

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, FEBRUARY 19, 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 FEBRUARY 19, 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 February 14, 2020."

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

The Clerk called the roll.

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

The Council President led the Pledge of Allegiance.

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01. The Clerk announced:

AN ORDINANCE ENTITLED, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 15, BUILDING AND HOUSING," which was introduced and passed a first reading at a meeting held January 15, 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 February 19, 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, Gullace, LaPelusa, Perez and President Nadrowski.

The Clerk read the ordinance by "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 15, BUILDING AND HOUSING,"

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

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

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

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

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

Council Member 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 15, BUILDING AND HOUSING," was introduced and passed a first reading at a meeting held January 15, 2019, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of February 19, 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-20-10.

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

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02. The Clerk announced:

AN ORDINANCE ENTITLED, "AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING AN EASEMENT OVER THE CITY'S RIGHT OF WAY ACROSS BLOCK 721, LOTS 3 (Cross Lane) FOR BLOCK 721, LOT 2 FOR THE PURPOSE OF ALLOWING A FIVE (5) FOOT WIDE CANOPY AND FOOTING," which was introduced and passed a first reading at a meeting held January 15, 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 February 19, 2020 is now before the Council for its consideration and a public hearing..

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

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

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

The Clerk read the ordinance by title, "AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING AN EASEMENT OVER THE CITY'S RIGHT OF WAY ACROSS BLOCK 721, LOTS 3 (Cross Lane) FOR BLOCK 721, LOT 2 FOR THE PURPOSE OF ALLOWING A FIVE (5) FOOT WIDE CANOPY AND FOOTING,"

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

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

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

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

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

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

WHEREAS, an ordinance entitled, "AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING AN EASEMENT OVER THE CITY'S RIGHT OF WAY ACROSS BLOCK 721, LOTS 3 (Cross Lane) FOR BLOCK 721, LOT 2 FOR THE PURPOSE OF ALLOWING A FIVE (5) FOOT WIDE CANOPY AND FOOTING," was introduced and passed a first reading at a meeting held January 15, 2019, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of February 19, 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-20-11.

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

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03. The Clerk announced:

AN ORDINANCE ENTITLED, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 5, ANIMAL CONTROL," which was introduced and passed a first reading at a meeting held January 15, 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 February 19, 2020 is now before the Council for its consideration and a public hearing. (Defining definition of Service Animals) Municipal Services

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

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

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

The Clerk read the ordinance by title: "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 5, ANIMAL CONTROL,"

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

The following persons spoke: Peter Franco 109 West 53rd, Bayonne, NJ

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

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

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

Council Member 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 5, ANIMAL CONTROL," was introduced and passed a first reading at a meeting held January 15, 2019, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of February 19, 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-20-12.

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

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04. The Clerk announced:

AN ORDINANCE ENTITLED, "AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND LOFTS ON AVENUE E URBAN RENEWAL ENTITY I, LLC FOR THE PROPERTY LOCATED AT 306-322 AVENUE E, WHICH PROPERTY IS IDENTIFIED AS BLOCK 440, LOTS 3.01 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 January 15, 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 February 19, 2020 is now before the Council for its consideration and a public hearing.

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

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

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

Nays – Council Member LaPelusa

The Clerk read the ordinance by title: , "AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND LOFTS ON AVENUE E URBAN RENEWAL ENTITY I, LLC FOR THE PROPERTY LOCATED AT 306-322 AVENUE E, WHICH PROPERTY IS IDENTIFIED AS BLOCK 440, LOTS 3.01 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 ordinance an opportunity to be heard concerning it. The council president will recognize anyone who wishes to speak.

The following persons spoke: Peter Franco 109 West 53rd, Bayonne, NJ

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

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

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

Nays – Council Member LaPelusa

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

WHEREAS, an ordinance entitled, "AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND LOFTS ON AVENUE E URBAN RENEWAL ENTITY I, LLC FOR THE PROPERTY LOCATED AT 306-322 AVENUE E, WHICH PROPERTY IS IDENTIFIED AS BLOCK 440, LOTS 3.01 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 January 15, 2019, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of January 15, 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-20-13.

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

Nays – Council Member LaPelusa

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05. The Clerk announced:

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 LOFTS ON AVENUE E URBAN RENEWAL ENTITY II, LLC FOR THE PROPERTY LOCATED AT 317 AVENUE E, WHICH PROPERTY IS IDENTIFIED AS BLOCK 191, LOT 5.02 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE," which was introduced and passed a first reading at a meeting held January 15, 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 February 19, 2020 is now before the Council for its consideration and a public hearing.

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

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

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

The Clerk read the ordinance by title: "AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND LOFTS ON AVENUE E URBAN RENEWAL ENTITY II, LLC FOR THE PROPERTY LOCATED AT 317 AVENUE E, WHICH PROPERTY IS IDENTIFIED AS BLOCK 191, LOT 5.02 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE,"

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

The following persons spoke: Peter Franco 109 West 53rd, Bayonne, NJ

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

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

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

Nays - Council Member LaPelusa

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

WHEREAS, an ordinance entitled, "AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND LOFTS ON AVENUE E URBAN RENEWAL ENTITY II, LLC FOR THE PROPERTY LOCATED AT 317 AVENUE E, WHICH PROPERTY IS IDENTIFIED AS BLOCK 191, LOT 5.02 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE," was introduced and passed a first reading at a meeting held January 15, 2019, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of January 15, 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-20-14.

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

Nays - Council Member LaPelusa

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06. The Clerk announced:

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 23RD STREET URBAN RENEWAL JOF AAI III, LLC FOR THE PROPERTY LOCATED AT NJ STATE HIGHWAY ROUTE 440 AND EAST 22ND STREET (a/k/a 43-47 Mechanic Street), WHICH PROPERTY IS IDENTIFIED AS BLOCK 451, LOT 2.05 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE, which was introduced and passed a first reading at a meeting held January 15, 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 February 19, 2020 is now before the Council for its consideration and a public hearing.

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

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

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

Nays - Council Member LaPelusa

The Clerk read the ordinance by title: "AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND 23RD STREET URBAN RENEWAL JOF AAI III, LLC FOR THE PROPERTY LOCATED AT NJ STATE HIGHWAY ROUTE 440 AND EAST 22ND STREET (a/k/a 43-47 Mechanic Street), WHICH PROPERTY IS IDENTIFIED AS BLOCK 451, LOT 2.05 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE,"

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

The following persons spoke: Peter Franco 109 West 53rd, Bayonne, NJ

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

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

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

Nays - Council Member LaPelusa

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

WHEREAS, an ordinance entitled, "AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND 23RD STREET URBAN RENEWAL JOF AAI III, LLC FOR THE PROPERTY LOCATED AT NJ STATE HIGHWAY ROUTE 440 AND EAST 22ND STREET (a/k/a 43-47 Mechanic Street), WHICH PROPERTY IS IDENTIFIED AS BLOCK 451, LOT 2.05 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE," was introduced and passed a first reading at a meeting held January 15, 2019, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of February 19, 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-20-15.

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

Nays - Council Member LaPelusa

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07. The Clerk announced:

AN ORDINANCE ENTITLED, "AN ORDINANCE OF THE CITY OF BAYONNE, COUTNY OF HUDSON, NEW JERSEY AUTHORIZING A LEASE AGREEMENT WITH THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY FOR A PORTION OF BLOCK 931, LOT 1 AND BLOCK 404, LOT 1 FOR THE USE OF A COMMUTER PASSENGER FERRY TERMINAL," which was introduced and passed a first reading at a meeting held January 15, 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 February 19, 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, Gullace, LaPelusa, Perez and President Nadrowski.

The Clerk read the ordinance by title: "AN ORDINANCE OF THE CITY OF BAYONNE, COUTNY OF HUDSON, NEW JERSEY AUTHORIZING A LEASE AGREEMENT WITH THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY FOR A PORTION OF BLOCK 931, LOT 1 AND BLOCK 404, LOT 1 FOR THE USE OF A COMMUTER PASSENGER FERRY TERMINAL,"

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

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

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

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

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

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

WHEREAS, an ordinance entitled, "AN ORDINANCE OF THE CITY OF BAYONNE, COUTNY OF HUDSON, NEW JERSEY AUTHORIZING A LEASE AGREEMENT WITH THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY FOR A PORTION OF BLOCK 931, LOT 1 AND BLOCK 404, LOT 1 FOR THE USE OF A COMMUTER PASSENGER FERRY TERMINAL," was introduced and passed a first reading at a meeting held January 15, 2019, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of January 15, 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-20-16.

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

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08. 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 January 15, 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

February 19, 2020 is now before the Council for its consideration and a public hearing. **(Add-3Restrictive Parking Zones) Public Safety**

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

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

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

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

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

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

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

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

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

Council Member 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 January 15, 2019, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of January 15, 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-20-17.

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

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09. The following member of the public spoke:

Peter Franco, 109 West 53rd Street - addressed the Council on the subject of Revaluation of Property Taxes.

Ed Paradine, 328 Avenue E -- addressed the Council on the construction at 23 East 24th St area and parking.

Mike Morris, 123 Avenue C - - addressed the Council on the Planning Board of 2/11/2020

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10. Council President Nadrowski introduced:

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY
AUTHORIZING THE VACATION OF A PORTION OF THE CITY OF BAYONNE'S
RIGHT OF WAY ON EAST 25TH STREET

WHEREAS, the City of Bayonne has established a Right of Way on East 25th Street adjacent to Prospect Avenue and Block 441 Lot 10 as designated on the City of Bayonne Tax Records; and

WHEREAS, the property owners of Block 441 Lot 10 have requested that the City of Bayonne vacate an approximately twenty-foot portion of the 25th Street Right of Way which is adjacent to their property to be included in their Redevelopment Area; and

WHEREAS, the City of Bayonne will still retain the remaining portion of the 25th Street Right of Way road to be used as public space and for the location of the pedestrian bridge for the public benefit; 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 this property; and

WHEREAS, the City will no longer be responsible for the upkeep, repair and maintenance of the portion of the East 25th Street Right of Way as described herein; and

WHEREAS, pursuant to N.J.S.A. 40:49-6, after introduction and passage on first reading, notice of this ordinance shall be published at least once, not less than 10 days prior to the hearing when the ordinance shall be considered for final passage, and at least one week prior to consideration for final passage a copy of the ordinance and notice of introduction shall be mailed to every party whose lands are affected by this ordinance; and

WHEREAS, it is the intent of the Ordinance to vacate a portion of the East 25th Street Right of Way, as more particularly set forth in the metes and bounds description set forth in this ordinance and as shown on Exhibit A attached.

