

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, JUNE 14, 2023.

The Council met at 7:05 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 JUNE 14, 2023, 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 JUNE 9, 2023."

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:

"The CY 2023 Local Municipal Budget, which was approved at a meeting held MAY 17, 2023, 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 JUNE 14, 2023 is now before the Council for its consideration and a public hearing.

Council Member Perez move that the resolution be given a second reading, seconded by Council Member Weimmer which motion was adopted

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

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

The Clerk read the resolution by title "The CY 2023 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.

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

WHEREAS, the CY 2023 Local Municipal Budget of the City of Bayonne was approved on May 17, 2023, was published in the Jersey Journal on May 26, 2023, 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 June 14, 2023, 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 2023 Local Municipal Budget of the City of Bayonne be read by its title.

SECTION 2 - UPON ADOPTION FOR YEAR 2023

23-06-14

Reso#:

Be it Resolved by the

COUNCIL MEMBERS

RESOLUTION

CITY

of

BAYONNE

County of

HUDSON

that the budget hereinbefore set forth is hereby

adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

(a) \$ 86,119,435.08 (Item 2 below) for municipal purposes, and

(b) \$ 8,330,057.00 (Item 3 below) for school purposes in Type I School Districts only (N.J.S.A. 18A:9-2) to be raised by taxation and,

(c) \$ - (Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in

Type II School Districts only (N.J.S.A. 18A:9-3) and certification to the County Board of Taxation of

the following summary of general revenues and appropriations.

(d) \$ - (Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy

(e) \$ - (Sheet 44) Arts and Culture Trust Fund Levy

(f) \$ 3,020,630.96 (Item 5 Below) Minimum Library Tax

RECORDED VOTE

(Insert last name)

Ayes

BOOKER
CARROLL
PEREZ
WEIMMER
LAPELUSA

Nays

N/A

Abstained

N/A

Absent

N/A

1. General Revenues

SUMMARY OF REVENUES

Surplus Anticipated	08-100	\$	11,000,000.00
Miscellaneous Revenues Anticipated	13-099	\$	44,890,727.77
Receipts from Delinquent Taxes	15-499	\$	150,000.00
2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 6(a), Sheet 11)	07-190	\$	86,119,435.08
3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY:			
Item 6, Sheet 42	07-195	\$	-
Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14)	07-191	\$	8,330,057.00
TOTAL AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY			\$ 8,330,057.00
4. To Be Added TO THE CERTIFICATE FOR THE AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY:			
Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14)	07-191		
5. AMOUNT TO BE RAISED BY TAXATION MINIMUM LIBRARY TAX	07-192	\$	3,020,630.96
Total Revenues	13-299	\$	153,510,850.81

Sheet 41

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

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02. The Clerk announced:

AN ORDINANCES ENTITLED, AN ORDINANCE OF THE CITY OF BAYONN AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES, CHAPTER 16, RENT CONTROL which was introduced and passed a first reading at a meeting held MARCH 20, 2023, was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at the meeting of April 19, 2023 which was postponed to the meeting of May 17, 2023 for consistency

Council Member Carroll moved to abandoned the ordinance in it’s original format and re-introduced, seconded by Council Member Perez.

Editor's Note: The power to control rent is part of the general police power contained in N.J.S.A. 40:48-1.2.

AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON,
AMENDING CHAPTER 16, RENT CONTROL, OF THE MUNICIPAL CODE
OF THE CITY OF BAYONNE

BE IT ORDAINED by the Municipal Council of the City of Bayonne, in Hudson County, New Jersey, as follows:

Section I. Chapter 16 of the Municipal Code of the City of Bayonne entitled “Rent Control” is hereby amended by the removal in its entirety of the current ordinance and the replacement of Chapter 16 “Rent Control” with the following:

CHAPTER 16 RENT CONTROL

§ 16-1. EFFECTIVE DATE; PURPOSE; CONSTRUAL OF PROVISIONS; DEFINITIONS

§ 16-1.1. Effective Date.
Whereas, in 1973, the City of Bayonne passed Ordinance No. O-73-06, an ordinance that restricted the amount of rent landlords could charge for the use and occupancy of a rental unit in their residential dwelling, subject to a few exceptions. This type of rent restriction is known as rent control; and

Whereas, Ordinance No. O-73-06 was extended each year by the adoption of a new ordinance. The most recent ordinance that extended rent control for rental units in most residential dwellings was Ordinance No. O-11-11, which ended on June 30, 2011. Thereafter, the City of Bayonne did not pass a new ordinance to extend Ordinance No. O-73-06, the effect of which, lifted rent control for residential units that were vacant on June 30, 2011. However, the rental units that housed residential tenants as of June 30, 2011 remained subject to rent control by virtue of their occupancy; and

Whereas, on November 9, 2011, the City of Bayonne passed Ordinance No. O-11-33, which established protections for residential tenants still occupying a rental unit subject to rent control; and

Whereas, the City of Bayonne has found that there is a need to provide additional, clearer, and revised protections for residential tenants who have been continuously residing in rental units subject to rent control since June 30, 2011 than that was afforded to them by Ordinance No. O-11-33;

Now, therefore, be it Ordained, by the Municipal Council of the City of Bayonne that Ordinance No. O-11-33, and every ordinance amending it thereafter, is hereby repealed and replaced with this Ordinance, No. _____, effective as of _____, 2023. Any and all amendments and supplements of this Ordinance shall be in full force and effect immediately after passage and this Chapter may be further amended from time to time by the Municipal Council in a manner provided by law.

§ 16-1.2. Declaration of Purpose.

The purpose of this Chapter is to establish a method to continue the protection for those residential who are legally occupying a rental unit subject to rent control at the time of the passage of this Chapter as of the date of its passage. It is common knowledge that in the State of New Jersey the interests of tenants are protected by State Law, N.J.S.A. 2A:18-53 or Anti-Eviction Act, N.J.S.A. 2A:18-61.1 et seq. from evictions without just cause and directly on point for unreasonable rent increases, N.J.S.A. 2A:18-61.1f.

§ 16-1.3. Construal of Provisions.

This Chapter being necessary for the welfare of the City and its inhabitants shall be liberally construed to effectuate the purpose thereof.

§ 16-1.4. Definitions.

As used hereinafter in this Chapter:

Annual Operating Expenses – Shall mean yearly expenses incurred by the landlord of the Dwelling for the following items: heating fuel; utilities; real estate taxes; insurance; payroll; janitorial services and materials; painting and decorating; ordinary and routine repairs and maintenance; and miscellaneous administrative expenses. Annual Operating Expenses for purposes of this Chapter shall not include: depreciation; mortgage interest and amortization; the cost of Major Capital Improvements or Individual Rental Unit Improvements; or expenses derived from any commercial or non-housing portions of the Dwelling. Where an Annual Operating Expense benefitted both a residential tenant(s) and commercial user(s), such Annual Operating Expense shall be apportioned accordingly between residential and commercial tenants to determine the amount of Annual Operating Expense attributable to residential use of a Dwelling for purposes of calculating allowable Hardship Surcharge under this Chapter.

Base Rent – Shall mean the monetary amount approved by the Board and properly noticed according to Section 16-4, which the Rent-Controlled Tenant is required to pay to the landlord for the use and enjoyment of their Covered Rental Unit and any Core Services, but not for the use and enjoyment of any Supplemental Services, for the Rent-Controlled Tenant's applicable rental term. Base Rent shall include subsequent Rent Increases as they become authorized pursuant to Section 16-4. Base Rent shall not include any of the Surcharges authorized pursuant to Section 16-5.

Board – Shall mean any rent control board, rent equity board, or other agency or official authorized to administer and decide matters regarding this Rent Control Chapter.

Consumer Price Index (CPI) – Shall mean the Consumer Price Index for All Urban Consumers, specifically for the “all items index, not seasonally adjusted” for the region of the United States of which Bayonne, New Jersey, is a part, published periodically by the Bureau of Labor Statistics, United States Department of Labor.

Consumer Price Index Percentage (CPI Percentage) – Shall mean the 12-month percent change of the Consumer Price Index.

Core Services – Shall mean Services for which no separate or identifiable periodic surcharge is paid by the Rent-Controlled Tenant and which are provided by a landlord to the Rent-Controlled Tenant either: (1) to use within their Covered Rental Unit or (2) to use outside of their Covered Rental Unit in the common areas of the Dwelling and its surrounding land, use of which is available to all tenants in the Dwelling.

Covered Rental Unit – Shall mean any Rental Unit: (1) designated as one that was subject to rent control pursuant to Ordinance No. O-73-06 and its progeny ordinances, and (2) which, as of January XX, 2023, continues to house a tenant who has not vacated the Rental Unit or been legally evicted from the Rental Unit since June 30, 2011.

- Exempt from this Chapter are the following, which shall be defined as “Exempt Rental Units” for the purposes of this Chapter:
 - Rental Units occupied by persons whose rents are subsidized in whole in part by federal or state law or regulations, including, but not limited to:
 - Section 8 of the U.S. Housing Act of 1937
 - Section 202 of the Housing Act of 1959 (12 U.S.C. 1701q), as amended;
 - Section 811 of the National Affordable Housing Act of 1990 (P.L. 101-625) as amended by the Housing and Community Development Act of 1992 (P.L. 102-550), the Rescission Act (P.L. 104-19) the American Homeownership and Opportunity Act of 2000 (P.L. 106-569), and the Frank Melville Supportive Housing Act of 2010 (P.L. 111-374).
 - Rental Units permanently decontrolled pursuant to Section 16-9 of this Chapter.

Decision – Shall mean any formal action taken by the Board or the Rent Control Office to resolve a matter that was brought to it.

Dwelling – Shall mean any building, structure, trailer, land used as a trailer park rented, or land offered for rent to one or more tenants or family units.

- Exempt from this Chapter are the following, which shall be defined as “Exempt Dwellings” for the purposes of this Chapter:
 - Dwellings containing four or less Rental Units.
 - Motels.
 - Hotels.
 - Commercial and industrial space.
 - Dwellings owned or operated by the United States, the State of New Jersey, any political subdivision, agency, or instrumentality thereof, any municipality or any public housing authority.
 - Dwellings that are subject to Federal preemption by the United States Department of Housing and Urban Development pursuant to Federal law or regulation including, but not limited to 24 CFR 246 and 24 CFR 406, or are subject to state preemption pursuant to New Jersey State law or regulation.
 - Newly constructed Dwellings rented for the first time which have been approved by the Building Department of the City of Bayonne for a Certificate of Occupancy after November 1, 2011. The landlord of such newly constructed Dwellings may charge rent not subject to the rental constraints of this chapter.

Gross Annual Income – Shall mean the money derived from the Dwelling, including, but not limited to, funds resulting from usage of garages or washing machines, and any other funds collected as a result of extra surcharges imposed by the landlord. Gross Annual Income shall not include income derived from any commercial or non-housing portions of the Dwelling.

Individual Rental Unit Improvement (“IRUI”) – Shall mean any renovation, preservation, replacement, or improvement work which substantially adds to the value, or life, of a single

Covered Rental Unit, but does not include ordinary or routine repairs, or maintenance, done to the Covered Rental Unit. Individual Rental Unit Improvements shall include, but are not limited to, things in the nature of replacing major appliances like a stove or a refrigerator, replacing or installing fixtures, and installing cabinetry.

Legal Eviction – Shall mean a landlord’s recovered possession of a Rental Unit from a Court of law under one of the causes enumerated in State law pursuant to N.J.S.A. 2A:18-53 or N.J.S.A. 2A:18-61.1 et seq.

Major Capital Improvement (“MCI”) – Shall mean any renovation, preservation, replacement, or improvement work which substantially adds to the value, or life, of the entire Dwelling or Covered Rental Units, but does not include ordinary or routine repairs, or maintenance. The work must benefit more than one Covered Rental Unit, not just a single Covered Rental Unit. Major Capital Improvements shall include, but are not limited to, things in the nature of installing or replacing a roof, boilers, HVAC systems or units, plumbing, electrical wiring, security systems, community laundry facilities, community recreation rooms or areas, or pools.

Opinion – Shall mean the Board’s written statement explaining a Resolution of the Board.

Rent-Controlled Tenant – Shall mean a tenant legally occupying a Covered Rental Unit.

Rental Unit – Shall mean: (1) the square feet of a Dwelling rented or offered for rent for residential purposes to one or more tenants or family unit, (2) fixtures contained within the designated square feet of the Dwelling, and (3) furnishings provided by the landlord for use within the designated square feet of the Dwelling.

Resolution – Shall mean a written document issued by the Board which decides a matter that was put before the Board.

Rooms – Shall mean bedrooms, living rooms, kitchens, and dining rooms. Any other area in a Covered Rental Unit is not considered a room for the purposes of this Chapter.

Services – Shall include, without limitation: repairs; decorating and maintenance; provision of light, heat, air conditioning, hot water, cold water, telephone, and elevator service; privileges for use of common kitchen, bath, or laundry facilities; privileges for use of common halls, corridors, stairs, rooms, yards, or other common areas; maid, linen, janitorial, garbage, or recycling services; privileges for the use of common parking facilities; and any other benefit, privilege, or shared use of facilities or fixtures granted to or permitted to be enjoyed by the tenant in connection with the tenant’s use or occupancy of their Rental Unit.

Supplemental Services – Shall mean any Services for which the landlord and Rent-Controlled Tenant have agreed the Rent-Controlled Tenant will pay for a separate or specifically identifiable Surcharge.

Surcharge – Shall mean an additional charge, fee, or payment paid by a Rent-Controlled Tenant for something.

Total Approved Rent – Shall include Base Rent and all Surcharges authorized by this Chapter.

§ 16-2. RENT CONTROL

All rents for Covered Rental Units are hereby controlled at the Base Rent in effect for such Covered Rental Units at the time of adoption of this Chapter, and no rent increases or surcharges shall be hereinafter demanded or paid except as authorized by this Chapter.

All previously approved rent increases and surcharges in effect at the time of adoption of this Chapter shall remain in effect and subject to the provisions of this Chapter as if the existing rent increase or surcharge had been approved and effective under this current Chapter.

§ 16-3. RENT CONTROL BOARD AND RENT CONTROL OFFICE

§ 16-3.1. Board.

- a. Composition of the Board. There is hereby created a Rent Control Board (“Board”) to

administer this Chapter. The Board shall consist of seven Board Members: five core members and two alternate members.

- b. Appointment. Each Board Member shall be appointed by the Mayor with the consent of the Municipal Council.
- c. Oath. An appointed Board Member shall take the following oath: "I do solemnly swear (or affirm) that I am duly qualified, according to the constitution of this state, to exercise the duties of a Member of the Rent Control Board to which I have been appointed; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will, to the best of my ability, faithfully discharge the duties of Board Member. So help me God."
- d. Term of Office. Board Members shall serve for a term of three (3) years, and until their successors are appointed and qualified.
- e. Vacancy on Board. If a permanent vacancy should occur among the core members of the Board, then the Mayor, with consent of the Municipal Council, may appoint either of the alternate members or a new member to fill the unexpired term of the core member.
- f. Compensation. Board Members shall serve without compensation.
- g. Reimbursement for Reasonable Educational Expenses. Board Members shall be allowed reimbursement of reasonable expenses incurred to attend educational programs to maintain or obtain knowledge required to serve as an effective Board Member, which shall include, but is not limited to, attending conferences, lectures, or seminars on the topic of rent control. In order to qualify for reimbursement, Board Members must obtain prior approval from the Mayor and Council to attend the educational program, which approval shall indicate the Board Members permitted to attend, the particular educational program that will be reimbursed, and the amount up to which each Board Member will be reimbursed.

§ 16-3.2. Board Leadership.

- a. Chairperson of the Board. At the first Board meeting of the calendar year, the Board, by a majority vote of Core Members, shall elect from their number a Chairperson of the Board who shall preside at all of its meetings. The Chairperson of the Board shall hold office for one (1) year and until the first Board meeting of the subsequent calendar year. The Chairperson of the Board shall have the right to debate and vote on all questions before the Board. If the Board, at its first meeting of the calendar year, fails to elect a Chairperson of the Board, the Mayor shall appoint a Chairperson of the Board, and in that case, no confirmation by the Board shall be necessary. A Chairperson may be removed from their position by a majority vote of Core Members.
- b. Vice-Chairperson of the Board. At the first Board meeting of the calendar year, the Board, by a majority vote, shall elect from their number a Vice-Chairperson of the Board who shall preside at all of its meetings when the Chairperson of the Board does not preside. The Vice-Chairperson of the Board shall hold office for one (1) year and until the first Board meeting of the subsequent calendar year. The Vice-Chairperson of the Board shall have the right to debate and vote on all questions before the Board. If the Board, at its first meeting of the calendar year, fails to elect a Vice-Chairperson of the Board, the Mayor shall appoint a Vice-Chairperson of the Board, and in that case, no confirmation by the Board shall be necessary. A Vice-Chairperson may be removed from their position by a majority vote of Core Members.

§ 16-3.3. Board Meetings and Board Activity.

- a. Quorum. A minimum of three Board Members must be in attendance in order for the Board to hold a meeting, or a hearing.
- b. Presence at Board Meetings. All Board Members shall be entitled to attend, and sit in on, any meeting of, or hearing before, the Board.
- c. Participation and Voting at Board Meetings. All five core members may participate and vote at any meeting of, or hearing before, the Board. Alternate members are generally non-participatory and non-voting, except when a core member is absent on the day that a matter is being determined or recuses themselves from a matter, in which case an alternate member who has attended the full hearing or hearings on a specific matter may participate, and vote on that matter, in lieu of the absent or recused core member.
- d. Formal Action. In order for any formal action to be taken by the Board, the majority of voting Board Members present must vote in the affirmative.

§ 16-3.4. Disqualification of Member.

- a. No individual shall be permitted to serve as a core member or alternate member of the Board if the individual is a landlord or tenant subject to the provisions of this Chapter, or if the individual has an immediate family member who is a landlord or tenant subject to the provisions of this Chapter; or if the individual has a financial interest in a Dwelling subject to the provisions of this Chapter.
- b. A core member or alternate member of the Board shall recuse themselves from participating in any way in any determinations, hearings, complaints, applications, or other matters brought before the Board or the Rent Control Office relating to a Dwelling in which the member resides, which includes that the member shall not speak on such matters at any

Board meeting or hearing, shall not question or participate directly or indirectly in questioning a witness at a meeting or hearing, shall not speak with other Board members or the Rent Control Office about any matters from which they must recuse themselves, and may not vote on such matters.

§ 16-3.5. Powers and Duties.

The Board is hereby granted, and shall have and exercise, in addition to other powers herein granted, all the powers necessary and appropriate to carry out and execute the purposes of this Chapter, including but not limited to the following:

- a. To issue and promulgate such rules and regulations as it deems necessary to implement the purposes of this Chapter, which shall have the force of law until revised, repealed, or amended from time to time by the Board in the exercise of its discretion, providing that such rules or regulations are filed with the City Clerk.
- b. To hold hearings and adjudicate applications from landlords for Hardship Surcharges, Major Capital Improvement Surcharges, and Individual Rental Unit Improvement Surcharges, in accordance with the provisions of this Chapter.
- c. To hold hearings and adjudicate complaints from Rent-Controlled Tenants for invalid rent increases or invalid surcharges in accordance with the provisions of this Chapter.
- d. To hold hearings and adjudicate complaints from Rent-Controlled Tenants alleging that their landlord has failed to pay money owed according to a Board Decision in accordance with the provisions of this Chapter.
- e. To hold hearings and adjudicate applications from Rent-Controlled Tenants for reduced rent in accordance with the provisions of this Chapter.
- f. To hold hearings and adjudicate complaints brought sua sponte by the Board against a landlord to determine the validity of rent increases or surcharges.
- g. To hold hearings and adjudicate applications from landlords seeking exemption from this Chapter.
- h. To hold hearings and adjudicate complaints from tenants seeking a determination that an individual is a rent-controlled tenant.
- i. To inform the Rent Control Office of potential violations of Section 16-14.
- j. To issue subpoenas requiring the production of witnesses and documents, and to take testimony and swear in witnesses in the execution of the Board's powers and duties.
- k. To enact Resolutions and, if necessary, issue Opinions regarding the various or random applications and matters that may be submitted or brought before the Board from time to time for consideration or adjudication.

At all hearings pursuant to Section 16-3.5(b)–(f), the Board shall give both the landlord and the Rent-Controlled Tenant(s) reasonable opportunity to be heard before making any Decision, except that in cases regarding multiple Covered Rental Units with one similar application, issue, or complaint, the Board, in its discretion, may limit repetitious testimony or ask that a spokesperson for the affected Rent-Controlled Tenants be appointed by a majority of the affected Rent-Controlled Tenants looking to be heard by the Board.

§ 16-3.6. Termination.

Both core and alternate Board members may be removed from office by the Mayor, at the Mayor's discretion, upon written notice of a violation of duty arising out of the commission by the Board member of any of the following infractions: inefficiency, negligence of duties, or malfeasance.

§ 16-3.7. Rent Control Office.

