

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, AUGUST 17, 2022.

The Council met at 7:03 P.M.

The Council President LaPelusa 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 AUGUST 17, 2022, 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 AUGUST 12, 2022."

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 Booker, Carroll, Perez, Weimmer and President LaPelusa.

The Council President led the Pledge of Allegiance.

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01. The Clerk announced:

Hearing of CY2022 Municipal Budget

The CY 2022 Local Municipal Budget, which was approved at a meeting held July 20, 2022, was published in the Jersey Journal and posted on the bulletin board by summary as required by law, with notice that it would be further considered following a public hearing at this meeting of August 17, 2022, is now before the Council for its consideration and a public hearing

Council President LaPelusa moved that second reading be adopted, seconded by Council Member Perez, which motion was adopted.

BE IT RESOLVED, that a second reading shall be given.

Yeas -Council Members Booker, Carroll, Perez, Weimmer and President LaPelusa

The Clerk read the resolution by title, "The CY 2022 Local Municipal Budget"

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

The following persons spoke: Gail Godesky 828 Kennedy Blvd

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

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

Yeas - Council Members Booker, Carroll, Perez, Weimmer and President LaPelusa

Council President LaPelusa moved a resolution introducing the budget amendments, seconded by Council Member Perez, which was read in full by the Clerk and adopted.

WHEREAS, the local municipal budget for the calendar year 2022 was approved on the 20th day of July, 2022, and

WHEREAS, the public hearing on said budget has been held as advertised, and

WHEREAS, it is desired to amend said approved budget, now

THEREFORE BE IT RESOLVED, by the Municipal Council of the City of Bayonne, County of Hudson, that the following amendments to the approved budget of CY 2022 be made:

	FROM	TO
General Revenues		
3. Miscellaneous Revenues		
Section G:		
Reserve for Department of Justice	0.00	8,414.73
Cancellation of Various Reserves	0.00	217,626.92
Total Section G	20,747,949.56	20,973,991.21
Summary of Revenues		
3. Miscellaneous Revenues	6,998,267.00	7,528,380.00
Total Section G: Miscellaneous Revenues	20,747,949.56	20,973,991.21
Total Miscellaneous Revenues	61,685,158.48	61,911,200.13
5. Subtotal General Revenues	64,785,158.48	65,011,200.13
6. Local Tax for Municipal Purpose Including		
Reserve for Uncollected Taxes	83,900,922.66	83,839,394.94
Total Amount to be Raised by Taxes for		
Support of Municipal Budget	95,682,828.13	95,621,300.41
7. Total General Revenue	160,467,986.61	160,632,500.54
8. General Appropriations		
(A) Operations within "CAPS"		
Heath Division S & W	498,000.00	298,000.00
LFRF ARPA Health Division S & W	0.00	200,000.00
Police Uniform S & W	23,300,000.00	19,200,000.00
LFRF ARPA Police Uniform S& W	0.00	4,000,000.00
Police Non-Uniform S & W	3,605,000.00	2,105,000.00
LFRF ARPA Police Non-Uniform S & W	0.00	1,500,000.00
Fire Uniform S & W	19,250,000.00	16,250,000.00
LFRF ARPA Fire Uniform S & W	0.00	3,000,000.00
Streets & Road Maintenances S& W	785,000.00	850,000.00
Buildings & Grounds S& W	775,000.00	475,000.00
LFRF ARPA Buildings & Grounds S& W	0.00	300,000.00
Parks & Playgrounds-Recreation S& W	700,000.00	300,000.00
LFRF ARPA Parks & Playgrounds-Recreation S& W	0.00	400,000.00
Maintenance of Parks S & W	3,600,000.00	2,000,000.00
LFRF ARPA Maintenance of Parks S & W	0.00	1,600,000.00
Solid Waste Disposal (Tipping Fee)	4,000,000.00	4,100,000.00
Total Operations within "CAPS"	96,001,600.00	96,166,600.00
B. Contingent		
Total Operations including Contingent		
Within "CAPS"	96,002,600.00	96,167,600.00
Detail:		
Salaries & Wages	62,545,000.00	62,610,000.00
Other Expenses	33,457,600.00	33,557,600.00
(H-1) Total General Appropriations for		
Municipal Purposes within "CAPS"	113,775,204.00	113,940,204.00
(L) Subtotal General Appropriations	158,892,582.23	159,057,582.23
(M) Reserve for Uncollected Taxes	1,575,404.38	1,574,918.31
Total General Appropriations	160,467,986.61	160,632,500.54
11. Appropriations for Parking Utility		
Operating:		
Salaries & Wages	945,000.00	224,590.58
LFRF ARPA- S & W	0.00	720,409.42

The Council is now ready to give all persons interested in the introduced budget amendments and opportunity the be heard

The following persons spoke: Gail Godesky – 828 Kennedy Blvd.
Mike Regneso – West 23rd Street

BE IT FURTHER RESOLVED, that

1. The foregoing amendments to the CY 2022 Municipal Budget were introduced and read at the meeting held on August 17, 2022; and
2. A public hearing was held at this meeting of August 17, 2022; and
3. The foregoing amendments to the CY2022 Municipal Budget be and the same are hereby incorporated into the said budget.
- 4.

The Council as whole moved to close the hearing on the introduced budget amendments.

Yeas - Council Members Booker, Carroll, Perez, Weimmer and President LaPelusa

Council Member Perez moved to adopt CY2022 Municipal Budget, seconded by Council Member Carroll, which was read by the Clerk and adopted.

WHEREAS, the CY 2022 Local Municipal Budget of the City of Bayonne was approved on July 20, 2022, was published in the Jersey Journal on August 1, 2022, and was posted on the bulletin board as required by law with notice that it would be the subject of a public hearing at this regular meeting of August 17, 2022, and was made available to any member of the public requesting a copy of it during the week preceding and at this public meeting; now, therefore, be it

RESOLVED, by not less than a majority of its full authorized membership, that the Municipal Council of the City of Bayonne hereby determines that the CY 2022 Local Municipal Budget of the City of Bayonne be read by its title.

Yeas-Council Members Booker, Carroll, Perez, Weimmer and President LaPelusa

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02. The Clerk announced:

AN ORDINANCE ENTITLED, “AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK” which was introduced and passed a first reading at a meeting held July 20, 2022 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 August 17, 2022 is now before the Council for its consideration and a public hearing.

Council Member Carroll 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 Booker, Carroll, Perez, Weimmer and President LaPelusa

The Clerk read the resolution by title, “AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK,”

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

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

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

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

Yeas - Council Members Booker, Carroll, Perez, Weimmer and President LaPelusa

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

WHEREAS, an ordinance entitled, “CALENDAR YEAR 2022 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.24),” was introduced and passed a first reading at a meeting held July 20, 2022, 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 August 17, 2022; and

WHEREAS, said ordinance was forwarded to the Division of Local Government Services as required by law; 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-22-23.

Yeas-Council Members Booker, Carroll, Perez, Weimmer and President LaPelusa

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03. The Clerk announced:

AN ORDINANCE ENTITLED, “AN ORDINANCE REFERRING THE REDEVELOPMENT PLAN TO THE PLANNING BOARD FOR CONSISTENCY REVIEW FOR THE REDEVELOPMENT PLAN FOR PROPERTY LOCATED AT 69-73 LEFANTE WAY AND ADOPTING SAID REDEVELOPMENT PLAN, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ,” which was introduced and passed a first reading at a meeting held July 20, 2022 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 August 17, 2022 is now before the Council for its consideration and a public hearing.

Council Member Carroll 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 Booker, Carroll, Perez, Weimmer and President LaPelusa

The Clerk read the resolution by title, AN ORDINANCE REFERRING THE REDEVELOPMENT PLAN TO THE PLANNING BOARD FOR CONSISTENCY REVIEW FOR THE REDEVELOPMENT PLAN FOR PROPERTY LOCATED AT 69-73 LEFANTE WAY AND ADOPTING SAID REDEVELOPMENT PLAN, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ,”

Council President LaPelusa motioned to postpone until 9.21.22, seconded by Council Member Booker.

Yeas - Council Members Booker, Carroll, Perez, Weimmer and President LaPelusa

The following persons spoke: Gail Godesky, 828 Kennedy Blvd
Melissa Godesky Rodriguez, 148 Ave F
Sue Mack, City Planner

Council President LaPelusa motioned to postpone until 9.21.22, seconded by Council Member Booker.

Yeas - Council Members Booker, Carroll, Perez, Weimmer and President LaPelusa

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04. The Clerk announced:

AN ORDINANCE ENTITLED, “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 4, FILMING,” which was introduced and passed a first reading at a meeting held July 20, 2022 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 August 17, 2022 is now before the Council for its consideration and a public hearing.

Council President 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 Booker, Carroll, Perez, Weimmer and President LaPelusa

The Clerk read the resolution by title, “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 4, FILMING,”

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

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

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

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

Yeas - Council Members Booker, Carroll, Perez, Weimmer and President LaPelusa

Council President 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 AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 4, FILMING" was introduced and passed a first reading at a meeting held July 20, 2022, 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 August 17, 2022; 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-22-24.

Yeas-Council Members Booker, Carroll, Perez, Weimmer and President LaPelusa

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05. 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 July 20, 2022 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 August 17, 2022 is now before the Council for its consideration and a public hearing.

Council Member Booker 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 Booker, Carroll, Perez, Weimmer and President LaPelusa

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

The following persons spoke: Mike Regneso- West 23rd Street
Melissa Godesky Rodriguez, 148 Ave F

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

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

Yeas - Council Members Booker, Carroll, Perez, Weimmer and President LaPelusa

Council President 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 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 July 20, 2022, 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 August 17, 2022; 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-22-25

Yeas-Council Members Booker, Carroll, Perez, Weimmer and President LaPelusa

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06. The Clerk announced:

AN ORDINANCE ENTITLED, “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 11 POLICE DEPARTMENT,” which was introduced and passed a first reading at a meeting held July 20, 2022 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 August 17, 2022 is now before the Council for its consideration and a public hearing. **(Adding Section 11-11 Extra Duty Assignments and Details) Public Safety**

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 Booker, Carroll, Perez, Weimmer and President LaPelusa

The Clerk read the resolution by title, “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 11 POLICE DEPARTMENT,”

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

The following persons spoke: Gail Godesky, 828 Kennedy Blvd

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

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

Yeas - Council Members Booker, Carroll, Perez, Weimmer and President LaPelusa

Council Member Carroll 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 AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 11 POLICE DEPARTMENT” was introduced and passed a first reading at a meeting held July 20, 2022, 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 August 17, 2022; 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-22-26

Yeas-Council Members Booker, Carroll, Perez, Weimmer and President LaPelusa

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07. The Clerk announced:

AN ORDINANCE ENTITLED, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 21, HEALTH REGULATIONS," which was introduced and passed a first reading at a meeting held July 20, 2022 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 August 17, 2022 is now before the Council for its consideration and a public hearing.

Council Member Booker 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 Booker, Carroll, Perez, Weimmer and President LaPelusa

The Clerk read the resolution by title, "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 21, HEALTH REGULATIONS,"

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

The following persons spoke: John Baginski, 123 West 15th Street
Gail Godesky, 828 Kennedy Blvd
Mike Regneso, West 23rd Street

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

There was no motions to close the hearing, or ordering for a final passage.

Ordinance failed adoption

Yeas-Council Members Booker, Carroll, Perez, Weimmer and President LaPelusa

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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 July 20, 2022 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 August 17, 2022 is now before the Council for its consideration and a public hearing

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

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

Yeas - Council Members Booker, Carroll, Perez, Weimmer and President LaPelusa

The Clerk read the resolution by title, “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,”

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

The following persons spoke: Tom Solari, 8 West Grand
Gail Godesky, 828 Kennedy Blvd

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

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

Yeas - Council Members Booker, Carroll, Perez, Weimmer and President LaPelusa

Council Member Perez moved a resolution for final passage, seconded by Council Member Weimmer, 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 July 20, 2022, 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 August 17, 2022; 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-22-27.

Yeas-Council Members Booker, Carroll, Perez, Weimmer and President LaPelusa

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09. 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 July 20, 2022 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 August 17, 2022 is now before the Council for its consideration and a public hearing.

Council President 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 Booker, Carroll, Perez, Weimmer and President LaPelusa

The Clerk read the resolution by title, “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7 TRAFFIC,”

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

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

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

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

Yeas - Council Members Booker, Carroll, Perez, Weimmer and President LaPelusa

Council President 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 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 July 20, 2022, 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 August 17, 2022; 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-22-28.

Yeas-Council Members Booker, Carroll, Perez, Weimmer and President LaPelusa

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10. The following members of the public spoke:

GAIL GODESKY...addressed the Council on the matter of the public right act in the public portion of Council Meetings and receiving answers to her concerns and questions.

CHERYL RISCART...addressed the Council on the matter of air quality.

TOM SOLARI...addressed the Council on the issue of the rise of crimes in the City.

MELISSA GODESKY RODRIGUEZ... addressed the Council on the parking issues on Ave F since residents of the new development are not entitled to Residential Parking Permits and on the issue of crime and public safety.

JOE MATUSEK...addressed the Council on the purpose redevelopment project at 7 Oak Street.

TERESA NEWMAN...also addressed the Council on the proposed development at 7 Oak Street.

FRANK MAGLIO...addressed the Council on the issue of the Oak Street Project.

MARY BESTIA...addressed the Council on the issue of Oak Street Project.

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11. Council President LaPelusa introduced:

AN ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING THE EXECUTION OF AN ENCROACHMENT AGREEMENT

WHEREAS, the City of Bayonne, in the County of Hudson, New Jersey (the “City” or “Grantor”), is a public body corporate and politic of the State of New Jersey (the “State”); and

WHEREAS, 957 BROADWAY URBAN RENEWAL, LLC is a limited liability company licensed to do business in the State of New Jersey, having an address of 534 Broadway, Bayonne, NJ 07002 (“Grantee”); and

WHEREAS, Grantee is the owner of the property designated as Block 77, Lot 16.01 on the official tax map of the City of Bayonne and more commonly known as 957-965 Broadway (the “Property”); and

WHEREAS, Grantee has requested that the City permit certain physical encroachments within the public right-of-way adjacent to Grantee's Property facilitate the construction of two vestibules in connection with the ground-floor commercial space located in the existing building on the Property, including the installation of all encroaching improvements to be located with two (2), 2 foot by 8 foot areas on Broadway; and

WHEREAS, the proposed encroachments within the public right-of-way are subject to Municipal Council of the City of Bayonne approval; and

WHEREAS, the City believes that the entry of an Encroachment Agreement over and on the City's Property will allow for a building design that offers improved planning and zoning perspective that will benefit the City and its residents; and

WHEREAS, the Municipal Council of the City of Bayonne agrees that conveyance of the easements to the Redeveloper is necessary, and as such execution and recording of said easements is appropriate.

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

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

Section 2. An Encroachment Agreement between the City of Bayonne and 957 Broadway Urban Renewal, LLC for the benefit of 957 Broadway Urban Renewal, LLC for the purposes set forth herein is hereby authorized.

Section 3. The Mayor or his designee is hereby authorized to execute the Encroachment Agreement on behalf of the City of Bayonne in such a form deemed advisable by the City Attorney or Special Redevelopment Counsel to the City, subject to any and all conditions contained herein, and such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel.

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

Section 5. A copy of this Ordinance and Encroachment Agreement by the City of Bayonne for the benefit of 957 Broadway Urban Renewal, LLC, shall be available for public inspection at the office of the City Clerk during regular business hours.

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

Council President LaPelusa moved a resolution, seconded by Council Member Booker, 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, STATE OF NEW JERSEY APPROVING AN ENCROACHMENT AGREEMENT BETWEEN 957 BROADWAY URBAN RENEWAL, LLC FOR AN ENCROACHMENT OF PROPOSED VESTIBULES ASSOCIATED WITH A RESTAURANT TO BE LOCATED ON BLOCK 77, LOT 16.01," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, September 21, 2022 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 Booker, Carroll, Perez, Weimmer and President LaPelusa.

* * * * *

12. Council Member Booker introduced:

AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 5, ANIMAL CONTROL

SECTION 1: The Revised General Ordinances of the City of Bayonne, Chapter 5, Animal Control, is hereby amended and supplemented by adding ARTICLE VIII, Section 5-27 Trap Neuter and

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

****ARTICLE 8**
Trap-Neuter-Return Program

5-27 Trap and Neuter Program

Purpose.

The purpose of this article is to establish an ordinance to implement a Trap-Neuter-Return (TNR) Program within the City of Bayonne for feral cats. The City believes it is in the best interests of the health, safety, and welfare of the citizens of Bayonne to institute a TNR Program in an effort to reduce the population of feral and stray cats, thus benefitting public health, improving the quality of life for residents and ensuring the humane treatment of said cats.

The City's Third-Party Animal Control Officer along with the City's Health Department shall administer and implement the program set forth in this Article in accordance with applicable guidelines and standards as set forth in state and local statutes. In the event the City does not have a Third-Party Animal Control Officer, the City's appointed Animal Control Officers along with the City's Health Department shall administer and implement the programs set forth in this Article.

5-27.1 Definitions.

For the purpose of this Ordinance, the following terms shall have the meanings set forth in this Article. When not consistent with the context, words used in the present tense include the future, words in the plural number include the singular, words in the singular number include the plural, and words in the male gender include the female gender:

ANIMAL CONTROL OFFICER — Shall mean any person employed or appointed by the City or a third-party entity contracted with the City as an animal control officer who is authorized to investigate violations of laws and regulations concerning animals, and to issue violations in accordance with New Jersey law and this Ordinance.

CAREGIVER — Shall mean any person who provides care, including food, water, shelter or medical care to a feral or stray cat on an uncompensated, voluntary basis and who must act in accordance with this Article and any rules and regulations that may be established by the Municipal Council by resolution.

DOMESTICATED CAT — Shall mean a cat that is socialized to humans and is appropriate as a companion for humans and remains indoors.

EAR MARKED — Shall mean a tagged, notched or tipped left ear as performed by a licensed veterinarian.

ELECTRONIC ANIMAL IDENTIFICATION DEVICE (EAID) — Shall mean an electronic chip inserted into the cat by a veterinarian in accordance with professional medical standards.

FERAL CAT — Shall mean a cat that (i) is born in the wild or is the offspring of an owned or feral cat and is not socialized or (ii) is a formerly owned cat that has been abandoned and is no longer socialized and is not appropriate as a companion for humans indoors.

FERAL CAT COLONY — Shall mean a group of cats that congregate, more or less, together as a unit. Although not every cat in a colony may be feral, any nonferal cats that congregate with a colony shall be deemed to be part of it.

NUISANCE — Shall mean disturbing the peace by (a) habitually or continually howling, crying, screaming or other objectionable noise resulting in serious annoyance to a reasonable person, or (b) the habitual and significant destruction, desecration, littering or soiling of public or private property against the wishes of the owner of the property.

OWNER — Shall mean any person, firm, corporation, partnership, association, trust, estate or any other legal entity.

STRAY OR LOST CAT — Shall mean a cat that is off the property of the owner, is not under the physical control and restraint of the owner, is not regularly provided with food by its owner and/or is temporarily lost.

SUITABLE SHELTER — Shall mean a shelter that provides protection from rain, sun and other elements that is adequate to protect the health of the cat.

TRAP NEUTER RETURN PROGRAM/TNR PROGRAM — Shall mean a program pursuant to which feral and stray cats are trapped, neutered or spayed, vaccinated against rabies and returned to the location where they congregate.

5-27.2 Responsibilities of Owners of Domesticated Cats.

- a. Provide appropriate and adequate food, water, and shelter for their cats, pursuant to N.J.S.A. 4:22-26;
- b. Exercise reasonable care to guard against the cat creating a nuisance;
- c. Not permit a sexually intact (not spayed or neutered) domesticated cat to roam unsupervised; and
- d. Not abandon a domesticated cat, pursuant to N.J.S.A. 4:22-26.

5-27.3 Feral Cat Caregiver Responsibilities:

- a. The City hereby establishes the following feral cat requirements:
 1. Registering the feral cat colony with the City of Bayonne Health Department.
 2. Making reasonable efforts to have all feral cats within their care spayed/neutered and ear-tipped for easy identification. Procedures are to be done by a licensed veterinarian.
 3. Making reasonable efforts to have all feral cats within their care vaccinated against rabies.
 4. Providing the Health Department with a description of each cat in the colony and copies of documents evidencing that the cats have been spayed/neutered and/or vaccinated against rabies.
 5. Obtaining the approval of the owner of any property to which the caregiver requires access in order to provide colony care.
 6. Making reasonable efforts to provide certain necessities to each colony cat under his/her care on a regular/ongoing basis, including, but not limited to, proper nutrition, adequate quantities of visibly clean and fresh water, shelter and medical care as needed. If medical care is unavailable or too expensive, the caregiver must not allow the cat to suffer.
 7. Feeding is permitted during daylight hours only. Food must be offered to cats in a container and shall not be dumped on the ground. Any food remaining after cats have eaten must be removed before dark. Feeding areas must be maintained in a clean and sanitary condition at all times.
 8. Making reasonable efforts to remove young kittens from the colony after they have been weaned and placing said kittens in homes or foster homes for the purpose of subsequent permanent placement/domestication.
 9. Observing the colony cats at least twice per week and keeping a record of and reporting to the Animal Control Officer any illness or unusual behavior noticed in any colony cats.
 10. Reporting biannually, in writing, by June 30 and December 31 of each year to the Health Department on the status of the colony, including (i) data on the number and gender of all cats in the colony, (ii) the number of cats that have died or otherwise ceased being part of the colony during the year, (iii) the number of kittens born to colony cats and their disposition and (iv) the number of cats and kittens placed in permanent homes as companion cats.
- b. Feral cats meeting the requirements of this Article are exempt from any licensing of this Chapter.