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 the East 25th Street Right of Way, as more particularly described in the metes and bounds description set forth herein, is hereby vacated:

METES AND BOUNDS DESCRIPTION OF
A MUNICIPAL RIGHT OF WAY ALONG EAST 25TH STREET
TO BE VACATED CITY OF BAYONNE, HUDSON COUNTY, NEW JERSEY

All those certain plots, pieces or parcels of land, situate, with the building and improvements thereon erected, situate, lying and being in the City of Bayonne, Hudson County, State of New Jersey, bounded and described as follows:

BEGINNING at a point on the northwesterly line of Prospect Avenue (60-foot-wide right of way) formed by the intersection of said northwesterly line with the southwesterly line of East 25th Street (80-foot wide right of way) and from said point of beginning, running thence;

1. N 57° 00' 06" W, 100.00 feet, along the northeasterly line of Lot 10, Block 441, to its intersection with the southeasterly line of Lot 12, Block 504, thence
2. N 32° 31' 54" E, 36.27 feet, along line through the bed of East 25th Street to a point, thence
3. S 57° 00' 06" E, 100.00 feet, along a line through the bed of East 25th Street to its intersection with the prolongation of the northwesterly line of Prospect Avenue, thence
4. S 32° 31' 54" W, 36.27 feet, along a line through the bed of East 25th Street along said prolongation of the northwesterly line of Prospect Avenue, to the Point and Place of BEGINNING.

CONTAINING: 3,627 square feet or 0.083 acres of land more or less.

SUBJECT TO: all other easements, restrictions, reservations, agreements, covenants and rights of way of record. The foregoing description was prepared by the undersigned surveyor for the firm of Maser Consulting, P.A. and is based on a map entitled "Street Vacation of a Portion of the East 25th Street Right of Way," prepared by Maser Consulting, P.A., dated Jan. 7, 2020 revised Feb. 11, 2020.

SECTION 2. All costs and expenses incidental to the introduction, passage and publication of this ordinance, including preparation and mailing of any and all notices related to the Ordinance upon property owners whose property is affected by the proposed vacation of the above described road known as Gould Street and publication shall be borne and paid for by the abutting property owners.

SECTION 3. The City shall file this Ordinance with the Hudson County Clerk within sixty days after the Ordinance becomes effective. Upon filing with the Hudson County Clerk, title shall vest in the abutting property owners.

SECTION 4. This Ordinance shall be subject to the following:

1. In the event the utilities or public walkways/bridges, if any, presently located under the right of way being vacated hereunder, are not moved to another location, an easement in perpetuity is reserved for the benefit of the City of Bayonne and all 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 ordinance.

SECTION 5. If any section, paragraph 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 6. This Ordinance shall take effect upon final passage and publication as required by law.

SECTION 7. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

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

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON AUTHORIZING THE VACATION OF A PORTION OF THE EAST 25TH STREET RIGHT OF WAY," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, March 18, 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 LaPelusa, Carroll, Gullace, Perez and President Nadrowski.

* * * * *

11. Council Member LaPelusa introduced:

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

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

Section 1. That the Revised General Ordinances of the City of Bayonne, CHAPTER 7, TRAFFIC, SECTION 7-18 - PARKING OF TRUCKS, VEHICLES AND TRAILERS, Subsection 7-18.2 - Trucks, Truck Tractors, Trailers, and Commercial Vehicles, Special Regulations, are hereby amended and supplemented as follows (Additions **between asterisks and/or in bold**, deletions ~~{within brackets and/or struck through}~~):

7-18.2 Trucks, Truck Tractors, Trailers, and Commercial Vehicles, Special Regulations.

- a. *Parking of Truck Tractors, Trailers and Vehicles Exceeding Sixteen Thousand (16,000) pounds, Gross Weight.* No tractor of any gross weight, no trailer of any type whether or not attached to a truck tractor or other type of motor vehicle and no other vehicle exceeding sixteen thousand (16,000) pounds gross weight shall be parked on any public street or in any municipal parking lot except that such a vehicle may park on public

streets for the amount of time that is necessary for the operator to load or unload the vehicle in pursuance of the business for which the truck or other type of motor vehicle is used.

- b. *Parking of Vehicles Transporting Certain Goods Regulated.* No person shall park a vehicle used to transport petroleum or petroleum products, fertilizer, garbage or any other refuse or any product or material emitting offensive or obnoxious odors on any public street for any time longer than is necessary for the operator to load or unload the vehicle in pursuance of the business in which the truck is used, except that a vehicle used to transport petroleum or petroleum products may, subject to the other provisions of this chapter or other ordinances, be parked on the street in front of any place of business operated by the owner of the truck during the hours that the owner's establishment is open for business.

~~f. *Parking of Commercial Vehicles less than Sixteen Thousand (16,000) pounds.* No person shall park a commercial vehicle on any public street for any time longer than is necessary for the operator to load or unload the commercial vehicle or to provide goods or services in pursuance of the business in which the commercial vehicle is used, except that one (1) commercial vehicle may be parked on a residential lot provided that it is owned and/or operated by the occupant of the residence, and is not prohibited commercial vehicle.~~

~~a. *Prohibited commercial vehicles include:*~~

- ~~i. *Vehicles in accordance with 17-18.2 (a) and (b);*~~
- ~~ii. *Vehicles greater than 21 feet long or 8.5 feet wide or 8 feet wide. Including appurtenances;*~~
- ~~iii. *Towing and recovery vehicles;*~~
- ~~iv. *Vehicles carrying commercial freight in plain view;*~~
- ~~v. *Trailers used for transporting equipment, whether attached or unattended to another vehicle;*~~
- ~~vi. *Vehicles with three (3) or more axles;*~~
- ~~vii. *Solid waste collection vehicles. Tractors and/or trailers of trucks, dump trucks, cement mixer trucks, construction equipment, or similar such vehicles or equipment;*~~
- ~~viii. *Food trucks; and*~~
- ~~ix. *Licensed rental motor vehicles without the issuance of parking decals in a form to be approved by the City of Bayonne.*~~

****c. *Parking of Commercial Vehicles.***

1. **Commercial vehicles may be parked on the public streets and in municipal parking lots except as follows:**

- i. As prohibited by Subsection 17-18.2 (a) and (b) of this Chapter;**
- ii. As prohibited during certain hours set forth in Subsection 7-18.3 et seq. of this Chapter;**
- iii. No person or entity shall park more than one (1) commercial vehicle registered to the same individual, partnership, LLC, corporation or other entity, or used in connection with the same business, on the public streets or in a municipal parking lot, except that multiple vehicles registered to the same individual, partnership, LLC, corporation or other entity, or used in connection with the same business, may park on the public streets for the amount of time that is necessary for the operator to load or unload the vehicle, to make pick-ups or deliveries or to perform other services in the regular course of the business to which the owner of the vehicle is engaged, and for such time as it takes to perform such services.**

2. **For purposes of this Subsection, commercial vehicle shall be defined as any vehicle, regardless of gross vehicle weight, which is used for commercial purposes. A vehicle is deemed to be used for commercial purposes if it (i) bears license plate designation such as Omnibus, Limousine, School Vehicle Type I, School Vehicle Type II, Commercial, Construction, Farmer, Commuter Van, In-Transit Empty; or (ii) has lettering, advertising, or other markings upon the vehicle which indicate that it is used for commercial purposes, such as providing goods or services or transportation for hire.****

- d. *Exceptions.* Unless otherwise prohibited by rule, ordinance, statute or other law, truck tractors, trailers and vehicles exceeding sixteen thousand (16,000) pounds, gross weight are permitted to park on the following streets or parts thereof upon obtaining a yearly parking decal, which shall be permanently affixed to the driver's side door of the vehicle. The Director of Public Safety or his designee shall issue parking decals in a form to be approved. There shall be no fee for issuance of a parking decal to residents of the City of

Bayonne. In the case of nonresidents, an annual fee of five hundred (\$500.00) dollars shall be paid by each permittee for each decal issued. Decals shall be renewed on an annual basis on or before January 31 of each prospective year. The decal shall not be transferrable. Permit fees shall not be pro-rated.

Section 2. If any section, paragraph 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 3. This Ordinance shall take effect upon final passage and publication as required by law.

Section 4. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

7-18.3 NO OVERNIGHT PARKING OF COMMERCIAL VEHICLES ON PUBLIC STREETS IN RESIDENTIAL AND COMMERCIAL ZONES.
(NO CHANGE)

c. *Exceptions.* The following shall be exceptions to the hour limitations of paragraph a. of this subsection. All other parking restrictions and requirements will still apply:

1. Commercial vehicles may be parked on those public streets and areas designated to trucks and tractor parking in Schedule 7-18.2{e } **d**, provided a valid parking decal is displayed in such commercial vehicle in accordance with Section 7-18.2{e } **d**, without being subject to the hour limitations of paragraph a. of this subsection.

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

BE IT RESOLVED, that an ordinance entitled “AN ORDINANCE 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, March 18, 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 LaPelusa, Carroll, Gullace, Perez and President Nadrowski.

* * * * *

12. Council Member Gullace introduced:

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

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

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

RESTRICTIVE PARKING ZONES
DELETE

022. Norman Donegan, 203 Broadway

Beginning at a point on the west side of Broadway, 39 feet north of the northwest corner of Broadway and West 7th Street, and extending to a point 18 feet north thereof.

102. Richard Roles, 88 West 9th Street

Beginning at a point on the south side of 9th Street, 273 feet east of the southeast corner of Kennedy Boulevard and 9th Street, and extending to a point 22 feet east thereof.

106. Caroline Miele, 93 Andrew Street

Beginning at a point on the north side of Andrew Street, 235 feet east of the north east corner of Kennedy Boulevard and Andrew Street, and extending to a point 22 feet east thereof.

