

REGULAR MEETING

OF THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, NEW JERSEY, HELD IN THE COUNCIL CHAMBER, MUNICIPAL BUILDING, 630 AVENUE C, ON WEDNESDAY, OCTOBER 18, 2023.

The Council met at 7:00 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 OCTOBER 18, 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 OCTOBER 13, 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:

An Ordinance entitled, “AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING AN AMENDED AND RESTATED FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND BAYONNE REDEVELOPERS RESIDENTIAL BLOCK 780 URBAN RENEWAL LLC FOR THE PROPERTY LOCATED AT 155 GOLDSBOROUGH DRIVE, WHICH IS IDENTIFIED AS BLOCK 790, LOT 1.01 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE,” which was introduced and passed a first reading at a meeting held AUGUST 16, 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 SEPTEMBER 20, 2023 and was postponed to this meeting of OCTOBER 18, 2023 is now before the Council for its consideration and a public hearing.

Council Member Carroll moved to postpone final passage to the meeting of November 8th, 2023 seconded by Council Member Booker.

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

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02. The Clerk announced:

An Ordinance entitled, “AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING AN AMENDED AND RESTATED FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND BAYONNE REDEVELOPERS RESIDENTIAL BLOCK 780 URBAN RENEWAL LLC FOR THE PROPERTY LOCATED AT 110 GOLDSBOUROUGH DRIVE, WHICH PROPERTY IS IDENTIFIED AS BLOCK 722, LOT 1 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE,” which was introduced and passed a first reading at a meeting held AUGUST 16, 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 SEPTEMBER 20, 2023 and was postponed to this meeting of OCTOBER 18, 2023 is now before the Council for its consideration and a public hearing.

Council President LaPelusa moved to postpone final passage to the meeting of November 8th, 2023 seconded by Council Member Perez.

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

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03. The Clerk announced:

An Ordinance entitled, “AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, STATE OF NEW JERSEY APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY

OF BAYONNE AND B9 LEFANTE OWNER URBAN RENEWAL LLC FOR THE PROPERTY LOCATED AT 69-73 LEFANTE WAY, WHICH PROPERTY IS IDENTIFIED AS BLOCK 412, LOT 3 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY,” was introduced and passed a first reading at a meeting held SEPTEMEBR 20, 2023, and was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of OCTOBER 18, 2023 is now before the Council for its consideration and a public hearing.

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

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

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

The Clerk read the resolution by title, “AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, STATE OF NEW JERSEY APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND B9 LEFANTE OWNER URBAN RENEWAL LLC FOR THE PROPERTY LOCATED AT 69-73 LEFANTE WAY, WHICH PROPERTY IS IDENTIFIED AS BLOCK 412, LOT 3 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY,”

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

There was no response – no person appearing to protest against or object to the ordinance or 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 Booker which motion was adopted.

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

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

WHEREAS, an ordinance entitled, “AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, STATE OF NEW JERSEY APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND B9 LEFANTE OWNER URBAN RENEWAL LLC FOR THE PROPERTY LOCATED AT 69-73 LEFANTE WAY, WHICH PROPERTY IS IDENTIFIED AS BLOCK 412, LOT 3 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY” was introduced and passed a first reading at a meeting held SEPTEMBER 20, 2023, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at this meeting of October 18, 2023; and

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

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

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

RESOLVED, that the said ordinance be passed and designated as Ordinance No. O-23-050

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, STATE OF NEW JERSEY APPROVING THE AMENDED AND RESTATED FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND 26 NORTH AVENUE URBAN RENWAL LLC FOR THE PROPERTY LOCATED AT 26 NORTH STREET, WHICH IS IDENTIFIED AS BLOCK 297, LOT 3 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY,” was introduced and passed a first reading at a meeting held SEPTEMEBR 20, 2023, and was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be

further considered for final passage following a public hearing at this meeting of OCTOBER 18, 2023 is now before the Council for its consideration and a public hearing.