The Board shall have a Rent Control Office and such staff working in the Rent Control Office, including a Rent Regulation Officer and Rent Control Board Secretary, as may be necessary to perform the Board's functions and duties including, but not limited to:

- a. To supply non-legal information and assistance to landlords and Rent-Controlled Tenants to help them comply with the provisions of this Chapter.
- b. To keep an accurate record of the procedures of the Board and enter the same upon the minutes.
- c. To create and amend applications, forms, and procedures necessary to implement the purposes of this Chapter.
- d. To receive all completed applications and complaints from landlords and Rent-Controlled Tenants and process the same for determination by the Board.
- e. To adjudicate Applications for CPI Increase and Applications for Permanent Decontrol in accordance with the provisions of this Chapter.

- f. To issue complaints and summonses when appropriate according to Section 16-14.

§ 16-3.8. Yearly Rent-Controlled Tenant Registration.

On or before December 1 of every year, all landlords of a Dwelling that includes any Covered Rent Units must file a completed Registry of Rent-Controlled Tenants with the Rent Control Office. All landlords must provide the completed Registry of Rent-Controlled Tenants to all tenants listed in the Registry.

§ 16-4. PERMISSIBLE RENT INCREASES

§ 16-4.1. Consumer Price Index (CPI) Increase.

- a. Application.
 - i. For Rent-Controlled Tenants with a lease term of less than one year, a landlord may be allowed a CPI Increase in rent based on changes to the cost-of-living every year. A landlord shall be permitted to apply to the Office for a CPI Increase by submitting a complete and proper Application for CPI Increase to the Rent Control Office.
 - ii. For Rent-Controlled Tenants with a lease term of one year or more, a landlord may be allowed a CPI Increase in rent based on changes to the cost-of-living at the expiration of every lease term. A landlord shall be permitted to apply to the Office for a CPI Increase by submitting an Application for CPI Increase to the Rent Control Office.
- b. Rent Control Office Review. The Rent Control Office shall review the Application for CPI Increase to determine if the application is complete and proper. Once the Rent Control Office has reviewed the Application for CPI Increase and determined that it is complete and proper, the Rent Control Office shall stamp the application to indicate that it is complete.
- c. Decision by the Rent Control Office. Within fifteen (15) days after the Rent Control Office stamped the completed Application for CPI Increase, the Rent Control Office shall decide whether to deny or approve of the Application for CPI Increase.
 - i. If the Rent Control Office decides to approve the Application for CPI Increase, the Rent Control Office shall: (1) stamp the Application for CPI Increase to indicate that it is approved; (2) determine, and indicate on the approved Application for CPI Increase, the appropriate CPI Increase per Covered Rental Unit based on the last reported CPI Percentage two months prior to the date the Rent Control Office determined that the application for CPI was complete and proper pursuant to subsection c. If that CPI Percentage is greater than 5.5%, then the Rent Control Office shall cap the Covered Rental Unit's CPI Increase at 5.5% of the Covered Rental Unit's current Base Rent; (3) fix the date upon which the CPI Increase shall take effect, in accordance with State Statutes, which date shall be no sooner than one year from the expiration of the most recent CPI Increase; and (4) notify the landlord of the application's approved status by providing the landlord with an exact copy of the stamped approved application and a Notice of Approval of CPI Increase that indicates therein the amount of the approved CPI Increase for the Rent-Controlled Unit and the date that the CPI Increase is to take effect.
 - ii. If the Rent Control Office decides to deny the Application for CPI Increase, the Rent Control Office shall stamp the Application for CPI Increase to indicate that it is denied and provide a Notice of Denial to the landlord explaining the reason(s) for the denial. If an Application for CPI Increase is denied and the landlord is able to correct the issues that the Rent Control Office explained were the reasons for denial of the Application, the landlord may submit a new Application for CPI Increase that corrects the issues.
- d. Notice to Rent-Controlled Tenant(s) of Approved Application. Within ten (10) days after receipt by the landlord of a copy of the stamped approved Application for CPI Increase and a Notice of Approval of CPI Increase, the landlord shall, by registered or certified mail return receipt requested or by personal service with a sworn affidavit of service, notify the applicable Rent-Controlled Tenants of the Application for CPI Increase's approval by providing each Rent-Controlled Tenant subject to the CPI Increase with exact copies of both the stamped approved Application for CPI Increase and the Notice of Approval of CPI Increase.
- e. Notifying Rent Control Office After Notice of Approved Application Has Been Given. Within fourteen (14) days after the landlord has finished providing notice in accordance with Subsection e above, the landlord shall submit a Notice Log to the Rent Control Office confirming said notice has been provided to the Rent-Controlled Tenants.
- f. Collection of CPI Increase. A landlord shall not collect any CPI Increase from a Rent-Controlled Tenant, and a Rent-Controlled Tenant's obligation to pay an approved CPI Increase shall not accrue, until the effective date of the CPI Increase stated on the Notice of Approval of CPI Increase.
- g. Incorporation into Base Rent. Provided that the landlord's Notice Log indicates that the appropriate Rent-Controlled Tenant(s) has received the Notice of Approval of CPI Increase

that is required by Subsection e above, the CPI Increase shall be deemed to be part of the Base Rent on the effective date of the CPI Increase stated in the Notice of Approval of CPI Increase.

- h. Withdrawal of Approval of CPI Increase. An approved CPI Increase may be declared void and ineffective where the Rent Control Office finds that the landlord has failed to comply with the provisions of either subsection e and/or subsection f.
- i. Prohibition on Future Increases. No landlord shall be permitted to apply for, or collect, a CPI Increase under this Chapter if the Board has determined pursuant to Section 16-7 that the landlord has not repaid invalid rents or surcharges due or owing to the Rent-Controlled Tenant(s) in accordance with a Board Resolution and/or related Opinion. Only when all such payments due and owing are paid in full may the landlord apply for, or collect, a CPI Increase.

§ 16-5. PERMISSIBLE SURCHARGES

§ 16-5.1. Hardship Surcharge.

- a. Application. For all Dwellings containing Covered Rental Units, a landlord may apply to the Board for a 12-month surcharge based on financial hardship experienced within a 12-month period ending one month before the filing of the Application for Hardship Surcharge, by submitting a complete and proper Application for Hardship Surcharge to the Rent Control Office. No documentation in support of the Application for Hardship Surcharge will be considered by the Board if it has not been submitted by the landlord with the Application for a Hardship Surcharge or is not submitted to the Rent Control Office before the Rent Control Office issues a Notice of Completed Application and Hearing pursuant to subsection c.
- b. Calculation of Allowable Surcharge.
 - i. Calculation of the Hardship Surcharge amount per Covered Rental Unit shall be predicated on the particular financial information and documentation in the landlord's Application for Hardship Surcharge relating to Gross Annual Income, Annual Operating Expenses, initial investment, and assessed fair market value of the property where the Dwelling is located and shall be based on the formula set forth in subsection ii below.
 - ii. To qualify for a hardship surcharge, the landlord must prove that the Dwelling meets a minimum threshold requirement, namely, having the Dwelling's Annual Operating Expenses exceed sixty (60) percent of the Dwelling's Gross Annual Income:

[Operating Expenses] *must be greater than* [Gross Annual Income × 0.60]

- iii. If the landlord meets the threshold set forth above in b(ii), then the amount of allowable monthly Hardship Surcharge per Covered Rental Unit shall be calculated using the two-step process:

Step 1: Calculate the total monthly Hardship Surcharge landlords can collect from all tenants.

$$Total\ Monthly\ Hardship\ Surcharge = \left(\frac{\left(\left(\frac{Gross\ Annual\ Income - Operating\ Expenses}{Gross\ Annual\ Income} \right) \times 100 \right) - 40\%}{12} \times Gross\ Annual\ Income \right)$$

Step 2: Calculate the monthly Hardship Surcharge Per Covered Rental Unit

$$Monthly\ Hardship\ Surcharge\ Per\ Unit = \left(\frac{Total\ Monthly\ Hardship\ Surcharge}{Number\ of\ Total\ Rooms\ in\ Dwelling} \right) \times \#\ of\ Rooms\ in\ the\ Unit$$

- iv. For purposes of calculating Hardship Surcharge pursuant to the formula set forth in subsection ii above, for Dwellings containing fifty (50) or more Rental Units, the Gross Annual Income and Annual Operating Expenses reported in the Application for Hardship Surcharge must be certified by a certified public accountant if requested by the Board. Any Hardship Surcharge approved by the Board shall be apportioned equally among each Rental Unit in the Dwelling, including Covered Rental Units and non-Covered Rental Units. However, only payment of Hardship Surcharge by Rent-Controlled Tenants is mandated by this Chapter.
- c. Rent Control Office Review. The Rent Control Office shall review the Application for Hardship Surcharge to determine if the application is complete and proper. Once the

Rent Control Office has determined that the Application for Hardship Surcharge is complete and proper, the Rent Control Office shall: (1) stamp the application to indicate that it is complete, (2) set a hearing date for when the Application for Hardship Surcharge will be considered by the Board, and (3) notify the landlord of the Application's complete and proper status by providing the landlord with an exact copy of the stamped complete Application for Hardship Surcharge and a Notice of Completed Application and Hearing that has the hearing date indicated therein and includes language indicating that Rent-Controlled Tenants have a right to file an opposition to the Application for Hardship Surcharge.

- d. Notice to Rent-Controlled Tenants of Application. Within ten (10) days after receipt by the landlord of the stamped complete copy of the Application for Hardship Surcharge and Notice of Completed Application and Hearing, the landlord shall notify the Rent-Controlled Tenant of the application's complete and proper status by providing all Rent-Controlled Tenant in the Dwelling with exact copies of both by registered or certified mail return receipt requested or by personal service with a sworn affidavit of service.
- e. Informing the Rent Control Office that Tenant Notice Has Been Given. After notice has been given by the landlord to the Rent-Controlled Tenants pursuant to Subsection d above the landlord shall provide the Rent Control Office with a Notice Log to confirm that the notice required by Subsection d above has been sent to all Rent-Controlled Tenants in the Dwelling. Landlord must provide the Rent Control Office with this Notice Log no later than thirty (30) days prior to the hearing.
- f. Opposition to the Application. No later than twenty (20) days prior to the hearing date, the Rent-Controlled Tenants must submit written opposition, including copies of any and all supporting documentation, if any, to the Rent Control Office for the Board's consideration at the hearing. The Rent Control Office will make the written opposition available to the landlord for copying and inspection.
- g. List of Witnesses. No later than fourteen (14) days prior to the hearing date, both the landlord and the Rent-Controlled Tenants must provide the Rent Control Office with a list of all witnesses they plan to have testify at the hearing, if any. The Rent Control Office will make the landlord's and Rent-Controlled Tenants' list of witnesses available for copying and inspection.
- h. Hearing. Provided that the Rent Control Office has determined that the landlord's Notice Log indicates that all of the Rent-Controlled Tenants in the Dwelling have received satisfactory notice of the Application for Hardship Surcharge in accordance with Subsection d above, the Board may proceed to consider the merits of the Application on the date the matter is scheduled for hearing. At the hearing, the Board shall give both the landlord and the Rent-Controlled Tenants an opportunity to present their case, which shall consist of presenting evidence, calling witnesses, and the like. No submissions or evidence will be considered by the Board other than those provided to the Rent Control Office in accordance with Subsections f and g above. The only exception to this rule is when the Board, itself, requests specific additional submissions or evidence in order to reach a decision on the matter, which then, in order to be considered by the Board, must be provided to the Rent Control Office as directed by the Board.
- i. Decision by Board. Within sixty (60) days of the completion of the hearing for the Application for Hardship Surcharge, the Board shall determine whether to approve or deny the Application for Hardship Surcharge, enact a Resolution accordingly, and issue a written Opinion, if necessary. In the event that the Application for Hardship Surcharge indicates that the landlord is not receiving a fair net operating income, the Board shall approve the Application for Hardship Surcharge and adopt an appropriate Resolution, and where the Board may deem it necessary, issue an Opinion. The Rent Control Office shall then notify the landlord of the application's approved status by providing the landlord with: (1) an exact copy of the Board's Resolution and Opinion, if any, (2) a Notice of Approval of Application, which indicates therein the amount of the Hardship Surcharge and effective date of the Hardship Surcharge fixed by the Board in accordance with State Statutes, and (3) exact copy of the Application for Hardship Surcharge stamped to indicate that it has been approved. In the event the Application for Hardship Surcharge is denied, the Rent Control Office shall then notify the landlord of the application's denied status by providing the landlord with: (1) an exact copy of the Board's Resolution and Opinion, if any, and (2) a Notice of Denial of Application, which indicates therein the reasons for denial.
- j. Notice to Rent-Controlled Tenants of Board's Decision. Within ten (10) days after receipt by the landlord of copies of either the Board's Resolution and Opinion, if any, Notice of Approval of Application, and stamped approved copy of the Application for Hardship Surcharge, or the Board's Resolution and Opinion and Notice of Denial of Application, the landlord shall notify the Rent-Controlled Tenants of the Board's Decision by providing exact copies of the same to all Rent-Controlled Tenants in the Dwelling by registered or certified mail return receipt requested or by personal service with a sworn affidavit of service.
- k. Notifying Rent Control Office After Notice Has Been Given. Within fourteen (14) days after the landlord has finished providing notice in accordance with Subsection j above, the

landlord shall submit an additional Notice Log to the Rent Control Office confirming said notice has been provided to the Rent-Controlled Tenants.

- l. Lack of Incorporation into Base Rent. No Hardship Surcharge allowed by the Board is to be deemed to be part of the Base Rent, nor shall any such Hardship Surcharges be used to calculate future CPI Increases.
- m. Withdrawal of Approval of Hardship Surcharge. An approved Hardship Surcharge may be declared void and ineffective where the Rent Control Office finds that the landlord has failed to comply with the provisions of either subsection j and/or subsection k.
- n. Prohibition on Future Surcharges. No landlord shall be permitted to apply for, or collect, a Hardship Surcharge under this Chapter if the Board has determined pursuant to Section 16-7 that the landlord has not repaid invalid rents or surcharges due or owing to Rent-Controlled Tenant(s) in accordance with a Board Resolution and/or related Opinion. Only when all such payments due and owing are paid in full may the landlord apply for, or collect, a Hardship Surcharge.

§ 16-5.2. Major Capital Improvement Surcharge.

- a. Application. A landlord may apply to the Board for a surcharge based on the cost of conducting Major Capital Improvements within one year from the date of completion of the Major Capital Improvement work that is the subject of the application by submitting a complete and proper Application for a Major Capital Improvement Increase to the Rent Control Office. No increase shall be permitted for Major Capital Improvements completed more than 12 months prior to the date the Application is submitted to the Board unless the landlord establishes to the Board good cause for the landlord's delay in applying for the surcharge. The Application for a Major Capital Improvement Surcharge shall itemize each expense included as part of the landlord's cost of the Major Capital Improvement with sufficient detail for the Board to confirm that the expense was incurred specifically as part of the Major Capital Improvement work, and the landlord shall all submit proofs of payment of each such expense that is included in the landlord's Application for a Major Capital Improvement Surcharge. No documentation in support of the Application for a Major Capital Improvement Surcharge will be considered by the Board if it has not been submitted by the landlord with the Application for a Major Capital Improvement Surcharge or is not submitted to the Rent Control Office before the Rent Control Office issues a Notice of Completed Application and Hearing pursuant to subsection b.
- b. Rent Control Office Review. The Rent Control Office shall review the Application for a Major Capital Improvement Surcharge to determine if the application is complete and proper. Once the Rent Control Office has reviewed the Application for a Major Capital Improvement Surcharge and determined that it is complete and proper, the Rent Control Office shall: (1) stamp the application indicating that it is complete, (2) set a hearing date for when the Application for a Major Capital Improvement Surcharge will be considered by the Board, and (3) and notify the landlord of the application's complete and proper status by providing the landlord with an exact copy of Application for a Major Capital Improvement Surcharge that is stamped complete and a Notice of Completed Application and Hearing that has the hearing date indicated therein and includes language indicating that Rent-Controlled Tenants have a right to file an opposition to the Application for Major Capital Improvement Surcharge.
- c. Notice to Rent-Controlled Tenants of Application. Within ten (10) days after receipt by the landlord of the stamped complete copy of the Application for a Major Capital Improvement Surcharge and Notice of Completed Application and Hearing, the landlord shall notify the Rent-Controlled Tenants of application's complete and proper status by providing the appropriate Rent-Controlled Tenants with exact copies of both by registered or certified mail return receipt requested or by personal service with a sworn affidavit of service.
- d. Informing the Rent Control Office that Tenant Notice Has Been Given. After notice has been given by the landlord to the Rent-Controlled Tenants pursuant to Subsection c above, the landlord shall provide the Rent Control Office with a Notice Log to confirm that the notice required by Subsection c above has been sent to all Rent-Controlled Tenants entitled to such notice. Landlord must provide the Rent Control Office with this Notice Log no later than thirty (30) days prior to the hearing.
- e. Opposition to the Application. No later than twenty (20) days prior to the hearing date, the Rent-Controlled Tenants must submit written opposition, including copies of any and all supporting documentation, if any, to the Rent Control Office for the Board's consideration at the hearing. The Rent Control Office will make the written opposition available to the landlord for copying and inspection.
- f. List of Witnesses. No later than fourteen (14) days prior to the hearing date, both the

landlord and the Rent-Controlled Tenants must provide the Rent Control Office with a list of all witnesses they plan to have testify at the hearing, if any. The Rent Control Office will make the landlord's and Rent-Controlled Tenants' list of witnesses available for copying and inspection.

- g. Hearing. Provided that the Rent Control Office has determined that the landlord's Notice Log indicates that the appropriate Rent-Controlled Tenants have received satisfactory notice of the Application for a Major Capital Improvement Surcharge in accordance with Subsection c above, the Board may proceed to consider the merits of the Application on the date the matter is scheduled for hearing. At the hearing, the Board shall give both the landlord and the Rent-Controlled Tenants an opportunity to present their case, which shall consist of presenting evidence, calling witnesses, and the like. No submissions or evidence will be considered by the Board other than those provided to the Rent Control Office in accordance with Subsections e and f above. The only exception to this rule is when the Board, itself, requests specific additional submissions or evidence in order to reach a decision on the matter, which then, in order to be considered by the Board, must be provided to the Rent Control Office as directed by the Board.
- h. Decision by Board. Decision by Board. Within sixty (60) days of the completion of a hearing for the Application for a Major Capital Improvement Surcharge, the Board shall determine whether to approve or deny the Application for Major Capital Improvement Surcharge, enact a Resolution accordingly, and issue a written Opinion, if necessary. The Rent Control Office shall then notify the landlord of the application's approved status by providing the landlord with (1) an exact copy of the Board's Resolution, (2) an exact copy of the Application for a Major Capital Improvement Surcharge that is stamped to indicate that it has been approved, and (3) a Notice of Approval of Application indicates therein the amount of the approved Major Capital Improvement Surcharge and effective date of the Major Capital Improvement Surcharge fixed by the Board in accordance with State Statutes. In the event the Application for a Major Capital Improvement Surcharge is denied, the Rent Control Office shall then notify the landlord of the application's denied status by providing the landlord with: (1) an exact copy of the Board's Resolution and Opinion, if any, and (2) a Notice of Denial of Application, which indicates therein the reasons for denial.
- i. Maximum Amount of Major Capital Improvement Surcharge Allowed. The total amount of all Major Capital Improvement and Individual Rental Unit Improvement Surcharges charged against a Rent-Controlled Unit at any given time shall be no more than twenty (20) percent of the Rent-Controlled Unit's monthly Base Rent, and the Board shall adjust the amount of Major Capital Improvement Surcharge approved for any one Major Capital Improvement Application accordingly.
- j. Notice to Rent-Controlled Tenants of Board's Decision. Within ten (10) days after receipt by the landlord of copies of either the Board's Resolution, Notice of Approval of Application, and stamped approved copy of the Application for a Major Capital Improvement Surcharge, or the Board's Resolution and Opinion and Notice of Denial of Application, the landlord shall notify the Rent-Controlled Tenants of the Board's Decision by providing them with exact copies of the same to all Rent-Controlled Tenants entitled to such notice by registered or certified mail return receipt requested or by personal service with a sworn affidavit of service.
- k. Notifying Rent Control Office After Notice Has Been Given. Within fourteen (14) days after the landlord has finished providing notice in accordance with Subsection j above, the landlord shall submit an additional Notice Log to the Rent Control Office confirming said notice has been provided to the Rent-Controlled Tenants.
- l. Lack of Incorporation into Base Rent. No Major Capital Improvement Surcharge allowed by the Board is to be deemed to be part of the Base Rent, nor shall any such Major Capital Improvement Surcharges be used to calculate future CPI Increases.
- m. Withdrawal of Approval of a Major Capital Improvement Surcharge. An approved Major Capital Improvement Surcharge may be declared void and ineffective where the Rent Control Office finds that the landlord has failed to comply with the provisions of either subsection j and/or subsection k.
- n. Prohibition on Future Surcharges. No landlord shall be permitted to apply for, or collect, a Major Capital Improvement Surcharge under this Chapter if the Board has determined pursuant to Section 16-7 that the landlord has not repaid invalid rents or surcharges due or owing to Rent-Controlled Tenant(s) in accordance with a Board Resolution and/or related Opinion. Only when all such payments due and owing are paid in full may the landlord apply for, or collect, a Major Capital Improvement Surcharge.

§ 16-5.3. Individual Rental Unit Improvement Surcharge.