- c. An Animal Control Officer shall have the right to remove or authorize the removal of any stray cat or feral cat because of immediate public health or safety concerns.
- d. No feral cat shall be released at any governmentally owned or managed park, natural area, area deemed as environmentally sensitive land or on any easement adjacent to such lands without approval from Animal Control Officer and/or Health Officer and his or her designee.
- e. Healthy colony cats that have been trapped by the City's Animal Control Officer in accordance with this Article shall be considered to be "on the property of the owner," and thus shall not be subject to impoundment. Healthy feral cats shall be immediately returned to the location at which they were found, released to a caregiver or adopted. Prior to being returned to the location at which they were found or released to a caregiver, feral cats shall be spayed/neutered and ear tipped while under anesthesia by a licensed veterinarian and vaccinated against rabies.

Notwithstanding the foregoing, whenever such cat is visibly injured or diseased and appears to be suffering and it reasonably appears that such cat cannot be expeditiously cured and returned to the field, transferred to a humane society or private animal nonprofit organization or placed in foster care, then the City's Animal Control Officer, acting in good faith and upon reasonable belief, may humanely euthanize the cat upon the advice of a licensed veterinarian.

5-27.4 Animal Control Officer's Responsibilities:

- a. Provide training for the cat colony caregivers.
- b. Help resolve any complaints over the conduct of a cat colony caregiver or of the cats within a colony with the assistance of the Health Officer.
- c. Provide a monthly activity report to the Health Department with their monthly invoice which includes (i) the date, times and location of service, (ii) source of cat, (iii) breed of cat, (iv) unique identifying features of cat, (v) detailed summary of the work performed for each service call, (vi) veterinary bills related to any and all service, (vii) photograph of the cat and (viii) any reports or complaints received regarding feral cats.
- d. Maintain all required records and documentation related to the service of feral cats in Bayonne in accordance with state and local laws.

5-27.5 Requirements of Feral Cats.

- a. The left ear of a feral cat that has been spayed or neutered shall be earmarked.
- b. The left ear of a feral cat that has been vaccinated shall be earmarked.
- c. If possible, an electronic animal identification device (EAID) shall be inserted into the feral cat by a licensed veterinarian, in accordance with professional medical standards. The registered caregiver shall be named the contact for purposes of the EAID.

5-27.6 Disposition of Feral Cats.

- a. An Animal Control Officer who has trapped a cat whose left ear has been earmarked or which bears some other distinguishing mark indicating that it belongs to a feral cat colony shall scan for an EAID. If an EAID is found, the Animal Control Officer shall be responsible for contacting the registered caregiver or other person named as owner of the cat.
- b. In event the owner or caregiver is unable to immediately take custody of the cat, an Animal Control Officer shall return the cat to the appropriate colony.
- c. In the event the cat does not have an EAID, the Animal Control Officer shall contact the Health Department in order for the cat to be properly placed in a colony. In the event the cat is a domestic cat, the Animal Control Officer shall arrange for care of the cat until the owner is located and may determine the disposition of said cat in those circumstances in which the domestic cat's

owner cannot be located.

5-27.7 Funding.

- a. The City established a Trap Neuter Release Reserve Account to fund and provide services to offset the costs of trapping, spaying/neutering and vaccinating captured feral cats that can be returned to an appropriate, controlled, protected and registered colony site.
- b. The City may establish a fund to support the TNR Program. Any funds collected shall be given to the Chief Financial Officer and placed in an established fund dedicated to the fulfillment of the TNR Program, as allowed under applicable laws.

5-27.8 Restrictions.

No feral cat colonies shall be permitted to be established in any area designated by state or federal agencies as areas reserved for protected or endangered species of birds.

5-27.9 Enforcement.

The Animal Control Officer shall have the following rights and authority:

- a. The right to seize or remove cats from a colony that have not been vaccinated against rabies and which are demonstrating signs of the disease.
- b. The right to seize or remove a cat from a colony that is creating a nuisance, as defined above, and the caregiver has been given thirty (30) days to remove and relocate the cat and has failed to do so.
- c. The right to seize or remove a colony of cats whenever the caregiver regularly fails to comply with the requirements of this Article and the Animal Control Officer and/or Health Officer and his or her designee has/have not been able to obtain a replacement or substitute caregiver within thirty (30) days of the City's notice and/or violation of the caregiver's failure to comply with this Article.
- d. The right to seize or remove cats from a colony if it is determined that there is a public health threat, including but not limited to, zoonotic diseases, feline FIV or leukemia.
- e. The Health Officer and his or her designee shall have the authority to issue notices and/or violations pursuant to this Article.
- f. The City Council shall have the authority to adopt by resolution further rules and regulations applicable to the TNR Program that are consistent with this Article.

5-27.10 Nuisance Abatement and Resolution.

The requirements of this Chapter 5, Article VIII notwithstanding, the Animal Control Officer and/or the Health Officer and his or her designee may investigate any nuisance complaints.

The City's Animal Control Officer and/or the Health Officer and his or her designee shall investigate an alleged violation of this Article upon the receipt of two (2) written complaints in a form provided by the City of Bayonne, signed by two (2) unrelated City residents living in separate dwellings in the close vicinity of the alleged violation. For the enforcement of this subsection, one (1) of the written complaints may be provided by a person who works for a recognized business or agency that regularly or frequently provides service(s) in the close vicinity of the alleged violation. The written complaints shall specify the address or location of the alleged violation, the nature, time and date(s) of the act, the name and address of the owner or caregiver, if known, and a description of the animal, if known.

Animal Control Officer and/or the Health Officer and his or her designee, upon the receipt of two (2) written complaints as provided for in this Article, may issue a violation to any person, including but not limited to a property owner and/or caregiver, alleged to be in violation of this Article.

5-27.11 Violations and Penalties

Any person who violates any one or more provisions of this Chapter 5, Article VIII, shall upon conviction of a violation, be subject to a minimum fine of \$100 and a maximum fine of \$1,250 for each separate offense. In the case of a continuing violation or violations, a fine of not more than \$1,250 may be assessed for each day that said violation or violations are not corrected or abated. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

SECTION 2: All ordinances or parts of other ordinances in conflict with the provisions of this Ordinance shall, to the extent of the conflict, be, and are hereby repealed, provided that nothing herein shall in any way excuse or prevent prosecution of any previous existing violation of any ordinance superseded hereby.

SECTION 3: Nothing in this Ordinance hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed by this Ordinance, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

SECTION 4: This Ordinance shall be in full force and effect from its passage of publication by the Clerk as provided by law and shall continue in effect and operation until lawfully repealed by the Municipal Council of the City of Bayonne.**

Council Member Booker 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 5, ANIMAL CONTROL” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, August 17, 2022 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 Booker, Carroll, Perez, Weimmer and President LaPelusa.

* * * * *

13. Council President Perez Introduced:

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

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

SECTION 1: The Revised General Ordinances of the City of Bayonne, Chapter 35, Zoning Regulations, Section 35-5 District Regulations, Subsection 5.13, entitled “H-C Highway Commercial/Selected Light Industrial District”, is hereby amended and supplemented as follows (additions **between asterisks and/or in bold**, deletions {within brackets and/or ~~struck through~~):

- a. Permitted uses.
 - 1. No change
 - 2. No change
 - 3. No change
 - 4. No change
 - 5. No change
 - 6. No change
 - 7. No change
 - 8. No change
 - 9. No change

- 10. No change
 - 11. No change
 - 12. Cannabis cultivator, cannabis manufacturer, cannabis retailers and/or cannabis deliverer licensed by the State of New Jersey and the City of Bayonne ****only provided that the properties are located East of the Route 440 Corridor.**** Refer to Chapter 39, Recreational Cannabis.**
- b. No change
 - c. No change
 - d. No change
 - e. No change
 - f. No change

SECTION 2: The Revised General Ordinances of the City of Bayonne, Chapter 35, Zoning Regulations, Section 35-5 District Regulations, Subsection 5.17, entitled “I-H Heavy Industrial District”, is hereby amended and supplemented as follows (additions ****between asterisks and/or in bold****, deletions {within brackets and/or ~~struck through~~):

- a. Permitted uses.
 - 1. No change
 - 2. No change
 - 3. No change
 - 4. No change
 - 5. No change
 - 6. No change
 - 7. No change
 - 8. No change
 - 9. No change
 - 10. No change
 - 11. No change
 - 12. Cannabis cultivator, cannabis manufacturer, cannabis retailers and/or cannabis deliverer licensed by the State of New Jersey and the City of Bayonne****only provided that the properties are located East of the Route 440 Corridor and excluding the following blocks and lots in the I-H as follows:**
 - Block 360, Lots 1 and 2
 - Block 332, Lots 1, 2, 2.01, 3, 4, 5, 6 and 7
 - Block 333.01, Lot 7
 - Block 511, Lots 2, 3, 4, 5 and 6
 - Block 333.03, Lots 1, 2, 3 and 4
 - Block 333.02, Lots 1, 2.01, 3, 4, and 5
 - Block 311.01, Lots 5, 6, 9, 10.01, 11 and 12
 - Block 311.02, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10
 - Block 301.01, Lots 1 and 6
 - Block 301.04, Lot 3
 - Block 301.02, Lots 4.02, 5, 6, 7, 8, 9 and 10.01
 - Block 301.03, Lot 1.02******

Refer to Chapter 39, Recreational Cannabis.

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

Council Member Perez moved a resolution, seconded by Council Member Booker, 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, NEW JERSEY, CHAPTER 35, ZONING REGULATIONS,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, September 21, 2022 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 Booker, Carroll, Perez, Weimmer and President LaPelusa.

* * * * *

14. Council President LaPelusa introduced:

AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, NEW JERSEY, CHAPTER 39, RECREATIONAL CANNABIS.

SECTION 1: The Revised General Ordinances of the City of Bayonne, New Jersey, Amending and Supplementing Chapter 39, Recreational Cannabis, Section 39-2 Preliminary application and review process and administrations fee and support Resolution, is hereby amended and supplemented as follows (additions ****between asterisks and/or in bold****, deletions {within brackets and/or ~~struck through~~):

§ 39-2 Preliminary application and review process and administration fee and support Resolution.

- a. Classification of licenses. The City, subject to land use approval and State licensure, may issue the following municipal licenses to operate the following cannabis establishments or delivery service:

- Class I: Cannabis cultivator license
 - Class II: Cannabis manufacturer license
 - Class V: Cannabis retailer license
 - Class VI: Cannabis delivery license

- b. Maximum number of licenses. The City may issue a maximum of one (1) Class I license, one (1) Class II license, two (2) Class V licenses, and two (2) Class VI licenses. The City adopts license limitations per N.J.A.C. 17:30-6.8.

- c. Location. The City of Bayonne hereby permits a Class I Cultivator, Class II Manufacturer, Class V Retailer and **Class VI Bayonne-based Delivery Service** to operate in the designated H-C (Highway Commercial/Selected Light Industrial District and I-H (Heavy Industrial District) as listed in Chapter 35 of the Revised General Ordinances, Zoning Regulations, Section 5 District Regulations, Subsections 5.13 and 5.17: ****only provided that the properties are located East of the Route 440 Corridor and excluding the following blocks and lots in the I-H as follows:**

- Block 360, Lots 1 and 2
 - Block 332, Lots 1, 2, 2.01, 3, 4, 5, 6, and 7
 - Block 333.01, Lot 7
 - Block 511, Lots 2, 3, 4, 5 and 6
 - Block 333.03, Lots 1, 2, 3, and 4
 - Block 333.02, Lots 1, 2.01, 3, 4, and 5
 - Block 311.01, Lots 5, 6, 9, 10.01, 11 and 12
 - Block 311.02, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10
 - Block 301.01, Lots 1 and 6
 - Block 301.04, Lot 3

Block 301.02, Lots 4.02, 5, 6, 7, 8, 9 and 10.01
Block 301.03, Lot 1.02**

d. Enabling authority. The requirements of this section are subject to the enabling authority of the State of New Jersey and are subject to compliance with all statutes and/or regulations adopted by the State of New Jersey or its instrumentalities. If any provision of this section is inconsistent with the statutes and/or regulations of the State of New Jersey, the state statutes and/or regulations shall govern.

e. Applicant shall not apply for a preliminary license seeking a Resolution of Support without first obtaining a conditional license from the State of New Jersey.

f e. Administrative and municipal preliminary application fees. The a**A**pplicant shall submit all required nonrefundable fees for the preliminary application process and ~~certificate~~ **Letter** of z**Z**oning e**C**ompliance in accordance with the following fee schedule:**.*

~~1. Applicant shall not apply for a preliminary license seeking a Resolution of Support without first obtaining a conditional license from the State of New Jersey.~~

1 ~~2.~~ The preliminary application fee for a Resolution supporting the application for a cannabis license for a cannabis cultivator, cannabis manufacturer, ~~or~~ cannabis retailer **or cannabis deliverer** shall be \$2,500.

~~**2** 3. The preliminary application fee for a Resolution supporting the application for a cannabis delivery service shall be \$1,500.~~

~~**2** 4. The certificate~~ **Letter** of z**Z**oning e**C**ompliance is \$50.00.

g f. Preliminary Application. Person or entity wishing to obtain any classification of cannabis license shall file a preliminary license application with the Review Board[5] on a standardized form available online (link available at the Official City of Bayonne Website). A hearing will be conducted by the Review Board evaluating all a**A**pplicants. An a**A**pplicant shall not be entitled to a hearing by the Board until all documents and application fees are submitted. To be deemed complete, preliminary applications shall adhere to all deadlines and **be** accompanied by the following:

1. All preliminary applications must be submitted ~~by no later than June 17, 2022.~~
in accordance with the application due date indicated on the license application.

~~2. Applicant is required to obtain a certificate of zoning compliance. In order to obtain a certificate of zoning compliance, the applicant shall submit the following proof to the zoning officer that the applicant has or will have lawful possession of the premises proposed for the cannabis establishment, which proof may consist of: a deed, a lease, a real estate contract contingent upon successful licensing, or a binding letter of intent by the owner of the premises indicating an intent to lease the premises to the entrant contingent upon successful licensing and that the location is within in one of the permitted zones. (See Chapter 35 of the Revised General Ordinances, Zoning Regulations, Section 5 District Regulations, Subsections 5.13 and 5.17.).~~

~~**2.~~ Applicant is required to obtain a Letter of Zoning Compliance from the Zoning Officer. In order to obtain a Letter of Zoning Compliance, the Applicant shall submit the following:

- i. Letter to the Zoning Officer stipulating the physical address, block and lot of proposed location and that the location is within one of the permitted zones (See Chapter 35 of the Revised General Ordinances, Zoning Regulations, Section 5 District Regulations, Subsections 5.13 and 5.17)

- ii. Proof to the Zoning Officer that the Applicant has or will have lawful possession of the premises proposed for the cannabis establishment, which proof may consist of: a deed, a lease, a real estate contract contingent upon successful licensing or a binding letter of intent by the owner of the premises indicating an intent to lease the premises to the entrant contingent upon successful licensing.**
3. ~~On July 15, 2022, notices will go out scheduling~~ **Applicants will be notified in writing of** the date and time of the hearings. No rescheduling dates will be provided unless for extraordinary circumstances.
4. The Review Board shall receive and review all preliminary applications for cannabis cultivator, cannabis manufacturer, cannabis retailer and cannabis delivery service ~~and~~ **along with a ** certificate **Letter** of ~~z~~**Z**oning ~~e~~**C**ompliance and **will** conduct hearings with each a**A**pplicant. The Review Board will review, score[,] and provide a recommendation to the Council for a Resolution of Support in accordance with rankings of scores assigned by priority requirements set by the municipality in a highest priority-based system. The Review Board shall either provide a recommendation to the **Municipal** Council for a resolution supporting the a**A**pplicant for a cannabis license or deny the application. ~~Prior to a Review Board hearing, the applicant shall provide the Review Board with a Letter of Zoning Compliance in accordance with paragraph 2 above.~~
5. Preliminary Hearing. The Review Board shall evaluate all a**A**pplicants after consideration and evaluation of the following criteria:
 - i. Applicant's**, ** owners**, ** or principals' qualifications and experience operating in highly regulated industries, including cannabis, healthcare, pharmaceutical manufacturing[,] and retail pharmacies, with preference to experience operating such businesses within the State of New Jersey ~~and where the value of owners' experience shall outweigh the experience of non-owner principals~~ (twenty percent, ~~not to exceed 2,500 words~~);
 - ii. Applicant's qualifications and experience related to public safety and security, including any of the a**A**pplicant's owners' or principals' experience in law enforcement and drug enforcement (~~five~~ **ten** percent, ~~not to exceed 1,000 words~~) [,] and a summary of the a**A**pplicant's plans for storage of products and currency, physical security, video surveillance, security personnel[,] and visitor management (~~five~~ **ten** percent, ~~not to exceed 2,500 words~~);
 - ~~iii. Applicant's or its owners' demonstrated commitment or sufficient experience as responsible employers, defined as the applicant entity being a party to a labor peace agreement or the applicant entity or its parent company being a party to a collective bargaining agreement in the regulated cannabis industry for at least one year prior to application for a Cannabis Establishment license, in an effort to create well-paying jobs with employee benefits in the municipality (twenty percent in total; five points for labor peace, full twenty points for collective bargaining agreement in effect for at least one year);~~
 - (d)**(iii.)** Summary of the a**A**pplicant's environmental impact and sustainability plan (~~four~~ percent, ~~not to exceed 500 words~~); whether the a**A**pplicant entity or its parent company has any recognitions from or registrations with

federal or New Jersey state environmental regulators for innovation in sustainability ~~(three percent)~~; and whether the ~~a**A**~~applicant entity or its parent company holds any certification under international standards demonstrating the ~~a**A**~~applicant has an effective environmental management system or has a designated sustainability officer to conduct internal audits to assess the effective implementation of an environmental management system ~~(three**twenty** percent)~~;

~~(e)~~**(iv.)** Applicant's ties to the host community, demonstrated by at least one shareholder's proof of residency in Bayonne for five or more years in the past ten years or at least one shareholder's continuous ownership of a business based in Bayonne for five or more years in the past ten years ~~(five**ten** percent)~~;

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

~~(g)~~**(vi.)** Applicant's willing commitment to the community and its support for, by example, local cannabis education programs, local employment and jobs training, public safety programs, ~~the Special Improvement District (SID)~~ or other mutually beneficial community investments **(ten percent)[;]**.**

~~(h)~~**(vii.)** Mandatory Requirements.

A. Applicant must demonstrate good character and pass a criminal background check. Applicant is required to produce a fingerprint-based criminal background check performed through the State by way of IdentoGo for all persons proposed to have an ownership interest in the license. No fingerprint-based criminal background check older than 90 days will be accepted;

B. Any ~~a**A**~~applicant having an ownership interest in the license shall not have been disciplined for a violation affecting public safety in the State of New Jersey or a subdivision thereof within the preceding five (5) years;

C. Any ~~a**A**~~applicant having an ownership interest in the license shall not have had any cannabis license or permit revoked for a violation affecting public safety in the State of New Jersey or a subdivision thereof within the preceding five (5) years;

~~(k)~~**D.** Applicant shall submit an affidavit and documentary proof of compliance with all state and local laws regarding affirmative action, anti-discrimination and fair employment practices. The ~~a**A**~~applicant shall also certify under oath that they will not and shall not discriminate based on race, color, religion (creed), gender, gender expression, age, national origin (ancestry), disability, marital status, sexual orientation[;] or military status, in any of its activities or operations~~[; and]~~**.**

~~(l)~~ Applicant's overview plans for security, reduction of noise, water conservation and odor control.

6. If a ~~recommendation for s~~**Resolution of S**upport for either a Class I, Class II, Class V or Class VI License is approved by the City of Bayonne **Municipal** Council, the ~~a**A**~~applicant must then return to the State to finish obtaining a State License.

7. A waiting list shall be kept of the ~~an~~A**pplicants that have gone through the hearing process and ~~were~~ ranked by the Review Board for a period of ~~6 months~~ ~~one year~~ from the date the last Resolution of Support was approved by the City Council. If an ~~an~~A**pplicant that received a Resolution of Support for either a Class I, Class II, Class V or Class VI is denied a State License, the Board will contact the next ~~an~~A**pplicant on the waiting list in order of ranking and determine the ~~an~~A**pplicant's continued interest in obtaining a Resolution of Support from the City of Bayonne. If an ~~an~~A**pplicant continues to express an interest in obtaining a Resolution of Support, the Board will provide a recommendation to the Council for a Resolution of Support as to the next ~~an~~A**pplicant on the waiting list.