Council Member Carroll moved to postpone the final passage to the meeting of November 8, 2023 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, SATE OF NEW JERSEY APPROVING AN AMENDED AND RESTATED FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND 197 AVE. E URBAN RENEWAL, LLC FOR THE PROPERTY LOCATED 197 AVENUE E, WHICH PROPERTY IS IDENTIFIED AS BLOCK 221, LOT 12.02 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY,” was introduced and passed a first reading at a meeting held SEPTEMEBR 20, 2023, and was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of OCTOBER 18, 2023 is now before the Council for its consideration and a public hearing.

Council Member Perez moved to postpone final passage to the meeting of November 8th, 2023 seconded by Council Member Booker

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

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06. The Clerk announced:

An Ordinance entitled, “AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, STATE OF NEW JERSEY APPROVING A REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED 80-84 EAST 25TH STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 442, LOT 14 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.SA. 40A:12A-1 et seq,” was introduced and passed a first reading at a meeting held SEPTEMEBR 20, 2023, and was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of OCTOBER 18, 2023 is now before the Council for its consideration and a public hearing.

Council Member Perez moved to postpone final passage to the meeting of November 8th, 2023 seconded by Council Member Booker

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

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07. The Clerk announced:

An Ordinance entitled, “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,” was introduced and passed a first reading at a meeting held SEPTEMEBR 20, 2023, and was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of OCTOBER 18, 2023 is now before the Council for its consideration and a public hearing.

Council President LaPelusa moved to postpone final passage to the meeting of November 8th, 2023 seconded by Council Member Perez

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

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08. The Clerk announced:

An Ordinance entitled, “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,” was introduced and passed a first reading at a meeting held SEPTEMEBR 20, 2023, and was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of OCTOBER 18, 2023 is now before the Council for its consideration and a public hearing

Council Member Carroll moved to postpone final passage to the meeting of November 8th, 2023 seconded by Council Member Booker

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

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09. The Clerk announced:

An Ordinance entitled, “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,” was introduced and passed a first reading at a meeting held SEPTEMEBR 20, 2023, and was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of OCTOBER 18, 2023 is now before the Council for its consideration and a public hearing.

Council President LaPelusa moved to postpone final passage to the meeting of November 8th, 2023 seconded by Council Member Carroll.

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

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10. The Clerk announced:

An Ordinance entitled, “AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,” was introduced and passed a first reading at a meeting held SEPTEMEBR 20, 2023, and was published in the Jersey Journal and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at this meeting of OCTOBER 18, 2023 is now before the Council for its consideration and a public hearing.

Council President LaPelusa moved to postpone final passage to the meeting of November 8th, 2023 seconded by Council Member Booker.

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

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11. The following persons spoke:

JANET WASIELEWSKA, 29 East 49th street, addressed the Council on the subject of the school tax portion on the tax bill paid by senior citizens.

CHERYL RISCART, 399 Avenue C, addressed the Council on air pollution in the City.

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12. Council President LaPelusa introduced:

AN ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING THE EXECUTION OF AN ENCROACHMENT AGREEMENT WITH MECHANIC STREET PARTNERS NJ, LLC FOR PROPERTY LOCATED AT 130-134 AVENUE F AND IDENTIFIED AS BLOCK 450, LOT 1.01 ON THE OFFICIAL TAX MAP OF THE CITY

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

WHEREAS, MECHANIC STREET PARTNERS NJ, LLC is a limited liability company licensed to do business in the State of New Jersey, having an address of 43 Greentree Terrace, Lincroft, New Jersey 07738 (the “Redeveloper”); and

WHEREAS, Redeveloper is the owner of the property designated as Block 450, Lot 1.01 on the official tax map of the City of Bayonne and more commonly known as 130-134 Avenue F (the "Property"); and

WHEREAS, Redeveloper has requested that the City permit certain physical encroachments within the public right-of-way adjacent to Redeveloper's Property to facilitate the construction of the residential and commercial space entrances located in the existing building on the Property, including the installation of all encroaching improvements to be located within the entrances located along Avenue F; and

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

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

WHEREAS, the Municipal Council of the City of Bayonne agrees that the Encroachment Agreement with Redeveloper is necessary, and as such execution of said agreement is appropriate.