- a. Application. A landlord may apply to the Board for a surcharge based on the cost of conducting Individual Rental Unit Improvements within one year from the date of the application by submitting a complete and proper Application for an Individual Rental Unit Improvement Surcharge the Rent Control Office. No increase shall be permitted for Individual Rental Unit Improvements completed more than 12 months prior to the date the Application is submitted to the Board unless the landlord establishes to the Board

good cause for the landlord's delay in applying for the surcharge. The Application for an Individual Rental Unit Improvement Surcharge shall itemize each expense included as part of the landlord's cost of the Individual Rental Unit Improvement with sufficient detail for the Board to confirm that the expense was incurred specifically as part of the Individual Rental Unit Improvement work, and the landlord shall submit all proofs of payment of each such expense that is included in the landlord's Application for an Individual Rental Unit Improvement Surcharge. No documentation in support of the Application for an Individual Rental Unit Improvement Surcharge will be considered by the Board if it has not been submitted by the landlord with the Application for an Individual Rental Unit Improvement or is not submitted to the Rent Control Office before the Rent Control Office issues a Notice of Completed Application pursuant to subsection b.

- b. Rent Control Office Review. The Rent Control Office shall review the Application for an Individual Rental Unit Improvement Surcharge to determine if the application is complete and proper. Once the Rent Control Office has reviewed the Application for an Individual Rental Unit Improvement Surcharge and determined that it is complete and proper, the Rent Control Office shall: (1) stamp the application to indicate that it is complete, (2) set a hearing date for when the Application for an Individual Rental Unit Improvement Surcharge will be considered by the Board, and (3) notify the landlord of the application's complete and proper status by providing the landlord with an exact copy of Application for an Individual Rental Unit Improvement Surcharge that is stamped complete and a Notice of Completed Application and Hearing that has the hearing date indicated therein and includes language indicating that the Rent-Controlled Tenant has a right to file an opposition to the Application for an Individual Rental Unit Improvement Surcharge.
- c. Notice to Rent-Controlled Tenant of Application. Within ten (10) days after receipt by the landlord of the stamped complete copy of the Application for an Individual Rental Unit Improvement Surcharge and Notice of Completed Application and Hearing, the landlord shall notify the Rent-Controlled Tenant of the application's complete and proper status by providing the Rent-Controlled Tenant(s) whose Covered Rental Unit is the subject of the Application for an Individual Rental Unit Improvement Surcharge with exact copies of both by registered or certified mail return receipt requested or by personal service with a sworn affidavit of service.
- d. Informing the Rent Control Office that Tenant Notice Has Been Given. After notice has been given by the landlord to the Rent-Controlled Tenant pursuant to Subsection c above the landlord shall provide the Rent Control Office with a Notice Log to confirm that the notice required by Subsection c above has been sent to the Rent-Controlled Tenants entitled to such notice. Landlord must provide the Rent Control Office with this Notice Log no later than thirty (30) days prior to the hearing.
- e. Opposition to the Application. No later than twenty (20) days prior to the hearing date, the Rent-Controlled Tenant must submit written opposition, including copies of any and all supporting documentation, if any, to the Rent Control Office for the Board's consideration at the hearing. The Rent Control Office will make the written opposition available to the landlord for copying and inspection.
- f. List of Witnesses. No later than fourteen (14) days prior to the hearing date, both the landlord and the Rent-Controlled Tenant must provide the Rent Control Office with a list of all witnesses they plan to have testify at the hearing, if any. The Rent Control Office will make the landlord's and Rent-Controlled Tenant's list of witnesses available for copying and inspection.
- g. Hearing. Provided that the Rent Control Office has determined that the landlord's Notice Log indicates that the Rent-Controlled Tenant has received satisfactory notice of the Application for an Individual Rental Unit Improvement Surcharge in accordance with Subsection c above, the Board may proceed to consider the merits of the Application on the date the matter is scheduled for hearing. At the hearing, the Board shall give both the landlord and the Rent-Controlled Tenant an opportunity to present their case, which shall consist of presenting evidence, calling witnesses, and the like. No submissions or evidence will be considered by the Board other than those provided to the Rent Control Office in accordance with Subsections e and f above. The only exception to this rule is when the Board, itself, requests specific additional submissions or evidence in order to reach a decision on the matter, which then, in order to be considered by the Board, must be provided to the Rent Control Office as directed by the Board.
- h. Decision by Board. Within sixty (60) days of the completion of a hearing for the Application for an Individual Rental Unit Improvement Surcharge, the Board shall determine whether to approve or deny the Application for an Individual Rental Unit Improvement Surcharge, enact a Resolution accordingly, and issue a written Opinion, if necessary. The Rent Control Office shall then notify the landlord of the application's approved status by providing the landlord with: (1) an exact copy of the Board's

Resolution, (2) an exact copy of the Application for an Individual Rental Unit Improvement Surcharge that is stamped to indicate that it has been approved, and (3) a Notice of Approval of Application which indicates therein the amount of the approved Individual Rental Unit Improvement Surcharge and effective date of the Individual Rental Unit Improvement Surcharge fixed by the Board in accordance with State Statutes. In the event the Application for an Individual Rental Unit Improvement Surcharge is denied, the Rent Control Office shall then notify the landlord of the application's denied status by providing the landlord with: (1) an exact copy of the Board's Resolution and Opinion, if any, and (2) a Notice of Denial of Application, which indicates therein the reasons for denial.

- i. Maximum Amount of Individual Rental Unit Improvement Surcharge Allowed. The total amount of all Major Capital Improvement and Individual Rental Unit Improvement Surcharges charged against a Rent-Controlled Unit at any given time shall be no more than twenty (20) percent of the Rent-Controlled Unit's monthly Base Rent, and the Board shall adjust the amount of Individual Rental Unit Improvement Surcharge approved for any one Individual Rental Unit Improvement Application accordingly.
- j. Notice to Rent-Controlled Tenant of Board's Decision. Within ten (10) days after receipt by the landlord of copies of either the Board's Resolution, Notice of Approval of Application, and stamped approved copy of the Application for an Individual Rental Unit Improvement Surcharge, or the Board's Resolution and Opinion and Notice of Denial of Application, the landlord shall notify the Rent-Controlled Tenant of the Board's decision by providing exact copies of the same to the Rent-Controlled Tenant by registered or certified mail return receipt requested or by personal service with a sworn affidavit of service.
- k. Notifying Rent Control Office After Notice Has Been Given. Within fourteen (14) days after the landlord has finished providing notice in accordance with Subsection j above, the landlord shall submit an additional Notice Log to the Rent Control Office confirming said notice has been provided to the Rent-Controlled Tenants.
- l. Lack of Incorporation into Base Rent. No Individual Rental Unit Improvement Surcharge allowed by the Board is to be deemed to be part of the Base Rent, nor shall any such Individual Rental Unit Improvement Surcharge be used to calculate future CPI Increases.
- m. Withdrawal of Approval of an Individual Rental Unit Improvement Surcharge. An approved Individual Rental Unit Improvement Surcharge may be declared void and ineffective where the Rent Control Office finds that the landlord has failed to comply with the provisions of either subsection j and/or subsection k.
- n. Prohibition on Future Surcharges. No landlord shall be permitted to apply for, or collect, an Individual Rental Unit Improvement Surcharge under this Chapter if the Board has determined pursuant to Section 16-7 that the landlord has not repaid invalid rents or surcharges due or owing to Rent-Controlled Tenant(s) in accordance with a Board Resolution and/or related Opinion. Only when all such payments due and owing are paid in full may the landlord apply for, or collect, an Individual Rental Unit Improvement Surcharge.

§ 16-5.4. Late Rent Surcharge.

Where not otherwise prohibited by State law, if a Rent-Controlled Tenant fails to pay their landlord the Total Approved Rent for the use and the occupancy of their Covered Rental Unit, this Chapter shall permit a landlord to charge the Rent-Controlled Tenant a Late Rent Surcharge, whether termed a late rental fee or interest on rent paid late, of no more than \$35.

§ 16-5.5. Returned Check Surcharge.

This chapter shall permit a landlord to charge a Rent-Controlled Tenant a Returned Check Surcharge of \$35, if not otherwise prohibited by State law.

§ 16-5.6. Supplemental Service Surcharge.

A landlord is unrestricted by this Chapter from increasing the Surcharge associated with a Supplemental Service.

§ 16-6. INVALID RENT INCREASES AND INVALID SURCHARGES

§ 16-6.1. Defining An Invalid Rent Increase And An Invalid Surcharge.

An invalid rent increase or an invalid surcharge is a rent increase or surcharge imposed by a landlord not in accordance with Section 16-4 Permissible Rent Increase or Section 16-5 Permissible Surcharges.

§ 16-6.2. Complaint for an Invalid Rent Increase or Invalid Surcharges by Rent-Controlled Tenant.

- a. Filing a Complaint. Any Rent-Controlled Tenant claiming that an invalid rent increase or an invalid surcharge has been imposed must file a complaint stating the provision of this Chapter alleged to have been violated by the landlord and the facts upon which the

allegation is based with the Rent Control Office no later than eighteen (18) months after making the first payment of any alleged invalid rent or invalid surcharge increase. All documentation that the Rent-Control Tenant intends to rely upon in support of the complaint must be filed with the complaint. No documentation in support of the complaint will be considered by the Board if it has not been submitted with the complaint or is not submitted to the Rent Control Office before the Rent Control Office issues a Notice of Complaint and Hearing pursuant to subsection c.

- b. Failure to File a Timely Complaint. Failure to file a complaint within eighteen (18) months after making the first payment of any alleged invalid rent or invalid surcharge shall be deemed to mean that the Rent-Controlled Tenant agrees to the rent increase or surcharge, and as a result, the Board may find that a Rent-Controlled Tenant is barred from filing a complaint about the same rent increase or surcharge, and is deemed to have waived the right to object to the rent increase or surcharge, absent a showing by the Rent-Controlled Tenant of reasonable excuse for failing to timely file a complaint. So long as the Rent-Controlled Tenant files a complaint within the eighteen (18) month time period, any rent increase or surcharge payments made by the Rent-Controlled Tenant to the landlord within eighteen (18) months shall not be construed as an agreement by the Rent-Controlled Tenant to imposition of the increase or surcharge or be deemed to be a waiver by the Rent-Controlled Tenant of their right to file a complaint alleging the invalidity of that rent increase or surcharge.
- c. Rent Control Office Review. Once the complaint has been filed with the Rent Control Office, the Rent Control Office shall determine whether the complaint is complete and proper, meaning whether the Rent-Controlled Tenant has sufficiently stated a claim against the landlord for violating a provision of this Chapter and provided sufficient evidence supporting the claim.
 - i. If the Rent Control Office determines that the Rent-Controlled Tenant has not sufficiently stated a claim, then the Rent Control Office shall: (1) deny the complaint and stamp the complaint to indicate that it is denied, and (2) provide a Notice of Denial to the Rent-Controlled Tenant explaining the reason(s) for the denial.
 - ii. If the Rent Control Office determines that the Rent-Controlled Tenant has sufficiently stated a claim, the Rent Control Office shall: (1) stamp the complaint to indicate that it is complete, (2) set a hearing date for when the complaint will be considered by the Board, and (3) notify the Rent-Controlled Tenant and the landlord of the complaint's complete and proper status by providing the Rent-Controlled Tenant with an exact copy of the stamped complete complaint and by providing the landlord with an exact copy of both the stamped complete complaint and a Notice of Complaint and Hearing that has the hearing date indicated therein and includes language indicating to the landlord that they have a right to file an opposition to the complaint.
- d. Opposition to the Application. No later than twenty (20) days prior to the hearing date, the landlord must submit written opposition, including copies of any and all supporting documentation, if any, to the Rent Control Office for the Board's consideration at the hearing. The Rent Control Office will make the written opposition available to the Rent-Controlled Tenant for copying and inspection.
- e. List of Witnesses. No later than fourteen (14) days prior to the hearing date, both the landlord and the Rent-Controlled Tenant must provide the Rent Control Office with a list of all witnesses they plan to have testify at the hearing, if any. The Rent Control Office will make the landlord's and Rent-Controlled Tenant's list of witnesses available for copying and inspection.
- f. Hearing. At the hearing, the Board shall give both the landlord and the Rent-Controlled Tenant an opportunity to present their case, which shall consist of presenting evidence, calling witnesses, and the like. No submissions or evidence will be considered by the Board other than those provided to the Rent Control Office in accordance with Subsections d and e above. The only exception to this rule is when the Board, itself, requests specific additional submissions or evidence in order to reach a decision on the matter, which then, in order to be considered by the Board, must be provided to the Rent Control Office as directed by the Board.
- g. Decision by Board. Within sixty (60) days of the completion of a hearing for the complaint, the Board shall determine whether to approve or deny the complaint, enact a Resolution accordingly, and issue a written Opinion, if necessary. If the Board determines that the landlord imposed an invalid rent increase or surcharge on the Rent-Controlled Tenant, the Board shall deem that rent increase or surcharge void and order a refund to that particular tenant in accordance with any terms and deadline set by the Board. Where the evidence at the hearing establishes that the landlord has imposed a similar invalid rent increase or surcharge on other similarly situated Rent-Controlled Tenants in the

Dwelling, the Board may find that the landlord must also issue a refund to the similarly situated Rent-Controlled Tenants in accordance with any appropriate terms and deadline the Board's determines, which shall then be included in the Board's Resolution and Opinion, if any.

- h. Notice to Rent-Controlled Tenant and Landlord of Board's Decision. After the Board has passed a Resolution determining the matter, the Rent Control Office shall notify the Rent-Controlled Tenant and the landlord of the Board's Decision by providing both the landlord and the Rent-Controlled Tenant with exact copies of: (1) the Board's Resolution, and Opinion, if any, (2) the Complaint stamped to indicate that it is approved or denied, and (3) a Notice of Approved, or Denied, Complaint.

§ 16-6.3. Sua Sponte Review of Invalid Rent Increase or Surcharge.

In the absence of the filing of a complaint pursuant to Section 16-6.2 above, upon receipt of reasonable evidence that a landlord has imposed an invalid rent increase or invalid surcharge, the Board may, within the purpose of this Chapter, bring its own Complaint against a landlord to determine the validity of such rent increase or surcharge, in which case the provisions and procedures of Section 16-6.2 (c) through (h) shall govern the manner for adjudicating the complaint.

§ 16-7. COMPLAINT ALLEGING LANDLORD HAS FAILED TO PAY MONEY OWED ACCORDING TO A BOARD DECISION

- a. Filing a Complaint. Where the landlord has not refunded money due or payable to a Rent-Controlled Tenant(s) according to a Resolution or written Opinion of the Board, the aggrieved Rent-Controlled Tenant(s) shall be permitted to file a complaint with the Board for the purpose of conducting a hearing to determine whether the landlord is in default of any the deadlines or terms set forth in the Resolution or Opinion.
- b. Rent Control Office Review. Once the complaint has been filed with the Rent Control Office, the Rent Control Office shall determine whether the complaint is complete and proper, meaning whether the Rent-Controlled Tenant has provided sufficient evidence supporting their claim that their landlord has failed to pay money owed according to a Board Decision.
 - i. If the Rent Control Office determines that the Rent-Controlled Tenant has not sufficiently stated a claim, then the Rent Control Office will outright deny the Rent-Controlled Tenant complaint and provide a Notice of Denial to the Rent-Controlled Tenant explaining the reason(s) for the denial.
 - ii. If the Rent Control Office determines that the Rent-Controlled Tenant has sufficiently stated a claim, the Rent Control Office shall: (1) stamp the complaint to indicate that it is complete, (2) set a hearing date for when the complaint will be considered by the Board, and (3) notify the Rent-Controlled Tenant of the complaint's complete and proper status by providing the Rent-Controlled Tenant with an exact copy of the stamped complete complaint and by providing the landlord with an exact copy of both the stamped complete complaint and a Notice of Complaint that has the hearing date indicated therein and includes language indicating to the landlord that they have a right to file an opposition to the complaint.
- c. Opposition to the Application. No later than twenty (20) days prior to the hearing date, the landlord must submit written opposition, including copies of any and all supporting documentation, if any, to the Rent Control Office for the Board's consideration at the hearing. The Rent Control Office will make the written opposition available to the complainant for copying and inspection.
- d. List of Witnesses. No later than fourteen (14) days prior to the hearing date, both the landlord and the Rent-Controlled Tenant must provide the Rent Control Office with a list of all witnesses they plan to have testify at the hearing, if any. The Rent Control Office will make the landlord's and complainant's list of witnesses available for copying and inspection.
- e. Hearing. At the hearing, the Board shall give both the landlord and the Rent-Controlled Tenant an opportunity to present their case, which shall consist of presenting evidence, calling witnesses, and the like. No submissions or evidence will be considered by the Board other than those provided to the Rent Control Office in accordance with Subsections c and d above. The only exception to this rule is when the Board, itself, requests specific additional submissions or evidence in order to reach a decision on the matter, which then, in order to be considered by the Board, must be provided to the Rent Control Office as directed by the Board.
- f. Decision by Board. Within sixty (60) days of the completion of a hearing for the complaint, the Board shall determine whether to approve or deny the complaint, enact a Resolution accordingly, and issue a written Opinion, if necessary. If the Board determines that the landlord owes the Rent-Controlled Tenant money according to a Board Decision, then the

Board shall approve the complaint. If the Board determines that the landlord has paid all money owed to the Rent-Controlled Tenant, then the Board shall deny the complaint.

- g. Notice to Complainant and Landlord of Board's Decision. After the Board has passed a Resolution determining the matter, the Rent Control Office shall notify the Rent-Controlled Tenant and the landlord of the Board's Decision by providing the landlord and Rent-Controlled Tenant with exact copies of: (1) the Board's Resolution, and Opinion, if any, (2) the complaint stamped to indicate that it is approved or denied, and (3) a Notice of Approved, or Denied, Complaint.

§ 16-8. RENT REDUCTIONS BASED ON ELIMINATION OF CORE SERVICES

- a. Application. Any Rent-Controlled Tenant may apply to the Board for a decrease in Base Rent based on the material reduction, or elimination, of a Core Service by submitting an Application for Rent Reduction with the Rent Control Office, which identifies the Core Service that the Rent-Controlled Tenant contends has been materially reduced or eliminated, explains why and how the Core Service has been materially reduced or eliminated, and identifies the amount of rental decrease the Rent-Controlled Tenant contends is appropriate. An Application for Rent Reduction must be filed with the Rent Control no later than eighteen (18) months after the landlord materially reduces or eliminates the Core Service. All documentation that the Rent-Control Tenant intends to rely upon in support of the Application for Rent Reduction must be filed with the Application for Rent Reduction. No documentation in support of the Application for Rent Reduction will be considered by the Board if it has not been submitted with the Application for Rent Reduction or is not submitted to the Rent Control Office before the Rent Control Office issues a Notice of Completed Application for and Hearing pursuant to subsection c.
- b. Failure to File a Timely Application. Failure to file an Application for Rent Reduction within eighteen (18) months after the landlord materially reduces or eliminates the Core Service shall be deemed to mean that the Rent-Controlled Tenant agrees to the material reduction, or elimination, of that particular Core Service. As a result, the Board may find that a Rent-Controlled Tenant is barred from filing an Application for Rent Reduction, and is deemed to have waived the right to object to the reduction or elimination of that particular Core Service, absent a showing by the Rent-Controlled Tenant of reasonable excuse for failing to timely file an Application for Rent Reduction. So long as the Rent-Controlled Tenant files an Application for Rent Reduction within eighteen-months of the date that the landlord materially reduces or eliminates the Core Service, any Base Rent payments made by the Rent-Controlled Tenant to the landlord within the eighteen-month period shall not be construed to be an agreement by the Rent-Controlled Tenant to the reduction or elimination of the Core Service or a waiver of their right to file an Application for Rent Reduction based on the material reduction, or elimination, of that particular Core Service.
- c. Rent Control Office Review. The Rent Control Office shall review the Application for Rent Reduction to determine if the application is complete and proper. Once the Rent Control Office has determined that the Application for Rent Reduction is complete and proper, the Rent Control Office shall: (1) stamp the application to indicate that it is complete, (2) set a hearing date for when the Application for Rent Reduction will be considered by the Board, and (3) notify the Rent-Controlled Tenant and the landlord of the application's complete and proper status by providing the Rent-Controlled Tenant with an exact copy of the stamped complete Application for Rent Reduction and by providing the landlord with an exact copy of both the stamped complete Application for Rent Reduction and a Notice of Completed Application and Hearing that has the hearing date indicated therein and includes language indicating to the landlord that they have a right to file an opposition to the Application for Rent Reduction.
- d. Opposition to the Application. No later than twenty (20) days prior to the hearing date, the landlord must submit written opposition, including any and all supporting documentation, if any, to the Rent Control Office for the Board's consideration at the hearing. The Rent Control Office will make the written opposition available to the Rent-Controlled Tenant for copying and inspection.
- e. List of Witnesses. No later than fourteen (14) days prior to the hearing date, both the landlord and the Rent-Controlled Tenant must provide the Rent Control Office with a list of all witnesses they plan to have testify at the hearing, if any. The Rent Control Office will make the landlord's and Rent-Controlled Tenant's list of witnesses available for copying and inspection.
- f. Hearing. At the hearing, the Board shall give both the landlord and the Rent-Controlled Tenant an opportunity to present their case, which shall consist of presenting evidence, calling witnesses, and the like. No submissions or evidence will be considered by the

Board other than those provided to the Rent Control Office in accordance with Subsections d and e above. The only exception to this rule is when the Board, itself, requests specific additional submissions or evidence in order to reach a decision on the matter, which then, in order to be considered by the Board, must be provided to the Rent Control Office as directed by the Board.