296. RJ Norman, 135 Avenue E

Beginning at a point on the west side of Avenue E, 112 feet north of the north west corner of Avenue E and East 16th Street, and extending to a point 18 feet north thereof.

ADD

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

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

BE IT RESOLVED, that an ordinance entitled “AN ORDINANCE AMENDING AND
SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE,
CHAPTER 7, TRAFFIC,” just introduced, do now pass a first reading and that a meeting of this
Council to be held Wednesday, March 18, 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 LaPelusa, Carroll, Gullace, Perez and President Nadrowski.

* * * * *

13. Council as a whole introduced:

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

SECTION 1. The improvements or purposes described in Section 3 of this bond
ordinance are hereby authorized as general improvements or purposes to be undertaken by the City
of Bayonne, in the County of Hudson, State of New Jersey (the “City”). For the said improvements
or purposes stated in Section 3, there is hereby appropriated the aggregate sum of \$10,000,000,
said sum being inclusive of a down payment in the aggregate amount of \$476,191 for said
improvements or purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the “Local
Bond Law”). The down payment is now available by virtue of a provision or provisions in a previously
adopted budget or budgets of the City for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in
Section 3 hereof and to meet the part of said \$10,000,000 appropriation not provided for by
application hereunder of said down payment, negotiable bonds of the City are hereby authorized to
be issued in the aggregate principal amount not exceeding \$9,523,809 pursuant to the Local Bond
Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements
or purposes, negotiable notes of the City in an aggregate principal amount not exceeding \$9,523,809
are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local
Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the
financing of which said bonds or notes are to be issued are Various Pedestrian Bridge, Roadway
And Traffic Calming Improvements including, but not limited to, construction, acquisition and
installation, as applicable, of pedestrian bridges, including but not limited to, the E. 22nd Street
Pedestrian Bridge, the E. 34th Street Pedestrian Bridge and the E. 25th Street Pedestrian Bridge
including, but not limited to, retaining walls and approaches, permanent structures of brick, stone,
concrete or metal, or similar durable constructions and any roadway and traffic calming
improvements, including, but not limited to, milling, paving, resurfacing, grading, and repairing
and/or installation of associated curbs, curb ramps, sidewalks, driveway aprons, resetting utility
castings, drainage work, guide rail improvements, safety improvements, lighting and associated
aesthetic and real property improvements.

(b) The aggregate estimated maximum amount of bonds or notes to be issued
for said improvements or purposes is \$9,523,809.

(c) The aggregate estimated cost of said improvements or purposes is \$10,000,000, the excess amount thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the down payment available for said purposes.

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

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

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the City, provided that no note shall mature later than one (1) year from its date unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the City shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of N.J.S.A. 40A:2-8.1. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at a public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

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

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

(a) The purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the City may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 30 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the City and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, Department of Community Affairs, State of New Jersey, and such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$9,523,809 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$2,000,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements herein before described.

SECTION 8. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance.

The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy *ad valorem* taxes upon all the taxable property within the City for the payment of the principal of the obligations and the interest thereon without limitation as to rate or amount.

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

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

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

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

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

BE IT RESOLVED, that an ordinance entitled "BOND ORDINANCE PROVIDING FOR VARIOUS PEDESTRIAN BRIDGE, ROADWAY AND TRAFFIC CALMING IMPROVEMENTS, BY AND IN THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY (THE "CITY"); APPROPRIATING \$10,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$9,523,809 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COSTS THEREOF," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, March 18, 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 LaPelusa, Carroll, Gullace, Perez and President Nadrowski.

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14. The Council as a whole introduced:

AN ORDINANCE AMENDING AND SUPPLEMENTING THE GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 35 ZONING REGULATIONS.

WHEREAS, Bayonne Hospital has serviced the City of Bayonne since 1888, having grown over the last century both in facilities and services, making it a critical part of the Bayonne community; and

WHEREAS, it is in the City's best interest to maintain and support stability, future growth and development of the medical facility at its present location; and

WHEREAS, the City underwent a reexamination of its Master Plan in 2018 and under Section 1.5.a.vi, Section 1.5.b.viii and Section 2.5.a.vi of the Master Plan made various findings and comments related to the need to support Bayonne Medical Center; and

WHEREAS, Section 1.5.b.viii of the Master Plan specifically states “Objective: support Bayonne Hospital as the City’s principal provider of health care services.” and

WHEREAS, pursuant to N.J.S.A. 40:55D-62 the City may adopt or amend a zoning Ordinance relating to the nature and extent of the uses of land and of buildings and structures thereon; and

WHEREAS, the Municipal Council desires to adopt zoning that secures the present hospital use for the public’s health safety and wellbeing; and

WHEREAS, the City is currently undergoing a period of growth and redevelopment with increased housing and commercial properties; and

WHEREAS, based upon the geographic nature of the City and its proximity to other population densities it is necessary to maintain a fully functional hospital within the City limit’s and

WHEREAS, by creating a dedicated Hospital District zone the City shall insure access to its residents to medical facilities; and

WHEREAS, pursuant to N.J.S.A. 40:55D-62 et seq. the City hereby refers this Ordinance and proposed zoning amendments to the Planning board for a hearing and seeks their recommendations as to the consistency with the Master Plan of the City.

NOW THEREFORE, be it ordained by the Municipal Council of the City of Bayonne, as follows:

That the Revised General Ordinances of the City of Bayonne, Chapter 35, Zoning Regulations, Section 35-3 ESTABLISHMENT OF DISTRICT Subsection 35-3.1 Establishment of Zones, and Section 35-5 DISTRICT REGULATIONS be and are hereby amended and supplemented, as follows **(Additions **between asterisks and/or in bold** and deletions {within brackets and/or struck through})**:

35-3 ESTABLISHMENT OF DISTRICTS.

35-3.1 Establishment of Zone Districts.

For the purposes of this chapter, the City of Bayonne is hereby divided into zone districts, as follows:

R-1	Single Family Residential District
R-2	Detached/Attached Residential
R-3	Medium Density Residential District
R-M	High Density Residential District
WD	Waterfront Development District
WR	Waterfront Recreational
C-1	Neighborhood Commercial District
C-2	Community Commercial District
CBD	Central Business District
ORS	Office/Retail Service
UBD	Uptown Business District
H-C	Highway Commercial/Selected Light Industrial
TDD	Transit Development Zone
TDO	Transit Development Overlay Zone
IL-A	Light Industrial District
IL-B	Light Industrial District
I-H	Heavy Industrial District
BMHD	Bayonne Metropolitan Harbor District
H-1	Hospital District

(Ord. No. O-95-12 § 33-3.1; Ord. No. O-97-43; Ord. No. O-01-19 § 3)

. . .

35-5 DISTRICT REGULATIONS

35-5.20 H-1 Hospital District.

a. The H-1 District shall comprise Block 164, Lot 5.01, Block 420.02, Lot 2.01, Block 159, Lots 14 and 15 Block 164, Lot 4.01

b. Purpose: The purpose and intent of this zone is to permit, expand and continue the use of an inherently beneficial, hospital use serving the residents of the City

of Bayonne and in order to continue to function as an engine of economic development.

c. Permitted Principal Uses

No building or premises shall be erected, altered or used except for uses designated in this district as follows:

1. Hospital and medical centers providing primary health care services for the diagnosis, care and treatment of human patients.
2. Medical and dental laboratories and research facilities
3. Facilities for the education and training of hospital personnel, including but not limited to interns, hospital residents, nurses and technicians.
4. Research and development laboratories related to medical use.
5. Government and municipal use.
6. Parking garage related to and serving the medical hospital facility.

d. Required Accessory Uses.

1. Medical and dental offices
2. Off-street parking and loading, parking structures and garages related to permitted hospital and/ or medical center.
3. Off-street emergency vehicle ambulances or mobile hospital vehicles.
4. Reserve.

e. Permitted Accessory Uses.

1. Uses customarily and/or associated with the operation and administration of the principal use.
2. Gift or flower shops, cafeteria, restaurant or snack bars and/or pharmacy provided said use or uses are associated with a hospital or medical center and maintains no exterior entrances or exists to the outside of the building.
3. Signs.
4. Child Care facilities serving hospital personnel and patients.
5. Helipad provided approval from FCC and other federal/state aviation organization approval is granted.

f. Prohibited Uses

1. Nursing Homes.
2. Hospice.
3. Long term chronic care facilities.
4. Long term care facilities.
5. Staff residences.
6. Assisted Living and Memory care facilities.

g. Bulk Requirements (Area, Yard and Structure).

1. Minimum Lot Area: 80,000 square feet
2. Minimum Lot Width: 150 feet
3. Minimum Lot Depth: 500 feet
4. Maximum Building Height:
Principal: 6 story / 120 feet
Accessory: 3 story / 45 feet
5. Minimum Setback:
Front: as existing;
Avenue E: 75 feet (new construction)
Broadway: 75 feet (new construction)
Side Yard: as existing;
East 29th Street: 10 feet for new construction
East 30th Street: 10 feet for new construction
Rear Yard: as existing: 10 feet for new construction
6. Maximum Building Coverage: 80%
7. Max. FAR: 5.6

h. Special Requirements.

1. Board at its discretion may request a traffic study for the proposed use, including anticipated car trips, drop/off and pick up areas, emergency vehicle parking areas, pedestrian circulation, loading requirements and other such details.
2. A refuse and recycling operations plan should be submitted providing details on how the waste and bio-hazard waste disposal is handled, the responsible party for operations and management of the refuse and any contingency plan in case of emergency.
3. Overnight parking of emergency vehicles such as ambulances and hospital mobile units are permitted on site, provided a detailed delineated parking plan showing the location of these vehicles is provided including, proposed fencing and buffering around these parking areas to show visual buffering from the public street.