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

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

Section 2. An Encroachment Agreement between the City of Bayonne and Mechanic Street Partners NJ, LLC for the benefit of Mechanic Street Partners NJ, LLC for the purposes set forth herein is hereby authorized.

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

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

Section 5. A copy of this Ordinance and Encroachment Agreement by the City of Bayonne for the benefit of Mechanic Street Partners NJ, LLC, shall be available for public inspection at the office of the City Clerk during regular business hours.

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

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

BE IT RESOLVED, that an ordinance entitled " AN ORDINANCE OF THE CITY OF BAYONNE APPROVING AN ENCROACHMENT AGREEMENT WITH MECHANIC STREET PARTNERS NJ, LLC FOR THE PROPERTY LOCATED AT 130-134 AVENUE E, WHICH IS IDENTIFIED AT BLOCK 450, LOT 1.01 ," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, November 8, 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.

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13. Council President LaPelusa introduced:

AN ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING THE EXECUTION OF AN ENCROACHMENT AGREEMENT WITH 197 AVE. E URBAN RENEWAL, LLC FOR PROPERTY LOCATED AT 197 AVENUE AND IDENTIFIED AS BLOCK 221, LOT 12.02 ON THE OFFICIAL TAX MAP OF THE CITY

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

WHEREAS, 197 AVE. E URBAN RENEWAL, LLC is a limited liability company licensed to do business in the State of New Jersey, having an address of 3799 Route 46 East, Suite 104, Parsippany, New Jersey 07054 (“Redeveloper”); and

WHEREAS, Redeveloper is the owner of the property designated as Block 221, Lot 12.02 on the official tax map of the City of Bayonne and more commonly known as 197 Avenue E (the “Property”); and

WHEREAS, Grantee has requested that the City permit certain physical encroachments within the public right-of-way adjacent to Grantee’s Property facilitate the construction of the residential and commercial space entrance located in the existing building on the Property, including the installation of all encroaching improvements to be located within the entrance located on the corner of Avenue E and East 19th Street; and

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

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

WHEREAS, the Municipal Council of the City of Bayonne agrees that the Encroachment Agreement with Redeveloper is necessary, and as such execution of said agreement is appropriate.

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

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

Section 2. An Encroachment Agreement between the City of Bayonne and 197 Ave. E Urban Renewal, LLC for the benefit of 197 Ave. E Urban Renewal, LLC for the purposes set forth herein is hereby authorized

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

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

Section 5. A copy of this Ordinance and Encroachment Agreement by the City of Bayonne for the benefit of 197 Ave. E Urban Renewal, LLC, shall be available for public inspection at the office of the City Clerk during regular business hours.

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

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

BE IT RESOLVED, that an ordinance entitled “ AN ORDINANCE OF THE CITY OF BAYONNE APPROVING AN ENCROACHMENT AGREEMENT WITH 197 AVE. E URBANE RENEWAL LLC FOR PROPERTY LOCATED AT 197 AVENUE E WHICH PROPERTY IS IDENTIFIED AS BLOCK 221, LOT 12.02,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, November 8, 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.

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14. 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

007. John Breen, 23 East 34th Street
Beginning at a point 291 feet east of the northeast corner of Broadway and 34th Street and extending to a point 20 feet east thereof.

243. Agustin Caamano, 330 Avenue E
Beginning at a point 88 feet north of the northeast corner of Avenue E and East 25th Street and extending to a point 17 feet north thereof.

338. Adele Gull, 11 O'Brien Court
Beginning at a point 267 feet west of the northwest corner of Avenue E and O'Brien Court and extending to a point 20 feet west thereof.

ADD

059. Mario Castillo, 78 Prospect Avenue

East Side. Beginning at a point 74 feet north of the northeast corner of Prospect Avenue and Mechanic Street and extending to a point 17 feet north thereof.

061. Miguel Collazo, 81 West 18th Street

North Side. Beginning at a point 356 feet west of the northwest corner of Avenue C and West 18th and extending to a point 17 feet west thereof.

063. Angelina Falcicchio, 7 Elna Court

South Side. Beginning at a point 229 feet west of the southwest corner of Broadway and West 33rd Street and extending to a point 17 feet west thereof.

