any and all conditions contained herein and such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel to the City.

Section 2. The Municipal Council, recognizes 22ND STREET PARTNERS LLC as the Redeveloper of Block 206 Lot 1.01 in the City of Bayonne as provided for and in accordance with the provisions of the New Jersey Local Redevelopment and Housing Law; and

Section 3. The Mayor and Clerk are hereby authorized to execute the Redevelopment Agreement, with such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel, on behalf of the City of Bayonne, acting as the redevelopment entity for the redevelopment of the Redevelopment Area by 22ND STREET PARTNERS LLC.

Section 4. This Resolution shall take effect immediately.

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

Absent – Council Member Gullace.

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING AND DIRECTING THE PLANNING BOARD TO CONDUCT A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER CERTAIN PROPERTY LOCATED AT 80-84 EAST 25TH STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 442, LOT 14, AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE WITHIN THE CITY CONSTITUTES A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.*

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

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

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

WHEREAS, the Mayor and Municipal Council consider it to be in the best interest of the City to have the Planning Board of the City (the “Planning Board”) conduct such an investigation to determine if certain property located at 80-84 East 25th Street, which property is identified as Block 442, Lot 14, as shown on the official Tax Map of the City (the “Study Area”), constitute a non-condemnation “area in need of redevelopment,” in accordance with the Redevelopment Law; and

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

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

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

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

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

Section 3. The Planning Board is hereby directed to study the area known as 80-84 East 25th Street, which property is identified as Block 442, Lot 14, on the City's Tax Maps; to develop a map reflecting the boundaries of the proposed non-condemnation redevelopment area; to provide public notice and conduct public hearings pursuant to *N.J.S.A. 40A:12A-6*; and to draft a report/Resolution to the Mayor and Municipal Council containing its findings.

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

Section 5. This Resolution shall take effect immediately.

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

Absent – Council Member Gullace.

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY DESIGNATING 746 AVENUE E BAYONNE URBAN RENEWAL LLC AS REDEVELOPER OF THE PROPERTY LOCATED AT 736-742 AVENUE E, BAYONNE, NEW JERSEY, WHICH ARE IDENTIFIED AS BLOCK 393, LOT 3, 4 AND 5, AND AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT WITH 746 AVENUE E BAYONNE URBAN RENEWAL LLC FOR THE REDEVELOPMENT OF SUCH PROPERTY IN ACCORDANCE WITH THE REDEVELOPMENT PLAN

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

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

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

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

WHEREAS, the Municipal Council of the City (the "Municipal Council") by resolution designated Block 393, Lot 3, 4 and 5 as a non-condemnation area in need of redevelopment under the Redevelopment Law in accordance with the provisions of N.J.S.A. 40A:12A-6 of the Redevelopment Law (the "Redevelopment Area"); and

WHEREAS, on November 7, 2018, the City Council enacted Ordinance No. #18-63, adopting a Redevelopment Plan for the Property entitled "Amendment to the Scattered Site Redevelopment Plan for a Portion of the Plan located at 736-742 Avenue E, Block 393, Lots 3, 4 and 5 (Beacon Oil), dated September 11, 2018 (the "Redevelopment Plan"); and

WHEREAS, 746 AVE E BAYONNE URBAN RENEWAL, LLC a limited liability company of the State of New Jersey, (the "Entity") is the owner or will be owner of the property identified on the Tax Maps of the City as Block 393, Lots 3, 4 and 5 is the contract purchaser and or owner of the Property; and

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

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

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

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

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

Section 1. 746 AVE E BAYONNE URBAN RENEWAL, LLC is hereby designated as the redeveloper (the "Redeveloper") of the Property, which is designated as Block 393, Lots 3, 4 and 5 on the Tax Maps of the City of Bayonne subject to the execution of a mutually agreeable Redevelopment Agreement, in such a form deemed advisable by the City Attorney, subject to any and all conditions contained herein and such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel to the City.

Section 2. The Municipal Council, recognizes 746 AVE E BAYONNE URBAN RENEWAL, LLC as the Redeveloper of Block 393, Lots 3, 4 and 5 in the City of Bayonne as provided for and in accordance with the provisions of the New Jersey Local Redevelopment and Housing Law; and

Section 3. The Mayor and Clerk are hereby authorized to execute the Redevelopment Agreement, as deemed advisable by the City Attorney or Special Redevelopment Counsel, on behalf of the City of Bayonne, acting as the redevelopment entity for the redevelopment of the Redevelopment Area by 746 AVE E BAYONNE URBAN RENEWAL, LLC subject to further approval by the Municipal Council.

Section 4. This Resolution shall take effect immediately.

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

Absent – Council Member Gullace

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING THE RELEASE OF PROPERTY FROM CERTAIN SURVIVING PROVISIONS OF A CONTRACT OF PURCHASE AND SALE BETWEEN THE BAYONNE LOCAL REDEVELOPMENT AUTHORITY AND THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY

WHEREAS, the City of Bayonne (the “City”) is the successor-in-interest to the Bayonne Local Redevelopment Authority (the “BLRA”) in a Deed, dated August 3, 2010, by and between the BLRA and The Port Authority of New York and New Jersey; and

WHEREAS, in connection with said deed, the BLRA transferred ownership of properties within the City of Bayonne denoted by the following tax map reference: Block 404, Lots 2.10 and 2.11; Block 1100, Lot 1; Block 1130, Lot 1; Block 1131, Lot 1; Block 1132, Lot 1; Block 1150, Lot 1; Block 1160, Lot 1; Block 1161, Lots 1 and 3; Block 1170, Lot 1; Block 1171, Lot 1; Block 1000, Lot 1; Block 1030, Lot 1; Block 1060, Lot 1; Block 900, Lot 1; Block 930, Lot 1; Block 404, p/o Lot 2.05; Block 970, Lot 1; and

WHEREAS, said deed provides, among other things, that certain provisions of the Contract of Purchase and Sale dated as of July 30, 2010 between BLRA and the Port Authority – which provisions are set forth at length on Deed – Attachment 2 attached to the Deed (collectively, the “Surviving Provisions”) – survive closing and the delivery of the Deed; and

WHEREAS, LEG-BP Bayonne Owner Urban Renewal LLC intends to acquire title to certain portions of the Port Authority Property from the Port Authority (the “Released Parcels”); and

WHEREAS, as a condition to its acquisition of the Released Parcels, LEG-BP Bayonne Owner Urban Renewal LLC is requiring that the Released Parcels be released from the Surviving Provisions so that neither the Buyer nor any future owner of the Released Parcels will have any liability or responsibility whatsoever for the performance or satisfaction of any of the Surviving Provisions; and

WHEREAS, the City, the Port Authority of New York and New Jersey and LEG- Bayonne Owner LLC have reached an agreement as to the form of the Release of Property from Surviving Provisions as set forth in Exhibit A attached hereto and made part of this resolution; and

WHEREAS, by executing the release, the City fully and irrevocably releases and discharges the Released Parcels from the lien, operation and/or effect of the Surviving Provisions.

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

Section 1. Permission is hereby granted to the Mayor or his designee to enter into a Release of Property from Surviving Provisions upon terms and conditions acceptable to the Town

Attorney or Redevelopment Council with LEG- Bayonne Owner LLC and the Port Authority of New York and New Jersey.

Section 2. This Resolution shall take effect immediately.

Section 3. If any section, paragraph or provision of this Resolution shall be adjudged invalid, such adjudication shall not affect the validity of the remaining sections, paragraphs or provisions of this Ordinance, which shall otherwise remain in full force and effect.

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

Absent – Council Member Gullace

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT WITH LEHIGH REALTY CO. INC FOR THE PROPERTY LOCATED BETWEEN AT EOM 90-102 AVE E URBAN RENEWAL, LLC, WHICH IS IDENTIFIED AS BLOCK 467, LOTS 8 AND 9 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE FOR THE REDEVELOPMENT OF SUCH PROPERTY IN ACCORDANCE WITH THE REDEVELOPMENT PLAN

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

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

WHEREAS, on November 8, 2017, the City Council authorized and directed the Planning Board to conduct a preliminary investigation to determine if 90-102 Avenue E, Bayonne, NJ, designated as Block 467, Lots 8 and 9 in the City of Bayonne (the “Property”) constituted an area in need of redevelopment in accordance with the provisions of *N.J.S.A. 40A:12A-6* of the Redevelopment Law; and

WHEREAS, by Resolution 18-07-18-054 dated July 19, 2018, the City Council designated the Property as an area in need of redevelopment in accordance with the provisions of *N.J.S.A. 40A:12A-6* of the Redevelopment Law and authorized the Planning Board to prepare a redevelopment plan; and

WHEREAS, on September 13, 2018, the Planning Board conducted a hearing on the redevelopment plan and made its recommendations to the City Council; and

WHEREAS, by Ordinance #018-64, dated November 7, 2018, the City Council adopted a Redevelopment Plan (as defined in the New Jersey Local Redevelopment and Housing Law, *N.J.S.A 40a:12A-1, et seq.*) for the Property (the “Redevelopment Plan”); and

WHEREAS, on November 7, 2018, by Resolution, the City Council designated EOM 90 AVE E URBAN RENEWAL, LLC as the Redeveloper to undertake the redevelopment of the Property pursuant to the Redevelopment Law; and

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

WHEREAS, the Municipal Council reaffirms the designation of EOM 90 AVE E URBAN RENEWAL, LLC, as Redeveloper of the Redevelopment Area and authorized the execution of a Redevelopment Agreement with the Redeveloper, as provided for and in accordance with the provisions of the Redevelopment Law.

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

Section 1. The Municipal Council of the City of Bayonne hereby authorizes the execution of the "Redevelopment Agreement By and Between the City of Bayonne and EOM 90 AVE E URBAN RENEWAL, LLC, concerning the Redevelopment Area identified as Block 467, Lots 8 and 9 on the Tax Maps of the City of Bayonne, having street addresses of 90-102 Avenue E, in the City of Bayonne, in such a form deemed advisable by the City Attorney, subject to any and all conditions contained herein and such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel to the City; and

Section 2. This Resolution shall take effect immediately.