33-2 RULES OF INTERPRETATION AND DEFINITIONS

33-2.2 Definition of terms

~~Hospital shall mean an institution providing primary health services and medical or surgical care to persons, primarily inpatients, suffering from illness, disease, injury, deformity, and other abnormal physical or mental conditions and including, as an integral part of the institution, related facilities, such as laboratories, outpatient facilities, training facilities, medical offices, and staff residences.~~

Hospital/medical center: An institution specializing in giving clinical, temporary and emergency services of a medical or surgical nature to human patients, licensed by state law to provide facilities and services in surgery, obstetrics and general medical practice. Such institutions include allied and adjunct medical facilities such as facilities for the education and training of hospital personnel, including but not limited to residents, interns, nurses, technicians and orderlies; medical schools, laboratories, research facilities, pharmacies, cafeterias, restaurants or snack bars, gift or flower shops; outpatient treatment and medical offices which may be in the same building or separate buildings provided this does not include nonaccessory, nonadjacent or independently operated medical offices, group medical practices or laboratories

~~Long term care facility/nursing facility/nursing home shall mean a facility that is licensed by the Division of Health to provide health care under medical supervision and continuous nursing care for twenty four (24) or more consecutive hours to two (2) or more patients who do not require the degree of care and treatment which a hospital provides and who, because of their physical or mental condition, require continuous nursing care and services above the level of room and board.~~

Long Term Care Facility: A facility that is licensed by Division of Health to provide rehabilitative, restorative and/or ongoing skilled nursing care to patients or residents in need of assistance with activities of daily living. Long term care facilities include nursing homes, rehabilitation facilities, inpatient behavioral health facilities, long term chronic care facilities and hospice.

35-17 OFF STREET PARKING REGULATION

35-17.6 Parking Space Requirements

2. Institutional and Public Assembly Uses:

Use or Use Category	Minimum Spaces	Per Measurement Unit
Hospital	1 (on-site)	3 beds
Additional Requirement	1 (on site)	2 employees
10% of overall total number of spaces		
Long Term Care Facility	1 3 (on-site)	3 beds 1 bed

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

BE IT RESOLVED, that an ordinance entitled “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 35, ZONING REGULATIONS, TO ADOPT ZONING THAT SERVICES THE PRESENT HOSPITAL USE FOR BAYONNE HOSPITAL AND MAINTAINS AND SUPPORTS FUTURE GROWTH AND DEVELOPMENT OF MEDICAL FACILITIES BY CREATING A HOSPITAL DISTRIC,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, March 18, 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, Gullace, LaPelusa, Perez and President Nadrowski

* * * * *

15. Council Member Gullace introduced:

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

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

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

Names of Streets	Sides	Hours	Location
West 22nd Street	North	9:00 AM to 12:30 PM (Sunday Only)	Beginning 203 feet east of the Intersection of the northwest corner of West 22nd Street and Avenue C and extending to a point 38 feet in a easterly direction.

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

BE IT RESOLVED, that an ordinance entitled “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHPATER 7, TRAFFIC,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, March 18, 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, Gullace, LaPelusa, Perez and President Nadrowski

* * * * *

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

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

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

* * * * *

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

From Eldridge Hawkins, Esq., filing notice of claim on behalf of JASMINE VARGAS SANABRIA, alleging personal injury resulting from a false arrest.

* * * * *

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

From Brian A. Held, Esq., filing a tort claim on behalf of STEPHANIE RAMIREZ for MAURIUS RAMIREZ, a minor, alleging personal injuries sustained December 18, 2019.

* * * * *

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

From Linda T. Tran, Esq., filing a tort claim on behalf of SHARON BROWN, alleging personal injury sustained from a fall at Avenue F and 22nd Street on December 5, 2019.

* * * * *

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

From Superior Court of New Jersey, Law Division Summons and Complaint in the matter entitled, CAMILO A. LOPEZ vs. STATE OF NEW JERSEY, NEW JERSEY TURNPIKE and CITY OF BAYONNE, et al.

* * * * *

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

From Superior Court of New Jersey, Law Division Summons and Complaint in the matter entitled, TERRENCE SHEPPARD vs. BAYONNE POLICE DEPARTMENT.

* * * * *

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

From Superior Court of New Jersey, Law Divisions Summons and Complaint in the matter **of** GLENN REGAN vs St. Andrew's Church and Convent, City of Bayonne, et al.

* * * * *

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

From Tax Court of New Jersey, complaint in matter entitled, "190 W 54th Urban Renewal vs. CITY OF BAYONNE."

* * * * *

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

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

RESOLVED, That the following items which have been included on the agenda for this regular meeting as OFFICERS' REPORTS and which follow this resolution shall constitute a consent agenda for officers' reports and that they be received and filed and that any resolution incorporated within them be adopted and included in the official minutes of this meeting as having been so ordered.

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

* * * * *

- 25.** 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.

* * * * *

26. 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.

* * * * *

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

RESOLVED, That the official minutes of the regular council meeting held Wednesday, January 15, 2020 be and the same are hereby approved.

* * * * *

28. 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, January 8, 2020, be and the same are hereby approved.

* * * * *

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

WHEREAS, the properties set forth below all carry overpayments on their property tax accounts in the amounts indicated; and

WHEREAS, these taxpayers have requested refunds of the overpayments indicated; and

WHEREAS, the Chief Financial Officer has recommended that these amounts be refunded to the taxpayers; now therefore be it

RESOLVED, that warrants be drawn to the order of the taxpayers listed, in the amounts indicated; and be it further

RESOLVED, that the warrants be forwarded to the Tax Collector for delivery to the payees.

BLOCK	LOT	PAYEE	AMOUNT
5	9	Able Title Agency LLC	4,231.00
24	12	Stanley Yip & Wendy Chen	437.14
88	15	Ritu N. Rai	1,369.82
108	2	Wells Fargo Real Estate Tax Service	2,931.66
153	31	Julianna Juhasz	799.00
192	17 C0202	KM Cousins LLC	1,545.57
207	1.09	Leo A. DeLaCruz	5,648.31

249	42.05	Tiffani Simmons	343.03
261	37	Corelogic	754.88
277	32	239 Broadway Realty LLC	7,225.67
TOTAL			25,286.08

* * * * *

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

RESOLVED, That a warrant in the amount of \$ 719.40 drawn of the Bureau of Rabies Control, State Department of Health, Trenton, New Jersey, covering the issuance of licenses Nos. 295-662 inclusive, 367 dog licenses, representing one dollar per license for the state fee, twenty cents per license for the state clinic and three dollars per license for non-spayed and non-neutered dogs.

* * * * *

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

WHEREAS, SESAC, INC., 35 Music Square East, Nashville, TN 37203 has been aggressively asserting the rights of its members against small municipalities for copyright infringement when such municipalities play their music at various functions including, but not limited to, festivals, firework shows, concerts in the park, community centers and even while on "hold" during telephone calls, without a license to do so; and

WHEREAS, the licensing fee for the current license period is \$1,496.00; and

WHEREAS, funds are certified as available in account #BA-2 pending adoption of the CY2020 budget; now therefore be it

RESOLVED, that the Treasurer is hereby authorized to issue a warrant payable to SESAC, Inc. in the amount of \$1,494.00; and be it further

RESOLVED, that funds are certified available in Account #BA-2 (0-01-20-101-0000-028).

* * * * *

- 32.** 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 annual support with upgrades for the POSS Enterprise Edition scheduling software, and VCS Evolution Exchange 2017 User Conference; and

WHEREAS, Visual Computer Solutions, Inc., 4400 US Highway 9 South, Suite 3500, Freehold, NJ 07728 is able to supply the aforesaid services for the period commencing January 1, 2020 and ending December 31, 2020 at a cost of \$4,749.60; and

WHEREAS, funds are certified as available in Account #PS-0-01-25-240-0000-029 pending adoption of the CY 2020 budget; and

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

RESOLVED, that the Mayor and Clerk of the City of Bayonne are hereby authorized to enter into an agreement with Visual Computer Solutions, Inc., 4400 US Highway 9 South, Suite 3500, Freehold, NJ 07728 for annual support with upgrades for the POSS Enterprise Edition scheduling software in use in the Police Department and VCS Evolution Exchange 2017 User Conference for the period commencing January 1, 2020 and ending December 31, 2020 at a cost of \$4,749.60; and be it further

RESOLVED, that funds are certified available in Account #PS-90-01-25-240-0000-029 pending adoption of the CY 2020 Budget; and be it further

RESOLVED, that the Municipal Treasurer be and is hereby authorized and directed to issue a warrant payable to Visual Computer Solutions, Inc., in the amount of \$4,749.60 in payment for said services.

* * * * *

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

WHEREAS, the City of Bayonne is in need of continued supplementation services for the Revised General Ordinances of the City of Bayonne; and

WHEREAS, General Code, 608 Highway 71, Spring Lake Heights, New Jersey 07762, has previously been awarded a contract for such services on an annual basis, and is willing to continue to supply said services for the period commencing January 1, 2020 and ending December 31, 2020 in accordance with the terms of a proposal dated January 24, 2020; and

WHEREAS, funds are certified as available in Account 0-01-20-120-0000-029 pending adoption of the CY2020 budget; and

WHEREAS, bids need not be solicited for these services insofar as the Agreement complies with the statutory guidelines of N.J.S.A. 40A:11-5(1)(a)(x); now, therefore be it

RESOLVED, that the Mayor and City Clerk be and are hereby authorized to enter into a contract with General Code, 608 Highway 71, Spring Lake Heights, New Jersey 07762, for continuation of supplementation service for the Revised General Ordinances of the City of Bayonne for the period commencing January 1, 2020 and ending December 31, 2020, for a contract amount not to exceed Fifteen Thousand (\$15,000.00) Dollars; and be it further

RESOLVED, that funds are chargeable to Account 0-01-20-120-0000-029 pending adoption of the CY 2020 budget.

* * * * *

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

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

WHEREAS, subsequent thereto it was determined that the application was submitted in error; and

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

RESOLVED, by the Municipal Council as follows:

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

* * * * *

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

WHEREAS, Resolution No. 20-01-15-045 adopted by the Municipal Council January 15, 2020 authorized the Mayor and Clerk to execute any and all documents necessary to effectuate the acceptance of a New Jersey Assistance (EMMA) Grant from New Jersey's Emergency Management Performance Grant (EMPG) in the total amount of \$20,000.00 Federal Award (with a \$10,000.00 Local Matching Funds) for the performance period of July 1, 2019 through June 30, 2020 for the purpose of enhancing Bayonne's ability to prevent, protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies; and

WHEREAS, said Resolution No. 20-01-15-045 contained a scrivener's error insofar as the total amount of Federal Award should have been \$10,000.00; and

WHEREAS, the City's Office of Emergency Management has been advised by the New Jersey State Police that Local Matching Funds are not required for the performance period of July 1, 2019 through June 30, 2020; and

WHEREAS, the New Jersey State Police also advised that the number of the sub award is FY19-EMPG-EMMA-0901; now, therefore, be it

RESOLVED, by the Municipal Council that Resolution No. 20-01-15-045 is hereby amended as follows:

1. The City of Bayonne hereby does accept Emergency Management Performance Grant – EMPG/Emergency Management Agency Assistance – EMMA sub award FY19-EMPG-EMMA-0901 grant funds in the amount of \$10,000.00 ("EMMA Grant Funds") for the performance period of July 1, 2019 through June 30, 2020 for the purpose of enhancing the City's Emergency Management Program.