- g. The Board's Decision. Within sixty (60) days of the completion of a hearing for the Application for Rent Reduction, the Board shall determine whether to approve or deny the Application for Rent Reduction, enact a Resolution accordingly, and issue a written Opinion, if necessary. If the Board determines that there has been a material reduction or elimination in Core Services formerly provided by the landlord, the Board shall equitably reduce the Rent-Controlled Tenant's Base Rent to reflect such reduction or elimination, accounting for any adjustments due to CPI Increases that were approved after the landlord materially reduced or eliminated the Core Services. Where the evidence at the hearing establishes that the landlord has imposed a similar reduction or elimination in Core Services on other similarly situated Rent-Controlled Tenants in the Dwelling, the Board may find that the landlord must also issue a refund to the similarly situated Rent-Controlled Tenants in accordance with any appropriate terms and deadline the Board's determines, which shall then be included in the Board's Resolution and Opinion, if any. Any rental reduction shall take effect from the date the Resolution is passed by the Board. If the Board's Resolution is retroactive, then the landlord shall refund to the Rent-Controlled Tenant(s) any amounts the landlord was not authorized to collect. The approved rent reduction shall be deemed to be the new Base Rent, including, but not limited to, for purposes of subsequent rent increases.
- h. Notice to Rent-Controlled Tenant and Landlord of Board's Decision. After the Board has passed a Resolution determining the matter, the Rent Control Office shall notify the Rent-Controlled Tenant and the landlord of the Board's Decision and provide the landlord and the Rent-Controlled Tenant with exact copies of: (1) the Board's Resolution, and Opinion, if any, (2) the Application for Rent Reduction stamped to indicate that it is approved, or denied, and (3) a Notice of Approved, or Denied, Application.

§ 16-9. PERMANENT DECONTROL

- a. Permanent Decontrol. A Covered Rental Unit may become forever decontrolled and no longer subject to the rental constraints of this Chapter as result of the voluntary vacancy or legal eviction of a Rent-Controlled Tenant from a Covered Rental Unit. Once a Covered Rental Unit becomes decontrolled, the tenant that used to occupy the unit is deemed to be a former Rent-Controlled Tenant.
- b. Application. In order to obtain the Permanent Decontrol of a Covered Rental Unit, a landlord must apply to the Board by submitting an Application for Permanent Decontrol to the Rent Control Office. In the Application for Permanent Decontrol, the landlord must provide the Board with proof of the vacancy. In the case of a voluntary vacancy, the landlord shall supply an affidavit from either the formerly vacated Rent-Controlled Tenant, the superintendent, the landlord, or the new tenant, attesting that the former tenant has vacated the Covered Rental Unit, or other proof that the Board deems sufficient to establish with a reasonable degree of certainty that the formerly vacated Rent-Controlled Tenant has permanently vacated the Covered Rental Unit. In the case of a legal eviction, the landlord shall supply the Board with a copy of the Court Order or other legal decree of the Court evicting the Rent-Controlled Tenant from the Covered Rental Unit. No documentation in support of the Application for Permanent Decontrol will be considered by the Board if it has not been submitted by the landlord with the Application for Permanent Decontrol or is not submitted to the Rent Control Office before the Rent Control Office issues a Notice of Completed Application and Hearing pursuant to subsection c.
- c. Rent Control Office Review. The Rent Control Office shall review the Application for Permanent Decontrol to determine if the application is complete and proper. Once the Rent Control Office has determined that the Application for Permanent Decontrol is complete and proper, the Rent Control Office shall: (1) stamp the application to indicate that it is complete and (2) notify the landlord of the application's complete and proper status by providing the landlord with an exact copy of the stamped complete Application for Permanent Decontrol and a Notice of Completed Application that includes language indicating to the allegedly former Rent-Controlled Tenant that they have a right to file an opposition to the Application for Permanent Decontrol and if they do not, that the Rental Unit will be deemed permanently decontrolled.
- d. Notice to Vacated Tenant of Application. Within ten (10) days after receipt by the landlord of the stamped complete copy of the Application Permanent Decontrol and Notice of Completed Application, the landlord shall provide the allegedly former Rent-Controlled Tenant with exact copies of both by registered or certified mail return receipt requested or by personal service with a sworn affidavit of service. In the event the landlord cannot reasonably locate the allegedly former Rent-Controlled Tenant, or the post-office cannot obtain the signature of the tenant on the return receipt, the landlord shall send the notice by regular mail to the tenant's last known address and set forth on their Notice Log the reasons why the landlord had to use regular mail.

- e. Informing the Rent Control Office that Tenant Notice Has Been Given. After notice has been given by the landlord to the allegedly former Rent-Controlled Tenant pursuant to Subsection d above, the landlord shall provide the Rent Control Office with a Notice Log to confirm that the notice required by Subsection d above has been sent to the allegedly former Rent-Controlled Tenant. The landlord must provide the Rent Control Office with this Notice Log within forty (40) days after landlord receives the stamped complete Application and the Notice of Application.
- f. Opposition to the Application. No later than fourteen days after being given notice shall Tenant file an opposition to landlord's Application for Permanent Decontrol.
- g. The Office's Decision. If, by the time that the Rent Control Office receives Landlord's Notice Log pursuant to section e above and the allegedly former Rent-Controlled Tenant fails to submit opposition to landlord's Application for Permanent Decontrol, the Rent Control Office shall approve landlord's Application for Permanent Decontrol so long as landlord has supplied the Office with the appropriate documentation in support of landlord's application.
- h. Notice of Rent Control Office's Decision. After the Rent Control has determined the matter, the Rent Control Office shall notify the landlord, and the tenant where opposition has been received pursuant to subsection f above, of the Rent Control Office's Decision on the Application for Permanent Decontrol by providing the landlord, and the tenant where opposition has been received pursuant to section f above, with exact copies of: (1) the Application for Permanent Decontrol stamped to indicate that it is approved, or denied, and (2) a Notice of Approval, or Denial.
- i. When Rental Unit Becomes Permanently Decontrol. The day that the Rent Control Office approves of the Application for Permanent Decontrol is when the Rental Unit is decontrolled.

§ 16-10. APPLICATION SEEKING EXEMPTION FROM CHAPTER 16 RENT CONTROL

- a. Application. Where a landlord reasonably believes that the landlord's property is being treated as a Dwelling rather than an Exempt Dwelling, or that a unit within an Exempt Dwelling is being treated as a Covered Rental Unit rather than an Exempt Rental Unit, the Landlord shall be permitted to file an Application for Exemption with the Board for the purpose of conducting a hearing to determine whether the dwelling or the unit should be deemed exempt from this Chapter.
- b. Rent Control Office Review. The Rent Control Office shall review the Application for Exemption to determine if the application is complete and proper. Once the Rent Control Office has determined that the Application for Exemption is complete and proper, the Rent Control Office shall: (1) stamp the application to indicate that it is complete, (2) set a hearing date for when the Application for Exemption will be considered by the Board, and (3) notify the Rent-Controlled Tenant(s) and the landlord of the application's complete and proper status by providing the Landlord with an exact copy of the stamped complete Application for Exemption and by providing the Rent-Controlled Tenant(s) with an exact copy of both the stamped complete Application for Exemption and a Notice of Completed Application and Hearing that has the hearing date indicated therein and includes language indicating to the Rent-Controlled Tenant(s) that they have a right to file an opposition to the Application for Exemption.
- c. Opposition to the Application. No later than twenty (20) days prior to the hearing date, the Rent-Controlled Tenant(s) must submit written opposition, including any and all supporting documentation, if any, to the Rent Control Office for the Board's consideration at the hearing. The Rent Control Office will make the written opposition available to the Rent-Controlled Tenant(s) for copying and inspection.
- d. List of Witnesses. No later than fourteen (14) days prior to the hearing date, both the landlord and the Rent-Controlled Tenant(s) must provide the Rent Control Office with a list of all witnesses they plan to have testify at the hearing, if any. The Rent Control Office will make the landlord's and Rent-Controlled Tenant's list of witnesses available for copying and inspection.
- e. Hearing. At the hearing, the Board shall give both the landlord and the Rent-Controlled Tenant(s) an opportunity to present their case, which shall consist of presenting evidence, calling witnesses, and the like. No submissions or evidence will be considered by the Board other than those provided to the Rent Control Office in accordance with Subsections c and d above. The only exception to this rule is when the Board, itself, requests specific additional submissions or evidence in order to reach a decision on the matter, which then, in order to be considered by the Board, must be provided to the Rent Control Office as directed by the Board.
- f. The Board's Decision. Within sixty (60) days of the completion of a hearing for the Application for Exemption, the Board shall determine whether to approve or deny the Application for Exemption, enact a Resolution accordingly, and issue an Opinion, if

necessary. If the Board determines that the landlord's property should be exempt from the provisions of this Chapter, then the Board shall either permanently or temporarily approve the Application for Exemption. If the Board determines that the landlord's property is not exempt from the provisions of this Chapter, then the Board shall deny the Application for Exemption.

- g. Notice to Rent-Controlled Tenant(s) and Landlord of Board's Decision. After the Board has passed a Resolution determining the matter, the Rent Control Office shall notify the Rent-Controlled Tenant(s) and the landlord of the Board's Decision by providing the Rent-Controlled Tenant and the landlord with exact copies of: (1) the Board's Resolution, and Opinion, if any, (2) the Application for Exemption stamped to indicate that it is approved, or denied, and (3) a Notice of Approved, or Denied, Application.

§ 16-11. COMPLAINT SEEKING A DETERMINATION THAT AN INDIVIDUAL IS A RENT-CONTROLLED TENANT

- a. Filing a Complaint. Where an individual reasonably believes that they are a Rent-Controlled Tenant but have been treated as a tenant not subject to the provisions of this Chapter by either their landlord and/or the Rent Control Office/Board, the individual shall be permitted to file a complaint with the Board for the purpose of conducting a hearing to determine whether the individual is a Rent-Controlled Tenant.
- b. Rent Control Office Review. Once the complaint has been filed with the Rent Control Office, the Rent Control Office shall determine whether the complaint is complete and proper, meaning whether the complainant has provided sufficient evidence supporting the claim that they are a Rent-Controlled Tenant.
 - i. If the Rent Control Office determines that the complainant has not sufficiently stated a claim, then the Rent Control Office will outright deny the complainant's complaint and provide a Notice of Denial to the complainant explaining the reason(s) for the denial.
 - ii. If the Rent Control Office determines that the complainant has sufficiently stated a claim, the Rent Control Office shall: (1) stamp the complaint to indicate that it is complete, (2) set a hearing date for when the complaint will be considered by the Board, and (3) notify the complainant of the complaint's complete and proper status by providing the complainant with an exact copy of the stamped complete complaint and by providing the landlord with an exact copy of both the stamped complete complaint and a Notice of Complaint that has the hearing date indicated therein and includes language indicating to the landlord that they have a right to file an opposition to the complaint.
- c. Opposition to the Application. No later than twenty (20) days prior to the hearing date, the landlord must submit written opposition, including copies of any and all supporting documentation, if any, to the Rent Control Office for the Board's consideration at the hearing. The Rent Control Office will make the written opposition available to the complainant for copying and inspection.
- d. List of Witnesses. No later than fourteen (14) days prior to the hearing date, both the landlord and the complainant must provide the Rent Control Office with a list of all witnesses they plan to have testify at the hearing, if any. The Rent Control Office will make the landlord's and complainant's list of witnesses available for copying and inspection.
- e. Hearing. At the hearing, the Board shall give both the landlord and the complainant an opportunity to present their case, which shall consist of presenting evidence, calling witnesses, and the like. No submissions or evidence will be considered by the Board other than those provided to the Rent Control Office in accordance with Subsections c and d above. The only exception to this rule is when the Board, itself, requests specific additional submissions or evidence in order to reach a decision on the matter, which then, in order to be considered by the Board, must be provided to the Rent Control Office as directed by the Board.
- f. Decision by Board. Within sixty (60) days of the completion of a hearing for the complaint, the Board shall determine whether to approve or deny the complaint, enact a Resolution accordingly, and issue an Opinion, if necessary. If the Board determines that the complainant should be considered a Rent-Controlled Tenant, then the Board shall approve the complaint. If the Board determines that the complainant is not a Rent-Controlled Tenant, then the Board shall deny the complaint.
- g. Notice to Complainant and Landlord of Board's Decision. After the Board has passed a Resolution determining the matter, the Rent Control Office shall notify the complainant and the landlord of the Board's Decision by providing the complainant and the landlord with exact copies of: (1) the Board's Resolution, and Opinion, if any, (2) the complaint stamped to indicate that it is approved or denied, and (3) a Notice of Approved, or Denied, Complaint.

§ 16-12. APPEALS

All decisions of the Board and the Rent Control Office are final. Any landlord or Rent-Controlled Tenant wishing to appeal the decisions may do so to a court of competent jurisdiction according to law pursuant to its rules and procedures.

§ 16-13. FILING FEES

- a. There is hereby established the following schedule of fees for complaints and applications to the Board which fees shall be payable to the City of Bayonne.

Applications Submitted by Landlord	
Use	Fee
Application for CPI Increase	\$50 for 1-10 Covered Rental Units, \$100 for more than 10 Covered Rental Units
Application for Hardship Surcharge	\$100 per Application
Application for Major Capital Improvement Surcharge	\$100 per Application
Application for Individual Rental Unit Improvement	\$50 per Application
Application for Permanent Decontrol	\$25 per Rental Unit
Application Seeking Exemption from Chapter 16 Rent Control	\$25 per Rental Unit

Applications/Complaints Submitted by Rent-Controlled Tenant	
Use	Fee
Complaint for an Invalid Rent Increase or Invalid Surcharges	\$25 per Application
Complaint for Failure to Collect on the Board's Decision	\$5 per Application
Application for Rent Reduction	\$25 per Application
Complaint Seeking a Determination that an Individual is a Rent-Controlled Tenant	\$25 per Application

- b. Where one of the applications/complaints submitted by a Rent-Controlled Tenant listed in subsection a is resolved by the Board in favor of the Rent-Controlled Tenant, the application/complaint fee paid by the Rent-Controlled Tenant for the matter shall be assessed against the landlord as part of the relief granted by the Board in response to the matter.

§ 16-14. VIOLATIONS AND PENALTIES

- a. No person shall engage in a reckless or intentional violation of any provision of this Chapter. Such a reckless or intentional violation may be punishable by a fine of not more than \$2,000. A violation affecting more than one leasehold shall be considered a separate violation as to each leasehold.
- b. No person shall make, or cause to be made, any misstatement of fact in any application, complaint, or other submission, to the Rent Control Office or the Board, or at any hearing of the Board. Any such misstatement may be punishable by a fine of not more than \$500 per misstatement.
- c. No person or entity shall, by their wrongful actions of harassment or otherwise, cause, or attempt to cause, a Covered Rental Unit to become vacant and permanently decontrolled pursuant to Section 16-9. Any person or entity engaging in such wrongful actions may be punishable by a fine of not more than \$2,000.

§ 16-15. SEVERABILITY

If any section, paragraph, clause, or provision of this Chapter is held invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Chapter which shall remain valid and enforceable.

Section II This ordinance shall take effect upon adoption and publication in accordance with the law.

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

BE IT RESOLVED, that an ordinance entitled “ AN ORDINANCE OF THE CITY OF BAYONNE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES, CHAPTER 16, RENT CONTROL,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, July 19, 2023 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.

* * * * *

03. The Clerk announced:

AN ORDINANCE ENTITLED, AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND AVE E DEV AMS URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED 132 AND 140 AVENUE E, WHICH PROPERTY IS IDENTIFIED AS BLOCK 458, LOT 1.02 AND BLOCK 467, LOT 23 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY which was introduced and passed a first reading at a meeting held May 17, 2023, 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 June 14, 2023, is now before the Council for its consideration and a public hearing.

Council President LaPelusa moved that the ordinance be tabled to the July 19 meeting, seconded by Council Member Perez.

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

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04. The Clerk announced:

AN ORDINANCE ENTITLED, AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND AVE E DEV MILE HIGH AMS URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED AT 157-163 AVENUE E, WHICH PROPERTY IS IDENTIFIED AS BLOCK 234, LOT 8.01 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY which was introduced and passed a first reading at a meeting held May 17, 2023, 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 June 14, 2023, is now before the Council for its consideration and a public hearing.

Council President LaPelusa moved that the ordinance be tabled to the July 19 meeting, seconded by Council Member Perez.

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

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05. The Clerk announced:

AN ORDINANCE ENTITLED, AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING A 5-YEAR TAX AGREEMENT WITH BAYONNE 32 LLC FOR THE PROPERTY LOCATED 43-45 WEST 32ND STREET WHICH PROPERTY IS IDENTIFIED AS BLOCK 145, LOT 1 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY. which was introduced and passed a first reading at a meeting held May 17, 2023, 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 June 14, 2023, is now before the Council for its consideration and a public hearing.

Council Member Booker moved that the ordinance be tabled to the July 19 meeting, seconded by Council Member Perez.

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

* * * * *

06. The Clerk announced:

AN ORDINANCE ENTITLED, “AN ORDINANCE OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY AMENDING THE REVISED GENERAL ORDINANCES TO ADD CHAPTER 39 PROVIDING FOR THE ESTABLISHMENT OF A MUNICIPAL WATER AND WASTEWATER UTILITY,” which was introduced and passed a first reading at a meeting held May 17, 2023, 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 June 14, 2023, is now before the Council for its consideration and a public hearing.

Council Member Perez moved that the ordinance be tabled to the July 19 meeting, seconded by Council Member Carroll.

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

* * * * *

07. The Clerk announced:

AN ORDINANCE ENTITLED, “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 33, PLANNING AND DEVELOPMENT REGULATIONS AND CHAPTER 35 ZONING REGULATIONS,” which was introduced and passed a first reading at a meeting held May 17, 2023, 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 June 14, 2023, is now before the Council for its consideration and a public hearing.

Council President LaPelusa move that the ordinance be tabled to the July 19 meeting, seconded by Council Member Perez.

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

* * * * *

08. The Clerk announced:

AN ORDINANCE ENTITLED, “AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,” which was introduced and passed a first reading at a meeting held May 17, 2023, 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 June 14, 2023, is now before the Council for its consideration and a public hearing.

Council Member Perez moved that the ordinance be tabled to the July 19 meeting, seconded by Council Member Booker.

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

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09. The following persons spoke:

Susan Ciano, 61 West 6th Street, addressed the Council on behalf of her husband Michael on the subject of restrictive parking zone procedures.

* * * * *

10. Council Member Perez introduced:

AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN TITLED “REDEVELOPMENT PLAN, BAYONNE ENERGY CENTER III (AKA BEC III)” FOR THE PROPERTY IDENTIFIED AS A PORTION OF BLOCK 419, LOT 1 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.

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

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

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

WHEREAS, by Resolution dated February 15, 2023, the Municipal Council of the City (the “Municipal Council”) designated the property identified as a portion of Block 419, Lot 1 on the Tax Map of the City of Bayonne as an area in need of redevelopment under the Redevelopment Law in accordance with the provisions of N.J.S.A. 40A:12A-6 of the Redevelopment Law (the “Redevelopment Area”); and

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Municipal Services prepared a redevelopment plan for the Redevelopment Area titled “Redevelopment Plan, Bayonne Energy Center III (aka BEC III)” dated April 25, 2023 (the “Redevelopment Plan”); and

WHEREAS, the Planning Board reviewed the Redevelopment Plan in accordance with the Redevelopment Law, and on May 9, 2023, conducted a public hearing wherein the Planning Board recommended the adoption of the Redevelopment Plan, and concluded that said Redevelopment Plan is consistent with the Master Plan of the City of Bayonne; and

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

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 OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN TITLED “REDEVELOPMENT PLAN, BAYONNE ENERGY CENTER III (aka BEC III) FOR THE PROPERTY IDENTIFIED AS A PORTION OF BLOCK 419, LOT 1 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, *July 19, 2023 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.

* * * * *

11. Council Member Carroll introduced:

AN ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING AN AMENDED AND RESTATED 8TH STREET REHABILITATION PLAN, PREPARED BY THE CITY OF BAYONNE DIVISION OF PLANNING AND ZONING, TO INCLUDE THE PROPERTY IDENTIFIED AS BLOCK 319, LOT 26, AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.