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

Absent – Council Member Gullace

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY DESIGNATING CERTAIN PROPERTY LOCATED AT 7 AND 9 NEW HOOK ROAD, WHICH PROPERTY IS IDENTIFIED AS BLOCK 479 LOTS 1 AND BLOCK 481 LOT 5.02, AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE WITHIN THE CITY CONSTITUTES A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT AND AUTHORIZING AND DIRECTING THE PLANNING BOARD TO PREPARE A REDEVELOPMENT PLAN PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.* (PDQ PLASTIC)

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

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

WHEREAS, *N.J.S.A. 40A:12A-6* authorizes the governing body of any municipality, by

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

WHEREAS, the City Council by Resolution authorized the Planning Board (“Planning Board”) of the City of Bayonne to conduct an investigation determine if certain property located at 7 and 9 New Hook Road, which property is identified as Block 479, Lot 1 and Block 481 Lot 5.02, as shown on the official Tax Map of the City (the “Study Area”) constituted a non-condemnation “area in need of redevelopment,” in accordance with the Redevelopment Law; and

WHEREAS, on November 9, 2020, the Planning Board held a public hearing, duly noticed under the Redevelopment Law, and reviewed an investigation/report titled “Non-Condensation Area in Need of Redevelopment Block 479, Lot 1 and Block 481 Lot 5.02,” (the “Study”); and

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

WHEREAS, on November 9, 2020, the Planning Board adopted a resolution recommending that the Block 479, Lot 1 and Block 481 Lot 5.02, within the Study Area be determined by the Municipal Council to be a non-condemnation “area in need of redevelopment” under the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*; and

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

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

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

WHEREAS, the Municipal Council believes that the preparation of a Redevelopment Plan is in the best interests of the City for the redevelopment of the Study Area and directs the Planning board to prepare same.

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

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

Section 2. The Study Area located at 7 and 9 New Hook Road, which property is identified as Block 479, Lot 1 and Block 481 Lot 5.02, as shown on the official Tax Map of the City constitute a non-condemnation “area in need of redevelopment,” in accordance with the Redevelopment Law according to the criteria set forth in *N.J.S.A. 40A:12A-5*.

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

Section 4. The Planning Board of the City of Bayonne is hereby authorized and directed to prepare a Redevelopment Plan for the Study Area located at 7 and 9 New Hook Road, which property is identified as Block 479, Lot 1 and Block 481 Lot 5.02, on the official Tax Records of the City in accordance with the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*

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

Section 6. This Resolution shall take effect immediately.

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

Absent – Council Member Gullace

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY DESIGNATING TOGUS URBAN RENEWAL, LLC AS REDEVELOPER OF THE PROPERTY IDENTIFIED AS BLOCK 332, LOT 3, BLOCK 360 LOT 2, BLOCK 373, LOTS 1, 2, 13, 14 AND 15, BLOCK 390 LOTS 1, RG67, BLOCK 391, LOTS 1 AND 2 AND BLOCK 511, LOTS 5 AND 6 ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE AND AUTHORIZING THE NEGOTIATION AND PREPARATION OF A REDEVELOPMENT AGREEMENT WITH TONGUS URBAN RENEWAL, LLC FOR THE REDEVELOPMENT OF SUCH PROPERTY IN ACCORDANCE WITH THE REDEVELOPMENT PLAN (TEXACO)

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

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

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

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

WHEREAS, the Municipal Council of the City (the “Municipal Council”) by various resolutions designated Block 332, Lot 3; Block 360, Lot 2; Block 373, Lots 1, 2, 13, 14 and 15;

Block 390, Lots 1, RG67; Block 391, Lots 1 and 2; and Block 511, Lots 5 and 6 as a limited condemnation area in need of redevelopment under the Redevelopment Law in accordance with the provisions of N.J.S.A. 40A:12A-6 of the Redevelopment Law (the “Redevelopment Area”); and

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Municipal Services has prepared a redevelopment plan for the Redevelopment Area titled “Amended Redevelopment Plan Texaco Redevelopment Area” dated September 16, 2015 and amended on June 19, 2019 and September 2020 (the “Redevelopment Plan”); and

WHEREAS, the Planning Board reviewed the Redevelopment Plan and, in accordance with the Redevelopment Law, on October 21, 2020, conducted a public hearing wherein the Planning Board recommended the adoption of the Redevelopment Plan, and concluded that said Redevelopment Plan is consistent with the Master Plan of the City of Bayonne; and

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

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

WHEREAS, TOGUS URBAN RENEWAL, LLC, a limited liability company of the State of Delaware authorized to do business in New Jersey (the “Entity”), is the contract purchaser and or owner of the Property; and

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

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

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

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

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

Section 1. TOGUS URBAN RENEWAL, LLC is hereby conditionally designated as the redeveloper (the “Redeveloper”) of the Property, which is designated as Block 332, Lot 3; Block 360, Lot 2; Block 373, Lots 1, 2, 13, 14 and 15; Block 390, Lots 1, RG67; Block 391, Lots 1 and 2; and Block 511, Lots 5 and 6 on the Tax Maps of the City of Bayonne subject to the execution of a mutually agreeable Redevelopment Agreement, in such a form deemed advisable by the City Attorney, subject to any and all conditions contained herein and such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel to the City.

Section 2. The Municipal Council, recognizes TOGUS URBAN RENEWAL, LLC as the Redeveloper of Block 332, Lot 3; Block 360, Lot 2; Block 373, Lots 1, 2, 13, 14 and 15; Block

390, Lots 1, RG67; Block 391, Lots 1 and 2; and Block 511, Lots 5 and 6 in the City of Bayonne as provided for and in accordance with the provisions of the New Jersey Local Redevelopment and Housing Law; and

Section 3. The Mayor and Clerk are hereby authorized to execute the Redevelopment Agreement, with such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel, on behalf of the City of Bayonne, acting as the redevelopment entity for the redevelopment of the Redevelopment Area by TONGUS URBAN RENEWAL, LLC subject to further approval by the Municipal Council.

Section 4. This Resolution shall take effect immediately.

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

Absent – Council Member Gullace

* * * * *

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

RESOLUTION AUTHORIZING THE EXECUTION OF A ROAD ACCESS AGREEMENT BETWEEN LEG-BP BAYONNE OWNER URBAN RENEWAL LLC AND THE CITY OF BAYONNE TO PROVIDE PUBLIC ACCESS OVER A ROADWAY TO BE KNOWN AS PORT LINCOLN ROAD LOCATED WITHIN BLOCK 1180 ON THE TAX MAPS OF THE CITY OF BAYONNE (LINCOLN EQUITIES-MOTBY)

WHEREAS, LEG-BP Bayonne Owner LLC (the “Redeveloper”) is the owner of Block 1180 Lots 1.01 and 1.02 (f/k/a Block 1180, Lots 1 and 2) on the Tax Maps of the City of Bayonne (collectively, the “LEG-BP Property”); and

WHEREAS, on September 5, 2018 the City of Bayonne (the “City”) and the Redeveloper entered into a redevelopment agreement (the “Redevelopment Agreement”) for the redevelopment of the LEG-BP Property; and

WHEREAS, upon perfection of a Subdivision Plat, the entire property to be owned by Redeveloper will be known as Block 1180, Lot 1.01 on the Tax Map of the City of Bayonne and will consist of approximately 146.2565 +/- acres (collectively the “Redevelopment Property”); and

WHEREAS, on May 14, 2019, the Planning Board adopted a resolution granting final major site plan approval to Grantor in order to develop the Redevelopment Property with warehouse/distribution buildings and associated parking along with other improvements, which improvements include construction of a roadway within the Redevelopment Property (the “Approved Site Plan”); and

WHEREAS, such Approved Site Plan is subject to compliance with all applicable federal, state and local ordinances, rules and regulations, as well as compliance with comments by the City’s consulting engineer, Andrew W. Raichle, P.E., Matrix New World Engineering Land Surveying and Landscape Architecture, P.C., dated April 24, 2019, which comments require “[e]xecution of a right of way easement for Port Lincoln Road in a form acceptable to the City of Bayonne” and “[a]pplication to the City of Bayonne for Title 39 Enforcement of traffic and parking violations on Applicant’s property”; and

WHEREAS, pursuant to and as contemplated by the Redevelopment Agreement, the Approved Subdivision and the Approved Site Plan, Redeveloper has agreed to grant a non-

exclusive, perpetual access easement to the City and Public over and on those lands within the Redevelopment Property to be improved as a street or road to be designated as Port Lincoln Road, for purposes of permitting vehicular access to the general public and to provide for Title 39 Enforcement of traffic and parking violations along the Access Easement Area; and

WHEREAS, the City's and Redeveloper's respective rights and obligations with respect to the Access Easement Area as set forth in an agreement on file with the County Clerk.

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

Section 1. The Municipal Council of the City of Bayonne hereby authorizes the execution of a Road Access Agreement between the City of Bayonne and LEG-BP Bayonne Owner, LLC subject to any and all conditions contained herein and such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel to the City.

Section 2. LEG-BP Bayonne Owner, LLC. Shall file a copy of the Road Access Agreement with the Hudson County Clerk and shall submit a filed Copy to the Municipal Clerk of the City of Bayonne

Section 3. This Resolution shall take effect immediately.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, ACKNOWLEDGING THE TRANSFER OF OWNERSHIP AND MEMBERSHIP OF MHP 222 AVENUE E URBAN RENEWAL LLC

WHEREAS, the City of Bayonne adopted a redevelopment plan for the property located at 206- 222 Avenue E in the City of Bayonne, which are identified as Block 458, Lot 12.01 as shown of the official tax maps of the City of Bayonne (the "Property"); and

WHEREAS, MHP 222 Avenue E Urban Renewal LLC (the "Entity") is the owner of the Property;

WHEREAS, the City and the Entity entered into a Redevelopment Agreement and Financial Agreement for the development of the Property (the "Agreements"), and

WHEREAS, the Agreements permit the transfer and or change in ownership of the Entity upon notice to the City, and

WHEREAS, the City has received notice that the membership and organization of the Entity has changed as set forth in exhibit A attached hereto.

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

Section 1. Pursuant to the terms of the Redevelopment Agreement and the Financial Agreement the City hereby acknowledges and consents to the and the Entity consent is hereby given.

Section 2. This Resolution shall take effect immediately.