2. Said Grant Funds shall be used for the purpose of enhancing the City's Bayonne's ability to prevent, protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies;

3. The Mayor and City Clerk are hereby authorized to execute any and all documents necessary to effectuate the acceptance of the above referenced EMMA Grant Funds.

* * * * *

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

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

WHEREAS, the Hudson Milestone, 365-381 Clendenny Avenue, Jersey City, New Jersey 07304 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Hudson Milestone has requested and submitted a formal written application dated February 20, 2019 for said CDBG Grant Funds in the amount of \$147,975.00 for the purpose of providing the cost of renovations at the 333 Broadway, Bayonne, NJ location to be completed by A1A Restoration Group LLC, 147 Mountain Avenue, Hawthorne, NJ 07506; and

WHEREAS, the Assistant Director of Community Development has advised that the availability of said Community Development Block Grant Funds for the purpose of providing the cost of renovations at the 333 Broadway, Bayonne, NJ location to be completed by the A1A Restoration Group LLC. , 147 Mountain Avenue, Hawthorne, NJ 07506 and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-1034; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with Hudson Milestone 365-381 Clendenny Avenue, Jersey City, NJ 07305 for the provision of providing the cost of renovations at the 333 Broadway, Bayonne NJ location to be completed by the A1A Restoration Group LLC. , 147 Mountain Avenue , Hawthorne, NJ 07506 in the amount of \$147,975.00 for the period commencing September 1, 2019 and ending August 31, 2020.

2. Funds shall be charged to Account #CDBG-1034

* * * * *

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

WHEREAS, by way of Resolution 19-06-19-031 adopted by the Municipal Council on June 19, 2019, the City was authorized to enter into the New Jersey Parking Institute Cooperative pursuant to N.J.S.A. 40A:11-11(5); and

WHEREAS, the City has established a need for the acquisition of 447 MacKay M90 Vaults complete with lock and fastener for the Parking Utility; and

WHEREAS, through the New Jersey Parking Institute Cooperative, the City of Bayonne has received a quote from Integrated Technical Systems, Inc., 8 Capital Drive, Wallingford, CT 06492 dated January 28, 2020 in the amount of \$34,500.00; and

WHEREAS, funds are certified as available in Parking Utility Account OE. C-06-10-151-0000-020; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Chief Financial Officer and/or his/her designee(s) is/are hereby authorized to sign any and all documents and take any and all actions to effectuate the acquisition of the aforementioned 447 MacKay M90 Vault complete with lock and fastener for the Parking Utility and the installation of same throughout the City from Integrated Technical Systems, Inc., through the New Jersey Parking Institute Cooperative for a total amount of \$34,500.00.

2. Funds shall be chargeable to Parking Utility Account OE. C-06-10-151-0000-020.

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

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

* * * * *

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

BE IT RESOLVED, That the City Clerk be and is hereby authorized to advertise for bids for the lease of Food Concessions at the Municipal Pool.

* * * * *

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

WHEREAS, the City of Bayonne is in need of a security camera network system to be installed within City's Urban Enterprise Zone (the "UEZ"); and

WHEREAS, the City is in receipt of a Quote from Hitachi Vantara, 500 Park Boulevard, Suite 300, Itasca, IL dated January 31, 2020 in the amount of \$38,218.57 for said security camera network system which includes hardware and hardware installation, software and software support services for a twelve (12) month period; 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; and

WHEREAS, pursuant to the Local Public Contract Law (N.J.S.A. 40A:11-1, et seq.), a notice of this action shall be printed once in a newspaper of general circulation within the boundaries of the City of Bayonne and the contract shall be made available for public inspection in the City Clerk's office; and

WHEREAS, funds are certified as available in UEZ Funds; now, therefore, be it
RESOLVED, by the Municipal Council of the City of Bayonne

1. The Mayor and City Clerk are hereby authorized to execute an Agreement with Hitachi Vantara, 500 Park Boulevard, Suite 300, Itasca, IL for the procurement of a security camera network system, including hardware and hardware installation, software and software support services for a twelve (12) month period for the amount of \$38,218.57 pursuant to the

Quote received from Hitachi Vantara dated January 31, 2020.

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

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

WHEREAS, Resolution No. 19-12-18-070, adopted on December 18, 2019, authorized an agreement with John T. Dedousis, MD, 1166 Kennedy Boulevard, Bayonne, NJ 07002 for professional medical services for the City's Uniformed employees for the period commencing January 1, 2020 and ending December 31, 2020 for an amount of \$42,000.00; and

WHEREAS, said Resolution 19-12-18-070 contained scrivener's errors in so far as the amount of \$42,000.00 did not include amounts necessary to cover the cost of services for pre-employment and pre-placement physicals for new hires for the Police Department and the Fire Department; and

WHEREAS, the Director of Public Safety has advised that the anticipated amount necessary to cover the cost of pre-employment and pre-placement physicals for anticipated new hires for the Police Department and Fire Department is not to exceed \$10,000.00; now, therefore, be it

RESOLVED, by the Municipal Council that Resolution No. 19-12-18-070 is hereby amended to reflect that the amount of the agreement with John T. Dedousis, MD, 1166 Kennedy Boulevard, Bayonne, NJ 07002 for professional medical services for the City's Uniformed employees for the period commencing January 1, 2020 and ending December 31, 2020 is not to exceed \$52,000.00 to include the anticipated amount not to exceed \$10,000.00 for the cost of services for pre-employment and pre-placement physicals for anticipated new hires for the Police Department and the Fire Department.

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 #0-01-27-330-0000-029; 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, 2020 and ending December 31, 2020 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 #0-01-20-135-0000-029.

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 CY2020 temporary and permanent budgets in account #0-01-20-135-0000-029.

* * * * *

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

RESOLUTION AUTHORIZING THE CITY TO DECLINE THE OPTION TO PURCHASE LAND PRESENTLY USED AS A PLAYGROUND LOCATED AT 440 AVENUE C (LOT 46, BLOCK 225) AND CONSENTING TO THE ASSIGNMENT OF THE LEASE AGREEMENT AND ADDENDUM TO THE PURCHASER IN THE EVENT OF, AND UPON, A SALE.

WHEREAS, the City of Bayonne (the "City") is party to a Lease Agreement dated July 1, 1982, which terminated June 30, 1992 (the Lease Agreement"), pursuant to which the City leased vacant lands located at 440-442 Avenue C, designated Lots 45 and 46 in Block 225 (formerly designated as Lots 3 and 4 in Block 329), from NAT REALTY COMPANY (owner of 442 Ave C) and FRIENDSHIP BAPTIST CHURCH OF BAYONNE (owner of 440 Ave. C), (collectively, referred to

as “LANDLORD”) for purposes of a park under the TOT-LOT MINI-PARK – Neighborhood Preservation Program, N.J.S.A. 40A:12-5 (“Playground”); and,

WHEREAS, the City executed an Addendum to the Lease Agreement (the “Addendum”) in or about April 1984, which provides that the LANDLORD must give the City the option to purchase the property in the event of a bona fide purchase offer from a third party; and

WHEREAS, on November 25, 1992, the Municipal Council adopted Ordinance O-92-38 authorizing the continued lease of the lands by the City through June 30, 2002, for purposes of a Playground; and

WHEREAS, to date the City continues to lease the lands for purposes of a playground as a holdover, on a month-to-month basis; and

WHEREAS, FRIENDSHIP BAPTIST CHURCH OF BAYONNE has received a bona fide offer for the purchase of its lot at 440 Avenue C (the “Property”) for \$215,000 and has notified the City of same by letter dated February 14, 2020, a copy of which is attached hereto; and

WHEREAS, FRIENDSHIP BAPTIST CHURCH OF BAYONNE, has further requested, through its attorneys, that should the City decline to exercise its right to purchase the property, the City consent to an assignment of the existing Lease Agreement and Addendum to the prospective purchaser in the event the sale is consummated; and

WHEREAS, the terms of the Lease Agreement and O-92-38 provide that the City will pay rent to the LANDLORD in a sum equal to the amount of taxes assessed by the City against the land; and

WHEREAS, the Lease Agreement and O-92-38 further provide that either party may terminate the Lease Agreement upon written notice delivered to the other party six (6) months in advance of termination; and

WHEREAS, although the Playground appears on the City’s Recreation and Open Space Inventory, it is not the recipient of funding and, therefore, is not encumbered by Green Acres; and

WHEREAS, it is not in the City’s best interest to purchase the Property at the offered price but it is in the City’s best interest to continue to lease the property upon the terms set forth in the Lease Agreement, Addendum and O-92-38;

NOW THEREFORE, BE IT RESOLVED, as follows:

1. The Law Director is authorized to decline, in writing, the City’s option to purchase the property; and
2. The City hereby consents to the assignment of the Lease Agreement and Addendum to the prospective purchaser and authorizes the Mayor and City Clerk to execute an assignment of the Lease Agreement and Addendum, or other related documents(s) to the purchaser in the event, and upon the sale, of the property to a third-party, in form and substance as is acceptable to the Law Director.