§ 39-3. Planning Board.

- a. After the ~~an~~A**pplicant is issued a Class I, Class II, Class V or Class VI State License, ~~the~~A**pplicant shall return to the City of Bayonne to complete the application process for a municipal license. Applicant must submit a Site Plan to the City of Bayonne Planning Board and adhere to all requirements of the Planning Board in addition to all terms and conditions herein set by this Ordinance. (See Chapter 33 Planning and Development Regulations). A Technical Review Committee meeting is required prior to the Planning Board processing your submission. (See Chapter 33-4.10).
- b. Any applications to the Planning Board for ~~either~~ ~~any~~ license shall be accompanied by a license fee, as stated below in this section:
 - ~~1.~~ Cannabis cultivator: \$5,000.
 - ~~2.~~ Cannabis manufacturer: \$10,000.
 - ~~3.~~ Cannabis retailer: \$15,000.
 - ~~4.~~ Cannabis delivery: \$2,500.
- c. All applications to the Planning Board shall be accompanied by an initial escrow deposit of \$7,000 ~~for Planning Board fees in accordance with the Schedule of Fees for Land Use Approval pursuant to Chapter 33-12.3~~ ~~to pay professionals for services rendered during the application process, such as review and preparation of documents, transcripts, review of assets and inspections. If review costs exceed the escrow deposited, the~~ ~~an~~A**pplicant shall pay the additional amount within 15 days of the request for additional funds. Where the review costs are less than the amount of the escrow deposit, the difference shall be returned to the ~~an~~A**pplicant.
- ~~p-~~~~d.~~ The Planning Board shall conduct a hearing with respect to a license application for a cannabis cultivator, cannabis manufacturer, cannabis retailer, cannabis delivery service to issue approval of the site plan in accordance with Chapter 33 Planning and Development Regulations.**
- ~~d.~~~~e.~~ Compliance requirements. A cannabis cultivator, cannabis manufacturer, cannabis retailer and cannabis delivery service established pursuant to this section shall, at all times, operate in complete compliance with the terms and conditions of its license(s) or permit(s) issued by the State of New Jersey, all terms and conditions provided by this Ordinance, ~~any community host agreement~~ and license issued by the City of Bayonne, including conditions imposed by the City of Bayonne Technical Review Committee and Planning Board, and/or conditions set forth in the site plan approvals mandated by this Ordinance~~]~~ and all applicable codes and standards set forth in state codes and the Municipal Code of the City of Bayonne ~~and as follows:~~
 1. The ~~an~~A**pplicant shall submit proof of financial capability to open and operate the cannabis establishment for which the ~~an~~A**pplicant is seeking a municipal license. Standards for proof of financial capability shall be determined by the City of Bayonne's financial advisors which shall produce a determination of financial capacity.

2. In addition to complying with any State requirement related to good character and criminal background, the municipal ~~a~~^{**A}pplicant is required to produce a fingerprint-based criminal background check performed through the State by way of IdentoGo for all persons proposed to have an ownership interest in the license. No fingerprint-based criminal background check older than 90 days will be accepted. Any person proposed to have an ownership interest in the license shall not have had any cannabis license or permit revoked for a violation affecting public safety in the State of New Jersey or a subdivision thereof within the preceding five (5) years.
3. Prior to the operation of any cannabis establishment or delivery service a license must be obtained from the State of New Jersey and from the City of Bayonne for the applicable type(s) of cannabis establishment or delivery service. No cannabis establishment shall be permitted to operate without State and municipal licenses.
4. Permitted uses shall, at all times, comply with the terms and conditions of the licensee's cannabis establishment license or cannabis delivery services for permits or licenses issued by the State of New Jersey and the City of Bayonne.
5. Within the permitted zones in accordance with this Chapter, there shall be a minimum of 1,000 feet between cannabis retailers measured from the primary entrance of each location to the next.
6. Within the permitted zones where the cannabis establishments are located, there shall be a minimum of 1,000 feet between the cannabis establishment and schools, churches, child daycare facilities and public parks and playgrounds.
7. No cannabis establishment or delivery service shall be allowed as a Home Professional Occupation as defined in Chapter 33-2.2 and Chapter 35-4.25.
8. No cannabis establishment shall be housed in a vehicle or any movable or mobile structure.
- ^{**9.} All cannabis establishments and delivery service with regard to the secure transport to and from another cannabis establishment must comply with the requirements of N.J. Admin. Code § 17:30-9.15.^{**}
- ~~e.~~^{**10.} Site plan approval; minimum requirements; performance standards.

~~1.~~^{**i.} Prior site approval. A cannabis cultivator, cannabis manufacturer and cannabis retailer located within the City of Bayonne shall first obtain a ~~certificate~~ ^{**Letter} of ~~zoning~~ ^e^{**C}ompliance from the Bayonne Zoning Officer.

~~2.~~^{**ii.} Building use. A cannabis cultivator, cannabis manufacturer and cannabis retailer shall only be located on the ground floor (i.e., street level) of any building in which it has been approved to be located unless the cannabis cultivator, cannabis manufacturer and cannabis retailer occupies the entire building on the property. Any such cannabis establishment shall be accessible directly from the right-of-way through a separate entrance, independent from any other retail or residential ingress to the building. Only a secured, one-way emergency exit from the establishment may be integrated with common egress.

~~3.~~^{**iii.} Setback requirements. The cannabis cultivator, cannabis manufacturer and cannabis retailer shall comply with all setback or distance requirements established by

the state and/or municipality and in effect at the time of application.

~~4.~~**iv.** Product display and storage. No cannabis products or paraphernalia shall be visible from a public sidewalk, public street or right-of-way~~[;]~~ or any other public place. All cannabis products shall be stored indoors and on-site.

~~5.~~**v.** Delivery vehicles associated with a cannabis delivery service and cannabis retailer shall not be parked on the street overnight.

~~f. Community host agreement. The Cannabis Review Board shall, at its discretion, negotiate a community host agreement with the cannabis cultivator, cannabis manufacturer, cannabis retailer and cannabis delivery service establishing the applicant's willing commitment to the community and its support for, by example, local cannabis education programs, local employment and jobs training, public safety programs, the Special Improvement District (SID) or other mutually beneficial community investments.~~

~~g.~~**11.** Pollen And Seed Control. The cannabis business licensee shall implement measures to prevent cross-pollination and to prevent cannabis pollen and seeds from leaving the premises~~[;]~~ including~~[;]~~ but not limited to, use of pollen screens, ultraviolet light and methods to ensure that employees and other visitors do not leave the premises while carrying any cannabis pollen or seeds.

~~h.~~**12.** Odor. A cannabis cultivator, cannabis manufacturer and cannabis retailer shall have equipment to mitigate cannabis-related odor. The building shall be equipped with a ventilation system with carbon filters sufficient in type and capacity to eliminate cannabis odors emanating from the interior of the premises. The carbon filters are required to be replaced regularly for the best effectiveness to mitigate odor. The ventilation system must be approved by the City of Bayonne Health Department and Building Department and may be subject to periodic inspections.

~~i.~~**13.** Water Use. In addition to satisfying all other City requirements, the ~~a~~**A**pplicant shall provide a water conservation plan~~[;]~~ which describes all water sources and their reuse, with zero waste.

14. Recycle. The Applicant shall provide a sustainable packaging plan that reduces or eliminates the use of single-use plastics and promotes the use of recyclable or green packaging.

~~j.~~**15.** Noise. Outside generators and other mechanical equipment used for any kind of power supply, cooling or ventilation shall be enclosed and have appropriate baffles, mufflers, and/or other noise reduction systems to mitigate noise pollution (See also Chapter 3, Section 1, Noise and Chapter 4, Section 1.14).

~~k.~~**16.** Security. All facilities associated with the sale or dispensing of cannabis, cannabis items and related products or services shall be secured and shall have full-time security protocols. Security protocols shall be submitted to the Bayonne Police Department for compliance review with all safety and security standards established by the State of New Jersey. The Bayonne Police Department may, at its discretion and upon review of the proposed location, recommend or require additional safety and security measures. At minimum, the following shall apply:

~~1.~~**i.** A video recording security system shall be employed covering all areas of the cannabis cultivator, cannabis manufacturer and cannabis retailer and the adjacent exterior of the building with a ~~24/7~~ **24** hours a day 7 days a week recording system that records for a minimum thirty-day archive.

~~2.~~**ii.** The Bayonne Police Department and Zoning Officer shall be provided the name and telephone number of the responsible staff person who could be reached 24 hours a day in case of any suspicious activity or emergency.

3. ****iii.**** Outside areas of the premises shall be well-illuminated for safety and security, but not in a way that is counter to Code requirements for outdoor lighting and screening or obtrusive to ~~pedestrian, drivers or other~~ users of the public right-of-way.
4. ****iv.**** The premises and right-of-way adjacent to the cannabis cultivator, cannabis manufacturer and cannabis retailer shall be monitored by staff of the cannabis establishment and kept free of loitering, litter and other debris~~]~~ ~~and~~ ****v.**** ~~the~~ sidewalks shall be kept in good condition~~],~~ ~~and~~ swept and cleaned on a regular basis. (See also Chapter 17, Sections 17-1, 17-3, 17-14, 17-32 adopting International Property Maintenance Code, Section 302 and Chapter 25, Sections 25-4, 25-5).

****v. Cannabis Delivery Services.**

A. All cannabis delivery vehicles

- (1) Shall be equipped with secure lockboxes or secure cargo area, which shall be used for the sanitary and secure transport of cannabis.
- (2) Shall retain a Global Positioning System (GPS) device for identifying the geographic location of the delivery vehicle, either permanently or temporarily affixed to the delivery vehicle while the delivery vehicle is in operation.
 - (a) The device shall remain active and in the possession of the cannabis delivery service member at all times during transport.
 - (b) At all times, the originating cannabis business and the cannabis delivery service member shall be able to identify the geographic location of all delivery vehicles that are transporting its cannabis items and upon request shall provide that information to the City personnel in charge of enforcement of this Chapter.

B. The cannabis business using a delivery service or the cannabis delivery service member shall retain all information regarding any delivery vehicles, including the vehicle's make, model, color, vehicle identification number, license plate number, vehicle registration and delivery location and, upon request, provide the information to the City personnel in charge of enforcement of this Chapter.

- C. The cannabis delivery service member shall not leave cannabis items in an unattended delivery vehicle unless the vehicle is locked and equipped with an active vehicle alarm system. In no case shall cannabis items be left in a delivery vehicle overnight or outside the operating hours of the cannabis business conducting the transport.
- D. The cannabis delivery service member shall have access to a secure form of communication with the cannabis business, such as a cellular telephone, at all times that the delivery vehicle contains cannabis items.
- E. All transport of cannabis items shall be conducted by a person. A transport of cannabis items shall not be made through the use of an unmanned vehicle, which shall include a drone.
- F. The cannabis delivery service member shall only travel between originating cannabis business premises and the drop off location and shall not deviate from the delivery path described in this subsection, except in the event of emergency, or as necessary for rest, fuel, or vehicle repair stops, or because road conditions make continued use of the route or operation of the vehicle unsafe, impossible, or impracticable.
 - (1) The process of transport begins when the cannabis delivery service member leaves the originating cannabis business premises with the purchase order of cannabis items and ends when the cannabis delivery service member furnishes the cannabis items to the receiving person or business.
- G. Each cannabis business or cannabis delivery service member shall maintain a written or electronic record of each transport of cannabis; for each transport, such record shall include:
 - (1) The date and time that the transport began and ended;
 - (2) The name, license number, and signature of the cannabis delivery service member performing the transport;
 - (3) The weight of the cannabis or cannabis items transported;
 - (4) The batch number of the usable cannabis or the lot number of the cannabis product, the name of the strain/cultivar, and the form of the cannabis product; and

(5) The signature of the cannabis delivery service member of the receiving cannabis business attesting to receipt of the goods.

(6) A cannabis business shall report any vehicle accidents, diversions, losses, or other reportable events that occur during transport to the City personnel in charge of enforcement of this Chapter in accordance with N.J.A.C. 17:30-9.11.**

~~l.~~**17.** Hours **of Operation**. No cannabis retailer may open to customers for business before 10:00 am or remain open to customers for business after 10:00 pm.

~~m.~~**18.** Queuing. Queuing of customers outside a cannabis retailer is prohibited. The cannabis retailer shall have a sufficient waiting area inside the facility to accommodate customers[,] or shall provide a reservation service, phone/text notification service or other alternatives to waiting on the public right-of-way. Loitering is prohibited and shall be managed by the facility.

19. Parking. All Cannabis Establishments shall adhere to City regulations regarding parking. Class I and II Cannabis Establishments shall have one (1) parking space per three (300) square feet of floor area. Class V Cannabis Establishments shall have one (1) parking space for each employee and a minimum of no less than one (1) parking space per three (300) square feet of floor area. All Cannabis Establishments shall have one (1) parking space for a vehicle associated with the business.

~~n. Parking. One parking space shall be provided for each five persons of occupancy load after the first 20 persons rounded to the closest whole number. The requisite number of spaces should be secured from a private or public parking facility not more than five block lengths away. Spaces may be used by staff and/or offered to patrons through validation.~~

20. Signage. All Cannabis Establishments shall adhere to City regulations regarding signage. Cannabis Establishments shall be permitted one (1) sign outside of the premises or vehicle which may not include the following words: “weed,” “pot,” “marijuana,” or “cannabis.” Outside signs shall not depict any image, symbol, logo, shape or any other image of cannabis, cannabis paraphernalia, smoke or anything other conspicuous image or symbol that could be interpreted as cannabis or cannabis product. A cannabis delivery vehicle shall not bear markings, image, symbol, logo, shape or any other image of cannabis, cannabis paraphernalia, smoke or anything other conspicuous image or symbol that would either identify or indicate that the vehicle is used to transport cannabis. Initial signage and any subsequent changes made thereto must be approved by the Planning Board.

~~o.~~**f.**Prohibited uses. Except as expressly permitted by this Chapter, entitled Recreational Cannabis Ordinance, any other activity involved in the cultivation, manufactur[e]**ing**, processing, dispensation**ing**, distribution**ing** and/or sale of cannabis, ~~marijuana~~ (is there a difference between cannabis and marijuana) or cannabis products, are expressly prohibited as land uses or otherwise in the City of Bayonne. **No indoor or outdoor consumption areas are permitted within the City. No outdoor cultivation is permitted within in the City. **

~~p. The Planning Board shall conduct a hearing with respect to a license application for a cannabis cultivator, cannabis manufacturer, cannabis retailer, cannabis delivery service to issue approval of the site plan (See Chapter 33 Planning and Development Regulations).~~

~~q.~~**g.** After receipt of p**P**lanning b**B**oard approval, resolution of approval and resolution compliance, the a**A**pplicant shall obtain permits and comply with all applicable requirements of municipal departments including but not limited to zoning (use permits and sign permits), health, public safety and building in accordance with the Revised General Ordinances of the City of Bayonne.

~~r.~~**h.** After a**an A**pplicant complies with all municipal requirements and obtains all required permits in accordance with paragraph ~~q**g**~~, the ~~zoning officer~~ **City Clerk** shall issue a cannabis establishment or delivery service license.

~~s.~~**i.** An a**A**pplicant shall provide additional clarification and/or supplementation within 10 days after any written request by the Review Board for the same.

t.**j.** The a**A**pplicant shall otherwise comply with any[;] and all qualification standards set forth in the State and City laws or regulations.

u.**k.** Notwithstanding the foregoing competitive application process, a ~~conditional municipal license~~ **Resolution of Support authorized by the Municipal Council** shall entitle the recipient a**A**pplicant to pursue a State permit or license in the appropriate classification for up to 12 months, which may be extended in the ~~(Planning or Review)~~ Board's discretion for an additional 6 months for good cause. No municipal license to operate shall be issue**d** until the a**A**pplicant has received a State license and satisfied other prerequisites of municipal licensure. If the recipient of a ~~conditional license~~ **Resolution of Support** has not received a State permit or license within 12 months from issuance, unless extended for good cause, the Board shall pull an a**A**pplicant from the waiting list based on §39-1.4d.82(g)(7).

§ 39-4. Cannabis Taxation.

- a. It is the purpose of this Section to implement the provision s of P.L., 2021, c**.** 16 which authorizes the governing body of a municipality to adopt an ordinance imposing a tax at a uniform percentage rate not to exceed **two percent** (2%) of the receipt from each sale by a cannabis cultivator; two percent (2%) of the receipts from each sale by a cannabis manufacturer; and two **percent** (2%) of the receipts from a cannabis retailer **and delivery service**, which shall be in addition to any other tax or fee imposed pursuant to statute**, ** ~~or~~ local ordinance or resolution by any governmental entity upon the cannabis establishment.
- b. Unless otherwise defined herein, as used herein, the City adopts by reference the terms and definitions established in Chapter 2**3**9 of this Code and Section 40 of N.J.S.A**. 24:61-33.
- c. There is hereby established a local cannabis transfer tax in the City of Bayonne which shall be fixed at a uniform percentage rate of two percent (2%) of **the** receipts from each sale by a cannabis cultivator and two percent (2%) of the receipts from each sale by a cannabis manufacturer**, retailer and delivery service**.
- d. Any transaction for which the transfer or user tax is imposed[;] or could be imposed[;] pursuant to this section, other than those which generate receipts from retail sales by cannabis retailers, shall be exempt from the tax imposed under the "Sales and Use Tax Act," P.L. 1966, c**. 30 (C.54:32B-1 et seq.).
- e. The cannabis transfer tax shall be in addition to any other tax or fee imposed pursuant to statute**, ** ~~or~~ local ordinance or resolution by any governmental entity upon property or cannabis establishment.

§ 39-5. Collection of Transfer Tax.

- a. The transfer tax or user tax imposed by this article shall be collected**, ** ~~or~~ paid and remitted to **the** City of Bayonne by the cannabis establishment **and/or delivery service** purchasing or receiving the cannabis or cannabis item. The transfer T**t**ax or user T**t**ax shall be stated, charged[;] and shown separately on any sales slip, invoice, receipt[;] or other statement or memorandum of the price paid or payable[;] or equivalent value of the transfer[;] for the cannabis or cannabis item.
- b. Every cannabis establishment **and/or delivery service** required to collect a transfer tax or user tax imposed by **this** ordinance pursuant to this section shall be personally liable for the transfer tax or user tax imposed, collected[;] or required to be collected under this section. Any cannabis establishment **and/or delivery service** shall have the same right with respect to collecting tax or user tax from another cannabis establishment **and delivery service** as if the transferor user tax was part of the purchase price of the cannabis or cannabis item and payable at the same time; ~~provided, however, that the Chief Financial Officer of **the** City of Bayonne shall be joined as a party in any action or proceeding brought to collect the transfer tax.~~

- c. No cannabis establishment ****and/or delivery service**** required to collect a transfer tax or user tax imposed by this section shall advertise or hold out to any person or to the public in general, in any manner directly or indirectly ****, **** that the transfer tax or user tax will not be separately charged ~~and~~ ****or**** stated to another cannabis establishment[.] ****and/or delivery service**** ~~or~~ that the transfer tax or user tax will be refunded to the cannabis establishment ****and/or delivery service****.
- d. All revenues collected from the transfer tax or user tax imposed by ordinance pursuant to this section shall be remitted to ****the**** City of Bayonne Chief Financial Officer on a quarterly basis payable for the prior three month's activities and due at the same time as quarterly dates for the collection of property taxes. The revenues due on February 1 of each year shall include all transfer taxes and user taxes collected for the immediate prior months of October, November and December. The revenues due on May 1 of each year shall include all transfer taxes and user taxes collected for the immediate prior months of January, February and March. The revenues due on ****August**** 1 of each year shall include all transfer taxes and user taxes collected for the immediate prior months of April, May and June. The revenues due on November 1 of each year shall include all transfer taxes and user taxes collected for the immediate prior months of July, August and September.

§ 39-6. Term of license and license renewals.