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

Absent – Council Member Gullace

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, ACKNOWLEDGING AND AUTHORIZING THE TRANSFER OF THE FINANCIAL AGREEMENTS TO QOZ PROSPECT PROPERTY URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED AT 33 PROSPECT AVENUE IN BAYONNE, NEW JERSEY ALSO KNOWN AS BLOCK 455, Lot 1.01 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE

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

WHEREAS, the City Council adopted an Ordinance approving a redevelopment plan entitled “Redevelopment Plan, Madison Hill II, Block 455, Lots 1, 2 and 3” for the Property (the “Redevelopment Plan”); and

WHEREAS, MHP 33 Prospect Avenue Urban Renewal, LLC, a New Jersey Limited Liability Company (“MHP 33 URE”), having an address at 585 Albrow Lane, Lawrence, NJ 11559, was the designated redeveloper of the Project under the Redevelopment Plan; and

WHEREAS, on October 9, 2018, by Resolution, the City of Bayonne Planning Board (the “Planning Board”) granted preliminary and final major site plan approval (the “Site Plan Approval”) for Planning Board Application # P-18-025 to allow the construction of a multi-family residential building consisting of 76 dwelling units and 77 parking spaces (the “Project”); and

WHEREAS, on January 16, 2019, by adoption of Ordinance O-19-08, the City Council approved a financial agreement with respect to payments in lieu of real property taxes between the City and MHP 33 URE with respect to the Project (the “Financial Agreement”); and,

WHEREAS, on May 14, 2019, the Financial Agreement with Exhibits was fully executed by the Mayor of the City of Bayonne and MHP 33 URE; and

WHEREAS, on May 15, 2019, by Resolution, the City Council authorized, among other things, the transfer of the Financial Agreement from MHP 33 URE to the QOZ Prospect Property Urban Renewal, LLC; and

WHEREAS, MHP 33 URE transferred the Property and the Project to the QOZ Prospect Property Urban Renewal, LLC; and

WHEREAS, QOZ Prospect Property Urban Renewal, LLC hereby assumes all responsibilities and obligations under the Financial agreement entered into by the City and MHP 33 Prospect Avenue Urban Renewal, LLC; and

WHEREAS, the Municipal Council authorizes the execution of an Acknowledgement of Transfer and Assumption of Financial Agreement by QOZ Prospect Property Urban Renewal, LLC hereto attached as Exhibit A.

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

Section 1. The Municipal Council of the City of Bayonne hereby authorizes the execution of the Acknowledgement of Transfer and Assumption of Financial Agreement by QOZ Prospect Property Urban Renewal, LLC. concerning the Redevelopment Area identified as Block 455, Lot 1.01 on the Tax Maps of the City of Bayonne, in the City of Bayonne, in such a form deemed advisable by the City Attorney, subject to any and all conditions contained herein and such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel to the City; and

Section 2. This Resolution shall take effect immediately.

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

Absent – Council Member Gullace

* * * * *

71. 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, IN THE COUNTY OF HUDSON, NEW JERSEY, DETERMINING THE FORM AND OTHER DETAILS OF ITS “NOTE RELATING TO THE WATER BANK CONSTRUCTION FINANCING PROGRAM OF THE NEW JERSEY INFRASTRUCTURE BANK”, TO BE ISSUED IN THE PRINCIPAL AMOUNT OF UP TO \$2,082,786, AND PROVIDING FOR THE ISSUANCE AND SALE OF SUCH NOTE TO THE NEW JERSEY INFRASTRUCTURE BANK, AND AUTHORIZING THE EXECUTION AND DELIVERY OF SUCH NOTE BY THE CITY OF BAYONNE IN FAVOR OF THE NEW JERSEY INFRASTRUCTURE BANK, ALL PURSUANT TO THE WATER BANK CONSTRUCTION FINANCING PROGRAM OF THE NEW JERSEY INFRASTRUCTURE BANK

WHEREAS, the City of Bayonne (the “Local Unit”), in the County of Hudson, New Jersey, has determined that there exists a need within the Local Unit to undertake a project including improvements to Fitzpatrick Park including, but not limited to, storm water management system improvements, including but not limited to, the installation of an underground detention system and separation of the storm sewer system from the sanitary system, and various other park improvements, including but not limited to, ADA compliant walkways, playground areas, a hockey roller rink, patio areas with picnic tables, game tables, splash park (including but not limited to a recirculation system), lighting and landscaping improvements, and other park equipment or amenities and associated landscaping and aesthetic improvements (collectively, the “Project”), and it is the desire of the Local Unit to obtain financing for such Project through participation in the environmental infrastructure financing program (the “New Jersey Water Bank”) of the New Jersey Infrastructure Bank (the “I-Bank”);

WHEREAS, the Local Unit has determined to temporarily finance the construction of the Project prior to the closing with respect to the New Jersey Water Bank, and to undertake such

temporary financing with the proceeds of a short-term loan to be made by the I-Bank (the "Construction Loan") to the Local Unit, pursuant to the Water Bank Construction Financing Program of the I-Bank (the "Construction Financing Program");

WHEREAS, in order to (i) evidence and secure the repayment obligation of the Local Unit to the I-Bank with respect to the Construction Loan and (ii) satisfy the requirements of the Construction Financing Program, it is the desire of the Local Unit to issue and sell to the I-Bank the "Note Relating to the Water Bank Construction Financing Program of the New Jersey Infrastructure Bank" in an aggregate principal amount of up to \$2,082,786 (the "Note");

WHEREAS, it is the desire of the Local Unit to authorize, execute, attest and deliver the Note to the I-Bank pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), and other applicable law; and

WHEREAS, Section 28 of the Local Bond Law allows for the sale of the Note to the I-Bank, without any public offering, and N.J.S.A. 58:11B-9 allows for the sale of the Note to the I-Bank without any public offering, all under the terms and conditions set forth therein.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Local Unit as follows:

Section 1. In accordance with Section 28 of the Local Bond Law and N.J.S.A. 58:11B-9, the Local Unit hereby authorizes the issuance, sale and award of the Note in accordance with the provisions hereof. The obligation represented by the Note has been appropriated and authorized by bond ordinance #O-20-49 of the Local Unit, which bond ordinance is entitled "BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO FITZPATRICK PARK, BY AND IN THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY, APPROPRIATING \$2,082,786 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,082,786 BONDS OR NOTES TO FINANCE THE COST THEREOF" and was finally adopted by the Local Unit at a meeting duly called and held on October 21, 2020, at which time a quorum was present and acted throughout, all pursuant to the terms of the Local Bond Law and other applicable law.

Section 2. The Chief Financial Officer of the Local Unit (the "Chief Financial Officer") is hereby authorized to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions hereof, (i) the final principal amount of the Note (subject to the maximum limitation set forth in Section 4(a) hereof), and (ii) the dated date of the Note.

Section 3. Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Note by the parties authorized pursuant to Section 4(h) hereof.

Section 4. The Local Unit hereby determines that certain terms of the Note shall be as follows:

- (a) the principal amount of the Note to be issued shall be an amount up to \$2,082,786;
- (b) the maturity of the Note shall be as determined by the I-Bank;
- (c) the interest rate of the Note shall be as determined by the I-Bank;
- (d) the purchase price for the Note shall be par;
- (e) the Note shall be subject to prepayment prior to its stated maturity in accordance with the terms and conditions of the Note;
- (f) the Note shall be issued in a single denomination and shall be numbered "NJWB-CFP-21-01";

- (g) the Note shall be issued in fully registered form and shall be payable to the registered owner thereof as to both principal and interest in lawful money of the United States of America; and
- (h) the Note shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Local Unit Clerk.

Section 5. The Note shall be substantially in the form attached hereto as Exhibit A.

Section 6. The law firm of Archer & Greiner, P.C. is hereby authorized to arrange for the printing of the Note, which law firm may authorize McCarter & English, LLP, bond counsel to the I-Bank for the Construction Financing Program, to arrange for same.

Section 7. The Authorized Officers of the Local Unit are hereby further severally authorized to (i) execute and deliver, and the Local Unit Clerk is hereby further authorized to attest to such execution and to affix the corporate seal of the Local Unit to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers or the Secretary of the Local Unit, as applicable, in their respective sole discretion, after consultation with counsel and any advisors to the Local Unit and after further consultation with the I-Bank and its representatives, agents, counsel and advisors, to be executed in connection with the issuance and sale of the Note and the participation of the Local Unit in the Construction Financing Program, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution and delivery of the Note and the participation of the Local Unit in the Construction Financing Program.

Section 8. This resolution shall take effect immediately.

Section 9. Upon the adoption hereof, the Local Unit Clerk shall forward certified copies of this resolution to John M. Cantalupo, Archer & Greiner, P.C., bond counsel to the Local Unit, David E. Zimmer, Executive Director of the I-Bank, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the I-Bank.

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

Absent – Council Member Gullace

* * * * *

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

RESOLUTION DETERMINING THE FORM AND OTHER DETAILS
OF NOT EXCEEDING \$2,082,786 GENERAL OBLIGATION BONDS
OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, NEW
JERSEY, AND PROVIDING FOR THEIR SALE TO THE NEW
JERSEY INFRASTRUCTURE BANK AND THE STATE OF NEW
JERSEY PURSUANT TO THE WATER BANK FINANCING
PROGRAM OF THE NEW JERSEY INFRASTRUCTURE BANK AND
AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN
LOAN AGREEMENTS AND AN ESCROW AGREEMENT IN
CONNECTION THEREWITH

WHEREAS, the City of Bayonne (the "Local Unit"), in the County of Hudson, State of New Jersey, has determined that there exists a need within the Local Unit to undertake a project including improvements to Fitzpatrick Park including, but not limited to, storm water management system improvements, including but not limited to, the installation of an underground detention system and separation of the storm sewer system from the sanitary system, and various other park improvements, including but not limited to, ADA compliant walkways, playground areas, a hockey roller rink, patio areas with picnic tables, game tables, splash park (including but not limited to a recirculation system), lighting and landscaping improvements, and other park equipment or amenities and associated landscaping and aesthetic improvements (collectively, the "Project") as defined in each of that certain Loan Agreement (the "I-Bank Loan Agreement") to be entered into by and between the Local Unit and the New Jersey Infrastructure Bank (the "I-Bank") and that certain Loan Agreement (the "Fund Loan Agreement", and together with the I-Bank Loan Agreement, the "Loan Agreements") to be entered into by and between the Local Unit and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the "State"), all pursuant to the Water Bank Financing Program of the New Jersey Infrastructure Bank (the "Program");

WHEREAS, the Local Unit has determined to finance the acquisition, construction, renovation or installation of the Project with the proceeds of a loan to be made by each of the I-Bank (the "I-Bank Loan") and the State (the "Fund Loan", and together with the I-Bank Loan, the "Loans") pursuant to the I-Bank Loan Agreement and the Fund Loan Agreement, respectively;

WHEREAS, to evidence the Loans, each of the I-Bank and the State require the Local Unit to authorize, execute, attest and deliver the Local Unit's General Obligation Bonds in the aggregate principal amount of not to exceed \$2,082,786, consisting of a bond to the I-Bank (the "I-Bank Loan Bond") and a bond to the State (the "Fund Loan Bond"), and together with the I-Bank Loan Bond, (the "Local Unit Bonds") pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), other applicable law and the Loan Agreements; and

WHEREAS, N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law allows for the sale of the I-Bank Loan Bond and the Fund Loan Bond to the I-Bank and the State, respectively, without any public offering, and N.J.S.A. 58:11B-9(a) allows for the sale of the I-Bank Loan Bond to the I-Bank without any public offering, all under the terms and conditions set forth herein.