* * * * *

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

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

LICENSEE	LICENSE
Knight of Columbus #371-Star of the Sea Council	RL: 9434 RL: 9435
Blessed Miriam Teresa Demjanovich Parish	RL: 9436 RL: 9437
Trinity Parish in Bergen Point	RL: 9438

	RL: 9439
Friends of Special Children	RL: 9440
Dante Alighieri Society of Jersey City	RL: 9441 RL: 9442
BPOE #434 Bayonne Lodge	RL: 9443
Preschool Playhouse PTO	RL: 9444 RL: 9445
Mary J. Donohue Community School PTA	RL: 9446 RL: 9447
Hudson County Animal League	RL: 9448 RL: 9449

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING AND DIRECTING THE PLANNING BOARD TO CONDUCT A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER CERTAIN PROPERTY LOCATED AT 48-52 NEW HOOK RD, WHICH PROPERTY IS IDENTIFIED AS BLOCK 427, LOTS 1 AND 2 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.* (GEL SPICE & DPW GARAGE)

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 48-52 New Hook Rd., which property is identified as Block 427, LOTS 1 and 2, 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 48-52 New Hook Rd. which property is identified Block 427, Lots 1 and 2, 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, Gullace, LaPelusa, Perez and President Nadrowski.

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45. 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 AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT WITH EOM 90-102 AVE E URBAN RENEWAL, LLC, FOR THE PROPERTY LOCATED AT 90-102 AVENUE E, 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 authorizes 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 Law Director, subject to any and all conditions contained herein and such revisions as deemed advisable by the Law Director or Special Redevelopment Counsel to the City; and

Section 2. This Resolution shall take effect immediately.

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

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46. 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 RAM DEVELOPMENT, LLC FOR THE PROPERTY LOCATED AT 130-134 AVENUE F AND 37, 39 AND 41 MECHANIC STREET, WHICH IS IDENTIFIED AS BLOCK 450, LOTS 1, 10.01, 10.02, 22, 23 AND 24 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE 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 October 18, 2017, the Bayonne City Council (the "City Council") requested that the Planning Board of the City of Bayonne (the "Planning Board") conduct a preliminary investigation to consider if Block 450, Lots 1, 10.01, 10.02, 22, 23 and 24 on the Tax Maps of the City of Bayonne, having street addresses of 130-134 Avenue F, East 23rd Street, Mechanic Street, 37 Mechanic Street, 39 Mechanic Street and 41 Mechanic Street in the City of Bayonne (the "Redevelopment Area" or the "Property") for designation as a non-condemnation redevelopment area, pursuant to the LRHL; and

WHEREAS, on January 9, 2018, the Planning Board held a public hearing and made a recommendation to the City Council that the Property be designated as a non-condemnation area in need of redevelopment; and

WHEREAS, on January 17, 2018, the City Council designated the Property as a non-condemnation area in need of redevelopment pursuant to the LRHL and requested that the Planning Board prepare a redevelopment plan for the Redevelopment Area; and

WHEREAS, on March 13, 2018, the Planning Board held a public hearing with respect to the Redevelopment Plan and recommended its adoption to the City Council (the "Redevelopment Plan"); and

WHEREAS, on May 16, 2018, the City Council adopted Ordinance No. O-18-23 approving the Redevelopment Plan pursuant to the LRHL; and

WHEREAS, on May 16, 2018, the City Council designated RAM Development, LLC as Redeveloper (the "Redeveloper") to redevelop the Property and authorized the negotiation and drafting of a redevelopment agreement; 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 RAM Development, LLC, as Redeveloper of the above noted Redevelopment Area and authorizes 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 “Amended Redevelopment Agreement By and Between the City of Bayonne and RAM Development, LLC, concerning the Redevelopment Area identified as Block 450, Lots 1, 10.01, 10.02, 22, 23 and 24 on the Tax Maps of the City of Bayonne, having street addresses of 130-134 Avenue F, East 23rd Street, Mechanic Street, 37 Mechanic Street, 39 Mechanic Street and 41 Mechanic Street in the City of Bayonne, in such a form deemed advisable by the Law Director, subject to any and all conditions contained herein and such revisions as deemed advisable by the Law Director or Special Redevelopment Counsel to the City; and

Section 2. This Resolution shall take effect immediately.

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

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47. 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 AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT WITH LEHIGH REALTY CO. INC FOR THE PROPERTY LOCATED BETWEEN AT 103-143 EAST 22ND STREET AND 43-75 MECHANIC STREET, WHICH IS IDENTIFIED AS BLOCK 451, LOTS 1.01 AND 2.05 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE FOR THE REDEVELOPMENT OF SUCH PROPERTY IN ACCORDANCE WITH THE REDEVELOPMENT PLAN (KEN’S MARINE)

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

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

WHEREAS, on November 13, 2013, the Municipal Council adopted Ordinance O-13-36, reaffirming the designation of Block 451, Lots 1.01 and 2.05 as an area in need of rehabilitation; and

WHEREAS, pursuant to Ordinance O-13-36, on November 13, 2013, the Municipal Council also adopted a Redevelopment Plan for portions of Route 440 West between East 22nd Street and New Hook Road, including Block 451, Lots 1.01 and 2.05 titled “Scattered Site Redevelopment Project: Phase II Site 14: Rt. 440 West Redevelopment Plan” dated October 16, 2013; and

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

WHEREAS, an amended Redevelopment Plan, entitled “Lehigh Realty aka Ken’s Marine, 101-143 East 22nd Street & 43-75 Mechanic Street, Block 451, Lots 1.01 and 2.05, City of Bayonne, County of Hudson, NJ,” dated March 6, 2018, was prepared by the City Planning Department (the “Redevelopment Plan”); and

WHEREAS, on March 13, 2018, the Planning Board reviewed and recommended the adoption of the Redevelopment Plan to the Municipal Council and concluded that said Redevelopment Plan is consistent with the Master Plan of the City of Bayonne; and

WHEREAS, on July 18, 2018, the City Council adopted Ordinance No. O-18-35 approving the Redevelopment Plan; and

WHEREAS, on July 18, 2018, the City Council designated Lehigh Realty Co. Inc. as the entity to redevelop the Property, and further authorized the negotiation and drafting of this Agreement; 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 Lehigh Realty Co. Inc. 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 Lehigh Realty Co. Inc., concerning the Redevelopment Area identified as Block 451, Lots 1.01 and 2.05 on the Tax Maps of the City of Bayonne, having street addresses of 103-143 East 22nd Street and 43-75 Mechanic Street in the City of Bayonne, in such a form deemed advisable by the City Attorney, subject to any and all conditions contained herein and such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel to the City; and

Section 2. This Resolution shall take effect immediately.

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

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING THE CITY OF BAYONNE TO CONSENT TO THE FILING OF A LAND USE APPLICATION FOR PROPERTY LOCATED AT 117-121 PROSPECT AVENUE AND A PORTION OF THE EAST 25TH STREET RIGHT OF WAY, WHICH ARE MORE PARTICULARLY IDENTIFIED AS BLOCK 441, LOT 10 AND EAST 25TH STREET RIGHT OF WAY 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, 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, by resolution on March 14, 2018, the Municipal Council designated 117-121 Prospect Avenue, which property is identified as Block 441, Lot 10, as shown on the official Tax Map of the City (the "Property") as a non-condemnation area in need of redevelopment; and

WHEREAS, on April 18, 2018 the Municipal Council of the City of Bayonne, adopted Ordinance O-18-22 approving a Redevelopment Plan [as defined in the New Jersey Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.*] titled "Redevelopment Plan 117-121 Prospect St, Block 441, Lots 10" dated March 14, 2018 (the "Redevelopment Plan"); and

WHEREAS, by Resolution adopted May 16, 2018, the City Council designated the Redeveloper to undertake the necessary development and construction of the Property for the construction of a five story multi-family residential building with forty-four (44) residential

apartments and forty-four (44) on-site parking spaces, as well as related improvements, in accordance with the Redevelopment Plan (the “Project”); and

WHEREAS, part of the Redevelopment Plan the Redeveloper will utilize a portion of the City’s Right of Way for an unimproved portion of East 25th Street; and

WHEREAS, the City of Bayonne is in the process of vacating a portion of the 25th Street Right of Way to be utilized by the Developer; and

WHEREAS, the Redeveloper, TFG 117-121 Prospect Urban Renewal LLC and FVIOP Bayonne 117 Urban Renewal LLC, wishes to file for site plan approval for the Project and requires consent from the City in order to do so.

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 Mayor, Clerk and/or any other required City official to execute a Consent for the filing of a Land Use Application for 117-121 Prospect Avenue, Block 441, Lot 10 in such a form deemed advisable by the Law Director, subject to any and all conditions deemed necessary by the Law Director or Special Redevelopment Counsel to the City.

Section 2. This Resolution shall take effect immediately.

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

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49. 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 AUTHORIZING THE EXECUTION OF AN AMENDED REDEVELOPMENT AGREEMENT WITH PARKVIEW REALTY URBAN RENEWAL LLC FOR THE PROPERTY LOCATED AT 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 FOR THE REDEVELOPMENT OF SUCH PROPERTY IN ACCORDANCE WITH THE REDEVELOPMENT PLAN

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

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

WHEREAS, on March 16, 2016, the Bayonne City Council (the “City Council”) requested that the Planning Board of the City of Bayonne (the “Planning Board”) conduct a preliminary investigation to consider the Property located at 101 East 23rd Street, Block 445, Lot 1.01, (the “Property”) for designation as a non-condemnation redevelopment area, pursuant to the LRHL;

WHEREAS, on May 18, 2016, the City Council requested that the Planning Board prepare a redevelopment plan for the Property; and

WHEREAS, on June 14, 2016, the Planning Board held a public hearing and made a recommendation to the City Council that the Property be designated as a non-condemnation area in need of redevelopment and recommended adoption of a Redevelopment Plan to the City Council (the “Redevelopment Plan”); and

WHEREAS, on June 22, 2016, the City Council designated the Property as a non-condemnation area in need of redevelopment pursuant to the LRHL; and

WHEREAS, on July 20, 2016, the City Council adopted Ordinance No. O-16-40 approving the Redevelopment plan for the Property; and

WHEREAS, on July 20, 2016, the City Council designated Parkview Realty Holdings, LLC as redeveloper of the Property and authorized the negotiation and preparation of a redevelopment agreement; and

WHEREAS, on August 24, 2016, the City Council authorized the preparation of an amended redevelopment plan for the Property; and

WHEREAS, on September 13, 2016, the Planning Board held a public hearing with respect to the amended redevelopment plan and recommended its adoption to the City Council; and

WHEREAS, on October 19, 2016, the City Council adopted Ordinance O-16-56 approving the amended redevelopment plan; and

WHEREAS, on November 9, 2016, the City Council authorized the execution of a redevelopment agreement with Parkview Realty Holdings, LLC as redeveloper of the Property; and

WHEREAS, on September 12, 2017, Parkview Realty Holdings, LLC and the City entered into a Redevelopment Agreement (the "Original Redevelopment Agreement"); and

WHEREAS, on January 10, 2017, the Planning Board granted preliminary and final major site plan approval to Parkview Realty Holdings, LLC for a project containing 180 residential units, 189 parking spaces, and approximately 3,000 square feet of retail spaces; and

WHEREAS, on November 8, 2017, the City Council authorized the transfer of the redeveloper designation and Original Redevelopment Agreement from Parkview Realty Holdings, LLC to Parkview Realty Urban Renewal LLC (the "Redeveloper") as redeveloper of the Property; and

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

WHEREAS, the Municipal Council reaffirms the designation of Parkview Realty Urban Renewal LLC, as Redeveloper of the Redevelopment Area and authorized the execution of an Amended 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 "Amended Redevelopment Agreement By and Between the City of Bayonne and Parkview Realty Urban Renewal LLC, concerning the Redevelopment Area identified as Block 445, Lot 1.01 in the City of Bayonne, in such a form deemed advisable by the Law Director, subject to any and all conditions contained herein and such revisions as deemed advisable by the Law Director or Special Redevelopment Counsel to the City; and

Section 2. This Resolution shall take effect immediately.