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

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

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

WHEREAS, in 2015, the City Council adopted an Ordinance approving a plan titled the "City of Bayonne, 8TH Street Station Rehabilitation Area Plan", prepared by the Department of Community Affairs, Local Planning Services, dated March 9, 2015, revised April 24, 2015 and subsequently amended ("Amended Rehabilitation Plan"); and

WHEREAS, the Redevelopment Law permits municipalities to amend redevelopment and rehabilitation area plans from time to time within their discretion; and

WHEREAS, by Resolution R-16 dated March 15, 2023, the Municipal Council authorized and directed the Planning Board of the City (the "Planning Board") to re-open the Amended Rehabilitation Plan and consider an amendment to include a certain property which is identified as 218-220 Broadway, and further identified as Block 319, Lot 26 as shown on the official Tax Map of the City (the "Property")(also known as the "Delta Gas Station") for the 8th Street Station Rehabilitation Area; and

WHEREAS, on June 13, 2023, the Planning Board adopted Resolution P-20-021 recommending an Amendment to the 8th Street Rehabilitation Plan to include the Property in the Amended Rehabilitation Plan and concluding that the Amended Rehabilitation Plan is consistent with the Master Plan of the City of Bayonne (the "Resolution"); and

WHEREAS, upon receipt of the Planning Board's Resolution and recommendations relating to the Amended and Restated 8th Street Rehabilitation Plan, the Municipal Council believes that the adoption of the Amended and Restated 8th Street Rehabilitation Plan is in the best interest of the City for the redevelopment of the 8th Street Station Rehabilitation Area.

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

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

Section 2. The Amended and Restated 8TH Street Rehabilitation Plan prepared by City of Bayonne Division of Planning & Zoning to include the property identified as Block 319, Lot 26 on the Tax Map of the City of Bayonne is hereby adopted pursuant to the terms of N.J.S.A. 40A:12A-7 of the Redevelopment Law.

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

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

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

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

Council Member Carroll 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 ADOPTING THE AMENDMENT TO THE 8TH STREET STATION REHABILITATION PLAN FOR 218-222 BROADWAY REDEVELOPMENT FOR THE PROPERTY LOCATED AT 218-222 BROADWAY, WHICH PROPERTY IS IDENTIFIED AS BLOCK 319, LOTS 26 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, July 19, 2023 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 4, "LICENSING, REGISTRATION AND BUSINESS REGULATIONS," SECTION 19, "FILMING,"

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 4, "Licensing, Registration and Business Regulations", Section 19, "Filming," Subsection 2, "Definitions" is hereby amended and supplemented as follows (additions ****between asterisks and/or in bold****, deletions {within brackets and/or ~~struck through~~):

§4-19.2 Definitions

****BASE CAMP** - The area at or near a film shooting location from where the company operates. This is the location where equipment vehicles are parked, along with wardrobe, hair, makeup, crafty, and trailers for talent, producers, and directors.

PARKING SPACE – For purposes of this section is any parking area on-street not otherwise prohibited by law, up to eighteen (18') in length.

SECTION 2: The Revised General Ordinances of the City of Bayonne, Chapter 4, "Licensing, Registration and Business Regulations", Section 19, "Filming," is hereby amended and supplemented as follows (additions ****between asterisks and/or in bold****, deletions {within brackets and/or ~~struck through~~):

****§4-19.10 Parking**

- a. The filming permit shall allow up to twenty (20) parking spaces to be utilized by the applicant for the duration of the filming not to exceed three (3) consecutive days in any one (1) location. The three (3) consecutive day limitation may be extended upon the approval of the Director of Public Safety and/or his or her designee. The applicant at its sole cost and expense shall obtain a "No Parking Sign" and/or a parking meter bag(s) for each parking space in accordance with Chapter 7-11 of the Revised General Ordinances of the City of Bayonne.
- b. The applicant shall be responsible for the acquisition, posting and maintenance of said No Parking Sign(s) and/or parking meter bags.
- c. No Parking Signs must be posted and maintained for a minimum of forty-eight (48) hours prior to the commencement date indicated on the filming permit.

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 4, “LICENSING, REGISTRATION AND BUSINESS REGULATIONS,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, *July 19, 2023 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, Perez, Weimmer and President LaPelusa.
Absent – Council Member Carroll

* * * * *

13. 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
DELETE

016. Kathleen Lissenden, 78A West 16th Street
West 8th Street South Side. Beginning at a point 307 Feet from the southwest corner of Avenue C and West 8th Street and extending 22 feet westerly therefrom.

056. Barbara Pivovarnik, 88 West 15th Street
West 15th Street South Side. Beginning at a point 253 feet east of the southeast corner of 15th Street and Kennedy Blvd. and extending to a point 22 feet east thereof.

107. Jose Caamano, 40 West 22nd Street
22nd Street South Side. Beginning at a point 201 feet east of the southeast corner of 22nd Street and Avenue C and extending to a point 18 feet east thereof.

143. Helen Moorecraft, 102 West 50th Street
South Side. Beginning at a point 151 feet east of the southwest corner of Avenue B and West 50th Street and extending to a point 16 feet east thereof.

170. William Iadanza, 615 Avenue E
Avenue E West Side. Beginning at a point 62 feet south of the southwest corner of 39th Street and Avenue E and extending to a point 22 feet south thereof.

305. Gladys Mendoza, 31-35 East 11th Street
11th Street North Side. Beginning at a point 93 feet west of the northwest corner of Avenue E and 11th Street and extending to a point 22 feet west thereof.

372. Samila Gerges, 121 West 21st Street
21st Street and Kennedy Blvd. North Side. Beginning at a point 183 feet west of the northwest corner of 21st Street and extending to a point 18 feet west thereof.

ADD

016. Vincent Spagnolo, 98 West 19th Street
South Side. Beginning at a point 114 feet east of the southeast corner of Kennedy Boulevard
and West 19th 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 OF THE CITY OF
BAYONNE, COUNTY OF HUDSON, NEW JERSEY 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,
*July 19, 2023 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, Perez, Weimmer and President LaPelusa.
Absent – Council Member Carroll

* * * * *

14. Council Member Booker introduced:

AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES
OF THE CITY OF BAYONNE, CHAPTER 4, “BUSINESS REGULATIONS,” SECTION 7,
“AMUSEMENT RIDES OR CARNIVAL,” SUBSECTION 1, “LICENSE REQUIRED”

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 4, “BUSINESS
Regulations,” Section 7, “Amusement Rides or Carnival,” Subsection 1, “Licensed Required” is
hereby amended and supplemented as follows (additions ****between asterisks and/or in bold****,
deletions {within brackets and/or ~~struck through~~):

§ 4-7 AMUSEMENT RIDES OR CARNIVAL.

§ 4-7.1 License Required.

No person ****or entity**** shall operate an amusement ride or carnival unless the person ****or
entity**** has obtained a license ****or is a named agent of a Licensee under a License Agreement
with the City, if applicable,**** and has submitted a paid certificate of {liability} insurance {in limits
of \$1,000,000} naming the sponsor of the event ******, if applicable,****** and the City of Bayonne as
additional insured ****with limits as follows:**

- a) General liability \$1,000,000 per occurrence and \$2,000,000 aggregate;
- b) Automobile \$1,000,000;
- c) Worker’s compensation per statute; and
- d) Umbrella \$2,000,000.

The preceding insurance requirements may be amended before the issuance of the final License
at the sole and absolute discretion of the City on a case-by-case basis. ******

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 OF THE CITY OF
BAYONNE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES,
CHAPTER 4, LICENSING, REGISTRATION AND BUSINESS REGULATIONS ,” just introduced, do
now pass a first reading and that a meeting of this Council to be held Wednesday, July 19, 2023
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, Perez, Weimmer and President LaPelusa.
Absent – Council Member Carroll

* * * * *

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

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

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

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

* * * * *

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

From HELEN DUDA-RACKI filing notice of claim alleging damage to her car when she struck an exposed metal sewer grate on 37th Street and Avenue B

* * * * *

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

From David L. Wikstrom, Esq., filing notice of claim on behalf of SHAWN ROJAS alleging personal injury sustained from an accident on March 29, 2023.

* * * * *

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

From the Superior Court of New Jersey in the matter of MARGARITA DIAZ-MENDEZ vs. Graziano & Associates, LLC, Richard & Alfred Stancampiano d/b/a l Richard’s, City of Bayonne, et als.

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

June 14, 2023
10:40 AM

Bayonne City
Purchase Order Listing By Vendor Id

Page No: 1

P.O. Type: All
Range: First to Last
Format: Condensed
Vendors: All
Rcvd Batch Id Range: First to Last
Include Project Line Items: Yes
First Enc Date Range: First to 12/31/23
Include Non-Budgeted: Y
Open: N
Rcvd: N
Bid: Y
Paid: N
Held: N
State: Y
Void: N
Aprv: Y
Other: Y
Exempt: Y

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
AGLWE005	AGL WELDING SUPPLY	23-01854	06/09/23	ARGON MIX	Open	125.00	0.00		
AIRBR005	AIR BRAKE EQUIPMENT	23-01855	06/09/23	Stock	Open	1,976.24	0.00		
AIRGA010	AIR & GAS TECHNOLOGIES	23-01672	05/26/23	AIR SYSTEM ANNUAL CONTRACT	Open	1,533.00	0.00		
ALDIS005	A & L DISPOSAL, LLC	23-00050	01/06/23	RECYCLING COLLECTION	Open	195,724.66	0.00		B
		23-00051	01/06/23	SOLID WASTE COLLECTION	Open	136,490.41	0.00		B
		23-00328	01/20/23	BOARD OF EDUCATION PICK UPS	Open	6,640.00	0.00		B
		23-00331	01/20/23	HOUSING DUMPSTER PICK UPS	Open	8,400.00	0.00		B
						347,255.07			
AMADE010	PETE AMADEO	23-01861	06/09/23		Open	132.00	0.00		
AMANJ005	AMANJ EDUCATION FUND	23-01588	05/12/23	AMANJ Spring Conference	Open	250.00	0.00		
AMAZO010	AMAZON CAPITAL SERVICES	23-01407	04/26/23	AMERICAN FLAGS FOR SID	Open	1,299.00	0.00		
		23-01409	04/26/23	Juneteenth Flag	Open	25.90	0.00		
		23-01461	05/11/23	Clinic Supplies from Amazon	Open	120.21	0.00		
		23-01468	05/11/23	UEZ STATE DRIVE EQUIPMENT	Open	568.80	0.00		
		23-01474	05/09/23	EXECUTIVE CHAIR	Open	239.98	0.00		
		23-01476	05/10/23	PRO CORK BOARD	Open	29.99	0.00		
		23-01516	05/11/23	SPORT COATS/SECURITY OFFICERS	Open	133.28	0.00		
		23-01517	05/11/23	HYDRANT/SPANNER WRENCH SET E-2	Open	436.16	0.00		
		23-01622	04/26/23	Amazon Office Supplies	Open	859.41	0.00		
		23-01627	05/16/23	Privacy Screen Fence	Open	539.88	0.00		
		23-01640	05/18/23	BOOA Supplies	Open	216.98	0.00		
		23-01645	04/26/23	Blkack Toner	Open	65.98	0.00		
		23-01646	04/26/23	keyboard w/mouse	Open	37.49	0.00		
		23-01647	04/26/23	#10 Envelopes	Open	167.85	0.00		
		23-01648	04/26/23	Banker Boxes	Open	207.72	0.00		
		23-01649	04/26/23	Letter Size Pads	Open	148.92	0.00		
		23-01650	04/26/23	Amazon Office Supplies	Open	1,048.90	0.00		
		23-01684	05/28/23	OFFICE SUPPLIES	Open	145.48	0.00		
		23-01694	05/18/23	Copy Paper & Pens	Open	626.39	0.00		
		23-01708	05/23/23	Amazon Office Supplies	Open	339.42	0.00		
		23-01747	05/26/23	Amazon Office Supplies	Open	1,031.06	0.00		
		23-01749	05/26/23	Toner Combo Pack	Open	77.99	0.00		
		23-01750	05/30/23	Amazon office Supplies	Open	951.23	0.00		
		23-01784	06/01/23	Amazon office Supplies	Open	1,955.03	0.00		

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Bayonne City
Purchase Order Listing By Vendor Id

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Vendor #	Name		Status	Amount	Void Amount	Contract	PO Type
PO #	PO Date	Description					
AMAZ0010	AMAZON CAPITAL SERVICES	Continued					
23-01797	06/05/23	OFFICE SUPPLIES	Open	265.78	0.00		
23-01815	06/02/23	Copy Paper	Open	1,293.75	0.00		
23-01918	06/09/23		Open	<u>1,035.38</u>	0.00		
				13,867.96			
AMER1280	AMERICAN PAPER TOWEL CO. LLC						
23-01786	05/23/23	Trash Bags	Open	1,247.95	0.00		
23-01849	06/09/23	NP-5207	Open	746.91	0.00		
23-01853	06/09/23	Softpull	Open	<u>1,037.95</u>	0.00		
				3,032.81			
ATTM0005	AT&T MOBILITY						
23-01635	05/18/23	04/06/23 - 05/05/23	Open	38.24	0.00		
BAKER015	BAKER & TAYLOR						
23-01735	05/09/23	BOOKS AND PUBLICATIONS	Open	394.96	0.00		
23-01741	03/27/23	BOOKS AND PUBLICATIONS	Open	2,375.11	0.00		
23-01742	03/27/23	BOOKS AND PUBLICATIONS	Open	2,063.90	0.00		
23-01743	04/21/23	BOOKS AND PUBLICATIONS	Open	2,675.44	0.00		
23-01744	04/11/23	BOOKS AND PUBLICATIONS	Open	2,617.42	0.00		
23-01745	05/03/23	BOOKS AND PUBLICATIONS	Open	<u>257.82</u>	0.00		
				10,384.65			
BART0015	BARTON NURSERIES						
23-01878	06/09/23	Tree Order	Open	2,285.00	0.00		
BAYON080	BAYONNE EXTERMINATING CO.						
23-00030	01/05/23	RODENT & PEST CONTROL SERVICES	Open	2,387.50	0.00		B
BAYON345	BAYONNE YOUTH CENTER						
CD-10430	10/13/22	GY23 Childcare Services	Open	4,116.18	0.00		B
BAYON365	BAYONNE ECONOMIC OPPORTUNITY F						
23-00598	02/09/23	CY2023 Congregate Meals Prog.	Open	37,930.83	0.00		B
CD-10426	10/13/22	GY23 Fair Housing Program	Open	6,568.90	0.00		B
CD-10432	10/13/22	GY23 Sr. Transportation Ins.	Open	342.88	0.00		B
CD-10434	10/13/22	GY23 Headstart Security	Open	2,205.51	0.00		B
CD-10449	02/10/23	CY2023 CDBG Admin	Open	18,333.33	0.00		B
CD-10455	04/12/23	GY23 CV Sr. Transportation	Open	<u>3,361.26</u>	0.00		B
				68,742.71			
BAYON450	BAYONNE CELL SHOP, LLC						
23-01774	05/22/23	Hosted PBX Phone Svc Ap-MY'23	Open	162.00	0.00		
BAYON545	BAYONNE BOARD OF EDUCATION						
23-01864	06/09/23		Open	1,933.75	0.00		
BE0FA005	BE0F/ AA-ABCO CONSTRUCTION						
CD-10457	06/09/23	Installation of Rear Door	Open	3,975.00	0.00		
BISCH005	SUSAN BISCHOFF						
23-01775	05/23/23	Steno PB-050923, ZB-051523	Open	700.00	0.00		

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Bayonne City
Purchase Order Listing By Vendor Id

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
BLACK040	BLACKSTONE PUBLISHING								
		23-01737	05/12/23	BOOKS AND PUBLICATIONS	Open	340.98	0.00		
		23-01758	05/19/23	BOOKS AND PUBLICATIONS	Open	554.00	0.00		
						894.98			
BLOOM005	BLOOMTASTIC CREATIONS								
		23-01893	06/09/23		Open	120.00	0.00		
BOBCA010	BOBCAT OF CENTRAL JERSEY								
		23-01664	04/29/23	Repair Kit	Open	376.71	0.00		
BRIDG005	BRIDGE AWARDS & TROPHIES LLC								
		23-01858	06/09/23	Mayors Clean Team	Open	2,540.00	0.00		
		23-01883	06/09/23		Open	2,310.00	0.00		
		23-01885	06/09/23		Open	1,000.00	0.00		
						5,850.00			
BSNSP005	BSN SPORTS INC								
		23-01866	06/09/23		Open	425.00	0.00		
		23-01868	06/09/23		Open	320.00	0.00		
						745.00			
BUYWI005	BUY WISE WHOLESALE AUTO PARTS								
		23-00034	01/06/23	VEHICLE PARTS AND SUPPLIES	Open	3,777.49	0.00		B
CABLE020	CABLEVISION								
		23-01695	05/16/23	Acct 07804030551014 May-Jun'23	Open	194.98	0.00		
		23-01697	05/16/23	Acct 07804031398019 May-Jun'23	Open	224.94	0.00		
		23-01698	05/16/23	Acct 07804032015018 May-Jun'23	Open	104.19	0.00		
		23-01699	05/16/23	Acct 07804033378019 May-Jun'23	Open	134.94	0.00		
		23-01700	05/16/23	Acct 07804033540014 May-Jun'23	Open	8.34	0.00		
		23-01701	05/16/23	Acct 07804035999011 May-Jun'23	Open	139.88	0.00		
		23-01702	05/16/23	Acct 07804036575026 May-Jun'23	Open	28.69	0.00		
		23-01703	05/16/23	Acct 07804039775011 May-Jun'23	Open	286.23	0.00		
		23-01801	06/01/23	Acct 07804026567017 Jun'23	Open	36.91	0.00		
		23-01802	06/01/23	Acct 07804026685017 Jun'23	Open	54.17	0.00		
		23-01803	06/01/23	Acct 07804031865018 Jun'23	Open	33.34	0.00		
		23-01804	06/01/23	Acct 07804039171011 Jun'23	Open	103.21	0.00		
						1,349.82			
CABLE030	CABLEVISION								
		23-01909	06/01/23	Acct 50851 Jun'23	Open	3,749.59	0.00		
		23-01911	06/01/23	Acct 52459 Jun'23	Open	3,954.08	0.00		
						7,703.67			
CAMPB015	CAMPBELL SUPPLY CO. INC.								
		23-00045	01/06/23	VEHICLE MAINTENANCE SUPPLIES	Open	134.19	0.00		B
CAMP1005	RICHARD CAMPISANO								
		23-00014	01/05/23	ZONING BOARD LEGAL SERVICES	Open	2,185.00	0.00		B
		23-00022	01/05/23	PLANNING BOARD LEGAL SERVICES	Open	900.00	0.00		B

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PO #	PO Date	Description					
CAMPI005	RICHARD CAMPISANO	Continued					
DE-10077	01/17/23	CY23 Developer's Escrow Bills	Open	<u>6,790.00</u>	0.00		
				9,875.00			
CDWGO005	CDW GOVERNMENT						
23-01682	05/25/23	NETMOTION LICENSES	Open	9,500.00	0.00		
CHAND005	CHANDELIER RESTAURANT						
23-01800	05/29/23	PRISONERS MEALS FOR MAY 2023	Open	113.70	0.00		
CHURC015	CHURCH WORLD SERVICE						
CD-10438	10/13/22	GY23 Refugee Employment	Open	169.53	0.00		B
CINTA010	CINTAS CORPORATION #205						
23-00011	01/05/23	DPW UNIFORM SERVICE	Open	1,552.57	0.00		B
CITYF005	CITY FIRE EQUIPMENT CO. INC.						
23-01777	04/17/23	Fire Extinguisher Maint 041723	Open	425.00	0.00		
CITYO015	CITY OF BAYONNE, CLAIMS ACCOUN						
DE-10081	03/14/23	CY23 Closeouts	Open	3,532.60	0.00		
CITYO035	CITY OF BAYONNE						
23-01282	04/14/23	Petty Cash	Open	978.11	0.00		
23-01726	05/25/23	Petty Cash	Open	<u>594.50</u>	0.00		
				1,572.61			
CITYO040	CITY OF BAYONNE CURRENT FUND						
DE-10080	01/17/23	CY23 Developer's Escrow Bills	Open	129.30	0.00		
CIVIL005	CIVIL SOLUTIONS						
23-00471	02/02/23	DIGITAL TAX MAPS	Open	490.00	0.00		B
CMEAS005	CME ASSOCIATES						
21000010	10/20/21	Redevelopment Engineer	Open	7,450.25	0.00		
23-00361	01/23/23	IN HOUSE ENGINEERING SERVICES	Open	94,604.00	0.00		B
23-01934	06/14/23	Redevelopment Engineer	Open	2,541.25	0.00		
DE-10076	01/17/23	CY2023 Developer's Escrow	Open	<u>36,761.75</u>	0.00		
				141,357.25			
COACH005	COACHING SYSTEMS LLC						
23-01722	05/24/23	CEVO 4 FIRE RESPONSE BOOKS	open	133.95	0.00		
COLLC005	IMPERIAL BAG & PAPER CO., LLC						
23-00317	01/20/23	JANITORIAL SUPPLIES	Open	1,914.64	0.00		B
COUNT015	COUNTY OF BERGEN						
23-01764	05/22/23	BASIC FINGERPRINT TRAINING	Open	175.00	0.00		
CRANE005	CRANEY INTEPRETING SERVICES						
23-01677	05/10/23	Spanish Interpretations 051023	Open	165.00	0.00		
23-01678	05/08/23	French Interpretation 050823	Open	285.00	0.00		
23-01757	05/17/23	Spanish Interpretns 0517/23	Open	165.00	0.00		