WHEREAS, the I-Bank and the State have expressed their desire to close in escrow the making of the Loans, the issuance of the Local Unit Bonds and the execution and delivery of the Loan Agreements, all pursuant to the terms of an Escrow Agreement (the "Escrow Agreement") to be entered into by and among the I-Bank, the State, the Local Unit and the escrow agent named therein.

NOW, THEREFORE, BE IT RESOLVED by a 2/3 vote of the full membership of the governing body of the Local Unit as follows:

Section 1. Pursuant to the provisions of N.J.S.A. 40A:2-26(f), the bonds of the City, authorized pursuant to the bond ordinance of the City described in Section 2 hereof (the "Bond Ordinance"), shall be a single issue of General Obligation Bonds in the aggregate principal amount of not to exceed \$2,082,786, consisting of the I-Bank Loan Bonds and the Fund Loan Bonds (collectively, the "Bonds" or "General Obligation Bonds").

Section 2. The principal amount of bonds authorized by the Bond Ordinance to be a single issue as above provided, the Bond Ordinance authorizing the Bonds described by reference to the ordinance number, description and date of final adoption, amount of issue and average period of usefulness determined in the Bond Ordinance is respectively, as follows:

<u>Ordinance Number</u>	<u>Description and Date of Final Adoption</u>	<u>Amount of Issue</u>	<u>Useful Life</u>
O-20-49	Providing For Improvements To Fitzpatrick Park, Finally Adopted On October 21, 2020	\$2,082,786	30 years

Section 3. The following matters are hereby determined with respect to the issue of Bonds:

- (a) The period of usefulness, computed on the basis of the respective amounts of Bonds presently authorized to be issued pursuant to the Bond Ordinance, is 30 years.
- (b) The Bonds shall be designated “General Obligation Bonds” consisting of the I-Bank Loan Bonds and the Fund Loan Bonds and shall mature within the period of usefulness hereinabove determined.
- (c) The Bonds shall be sold and issued in accordance with the provisions of the Local Bond Law that are applicable to the sale and issuance of bonds authorized by a single Bond Ordinance and accordingly may be sold with other issues of bonds.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

- (a) None of the Bonds described in Section 2 hereof have been sold or issued heretofore, and the Bond Ordinance described in Section 2 has not been rescinded heretofore and now remains in full force and effect as authorizations for the respective amount of bonds set opposite the description of the Bond Ordinance set forth in Section 2 hereof.
- (b) The purposes or improvements authorized by the Bond Ordinance described in Section 2 hereof are purposes for which bonds and notes may be issued lawfully pursuant to the Local Bond Law and some of such improvements or purposes, if applicable and permitted by law, a deduction may be taken in any annual or supplemental debt statement.

Section 5. In accordance with N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law and N.J.S.A. 58:11B-9(a), the Local Unit hereby sells and awards its I-Bank Loan Bond to the I-Bank and its Fund Loan Bond to the State, all in accordance with the provisions hereof. The Local Unit Bonds have been referred to and are described in the Bond Ordinance referenced in Section 2 hereof.

Section 6. The Chief Financial Officer of the Local Unit (the "Chief Financial Officer") is hereby authorized to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions established by the I-Bank and the State under the Loan Agreements and the terms and conditions hereof, the following items with respect to the I-Bank Loan Bond and the Fund Loan Bond:

- (a) The aggregate principal amounts of the I-Bank Loan Bond and the Fund Loan Bond to be issued;
- (b) The maturity and annual principal installments of the Local Unit Bonds, which maturity shall not exceed 30 years;
- (c) The date of the Local Unit Bonds;
- (d) The interest rates of the Local Unit Bonds;
- (e) The purchase price for the Local Unit Bonds; and
- (f) The terms and conditions under which the Local Unit Bonds shall be subject to redemption prior to their stated maturities.

Section 7. Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Local Unit Bonds by the parties authorized under Section 4(c) hereof.

Section 8. The Local Unit hereby determines that certain terms of the Local Unit Bonds shall be as follows:

(a) The I-Bank Loan Bond shall be issued in a single denomination and shall be numbered R-1. The Fund Loan Bond shall be issued in a single denomination and shall be numbered R-2;

(b) The Local Unit Bonds shall be issued in fully registered form and shall be payable to the registered owners thereof as to both principal and interest in lawful money of the United States of America; and

(c) The Local Unit Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Local Unit Clerk.

Section 9. The I-Bank Loan Bond and the Fund Loan Bond shall be substantially in the form set forth in the I-Bank Loan Agreement and the Fund Loan Agreement, respectively.

Section 10. The law firm of Archer & Greiner P.C. is hereby authorized to arrange for the printing of the Local Unit Bonds, which law firm may authorize McCarter & English, LLP, bond counsel to the I-Bank and the State for the Program, to arrange for same. The Local Unit auditor is hereby authorized to prepare the financial information necessary in connection with the issuance of the Local Unit Bonds. The Mayor, the Chief Financial Officer and the Local Unit Clerk are hereby authorized to execute any certificates necessary or desirable in connection with the financial and other information.

Section 11. The terms of the Local Unit Bonds authorized to be set forth by the Chief Financial Officer in accordance with Section 6 hereof shall be set forth in an award certificate executed by the Chief Financial Officer and there shall be no further ratification necessary by the City Council in order to award, sell, issue, deliver and close on the Bonds.

Section 12. The Mayor and the Chief Financial Officer are hereby severally authorized to execute any certificates or documents necessary or desirable in connection with the sale of the Local Unit Bonds, and are further authorized to deliver same to the I-Bank and the State upon delivery of the Local Unit Bonds and the receipt of payment therefor in accordance with the Loan Agreements.

Section 13. The I-Bank Loan Agreement, the Fund Loan Agreement and the Escrow Agreement (collectively, the "Financing Documents") are hereby authorized to be executed and delivered on behalf of the Local Unit by either the Mayor or the Chief Financial Officer in substantially the forms attached hereto as Exhibits A, B and C, respectively, with such changes as the Mayor or the Chief Financial Officer (each an "Authorized Officer"), in their respective sole discretion, after consultation with counsel and any advisors to the Local Unit (collectively, the "Local Unit Consultants") and after further consultation with the I-Bank, the State and their representatives, agents, counsel and advisors (collectively, the "Program Consultants", and together with the Local Unit Consultants, the "Consultants"), shall determine, such determination to be conclusively evidenced by the execution of such Financing Documents by an Authorized Officer as determined hereunder. The Local Unit Clerk is hereby authorized to attest to the execution of the Financing Documents by an Authorized Officer of the Local Unit as determined hereunder and to affix the corporate seal of the Local Unit to such Financing Documents.

Section 14. The Authorized Officers of the Local Unit are hereby further severally authorized to (i) execute and deliver, and the Local Unit Clerk is hereby further authorized to attest to such execution and to affix the corporate seal of the Local Unit to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers or the Local Unit Clerk, as applicable, in their respective sole discretion, after consultation with the Consultants, to be executed in connection with the execution and delivery of the Financing Documents and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution and delivery thereof.

Section 15. This resolution shall take effect immediately.

Section 16. Upon the adoption hereof, the Local Unit Clerk shall forward certified copies of this resolution to John M. Cantalupo, Esq., Archer & Greiner P.C., bond counsel to the Local Unit, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the I-Bank.

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

Absent – Council Member Gullace

* * * * *

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

RESOLUTION AWARDING THE SALE BY THE CITY OF BAYONNE,
IN THE COUNTY OF HUDSON, NEW JERSEY OF ITS PROPERTY
TAX LEVY FOR THE FISCAL YEAR ENDING DECEMBER 31, 2020
AND RATIFYING, CONFIRMING AND AUTHORIZING CERTAIN
ACTIONS IN CONNECTION THEREWITH

WHEREAS, Chapter 99 of the Laws of New Jersey of 1997, effective May 12, 1997 (the “Act”), authorizes any municipality to sell its “total property tax levy” to the highest responsible bidder therefor in accordance with the procedures and limitations set forth therein; and

WHEREAS, the Tax Collector and Chief Financial Officer of the City of Bayonne, in the County of Hudson, New Jersey (the “City”), have heretofore caused to be prepared and distributed to potential bidders and others a “Notice of Sale Relating to the Purchase of the Property Tax Levy for the Fiscal Year Ending December 31, 2020 from the City of Bayonne, in the County of Hudson, New Jersey”, dated November 6, 2020, as updated on November 23, 2020 (the “Notice of Sale”), requesting bids for the purchase of the City’s property tax levy for the fiscal year ending December 31, 2020 (the “Fiscal Year”); and

WHEREAS, the Tax Collector and Chief Financial Officer of the City have heretofore also caused to be prepared and distributed to potential bidders and others, certain documents and other information, and the City’s special counsel has heretofore caused to be published certain notices, each in connection with the Notice of Sale; and

WHEREAS, by Resolution No. 20-08-19-075, duly adopted on August 19, 2020 (the “Resolution”), the City Council of the City has heretofore authorized the sale of the property tax levy, the preparation and distribution of documents and other information as aforesaid and the publication of certain notices as aforesaid, and authorized the Chief Financial Officer of the City to receive bids and take all actions in connection therewith in accordance with the Notice of Sale; and

WHEREAS, the Tax Collector and Chief Financial Officer of the City have heretofore also caused to be prepared and distributed to potential bidders and others: (i) a form of Purchase and Sale Agreement, between the City and the purchaser of the property tax levy (the “Agreement”), (ii) the Financial Information (as such term is defined in the Agreement) and (iii) other items constituting part of the Bid Package (as such term is defined in the Agreement); and

WHEREAS, the City’s special counsel has heretofore caused to be published a copy of the Notice of Sale (stating, among other things, the manner of submitting and method of receiving bids and the time and place of sale) in a newspaper circulating in the City at least 14 days in advance of the date fixed for receiving bids; and

WHEREAS, four (4) bids complying with the requirements set forth in the Notice of Sale were received in response to the Notice of Sale, and the Chief Financial Officer has recommended that the City Council make an award to the Highest Responsible Bidder (as such term is defined in the Act) in accordance with the provisions of the Notice of Sale; and

WHEREAS, the City Council desires to award the Agreement to the Highest Responsible Bidder, in accordance with Section 16(a) of the Act; and

WHEREAS, the Chief Financial Officer of the City has heretofore provided the City Council with a fiscal analysis (the “Fiscal Analysis”) of the impact of the proposed sale of the property tax levy (the “Sale”) on the current City budget and the projected City budgets for the next two subsequent years, in accordance with Section 14 of the Act; and

WHEREAS, the Chief Financial Officer of the City has heretofore caused or will cause to be forwarded to the Director of the Division of Local Government Services in the Department of Community Affairs (the “Division”) copies of the Fiscal Analysis and the form of the Agreement (including pricing terms derived from the high bidder); and

WHEREAS, the Highest Responsible Bidder has heretofore provided a written commitment to pay, in cash, the full amount of the levy on or before the date of closing in accordance with the requirements set forth in the Notice of Sale and in the Agreement.