068. Ellen McMurray, 38 West 19th Street

South Side. Beginning at a point 207 feet east of the southeast corner of West 19th Street and Avenue C and extending to a point 17 feet east thereof.

070. Lisandra Santiago, for her sone Maurius Ramirez, 13 West 17th Street

North Side. Beginning at a point 167 feet west of the northwest corner of Broadway and West 17th Street and extending to a point 17 feet west thereof.

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

BE IT RESOLVED, that an ordinance entitled “ AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC,” just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, November 8, 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.

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- 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.

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

From RAMON LOPEZ filing notice of claim alleging damage to her automobile when struck by a fire truck on West 10th Street on September 5, 2023.

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

From CHARLES TORRELLA, JR., filing notice of claim alleging wrongful death of his father Charles Torrella, Sr. on June 30, 2023.

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

From Kevin J. Knorr, Esq., filing notice of claim on behalf of SANDRA GUERRA alleging personal injuries resulting from a fall at Costco on August 8, 2023

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

From Joseph E. Collini, Esq. filing notice of claim on behalf of FLORENCE IAPICCA alleging injuries sustained when her wheelchair became stuck in a pothole on East 28th Street and Avenue E on April 1, 2023.

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

From Joel Silberman, Esq., filing notice of claim on behalf of KELVIN ORTIZ alleging injuries sustained resulting from being shot by Bayonne Police Officers on July 13, 2023.

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

From WAEL HANNA filing notice of claim alleging property damage to his automobile when it was struck a police vehicle.

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

From DONOHUE, BIRONDA DORIA & TOMKINS the Annual Report of Audit for years ending December 31, 2021 and 2022.

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

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

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

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

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

P.O. Type: All		Include Project Line Items: Yes			Open: N		Paid: N		Void: N		
Range: First to Last					Rcvd: Y		Held: N		Aprv: N		
Format: Condensed		First Enc Date Range: First to 10/18/23			Bid: Y		State: Y		Other: Y Exempt: Y		
Vendors: All		Include Non-Budgeted: Y									
Rcvd Batch Id Range: First to Last											
Vendor #	Name										
PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type				
1STCH005 1ST CHOICE SAFETY EQUIPMENT											
23-03082	09/28/23	TRUCK CHARGER SQUAD-5	Open	595.00	0.00						
23-03165	10/05/23	FIRE FIGHTING GLOVES	Open	1,799.85	0.00						
				2,394.85							
CABLE020 CABLEVISION											
23-03195	10/06/23	Acct 07804039171011 Oct'23	Open	103.20	0.00						
CABLE030 CABLEVISION											
23-03302	10/16/23	Acct 52459 Oct'23	Open	3,974.42	0.00						
CAMPI005 RICHARD CAMPISANO											
DE-10077	01/17/23	CY23 Developer's Escrow Bills	Open	6,825.00	0.00						
CITYF005 CITY FIRE EQUIPMENT CO.INC.											
23-03114	10/02/23	SERVICE & REFILL 10 EXTINGUISH	Open	577.00	0.00						
CITY0040 CITY OF BAYONNE CURRENT FUND											
DE-10080	01/17/23	CY23 Developer's Escrow Bills	Open	355.58	0.00						
CMEAS005 CME ASSOCIATES											
DE-10076	01/17/23	CY2023 Developer's Escrow	Open	28,518.25	0.00						
GOLDS005 GOLD'S CAR WASH, INC.											
23-03312	10/18/23		Open	15.00	0.00						
HINTZ005 CLARKE CATON HINTZ											
DE-10085	04/12/23	Developers Escrow CY2023	Open	4,368.84	0.00						
HYEPE005 HYE PETROLEUM											
23-00820	03/02/23	FUEL CHARGES	Open	656.01	0.00		B				
INGLE005 INGLESINO, WYCISKALA & TAYLOR											
DE-10083	04/12/23	Developers Escrow Billing 2023	Open	8,270.35	0.00						
JERSE060 JERSEY JOURNAL											
DE-10079	01/17/23	CY23 Developer's Escrow Bills	Open	131.78	0.00						
MACKA005 MACKAY METERS INC.											
23-02238	07/13/23		Open	539.85	0.00		B				
MOBIL045 MOBILE PAYMENT PROCESSING SYS.											
23-03313	10/18/23		Open	3,821.40	0.00						
NEWJE085 NEW JERSEY FIRE EQUIP CO.											
23-02373	07/25/23	EQUIPMENT FOR SQUAD-5	Open	1,006.00	0.00						