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CRANE005	CRANEY INTEPRETING SERVICES	Continued							
		23-01767	05/24/23	Spanish Interpretatns 05/24/23	Open	180.00	0.00		
		23-01768	05/16/23	Spanish Interpretatns 05/16/23	Open	150.00	0.00		
		23-01769	05/25/23	Arabic Interpretatns 05/25/23	Open	180.00	0.00		
		23-01799	06/05/23		Open	190.00	0.00		
		23-01874	06/09/23		Open	<u>321.52</u>	0.00		
						1,636.52			
CUST0005	CUSTOM BANDAG INC.	23-00032	01/05/23	TIRES FOR CITY VEHICLE FLEET	Open	11,894.00	0.00		B
DARRYL00	Darryl Lobo	23-01837	06/08/23		Open	5,000.00	0.00		
DELLA005	AMY DELLABELLA	23-01714	05/24/23	Petty Cash Replenishment	Open	978.11	0.00		
		23-01725	05/25/23	Petty Cash Replenishment	Open	<u>594.50</u>	0.00		
						1,572.61			
DELTA010	DELTA STORAGE LLC	23-01841	06/09/23	DELTA STORAGE 5/24-6/23	Open	174.00	0.00		
DISCO015	DISCOUNT SCHOOL SUPPLY	23-01863	06/09/23		Open	2,978.77	0.00		
DRAEG005	DRAEGER INC.	23-01794	03/22/23	MOUTHPIECE CLASSIC	Open	68.00	0.00		
DRKER005	DR. KERRY MAGRO	23-01691	04/21/23	Autism Month Speech	Open	5,000.00	0.00		
EAGLE005	EAGLE POINT GUN	21-02706	08/19/21	AMMO & OFF DUTY REQUIREMENTS	Open	3,251.84	0.00		
EASTC010	EAST COAST CATERING	23-01789	06/05/23		Open	1,267.50	0.00		
		23-01791	06/05/23		Open	195.00	0.00		
		23-01865	06/09/23		Open	<u>797.50</u>	0.00		
						2,260.00			
EASTC015	EAST COAST EMERGENCY LIGHTING	23-01581	05/12/23	SIREN CONTROL CENTER	Open	864.00	0.00		
EASTED035	EASTERN FIRE EQUIPMENT SERVICE	23-01662	01/12/23	Guards - Fire - Chainsaws	Open	966.04	0.00		
		23-01762	05/26/23	SHARPENING/REPAIR CHAIN	Open	<u>95.57</u>	0.00		
						1,061.61			
EMERG030	EMERGENCY MEDICAL PRODUCTS	23-01509	05/10/23	Medical bag for New Engine	Open	229.46	0.00		
ENVIRO005	ENVIRONMENTAL LOGIC LLC	23-01293	04/12/23	Environmental Testing-LIBR	Open	11,030.00	0.00		

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EVANB005	EVAN BERMAN PRODUCTIONS	23-01920	06/13/23	Food Truck Festival	Open	17,461.87	0.00		
FEDEX210	FEDEX	23-01690	05/01/23	Acct 234784099 to RTLF-NJ	Open	43.50	0.00		
		23-01870	05/29/23	Return for credid FFF vaccine	Open	12.33	0.00		
						55.83			
FFCHR010	F/F CHRISTOPHER REGAN	23-01778	06/02/23	TRAVEL REIMBURSEMENT	Open	619.32	0.00		
FIREF015	FIREFIGHTER ONE	23-01506	05/10/23	Loose Fire Equipment	Open	8,469.46	0.00		
FLEXF005	FLEXFACTS	23-01715	05/24/23	FSA Short Pay Jan'23	Open	3.50	0.00		
		23-01805	06/01/23	FSA Monthly Fee May'23	Open	231.00	0.00		
						234.50			
FULLS005	FULL SERVICE MAILERS, INC.	23-01781	05/18/23	2023 PRIMARY SAMPLE BALLOTS	Open	6,761.88	0.00		
FUNEX005	FUN EXPRESS, LLC.	23-01639	04/13/23	PASSPORT ACTIVITY SUPPLIES	Open	89.47	0.00		
		23-01642	05/02/23	Crafts for Children's Room	Open	150.26	0.00		
						239.73			
FUNSE005	FUN SERVICES	23-01840	06/09/23	HOMETOWN FAIR FUN SERVICES	Open	12,100.00	0.00		
		23-01873	06/09/23		Open	1,250.00	0.00		
						13,350.00			
GENER040	GENERAL PLUMBING SUPPLY	23-00321	01/20/23	PLUMBING SUPPLIES	Open	1,005.39	0.00		B
GETTY005	GETTYSBURG FLAG WORKS INC	23-01819	05/19/23	Flags - Vets	Open	4,830.24	0.00		
GOLDS005	GOLD'S CAR WASH, INC.	23-01856	06/09/23	April PW Washes	Open	84.00	0.00		
		23-01895	06/09/23		Open	25.00	0.00		
						109.00			
GRAFF005	GRAFFITI SOLUTIONS	23-00254	01/18/23	Graffiti Removal	Open	950.00	0.00		
		23-01719	05/25/23	Elephant Snot	Open	1,620.00	0.00		
						2,570.00			
GRAIN005	GRAINGER	23-00033	01/06/23	JANITORIAL SUPPLIES	Open	1,816.34	0.00		B
GREEN035	GREEN LEAF PET RESORT & HOTEL	23-01871	04/21/23	GROOMING K 9 THOR	Open	85.00	0.00		

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GREEN035	GREEN LEAF PET RESORT & HOTEL	Continued				
23-01872	05/15/23 BOARDING FOR K 9 RANGER	Open	594.00	0.00		
			679.00			
GTBMI005	GTBM/Info-Corp					
23-00383	05/08/23 Ticket Machines	Open	2,960.00	0.00		
HINTZ005	CLARKE CATON HINTZ					
23-00472	02/02/23 COAH CONSULTING FEES	Open	2,584.99	0.00		B
23-01692	05/11/23 Architectual Services Apr'23	Open	3,100.00	0.00		
23000001	06/14/23 Redevelopment Consultant	Open	11,519.29	0.00		
DE-10085	04/12/23 Developers Escrow CY2023	Open	14,090.50	0.00		
			31,294.78			
HUDSO120	HUDSON REGIONAL HEALTH COM					
23-01451	05/01/23 RHCHC MEMBERSHIP FEES	Open	6,486.00	0.00		B
HUDSO135	HUDSON COUNTY IMPROVEMENT AUTH					
23-00354	01/23/23 SOLID WASTE TIPPING FEES	Open	330,939.07	0.00		B
HUDSO180	HUDSON COLLISION & AUTO REPAIR					
23-01882	06/09/23 Wheel Alignment	Open	125.00	0.00		
HUMME005	STEVEN R. HUMMELL, ESQ					
23-00470	02/02/23 MUNICIPAL COURT PROSECUTOR FEE	Open	3,200.00	0.00		B
HYEPE005	HYE PETROLEUM					
23-00820	03/02/23 FUEL CHARGES	Open	252.61	0.00		B
23-01651	05/01/23 Hye Fuel PD 03/03-04/21/23	Open	350.55	0.00		
23-01652	05/19/23 Hye Fuel DPW 03/07-04/18/23	Open	312.68	0.00		
			915.84			
IHARPO05	I. HALPER PAPER & SUPPLIES, INC					
23-01755	05/24/23 JANITORIAL SUPPLIES	Open	807.80	0.00		
INGLE005	INGLESINO, WYCISKALA & TAYLOR					
23-00023	01/05/23 REDEV & LAND USE LEGAL SERVICE	Open	1,154.25	0.00		B
23-01116	04/03/23 Redevelopment Attorney Svcs	Open	3,544.95	0.00		
			4,699.20			
INSER010	INSERRA SUPERMARKET STORES					
23-01867	06/09/23	Open	105.53	0.00		
INSTI000	INSTITUTE FOR PROFESSIONAL DEV					
23-01772	06/02/23	Open	50.00	0.00		
INSTI020	INSTITUTE FOR FORENSIC PSYCHOL					
23-01686	04/26/23 PSYCH EVALS Apr'23	Open	8,400.00	0.00		
INTEGO10	INTEGRATED TECHNICAL SYSTEMS I					
22-02258	07/07/22 647 4G MODEMS FOR METERS	Open	98,000.00	0.00		B
23-00677	02/15/23 IRIS CONTRACT FOR T2 METERS	Open	2,937.00	0.00		B

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PO #	PO Date	Description					
INTEG010 INTEGRATED TECHNICAL SYSTEMS I Continued							
23-01894	06/09/23		Open	95.00	0.00		
				101,032.00			
INTEG015 INTEGRATED MICRO SYSTEMS							
23-01028	03/23/23	IT PROCUREMENT SERVICES	Open	2,284.00	0.00		B
INTER090 Interstate Waste Services							
23-00044	01/06/23	SOLID WASTE DISPOSAL	Open	801.82	0.00		B
JERSE060 JERSEY JOURNAL							
23-01783	04/28/23	LEGAL ADVERTISEMENT Apr'23	Open	271.82	0.00		
23-01897	06/09/23	Bulk Levy Sale Advertisement	Open	9,076.76	0.00		
23-01905	05/26/23	Legal Advertisement May'23	Open	541.20	0.00		
DE-10079	01/17/23	CY23 Developer's Escrow Bills	Open	63.03	0.00		
				9,952.81			
JERSE100 JERSEY ELEVATOR LLC							
23-01881	06/09/23	Elevator Maintenance	Open	617.60	0.00		
JEWEL005 JEWEL ELECTRIC SUPPLY CO.							
23-00319	01/20/23	LIGHTING AND ELECTRIC SUPPLIES	Open	1,880.53	0.00		B
JJPRI005 J&J PRINTING CO.							
23-01119	04/04/23	Business Cards - Tracey	Open	70.00	0.00		
23-01136	03/25/23	Waterproof Meter Labels etc.	Open	880.00	0.00		
23-01717	05/14/23	BUSINESS CARDS FOR FO & FP	Open	185.00	0.00		
23-01760	05/14/23	BUSINESS CARDS, AP,DQ,SM,DM	Open	465.00	0.00		
23-01770	05/14/23	#10 Envelopes, Court	Open	120.00	0.00		
23-01773	06/02/23	SUPPLIES	Open	1,165.00	0.00		
23-01793	05/22/23	Business Cards-J.McNulty	Open	70.00	0.00		
23-01833	06/08/23	j&j printing UEZ ENVELOPES	Open	145.00	0.00		
23-01904	06/09/23		Open	1,705.00	0.00		
				4,805.00			
JOHN1005 JOHN L. SCHETTINO, ESQ.							
23-01494	05/10/23	RENT CONTROL LEGAL SERVICES	Open	2,573.00	0.00		B
KELLY030 KELLY AUSTIN							
23-01676	04/24/23	Served as Judge 04/24/23	Open	400.00	0.00		
23-01798	06/05/23		Open	400.00	0.00		
				800.00			
KELSE005 KELSEY O'DONNELL							
23-01860	06/09/23		Open	462.86	0.00		
LABCO005 LABCORP OF AMERICA HOLDING							
23-01869	05/27/23	Pre Emp Drug Tstg Svcs May'23	Open	268.00	0.00		
LAWME005 LAWREN SUPPLY CO.							
22-00101	02/16/23	Handgun Ammo Calender 2022	Open	13,668.50	0.00		

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LAWSO005	LAWSON PRODUCTS INC.								
		23-01790	06/01/23	Shop Supplies	Open	379.34	0.00		
		23-01821	05/23/23	Shop Supplies	Open	<u>1,359.53</u>	0.00		
						1,738.87			
LEARN020	LEARNER PUBLISHING GROUP								
		23-01638	04/26/23	BOOKS AND PUBLICATIONS	Open	243.88	0.00		
LOWES005	LOWES								
		23-01679	05/18/23	TOOL BAG/TOILET CLEANER ST#3	Open	47.45	0.00		
		23-01716	05/16/23	47th St Fire House	Open	482.71	0.00		
		23-01751	06/02/23	not to exceed \$500	Open	492.50	0.00		
		23-01818	04/18/23	Police Garage	Open	353.71	0.00		
		23-01820	05/15/23	16th Street	Open	7.58	0.00		
		23-01822	05/26/23	47th St Fire Museum	Open	435.85	0.00		
		23-01842	06/09/23		Open	178.56	0.00		
		23-01843	06/09/23	City Hall Shut down	Open	1,361.53	0.00		
		23-01844	06/09/23	4th St Senior Center	Open	99.39	0.00		
		23-01845	05/05/23	16th Str Pool Supplies	Open	1,761.77	0.00		
		23-01851	06/09/23	47th St Firehouse	Open	<u>842.45</u>	0.00		
						6,063.50			
LTW00005	LTW								
		23-01685	05/25/23	SURVEILLANCE CAMERA MAINT	Open	39,999.68	0.00		
MACKA005	MACKAY METERS INC.								
		23-00939	03/13/23	Meter Fees for Cy 2023	Open	10,323.40	0.00		B
MARKW005	MARK WHITE, PH.D.P.A								
		23-01634	05/18/23	PSYCH EVALUATION NEW RECRUITS	Open	2,920.00	0.00		
MATRIX010	MATRIX NEW WORLD ENGINEERING, I								
		22-00276	01/26/22	ENVIRONMENTAL CONSULTANT SRVCS	Open	300.00	0.00		B
MCMAN005	MCMANIMON, SCOTLAND & BAUMANN,								
		23-00018	01/05/23	REDEV & LAND USE LEGAL SERVICE	Open	4,346.00	0.00		B
		23-01025	03/23/23	WATER SEWER LEGAL SERVICES	Open	<u>8,761.07</u>	0.00		B
						13,107.07			
MDRES005	MD RESPIRATORY SERVICES								
		23-01011	03/22/23	BOQA Emergency Assistance	Open	294.00	0.00		
MEDIN005	JONATHAN MEDINA								
		23-01907	06/09/23	Election worker	Open	248.00	0.00		
MEDIN010	MADELENE MEDINA								
		23-01906	06/09/23	Reimbursement	Open	324.40	0.00		
MEMBE005	IACP - MEMBERSHIP								
		23-01680	05/15/23	ONLINE SUBSCRIPTION	Open	1,750.00	0.00		
MGLPRO05	MGL PRINTING SOLUTIONS								
		23-01632	05/31/23	AP Checks	Open	1,270.00	0.00		

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MIDDLE015	MIDDLETOWN TRAILER SUPPLY	23-01340	04/20/23	Trailers for DPW	Open	14,890.00	0.00		
MIDWE010	MIDWEST TAPE	23-01637	05/16/23	BOOKS AND PUBLICATIONS	Open	1,146.28	0.00		
		23-01734	05/22/23	BOOKS AND PUBLICATIONS	Open	518.97	0.00		
		23-01736	05/17/23	BOOKS AND PUBLICATIONS	Open	416.00	0.00		
		23-01738	04/24/23	BOOKS AND PUBLICATIONS	Open	138.19	0.00		
		23-01739	02/14/23	BOOKS AND PUBLICATIONS	Open	24.99	0.00		
		23-01759	05/25/23	BOOKS AND PUBLICATIONS	Open	337.69	0.00		
						2,582.12			
MRMIL005	M & R MILLER AUTO GEAR	23-00358	01/23/23	VEHICLE MAINTENANCE PARTS	Open	2,416.37	0.00		B
MUNIC045	MUNICIPAL INSPECTION CORP.	23-01158	04/04/23	ELEVATOR SUB CODE OFFICIAL FEE	Open	14,687.00	0.00		B
NAPAA005	NAPA AUTO PARTS	23-00035	01/06/23	VEHICLE PARTS AND SUPPLIES	Open	1,983.29	0.00		B
NATIO005	NATIONAL ASSOCIATION OF BUNCO	23-01668	05/16/23	ANNUAL MEMBERSHIP DUES 2023	Open	75.00	0.00		
NEWEG005	NEWEGG BUSINESS	23-01752	06/02/23	UEZ HP DESKTOP COMPUTER	Open	299.99	0.00		
NEWJE085	NEW JERSEY FIRE EQUIP CO.	23-00583	02/08/23	ADAPTER/PLUG/CHAIN FOR NEW E-2	Open	376.00	0.00		
		23-01377	05/22/23	ADAPTERS FOR NEW E-2	Open	630.00	0.00		
		23-01469	05/25/23	ADAPTERS FOR NEW E-2	Open	225.00	0.00		
		23-01561	05/22/23	ANCHOR BARS/STRAPS	Open	118.00	0.00		
						1,349.00			
NEWJE175	NEW JERSEY STATE ASSOCIATION	23-01763	05/15/23	PUBLIC INFOR OFFICER UPDATE	Open	250.00	0.00		
NEWJE235	NEW JERSEY DOOR WORKS LLC	23-00036	01/06/23	DOOR REPAIRS AND REPLACEMENT	Open	1,196.25	0.00		B
NJDEP050	NJ DEPT OF HEALTH & SR SRVCS	23-01779	06/02/23	MONTHLY DOG REPORT Apr'23	Open	33.60	0.00		
NJHUM005	NJ HUMANE SOCIETY, LLC	22-01417	04/28/22	TNR PROGRAM	Open	1,846.00	0.00		B
		23-00037	01/06/23	ANIMAL CONTROL & SHELTER SVS	Open	13,530.96	0.00		B
						15,376.96			
NJMVC005	NJMVC	23-01859	06/09/23	Registrations	Open	100.00	0.00		
NJSTA010	NJ STATE LEAGUE OF MUNICIPALIT	23-01782	05/18/23	NJ MUNIC. MAG SUBS 10/23-06/24	Open	600.00	0.00		

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NWFIN005	NW FINANCIAL GROUP, LLC	23-00467	02/02/23	FINANCIAL ADVISORY SERVICES	Open	7,977.50	0.00		B
OCEAN010	OCEAN COUNTY POLICE ACADEMY	23-01687	05/15/23	NEW HIRES ACADEMY 13 P.O.	Open	19,500.00	0.00		
PARSO005	PARSONS ENVIRONMENT & INFRASTR	23-01886	06/09/23	NJ Emissions Program	Open	72.54	0.00		
PITNE005	PITNEY BOWES	23-00388	01/25/23	CONTRACTUAL SERVICES	Open	174.00	0.00		B
PIZZE015	SAN VITO PIZZERIA	23-01880	06/09/23	Shore Clean up	Open	1,885.00	0.00		
PROAC010	PROACT, INC	TR-10043	02/14/23	CY2023 Claims	Open	89,718.63	0.00		
PROFGOVE	Professional Government Educat	23-01838	06/08/23		Open	90.00	0.00		
PROPE005	PROPERTY ROOM CONSULTING, INC.	23-01766	05/23/23	2023 PROPERTY & EVIDENCE	Open	275.00	0.00		
PSEG0005	PSEG	23-01653	05/15/23	Acct 1301409107 04/10-05/09/23	Open	4,059.37	0.00		
		23-01654	05/15/23	Acct 1301408204 04/06-05/08/23	Open	35.93	0.00		
		23-01655	05/19/23	Acct 1301408301 04/10-05/09/23	Open	124.65	0.00		
		23-01656	05/12/23	Acct 7657321008 04/12-05/10/23	Open	51.13	0.00		
		23-01657	05/11/23	Acct 7392737708 04/11-05/09/23	Open	10.15	0.00		
		23-01705	05/10/23	Acct 7140006407 04/07-05/08/23	Open	577.50	0.00		
		23-01706	05/15/23	Acct 7290827902 03/14-05/11/23	Open	45.91	0.00		
		23-01707	05/15/23	Acct 7394124304 04/13-05/11/23	Open	23.81	0.00		
		23-01709	05/18/23	Acct 7394366901 04/18-05/16/23	Open	69.16	0.00		
		23-01710	05/15/23	Acct 7397419208 04/13-05/11/23	Open	22.22	0.00		
		23-01711	05/10/23	Acct 7445172904 04/07-05/08/23	Open	45.85	0.00		
		23-01712	05/10/23	Acct 7508489500 04/07-05/08/23	Open	31.56	0.00		
		23-01713	05/15/23	Acct 7518724618 04/13-04/11/23	Open	26.12	0.00		
		23-01727	05/08/23	Acct 6574856000 04/05-05/04/23	Open	907.33	0.00		
		23-01728	05/08/23	Acct 6694264704 04/05-05/04/23	Open	1,425.90	0.00		
		23-01785	05/24/23	Acct 7455992718 4/25-5/23/23	Open	11.64	0.00		
		23-01806	05/30/23	Acct 1301408905 04/10-05/09/23	Open	4,763.07	0.00		
		23-01807	05/31/23	Acct 1301409006 04/25-05/23/23	Open	4,033.64	0.00		
		23-01808	05/24/23	Acct 7402436608 04/22-05/22/23	Open	6.01	0.00		
		23-01809	05/26/23	Acct 7558809401 04/26-05/24/23	Open	16.85	0.00		
		23-01810	05/25/23	Acct 7617422202 04/25-05/23/23	Open	60.85	0.00		
		23-01811	05/25/23	Acct 7650889602 04/25-05/23/23	Open	231.85	0.00		
		23-01829	06/08/23	Acct 1301408700 June'23	Open	69,337.67	0.00		
		23-01908	06/09/23	Acct 1301408603 May'23	Open	22,372.29	0.00		
		23-01912	06/06/23	Acct 1301408808 04/29-05/30/23	Open	204.70	0.00		
		23-01913	06/07/23	Acct 6574856000 05/05-06/05/23	Open	900.01	0.00		
		23-01914	06/07/23	Acct 6694264704 05/05-06/05/23	Open	1,405.12	0.00		