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

SECTION 1. In accordance with the Notice of Sale and the Act, "NES CAPITAL LLC", organized and existing under the laws of the State of New Jersey, (the "Purchaser") is hereby determined to be the Highest Responsible Bidder for the purchase of the Property Tax Levy (as such term is defined in the Agreement) on the basis of the offer set forth in its proposal (the "Winning Bid"), a copy of which proposal is attached hereto as Exhibit A. The Winning Bid states a Levy Bid (as such term is defined in the Agreement) constituting a premium of \$418,000. The Agreement is hereby awarded to the Purchaser in accordance with the terms of the Act, the Notice of Sale and the Winning Bid.

SECTION 2. The Agreement and Fiscal Analysis, in substantially the forms on file with the City Clerk are hereby approved, and the Mayor of the City is hereby authorized and directed to execute and deliver the Agreement, with such changes as may be approved by such officers, their execution and delivery thereof being conclusive evidence as to such approval.

SECTION 3. The Winning Bidder has provided a written commitment to pay, in cash, the full amount of the levy on or before the date of closing and, in accordance with Section 2.08 of the above-referenced Agreement, is relieved from providing a Credit Facility as that term is defined therein.

SECTION 4. All actions heretofore taken by the Mayor, the Tax Collector and Chief Financial Officer, the City Counsel, Special Counsel, and all other employees and officials of the City (collectively, the "Authorized Persons") on behalf of the City in furtherance of the Sale are hereby ratified and confirmed, including specifically: (i) the request for sealed bids for the sale of the Property Tax Levy for the Fiscal Year, (ii) the preparation and distribution of certain information regarding the City including, without limitation, the Notice of Sale, the form of the Agreement, the Financial Information and other items constituting part of the Bid Package (the content of all of which is hereby ratified and confirmed), (iii) the publication of the Notice of Sale, in accordance with Section 16 of the Act, (iv) the receipt of sealed bids, the determination of the Highest Bidder in accordance with the provisions of the Notice of Sale, (v) the inclusion of the pricing terms derived from the Highest Bid in the form of the Agreement and the preparation, in accordance with Section 14 of the Act, of the Fiscal Analysis, taking into account the pricing terms derived from the high bidder and (vi) the submission of the form of the Agreement (including such pricing terms) and the Fiscal Analysis to the Director of the Division, and the representation of the City before the Division in all matters relating thereto.

SECTION 5. All Authorized Persons are hereby authorized and directed to do all things necessary or convenient in furtherance of the Sale including, without limitation, the execution and delivery of all documents in connection therewith and in connection with the special tax sale referred to in Section 6 hereof.

SECTION 6. Pursuant to N.J.S.A. 54:5-19, the Act and other applicable statutes, the City hereby determines to enforce the liens for unpaid taxes for the Fiscal Year, in part, by holding a special tax sale no later than April 30, 2021, whereat "New Tax Sale Certificates" (as such term is defined in the Agreement), shall be issued or assigned and sold to the Purchaser, each upon compliance with the payment and other requirements set forth in the Agreement (which requirements include, among other things, the payment of certain taxes, assessments and other municipal charges). Such special tax sale shall be held without prejudice to the right of the City to hold one or more separate tax sales in accordance with applicable law to enforce taxes, assessments and other municipal charges for which tax sale certificates are not issued or assigned to the Purchaser in accordance with the Agreement (which separate tax sale(s) may be held before, simultaneously with or after the aforementioned special tax sale).

SECTION 7. The City Clerk, or any other Authorized Person, is hereby authorized and directed to cause such notices to be published or otherwise given, in accordance with applicable law, as may be necessary in connection with the issuance of tax sale certificates as provided in Section 6 hereof.

SECTION 8. Notwithstanding any resolution to the contrary, the Tax Collector is hereby authorized to remit such funds to the Purchaser as may be provided in the Agreement, and there

shall be no municipal fiscal restrictions (within the meaning of N.J.S.A. 54:5-58, or otherwise) imposed upon the Tax Collector in connection therewith.

SECTION 9. The Tax Collector shall accept payment from the Purchaser of such portions of the Levy Price and the TSC Amount (as such terms are defined in the Agreement) as relate to properties which are the subject of prior municipally-held tax sale certificates not therefore redeemed.

SECTION 10. This resolution shall take effect upon adoption hereof and receipt by the City of the written approval of the Director of the Division of the execution of the Agreement, in accordance with Section 12(b) of the Act.

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

Absent – Council Member Gullace

* * * * *

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

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

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

* * * * *

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

WHEREAS, the Police Department of the City of Bayonne has established that there is a need for to procure an upgrade to the microwave transmission system for the citywide Motorola Radio System (“Microwave Transmission System Upgrade”); and

WHEREAS, Motorola Solutions, Inc., 123 Tice Boulevard, Suite 202, Woodcliff, NJ 07677 (“Motorola”) is capable of supplying said Microwave Transmission System Upgrade under State Contract #83909; and

WHEREAS, the Police Department is in receipt of a proposal from Motorola for said Microwave Transmission System Upgrade dated December 6, 2020 for a total cost total cost of \$701,966.20; and

WHEREAS, funds are certified as available in Account Nos. C-04-55-943-1956-991 and C-04-55-943-1956-994; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and/or his designee is hereby authorized to take any and all actions and execute any and all documents necessary to procure the aforesaid Microwave Transmission System Upgrade from Motorola for the amount of \$701,966.20 pursuant to its proposal dated December 6, 2020 through State Contract #83909.

2. The Treasurer is hereby authorized to issue payment to Motorola for the total amount of \$701,966.20 consistent with the payment terms as stated pursuant to State Contract #83909 detailed price quote attached to Motorola’s proposal.

3. Funds shall be chargeable to Account Nos. C-04-55-943-1956-991 and C-04-55-943-1956-994.

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

Absent – Council Member Gullace

* * * * *

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

WHEREAS, the City of Bayonne is in need of professional legal services to represent the Zoning Board of the City of Bayonne at all meetings and to defend any and all actions and other matters impacting on the Zoning Board; and

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

WHEREAS, Richard N. Campisano, Esq., 1081 Avenue C, Bayonne, New Jersey 07002 has submitted to the City a formal written response to the City's Request for Qualifications/Proposals for said professional legal services; and

WHEREAS, Richard N. Campisano, Esq., is qualified, ready, willing and able to provide said services for the period commencing January 1, 2021 and ending December 31, 2021, for an amount of \$13,200.00 payable at the rate of \$1,100.00 per month for all legal and administrative duties associated with his function as Board attorney and \$175.00 per hour in the event the Zoning Board is involved in litigation, said amount not to exceed \$9,000.00 for a total contract amount not to exceed \$22,200.00 attributable to the City. Escrow billings shall be payable at the rate of \$175.00 per hour attributable to various developers' escrow accounts; and

WHEREAS, the response of Richard N. Campisano, Esq., was the sole response received pursuant to the aforesaid Request for Qualifications/Proposals; and

WHEREAS, this professional services contract was determined under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4.5; and

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

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

WHEREAS, pursuant to N.J.A.C. 5:30-5.5(e), the award of the contract shall be subject to the availability and appropriation of funds in the CY2021 temporary and permanent budgets in account #1-01-21-185-0000-028; now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with Richard N. Campisano, Esq., 1081 Avenue C, Bayonne, New Jersey 07002 to act as attorney for the Zoning Board for the period commencing January 1, 2021 and ending December 31, 2021, for an amount of \$13,200.00 payable at the rate of \$1,100.00 per month for all legal and administrative duties associated with his function as Board attorney and \$175.00 per hour in the event the Zoning Board is involved in litigation, said amount not to exceed \$9,000.00 for a total contract amount not to exceed \$22,200.00 attributable to the City. Escrow billings shall be payable at the rate of \$175.00 per hour attributable to various developers' escrow accounts.

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

3. Funds shall be chargeable to Account #1-01-21-185-0000-028.

4. Pursuant to N.J.A.C. 5:30-5.5(e), the award of the contract shall be subject to the availability and appropriation of funds in the CY2021 temporary and permanent budgets in account #1-01-21-185-0000-028.

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

Absent - Council Member Gullace

* * * * *

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

WHEREAS, the City of Bayonne is in need of professional legal services to represent the Planning Board of the City of Bayonne at all meetings and to defend any and all actions and other matters impacting on the Planning Board; and

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

WHEREAS, Richard N. Campisano, Esq., 1081 Avenue C, Bayonne, New Jersey 07002 has submitted to the City a formal written response to the City's Request for Qualifications/Proposals for said professional legal services; and

WHEREAS, Richard N. Campisano, Esq., is qualified, ready, willing and able to provide said services for the period commencing January 1, 2021 and ending December 31, 2021, for an amount of \$10,800.00 payable at the rate of \$900.00 per month for all legal and administrative duties associated with his function as Board attorney and \$175.00 per hour in the event the Planning Board is involved in litigation, said amount not to exceed \$5,000.00 for a total contract amount not to exceed \$15,800.00 attributable to the City. Escrow billings shall be payable at the rate of \$175.00 per hour attributable to various developers' escrow accounts; and

WHEREAS, the response of Richard N. Campisano, Esq., was the sole response received pursuant to the aforesaid Request for Qualifications/Proposals; and

WHEREAS, this professional services contract was determined under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5; and

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

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

WHEREAS, pursuant to N.J.A.C. 5:30-5.5(e), the award of the contract shall be subject to the availability and appropriation of funds in the CY2020 temporary and permanent budgets in account #1-01-21-180-0000-028; now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with Richard N. Campisano, Esq., 1081 Avenue C, Bayonne, New Jersey 07002 to act as attorney for the Planning Board for the period commencing January 1, 2021 and ending December 31, 2021, for an amount of \$10,800.00 payable at the rate of \$900.00 per month for all legal and administrative duties associated with his function as Board attorney and \$175.00 per hour in the event the Planning Board is involved in litigation, said amount not to exceed \$5,000.00 for a total contract amount not to exceed \$15,800.00 attributable to the City. Escrow billings shall be payable at the rate of \$175.00 per hour attributable to various developers' escrow accounts.