- a. Any local license issued pursuant to this Chapter shall be valid for a period of ~~three~~ ****one**** (~~3~~ ****1****) years from the date of issuance and shall be renewed ****annually**** in accordance with the provisions of this Chapter.
- b. All licenses shall be renewed as stated below in this section:
 - 1. Cannabis cultivator: \$5,000.
 - 2. Cannabis manufacturer: \$10,000.
 - 3. Cannabis retailer: \$15,000.
 - 4. Cannabis delivery: \$2,500.
- c. Renewal of any license shall be governed by any code amendments, additional restrictions or changes in regulations adopted since the previous license was issued or renewed. Renewal applications will be available on the City of Bayonne website.
- ~~d. Transfer of ownership of any local license or change of location of any license or modification to expand a licensed premise shall be subject to approval by Planning Board with the necessary zoning, health, public safety and/or building approvals.~~
- **d.** Transfer of ownership of any local license shall first require state approval followed by proof from the state that the new owner(s) has all state and Planning Board requirements for ownership of a cannabis establishment and delivery service in the form and manner prescribed by the Planning Board. Transfer of location or modification to expand a license shall require state approval followed approval by the Planning Board and a Letter of Zoning Compliance from the City's Zoning Officer and all necessary zoning, health, public safety and/or building approvals. All transfers must also comply with N.J. Admin. Code § 17:30-9.2 and 9.3******
- e. Except where the Board has received a complete renewal application along with the requisite fees[.] and has issued a license renewal, it shall be unlawful for any person to manufacture, sell, distribute, transfer, transport[.] or otherwise remove cannabis or cannabis products from the premises of any licensee after the expiration date recorded on the face of the license.
- f. Reinvestment of local license fees. Local license fees from cannabis cultivators, cannabis manufacturers****, **** ~~and~~ cannabis retailers ****and cannabis delivery service**** shall be used for public education and/or increased public safety in the area surrounding the dispensary. A separate account shall be established for ****the**** collection and disbursement of said funds

by the Cannabis Review Board with the advice and consent of the **Municipal City** Council **as determined by the Chief Financial Officer**.

§39-7 Disciplinary Actions; Sanctions; Penalties

§39-7.1 Penalty for violation. Any violation of the provisions of this **Chapter** ~~section or the conditions of the zoning and/or building permit granted, health violation, and/or public safety violation inclusive of any agreements or conditions imposed by the Planning Board~~ shall be punishable by a civil fine; minimum fine shall be \$1²,500, maximum fine shall be \$3⁵,000. Each day that a violation is committed, exists or continues shall be deemed a separate and distinct offense. In addition, ongoing or repeat offenses may result in **the** suspension of the certificate of occupancy for a period to be determined by the **Construction Official, Health Officer, Public Safety Director and/or Zoning Officer** in consultation with the ~~Cannabis Review Board~~ **Planning Board** or revocation of the municipal license. All violations will be reported to the State Cannabis Regulatory Commission or other designated state authority. **This Chapter shall be enforced by the Police Department, City Engineer, Construction Official, Health Department, Municipal Official of the City of Bayonne or any of their designated agents or assigns**.

§39-7.2 Suspension of use.

- a. Inactive licenses. If, for any reason, a location occupied by a cannabis cultivator, cannabis manufacturer or cannabis retailer becomes inactive or unoccupied by the approved operator for an uninterrupted period of six months or more, the certificate of occupancy for said premises may be suspended and the **Construction Official** ~~Zoning Officer~~ shall issue a notice of suspension to the operator and to the owner of the property. Any subsequent application for use or occupancy of the premises as a cannabis cultivator, cannabis manufacturer or[,] cannabis retailer including reoccupation by the previous operator, shall be referred to the Cannabis Review Board and the Zoning Officer as a new application.
- b. State license. The ~~Planning Board~~ **City Clerk** may suspend or revoke any license if the corresponding State license or permit for the subject location is expired, surrendered, suspended[,] or revoked.

§39-8. Any and all ordinances or parts thereof in conflict or inconsistencies with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency, it being the legislative intent that all such ordinances or part of ordinances now existing or in effect unless the same are in conflict or inconsistent with any provision of this Ordinance shall remain in effect.

§39-9. The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance[,] but shall remain ~~ing~~ **e** in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

§39-10. This Ordinance shall take effect upon passage and publication as provided by law.

§39-11. This Ordinance shall be a part of the General Ordinances of the City of Bayonne as though codified and fully set forth therein. The City Clerk shall have this Ordinance codified and incorporated in the official copies of the City Code. The City Clerk and the City Attorney are authorized and directed to change any Chapter, Article and/or Section number of the General Ordinances of the City of Bayonne in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repeal of existing provisions not intended to be repealed.

§39-12 Reserved

§39-13 Reserved

Council President 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, NEW

JERSEY, CHAPTER 39, RECREATIONAL CANNABIS,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, September 21, 2022 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 Booker, Carroll, Perez, Weimmer and President LaPelusa.

* * * * *

15. Council Member Perez introduced:

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

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

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

RESTRICTIVE PARKING ZONES
ADD

029. Father Bishoy Khalil, 174 West 19th Street
Newark Bay south side beginning at a point 15 feet East of the Easterly Terminus of the Newark Bay and extending to a point 18 feet easterly thereof

033. Joanne Stiffolino, 25 East 44th Street
North side beginning at a point 320 feet east on the north east corner of Broadway and East 44th Street and extending to a point 16 feet east thereof.

Council Member Perez moved a resolution, seconded by Council Member Weimmer, 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, September 21, 2022 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 Booker, Carroll, Perez, Weimmer and President LaPelusa.

* * * * *

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.

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

* * * * *

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

From SUSAN GARZA filing notice of claim alleging injuries sustained from a fall at the intersection at 18th Street and Avenue C on April 15, 2022.

* * * * *

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

From MARK DERUZE filing notice of claim alleging damage to his automobile resulted from trash cans being tossed by Recycling workers.

* * * * *

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

From OLIVER BROOKS filing notice of claim alleging damage to his automobile when it was struck by a City-owned vehicle on June 20, 2022.

* * * * *

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

From the Superior Court of New Jersey in the matter entitled, “JAMES GUNSHEFSKI, JR. vs. Shadi Saweris, City of Bayonne, Bayonne Police Dept., et als.”

* * * * *

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

From Superior Court of New Jersey in the matter entitled, “DENISE WALKER vs. RG’s Bicycle Shop, Inc. City of Bayonne, et als”

* * * * *

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

From Superior Court of New Jersey in the matter entitled, “MELISSA BARRETT vs. Christine Rodriguez, City of Bayonne, et als.”

* * * * *

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

From the Tax Court of New Jersey in the matter entitled, “S & K ADIMOOLAM vs. the City of Bayonne.”

* * * * *

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

From the Tax Court of New Jersey in the matter entitled, “S & K ADIMOOLAM vs. the City of Bayonne.”

* * * * *

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

From the Tax Court of New Jersey in the matter entitled, “S & K ADIMOOLAM vs. the City of Bayonne.”

* * * * *

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

From the Tax Court of New Jersey in the matter entitled, “S & K ADIMOOLAM vs. the City of Bayonne.”

* * * * *

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

From the Tax Court of New Jersey in the matter entitled, “JOHN & MARYANN, LLC vs. the City of Bayonne.”

* * * * *

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

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

* * * * *

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

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

* * * * *

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

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

* * * * *

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

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

* * * * *

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

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

* * * * *

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

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

* * * * *

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

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

* * * * *

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

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

* * * * *

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

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

* * * * *

37. 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 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, Booker, LaPelusa, Perez and President LaPelusa.

* * * * *

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



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



James M. Davis, Mayor

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

BID REPORT
FOR THE MUNICIPAL COUNCIL

Date: 08/15/22 Ad Date: 07/26/22 Resolution #22-03-16-087
Date bids accepted: 08/11/22 Attending: Amy Dellabella, Purchasing Agent
Evan Jacobs, Matrix Engineering, Jessica Connors, Esq.
Bid titled: PENINSULA AT BAYONNE HARBOR-PORT ACCEESS ROAD

Bidders:	BASE BID
UNION PAVING AND CONSTRUCTION CO. INC. 1140 GLOBE AVENUE MOUNTAINSIDE, NJ 07092	\$3,700,549.81
KYLE CONTI CONSTRUCTION, LLC. 749 CLAWSON AVENUE HILLSBOROUGH, NJ 08844	\$4,040,040.00

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

Respectfully submitted,

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

Cc: John F Coffey II, Corporation Counsel
Sue Mack, PP

* * * * *

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

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P.O. Type: All		Include Project Line Items: Yes		Open: N	Paid: N	Void: N
Range: First	to Last			Rcvd: N	Held: N	Aprv: Y
Format: Condensed		First Enc Date Range: First	to 12/31/22	Bid: Y	State: Y	Other: Y Exempt: Y
Vendors: All		Include Non-Budgeted: Y				
Rcvd Batch Id Range: First		to Last				
Vendor #	Name					
PO #	PO Date	Description	Status	Amount	Void Amount	Contract PO Type
ABCSA005	ABC SAFETY & FIRE INC.					
22-02445	06/16/22	INSPECTION SUPPRESSION SYSTEM	Open	172.50	0.00	
ABDEL015	MARWAN ABDEL-RAHMAN					
22-02701	08/11/22		Open	460.00	0.00	
ABDEL020	SHOKRY ABDELSAYED ESQ.					
22-02704	07/19/22	Public Defnd/Intptr Jun-Jul'22	Open	900.00	0.00	
ACANO005	A CANOE TO YOU					
22-02660	08/10/22	Kayak Event 09/24/22	Open	2,400.00	0.00	
ACTION005	ACTION INTERPRETING LLC					
22-02366	06/30/22	Hatian-Creole Interpreting	Open	240.00	0.00	
22-02682	05/31/22	Greek Interpretor 05/25/22	Open	360.00	0.00	
22-02738	05/29/22	Spanish Intptn 05/04/22	Open	200.00	0.00	
				800.00		
AGLIN005	AGL INHALATION THERAPY INC.					
22-02633	07/31/22	OXYGEN Jul'22	Open	173.72	0.00	
AGLWE005	AGL WELDING SUPPLY					
22-02557	08/01/22	chemicals & Gas	Open	925.00	0.00	
ALDIS005	A & L DISPOSAL, LLC					
22-00484	02/10/22	RECYCLING COLLECTION SERVICES	Open	97,862.33	0.00	B
22-00485	02/10/22	SOLID WASTE COLLECTION SERVICE	Open	144,010.41	0.00	B
				241,872.74		
ALPHA005	ALPHA DOG SOLUTIONS, INC					
22-00272	01/26/22	WEBSITE MAINTENANCE SERVICES	Open	4,500.00	0.00	B
AMADE010	PETE AMADEO					
22-02590	08/02/22	'22 Buddy Basebl Pakring Reimb	Open	976.50	0.00	
22-02650	08/05/22	Reimb. Campers Pool Wrist Band	Open	38.34	0.00	
22-02654	08/08/22	Reimb. Summer Sounds Beach Bal	Open	138.50	0.00	
				1,153.34		
AMANJ005	AMANJ EDUCATION FUND					
22-02471	06/13/22	M.Henessey '22 AMANJ Conf. Reg	Open	425.00	0.00	
AMAZO005	AMAZON.COM					
22-02293	08/01/22	BATTERIES FOR DRONE	Open	318.81	0.00	
22-02370	08/02/22	SD CARD	Open	27.71	0.00	
22-02434	07/13/22	Amazon Office Supplies	Open	797.06	0.00	
22-02456	07/20/22	Desk Calendar, Binders	Open	106.30	0.00	

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Vendor #	Name		Status	Amount	Void Amount	Contract	PO Type
PO #	PO Date	Description					
AMAZ005	AMAZON.COM	Continued					
22-02538	08/02/22	Amazon Janitorial Supplies	Open	493.72	0.00		
				1,743.60			
APPLI005	APPLICARE, INC.						
22-02443	07/15/22	OVEN REPAIR STATION #5	Open	618.30	0.00		
APPRO005	APPROVED FIRE PROTECTION						
22-02493	05/20/22	Annual FireExtinguisher Inspec	Open	684.42	0.00		
APRUZ005	APRUZZESE, MCDERMOTT, MASTRO,						
22-00319	01/28/22	SPECIAL LABOR ATTORNEY SERVICE	Open	240.25	0.00		B
ARAMA005	ARAMARK UNIFORM SERVICES						
22-00325	01/28/22	DPW UNIFORM RENTAL SERVICES	Open	1,688.23	0.00		B
ATTMO005	AT&T MOBILITY						
22-02446	07/05/22	Acct 287305312118 Jun-Jul'22	Open	38.24	0.00		
BAKER015	BAKER & TAYLOR						
22-02568	07/11/22	BOOKS AND PUBLICATIONS	Open	1,118.42	0.00		
22-02569	07/06/22	BOOKS AND PUBLICATIONS	Open	1,040.03	0.00		
22-02570	07/12/22	BOOKS AND PUBLICATIONS	Open	889.34	0.00		
22-02666	08/01/22	BOOKS AND PUBLICATIONS	Open	209.52	0.00		
				3,257.31			
BATTE025	INTERSTATE BATTERY						
22-02687	08/10/22	BATTERIES	Open	783.90	0.00		
BAYON080	BAYONNE EXTERMINATING CO.						
22-02593	07/15/22	Pest Control Jul'22	Open	139.10	0.00		
BAYON280	BAYONNE POOL CENTER						
22-02375	07/12/22	Pool Supplies	Open	140.00	0.00		
BAYON365	BAYONNE ECONOMIC OPPORTUNITY F						
CD-10399	08/11/21	GY22 Fair Housing Program	Open	4,999.27	0.00		B
CD-10401	08/11/21	GY22 Sr. Transportation S&W	Open	1,732.00	0.00		B
CD-10402	08/11/21	GY22 Sr. Transportation Ins.	Open	367.43	0.00		B
CD-10415	11/10/21	CY22 CDBG Admin & Planning	Open	18,333.33	0.00		B
				25,432.03			
BAYON450	BAYONNE CELL SHOP, LLC						
22-02605	08/01/22	Court Camera Installations	Open	900.00	0.00		
BAYON540	BAYONNE YOUTH CENTER OR						
CD-10422	08/10/22	CDBG Rehabilitation	Open	61,875.00	0.00		B
BESTM010	BEST MAIDS NJ LLC						
22-02644	07/29/22	WKL CLEANG TRAFFIC UNT Jul'22	Open	1,400.00	0.00		
BILLY005	BILLY CONTRACTING & RESTORATIO						
CD-10423	08/10/22	CDBG Rehabilitation - HVACS	Open	560,000.00	0.00		B

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
BISCH005	SUSAN BISCHOFF								
	22-02585	02/25/22	Shrthd	PB/ZB Feb-Mar'22	Open	1,200.00	0.00		
	22-02586	06/01/22	Shrthd	ZB/PB May'22	Open	900.00	0.00		
	22-02587	06/16/22	Shrthd	PB 06/14/22	Open	300.00	0.00		
						2,400.00			
BLACK040	BLACKSTONE AUDIOBOOKS INC								
	22-02573	07/20/22	BOOKS AND PUBLICATIONS		Open	569.00	0.00		
	22-02665	08/04/22	BOOKS AND PUBLICATIONS		Open	279.78	0.00		
						848.78			
BSNSP005	BSN SPORTS INC								
	22-02635	04/12/22	Buddy Baseball	Batting Tees	Open	290.00	0.00		
	22-02636	04/01/22	Special Needs	Game Room	Open	199.00	0.00		
						489.00			
CABLE020	CABLEVISION								
	22-02452	07/16/22	Acct 07804030551014	Jul-Aug'22	Open	194.98	0.00		
	22-02453	07/16/22	Acct 07804031398019	Jul-Aug'22	Open	224.94	0.00		
	22-02454	07/16/22	Acct 07804032015018	Jul-Aug'22	Open	104.10	0.00		
	22-02460	07/16/22	Acct 07804033378019	Jun-Jul'22	Open	134.94	0.00		
	22-02461	07/16/22	Acct 07804033540014	Jun-Jul'22	Open	8.33	0.00		
	22-02462	07/16/22	Acct 07804035999011	Jun-Jul'22	Open	139.88	0.00		
	22-02463	07/16/22	Acct 07804036575026	Jun-Jul'22	Open	40.12	0.00		
	22-02464	07/16/22	Acct 07804038553012	Jun-Jul'22	Open	70.28	0.00		
	22-02465	07/16/22	Acct 07804039775011	Jun-Jul'22	Open	286.23	0.00		
	22-02688	08/01/22	Acct 07804026567017	Aug'22	Open	24.36	0.00		
	22-02689	08/01/22	Acct 07804026685017	Aug'22	Open	108.28	0.00		
	22-02690	08/01/22	Acct 07804031452021	Aug'22	Open	27.12	0.00		
	22-02691	08/01/22	Acct 07804031865018	Aug'22	Open	33.31	0.00		
	22-02692	08/01/22	Acct 07804031897011	Aug'22	Open	11.45	0.00		
	22-02693	08/01/22	Acct 078047034590036	Aug'22	Open	163.18	0.00		
	22-02694	08/01/22	Acct 07804036907071	Aug'22	Open	81.68	0.00		
	22-02695	08/01/22	Acct 07804039171011	Aug'22	Open	103.17	0.00		
	22-02696	08/01/22	Acct 07804039744016	Aug'22	Open	141.11	0.00		
	22-02700	08/01/22	Acct 07804037621026	Aug'22	Open	299.70	0.00		
						2,197.16			
CABLE030	CABLEVISION								
	22-02697	08/01/22	Acct 50851	Aug'22	Open	3,480.01	0.00		
	22-02698	08/01/22	Acct 52459	Aug'22	Open	3,468.45	0.00		
						6,948.46			
CAMPB015	CAMPBELL SUPPLY CO. INC.								
	22-00326	01/28/22	AUTO PARTS AND VM SUPPLIES		Open	29.16	0.00		B
CAMP1005	RICHARD CAMPISANO								
	22-00261	01/26/22	PLANNING BOARD LEGAL SERVICES		Open	2,345.00	0.00		B
	22-00262	01/26/22	ZONING BOARD LEGAL SERVICES		Open	1,100.00	0.00		B
	DE-10072	01/14/22	CY22 Developers Escrow Billing		Open	945.00	0.00		
						4,390.00			

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CDWGO005	CDW GOVERNMENT	22-02433	07/26/22	TABLET CASE/ APPLE CABLE	Open	242.79	0.00		
CENTR025	CENTRAL PAINT	22-02516	07/14/22	Council Offices	Open	419.87	0.00		
CERTI005	CERTIFIED PRODUCTS	22-02566	06/30/22	Fire #103 - Repair Parts	Open	440.50	0.00		
CHURC015	CHURCH WORLD SERVICE	CD-10408	09/13/21	GY22 Employment Coaching	Open	423.70	0.00		B
CITYF005	CITY FIRE EQUIPMENT CO. INC.	22-02559	07/08/22	Fire Extinguisher Inspection	Open	2,490.45	0.00		
CITYO035	CITY OF BAYONNE	DE-10074	01/14/22	CY22 Developers Escrow Billing	Open	130.30	0.00		
CIVIL005	CIVIL SOLUTIONS	22-00264	01/26/22	TAX MAPS ENGINEERING SERVICES	Open	735.00	0.00		B
CMEAS005	CME ASSOCIATES	22-00267	01/26/22	IN-HOUSE ENGINEERING SERVICES	Open	75,583.00	0.00		B
		DE-10071	01/14/22	CY22 Developers Escrow Billing	Open	65,944.50	0.00		
						141,527.50			
COLLC005	IMPERIAL BAG & PAPER CO., LLC	22-00324	01/28/22	JANITORIAL & BUILDING SUPPLIES	Open	1,013.02	0.00		B
		22-02523	08/02/22	1810 - Roll Hand Towels	Open	514.18	0.00		
						1,527.20			
CONTI010	CONTINENTAL TRADING & HARDWARE	22-02567	06/30/22	Chains & Misc DPW Supplies	Open	365.88	0.00		
CREAT005	CREATIVE EDGE	22-02447	07/18/22	LawnSigns-Become a Firefighter	Open	296.00	0.00		
CRYST005	CRYSTAL CLEAR VIDEO PRODUCTION	22-02736	08/11/22	F.D RECRUITMENT VIDEO	Open	400.00	0.00		
CUSTO005	CUSTOM BANDAG INC.	22-01124	03/31/22	STOCK TIRES FOR CITY VEHICLES	Open	1,667.89	0.00		B
DAGENCON	D&A General Construction LLC	22-02601	08/05/22	Cash Bond Street Open Release	Open	1,500.00	0.00		
DAVEB005	DAVE & BUSTER'S OF NY INC.	22-02616	08/02/22	'22 Horace Mann Camp Ezent	Open	2,380.52	0.00		
		22-02632	08/03/22	Ability Day Program Trip	Open	952.21	0.00		
						3,332.73			
DEMCO005	DEMCO, INC.	22-01590	06/03/22	MATERIALS AND SUPPLIES	Open	582.61	0.00		