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

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

WHEREAS, there exists a need for professional legal services as Redevelopment/Land Use Attorney; 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, the law firm of Inglesino, Webster, Wyciskala & Taylor, LLC, 600 Parsippany Road, Suite 204, Parsippany, New Jersey 07054 has submitted to the City a formal written response to the City's Request for Qualifications/Proposals for said professional legal services; and

WHEREAS, the law firm of Inglesino, Webster, Wyciskala & Taylor, LLC, 600 Parsippany Road, Suite 204, Parsippany, New Jersey 07054 is qualified, ready and able to provide said services at hourly rates as set forth in the response to the Request for Qualifications/Proposals; 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 a contract for “Professional Services” without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, the City of Bayonne desires to retain the services of Inglesino, Webster, Wyciskala & Taylor, LLC as Redevelopment/Land Use Attorney for a period of one year commencing January 1, 2020 and ending December 31, 2020; 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 budget in Account 0-01-20-156-0000-028 (\$20,000.00); Various Redeveloper accounts (\$30,000.00) and T-12-56-814-368B-199 (\$10,000.00); 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 Inglesino, Webster, Wyciskala & Taylor, LLC, 600 Parsippany Road, Suite 204, Parsippany, New Jersey 07054 for professional legal services as Redevelopment/Land Use Attorney for the period commencing January 1, 2020 and ending December 31, 2020 for an amount not to exceed \$60,000.00 payable at hourly rates as set forth in the response to the Request for Qualifications/Proposals
2. Funds shall be chargeable to Account 0-01-20-156-0000-028 (\$20,000.00) and T-12-56-814-368B-199 (\$10,000.00) for amounts attributable to the City and Various Redeveloper Escrow Accounts for amounts attributable to Developers.
3. Notice of the action shall be printed once in a newspaper of general circulation within the boundaries of the City of Bayonne.
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 budget in account 0-01-20-156-0000-028 (\$20,000.00).

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

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

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 budget in Account Water, Sewer and Other Expenses; 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 Rainone, Coughlin, Minchello, 555 U.S. Highway One South, Suite 440, Iselin, New Jersey for professional legal services as related to the existing Utility Agreements and Management Agreements for the City of Bayonne’s water and sewer systems for the period commencing February 20, 2020 and ending December 31, 2020 for an amount not to exceed \$60,000.00.
3. Funds shall be chargeable to Account Water, Sewer and Other Expenses
4. Notice of the action shall be printed once in a newspaper of general circulation within the boundaries of the City of Bayonne.
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 CY2020 budget in account Water, Sewer and Other Expenses.

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

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

TEMPORARY EMERGENCY CY2020-2

CURRENT FUND

0-01-25-240-0000-020	LAW ENFORCEMENT-UNIFORM-O.E	100,000.00
0-01-27-365-0000-011	OLDER AMERICAN PROGRAM S&W	40,000.00
0-01-46-896-0000-020	Prior Year Bills	579.00
0-01-43-490-0000-028	Municipal Court O.E	10,000.00
G-02-41-952-0000-199	FY2019 Bulletproof Vest Grant	35,054.02
	CY2020 Roid Grant	24,000.00
	FIRST Responders Children's Foundation	1,674.00
G-02-41-749-0000-	OLDER AMERICAN ACT	87,658.75
G-02-41-777-0000-199	CONGREGATE MEALS PROGRAM	466,606.25
G-02-41-731-0000-199	Police -Federal Forfeiture Monies	453,281.83
TOTAL		1,218,853.85

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

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

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

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

WHEREAS, the New Jersey Bureau of Justice Assistance provides grants to eligible law enforcement agencies to offset the costs of purchasing body vests for their officers; and

WHEREAS, the City of Bayonne would benefit from investment in securing body armor vests for the City of Bayonne Police Department; and

WHEREAS, the City of Bayonne has applied for and has been awarded a grant in the amount of \$35,054.02 from the New Jersey Bureau of Justice Assistance FY2019 Bulletproof Vest Grant;

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

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

1. The City of Bayonne accepts \$35,054.02 from the New Jersey Bureau of Justice Assistance Bulletproof Vest Grant.
2. The Division of Finance is hereby authorized to establish the proper accounts for these funds.

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

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

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

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

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

WHEREAS, the City of Bayonne has been awarded \$373,285.00 to provide nutrition programs for senior citizens, and;

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

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

1. The City of Bayonne accepts \$373,285.00 from the County of Hudson.
2. The Division of Finance is hereby authorized to establish the proper accounts for these funds.

Matching Funds in the amount of \$93,321.25 be appropriated, consistent with the 25% match requirement.

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

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

WHEREAS, the New Jersey Department of Community Affairs provides grants to provide inclusive recreational opportunities for teenagers and adults with disabilities and;

WHEREAS, the City of Bayonne recognizes the importance of providing these opportunities to teenagers and adults for their growth and development and;

WHEREAS, the City of Bayonne has applied for and has been awarded a grant in the amount of 20,000.00 from the New Jersey Department of Community Affairs CY2020 Recreational Opportunities for Individuals with Disabilities Grant,

WHEREAS, the CY2019 Recreational Opportunities for Individuals with Disabilities Grant requires a \$4,000.00 local match and;

WHEREAS, the City of Bayonne is desirous of accepting the grant and utilizing local funds to execute the program,

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

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

1. The City of Bayonne accepts \$20,000.00 from the New Jersey Department of Community Affairs.
2. The Division of Finance is hereby authorized to establish the proper account for these funds.

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

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

WHEREAS, the First Responder's Children Foundation has been providing college scholarships to children of first responders who have lost a parent in the line of duty;

WHEREAS, the Foundation also awards grants to programs operated first responder organizations whose purpose is to benefit children or the community in which they live, and;

WHEREAS, the City of Bayonne's Division of Fire Prevention presents opportunities to benefit the children of Bayonne and the community as a whole, and;

WHEREAS, the Foundation has awarded the City of Bayonne's Division of Fire Prevention a grant award in the amount of \$1,674.00, and;

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

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

1. The City of Bayonne accepts \$1,674.00 from the First Responder's Children Foundation.
2. The Division of Finance is hereby authorized to establish the proper accounts for these funds.

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

* * * * *

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

WHEREAS, the United States Department of Justice established the Assets Forfeiture Funds through the Comprehensive Crime Control Act, and;

WHEREAS, the Assets Forfeiture Funds are disbursed through an Equitable Sharing Program, and;

WHEREAS, the City of Bayonne is in receipt of Police Forfeiture Funds from the United States Department of Justice Asset Forfeiture Funds in the amount of \$453,281.83, and;

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

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

1. The City of Bayonne accepts **453,281.83** from the United States Department of Justice for Police Federal Forfeiture Funds.
2. The Division of Finance is hereby authorized to establish the proper account for these funds.

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

* * * * *

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

WHEREAS, the New Jersey Department of Health & Human Services Division of Aging Services provides grants to eligible governmental units that provide counseling, care management, information resources and emergency assistance programs to seniors and adults with disabilities, and;

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

WHEREAS, the County of Hudson provides grants to qualifying municipalities for the administration and execution of the Older American Act program, and;

WHEREAS, the City of Bayonne has been awarded \$70,127.00 to provide counseling, care management, information resources and emergency assistance programs to seniors and adults with disabilities, and;

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

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

1. The City of Bayonne accepts \$70,127.00 from the New Jersey Bureau of Justice Assistance Bulletproof Vest Grant.
2. The Division of Finance is hereby authorized to establish the proper accounts for these funds.
3. Matching funds in the amount of \$17,531.75 be appropriated consistent with the %25 match requirement.

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

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

Agenda No. R-17

CITY OF BAYONNE

20-02-19-

061

Cash Management Plan

WHEREAS, N.J. 40A: 5-14, Local Fiscal Affairs Law, requires that each municipality adopt a Cash Management Plan designed to assure the deposit and investment of local funds; now, therefore be it

RESOLVED, that the Municipal Council of the City of Bayonne does hereby adopt the following Cash Management Plan:

A. DESIGNATION OF DEPOSITORIES

The following institutions are designated as permissible depositories for the deposit of City Funds.

**BANK OF AMERICA
BANK OF NEW YORK
BCB COMMUNITY BANK
CAPITAL ONE BANK
CITIBANK
GARDEN STATE COMMUNITY BANK
HUDSON CITY SAVINGS BANK
INVESTORS BANK
JP MORGAN CHASE BANK
M&T BANK
PNC BANK
TD BANK
THE PROVIDENT BANK
VALLEY NATIONAL BANK
WELLS FARGO BANK**

All depositories must conform to the Governmental Unit Deposit Protection Act ("GUDPA"), and shall provide a Notification of Eligibility from the State of New Jersey, Department of Banking, on a semi-annual basis. In addition, designated depositories shall maintain maximum FDIC or FSLIC coverage of all City funds on deposit.