October 18, 2023 03:41 PM		Bayonne City Purchase Order Listing By Vendor Id				Page No: 2	
Vendor #	Name	Status	Amount	Void Amount	Contract	PO Type	
PO #	PO Date Description						
NJADV005 NJ ADVANCE MEDIA							
DE-10078	01/17/23 CY23 Developer's Escrow Bills	Open	135.26	0.00			
PSEG0005 PSE&G							
23-03297	10/16/23 Acct 7290827902 09/12-10/10/23	Open	207.48	0.00			
SIGNA005 SIGNAL CONTROL PRODUCTS, LLC							
23-03208	10/06/23 POLICE TRAFFIC DOOR KEYS	Open	675.00	0.00			
ULINE005 ULINE							
23-03159	10/05/23 LOCKER LOCK LIFT HANDLE	Open	544.23	0.00			
VERIZ075 VERIZON WIRELESS							
23-03238	10/11/23 Acct 642003467-00001 Aug-Sep23	Open	484.29	0.00			
23-03303	10/16/23 Acct 242623003-00001 Sep'23	Open	1,062.59	0.00			
			1,546.88				
WBMA010 WB MASON CO. INC.							
23-03021	09/20/23 office supplies	Open	188.00	0.00			
WOJTK005 SUSAN WOJTKOWSKI							
23-03311	10/18/23	Open	129.95	0.00			
Total Purchase Orders:		24	Total P.O. Line Items:	0	Total List Amount:	64,984.33	Total Void Amount: 0.00

October 18, 2023 03:41 PM		Bayonne City Purchase Order Listing By Vendor Id				Page No: 3	
Totals by Year-Fund		Fund	Budget Total	Revenue Total	G/L Total	Total	
Fund Description							
CURRENT FUND		3-01	9,577.47	0.00	0.00	9,577.47	
PARKING FUND		3-05	6,224.80	0.00	0.00	6,224.80	
Year Total:			15,802.27	0.00	0.00	15,802.27	
TRUST-OTHER		T-12	49,182.06	0.00	0.00	49,182.06	
Total of All Funds:			64,984.33	0.00	0.00	64,984.33	

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.

* * * * *

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



CITY OF BAYONNE
BUSINESS ADMINISTRATION

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



James M. Davis, Mayor

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

BID REPORT
FOR THE MUNICIPAL COUNCIL

Date: 10/18/23 Ad Date: 09/27/23 Resolution #23-06-14-036
Date bids accepted: 09/08/23 Attending: Rob Russo, CME
Bid titled: G. THOMAS DIDOMENICO MUNICIPAL POOL BUILDING ROOF
Bidders: Total amount
GRAYSON CONTRACTING CO. INC.
395A MILLSTONE ROAD
MILLSTONE, NJ 08510 \$310,875.00

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

Respectfully submitted,

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

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

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

* * * * *

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

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

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

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

* * * * *

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

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

* * * * *

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

RESOLVED, That the official minutes of the council caucus meeting held Wednesday, August 10, 2023, be and the same are hereby approved.

* * * * *

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

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

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

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

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

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

BLOCK	LOT	PAYEE	AMOUNT
29	1	1216-22 KENNEDY BLVD INC.	2,008.63
30	26	MEGA TITLE, LLC	2,058.00
53	36	NANCY & NESTOR MEDIAVILLA	809.17
134	21	LEWIS & PAOLA HABER	3,727.00
184	8	MARK ORLOWSKI	1,160.71
228	4	SANDRA TAYLOR	997.20
236	40	SAMUEL BASILY	3,501.84
321	32	DOLORES DECKER	1,891.00
337	21	CORELOGIC	3,433.00
432	19	MICHAEL MALADY	7,524.00
Total			27,110.55