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
DILLI005	DILLIN TIRE CO.	22-02556	06/30/22	Scrap Tires & Repairs	Open	516.00	0.00		
DOLAN010	DOLAN CONSULTING GROUP LLC	22-02597	04/12/22	PTSD & SUICIDE PREV. COURSE	Open	95.00	0.00		
DONNA020	DONNA MAUER	22-02548	08/03/22	Reimb. for OOP Expenses	Open	90.00	0.00		
DONOH005	DONOHUE, GIRONDA & DORIA	22-00270	01/26/22	PROFESSIONAL AUDIT SERVICES	Open	47,184.00	0.00		B
DRIND005	D & R INDUSTRIAL SAW	22-02515	07/26/22	Tools	Open	1,440.00	0.00		
DURAB005	DURABLE RECYCLING LLC	22-02610	06/23/22	Dirt, Concrete & Asphalt Jun22	Open	167.60	0.00		
EATON005	EATON CORP.	22-02546	08/02/22	BATTERY BACKUP SYSTEM	Open	7,036.00	0.00		
EJWAR010	EJ WARD	22-02104	07/27/22	KEY FOBs 1434	Open	658.68	0.00		
ELDER005	ELDERHORST BELLS INC.	22-02550	07/19/22	City Hall Clock	Open	500.00	0.00		
ERINL005	ERIN LYNN KACHMAR	22-02669	08/07/22	Youth Art Classes Jul-Aug'22	Open	320.00	0.00		
EZPAS010	EZ PASS	22-02685	08/10/22	REPLENISH ACCT# 1000000006592	Open	1,000.00	0.00		
FANWO005	FANWOOD CRUSHED STONE CO.	22-02560	06/30/22	H.P.M. Green Jun'22	Open	480.00	0.00		
FLEXF005	FLEXFACTS	22-02542	08/01/22	FSA Monthly Jul'22	Open	252.00	0.00		
FSTIR005	F & S TIRE CORP.INC.	22-02564	07/06/22	Tires	Open	1,056.17	0.00		
FUNEX005	FUN EXPRESS, LLC.	22-02574	07/11/22	MATERIALS AND SUPPLIES	Open	168.38	0.00		
FUNSE005	FUN SERVICES	22-02506	07/25/22	SIDEWALK SALE 2022 GIANT SLIDE	Open	1,375.00	0.00		
		22-02507	07/25/22	SIDEWALK SALE 2022 GIANT SLIDE	Open	1,375.00	0.00		
		22-02648	08/05/22	Camp Extravaganza 08/09 16th s	Open	11,750.00	0.00		
		22-02649	07/01/22	Summer Camps Opening Day 16th	Open	5,025.00	0.00		
						19,525.00			

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
GABRI010	GABRIELLI KENWORTH OF NJ LLC	22-02565	07/07/22	PW Stock Repair Parts	Open	324.72	0.00		
GARDE045	GARDEN STATE FIREWORKS	22-02653	08/04/22	Jul 1 (4) 2022 Fireworks	Open	15,000.00	0.00		
GARDE060	GARDEN STATE LABORATORIES INC	22-02652	01/31/22	Alalutcl Svcs Muni Pool	Open	2,595.00	0.00		
GENER040	GENERAL PLUMBING SUPPLY	22-02629	05/10/22	11th Street Bathroom	Open	65.31	0.00		
GHBPRODU	GHB Productions, Inc.	22-02625	08/09/22		Open	500.00	0.00		
GLENCO05	GLENCO SUPPLY INC.	22-02398	07/26/22	Sign Material	Open	2,486.00	0.00		
GOLDS005	GOLD'S CAR WASH, INC.	22-02607	06/30/22	Car Washes DPW Jun'22	Open	61.00	0.00		
GRAIN005	GRAINGER	22-00323	01/28/22	JANITORIAL & BUILDING SUPPLIES	Open	3,617.53	0.00		B
		22-02459	07/27/22	TOWELS FOR FIRE DEPT.	Open	1,161.10	0.00		
						4,778.63			
GREIN005	ARCHER & GREINER	22-00275	01/26/22	BOND COUNSEL LEGAL SERVICES	Open	19,271.50	0.00		B
HERBE005	HERBERT'S ARMY & NAVY STORE	22-02655	07/30/22	PEO Uniforms	Open	409.91	0.00		
HORIZ010	HORIZON ENTERTAINMENT & ATTRAC	22-02647	08/01/22	Camp Extravaganza Rides	Open	1,800.00	0.00		
HUDSO120	HUDSON REGIONAL HEALTH COM	22-00531	02/11/22	Lead Abatement Investigations	Open	600.00	0.00		B
HUDSO125	HUDSON COUNTY REGISTER	CD-10389	03/15/21	Discharge of Mortgage	Open	13.00	0.00		
HUMME005	STEVEN R. HUMMELL, ESQ	22-02615	07/20/22	Prosecuter Services Jul'22	Open	2,100.00	0.00		
IHARP005	I. HALPER PAPER & SUPPLIES, INC	22-02489	07/18/22	JANITORIAL SUPPLIES	Open	601.20	0.00		
		22-02684	08/09/22	JANITORIAL SUPPLIES	Open	468.60	0.00		
						1,069.80			
INLIN005	IN-LINE AIR CONDITIONING	22-00487	02/10/22	HVAC MAINTENANCE SERVICES	Open	8,118.09	0.00		B

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
INTEG015	INTEGRATED MICRO SYSTEMS	22-00318	01/28/22	TECHNOLOGY SUPPORT SERVICES	Open	3,190.00	0.00		B
INTER090	Interstate Waste Services	22-02611	07/31/22	Demo Scale Rcycling Jul'22	Open	302.07	0.00		
INVES015	INVESTMENT TITLE LLC	CD-10333	03/15/20	Search Invoice	Open	315.00	0.00		
JANWA005	JANWAY COMPANY	22-02571	07/20/22	MATERIALS AND SUPPLIES	Open	312.68	0.00		
JASPE005	JASPER ENGINES & TRANSMISSION	22-02498	07/26/22	COMPLETE ENGINE UNIT 98	Open	4,212.00	0.00		
JERRY015	JERRY LEMISZEWSKI	22-02440	07/15/22	MATERIALS FOR MARINE-1	Open	146.42	0.00		
JERSE060	JERSEY JOURNAL	22-02661	07/14/22	NEW RECRUIT FLYER	Open	633.00	0.00		
		22-02681	07/25/22	AUGUST 2ND. 2022 AUCTION	Open	159.10	0.00		
		DE-10073	01/14/22	CY22 Developer Escrow Billing	Open	59.00	0.00		
						851.10			
JERSE095	JERSEY LIMO INC	22-02401	07/11/22	Emergency Trans Vanessa DeLeon	Open	29.83	0.00		
JJPRI005	J&J PRINTING CO.	22-02185	07/17/22	HOT LINE TIP CARDS	Open	345.00	0.00		
		22-02232	07/17/22	FILE GA CARD	Open	150.00	0.00		
		22-02254	07/17/22	TO AND FROM ENVELOPES	Open	195.00	0.00		
		22-02436	07/17/22	Business Cards Mayor Davis etc	Open	205.00	0.00		
		22-02455	07/17/22	Business Cards A. Gonzales	Open	70.00	0.00		
		22-02491	07/17/22	ENVELOPES/HANG TAGS	Open	875.00	0.00		
						1,840.00			
JOHNJ005	JOHN JOSEPH HLADIK	22-02659	08/08/22	Reimb. Camp Prizes	Open	213.19	0.00		
KATIE005	KATIE FRANK	22-02740	08/12/22	Camp Director Reimbursements	Open	183.49	0.00		
LABCO005	LABCORP OF AMERICA HOLDING	22-02641	07/30/22	BLOOD WORK SEAN NALLY	Open	55.00	0.00		
LAWSO005	LAWSON PRODUCTS INC.	22-02609	07/27/22	Various Repair Parts	Open	1,314.44	0.00		
LEAHM005	LEAH M. JESSEN	22-02739	08/12/22	Camp Director Reimbursements	Open	317.49	0.00		
LIBRA025	LIBRARY LINK NJ	22-02575	07/18/22	Delivery Cost Share Stops	Open	831.82	0.00		

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LINDE005	KENNETH J. LINDENFELSER	22-02501	07/25/22	Judge Services 07/25/22	Open	300.00	0.00		
LINDE015	LINDE GAS & EQUIPMENT INC.	22-02608	07/22/22	Chemicals & Gases Jul'22	Open	57.83	0.00		
LOWES005	LOWES	22-02450	07/21/22	SUPPLIES FOR STATION #3	Open	33.61	0.00		
		22-02517	07/18/22	Council Offices	Open	567.23	0.00		
		22-02518	07/18/22	Bathroom Tiles	Open	316.31	0.00		
		22-02519	07/18/22	57th St Firehouse	Open	566.67	0.00		
		22-02520	07/20/22	57th Street Firehouse	Open	469.68	0.00		
		22-02521	07/20/22	10" Tile Blade	Open	139.73	0.00		
		22-02549	07/25/22	Paint - Council Office	Open	265.88	0.00		
		22-02588	07/28/22	MATERIALS AND SUPPLIES	Open	539.54	0.00		
		22-02613	04/11/22	Supplies	Open	161.90	0.00		
						3,060.55			
MAGLOC005	MAGLOCLEN	22-02495	07/19/22	MEMBERSHIP USER FEE 2022-2023	Open	400.00	0.00		
MANLE005	PETE MANLEY	22-02430	07/28/22	ST#7 WASHING/DRYER HOOKUP	Open	2,900.00	0.00		
MCAA0010	M.C.A.A. C/O ERIN SERFASS	22-02437	05/05/22	Monmouth Conference Registrati	Open	250.00	0.00		
MCMAN005	MCMANIMON, SCOTLAND & BAUMANN,	22-02040	06/21/22	REDEV/LAND USE LEGAL SERVICES	Open	6,084.37	0.00		B
MICHA055	MICHAEL CALAFATI ARCHITECT,LLC	22-02591	08/01/22	Preservation Plan for Museum	Open	7,845.50	0.00		
MIDWE010	MIDWEST TAPE	22-02572	07/15/22	BOOKS AND PUBLICATIONS	Open	140.67	0.00		
		22-02667	08/02/22	BOOKS AND PUBLICATIONS	Open	23.24	0.00		
						163.91			
MILLE020	MILLENNIUM STRATEGIES LLC	22-00278	01/26/22	GRANT WRITING / MGMT SERVICES	Open	5,500.00	0.00		B
MRMIL005	M & R MILLER AUTO GEAR	22-00314	01/27/22	AUTO PARTS AND VM SUPPLIES	Open	2,916.71	0.00		B
		22-02490	07/20/22	PUMP	Open	43.78	0.00		
						2,960.49			
NAPAA005	NAPA AUTO PARTS	22-00322	01/28/22	AUTO PARTS & SUPPLIES FOR VM	Open	2,098.06	0.00		B
NEVIT005	ROBERT L. NEVITH	22-02639	08/05/22	Reimb. Football Equipment	Open	375.15	0.00		

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NEWEG005	NEWEGG BUSINESS								
		22-02028	06/21/22	Laptop w/Accessories	Open	1,970.90	0.00		
		22-02179	06/28/22	MISC	Open	516.74	0.00		
						2,487.64			
NEWJE220	NEW JERSEY STATE BAR ASSOC.								
		22-02604	07/20/22	ON147722-DWI UPDATE 2022	Open	275.00	0.00		
NEWJE235	NEW JERSEY DOOR WORKS LLC								
		22-00815	03/08/22	MAINTENANCE OF BUILDING DOORS	Open	455.00	0.00		B
NEWSP005	NEWSPAPER MEDIA GROUP, LLC								
		22-02503	02/10/22	Valentines AD 2/10/2022	Open	423.00	0.00		
		22-02508	03/31/22	EARTH DAY AD 2022	Open	423.00	0.00		
		22-02509	04/28/22	MOTHERS DAY AD 2022	Open	423.00	0.00		
		22-02510	04/28/22	BAYONNE MAG 2022	Open	1,790.00	0.00		
						3,059.00			
NJADV005	NJ ADVANCE MEDIA								
		DE-10075	05/11/22	CY22 Developers Escrow Billing	Open	137.97	0.00		
NJHUM005	NJ HUMANE SOCIETY, LLC								
		22-01123	03/31/22	ANIMAL CONTROL OFFICER/SHELTER	Open	6,765.48	0.00		B
NWFIN005	NW FINANCIAL GROUP, LLC								
		22-01058	03/25/22	Financial Advisory Svs.General	Open	3,340.00	0.00		B
OCLCF005	OCLC Inc.								
		22-02594	08/01/22	Cataloging & Metadata Aug'22	Open	1,558.62	0.00		
ONLOC005	ON-LOCATION EMERGENCY SERVICES								
		22-02683	04/21/22	EMT RECERTIFICATION	Open	300.00	0.00		
OTERO005	NYDIA OTERO								
		22-02367	07/06/22	Spanish Intrptns 07/06/22	Open	270.00	0.00		
		22-02492	07/13/22	Spanish Itpns Crt 07/13/22	Open	337.50	0.00		
		22-02502	07/15/22	Spanish Interpretations 071522	Open	427.50	0.00		
		22-02673	05/18/22	Spanish Interpreter 05/18/22	Open	292.50	0.00		
		22-02675	06/01/22	Spanish Interpreter 06/01/22	Open	360.00	0.00		
		22-02676	07/21/22	Spanish Interpreter 07/21/22	Open	180.00	0.00		
		22-02677	07/26/22	Spanish Interpreter 07/26/22	Open	270.00	0.00		
		22-02678	07/27/22	Spanish Interpreter 07/27/22	Open	270.00	0.00		
		22-02702	08/11/22		Open	225.00	0.00		
		22-02703	08/11/22		Open	270.00	0.00		
						2,902.50			
PABCO005	PABCO INDUSTRIES								
		22-02360	07/28/22	#22143 - Black Trash Bags	Open	1,522.50	0.00		
PASS0005	EZ PASS								
		22-02526	05/05/22	violation# T132280760572	Open	53.50	0.00		

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PASS0005	EZ PASS	Continued					
22-02527	07/20/22	2000115108417 RReplenishment	Open	1,000.00	0.00		
				1,053.50			
PASSA010	PASSAIC COUNTY POLICE ACADEMY						
22-02631	07/01/22	ACADEMY TRAINING	Open	1,255.00	0.00		
PAULH005	PAUL HRISO						
22-02547	08/02/22	PSYCHIATRIC EVALUATION	Open	500.00	0.00		
PC000005	KRIVIT & KRIVIT P.C.						
22-00263	01/26/22	LEGAL SERVICES FOR GRANTS	Open	20,000.00	0.00	8	
PERS0010	PERSONNEL CONCEPTS						
22-02428	07/21/22	HR Posters	Open	614.72	0.00		
PITNE005	PITNEY BOWES						
22-02595	07/16/22	SendPro-C Lease Q3'22	Open	174.00	0.00		
PIZZA010	PIZZA MASTER						
22-02662	08/04/22	Buddy Baseball/Sr Ctr Pizze	Open	450.85	0.00		
PIZZE015	SAN VITO PIZZERIA						
22-02554	07/19/22	Clean Shores Lunches	Open	385.00	0.00		
22-02612	07/28/22	Clean Shore Lunches Jul-Aug'22	Open	263.00	0.00		
				648.00			
PORTA005	PORT AUTHORITY OF NY & NJ						
22-02705	07/25/22	PA Electric for 9/11 Tear Drop	Open	692.21	0.00		
PROQU005	PROQUEST						
22-02668	07/01/22	Ancestry Library 06/22-05/23	Open	2,963.37	0.00		
PSEG0005	PSE&G						
22-02466	07/15/22	Acct 1201408107 06/08-07/08/22	Open	5,662.74	0.00		
22-02467	07/14/22	Acct 1301408204 06/07-07/07/22	Open	1,812.09	0.00		
22-02468	07/15/22	Acct 1301408301 06/08-07/08/22	Open	200.76	0.00		
22-02469	07/06/22	Acct 1301408808 05/28-06/28/22	Open	229.88	0.00		
22-02472	07/11/22	Acct 7140006407 06/08-07/07/22	Open	360.03	0.00		
22-02473	07/14/22	Acct 7290827902 06/11-07/12/22	Open	408.77	0.00		
22-02474	07/12/22	Acct 7392737708 06/09-07/08/22	Open	9.92	0.00		
22-02475	07/14/22	Acct 7394124304 04/12-07/12/22	Open	25.16	0.00		
22-02476	07/19/22	Acct 7394366901 06/16-07/15/22	Open	84.31	0.00		
22-02477	07/14/22	Acct 7397419208 06/11-07/12/22	Open	24.87	0.00		
22-02478	07/11/22	Acct 7445172904 06/08-07/07/22	Open	54.34	0.00		
22-02479	07/13/22	Acct 7508489500 06/08-07/07/22	Open	202.78	0.00		
22-02480	07/12/22	Acct 7458684208 06/09-07/08/22	Open	708.06	0.00		
22-02481	07/18/22	Acct 7518724618 06/11-07/12/22	Open	23.95	0.00		
22-02482	07/11/22	Acct 7617068301 06/08-07/07/22	Open	57.12	0.00		
22-02708	07/29/22	Acct 1201408603 Jun-Jul'22	Open	30,967.86	0.00		
22-02709	07/29/22	Acct 1301408700 Jul'22	Open	74,988.67	0.00		
22-02710	08/04/22	Acct 1301408808 06/29-07/28/22	Open	229.88	0.00		
22-02711	07/28/22	Acct 1301408905 06/08-07/08/22	Open	6,677.10	0.00		

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PSEG0005	PSE&G			Continued					
		22-02712	07/29/22	Acct 1301409006 06/23-07/22/22	Open	4,229.22	0.00		
		22-02713	08/05/22	Acct 6574856000 07/06-08/03/22	Open	867.69	0.00		
		22-02714	08/05/22	Acct 6694264704 07/06-08/03/22	Open	1,313.84	0.00		
		22-02715	07/26/22	Acct 7455992718 06/23-07/22/22	Open	12.26	0.00		
						129,151.30			
PSEG0010	PSEG								
		22-02706	07/22/22	Ann1 Pole Rnt1/Sec Cam 22-23	Open	578.40	0.00		
QUALI015	QUALITY AUTO GLASS								
		22-02551	05/25/22	Vehicle Windows	Open	769.07	0.00		
RACHE010	RACHEL MIZRAK								
		22-02634	08/05/22	Reimb. Arts & Crafts for Day C	Open	301.29	0.00		
RACHL005	RACHLES/MICHELE'S OIL COMPANY								
		22-00820	03/08/22	DIESEL FUEL FOR CITY VEHICLES	Open	6,976.63	0.00		B
		22-00821	03/08/22	UNLEADED FUEL CITY VEHICLES	Open	39,817.25	0.00		B
						46,793.88			
RAINB010	RAINBOW CLEANERS								
		22-02545	07/18/22	Cleaning/Inspection fire gear	Open	125.00	0.00		
READY005	READY REFRESH BY NESTLE								
		22-02483	07/12/22	Acct 0441205655 Fin. Jun'22	Open	165.39	0.00		
		22-02484	07/13/22	Acct 0442720751 Jun-Jul'22	Open	90.94	0.00		
						256.33			
RELIA020	RELIABLE WOOD PRODUCTS								
		22-02552	07/12/22	Brush Jul'22	Open	3,100.00	0.00		
RESNI005	RESNICK'S HARDWARE								
		22-02651	05/14/22	Tables & Chairs 88 Opening '22	Open	1,347.13	0.00		
RTSP0005	RTSP								
		22-02534	08/01/22	RTSP INSTRUCTOR CARDS	Open	1,100.00	0.00		
RUSSE005	RUSSELL'S AUTO BODY								
		22-01418	04/28/22	VEHICLE COLLISION REPAIRS	Open	993.18	0.00		B
RUTGE040	RUTGERS, THE STATE UNIVERSITY								
		22-02524	08/01/22	K. McNulty - Certification	Open	255.00	0.00		
RUTGE070	RUTGERS, THE STATE UNIVERSITY								
		22-02522	07/21/22	Registration - Richard Malia	Open	2,279.00	0.00		
SACAL005	SACALIS FLORIST								
		22-02511	06/07/22	Memorial Day 2022 Wreaths	Open	2,330.00	0.00		
SAFET010	SAFE-T								
		22-02686	08/09/22	SUSPENDERS FOR TURNOUT GEAR	Open	900.00	0.00		