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

3. Funds shall be chargeable to Account #1-01-21-180-0000-028.

4. Pursuant to N.J.A.C. 5:30-5.5(e), the award of the contract shall be subject to the availability and appropriation of funds in the CY2020 temporary and permanent budgets in account #1-01-21-180-0000-028.

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

Absent – Council Member Gullace

* * * * *

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

WHEREAS, the City of Bayonne is in need of professional real estate appraisal services including real property appraisals and expert testimony services in connection with tax appeals

before the State Tax Court and Hudson County Tax Board and condemnation proceedings for residential, commercial, apartment buildings and warehouses; and

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

WHEREAS, Stack, Coolahan & Stack, LLC, 90 Hudson Street, Suite 200, Hoboken, New Jersey 07030 has submitted to the City of Bayonne a formal written response to the City's Request for Qualifications/Proposals for said services; and

WHEREAS, Stack, Coolahan & Stack, LLC is qualified, ready, willing and able to provide said services for a contract amount of \$90,000.00, payable at the rate of \$7,500.00 per month for the period commencing January 1, 2021 and ending December 31, 2021; and

WHEREAS, the response of Stack, Coolahan & Stack, LLC was the sole response received pursuant to the aforesaid Request for Qualifications/Proposals; and

WHEREAS, this professional services contract was advertised under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5; and

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

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

WHEREAS, pursuant to N.J.A.C. 5:30-5.5(e), the award of the contract shall be subject to the availability and appropriation of funds in the CY2021 temporary and permanent budgets in account #1-01-20-101-0000-029; now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with Stack, Coolahan & Stack, LLC, 90 Hudson Street, Suite 200, Hoboken, New Jersey 07030 for the aforesaid professional real estate appraisal services for a contract amount of \$90,000.00, payable at the rate of \$7,500.00 per month for the period commencing January 1, 2021 and ending December 31, 2021.
2. A notice of this action shall be printed once in a newspaper of general circulation within the boundaries of the City of Bayonne.
3. Funds shall be chargeable to account #1-01-20-101-0000-029.
4. Pursuant to N.J.A.C. 5:30-5.5(e), the award of the contract shall be subject to the availability and appropriation of funds in the CY2021 temporary and permanent budgets in account #1-01-20-101-0000-029.

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

Absent – Council Member Gullace

* * * * *

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

WHEREAS, there exists a need for professional legal services as Municipal Court Prosecutor and Alternate Municipal Court Prosecutor in the Bayonne Municipal Court; and

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

WHEREAS, TIMOTHY J. MORIARTY, ESQ., 88 West 31st Street, P.O. Box 3424, Bayonne, NJ 07002 and STEVEN R. HUMMELL, ESQ., 697 Kearny Avenue, Kearny, NJ 07032 have

submitted to the City of Bayonne formal, written responses to the City's Request for Qualifications/Proposals for said professional legal services; and

WHEREAS, TIMOTHY J. MORIARTY, ESQ. is qualified, ready, willing and able to provide said services as Municipal Court Prosecutor for a one year period commencing January 1, 2021 and ending December 31, 2021 for an amount not to exceed \$46,200.00 to be paid at \$300.00 per session and municipal appeals requiring Superior Court appearance at an additional rate of \$75.00 per hour for a maximum of \$1,000.00 per appeal; and

WHEREAS, STEVEN R. HUMMELL, ESQ. is qualified, ready, willing and able to provide said services as Alternate Municipal Court Prosecutor for a one year period commencing January 1, 2021 and ending December 31, 2021 for an amount not to exceed \$23,700.00 to be paid at \$300.00 per session and municipal appeals requiring Superior Court appearance at an additional rate of \$75.00 per hour for a maximum of \$1,000.00 per appeal; and

WHEREAS, these professional services contracts were determined under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5; and

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

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

WHEREAS, pursuant to N.J.A.C. 5:30-5.5(e), the award of these contracts shall be subject to the availability and appropriation of funds in the CY2021 temporary and permanent budgets in account #1-01-25-275-0000-199; now, therefore, be it

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

1. That the Mayor and the City Clerk are hereby authorized and directed to execute agreements with TIMOTHY J. MORIARTY, ESQ. for professional legal services as Municipal Court Prosecutor and STEVEN R. HUMMELL, ESQ. for professional legal services as Alternate Municipal Court Prosecutor for the period commencing January 1, 2021 and ending December 31, 2021, for total contract amounts not to exceed \$46,200.00 and \$23,700.00 respectively both to be paid at \$300.00 per session and municipal appeals requiring Superior Court appearance at an additional rate of \$75.00 per hour for a maximum of \$1,000.00 per appeal.

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

3. Funds shall be charged to Account #1-01-25-275-0000-099.

4. Pursuant to N.J.A.C. 5:30-5.5(e), the award of these contracts shall be subject to the availability and appropriation of funds in the CY2021 temporary and permanent budgets in account #1-01-25-275-0000-199.

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

Absent – Council Member Gullace

* * * * *

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

WHEREAS, there exists a need for professional legal services as Municipal Court Prosecutor in the Bayonne Municipal Court; and

WHEREAS, the Law Director determined that the City of Bayonne Law Department can operate in a more cost effective and efficient manner by appointing Municipal Prosecutors by contract through the fair and open process in addition to the current Assistant City Attorneys and Law Director who are also responsible for addressing the day to day legal issues that arise on behalf of the City of Bayonne; and

WHEREAS, Timothy J. Moriarty, Esq., and Steven R. Hummell, Esq., have submitted responses to the City's Request for Qualifications through the Fair and Open Contracting

Requirements to N.J.S.A. 19:44A-1 *et seq* and have been deemed qualified to serve as Municipal Prosecutors for the City of Bayonne; and

WHEREAS, the Law Director has requested that the Municipal Council adopt a Resolution at this Municipal Council meeting awarding contracts to Timothy J. Moriarty, Esq... and Steven R. Hummell, Esq., for professional legal services as Municipal Prosecutor and Alternate Municipal Prosecutor respectively for the period commencing January 1, 2021 and ending December 31, 2021; now, therefore be it

RESOLVED, by the Municipal Council as follows:

1. Timothy J. Moriarty, Esq., and Steven R. Hummell, Esq, are hereby appointed as the Chief Municipal Prosecutor and Alternate Municipal Prosecutor, respectively, for the City of Bayonne Municipal Court for the period commencing January 1, 2021 and ending December 31, 2021.
2. Assistant City Attorneys, Donna Russo, Esq., Susan Ferraro, Esq., Karla Garcia, Esq., Jessica H. Connors, Esq., and Law Director John F. Coffey II, Esq., are hereby appointed as Alternate Municipal Prosecutors for the City of Bayonne Municipal Court.
3. The appointed Municipal Prosecutor's shall be responsible for all of the matters heard in the Bayonne Municipal Court and any Municipal Appeals not handled by the County Prosecutor's office.
4. This resolution is subject to the adoption of the aforesaid requested Resolution awarding contracts to Timothy J. Moriarty, Esq., and Steven R. Hummell, Esq., for professional legal services as Municipal Prosecutor and Alternate Municipal Prosecutor respectively for the period commencing January 1, 2021 and ending December 31, 2021.

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

Absent – Council Member Gullace

* * * * *

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

WHEREAS, the City of Bayonne is in need of professional legal services in connection with Federal and State Grants and Funding; and

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

WHEREAS, the law firm of Krivit & Krivit, P.C., 1000 Potomac Street, N.W., Suite 250, Washington, D.C. 20007-3501 has submitted to the City of Bayonne a formal written response to the City's Request for Qualifications/Proposals for said professional legal services; and

WHEREAS, the law firm of Krivit & Krivit, P.C., is qualified, ready, willing and able to provide said services for the period commencing January 1, 2021 and ending December 31, 2021 for a total contract amount not to exceed \$120,000.00; and

WHEREAS, the response of Krivit & Krivit, P.C. was the sole response received pursuant to the aforesaid Request for Qualifications/Proposals; and

WHEREAS, this professional services contract was determined under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A-20.4.5; and

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

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

WHEREAS, pursuant to N.J.A.C. 5:30-5.5(e), the award of the contract shall be subject to the availability and appropriation of funds in the CY2021 temporary and permanent budgets in account #1-01-25-240-0000-029; now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with Krivit & Krivit, P.C., 1000 Potomac Street, N.W., Suite 250, Washington, D.C. 20007-3501 for professional legal services in connection with Federal and State Grants and Funding for the City for the period commencing January 1, 2021 and ending December 31, 2021 for a total contract amount not to exceed \$120,000.00.

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

3. Funds shall be chargeable to account #1-01-25-240-0000-029.

4. Pursuant to N.J.A.C. 5:30-5.5(e), the award of the contract shall be subject to the availability and appropriation of funds in the CY2021 temporary and permanent budgets in account #1-01-25-240-0000-029.

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

Absent – Council Member Gullace

* * * * *

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

WHEREAS, there exists a need for professional medical services for the City's Uniformed Employees; and

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

WHEREAS, John T. Dedousis, M.D., 1166 Kennedy Boulevard, Bayonne, NJ 07002, has submitted to the City of Bayonne a formal, written response to the City's Request for Qualifications/Proposals for said services; and

WHEREAS, the response of John T. Dedousis, M.D. was the sole response received pursuant to the aforesaid Request for Qualifications/Proposals; and

WHEREAS, John T. Dedousis, M.D. is willing to perform said services for the period commencing January 1, 2021 and ending December 31, 2021 for an amount not to exceed \$52,000.00, and

WHEREAS, this professional services contract was determined under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A-20.4.5; and

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

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

WHEREAS, pursuant to N.J.A.C. 5:30-5.5(e), the award of the contract shall be subject to the availability and appropriation of funds in the CY2021 temporary and permanent budgets in account #1-01-27-330-0000-029; now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with John T. Dedousis, M.D., 1166 Kennedy Boulevard, Bayonne, NJ 07002 for the aforementioned professional services for the period commencing January 1, 2021 and ending December 31, 2021 for a total contract amount not to exceed \$52,000.00.

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

3. Funds shall be chargeable to accounts #1-01-20-135-0000-029.

4. Pursuant to N.J.A.C. 5:30-5.5(e), the award of the contract shall be subject to the availability and appropriation of funds in the CY2021 temporary and permanent budgets in account #1-01-20-135-0000-029.

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

Absent – Council Member Gullace.