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Vendor #	Name						
PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
PSEG0005	PSEG		Continued				
23-01915	05/11/23	Temporary Accounts	Open	<u>1,658.93</u>	0.00		
				112,459.22			
QUALI015	QUALITY AUTO GLASS						
23-01846	06/09/23	For unit 2001	Open	420.81	0.00		
RACHL005	RACHLES/MICHELE'S OIL COMPANY						
23-00038	01/06/23	DIESEL FUEL SUPPLY	Open	22,662.01	0.00		B
23-00039	01/06/23	UNLEADED GASOLINE SUPPLY	Open	<u>21,967.83</u>	0.00		B
				44,629.84			
READY005	READY REFRESH BY NESTLE						
23-01658	05/10/23	Acct 0441205655 Apr-May'23	Open	172.88	0.00		
23-01659	05/12/23	Acct 0442720751 Apr-May'23	Open	<u>394.73</u>	0.00		
				567.61			
RELIA020	RELIABLE WOOD PRODUCTS						
23-00326	01/20/23	WOOD/SHRUB/LEAF RECYCLING	Open	927.00	0.00		B
REPTR005	REPTRONICS						
23-01824	05/31/23	Typewriter Repair Law May'23	Open	254.44	0.00		
ROCHE020	ROCHENY PHOTOGRAPHY						
23-01761	05/20/23	CAPTAIN PHOTOS (8x10)	Open	300.00	0.00		
RTSP0005	RTSP						
23-01660	05/19/23	FIRE ARMS RANGE RENTAL 2023	Open	15,600.00	0.00		B
RUDROTH5	RUDERMAN & ROTH, LLC.						
23-00017	01/05/23	UNION & LABOR LEGAL SERVICES	Open	20,339.50	0.00		B
RUTGE070	RUTGERS, THE STATE UNIVERSITY						
23-01731	05/25/23	Course Registration	Open	1,037.00	0.00		
SBPIN005	SBP INDUSTRIES						
23-01683	05/10/23	MAINTENANCE EMERGENY GENERATOR	Open	3,450.00	0.00		
SCHOO005	SCHOOL BUS PARTS						
23-01847	06/09/23	Motor	Open	212.33	0.00		
SEMAN005	ADAM SEMANCHICK						
23-01879	06/09/23		Open	150.00	0.00		
SHIIN005	SHI INTERNATIONAL CORP.						
23-01669	06/07/23	FILL & SIGN PDF LICENSES	Open	797.43	0.00		
23-01681	05/24/23	INTERNET SECURITY SUBSCRIPTION	Open	<u>6,267.00</u>	0.00		
				7,064.43			
SIMSN005	SIMS METAL MANAGENNET						
23-00355	01/23/23	RECYCLING FACILITY FEES	Open	22,296.05	0.00		B

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Vendor #	Name	Status	Amount	Void Amount	Contract	PO Type
PO #	PO Date Description					
SIRCH005	SIRCHIE FINGERPRINT LABORATORY					
23-01875	05/31/23 CRIME SCENE SCHOOL	Open	650.00	0.00		
SPEED005	SPEEDWELL TARGETS					
23-01487	05/18/23 IALEFI TACTICAL TRAINING 19X31	Open	2,102.59	0.00		
STAPL010	STAPLES, INC.					
23-01288	04/25/23 OFFICE CHAIRS	Open	715.96	0.00		
23-01354	04/24/23 391864 - Ambitex N400	Open	145.62	0.00		
23-01696	05/24/23 Toner	Open	102.66	0.00		
			964.24			
STATE090	STATE TOXICOLOGY LABORATORY					
23-01688	05/02/23 STATE TOXICOLOGY MAR'23	Open	1,170.00	0.00		
STHEN005	ST. HENRY'S PARISH CENTER					
22-02829	08/23/22 PARKING SPACE RENTAL	Open	2,000.00	0.00		B
STORR005	STORR TRACTOR CO					
23-01817	05/18/23 Repair Parts, ID # 371	Open	29.95	0.00		
SUARE005	WERNER, SUAREZ & MORAN, LLC					
23-00012	01/05/23 RENT CONTROL LEGAL SERVICES	Open	30,129.58	0.00		B
SUNRA005	SUNRAY POWER OPOCO V LLC					
23-01616	05/01/23 Solar Power Apr'23	Open	5,754.88	0.00		
23-01812	06/01/23 Solar Pwr May'23	Open	7,887.30	0.00		
			13,642.18			
SUNSH005	SUNSHINE CAR WASH, LLC					
23-01674	04/30/23 CAR WASHES PD Apr'23	Open	533.50	0.00		
23-01675	04/30/23 CAR WASHES FD Apr'23	Open	54.00	0.00		
			587.50			
SYSTEM005	ABACUS DATA SYSTEMS, INC.					
23-01732	05/26/23 Attorney - Client Portal	Open	385.28	0.00		B
TAPIN005	TAPINTO LLC					
23-01834	06/08/23 TAPINTO 5/01/2023	Open	1,100.00	0.00		
23-01835	06/08/23 tapinto 6/01/2023	Open	1,100.00	0.00		
			2,200.00			
TAYLO025	TAYLOR COMMUNICATIONS					
23-01327	05/09/23 Uniform Traffic Tickets	Open	2,460.00	0.00		
23-01381	05/01/23 ATS-005 Mailers	Open	2,144.50	0.00		
			4,604.50			
TEAML005	TEAM LIFE INC					
23-01671	05/16/23 DEFIBRILLATION PADS May'23	Open	157.00	0.00		
TEAMW015	TEAM WILDERNESS					
CD-10443	10/13/22 GY23 Wilderness Program	Open	797.65	0.00		B

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
TERRE010	TERRE CO OF NEW JERSEY	23-01663	04/03/23	Park Maintenance	Open	2,555.00	0.00		
TGI0F005	TGI OFFICE AUTOMATION	23-01505	05/03/23	Ricoh Svc Agrmt 02/13-05/12/23	Open	122.32	0.00		
THELI010	THE LITTLE BOHO BOOKSHOP	23-01792	06/05/23		Open	233.74	0.00		
THEWA005	THE WATERFRONT PROJECT, INC.	CD-10364	09/11/20	GY21 CV Housing Counseling	Open	10,132.62	0.00		B
TIMW005	TIMOTHY J.MORIARTY, ESQ.	23-00469	02/02/23	MUNICIPAL COURT PROSECUTOR FEE	Open	6,000.00	0.00		B
		23-01898	06/09/23		Open	400.00	0.00		
						6,400.00			
TRANS005	BORKER TRANSMISSIONS	23-00049	01/06/23	TRANSMISSION REPAIR SERVICES	Open	2,007.48	0.00		B
TRANS045	TRANSUNION RISK ALTERNATIVE DA	23-01796	06/01/23	Online Access May'23	Open	137.40	0.00		
TREAS020	TREASURER - STATE OF NEW JERSE	23-01899	06/09/23	Tideland license & lease fee	Open	100.00	0.00		
		23-01900	06/09/23	tideland license & lease fee	Open	420.00	0.00		
		23-01901	06/09/23	Tideland license & lease fee	Open	9,450.00	0.00		
		23-01902	06/09/23	Tideland license & lease fee	Open	9,000.00	0.00		
						18,970.00			
TRIAD005	TRIAD ASSOCIATES	CD-10451	03/10/23	CY2023 CDBG Advisory Services	Open	1,568.75	0.00		B
TRIMA005	TRIMALAWN EQUIPMENT	23-01848	06/09/23	Hedge Trimmer # 3041	Open	157.23	0.00		
TRIS010	TRIS INC.	23-01857	06/09/23	#363 Repair Parts	Open	754.95	0.00		
TSTIN005	TSI INCORPORATED	23-01371	05/17/23	ALCOHOL/CALIBRATE MASK FIT MAC	Open	1,031.29	0.00		
TURN0005	TURN OUT FIRE & SAFETY INC	23-01670	05/09/23	UNIFORMS	Open	2,836.00	0.00		
		23-01724	05/24/23	UNIFORM SHIRTS FOR FF LEYVA	Open	301.98	0.00		
						3,137.98			
TYLIN005	T.Y.LIN INTERNATIONAL	22-02075	06/23/22	DEV STUDY FOR 440/34TH BRIDGE	Open	21,253.52	0.00		B
ULINE005	ULINE	23-00999	03/29/23	LAMINATING POUCHES	Open	235.97	0.00		

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
UNION025	UNION PAVING & CONSTRUCTION CO	22-04170	12/09/22	Bayonne Harbor Port Access Rd	Open	568,075.62	0.00		B
UNITE100	UNITED STATES POSTAL SERVICE	23-01704	05/24/23		Open	20,000.00	0.00		
UNITE110	UNITED SITE SERVICES	23-00320	01/20/23	PORTABLE BATHROOM RENTAL	Open	1,331.38	0.00		B
		23-01721	05/12/23	Pbl RR 330Hook-PD/DPW My-Jn'23	Open	<u>212.00</u>	0.00		
						1,543.38			
USATE005	USA TEAM SALES INC	23-01788	06/05/23		Open	5,162.33	0.00		
VERAL005	V E RALPH & SON INC.	23-01056	03/30/23	CARDIAC SCIENCE PADS	Open	937.25	0.00		
VERIZ005	VERIZON BUSINESS	23-01748	05/25/23	Acct 93282293 04/15-05/14/23	Open	305.31	0.00		
VERIZ020	VERIZON	23-01729	04/30/23	Acct 250787710000125 May'23	Open	2,415.11	0.00		
		23-01765	05/15/23	Acct 750717365000190 My-Jn'23	Open	19.65	0.00		
		23-01831	06/08/23	Acct 251285631000158 June'23	Open	191.67	0.00		
		23-01916	05/31/23	Acct 250787710000125 Jun'23	Open	<u>2,390.89</u>	0.00		
						5,017.32			
VERIZ045	VERIZON	23-01595	05/15/23	05/07/23 - 06-06-23	Open	159.99	0.00		
VERIZ075	VERIZON WIRELESS	23-01689	05/01/23	Acct 682559572-00001Apr-May23	Open	2,092.67	0.00		
		23-01813	05/23/23	Acct 642003467-00001 Apr-May23	Open	476.97	0.00		
		23-01814	05/23/23	Acct 786747072-00001 Apr-May23	Open	1,205.89	0.00		
		23-01830	06/08/23	Acct 685477848-00001 Apr-May23	Open	828.52	0.00		
		23-01877	05/23/23	Acct 242078130-00001 Apr-May23	Open	973.43	0.00		
		23-01917	06/01/23	Acct 286793355-0001 May'23	Open	<u>773.01</u>	0.00		
						6,350.49			
VICT0005	VICTORY HALL INC	CD-10441	10/13/22	GY23 Rainbow Thursdays Program	Open	2,520.00	0.00		B
VISIT005	VISITING HOMEMAKER SERVICE	23-01008	03/22/23	BOOA Emergency Assistance	Open	189.00	0.00		
VITAL005	VITAL SIGNS	23-01836	06/08/23	AMERICAN FOR THE SID	Open	1,020.00	0.00		
WALLA010	WALLACE TEMPLE	CD-10366	09/11/20	GY21 CV CARES Food Pantry	Open	7,528.92	0.00		B
WBMA0010	WB MASON CO. INC.	23-01433	05/03/23	Supplies for Hun Services/Clin	Open	268.68	0.00		

Vendor #	Name		Status	Amount	Void Amount	Contract	PO Type
PO #	PO Date	Description					
WBMA010	WB MASON CO. INC.	Continued					
23-01477	05/09/23	OFFICE SUPPLIES	Open	210.50	0.00		
23-01514	05/15/23	Copy Paper	Open	1,519.60	0.00		
23-01552	05/15/23	OFFICE SUPPLIES CLIPS STAPLES	Open	105.85	0.00		
23-01589	05/15/23	OFFICE SUPPLIES	Open	204.55	0.00		
23-01636	05/22/23	OFFICE SUPPLIES	Open	527.42	0.00		
23-01641	05/18/23	800A Supplies	Open	116.99	0.00		
23-01643	05/24/23	Office Supplies	Open	396.55	0.00		
23-01693	05/23/23	office Supplies	Open	297.13	0.00		
23-01723	05/26/23	TONER/OFFICE SUPPLIES	Open	201.94	0.00		
23-01740	05/30/23	Office Supplies	Open	114.36	0.00		
23-01754	06/05/23	OFFICE SUPPLIES	Open	74.59	0.00		
23-01771	06/06/23	Toner Cartridge Set (4) Color	Open	911.92	0.00		
				4,950.08			
WEINE015	WEINER LAW GROUP LLP						
23-01776	04/30/23	LEGAL SERVICES Apr'23	Open	2,965.73	0.00		
WELD0005	WELDON ASPHALT CO.						
23-00042	01/06/23	STREET & ROAD ASPHALT SUPPLY	Open	831.46	0.00		B
WESTS005	WESTSIDE AUTO WRECKERS LLC						
23-01718	03/29/23	Seats	Open	350.00	0.00		
WILLI010	WILLIS OF NEW JERSEY, INC						
23-01825	09/28/22	Cancellation Refund 9/26/22	Open	420.00-	0.00		
23-01903	06/09/23	Renewal of Surety Bond	Open	475.00	0.00		
				55.00			
WILLI015	SHERWIN WILLIAMS						
23-00316	01/20/23	PAINTING SUPPLIES	Open	2,568.48	0.00		B
WILMIN01	WILMINGTON TRUST FEE COLLECTIO						
23-01216	04/12/23	Bay sink,P&Sch Refund CY2023	Open	2,500.00	0.00		B
XEROX020	XEROX CORPORATION						
23-00452	01/31/23	Contractual Services	Open	2,132.85	0.00		B
Total Purchase Orders:		378	Total P.O. Line Items:	0	Total List Amount:	2,536,248.04	Total Void Amount: 0.00

Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	2-01	29,813.50	0.00	0.00	29,813.50
CURRENT FUND	3-01	1,512,254.95	0.00	0.00	1,512,254.95
PARKING FUND	3-05	7,983.95	0.00	0.00	7,983.95
Year Total:		1,520,238.90	0.00	0.00	1,520,238.90
GENERAL CAPITAL FUND	C-04	15,605.96	0.00	0.00	15,605.96
PARKING UTILITY CAPITAL FUND	C-06	108,323.40	0.00	0.00	108,323.40
Year Total:		123,929.36	0.00	0.00	123,929.36
FEDERAL AND STATE GRANT FUND	G-02	632,025.23	0.00	0.00	632,025.23
CDBG	T-03	70,319.45	0.00	0.00	70,319.45
TRUST-OTHER	T-12	135,592.76	0.00	0.00	135,592.76
DOG TRUST	T-13	33.60	0.00	0.00	33.60
REDEVELOPMENT ESCROW	T-27	24,295.24	0.00	0.00	24,295.24
Year Total:		230,241.05	0.00	0.00	230,241.05
Total of All Funds:		2,536,248.04	0.00	0.00	2,536,248.04

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

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

* * * * *

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

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

RESOLVED, That the following items which have been included on the agenda for this regular meeting as 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 Booker, Carroll, Perez, Weimmer and President LaPelusa.

* * * * *

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

RESOLVED, That the official minutes of the regular council meeting held Wednesday, May 17, 2023 be and the same are hereby approved.

* * * * *

22. 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, MAY 10, 2023, be and the same are hereby approved.

* * * * *

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

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

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

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

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

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

BLOCK	LOT	PAYEE	AMOUNT
50	2	HOWARD GOLDBERG, ESQ.	82,933.08
178	25.01	577-583 BROAWAY, LLC	23,499.00
272	19.01 C0205	CORELOGIC	2,187.00
246	27	ALBERT & VICTORIA PEDOEEM	2,148.90
Total			110,768.07

* * * * *

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

BE IT RESOLVED, That the City Clerk be and is hereby authorized to advertise for bids for Transmission Repair Services.

* * * * *

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

Whereas, the Tax Assessor for the City of Bayonne had approved the exemption application filed by a 100% Disabled Veteran who owns and occupies a one family home located at Block 114, Lot 20 (597 Avenue E), in the City of Bayonne, for the 2023 Tax Year, and

Whereas, the qualified veteran has filed proof of 100% disability as of January 1, 2023 by way of a letter from the Department of Veterans Affairs, and

Whereas, the Veteran through the Municipal Tax Assessor has asked that the City Council honor the exemption as of the date of eligibility;

Now therefore be it resolved as follows:

1. The property taxes on 100% of the one family home located at Block 114, lot 20 (597 Avenue E), in the City of Bayonne occupied by said qualifying veteran are hereby canceled effective January 1, 2023 with the assessor to revise the assessment going forward and the tax collector to calculate any resulting overpayments of the tax bills from the date to the date of passage of this resolution (estimated at a refund of approximately \$2,139 EXPRESSLY SUBJECT TO the Tax Collector’s records and calculations based on the final tax rate and the amount of tax actually billed and paid for the period to which the calculation of taxes approved by this resolution applies).
2. The Tax Collector upon performing the above calculations is authorized to refund any overpayment amount which exceeds such outstanding taxes, so as to assure that the exemption is fully effectuated by the end of the current Tax Year. The Tax Collector

is further authorized to credit or adjust all future bills in conformance with this resolution for the duration of the veteran's qualified status with respect to this property.

3. The Tax Collector, Tax Assessor and City Treasurer are authorized to take any and all appropriate action to effectuate this resolution, including but not limited to, cancellation of taxes as set forth above and the refund or credit of any excess taxes which may have been paid by said qualifying veterans during the periods noted herein.

* * * * *

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

WHEREAS, the City of Bayonne is in need of bus services in connection with its 2023 summer recreation program to provide bus services for 160 children and 25 camp counselors/directors in the City's summer camps at Horace Mann School, 16th Street Camp and 1st Street Camp ("Bus Services"); and

WHEREAS, BelovED Community Charter School Inc., 8 Grand Street, Jersey City, New Jersey 07302 a Not for Profit organization, ("BelovEd") is ready, willing and able to provide said Bus Services for a total amount of \$425.00 per bus per day; and

WHEREAS, the Supervisor of the Division of Parks and Recreation is in receipt of a quote from BelovED to provide said Bus Services for an amount of \$425.00 per bus per day; and

WHEREAS, the City of Bayonne desires to utilize BelovEd for said Bus Services a total amount not to exceed \$43,999.00; and

WHEREAS, N.J.S.A. 40A:11-3(a), allows for the award of a contract without the necessity of public advertising for bids where the municipality has a Qualified Purchasing Agent, and when the cost or price does not exceed \$44,000.00; and

WHEREAS, not for profit organizations are not subject to the provisions of N.J.S.A. 19:40A-20 et seq., Pay to Play Law; and

WHEREAS, funds have been certified as available in Account #T-12-56-930-7004-199; 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 enter into an agreement with BelovED Community Charter School Inc., 8 Grand Street, Jersey City, New Jersey 07302, for said Bus Services for an amount not to exceed \$43,999.00.
2. Funds shall be charged to account #T-12-56-930-7004-199.

* * * * *

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

WHEREAS, the Bayonne Hometown Fair Association (the "BHFA"), an association duly formed and existing under the laws of the State of New Jersey, requested permission to hold a Hometown Fair on Saturday, June 3rd and Sunday, June 4th, 2023 to be located along Broadway, from 21st to 26th Street and 23rd Street; from Church Lane to Del Monte Drive; and 22nd and 24th Streets extending off Broadway (the "2023 Bayonne Hometown Fair"); and

WHEREAS, previous Hometown Fairs proved to be successful and desirous events in the City of Bayonne; and

WHEREAS, for purposes of facilitating said 2023 Bayonne Hometown Fair, the Mayor and City Clerk executed a License Agreement with the BHFA prior to obtaining authorization of this Body; and

WHEREAS, the BHFA complied with all terms and conditions pursuant to said License; now, therefore, be it

RESOLVED that the actions of the Mayor and the City Clerk in executing a License Agreement with the Bayonne Hometown Fair Association for the purpose of holding the 2023 Bayonne Hometown Fair are hereby ratified and affirmed.

* * * * *

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

WHEREAS, the Director of Public Safety has established a need for the purchase a 2022 Ford F250 to be utilized by the Traffic Division (the “Vehicle”); and

WHEREAS, the Director of Public Safety solicited three (3) proposals for said Vehicle; and

WHEREAS, the proposal received from All American Ford of Elizabeth, 3698 Route 9 South, Old Bridge, NJ dated May 15, 2023 for the amount of \$41,038.00 was the lowest quote and the most advantageous quote received as a result of said solicitation; and

WHEREAS, N.J.S.A. 40A:11-3(a), allows for the award of a contract without the necessity of public advertising for bids where the municipality has a Qualified Purchasing Agent, and when the cost or price does not exceed \$44,000.00; and

WHEREAS, All American Ford of Elizabeth has completed and submitted a Business Entity Disclosure Certification certifying that it has not made any reportable contributions to a political or candidate committee in the City of Bayonne in the one (1) year preceding June 14, 2023, and, furthermore, the contract will prohibit All American Ford of Elizabeth from making any reportable contributions through the term in accordance with N.J.S.A. 19:44A-20.5; and

WHEREAS, the Director of Public Safety has determined and certified in writing that the value of the acquisition will exceed \$17,500.00; and

WHEREAS, funds are certified as available in Account C-04-55-966-2210-994; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Purchasing Agent is hereby authorized to procure the aforesaid 2022 Ford F250 from All American Ford of Elizabeth, 3698 Route 9 South, Old Bridge, NJ pursuant to its quote dated May 15, 2023 for the amount of \$41,038.00.
2. Funds shall be charged to the following Account C-04-55-966-2210-994.
3. The Business Entity Disclosure Certification and Certification and Determination of Value shall be placed on file with this resolution.