B. DEPOSIT OF FUNDS

All funds shall be deposited within forty-eight (48) hours of receipt, in accordance with N.J.S.. 40A: 5-15, into appropriate fund operating accounts. Non-interest bearing operating and capital accounts shall be regularly monitored for the availability of funds for investment. Debt Service and Trust accounts shall be maintained in accordance with Federal and State statutes regulating such funds which represent funds of individuals and other organizations held by the City, shall be deposited in regular non-interest bearing checking accounts unless applicable State statutes direct otherwise, Grant funds shall be deposited in accordance with the regulations of the granting government agency.

C. INVESTMENTS INSTRUMENTS AND PROCEDURES

The following officials shall be covered by surety bonds; said surety bonds to be examined by the independent auditor to insure their proper execution:

Chief Financial Officer
Treasurer
Tax Collector

Staff members of the Department of Finance not covered by separate surety bonds shall be covered by a Public Employee's Faithful Performance Bond.

D. COMPLIANCE

The Cash Management Plan of the City of Bayonne shall be subject to the approval of the City's Director of Law, and shall be subject to the annual audit conducted pursuant to N.J.S. 40A: 5-4.

As stated in N.J.S.40A: 5-14, the official(s) charged wit the custody of City funds shall deposit them as instructed by this Cash Management Plan, and shall thereafter be relieved of any liability or loss due to the insolvency or closing of any depository.

If, at anytime, this Cash Management Plan conflicts with any regulation of the State of New Jersey, or any department thereof, the applicable State regulations shall apply.

A TRUE COPY

Madeline L. Medina
CITY CLERK

C. INVESTMENT INSTRUMENTS AND PROCEDURES

The City may purchase those investments permitted in N.J.S. 40A: 5-15-1 which include;

- United States Treasury Bonds, Notes and Bills
- United States Government Agency and Instrumentality Obligations
- Bonds and other obligations of the City of Bayonne
- Bonds and other obligations of the Bayonne Board of Education
- Commercial Bank Deposits and Certificates of Deposit
- State of New Jersey Cash Management Fund
- Municipal Investors Service Corporation
- First Union Money Manager Investment Program
- Fidelity Treasury AAA Rated Fund
- NJ Asset & Rebate Management Program

The City may purchase other obligations approved by the Division of Investment of the Department of Treasury for investment by local units.

Investments shall be limited to a maturity of not more than one year unless a longer term is permitted by applicable Federal or State regulations Allowable investments with maturates which extend beyond the end of the City's fiscal year shall be permitted only if interest accrued on the investment is credited to the City at the end of the fiscal year for the purpose of realizing budgetary revenue.

The purchase of Certificates of Deposit shall be made based on the availability of funds for investment and the analysis of projected cash flows. Bids for Certificates of Deposit will be solicited of at least three designated depositories only if the amount available for investment is \$100,000 or greater. Telephone bids will be solicited by the Chief Financial Officer and/or the Treasurer, or designated staff member. Bidders shall specify the principal amount, interest rate and maturity of the investment. A check or wire transfer will be made available to the winning bidder on the same business day the bid is awarded.

Where the return on a proposed investment does not exceed the cost of making said investment, the Chief Financial Officer and/or the Treasurer will not make the investment. The Chief Financial Officer and/or the Treasurer shall have the discretion to award an investment to the depository wherein the funds reside, should that institution's quoted interest rate be less than other quoted rates, and the differential in interest rates is not more than twenty-five (25) basis points (0.25%), providing that the term of the investment is thirty (30) days or less. The Chief Financial Officer and/or the Treasurer shall also have the discretion to reject all bids.

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

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

Gull

062

RESOLUTION AUTHORIZING AGREEMENT BETWEEN THE CITY OF BAYONNE AND THE HUDSON COUNTY IMPROVEMENT AUTHORITY FOR SOLID WASTE DISPOSAL SERVICES

Whereas, pursuant to Solid Waste Management Act, NJSA13:1E-1 et seq. commonly known as the Solid Waste Management Plan, solid waste generated and collected by a Municipality is required to be delivered to a materials recovery facility and transfer station; and

Whereas, the Hudson County Improvement Authority in accordance with the Act has the responsibility and oversight in managing the Solid Waste Management Plan of Hudson County in which the City of Bayonne is a participating municipality; and

Whereas, the City of Bayonne is responsible for sharing the costs associated with implementation of the Solid Waste Management Plan pursuant to the ACT; and

Whereas, the total cost for one year effective January 1, 2020 is estimated to not exceed \$4,100,000 for solid waste disposal and tipping fees.

NOW, Therefore be it Resolved, by the Municipal Council of the City of Bayonne that the cost associated pursuant to the Solid Waste Management Plan for the Calendar Year 2020 is estimated not to exceed \$4,100,000 and shall be funded pending the adoption of the CY 2020 temporary budget and the CY 2020 budget in account# 0-01-33-464-0000-029.

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

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

AMENDING AND SUPPLEMENTING THE GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 10, TAXATION AND SPECIAL IMPROVEMENT DISTRICTS.
BE IT ORDAINED, by the Municipal Council of the City of Bayonne, as follows:

Section 1. That Chapter 10, Taxation and Special Improvement Districts, is hereby amended and supplemented as follows (Additions **between asterisks and/or in bold**, deletions ~~{within brackets and/or struck through}~~):

10-1 FIVE-YEAR TAX EXEMPTION

10-1.1 Short Title.

NO CHANGE

10-1.2 Findings; Purpose; Determination.

NO CHANGE

10-1.3 Repeal. All prior ordinances or parts of prior ordinances inconsistent with this Ordinance are hereby repealed as of ~~{December 31, 2014}~~ ****December 31, 2019**** provided however, that exemptions granted or tax agreements entered into under such prior or inconsistent ordinances prior to December 31, 201~~4~~ ****9**** shall remain in effect until their expiration date under those prior Ordinances. Any applications for exemptions allowed under this ordinance which are filed after the December 31, 201~~4~~ ****9**** expiration of the prior Ordinance but prior to the effective date of this Ordinance shall be eligible for approval in accordance with the provisions of this Ordinance notwithstanding that they were filed prior to said effective date.

10-1.4 Definitions.

NO CHANGE

10-1.5 Amendments; Time Period of Applications.

- a. This section may be amended from time to time. An amendment shall not affect any exemption previously granted and in force prior to the amendment.

b. Application for exemption from taxation may be filed pursuant to this section so adopted to take initial effect for 20~~15~~ ****21**** the first full tax year commencing after the tax year in which this section is adopted, and for tax years thereafter as set forth in N.J.S.A. 40A:21-1 et seq. No application for exemption shall be filed for exemptions to take initial effect for the full tax year beginning five (5) years from the date of the passage of this section or any tax year occurring thereafter, unless this section is readopted by the Governing Body pursuant to N.J.S.A. 40A:21-4.

10-1.6 Improvement Exemptions for Newly Constructed or Converted One and Two Unit dwellings.

NO CHANGE

10-1.7 Application Requirements - New Construction of One and Two unit dwellings or Conversions of Non-residential property to residential condominiums or one or two unit dwellings.

NO CHANGE

10-1.8 Exemption Amount.

NO CHANGE

10-1.9 Tax Agreements for Exemptions of Projects involving New Construction of Commercial or Industrial Projects or Multiple Dwellings.

NO CHANGE

10-1.10 Application Contents:

NO CHANGE

10-1.11 Timely Filing of State Exemption Form Also Required. In addition to approval by the municipal council, all 5 year exemption agreements involving the new construction of commercial or industrial projects or multiple dwellings also require, pursuant to N.J.S.A. 40A:21-16, the timely filing of a fully completed form of exemption application as prescribed by the Director of the New Jersey Division of Taxation in the Department of Treasury with the Tax Assessor for the City of Bayonne within thirty (30) days, including Saturdays and Sundays, following the completion of the improvement, conversion or construction. ****With the exception of those applications filed for properties completed, as defined in this ordinance, between December 2, 2019 and the effective date of this Ordinance**, **a** (A)pplications filed more than 30 days after completion as defined in this ordinance shall be denied. **Applications for properties completed, as defined in this ordinance, between December 2, 2019 and the effective date of this ordinance must, however, be filed within 30 days of the effective date of this ordinance. Failing that, said application will be denied.**** Copies of the state form shall be available at the office of the Tax Assessor.

10-1.12 Application Review, Recommendation and Notice.

NO CHANGE

10-1.13 Form of Tax Agreement.

NO CHANGE

10-1.14 Payment in Lieu of Taxes.

NO CHANGE

10-1.15 Execution of Tax Agreement.

NO CHANGE

10-1.16 Distribution of Executed Agreements.

NO CHANGE

10-1.16 Filing of Tax Agreement.

NO CHANGE

10-1.18 Timely Filing of State Exemption Form Required.

NO CHANGE

10-1.19 Duration of Tax Agreement; Failure of conditions, full taxes due, termination.

a. NO CHANGE

10-1.20 Assessed value of property under exemption.

NO CHANGE

10-1.21 Ineligible Property.

NO CHANGE

10-1.22 Applicability of Exemption to Taxes.

NO CHANGE

10-1.23 Notice to Property Owners.

NO CHANGE

10-1.24 Inspection.

NO CHANGE

10-1.25 Severability.

NO CHANGE

10-1.26 Non-Limitation.

NO CHANGE

10-1.27 Municipal reports to DCA, Treasury

NO CHANGE

BE IT RESOLVED, that an ordinance entitled “ AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 10, TAXATION AND SPECIAL IMPROVEMENT DISTRICTS ,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, MARCH 18, 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, Gullace, LaPelusa, Perez and President Nadrowski

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

WHEREAS, the City is in need of an authorized representative to be appointed as the City's Medicare Section 111 Mandatory Insurer Representative; now, therefore, be it

RESOLVED, that Brian Dellabella is hereby appointed as the City's Medicare Section 111 Mandatory Insurer Representative.

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

* * * * *

At 8:05 P.M., Council President Nadrowski motion to adjourn, seconded by Council Member Gullace, which motion was adopted.

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

President – Sharon A. Nadrowski

Clerk – Madelene C. Medina