* * * * *

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

WHEREAS, there exists a need for professional medical services for the City's Non-uniformed Employees; and

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

WHEREAS, Howard S. Levine, D.O., 654 Broadway, Bayonne, NJ 07002, has submitted to the City of Bayonne a formal, written response to the City's Request for Qualifications/Proposals for said services; and

WHEREAS, the response of Howard S. Levine, D.O., was the sole response received pursuant to the aforesaid Request for Qualifications/Proposals; and

WHEREAS, Howard S. Levine, D.O. is willing to perform said services for the period commencing January 1, 2021 and ending December 31, 2021 for an amount not to exceed \$15,000.00, and

WHEREAS, this professional services contract was determined under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A-20.4.5; and

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

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

WHEREAS, pursuant to N.J.A.C. 5:30-5.5(e), the award of the contract shall be subject to the availability and appropriation of funds in the CY2021 temporary and permanent budgets in account #1-01-27-330-0000-029; now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with Howard S. Levine, D.O., for the aforementioned professional medical services for the period commencing January 1, 2021 and ending December 31, 2021 for a total contract amount not to exceed \$15,000.00.

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

3. Funds shall be chargeable to accounts #1-01-20-135-0000-029.

4. Pursuant to N.J.A.C. 5:30-5.5(e), the award of the contract shall be subject to the availability and appropriation of funds in the CY2021 temporary and permanent budgets in account #1-01-20-135-0000-029.

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

Absent – Council Member Gullace

* * * * *

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

WHEREAS, the City of Bayonne is in need of the administration, execution and oversight of the City of Bayonne’s Community Development Block Grant Programs and/or other HUD programs; and

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

WHEREAS, the Bayonne Economic Opportunity Foundation, 555 Kennedy Boulevard, Bayonne, New Jersey 07002 has submitted to the City of Bayonne a formal, written response to the City’s Request for Qualifications/Proposals for said administration, execution and oversight of the City of Bayonne’s Community Development Block Grant Programs and/or other HUD programs services; and

WHEREAS, the Bayonne Economic Opportunity Foundation was the sole response received pursuant to the aforesaid Request for Qualifications/Proposals; and

WHEREAS, N.J.S.A. 40A:11-2(7) provides that a contract for extraordinary and unspecifiable services may be awarded by a public entity upon certification that the services are unique, specialized, and qualitative in nature, and

WHEREAS, the Chief Financial Officer of the City of Bayonne has provided a certification of extraordinary and unspecifiable services to the Municipal Council indicating the services to be provided by the Bayonne Economic Opportunity Foundation are “unique, specialized and qualitative in nature requiring expertise, extensive training and a proven reputation in the field of administration, execution and oversight of the Community Development Block Grant Programs and/or other HUD programs; and

WHEREAS, this extraordinary and unspecifiable services contract was advertised under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5; now, therefore, be it

WHEREAS, the Bayonne Economic Opportunity Foundation is qualified, ready, willing and able to provide said services for the period commencing January 1, 2021 and ending December 31, 2021 for an amount of \$220,000.00; and

WHEREAS, funds are certified as available in Account CDBG 1010; now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with the Bayonne Economic Opportunity Foundation, 555 Kennedy Boulevard, Bayonne, New Jersey 07002 to provide administration, execution and oversight of the City of Bayonne’s Community Development Block Grant Programs and/or other HUD programs services for a maximum contract amount of \$220,000.00 for a period of one year commencing January 1, 2021 and ending December 31, 2021.
2. A notice of this action shall be printed once in a newspaper of general circulation within the boundaries of the City of Bayonne.
3. Funds shall be charged to Account CDBG – 1083.

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

Absent – Council Member Gullace

* * * * *

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

WHEREAS, from time to time, the City of Bayonne is in need of skilled attorneys to act as Special Legal Counsel for criminal defense, administrative law, employment law, bankruptcy, foreclosure and matters in which the City is named as a party; and

WHEREAS, the City of Bayonne advertised a Request for Qualifications for qualified attorneys interested in acting as Special Legal Counsel to the City of Bayonne from time to time under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4 and 5; and

WHEREAS, the following attorneys / law firms have submitted responses to the City's aforesaid Request for Qualifications:

Rainone, Coughlin & Minchello, LLC
555 U.S. Highway One South, Suite 440
Iselin, NJ 08830

Michael A. D'Aquanni, LLC
1481 Oak Tree Road
Iselin, NJ 08830

; and

WHEREAS, the aforementioned law firms are qualified, ready, willing and able to provide said legal services; now, therefore be it

RESOLVED, the above mentioned law firms are hereby designated as qualified Panel Counsel to act as Special Legal Counsel for criminal defense, administrative law, employment law, bankruptcy, foreclosure and other matters in which the City is named as a party for the period commencing January 1, 2021 and ending December 31, 2021.

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

Absent – Council Member Gullace.

* * * * *

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

WHEREAS, the City of Bayonne is in need of information technology, computer systems and network administration and support services; and

WHEREAS, Integrated Micro Systems, Inc., 74 Lee Avenue, Haledon, NJ 07508-1202, 74 Lee Avenue, Haledon, NJ 07508-1202 ("Integrated") has provided the aforementioned Information Technology Services to the City of Bayonne since January 1, 2019; and

WHEREAS, the City of Bayonne is highly satisfied with the aforementioned Information Technology services provided by Integrated and desires to continue to receive said Information Technology Services from Integrated for the period commencing January 1, 2021 and ending December 31, 2021; and

WHEREAS, Integrated has provided the City with a formal written proposal dated December 16, 2020 for said Information Technology Services for the period commencing January 1, 2021 and ending December 31, 2021 for the amount of \$60,320 payable at the rate of \$1,160 per week; and

WHEREAS, Integrated 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 preceding January 1 2021, and, furthermore, that the contract will prohibit Integrated 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, the Chief Financial Officer has determined and certified in writing that the value of the acquisition may exceed \$17,500; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.5(e), the award of the contract shall be subject to the availability and appropriation of funds in the CY2021 temporary and permanent budgets in account #1-01-31-460-0000-020; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with Integrated Micro Systems, Inc., 74 Lee Avenue, Haledon, NJ 07508-1202 to provide information technology, computer systems and network administration and support services for a maximum contract amount not to exceed \$60,320 payable at the rate of \$1,160 per week for a period of one year commencing January 1, 2021 and ending December 31, 2021.

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

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

4. Funds shall be chargeable to Account #1-01-31-460-0000-020.

5. Pursuant to N.J.A.C. 5:30-5.5(e), the award of the contract shall be subject to the availability and appropriation of funds in the CY2021 temporary and permanent budgets in account #1-01-31-460-0000-020.

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

Absent – Council Member Gullace

* * * * *

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

WHEREAS, the City of Bayonne is in need of website design, management and maintenance services (“Website Services”); and

WHEREAS, Alpha Dog Solutions, Inc., 335 Union Avenue, Belleville, New Jersey 07109 (“Alpha Dog”) has provided the aforementioned Website Services to the City of Bayonne since January 1, 2019; and

WHEREAS, the City of Bayonne is highly satisfied with the aforementioned Website Services provided by Alpha Dog and desires to continue to receive said Website Services from Alpha Dog for the period commencing January 1, 2021 and ending December 31, 2021; and

WHEREAS, Alpha Dog has provided the City with a formal written proposal dated December 14, 2020 for said Website Services for the period commencing January 1, 2021 and ending December 31, 2021 for the amount of \$54,000 payable at the rate of \$4,500 per month; and

WHEREAS, Alpha Dog 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 preceding January 1 2021, and, furthermore, that the contract will prohibit Alpha Dog 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, the Chief Financial Officer has determined and certified in writing that the value of the acquisition may exceed \$17,500; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.5(e), the award of the contract shall be subject to the availability and appropriation of funds in the CY2021 temporary and permanent budgets in account #1-01-31-460-0000-020; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with Alpha Dog Solutions, Inc., 335 Union Avenue, Belleville, New Jersey 07109 to provide information technology, computer systems and network administration and support

services for a maximum contract amount not to exceed \$60,320 payable at the rate of \$1,160 per week for a period of one year commencing January 1, 2021 and ending December 31, 2021.

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

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

4. Funds shall be chargeable to Account #1-01-31-460-0000-020.

5. Pursuant to N.J.A.C. 5:30-5.5(e), the award of the contract shall be subject to the availability and appropriation of funds in the CY2021 temporary and permanent budgets in account #1-01-31-460-0000-020.

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

Absent – Council Member Gullace

* * * * *

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

WHEREAS, the City of Bayonne is in need of professional mental health services in connection with the City's Employee Assistance Program for City of Bayonne Municipal Employees; and

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

WHEREAS, North Star Health Systems EAP dba Hudson Health Employee Assistance ("North Star"), 354 Avenue C, Bayonne, NJ 07002, has submitted to the City of Bayonne a formal, written response to the City's Request for Qualifications/Proposals for said services; and

WHEREAS, the response of North Star, was the sole response received pursuant to the aforesaid Request for Qualifications/Proposals; and

WHEREAS, North Star is willing to perform said services for the period commencing January 1, 2021 and ending December 31, 2021 for an amount not to exceed \$28,000.00, and

WHEREAS, this professional services contract was determined under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A-20.4.5; and

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

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

WHEREAS, pursuant to N.J.A.C. 5:30-5.5(e), the award of the contract shall be subject to the availability and appropriation of funds in the CY2021 temporary and permanent budgets in account #1-01-27-330-0000-029; now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with North Star Health Systems EAP dba Hudson Health Employee Assistance, 354 Avenue C, Bayonne, NJ 07002, for the aforementioned professional mental health services for the period commencing January 1, 2021 and ending December 31, 2021 for a total contract amount not to exceed \$28,000.00.

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

3. Funds shall be chargeable to accounts #1-01-20-135-0000-029.

4. Pursuant to N.J.A.C. 5:30-5.5(e), the award of the contract shall be subject to the availability and appropriation of funds in the CY2021 temporary and permanent budgets in account #1-01-20-135-0000-029.