* * * * *

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

WHEREAS, by way of Resolution No. 17-02-15-050 the City entered into Cooperative Pricing Agreement No. 65MCESCCPS with the Educational Services Commission of New Jersey (“ESC NJ”), (formerly the Middlesex Regional Educational Services Commission) (the “Cooperative Pricing Agreement”) pursuant to N.J.S.A. 40A:11-1(5); and

WHEREAS, the Director of Public Safety has established a need for the purchase a 2023 Chevy Express twelve (12) passenger van to be utilized as a D.A.R.E. van (“D.A.R.E. Van”); and

WHEREAS, Mall Chevrolet, 75 Haddonfield Road, Cherry Hill, NJ 08002 is capable of providing said D.A.R.E. Van through the aforesaid Cooperative Pricing Agreement bid #ESC NJ 20/21-09; and

WHEREAS, the Director of Public Safety is in receipt of a quote from Mall Chevrolet dated May 2, 2023 for said D.A.R.E. Van in the amount of \$39,928.50; and

WHEREAS, funds are certified as available in Account C-04-55-966-2210-994; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Purchasing Agent is hereby authorized to procure the aforesaid D.A.R.E. VAN from Mall Chevrolet, Mall Chevrolet, 75 Haddonfield Road, Cherry Hill, NJ 08002 through the aforesaid Cooperative Pricing Agreement bid ESCNJ 20/21-09 pursuant to the quote from Mall Chevrolet dated May 2, 2023 for said D.A.R.E. Van for the total amount of \$39,928.50.
2. Funds shall be charged to the following Account C-04-55-966-2210-994.

* * * * *

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

WHEREAS, there exists Grant Reserves on the Balance Sheet; and

WHEREAS, it is necessary to formally cancel the appropriation balance from the balance sheet;

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Bayonne, that the Chief Financial Officer is authorized to cancel the following grant reserve appropriation balances:

Grant Name	Cancel Appropriation Amount	Cancel Receivable Amount
FY2021 LFRF Small Business Grant Program (FY2021 American Rescue Plan Grant)	\$1,774,840.29	\$0.00

BE IT FURTHER RESOLVED, that cancelled reserve in the amount of \$1,774,840.29 for the FY2021 LFRF Small Business Grants Program are hereby cancelled and credited to the unappropriated grant reserves and available for appropriation in CY2023.

* * * * *

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

A RESOLUTION REQUESTING PERMISSION FOR THE
DEDICATION BY RIDER FOR AN ACCUMULATED ABSENCES
LIABILITY TRUST FUND

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

WHEREAS, N.J.A.C. 5:30-15 authorizes and establishes the procedures for the accounting, payment and establishment of reserves for compensated absences; and

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

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

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Accumulated Absences Trust Fund (N.J.A.C. 5:30-15).
2. The Clerk of the City of Bayonne, County of Hudson is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

* * * * *

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

WHEREAS, by way of Resolution No. 22-11-09-046 adopted by the Municipal Council on November 9, 2022, the City entered into Agreement No. CY23-017 with Arthur R. Thibault Jr., Esq. of Apruzzese, McDermott, Mastro & Murphy, P.C. (the “Contractor”), 25 Independence Boulevard, Warren, New Jersey 07059 for professional legal services to negotiate labor agreements with PBA Local No. 7, the Bayonne Police Superior Officers Association, the Bayonne Fire Fighters, Local 11 of the NJ FMBA and the Fire Superiors Union, Local 211 of the NJ FMBA, for the period commencing January 1, 2023 and ending December 31, 2023 for an amount not to exceed \$40,000.00 payable at the rate of \$200.00 per hour in accordance with the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A-20.4 and .5; and

WHEREAS, the Business Administrator has advised that due to PBA negotiations going to interest arbitration and the amount of work to draft the Local 211’s contract that was not anticipated at the time of the contract award (“Additional Work”), it is necessary to increase the aforesaid Agreement No. CY23-017 in the amount of \$60,000.00 to cover the cost of said Additional Work through the end of the contract term, thereby making the total amount not to exceed \$100,000.00; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.5(e), the award of the increase in the contract amount shall be subject to the availability and appropriation of funds in the CY2023 temporary and permanent budgets in account #3-01-20-156-0000-028; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to execute an amendment to the aforementioned Agreement No. CY23-017 with Arthur R. Thibault, Jr. of Apruzzese, McDermott, Mastro & Murphy, P.C., 25 Independence Boulevard, Warren, New Jersey 07059 increasing same in the amount of \$60,000.00 to cover the cost of the aforesaid Additional Work (“Additional Funds”) , thereby making the total contract amount not to exceed \$100,000.00 through the end of the contract term.
2. Said Additional Funds shall be chargeable to account #3-01-20-156-0000-028.
3. 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 CY2023 temporary and permanent budgets in account #3-01-20-156-0000-028.

* * * * *

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

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program (“State”), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the City of Bayonne desires to further the public interest by obtaining a Green Acres grant of \$1,200,000.00 from the State to fund the following project(s):

#0901-21-049 DiDomenico Park and Pool Improvements

NOW, THEREFORE, the Municipal Council of the City of Bayonne resolves that James M. Davis, Mayor and/or the successor to the office of Mayor is hereby authorized to:

- (a) Make application for such a loan and/or such a grant
- (b) Provide additional application information and furnish such documents as may be required,
- (c) Act as the authorized correspondent of the above named applicant; and

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State's funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project;

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, that:

1. James M. Davis, Mayor of the City of Bayonne is hereby authorized to execute an agreement and any amendment thereto with the State for the project known as #0901-21-049 DiDomenico Park and Pool Improvements; and
2. The applicant has its matching share of the project, if a match is required, in the amount of \$400,000.00; and
3. In the event the State's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project; and
4. This resolution shall take effect immediately.

* * * * *

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

WHEREAS, the Director of Public Safety has determined that ten (10) BMW Mountain Bicycles are no longer usable by the Bayonne Police Department; and

WHEREAS, the Director of Public Safety has further determined that said mountain bicycles should be donated to the Bayonne Board of Education to be used for Bicycle Repair Vocational Classes; now, therefore, be it

RESOLVED, by the Municipal Counsel as follows:

The Director of Public Safety and/or his designee is/are hereby authorized to take any and all actions and execute any and all documents necessary to effectuate the donation of the aforesaid ten (10) BMW Mountain Bicycles to the Bayonne Board of Education to be used for said purpose.

* * * * *

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

BE IT RESOLVED, That the City Clerk be and is hereby authorized to advertise for bids for the 2023 Roadway Improvements – Phase II.

* * * * *

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

BE IT RESOLVED, That the City Clerk be and is hereby authorized to advertise for bids for the Improvements to the G. Thomas DiDomenico Municipal Pool Building.

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

GRANTING 4 RAFFLE LICENSES TO QUALIFIED ORGANIZATIONS. CITY CLERK

* * * * *

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

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 15-21 EAST 23RD STREET

AND DESIGNATED AS BLOCK 198, LOTS 1 AND 2 WITHIN THE CITY CONSTITUTE 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 15-21 East 23rd Street, which property is identified as Block 198, Lots 1 and 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 Block 198, Lots 1 and 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 Booker, Carroll, Perez, Weimmer and President LaPelusa.

* * * * *

- 39.** 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 AND DIRECTING THE PLANNING BOARD OF THE CITY OF BAYONNE TO CONDUCT A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER CERTAIN PROPERTY LOCATED AT 33-37 EAST 18TH STREET AND DESIGNATED AS BLOCK 226, LOTS 12, 13 AND 14 WITHIN THE CITY CONSTITUTE 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 33-37 East 18th Street, which property is identified as Block 226, Lots 12, 13 and 14 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 Block 226, Lots 12, 13 and 14 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 Booker, Carroll, Perez, Weimmer and President LaPelusa.

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40. Council Member Perez 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 AND DIRECTING THE PLANNING BOARD OF THE CITY OF BAYONNE TO CONDUCT A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER CERTAIN PROPERTY LOCATED AT 626-628 AVENUE E AND DESIGNATED AS BLOCK 405, LOT 31 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 626-628 Avenue E, which property is identified as Block 405, Lot 31 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 Block 405, Lot 31 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 Booker, Carroll, Perez, Weimmer and President LaPelusa.

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING THE EXECUTION OF A REDEVELOPER'S AGREEMENT WITH DUKE REALTY BAYONNE URBAN RENEWAL, LLC FOR THE REDEVELOPMENT OF THE PROPERTY WHICH IS IDENTIFIED AS BLOCK 465, LOT 9; BLOCK 466, LOTS 1, 2, 3 AND 4; AND BLOCK 478, LOTS 1 AND 1.01 ON THE OFFICIAL TAX MAP OF THE CITY IN ACCORDANCE WITH THE REDEVELOPMENT PLAN

WHEREAS, the Municipal Council of the City of Bayonne in its capacity as the redevelopment entity (the "Municipal Council") for the City of Bayonne (the "City") is responsible for implementing redevelopment plans and carrying out redevelopment projects pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "LRHL"); and

WHEREAS, pursuant to the LRHL, the Municipal Council of the City 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, inclusive of the entire Property; and

WHEREAS, on September 15, 2021, the Municipal Council adopted a resolution authorizing and directing the Planning Board of the City of Bayonne (the "Planning Board") to conduct a preliminary investigation to determine whether properties identified as Block 465, Lot 9; Block 466, Lots 1, 2, 3, and 4; and Block 478, Lots 1 and 1.01 constituted a non-condemnation area in need of redevelopment; and

WHEREAS, on November 9, 2021, the Planning Board conducted a hearing and voted to recommend to the Municipal Council that Block 465, Lot 9; Block 466, Lots 1, 2, 3, and 4; and Block 478, Lots 1 and 1.01 be designated a non-condemnation area in need of redevelopment and on December 6, 2021 adopted a resolution memorializing its recommendation; and

WHEREAS, by resolution adopted on December 15, 2021, the Municipal Council designated the property identified as Block 465, Lot 9; Block 466, Lots 1, 2, 3 and 4; and Block 478, Lots 1 and 1.01, on the Tax Map of the City of Bayonne as an area in need of redevelopment under the Redevelopment Law in accordance with the provisions of N.J.S.A. 40A:12A-6 of the Redevelopment Law (the "Redevelopment Area"); and

WHEREAS, by Resolution No. 22-05-18-008 adopted on May 18, 2022, the Municipal Council authorized the preparation of a Redevelopment Plan for the Redevelopment Area; and

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Municipal Services has prepared a Redevelopment Plan for the Redevelopment Area titled "Central Constable Hook Redevelopment Plan" dated December 28, 2022 (the "Redevelopment Plan"); and

WHEREAS, at the City's direction, the Planning Board reviewed the Redevelopment Plan at a public hearing on January 10, 2023 and recommended its adoption; and

WHEREAS, by Ordinance adopted on March 15, 2023, the Municipal Council adopted the Redevelopment Plan for the Redevelopment Area; and

WHEREAS, by Resolution R-5 dated April 19, 2023, the Municipal Council designated Duke Realty Bayonne Urban Renewal, LLC as "redeveloper", as defined in the Redevelopment Law, of the Property to undertake the necessary development, redevelopment, and construction of up to five (5) warehouse and distribution buildings, and additional accessory uses complimentary to the principal warehouse and distribution buildings use in accordance with the Redevelopment Plan; and

WHEREAS, Duke Realty Bayonne Urban Renewal, LLC, a limited liability company organized under Applicable Laws of the State of New Jersey, having an office address of 3 Second Street, Suite 502, Jersey City, New Jersey 07302 (the "Redeveloper") wishes to develop the Redevelopment Area and use it for the purpose of implementing the Redevelopment Plan; and

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

WHEREAS, the Municipal Council desires to enter into a Redevelopment Agreement with the Redeveloper, as provided for and in accordance with the provisions of the Redevelopment Law.

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

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

Section 2. The Municipal Council of the City of Bayonne hereby authorizes the execution of the “Redevelopment Agreement By and Between the City of Bayonne and Duke Realty Bayonne Urban Renewal, LLC,” concerning the Redevelopment Area identified as Block 465, Lot 9; Block 466, Lots 1, 2, 3 and 4; and Block 478, Lots 1 and 1.01 in the City of Bayonne, in such a form deemed advisable by the City Attorney, subject to any and all conditions contained herein and such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel to the City; and

Section 3. The Municipal Council, upon the full execution of the Redevelopment Agreement, continues to recognize Duke Realty Bayonne Urban Renewal, LLC as redeveloper of Block 465, Lot 9; Block 466, Lots 1, 2, 3 and 4; and Block 478, Lots 1 and 1.01 in the City of Bayonne (the “Redeveloper”) as provided for and in accordance with the provisions of the New Jersey Local Redevelopment and Housing Law; and

Section 4. The Mayor and Clerk are hereby authorized to execute the Redevelopment Agreement, with such revisions as deemed advisable by the City Attorney or Special Redevelopment Counsel, on behalf of the City of Bayonne, acting as the redevelopment entity for the redevelopment of the Redevelopment Area by Duke Realty Bayonne Urban Renewal, LLC.

Section 5. This Resolution shall take effect immediately.
Yeas - Council Members Booker, Carroll, Perez, Weimmer and President LaPelusa.

* * * * *

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

WHEREAS, the City of Bayonne is in need of continued technical support and maintenance of its departmental data management software and enterprise licensing for the municipal management software currently in use (“Support, Maintenance and Licensing”) for the one (1) year period commencing July 1, 2023 and ending June 30, 2024; and

WHEREAS, Spatial Data Logic has provided the City with such Support, Maintenance and Licensing for its GeoLogic software, pursuant to an agreement authorized by Resolution No. 09-12-16-044; and

WHEREAS, Spatial Data Logic has advised the City that the cost for continued Support, Maintenance and Licensing for the period commencing July 1, 2023, through June 30, 2024 is \$61,600.00 and shall provide the City an invoice reflecting said cost (the “Invoice”); and

WHEREAS, it is in the best interests of the citizens of Bayonne to ensure said Support, Maintenance and Licensing continue on an uninterrupted basis pending the receipt of said invoice; and

WHEREAS, bids need not be solicited for these services pursuant to the statutory guidelines of N.J.S.A. 40A:11-5(dd) insofar as said software maintenance and support services are proprietary in nature; and

WHEREAS, the Business Administrator has determined and certified in writing that the value of the acquisition will exceed \$17,500.00; and

WHEREAS, Spatial Data Logic has completed and submitted a “Business Entity Disclosure Certification for Non-Fair and Open Contracts” required pursuant to N.J.S.A. 19:44A-20.8 which certifies that Spatial Data Logic has not made any reportable contributions to a

political or candidate committee in the City of Bayonne in the previous one (1) year, and that the contract will prohibit Spatial Data Logic from making any reportable contributions through the term of the contract; and

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

WHEREAS, funds are certified as available in Account T-12-56-813-0000-199; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and the City Clerk are hereby authorized to enter into a contract with Spatial Data Logic, 285 Davidson Avenue, Suite 302, Somerset, NJ 08873 for the aforesaid continued Support, Maintenance and Licensing for the municipal management software currently in use for a one (1) year period commencing July 1, 2023 and ending June 30, 2024 for an amount of \$61,600.00.

2. Upon receipt of said Invoice, the Municipal Treasurer is hereby authorized to issue payment in the amount of \$61,600.00 to Spatial Data Logic to cover the cost of continued Support, Maintenance and Licensing for the period commencing July 1, 2023 and ending June 30, 2024.

3. Funds shall be charged to Account T-12-56-813-0000-199.

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

5. Notice of this action shall be printed once in a newspaper of general circulation within the boundaries of the City of Bayonne

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

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

WHEREAS, Resolution No. 23-03-15-079 adopted March 15, 2023 amended Resolution No. 23-01-18-039 adopted January 18, 2023 to further outline/specify the apportionment of Title III Grant funds being accepted from the County of Hudson, Department of Health and Human Services, Area Agency on Aging to administer a Senior Nutrition program ("Grant Funds") and the amount of said Grant Funds being awarded to the Bayonne Economic Opportunity Foundation to administer said Senior Nutrition program; and

WHEREAS, said Resolution No. 23-03-15-079 contained a scrivener's error insofar as said funds were to be charged and should have reflected Account No. G-02-41-657-2023-199; now, therefore, be it

RESOLVED, by the Municipal Council the Resolution No. 23-03-15-079 is hereby amended to reflect that said Grant Funds being awarded to the Bayonne Economic Opportunity Foundation to administer a Senior Nutrition program are chargeable to Account #G-02-41-657-2023-199.

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

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

WHEREAS, the Bayonne Bridge which was constructed by the Port Authority of New York and New Jersey ("Port Authority") and joins the City of Bayonne with the Borough of State Island is a critical link in the northern metropolitan highway bypass system; and

WHEREAS, the Port Authority has undertaken a project to reconstruct the Bayonne Bridge to increase the vertical clearance; and

WHEREAS, the Port Authority has agreed to provide the City of Bayonne a kiosk with salvaged elements from the bridge for display at Dennis P. Collins Park (the "Project"); and

WHEREAS, the Port Authority has further agreed that said Project will be at no cost to the City of Bayonne; and

WHEREAS, the City of Bayonne and the Port Authority (the “Parties”) desire to enter into an agreement setting forth terms and conditions with respect to the Project and the rights, responsibilities and obligations of each of the Parties; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and/or his designee is hereby authorized to execute an agreement with Port Authority of New York and New Jersey setting forth terms and conditions with respect to the Project and the rights, responsibilities and obligations of each of the Parties in form and substance as approved by the Law Director.

3. There shall be no cost to the City of Bayonne with respect to said Project.

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

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

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR FUNDING IN THE AMOUNT OF \$500,000.00 AND EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF BAYONNE AND THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR A WESTSIDE WALKWAY IMPROVEMENT PROJECT ALONG THE HACKENSACK RIVER, CITY OF BAYONNE, HUDSON COUNTY, STATE OF NEW JERSEY

WHEREAS, the City of Bayonne and the State of New Jersey ("State"), acting by and through the Commissioner of Transportation ("Commissioner"), have recognized the need for a West Side Walkway Improvement Project along the Hackensack River, and

WHEREAS, the Department has determined to make a \$500,000 grant from the Transportation Trust Fund to the City of Bayonne for the advancement of the Project, as such the Project has been determined to be beneficial to the State's transportation system; and

WHEREAS, the Mayor and/or his designee has authorization to execute the grant agreement in a form acceptable to the Law Department, and

WHEREAS, the State of New Jersey will propose a form of agreement pertaining to the construction and funding for the West Side Walkway Improvement along the Hackensack River, now, therefore, be it

RESOLVED, that the Mayor of the City of Bayonne and/or his designee be and hereby is authorized to enter into an Agreement with the State of New Jersey, acting through its Commissioner of Transportation, pertaining to the West Side Walkway Improvement along the Hackensack River and shall be further authorized to execute and file any and all documentation necessary for the City of Bayonne to obtain the \$500,000.00 in funding from the State.

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

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

WHEREAS, the Assistance to Firefighters Grant (AFG) is a competitive grant that supports local and regional fire department firefighters by helping to protect firefighting personnel against fire and fire-related hazards; and

WHEREAS, the U.S. Department of Homeland Security has approved the City of Bayonne's Fiscal Year 2021 Assistance for Firefighters Grant in the amount of \$87,831.81 to purchase personal protective equipment and class 2 fire service harnesses; and

WHEREAS, as a condition of this grant, the City of Bayonne is required to contribute non-Federal funds equal to or greater than 10% of the Federal funds awarded, or \$8,783.19, for a total approved budget of \$96,615.00; and

WHEREAS, the \$8,783.19 in non-Federal local matching funds are certified as available in Account #3-01-41-899-0000-199; 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 accept the above noted Federal funds awarded to the City of Bayonne through the FEMA Grants Outcomes (FEMA GO) system and is further authorized to acknowledge that the terms of the Summary Award Memo, Agreement Articles, Obligating Document and 2021 AFG Notice of Funding Opportunity (NOFO) are incorporated into the terms of the award to the City of Bayonne.

2. The Mayor and City Clerk are hereby authorized to execute any and all documents necessary to effectuate the acceptance and receipt of said Federal funds.

4. Said \$8,783.19 of non-Federal local matching funds shall be chargeable to Account #3-01-41-899-0000-199.

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

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At 7:30 P.M., Council President LaPelusa motioned to adjourn, second by Council Member Booker.

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

President – Gary LaPelusa

Clerk – Madelene C. Medina