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SIGNA005	SIGNAL CONTROL PRODUCTS	22-00370	07/29/22	Traffic Signal Improvement	Open	24,774.00	0.00		
SILKC005	SILK CITY FIRE LLC	22-02640	05/31/22	Muni. Pool Fire Extinguishers	Open	1,215.00	0.00		
SMARTSIG	SMARTSIGN	22-02679	07/26/22	STOP SIGN W/HANDLES	Open	1,168.22	0.00		
STACK005	STACK COOLAHAN & STACK, LLC.	22-00271	01/26/22	APPRAISAL & TAX APPEAL SERVICE	Open	45,000.00	0.00		B
		22-02504	05/07/22	Appraisal reports	Open	14,500.00	0.00		
						59,500.00			
STAND005	STANDARD ELEVATOR CORP.	22-02592	08/01/22	Elevator PM LIBR Aug'22	Open	246.15	0.00		
STAPL010	STAPLES, INC.	22-02393	07/16/22	Letter Size Pads	Open	168.13	0.00		
		22-02427	07/22/22	Staples Office Supplies	Open	219.93	0.00		
		22-02435	07/24/22	Toner	Open	214.19	0.00		
		22-02486	08/02/22	File Cabinet	Open	299.99	0.00		
		22-02537	08/02/22	Contractor Bags	Open	105.99	0.00		
		22-02583	08/05/22	Revse NewEgg Ivc pd to Staples	Open	953.76	0.00		
						54.47			
STEVE005	STEVENS JERSEY CITY FORD	22-00316	01/28/22	PARTS & SUPPLIES FOR VEH MAINT	Open	13.85	0.00		B
STORR005	STORR TRACTOR CO	22-02606	07/21/22	Various Auto Repair Parts	Open	1,136.64	0.00		
SUNRA005	SUNRAY POWER OPCO V LLC	22-02290	07/01/22	Solar Power Jun'22	Open	7,024.29	0.00		
		22-02699	08/01/22	Solar Power Jul'22	Open	7,135.03	0.00		
						14,159.32			
SUNSH005	SUNSHINE CAR WASH, LLC	22-02448	06/30/22	Car Washes FD Jun'22	Open	137.50	0.00		
		22-02449	06/30/22	Car Washes PD Jun'22	Open	770.50	0.00		
						908.00			
SUPRE020	SUPREME TOURS L.L.C.	22-02630	07/31/22	Summer Camp Day Bus Tours	Open	15,100.00	0.00		
		22-02637	08/03/22	Summer Camps Bus Tours Aug'22	Open	14,600.00	0.00		
		22-02638	07/31/22	Summer Camp 16th St Tour Jul22	Open	12,600.00	0.00		
						42,300.00			
SYSTE005	ABACUS DATA SYSTEMS, INC.	22-02544	07/24/22	Amicus Attorney User Jul-Aug22	Open	344.00	0.00		
TASKF005	TASK FORCE TIPS	22-02444	07/07/22	SIDE B MALE ADAPTER	Open	100.31	0.00		

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TEAML005	TEAM LIFE INC	22-02442	07/13/22	BATTERIES	Open	558.00	0.00		
TETHE005	TETHERVIEW, LLC	22-00320	01/28/22	WEB HOSTING SERVICES	Open	350.00	0.00		B
TEXAS005	TEXAS A&M UNIVERSITY ENG EXT	22-02646	07/22/22	MOTORCYCLE OPERATOR COURSE	Open	3,095.00	0.00		
THOMS015	THOMSON REUTERS - WEST	22-02658	08/01/22	West Info Charges Jul'22	Open	1,474.60	0.00		
TIMMOR05	TIMOTHY J.MORIARTY, ESQ.	22-00259	01/26/22	COURT PROSECUTOR LEGAL SERVICE	Open	4,500.00	0.00		B
TONYM005	TONY MARIANO	22-02499	07/22/22	PA System	Open	400.00	0.00		
TRIAD005	TRIAD ASSOCIATES	CD-10379	01/14/21	CY2021 CDBG Advisory Services	Open	1,750.00	0.00		B
TRINITAS	TRINITAS REGIONAL MEDICAL CENT	CD-10403	08/11/21	GY22 Addiction Counseling	Open	3,207.50	0.00		B
		CD-10404	08/11/21	GY22 Psychiatric Services	Open	3,207.50	0.00		B
						6,415.00			
TRIU010	TRIU INC.	22-02558	07/13/22	PW#365 - Repair Parts	Open	502.84	0.00		
UNDERTON	UNDERTONE Productions LLC	22-02602	08/05/22	Undertone Security Deposit	Open	3,000.00	0.00		
UNITE105	UNITED ROTARY BRUSH CORP.	22-02553	07/07/22	Vehicle Repair	Open	2,529.14	0.00		
UNITE110	UNITED SITE SERVICES	22-02497	07/08/22	PtbRR 330Hook-DPW/PD J1-Ag'22	Open	212.00	0.00		
		22-02563	06/23/22	Ptb RR RY,911Mem J1-Au22, spc	Open	8,208.48	0.00		
						8,420.48			
VALTE005	VALTEC INDUSTRIES LLC	22-02361	07/14/22	Graffiti Wipes	Open	218.00	0.00		
VENTT005	VENT TECH	22-02642	05/26/22	Degrease Pool Kitchen Vent	Open	825.00	0.00		
VERAL005	V E RALPH & SON INC.	22-02494	07/21/22	NITRILE GLOVES	Open	1,045.80	0.00		
		22-02598	07/29/22	Bottles/MVP Suction Unit/Kits	Open	225.87	0.00		
						1,271.67			
VERIZ005	VERIZON BUSINESS	22-02485	07/25/22	Acct 93282293 Jun-Jul'22	Open	318.24	0.00		

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VERIZ020 VERIZON							
22-02496	07/15/22	ACCT 750717365000190 Jul-Aug22	Open	19.65	0.00		
22-02716	07/31/22	Acct 250787710000125 Aug'22	Open	2,345.59	0.00		
22-02717	07/31/22	Acct 251285631000158 Aug'22	Open	190.39	0.00		
22-02718	07/31/22	Acct 351488641000171 Jan-Aug22	Open	<u>1.84</u>	0.00		
				2,557.47			
VERIZ045 VERIZON							
22-02439	07/06/22	Acct 151937649000114 Jul-Aug22	Open	159.99	0.00		
VERIZ075 VERIZON WIRELESS							
22-02589	07/23/22	Acct 242078130-00002 Jun-Jul22	Open	1,043.02	0.00		
22-02645	07/25/22	Acct 382696480-00001 Jun-Jul22	Open	1,982.86	0.00		
22-02680	07/23/22	Acct 242078130-00001 Jun-Jul22	Open	1,132.36	0.00		
22-02719	07/23/22	Acct 642003467-00001 Jun-Jul22	Open	520.18	0.00		
22-02720	07/23/22	Acct 786747072-00001 Jun-Jul22	Open	<u>724.02</u>	0.00		
				5,402.44			
VICTO005 VICTORY HALL INC							
CD-10410	09/13/21	GY22 Rainbow Thursdays	Open	2,070.00	0.00		B
WBMAS010 WB MASON CO. INC.							
22-02129	06/27/22	WBM Office Supplies	Open	623.21	0.00		
22-02377	07/18/22	WBM OFFICE SUPPLIES	Open	594.44	0.00		
22-02400	07/20/22	Ink	Open	69.32	0.00		
22-02426	07/22/22	WBM Office Supplies	Open	306.26	0.00		
22-02429	07/25/22	OFFICE SUPPLIES	Open	188.85	0.00		
22-02431	07/25/22	OFFICE SUPPLIES	Open	109.02	0.00		
22-02457	07/27/22	WBM Toner	Open	150.94	0.00		
22-02458	07/27/22	WBM OFFICE SUPPLIES	Open	305.68	0.00		
22-02487	07/28/22	WBM Printer cartridge	Open	333.30	0.00		
22-02488	07/28/22	WBM Office Supplies	Open	<u>1,792.03</u>	0.00		
				4,473.05			
WELDO005 WELDON ASPHALT CO.							
22-02561	06/30/22	Asphalt Jun'22	Open	779.72	0.00		
WENDY030 WENDY PINCUS							
22-02505	07/19/22	FACE PAINT / SIDEWALK SALE 22	Open	2,150.00	0.00		
XEROX020 XEROX CORPORATION							
22-02596	07/07/22	w7225P Jun'22	Open	221.31	0.00		
22-02670	08/01/22	WC6655XD Aug'22	Open	351.82	0.00		
CD-10325	12/15/19	Base & Meter Charges	Open	<u>523.30</u>	0.00		
				1,096.43			
Total Purchase Orders: 317 Total P.O. Line Items:				0	Total List Amount: 1,713,571.81	Total Void Amount:	0.00

August 15, 2022
10:37 AM

Bayonne City
Purchase Order Listing By Vendor Id

Page No: 15

Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	1-01	95.00	0.00	0.00	95.00
CURRENT FUND	2-01	861,259.33	0.00	0.00	861,259.33
PARKING FUND	2-05	2,040.42	0.00	0.00	2,040.42
Year Total:		863,299.75	0.00	0.00	863,299.75
GENERAL CAPITAL FUND	C-04	44,345.49	0.00	0.00	44,345.49
FEDERAL AND STATE GRANT FUND	G-02	7,845.50	0.00	0.00	7,845.50
CDBG	T-03	658,817.03	0.00	0.00	658,817.03
TRUST-OTHER	T-12	139,169.04	0.00	0.00	139,169.04
Year Total:		797,986.07	0.00	0.00	797,986.07
Total Of All Funds:		1,713,571.81	0.00	0.00	1,713,571.81

* * * * *

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

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

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

Yeas - Council Members Carroll, Booker, Weimmer, Perez and President LaPelusa

* * * * *

41. 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, July 20, 2022 be and the same are hereby approved.

* * * * *

42. 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, July 13, 2022 be and the same are hereby approved

* * * * *

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

RESOLVED, That the official minutes of the reorganizational meeting held Friday, July 1, 2022 be and the same are hereby approved.

* * * * *

44. 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
139	17	CHRISTOPHER MENDOZA	522.58
151	12	HANY MORCOS & MONA HABIB	3,950.00
168	27	403 AVENUE E, LLC	2,487.66
248	2	MINA SAMUEL	2,109.00
330	15	167 BROADWAY, LLC	687.00
TOTAL			\$9,756.24

* * * * *

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

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

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

WHEREAS, the Bayonne Economic Opportunity Foundation has requested and submitted a formal written application dated February 2, 2022 for said CDBG Grant Funds in the amount of \$75,000.00 for the purpose of providing fair housing counseling services 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 fair housing counseling services is limited to the amount of \$65,00.00; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-1127 now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Bayonne Economic Opportunity Foundation, 555 Kennedy Blvd, Bayonne, New Jersey 07002 for the provision of providing fair housing counseling services in the amount of \$65,000.00 for the period commencing September 1, 2022 and ending August 31, 2023.
2. Funds shall be charged to Account #CDBG-1127

* * * * *

46. 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 Trinitas Regional Medical Center, 225 Williamson Street, Elizabeth, New Jersey 07207 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Trinitas Regional Medical Center has requested and submitted a formal written application dated January 21, 2022 for said CDBG Grant Funds for the amount of \$34,000.00 for the purpose of providing substance abuse and addiction services for low and moderate income families; 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 substance abuse and addiction services for low and moderate income families is limited to the amount of \$12,000.00; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG -1134; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Bayonne Community Mental Health Center, 225 Williamson Street, Elizabeth, New Jersey 07207 for the provision of providing substance abuse and addiction services for low and moderate income families in the amount of \$12,000.00 for the period commencing September 1, 2022 and ending August 31, 2023.
2. Funds shall be charged to Account #CDBG-1134

* * * * *

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

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

WHEREAS, the Trinitas Regional Medical Center, 225 Williamson Street, Elizabeth, New Jersey 07207 is an organization which has among its objectives assisting persons of lower income households; and

WHEREAS, the Trinitas Regional Medical Center has requested and submitted a formal written application dated January 21, 2022 for said CDBG Grant Funds in the amount of \$33,000.00 for the purpose of providing psychiatric and psychotherapeutic services for children and adolescents 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 psychiatric and psychotherapeutic services for children and adolescents is limited to the amount of \$12,000.00; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-1133; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Trinitas Regional Medical Center, 225 Williamson Street, Elizabeth, New Jersey 07207 for the provision of providing psychiatric and psychotherapeutic services for children and adolescents in the amount of \$12,000.00 for the period commencing September 1, 2022 and ending August 31, 2023.
2. Funds shall be charged to Account #CDBG-1133

* * * * *

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

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

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

WHEREAS, the Bayonne Economic Opportunity Foundation has requested and submitted a formal written application dated February 2, 2022 for said CDBG Grant Funds in the amount of \$50,000.00 for the purpose of providing senior transportation salary and fringe benefits 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 senior transportation salary and fringe benefits is limited to the amount of \$17,500.00; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-1129; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Bayonne Economic Opportunity Foundation, 555 Kennedy Blvd, Bayonne, New Jersey 07002 for the provision of providing senior transportation salary and fringe benefits in the amount of \$17,500.00 for the period commencing September 1, 2022 and ending August 31, 2023.
2. Funds shall be charged to Account #CDBG-1129

* * * * *

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

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

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

WHEREAS, the Bayonne Youth Center has requested and submitted a formal written application dated February 16, 2022 for said CDBG Grant Funds for the amount of \$50,000.00 for the purpose of providing an after school learning enrichment program and support for community outreach programs for low and moderate income families; 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 an after school learning enrichment program and support for community outreach programs for low and moderate income families is limited to the amount of \$13,000.00; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-1135; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Bayonne Youth Center, 524 Kennedy Blvd, Bayonne, New Jersey 07002 for the provision of providing an after school learning enrichment program and support for community outreach programs for low and moderate income families in the amount of \$13,000.00 for the period commencing September 1, 2022 and ending August 31, 2023.
2. Funds shall be charged to Account #CDBG-1135

* * * * *

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

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

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

WHEREAS, the Bayonne PAL Day Care Center has requested and submitted a formal written application dated February 16, 2022 for said CDBG Grant Funds in the amount of \$75,000.00 for the purpose of providing an after school program and summer camp child care program 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 an after school program and summer camp child care program is limited to the amount of \$16,650.00; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-1138; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Bayonne PAL Day Care Center, 550 Avenue A, Bayonne, New Jersey 07002 for the provision of providing an after school program and summer camp child care program in the amount of \$16,650.00 for the period commencing September 1, 2022 and ending August 31, 2023.
2. Funds shall be charged to Account #CDBG-1138

* * * * *

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

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

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

WHEREAS, the Bayonne Economic Opportunity Foundation has requested and submitted a formal written application dated February 2, 2022 for said CDBG Grant Funds in the amount of \$6,000.00 for the purpose of providing senior transportation insurance 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 senior transportation insurance is limited to the amount of \$5,000.00; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-1129; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Bayonne Economic Opportunity Foundation, 555 Kennedy Blvd, Bayonne, New Jersey 07002 for the provision of providing senior transportation insurance in the amount of \$5,000.00 for the period commencing September 1, 2022 and ending August 31, 2023.
2. Funds shall be charged to Account #CDBG-1129

* * * * *

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

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

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

WHEREAS, the Waterfront Project Inc. has requested and submitted a formal written application dated February 18, 2022 for said CDBG Grant Funds in the amount of \$25,000.00 for the purpose of providing housing counseling and legal advocacy program 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 housing and legal advocacy program is limited to the amount of \$16,500.00; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-1139; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Waterfront Project Inc., 830 Bergen Avenue Suite 4A, Jersey City, New Jersey 07306 for the provision of providing housing counseling and legal advocacy program in the amount of \$16,500.00 for the period commencing September 1, 2022 and ending August 31, 2023.
2. Funds shall be charged to Account #CDBG-1139

* * * * *

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

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

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

WHEREAS, the Bayonne Economic Opportunity Foundation has requested and submitted a formal written application dated February 2, 2022 for said CDBG Grant Funds in the amount of \$49,000.00 for the purpose of providing BEOF Headstart security 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 BEOF Headstart security is limited to the amount of \$13,500.00; and

WHEREAS, said CDBG Funds are certified as available in Account CDBG-1130; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to enter into an agreement with the Bayonne Economic Opportunity Foundation, 555 Kennedy Blvd, Bayonne, New Jersey 07002 for the provision of providing BEOF Headstart security in the amount of \$13,500.00 for the period commencing September 1, 2022 and ending August 31, 2023.
2. Funds shall be charged to Account #CDBG-1130

* * * * *

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

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

* * * * *

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

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

* * * * *

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

WHEREAS, pursuant to Resolution No. 21-12-15-049 adopted on December 15, 2021, the City entered into Agreement No. CY22-037 with Integrated Micro Systems, Inc., 74 Lee Avenue, Haledon, New Jersey 07508-1202 to provide information technology, computer systems and network administration and support services ("IT Support Services") for a maximum contract amount not to exceed \$60,320.00 payable at the rate of \$1,160.00 per week for a period of one year commencing January 1, 2022 and ending December 31, 2022 pursuant to the Non-fair and Open process pursuant to the provisions of N.J.S.A. 19:44A-20.5.

WHEREAS, the Director of Public Safety has advised that it is necessary to increase said Agreement No. CY22-037 in an amount not to exceed the amount of \$6,380.00 payable at the hourly rate of \$145.00 not to exceed two (2) additional hours per week for an amount not to exceed \$290.00 per week to cover the cost of additional IT Support Services for the Police Department ("Additional IT Support Services") for the period commencing August 1, 2022 through December 31, 2022 that were not anticipated at the time of the original contract award; 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 CY2022 budget in account #2-01-31-460-0000-020; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to execute an amendment to Agreement No. CY22-037 with Integrated Micro Systems, Inc., 74 Lee Avenue, Haledon, New Jersey 07508-1202 to include the aforesaid Additional IT Support Services and increase said Agreement No. CY22-037 in an amount not to exceed \$6,380.00 for the period commencing August 1, 2022 through December 31, 2022 payable at the hourly rate of \$145.00 not to exceed two (2) additional hours per week for an amount not to exceed \$290.00 per week, thereby making the total contract amount not to exceed \$66,700.00.

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

3. Pursuant to N.J.A.C. 5:30-5.5(e), this increase in the amount of the contract award shall be subject to the availability and appropriation of funds in the CY2022 budget in account #2-01-31-460-0000-020.

* * * * *

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

AMENDING RESOLUTION AUTHORIZING THE USE OF A THREE (3) YEAR AVERAGE
FOR THE RESERVE FOR UNCOLLECTED TAXES CALCULATION

WHEREAS, N.J.S.A. 40A:4-40 allows the Reserve for Uncollected Taxes, when approved by resolution of the governing body, to be calculated using a three (3) year average of prior years percentage of cash collections; and

WHEREAS, the tax collection rate has been reduced by the amount of tax appeals awarded and using last year's years reduced rate alone would increase the amount to be raised by taxation; and

WHEREAS, resolution 22-07-20-039 adopted on July 20, 2022 authorized the Chief Finance Officer to use a three (3) year average of prior cash collections for the calculation of the CY 2022 budget appropriation "Reserve for Uncollected Taxes"; and

WHEREAS, this resolution is to amend resolution 22-07-20-039 to include the actual rates used in the calculation; and

WHEREAS, the three (3) year average of 99.21% was calculated using the rates of 98.77%, 99.47% and 99.38%.

RESOLVED, that the Chief Financial Officer is authorized to use a three (3) year average of prior cash collections of 98.77%, 99.47% and 99.38% for the calculation of the CY 2022 budget appropriation “Reserve for Uncollected Taxes.”

* * * * *

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

Resolution Amending and Supplementing Resolution #22-07-02-045 with Respect to
Bayonne Aqueduct Hackensack River Crossing Project

WHEREAS, the Bayonne Municipal Utilities Authority (“BMUA”) entered into a Concession Agreement with Bayonne Joint Water Venture, LLC dated December 20, 2012 for the purpose of operating and maintaining services for drinking water and wastewater (“Concession Agreement”); and

WHEREAS, pursuant to Ordinance O-16-48 adopted by the City of Bayonne (“City”) on August 24, 2016, the City provided for the dissolution of the BMUA in accordance with N.J.S.A. 40A:5A-20; and

WHEREAS, the City entered into an Assignment and Assumption Agreement dated December 31, 2016, wherein the City expressly assumed all contracts and obligations of the BMUA, including the rights and obligations of the BMUA under the Concession Agreement; and

WHEREAS, the City entered into an Agreed Modification dated April 13, 2016 to increase the aforesaid Concession Agreement for the repair of a serious existing leak in the aging cast iron lines crossing the bottom of the Hackensack River and also to provide a preliminary amount of \$354,000.00 toward the initial design of replacement HDPE lines to be directionally drilled under the Hackensack River (the later project referred to herein as the (“Bayonne Aqueduct Hackensack River Crossing Project” hereinafter the “Project”); and

WHEREAS, the said Agreed Modification was later amended on October 28, 2019, to add an additional amount of \$622,591.60 for further permitting and design services relating to the Project; and

WHEREAS, the City Engineer has since confirmed that additional soil borings are needed to further inform and complete the design phase of the project, and

WHEREAS, in that regard, the City has received an additional proposal for a Modification, dated December 7, 2021, (copy attached and referred to herein as the “Proposed Modification” or the “Proposal”), requesting a further increase in the Concession Agreement Modifications with respect to this Project in an amount of \$410,168.00 which would bring the cumulative modifications relating to the permitting and design phase of this Project to \$1,386,759.60; and

WHEREAS, it is in the best interest of the City for this Project to proceed with the scope of work provided for in said proposal, subject to the City’s own proposals as to funding and other details as set forth herein, including the removal, for the time being, of payment for engineering and administrative costs attributable to Suez (now Veolia), which is stated as \$72,568 and shall be subject to further review and negotiation; and

WHEREAS, the City Council further desires to allow the City Law Director, and City legal, engineering and financial professionals to be able to propose, confirm and/or negotiate the inclusion of any appropriately available capital or rate stabilization funds available under the Concession agreement or such other infrastructure funding as may be currently available for the purpose up to the dollar amounts set forth herein, so as to allow the Project to proceed without delay while also minimizing the impact on future utility rates; and

WHEREAS, the City has previously passed a resolution #22-07-20-045 authorizing a proposed agreement to move forward on this project, and

WHEREAS, it has been confirmed that initial funding is available for these Water and Sewer system improvements in Capital Account #C-04-55-945-1956-994, such funds to then be reimbursed in as much as possible from State and Federal Grants or low interest financing as

may have previously been applied for, or as may otherwise be or become available for this purpose; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The above recitals are incorporated herein.
2. Resolution 22-07-20-045 is hereby amended and supplemented to provide that the costs of the Project shall be paid in accordance with the terms and conditions of the Concession Agreement and the Modification Agreement, as approved by the City Law Department, provided however, that the modification agreement approved hereunder shall provide that in order to minimize or eliminate any rate increase (“revenue adjustment event” under the Concession agreement) that this project shall be paid for initially by City contribution using funds available for Water and Sewer system improvements in Capital Account #C-04-55-945-1956-994, such funds to then be reimbursed in as much as possible from State and Federal Grants or low interest financing as may have previously been applied for, or as may otherwise be or become available for this purpose, provided that any new City debt to be incurred with regard to such financing must be separately approved by this Municipal Council.
3. The City Clerk, Law Director, Chief Financial Officer, City Engineer charged with Water Sewer matters and the Mayor of the City of Bayonne are hereby authorized to take any actions and sign any documents necessary to apply for any State of Federal grants or funding that may be available for the subject matter of this project, and to contribute any previously authorized grant award to the Project’s furtherance and completion, provided again, that any new debt incurred with regard to such financing must be separately approved by this Municipal Council.
4. Should any modification agreement reached hereunder provide for or require the use of money from the Rate Stabilization Fund held by the Concessionaire, an adjustment to the Stabilization Fund Threshold under section 7.1(g) of the Concession Agreement is hereby authorized in an amount sufficient to allow the use and application of said funds to finance all or part of this Project.
5. To the extent that the provisions of this resolutions conflict with any provision of Resolution 22-07-20-045, the provisions of this resolution shall control.
6. This resolution shall take effect immediately and any prior actions taken by the Law Director, Attorneys representing the City, the City’s Chief Financial Officer, the City Engineer charged with Water Sewer matters and the Mayor of the City of Bayonne in relation to the subject matter of this Project and the subject matter of this resolution are hereby ratified and confirmed.