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

Absent – Council Member Gullace

* * * * *

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

WHEREAS, there exists a need for professional services to audit of books, accounts and financial transactions of the City of Bayonne for the Calendar Year 2020 as prescribed by N.J.S. 40A:5-4 et seq.; to audit the City's Public Assistance Trust Fund in compliance with State regulations of the Bureau of Welfare; to assist in the preparation of the Calendar Year 2021 budget preparation process, excluding department detail worksheets; to review the unaudited Calendar Year ended December 31, 2020, financial statements prior to submission to the State; to attend Municipal Council meetings, as required; to provide technical advice during the Calendar Year ending December 31, 2021, as needed, and to review the Employee's Deferred Compensation Plan; and

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

WHEREAS, Donohue, Gironda, Doria & Tomkins, LLC, 310 Broadway, Bayonne, New Jersey 07002, has submitted to the City of Bayonne a formal, written response to the City's Request for Qualifications/Proposals for said services; and

WHEREAS, the response of Donohue, Gironda, Doria & Tomkins, LLC was the sole response received pursuant to the aforesaid Request for Qualifications/Proposals; and

WHEREAS, Donohue, Gironda, Doria & Tomkins, LLC is willing to perform said services for the period commencing January 1, 2021 and ending December 31, 2021 for an amount not to exceed \$90,500.00 plus reimbursable expenses in an amount not to exceed \$1,000.00, and

WHEREAS, this professional services contract was determined under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A-20.4.5; and

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

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

WHEREAS, pursuant to N.J.A.C. 5:30-5.5(e), the award of the contract shall be subject to the availability and appropriation of funds in the CY2021 temporary and permanent budgets in account #1-01-20-135-0000-028; now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with Donohue, Gironda, Doria & Tomkins, LLC, 310 Broadway, Bayonne, New Jersey 07002 for the aforementioned professional services for the period commencing January 1, 2021 and ending December 31, 2021 for a total contract amount not to exceed \$90,500.00 plus reimbursable expenses in an amount not to exceed \$1,000.00, thereby making the total contract amount not to exceed \$91,500.00.

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

3. Funds shall be chargeable to accounts #1-01-20-135-0000-028.

4. Pursuant to N.J.A.C. 5:30-5.5(e), the award of the contract shall be subject to the availability and appropriation of funds in the CY2021 temporary and permanent budgets in account #1-01-20-135-0000-028

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

Absent – Council Member Gullace

* * * * *

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

WHEREAS, by way of Resolution No. 20-06-15-056 adopted on July 15, 2020, the City entered into Agreement No. CY20-049 with Hoplite Communications, LLC (“Hoplite”), 197 Route 18, Suite 3000, East Brunswick, NJ 08816 for telecommunications consulting services relative to the upcoming 5G model (“Telecommunications Consulting Services”) and appointed Peter J. Lupo of Hoplite to serve as the City’s Telecommunications Consultant (“Consultant”) at no cost to the City for the period commencing July 16, 2020, and ending December 31, 2020, with a one (1) year option to renew at the City’s sole discretion; and

WHEREAS, the City has been satisfied with the Telecommunications Consulting Services provided by the Consultant and Hoplite and desires to exercise the its one (1) year option to renew said Agreement No. CY20-049 and re-appoint Peter J. Lupo as Consultant for the period commencing January 1, 2021 and December 31, 2021; and

WHEREAS, the Consultant has recommended that the City amend said Agreement No. CY20-049 to conform with the City’s small cell ordinance, subject to its adoption; and

WHEREAS, the Acting Business Administrator has determined and certified in writing that the value of the acquisition may exceed \$17,500; and

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

RESOLVED, by the Municipal Council as follows:

1. The Mayor and the City Clerk are hereby authorized to exercise the City’s one (1) year option under Agreement No. CY20-049 for the period commencing January 1, 2021 and ending December 31, 2021 at no cost to the City.
2. Peter J. Lupo is hereby re-appointed as the City’s Telecommunications Consultant for the period commencing January 1, 2021 and ending December 31, 2021.
3. The Mayor and City Clerk are hereby authorized to execute an amendment to Agreement No. CY20-046 with Hoplite and to conform same with the City’s small cell ordinance, subject to its adoption, in a form acceptable to the Law Director.
4. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.
5. Notice of this action shall be printed once in a newspaper of general circulation within the boundaries of the City of Bayonne.

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

Absent – Council Member Gullace

* * * * *

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

WHEREAS, the City of Bayonne is in need of professional mental health services to Low Income and Public Assistance Clients residing in the City of Bayonne; and

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

WHEREAS, the Bayonne Community Mental Health Center, a service of Trinitas Regional Medical Center ("Trinitas"), 225 Williamson Street, Elizabeth, NJ 07206 has submitted to the City of Bayonne a formal written response to the City's Request for Qualifications/Proposals for said professional legal services; and

WHEREAS, Trinitas is qualified, ready and willing to provide said services for the period commencing January 1, 2021 and ending December 31, 2021 for an amount of \$84,000.00 payable in equal quarterly payments of \$21,000.00 ; and

WHEREAS, the response of Trinitas was the sole response received pursuant to the aforesaid Request for Qualifications/Proposals; and

WHEREAS, this professional services contract was determined under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A-20.4.5; and

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

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

WHEREAS, pursuant to N.J.A.C. 5:30-5.5(e), the award of the contract shall be subject to the availability and appropriation of funds in the CY2021 temporary and permanent budgets in account #1-01-27-330-0000-029; now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with Bayonne Community Mental Health Center, a service of Trinitas Regional Medical Center, 225 Williamson Street, Elizabeth, NJ 07207 for professional mental health services to Low Income and Public Assistance Clients residing in the City of Bayonne for the period commencing January 1, 2021 and ending December 31, 2021 for a total contract amount of \$84,000.00 payable in equal quarterly payments of \$21,000.00; and

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

3. Funds shall be chargeable to account #1-01-27-330-0000-029.

4. Pursuant to N.J.A.C. 5:30-5.5(e), the award of the contract shall be subject to the availability and appropriation of funds in the CY2021 temporary and permanent budgets in account #1-01-27-330-0000-029.

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

Absent – Council Member Gullace

* * * * *

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

WHEREAS, pursuant to Resolution No. 20-04-15-043 adopted on April 15, 2020, the City entered into Agreement No. CY20-046 with Flanagan's Contracting Group, Inc., 90 Old Camplain Road, Hillsborough, NJ 08844 for Newark Bay Waterfront Access Project - G. Thomas DiDomenico Park – 16th Street Park for a total contract amount of \$705,063.00; ;and

WHEREAS, the City is in receipt of Change Order No. 1 reflecting an increase in the contract amount of \$13,022.52 due to additional work that was not anticipated at the time of the original contract award as a result of the discovery of shallow rock which is prohibiting the installation of four timber piles necessary for proper boardwalk installation; and

WHEREAS, the City's Engineer and City's Attorney have reviewed, approved and recommended said Change Order No. 1 to the aforesaid Agreement No. CY20-046 with Flanagan's Contracting Group, Inc.; and

WHEREAS, funds are certified as available in Account No. G-02-41-738-715A-199; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor shall be and is hereby authorized to execute Change Order No. 1 to the aforesaid Agreement No. CY20-046 with Flanagan's Contracting Group, Inc., increasing same in the amount of \$13,022.52 due to the reason as stated above, thereby making the total contract amount \$718,085.51.
2. Funds shall be chargeable to Account G-02-41-738-715A-199,

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

Absent – Council Member Gullace

* * * * *

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

RESOLUTION CANCELING AN EMERGENCY APPROPRIATION

WHEREAS, on September 23, 2020 the Municipal Council adopted Resolution# 20-09-23-053 which authorized an emergency appropriation in the amount of \$2,082,786 pursuant to N.J.S.A 40A:4-48 to fund improvements to Fitzpatrick Park; and

WHEREAS, Ordinance# O-20-49 was finally adopted on 10/21/20 appropriating \$2,082,786 for improvements to Fitzpatrick Park.

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council of the City of Bayonne hereby authorizes the emergency appropriation in the amount of \$2,082,786 be canceled for improvements to Fitzpatrick Park which will be funded by Ordinance O-29-49.

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

Absent – Council Member Gullace

* * * * *

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

**RESOLUTION APPROVING THE SUBMISSION OF AN APPLICATION AND
CERTIFICATION TO THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT
SERVICES RELATED TO COVID-19 SPECIAL EMERGENCY**

WHEREAS, N.J.S.A. 40A: 4-53 allows qualified COVID-19 related deficits to be spread over several subsequent budgets as a deferred charge with approval of a special emergency from the Director of the Division of Local Government Services; and

WHEREAS, the Chief Financial Officer has submitted an application to the Director of the Division of Local Government Services for approval to adopt a special emergency related to COVID-19 revenue deficits; and

WHEREAS, said application must include a certification from the Chief Financial Officer which must be submitted and approved by a majority of the full governing body

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Bayonne that said application and certification made by the Chief Financial Officer to the Director of the Division of Local Government Services for a special emergency related to COVID-19 is hereby approved.

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

Absent – Council Member Gullace

* * * * *

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

WHEREAS, the City of Bayonne's Urban Enterprise Zone is desirous of entering into a contract with Altice Media Sales, P.O. Box 392090, Pittsburgh, PA 15251 so that the City's commercial promoting its shopping district can be aired on a variety of cable television stations; and

WHEREAS, the City of Bayonne and the Urban Enterprise Zone have utilized the services of Altice Media Sales in the past and have been satisfied with the coverage provided for similar, previous promotions; and

WHEREAS, Altice Media Sales is ready, willing and able to provide the requested services for the sum of \$30,596.00 for 4027 units of advertising from December 14, 2020 through January 31, 2021, as more specifically set forth on its proposal dated December 9, 2020; and

WHEREAS, the Acting Business Administrator has determined and certified in writing that the value of the acquisition may exceed \$17,500; and

WHEREAS, Altice Media Sales shall complete and submit a "Business Entity Disclosure Certification for Non-Fair and Open Contracts" required Pursuant to N.J.S.A. 19:44A-20.8 which certifies that Altice Media Services has not made any reportable contributions to a political or candidate committee in the City of Bayonne in the previous one year, and that the contract will prohibit Altice Media Service from making any reportable contributions through the term of the contract; and

WHEREAS, funds have been certified as available in the Bayonne UEZ account; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and the City Clerk are hereby authorized to enter into a contract with Altice Media Sales, P.O. Box 392090, Pittsburgh, PA 15251 for the sum of \$30,596.00 for 4027 units of advertising from December 14, 2020 through January 31, 2021, as more specifically set forth on its proposal dated December 9, 2020.

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

3. Funds shall be chargeable to the Bayonne UEZ account.

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

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

Absent – Council Member Gullace

* * * * *

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

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

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

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

Grant Name	From	To
Custom Border Patrol	0.00	\$46,835.18
Health Officer – Shared Services Agreement	0.00	\$9,999.99

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

Grant Name	From	To
Custom Border Patrol	0.00	\$46,835.18
Health Officer – Shared Services Agreement	0.00	\$9,999.99

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

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

Absent – Council Member Gullace

* * * * *

At 8:25 P.M., Council Member Perez motion to adjourn, seconded by Council Member Carroll, which motion was adopted.

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

Absent – Council Member Gullace.

President – Sharon A. Nadrowski

Clerk – Madelene C. Medina