* * * * *

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

Resolution Amending and Supplementing Resolution #22-07-02-046 with Respect to Pump Station Emergency Generator Project

WHEREAS, the Bayonne Municipal Utilities Authority (“BMUA”) entered into a Concession Agreement with Bayonne Joint Water Venture, LLC dated December 20, 2012, for the purpose of operating and maintaining services for drinking water and wastewater (“Concession Agreement”); and

WHEREAS, pursuant to Ordinance O-16-48 adopted by the City of Bayonne (“City”) on August 24, 2016, the City provided for the dissolution of the BMUA in accordance with N.J.S.A. 40A:5A-20; and

WHEREAS, the City entered into an Assignment and Assumption Agreement dated December 31, 2016, wherein the City expressly assumed all contracts and obligations of the BMUA, including the rights and obligations of the BMUA under the Concession Agreement; and

WHEREAS, the City engineer has confirmed that, pursuant to an Administrative Consent Order (ACO) with the United States Environmental Protection Agency (USEPA), emergency generators must be installed at three of the City’s sewer pumping stations, those being identified as at Avenue J, the City Line at 63rd St. and the #2 Pump Station at the former MOT (now known as the Peninsula at Bayonne Harbor); and

WHEREAS, in that regard, the City has also received a proposed agreement modification dated November 15, 2021, copy attached, requesting a modification to the Concession Agreement in an amount of \$986,000 to perform a scope of work inclusive of said Generator Replacement (the "Proposed Modification" or the "Proposal"); and

WHEREAS, the scope of work in said Proposal is deemed reasonable and necessary by the City Engineer but the City wishes to propose and negotiate its own agreement with respect to propose and negotiate its' own terms on funding and other details as set forth herein; and

WHEREAS, for the purposes of this resolution the scope of work for the proposed modification shall be referred to as the "Pump Station Emergency Generator Project" or simply the "Project"; and

WHEREAS, it is in the best interest of the City for this Project to proceed and for the City to propose, negotiate and enter into a Modification Agreement in that regard, and

WHEREAS, the City Council also desires to allow the City Law Director, along with City legal, engineering and financial professionals to be able to confirm and/or negotiate the inclusion of any appropriately available capital or rate stabilization funds available under the Concession agreement or such other infrastructure funding as may be currently available for the purpose, including, if possible, funds from a FEMA Building Resilient Infrastructure and Communities (BRIC) Grant which was applied for in December 2021, so as to allow the Project to proceed without delay but also to minimize the impact on future utility rate increase, and

WHEREAS, the City has previously passed a resolution #22-07-20-046 authorizing a proposed agreement to move forward on this project, and

WHEREAS, it has been confirmed that initial funding is available for these Water and Sewer system improvements in Capital Account #C-04-55-945-1956-994, such funds to then be reimbursed in as much as possible from State and Federal Grants or low interest financing as may have previously been applied for, or as may otherwise be or become available for this purpose; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The above recitals are incorporated herein.
2. Resolution 22-07-20-046 is hereby amended and supplemented to provide that the costs of the Project shall be paid in accordance with the terms and conditions of the Concession Agreement and the Modification Agreement, as approved by the City Law Department, provided however, that any modification agreement approved hereunder shall provide that in order to minimize or eliminate any rate increase ("revenue adjustment event" under the Concession agreement) that this project shall be paid for initially by City contribution using funds available for Water and Sewer system improvements in Capital Account #C-04-55-945-1956-994, such funds to then be reimbursed in as much as possible from State and Federal Grants or low interest financing as may have previously been applied for, or as may otherwise be or become available for this purpose, provided that any new City debt to be incurred with regard to such financing must be separately approved by this Municipal Council.
3. The City Clerk, Law Director, Chief Financial Officer, City Engineer charged with Water Sewer matters and the Mayor of the City of Bayonne are hereby authorized to take any actions and sign any documents necessary to apply for any State of Federal grants or funding that may be available for the subject matter of this project, and to contribute any previously authorized grant award to the Project's furtherance and completion, provided again, that any new debt incurred with regard to such financing must be separately approved by this Municipal Council.
4. Should any modification agreement reached hereunder provide for or require the use of money from the Rate Stabilization Fund held by the Concessionaire, an adjustment to the Stabilization Fund Threshold under section 7.1(g) of the Concession Agreement is hereby authorized in an amount sufficient to allow the use and application of said funds to finance all or part of this Project.
5. To the extent that the provisions of this resolutions conflict with any provision of Resolution 22-07-20-046, the provisions of this resolution shall control.

This resolution shall take effect immediately and any prior actions taken by the Law Director, Attorneys representing the City, the City’s Chief Financial Officer, or the City Engineer charged with Water Sewer matters and the Mayor of the City of Bayonne in relation to the subject matter of this Project and the subject matter of this resolution are hereby ratified and confirmed.

* * * * *

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

WHEREAS, the American Rescue Plan Firefighter Grant (ARP-FFG) is a competitive grant that supports local and regional fire department firefighters by ensuring that they have proper fire protection, cleaning, and sanitization equipment; and

WHEREAS, the Director of Public Safety has requested authorization to prepare and submit a grant application for the 2022 Assistance for Firefighters Grant Fund in the amount of \$83,030.00 to purchase 19 sets of Firefighter Turnout gear, of which \$74,290.00 is state funding \$8,740.00 is local matching funds; and

WHEREAS, the \$8,740.00 local matching funds are certified as available in Account #2-01-41-89900000-199; now, therefore, be it

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

1. The Director of Public Safety and/or his designee is/are hereby authorized to take any and all actions necessary to prepare and submit a grant application for grant funding from the 2022 Assistance for Firefighters Grant Fund in the amount of \$83,030.00 to purchase said 19 sets of Firefighter Turnout gear, of which \$74,290.00 is state funding and \$8,740.00 is local matching funds.

2. The Mayor and City Clerk are hereby authorized to execute any and all documents necessary to effectuate the submission of the aforesaid grant application.

3. Said \$8,740.00 local matching funds shall be chargeable to Account#2-01-41-89900000-199.

* * * * *

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

GRANTING 4 RAFFLE LICENSES TO A QUALIFIED ORGANIZATIONS.

* * * * *

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

WHEREAS, Resolution No. 22-05-18-038 adopted on May 18, 2022, granted a License to Ryan Ehrlich (the “Property Owner”), to install and maintain a Carport in front of his property located at 40 East 33rd Street and designated as Block 146, Lot 27 on the Official Tax Map of the City of Bayonne encroaching approximately five feet six-inches (5’6”) into the in the City’s East 32nd Street Right-of-Way (the “Carport”); and

WHEREAS, said approval was conditioned upon the Property Owner maintaining liability insurance with limits of at least \$2,000,000 and provide the City of Bayonne (the “City”) with a Certificate of Insurance (“COI”) evidencing a policy endorsement naming the City as an additional insured; and

WHEREAS, subsequent thereto, the City’s Insurance Broker/Risk Assessor advised the City that said limits of at least \$2,000,000 were excessive and limits of \$1,000,000 are acceptable for said purpose; and

WHEREAS, the Property Owner did provide the City with said COI with limits of at least \$1,000,000 evidencing a policy endorsement naming the City as an additional insured; and

WHEREAS, due to the fact that the Property Owner already contracted a contractor to perform said installation of said Carport, the Mayor executed said License allowing for the reduced liability insurance of said \$1,000,000 limits; now, therefore, be it

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

1. Resolution 22-05-18-038 is hereby amended to reflect that the Property Owner maintain liability insurance with limits of at least \$1,000,000.
2. The actions of the Mayor in executing said License requiring the reduced liability insurance of \$1,000,000 are hereby ratified and affirmed.

* * * * *

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

WHEREAS, by way of Resolution No. 21-11-10-044 adopted by the Municipal Council on November 11, 2021, the City entered into Agreement No. CY22-010 with Ruderman & Roth, LLC, 150 Morris Avenue, Suite 303, Springfield, New Jersey 07081 for professional legal services to conduct arbitration hearings, litigation before courts, negotiations and PERC hearings involving various unions and the City for the period commencing January 1, 2022 and ending December 31, 2022 for maximum contract amount not to exceed \$60,000.00 (the "Agreement") pursuant to the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4 and .5; and

WHEREAS, Resolution No. 22-06-15-042 adopted on June 15, 2022 authorized an increase in the aforesaid Agreement in the amount of \$25,000 due to additional services not anticipated at the time of the original contract award, thereby making the total contract amount not to exceed \$85,000.00; and

WHEREAS, the Law Director is in receipt of invoices for services rendered for the months of May and June 2022 totaling \$24,766.50; and

WHEREAS, the Law Director anticipates the amount to cover invoices for services rendered through December 31, 2022 will not exceed \$60,000.00; and

WHEREAS, funds are certified as available in Account No. 2-01-20-156-0000-028; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to execute a second amendment to the aforementioned Agreement No. CY22-010 with Ruderman & Roth, LLC, 150 Morris Avenue, Suite 303, Springfield, New Jersey 07081 for professional legal services to conduct arbitration hearings, litigation before courts, negotiations and PERC hearings involving various unions and the City increasing same in an additional amount not to exceed \$60,000.00, thereby making the total contract amount not to exceed \$145,000.00.
2. The Municipal Treasurer is hereby authorized to issue payment in the amount of \$24,766.50 to Ruderman & Roth, LLC representing payment for the aforesaid May (\$12,721.50) and June (\$12,045.00) 2022 invoices.
3. Funds shall be charged to Account No. 2-01-20-156-0000-028.
4. All other terms of the contract shall remain the same.

* * * * *

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

RESOLUTION CANCELING ITEMS OF RESERVE AND AUTHORIZING THEIR USE AS ANTICIPATED REVENUE IN THE CY 2022 MUNICIPAL BUDGET.

WHEREAS, the City has certain reserve accounts set up in the current fund for specific purposes these accounts have been reviewed and it has been determined that they may be disposed of; and

WHEREAS, the following reserve accounts will be closed and these funds will be anticipated as revenue in the CY 2022 Municipal Budget:

Reserve for Relocation Fees	5,230.00
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Reserve for Workers Compensation	14,383.48
Reserve for Liability	131,894.06
Reserve for Police Donation Fund	100.00
Reserve for Shoprite	66,019.38

NOW, THEREFORE BE IT RESOLVED, by the Municipal Council of the City of Bayonne that funds in the amount of \$217,626.92 will be transferred from the reserve fund and anticipated as revenue in the CY 2022 Municipal Budget.

* * * * *

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

WHEREAS, Chapter 99 of the Laws of New Jersey of 1997 (the “Act”) permits municipalities to sell their tax levies; and

WHEREAS, the City of Bayonne (the “City”) has successfully sold prior tax levies in accordance with the Act; and

WHEREAS, as part of the City’s Calendar Year 2022 budget, the City has determined that it would benefit from another such sale of its tax levy;

WHEREAS, the City of Bayonne is in need of special counsel in connection with its upcoming tax levy sale, and

WHEREAS, pursuant to a resolution duly adopted at a regular meeting of the Municipal Council of the City on November 10, 2021 under the Fair and Open Contracting Requirements contained in N.J.S.A. 19:44A-20.4, the City engaged the law firm of Archer & Greiner, 10 Highway 35, Red Bank, New Jersey 07701 (“Counsel”) to serve as counsel in accordance with the terms and provisions of a fee agreement by and between the City and Counsel (the “Agreement”); and

WHEREAS, Counsel has performed professional legal services in connection with the City’s prior tax levy sales and remains capable of performing such services; and

WHEREAS, Counsel has agreed to a fee of not to exceed \$15,000.00 at the rates set forth in the Agreement and funds are certified as available from the Bulk Levy Sale pending adoption of the CY 2022 budget;

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

1. The sale of the City of Bayonne’s property tax levy is hereby authorized.
2. The Chief Financial Officer is hereby directed to prepare and distribute a Bid Package including a Notice of Sale, a form of Purchase and Sale Agreement, certain financial information related to the City, a form of Bid Document and any and all other documents and other information as may be required to properly and effectively conduct such sale of tax levy in accordance with the Act.
3. The Chief Financial Officer is hereby directed to cause the publication of the aforesaid Notice of Sale as required by the Act.
4. The Chief Financial Officer is hereby authorized to receive bids and take all actions in connection therewith in accordance with the Act and as to be described in the Notice of Sale.
5. Archer & Greiner, 10 Highway 35, Red Bank, New Jersey 07701 is hereby authorized to perform the above-mentioned professional legal services for a fee not to exceed \$15,000.00 at the rates set forth in the Agreement, plus reasonable and customary expenses, and funds are certified as available from the Bulk Levy Sale pending adoption of CY 2022 budget.
6. The City shall conclude its sale of the total property tax levy in the final month of CY 2022, provided that all statutory notice requirements are followed.
7. The Mayor, the Chief Financial Officer, the City Clerk and other appropriate representatives of the City are hereby authorized, in consultation with Counsel, to take all steps necessary to provide for the tax levy sale, including preparing and executing such agreements and documents on behalf of the City and taking all

steps necessary or desirable to implement the terms of this resolution, such agreements and documents as may be necessary and appropriate and the transactions contemplated thereby. The manual or facsimile signature of the aforesaid appropriate representatives of City upon any documents utilized in connection with the tax levy sale shall be conclusive as to all such determinations or approvals set forth therein. The aforesaid appropriate representatives of the City shall also take such actions or refrain from such actions as are necessary for the tax levy sale and all such actions or inactions by the aforesaid City officers, officials or professionals heretofore are hereby ratified and confirmed, *nunc pro tunc*.

8. This resolution shall take effect immediately.

Yeas - Council Members Carroll, Weimmer, Perez, Booker and President LaPelusa

* * * * *

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

RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING THE NEGOTIATION AND PREPARATION OF A REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF BAYONNE AND ADAM A ENTERPRISE, LLC WITH RESPECT TO PROPERTY LOCATED AT JOHN F. KENNEDY BOULEVARD AND 54TH STREET, IDENTIFIED AS BLOCK 24, LOTS 2 AND 3 ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE PURSUANT TO THE LOCAL HOUSING AND REDEVELOPMENT LAW, N.J.S.A. 40A:12A-1 *ET SEQ.*

WHEREAS, the City of Bayonne, in the County of Hudson, New Jersey (the “City”) 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 of redevelopment; and

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

WHEREAS, on January 15, 2020, the Municipal Council of the City of Bayonne (“Municipal Council”) adopted Resolution R-20-01-15-049 designating certain property located at John F. Kennedy Boulevard and 54th Street, which property is identified as Block 24, Lots 2 and Lot 3 on the official tax map of the City of Bayonne as a non-condemnation “area in need of redevelopment” in accordance with applicable New Jersey Law; and

WHEREAS, on September 23, 2020, the Municipal Council adopted Ordinance O-20-7 adopting a redevelopment plan titled “1207-1211 John F. Kennedy Boulevard Redevelopment Plan, 1207-1211 John F. Kennedy Boulevard, Block 24, Lots 2 and 3, City of Bayonne, Hudson County, NJ.” (hereinafter the “Redevelopment Plan”); and

WHEREAS, Adam A Enterprise, LLC has requested that the Municipal Council conditionally designate it as the redeveloper of the subject Property, and that the City proceed to prepare a Redevelopment Agreement providing for the Redeveloper’s development of the Property in accordance with the Redevelopment Plan and the Planning Board Application; and

WHEREAS, the Municipal Council desires have the City Attorney and/or Special Redevelopment Counsel engage in negotiations and the preparation of a Redevelopment Agreement for the effective redevelopment of the Property in accordance with the Approved Redevelopment Plan in accordance with the provisions of the New Jersey Local Redevelopment and Housing Law.

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

Section 1. The Municipal Council hereby conditionally designates Adam A Enterprise, LLC as the redeveloper (the “Redeveloper”) of the Redevelopment Area, in accordance with the provisions of the Redevelopment Law and subject to the approval and execution of a mutually agreeable Redevelopment Agreement.

Section 2. The Municipal Council hereby authorizes the negotiation and preparation of a Redevelopment Agreement between the City and Adam A Enterprise, LLC in such a form deemed advisable by the City Attorney or Special Redevelopment Counsel to the City, subject to any and all conditions contained herein, and such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel. Such Redevelopment Agreement shall be presented to the Municipal Council for approval prior to its execution.

Section 3. Within fourteen (14) days of the date of this Resolution, Adam A Enterprise, LLC shall establish an escrow account to cover the City's costs and professional fees associated with the negotiation and preparation of the Redevelopment Agreement and all other City Costs and professional fees associated with the redevelopment and planning process associated with the proposed 1207-1211 John F. Kennedy Boulevard redevelopment project. The initial escrow shall be in the amount of Ten Thousand (\$10,000.00) dollars.

Section 4. This Resolution shall take effect immediately.

Yeas - Council Members Carroll, Weimmer, Perez, Booker and President LaPelusa

* * * * *

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

RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY, AUTHORIZING AND DIRECTING THE PLANNING BOARD OF THE CITY OF BAYONNE TO CONDUCT A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER CERTAIN PROPERTY LOCATED AT 233-243 WEST 1ST STREET AND KNOWN AS BLOCK 373, LOT 2 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. AND AUTHORIZING THE PREPARATION OF A REDEVELOPMENT PLAN FOR THE PROPERTY

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

WHEREAS, pursuant to the Redevelopment Law, the City 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 a certain property located at 233-243 West 1st Street which property is identified as Block 373, Lot 2 as shown on the official Tax Map of the City (the "Property"), constitute a non-condemnation "area in need of redevelopment"; and

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

WHEREAS, the preliminary investigation will be designed to evaluate the area to determine whether designation of the Property 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 Council further desires that to the extent that the Planning Board determines that the Property constitutes an area in need of redevelopment, that the Planning Board prepare a redevelopment plan for the Property (the "Redevelopment Plan").

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

Section 1. The Planning Board is hereby directed to conduct a preliminary investigation to determine whether the aforementioned Property, 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 2. The Planning Board is hereby directed to study the area known as 233-243 West 1st Street, Block 373, Lot 2; 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 Municipal Council containing its findings.

Section 3. The results of such preliminary investigation shall be submitted to the Mayor and City Council for review and approval in accordance with the provisions of the Redevelopment Law.

Section 4. To the extent that the preliminary investigation determines that the subject Property meets the statutory criteria to be deemed a non-condemnation area in need of redevelopment, the Planning Board is further directed to prepare a Redevelopment Plan for the subject Property.

Section 5. This Resolution shall take effect immediately.

Yeas - Council Members Carroll, Weimmer, Booker, Perez and President LaPelusa

* * * * *

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

RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING THE NEGOTIATION AND PREPARATION OF A REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF BAYONNE AND GAMAL GROUP CORP. WITH RESPECT TO PROPERTY LOCATED AT AVENUE A AND GERTRUDE STREET, IDENTIFIED AS BLOCK 361, LOT 12 AND BLOCK 362, LOT 3 ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE PURSUANT TO THE LOCAL HOUSING AND REDEVELOPMENT LAW, N.J.S.A. 40A:12A-1 ET SEQ.

WHEREAS, the City of Bayonne, in the County of Hudson, New Jersey (the “City”) 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 of redevelopment; and

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

WHEREAS, on December 16, 2020, the Municipal Council of the City of Bayonne (“Municipal Council”) adopted Resolution R-5 designating certain property located at Avenue A and Gertrude Street, which property is identified as Block 361, Lot 12 and Block 362, Lot 3 on the official tax map of the city of Bayonne as a non-condemnation “area in need of redevelopment” in accordance with applicable New Jersey Law; and

WHEREAS, on April 20, 2022, the Municipal Council passed Ordinance O-3 adopting a redevelopment plan titled “Gamal Group East Redevelopment Plan (formerly Caschem, Block 361, Lot 12 and Block 362, Lot 3)” (hereinafter the “Redevelopment Plan”) revised through April 15, 2022; and

WHEREAS, Gamal Group Corp. has requested that the Municipal Council conditionally designate it as the redeveloper of the subject Property, and that the City proceed to prepare a Redevelopment Agreement providing for the Redeveloper’s development of the Property in accordance with the Redevelopment Plan and the Planning Board Application; and

WHEREAS, the Municipal Council desires have the City Attorney and/or Special Redevelopment Counsel engage in negotiations and the preparation of a Redevelopment Agreement for the effective redevelopment of the Property in accordance with the Approved Redevelopment Plan in accordance with the provisions of the New Jersey Local Redevelopment and Housing Law.

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

Section 1. The Municipal Council hereby conditionally designates Gamal Group Corp. as the redeveloper (the “Redeveloper”) of the Redevelopment Area, in accordance with the provisions of the Redevelopment Law and subject to the approval and execution of a mutually agreeable Redevelopment Agreement.

Section 2. The Municipal Council hereby authorizes the negotiation and preparation of a Redevelopment Agreement between the City and Gamal Group Corp. in such a form deemed advisable by the City Attorney or Special Redevelopment Counsel to the City, subject to any and all conditions contained herein, and such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel. Such Redevelopment Agreement shall be presented to the Municipal Council for approval prior to its execution.

Section 3. Within fourteen (14) days of the date of this Resolution, Gamal Group Corp. shall establish an escrow account to cover the City’s costs and professional fees associated with the negotiation and preparation of the Redevelopment Agreement and all other City Costs and professional fees associated with the redevelopment and planning process associated with the proposed Gamal Group East redevelopment project. The initial escrow shall be in the amount of Ten Thousand (\$10,000.00) dollars.

Section 4. This Resolution shall take effect immediately.

Yeas - Council Members Carroll, Weimmer, Perez and Booker and President LaPelusa

* * * * *

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

RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY, AUTHORIZING THE EXECUTION OF A LETTER AGREEMENT BETWEEN THE CITY AND THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY REGARDING PAYMENTS TO BE MADE UNDER THE PURCHASE AND SALE AGREEMENT BETWEEN THE CITY, AS SUCCESSOR IN INTEREST TO THE BAYONNE LOCAL REDEVELOPMENT AGENCY DATED JULY 30, 2010

WHEREAS, the Port Authority of New York and New Jersey (“Port Authority”), the City of Bayonne (City”), as successor in interest to the Bayonne Local Redevelopment Agency (“BLRA”), and Cape Liberty Cruise Port, LLC (“Port Manager”) entered into a Terminal Operating Agreement dated November 1, 2005, as amended (the “Terminal Operating Agreement”); and

WHEREAS, the City of Bayonne (“City”), as successor in interest to the BLRA, entered into a Contract of Sale and Purchase Agreement (“Purchase Agreement”) with the Port Authority dated July 30, 2010, as amended; and

WHEREAS, pursuant to documents executed among the BLRA, Royal Caribbean Cruise Lines (the “Redeveloper”) and its affiliate, the Port Manager (the “RCCL Documents”) and the Article XIX Purchase Agreement, the Port Authority is obligated to pay the City 50% of all amounts, in excess of \$2,000,000 on an annual basis, due and payable pursuant to the RCCL Documents (the “City Percentage Payment”), including, but not limited to the Priority Charges, as defined in the Terminal Operating Agreement; and

WHEREAS, Article XIX of the Purchase Agreement further provides that to the extent that the Port Authority amends the RCCL Documents and/or decreases or fails to increase or collect any charge or revenue required to be increased, paid and collected, the Port Authority shall guarantee the revenues to the City as would otherwise be generated pursuant to the RCCL Documents; and

WHEREAS, due to the novel coronavirus COVID-19 pandemic (the “Pandemic”), passenger operations on cruise ships were suspended between March 16, 2020 and September 4, 2021 (“Relief Period”) which resulted in a significant decrease in revenues from the operations of the Port Manager and therefore the only revenue payable to the Port Authority during the Relief Period was attributable terminal Priority Charges in the aggregate amount of \$3,500,413.36 (the “Relief Period Priority Charges”); and

WHEREAS, in recognition of the financial impact of the Pandemic, the Port Authority and the Port Manager entered into a Rent Deferral and Abatement Program Agreement dated March 3, 2022 (the “Deferral and Abatement Agreement”) which provides that the Relief Period Priority

Charges shall be reduced by 50% to \$1,750,206.68 (“Adjusted Priority Charges”) and that the Port Manager shall receive a credit for the calendar year 2020 in the amount of \$442,978.72 which results in an Adjusted Priority Charges balance of \$1,307,227.96 (the “Debt”) which shall be payable by the Port Manager in equal monthly installments over a 14-month period commencing October 25, 2021; and

WHEREAS, pursuant to a letter agreement (the “Letter Agreement”), the City and Port Authority agree that the aggregate amount of the Debt shall be included in the amounts due and payable pursuant to the RCCL Documents for 2022 for purposes of the calculation of the City Percentage Payment for the calendar year 2022 (the “Adjusted 2022 Payment”) which shall total 50% of the Debt, or \$653,613.98 and shall be payable by the Port Authority to the City on or before December 31, 2023; and

WHEREAS, pursuant to the Letter Agreement, the City hereby consents to the terms of the Deferral and Abatement Agreement and acknowledges and agrees that notwithstanding the obligation of the Port Authority pursuant to Article XIX of the Purchase Contract, the City will accept payment of the Adjusted 2022 Payment in lieu of the City Percentage Payments for the calendar years 2020 and 2021, and the Adjusted 2022 Payment shall represent full and complete satisfaction of the City Percentage Payment obligation of the Port Authority for the calendar years 2020, 2021 and 2022.

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

Section 1. The aforementioned recitals are incorporated herein as if fully set forth herein.

Section 2. The Mayor is hereby authorized to execute the Letter Agreement by and between the City of Bayonne and the Port Authority of New York and New Jersey on behalf of the City of Bayonne.

Section 3. This Resolution shall take effect immediately.

Yeas - Council Members Carroll, Weimmer, Booker, Perez and President LaPelusa

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

WHEREAS, the city clerk, advertised in the Jersey Journal on July 26, 2022 that sealed bids for the PENINSULA AT BAYONNE HARBOR-PORT ACCESS ROAD would be received on AUGUST 11, 2022; and

WHEREAS, pursuant to such advertisement, two (2) proposals were received from:

Bidders	Bid Amount
Union Paving & Construction Co. Inc. 1140 Globe Avenue Mountainside, NJ 07092	\$3,700.549.81
Kyle Conti Construction, LLC 749 Clawson Avenue Hillsborough, NJ 08844	\$4,040,040.00

and

WHEREAS, Amy Dellabella, R.P.P.O., Q.P.A. and Evan Jacobs, Matrix Engineering, have examined the bids or proposals and have determined that the bid of Union Paving & Construction Co. Inc. is a regular bid and is most advantageous to the City of Bayonne for the PENINSULA AT BAYONNE HARBOR-PORT ACCESS ROAD; and

WHEREAS, the Municipal Comptroller has filed a certification with the city clerk that funds are available; now, therefore, be it

RESOLVED, that the contract for the PENINSULA AT BAYONNE HARBOR-PORT ACCESS ROAD be awarded to:

Union Paving & Construction Co. Inc.
1140 Globe Avenue
Mountainside, NJ 07092

for the following bid price of \$3,700.549.81, and that the contract be executed in the name of the City of Bayonne by the proper city officials and that the said sum be charged to account: #2-01-41-589-0000-199 – New Jersey Department of Transportation Local Freight Impact Fund Award LFIF-22.

Yeas - Council Members Carroll, Weimmer, Booker, Perez and President LaPelusa

* * * * *

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

WHEREAS, on March 16, 2022, this Municipal Council passed a Resolution authorizing the Clerk to advertise for bids for the Peninsula at Bayonne Harbor Port Access Road Project, City of Bayonne Hudson County, New Jersey – New Jersey Department of Transportation Local Freight Impact Fund Award LFIF-18 and (2) extending the bid award date to June 30, 2022; and

WHEREAS, bids were received on Thursday, August 11, 2022, and it is necessary to extend the bid award date to December 31, 2022; now, therefore, be it

RESOLVED, the date of the bid award is hereby extended to December 31, 2022

Yeas - Council Members Carroll, Weimmer, Booker, Perez and President LaPelusa

* * * * *

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

WHEREAS, there exists a need for professional engineering services to act as Municipal Traffic Engineer in connection with Developers and Redevelopers; and

WHEREAS, the City of Bayonne advertised a Request for Qualifications/Proposals for the aforesaid professional services under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4 and.5; and

WHEREAS, John Pavlovich, P.E., 208 Voorhis Avenue, River Edge, NJ 07661-1240, has submitted to the City of Bayonne a formal, written response to the City’s Request for Qualifications/Proposals for said services; and

WHEREAS, John Pavlovich, P.E. is ready, willing and able to perform said services for the period commencing August 18, 2022 and ending December 31, 2022 for an amount not to exceed \$50,000.00 payable pursuant to the fee schedule as set forth in the response to the City’s Request for Qualifications/Proposals; and

WHEREAS, this professional services contract was determined under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A-20.4.5; and

WHEREAS, this contract constitutes a “Professional Service” contract under the provisions of the Local Public Contracts Law because the service is a recognized profession, licensed and regulated by the State of New Jersey, and therefore, may be awarded without competitive bidding pursuant to N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, the Local Public Contract Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of contracts for “Professional Services” without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, funds shall be chargeable to various Developers’ and Redevelopers’ Escrow Accounts; now, therefore, be it

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with John Pavlovich, P.E., 208 Voorhis Avenue, River Edge, NJ 07661-1240 for the aforementioned professional engineering services to act as Municipal Traffic Engineer in connection with Developers and Redevelopers for the period commencing August 18, 2022 and ending December 31, 2022 for a total contract amount not to exceed \$50,000.00.

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 Various Developers and Redevelopers Escrow Accounts.

Yeas - Council Members Carroll, Weimmer, Booker and Perez and President LaPelusa

* * * * *

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

WHEREAS, EOM 90 AVE E URBAN RENEWAL, LLC, a limited liability company licensed to do business in the State of New Jersey, having an address of 3605 Sedgwick Avenue, Bronx, NY 10463, is the owner of certain real property located on 90-102 Avenue E, City of Bayonne, County of Hudson, and State of New Jersey, which property is shown on the official tax maps of the City of Bayonne as Block 467, Lot 8.01 (formerly Lots 8 and 9) (the “Property”); and

WHEREAS, an existing City of Bayonne utility pipe/combined sewer main runs beneath the Property (the “Existing Pipe”) and despite the diligence of the Parties, no previously recorded document could be located that would give the City of Bayonne any rights over or under any portion or portions of the Property; and

WHEREAS, EOM 90 AVE E URBAN RENEWAL, LLC, in connection with the redevelopment of the Property, has agreed to allow most of the Existing Pipe to remain in place and to re-route a portion of the Existing Pipe that runs beneath the Property; and

WHEREAS, the City of Bayonne seeks to procure a 15-foot utility easement on the Property, as depicted in Exhibit “A”, attached hereto (the “Utility Easement”); and

WHEREAS, EOM 90 AVE E URBAN RENEWAL, LLC is willing to provide a Utility Easement to the City of Bayonne, exclusively for the purposes set forth herein, and the Parties mutually agree that the Utility Easement shall be for the benefit of the City of Bayonne; now, therefore be it

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

1. The Mayor and Clerk are hereby authorized to enter into a Utility Easement Agreement upon terms and conditions similar to that which is set forth in the Utility Easement Agreement attached hereto, subject to review and modification of the Law Director and/or Redevelopment Counsel.

Yeas - Council Members Carroll, Weimmer, Booker, Perez and President LaPelusa.

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74. Council Member Perez moved the following communication be received and filed, seconded by Council Member Carroll which was read by the Clerk and adopted.

WHEREAS, by way of Resolution No. 17-08-16-085 adopted August 16, 2017 as amended pursuant to Resolution 17-10-18-037 adopted October 18, 2017, City of Bayonne (the “City”) entered into an Access Agreement authorizing Honeywell International, Inc. (“Honeywell”) (the City and Honeywell collectively the “Parties”) to conduct certain environmental remediation activities on a portion of the Bayonne Sewerage Pipeline that traverses the Richard A. Rutkowski Park (“Rutkowski Park”), located on Block 22, Lot 1, Block 48, Lot 1 and Block 50, Lot 1 on the tax map of the City of Bayonne (“Rutkowski Park Agreement”); and

WHEREAS, by way of Resolution No. 18-06-20-082 adopted June 20, 2018 the City entered into an Access Agreement authorizing Honeywell to conduct certain environmental remediation activities on the portion of the Bayonne Sewerage Pipeline located on Block 20, Lots 2, 6, 8 and 9 and Block 148, Lot 17 on the tax map of the City of Bayonne (“Line B Agreement”) and

WHEREAS, by way of Resolution No. 18-06-20-081 adopted June 20, 2018 the City entered into an Access Agreement authorizing Honeywell to conduct certain environmental remediation activities on the portion of the Bayonne Sewerage Pipeline located on Block 217, Lots 1, 2 and 37, and Block 21, Lot 13 on the tax map of the City of Bayonne (“Line A Agreement”) and

WHEREAS, the Rutkowski Park Agreement, the Line B Agreement and the Line A Agreement (collectively “the Agreements”) have expired; and

WHEREAS, the Agreements allow for extension, by mutual written consent of the Parties; and

WHEREAS, the parties wish to renew and clarify certain terms of the Agreements; and

WHEREAS, the City is in receipt of a proposed “Extension of Access Agreements Between City of Bayonne and Honeywell International Inc.” from Honeywell attached hereto and made a part hereof stating said certain terms and conditions; now, therefore, be it

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

1. The Mayor and City Clerk are hereby authorized to execute an extension to the aforesaid Agreements in form and substance similar to the “Extension of Access Agreements Between City of Bayonne and Honeywell International Inc.” attached hereto and made a part hereof and approved by the Law Director.

Yeas - Council Members Carroll, Weimmer, Booker, Perez and President LaPelusa

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

WHEREAS, the City of Bayonne’s summer recreation program utilized the services of Beloved Community Charter School Inc., located at 8 Grand Street, Jersey City, New Jersey, to provide bus services for 160 children and 25 camp counselors/directors in the City’s summer camps at Horace Mann School, 16th Street and Mary J. Donohue, at a cost of \$375 per day/per bus; and

WHEREAS, Beloved Community Charter School Inc. provided said services for a total of 27 days during the summer of 2022 and has submitted an invoice for payment in the amount of \$40,500.00; and

WHEREAS, the Director of Public Works has verified that the services have been provided and that invoice for services rendered by Beloved Community Charter School Inc. is true and accurate; and

WHEREAS, fund have been certified as available in Account #T-12-56-930-7004-199 and it is necessary for the City of Bayonne to memorialize the agreement for said services in the amount of \$40,500.00; now, therefore, be it

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

1. The Mayor and Clerk are hereby authorized to enter into an agreement with Beloved Community Charter School Inc, located at 8 Grand Street, Jersey City, New Jersey 07302, for said services in the amount of \$40,500.00.
2. The CFO is hereby authorized to make payment in the amount of \$40,500.00 from Account T-12-56-930-7004- 99 for said services.

Yeas - Council Members Carroll, Weimmer, Booker, Perez and President LaPelusa

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76. Council Member Booker moved the following resolution, seconded by Council Member Weimmer which was read by the Clerk and adopted

RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY, AUTHORIZING THE EXECUTION OF A FIRST AMENDMENT TO THE LICENSE AGREEMENT BETWEEN THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY, LEG-BP BAYONNE OWNER URBAN RENEWAL LLC AND THE CITY OF BAYONNE DATED AUGUST 26, 2020 TO EXTEND THE TERM OF THE LICENSE AGREEMENT FOR TWO (2) YEARS TO EXPIRE ON AUGUST 26, 2024

WHEREAS, the Municipal Council of the City of Bayonne (the “City”) entered into a License Agreement on August 26, 2020 (“License Agreement”) with THE PORT AUTHORITY OF

NEW YORK AND NEW JERSEY, a body corporate and politic created by Compact between the States of New York and New Jersey with the consent of the Congress of the United States of America (the “Port Authority”), LEG-BP BAYONNE OWNER URBAN RENEWAL LLC (formerly known as LEG-BP Bayonne Owner LLC), a New Jersey limited liability company (“LEG-BP”)(the Port Authority, LEG-BP and the City are collectively referred to herein as the “Parties”) in order to grant to LEG-BP and the City and their respective contractors permission to enter upon, use and occupy certain property owned by the Port Authority located in the City of Bayonne, New Jersey for the purpose of performing certain Work as described in the License Agreement; and

WHEREAS, the term of the License Agreement is two (2) years and will therefore expire on August 26, 2022; and

WHEREAS, the Work described in the License Agreement (“Work”) is in progress but has yet to be completed and the Parties wish to extend the term of the License Agreement in order to allow adequate time for the Work to be completed; and

WHEREAS, a First Amendment to the License Agreement (“First Amendment”) has been prepared to extend the term of the License Agreement; and

WHEREAS, the Municipal Council recognizes that the Work described in the License Agreement is necessary and appropriate; and

WHEREAS, the Municipal Council has determined that it is in the best interests of the citizens of the City to approve the First Amendment.

Yeas - Council Members Carroll, Weimmer, Booker, Perez and President LaPelusa

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

WHEREAS, pursuant to N.J.S.A. 10:4-12(a) the City of Bayonne’s Municipal Council must conduct its meetings in open view of the public at all times, subject to the provisions of N.J.S.A. 10:4-12(b); and

WHEREAS, pursuant to N.J.S.A. 10:4-12(b)(7), the City of Bayonne’s Municipal Council may exclude the public from that portion of a meeting wherein the City of Bayonne’s Municipal Council discusses any pending or anticipated litigation or contract negotiation; and

WHEREAS, pursuant to N.J.S.A. 10:4-12(b)(5), the City of Bayonne’s Municipal Council may exclude the public from that portion of a meeting wherein the City of Bayonne’s Municipal Council discusses any matter that could adversely affect the public interest if discussion of such matters was disclosed; and

WHEREAS, it is now necessary to review certain options and the legal implications and ramifications thereof for the purpose of discussing pending and/or anticipated litigation and/or negotiations between the City of Bayonne and certain developers regarding Redevelopment Agreements and Financial Agreements, in particular:

WOODMONT BAYONNE PHASE II
SILKLOFTS
BAYVIEW JV
DUKE REALTY
7 HOOK ROAD
6 COMMERCE STREET
JOHNSON SELF STORAGE
TOGUS (STUDIO 1888)

; and

WHEREAS, the City of Bayonne’s legal and negotiating positions and might be compromised by a public discussion of same at the current time; and

WHEREAS, the City of Bayonne’s Municipal Council now deems it necessary to convene in a closed session in order to discuss the aforesaid matters and the legal and financial ramifications of same; and

WHEREAS, it is the intention of the City of Bayonne’s Municipal Council to keep reasonably comprehensible minutes of this closed session meeting pursuant to N.J.S.A. 10:4-14 and to make said minutes available to the general public after the finalization of the issues involved; now, therefore, be it

RESOLVED, that the City of Bayonne’s Municipal Council shall now recess to a private session in order to discuss the matters set forth above; and be it further

RESOLVED, that the City of Bayonne’s Municipal Council shall reconvene to public session at the conclusion of the private session, but no action will be taken on the matters discussed during the private session.

Yeas - Council Members Carroll, Weimmer, Booker, Perez and President LaPelusa

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At 9:25 P.M., Council Member Carroll motioned to adjourn to closed session, second by Council Member Perez, motion adopted. No formal action to be taken at end of closed session, regular meeting portion adjourned.

Yeas - Council Members Carroll, Weimmer, Perez, Booker and President LaPelusa

President–Gary LaPelusa

Clerk – Madelene C. Medina