* * * * *

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

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

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

WHEREAS, the County of Hudson provides grants to qualifying municipalities for the administration and execution of the Older Americans Act of 1965 Program, and

WHEREAS, the City of Bayonne’s Office on Aging provides counseling and emergency assistance to elderly individuals over the age of sixty (60), and

WHEREAS, the County of Hudson Department of Health & Human Services has awarded the City of Bayonne Older American’s Grant in the amount of \$57,359.00, and

WHEREAS, the Grant Agreement requires a 25% (twenty five percent) matching fund contribution for acceptance of the same, computing to 14,339.75, and

WHEREAS, the Chief Financial Officer has certified that funds are available to provide the cost of the matching funds in the amount of \$14,339.75, and

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

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

1. The City of Bayonne accepts \$57,359.00 from the County of Hudson Department of Health & Human Services.
2. The Division of Finance is hereby authorized to establish the proper accounts for these funds.
3. The City will provide matching funds in the amount of \$14,339.75 for the grant.

* * * * *

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

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

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

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

WHEREAS, the City of Bayonne's Office on Aging provides meals to senior congregate sites & to homebound elderly individuals over the age of sixty (60) through the pandemic, and;

WHEREAS, the County of Hudson has awarded the City of Bayonne Congregate Meals Grant in the amount of \$272,333.00, and;

WHEREAS, the Grant Agreement requires a 25% (twenty five percent) matching fund contribution for acceptance of the same, computing to \$68,083.25, and

WHEREAS, the Chief Financial Officer has certified that funds are available to provide the cost of the matching funds in the amount of \$68,083.25, and

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

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

1. The City of Bayonne accepts \$272,333.00 from the County of Hudson.
2. The Division of Finance is hereby authorized to establish the proper accounts for these funds.
3. The City will provide matching funds in the amount of \$68,083.25 for the grant.

* * * * *

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

WHEREAS, N.J.S.A 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the municipal budget when such item has been made available after the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount,

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Bayonne, that the City requests the Director of the Division of Local Government Services to approve the insertion of the following items of revenue in the CY2023 Municipal Budget:

Grant Name	From	To
FY2023 Patrick Leahy Bulletproof Vest Grant	\$0	\$46,922.40
CY2023 Older American’s Grant	\$129,027.25	\$186,386.25
CY2023 Congregate Meals Grant	\$419,377.06	\$691,710.06
Storm Water Assistance Grant	\$0.00	\$15,000.00
CY2023 Peer Grouping	\$0	\$7,895.00

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

Grant Name	From	To
FY2023 Patrick Leahy Bulletproof Vest Grant	\$0	\$46,922.40
CY2023 Older American’s Grant	\$166,953.75	\$238,652.50
CY2023 Congregate Meals Grant	\$554,063.75	\$894,480.00
FY23 Storm Water Assistance Grant	\$0.00	\$15,000.00
CY2023 Peer Grouping	\$0	\$7,895.00

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

* * * * *

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

WHEREAS, NJSA 40A:4-85 provides that the Director of the Division of Local Government Services may, at the request of, or with the consent of, the governing body of any county or municipality, make such correction of the title, text, or amount of any appropriation appearing in the budget as may be necessary to make said item of appropriation available for the purpose or purposes required for the needs of any county or municipality,

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the provisions of NJSA 40A:4-85, the City of Bayonne hereby request the Director of Local Government Services to make the following correction in the 2023 budget:

	<u>Adopted</u>	<u>Amended</u>
Contribution for Older American’s	\$210,271.79	\$127,848.79
Matching Funds – Older American’s Act	\$37,926.50	\$52,266.25
Matching Funds – Congregate Meals Grant	\$134,686.69	\$202,769.94
Total:	\$382,884.98	\$382,884.98

BE IT FURTHER RESOLVED that the foregoing correction is, in the opinion of the governing body, warranted and authorized by the Statute referred to above, and is necessary for the orderly operation of the City of Bayonne for the reasons set forth:

Reallocation of funds required to meet minimum match amount for CY2023 Older American’s Grant & CY2023 Congregate Meals Grant.

* * * * *

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

WHEREAS, the United States Department of Justice, Office of Justice Programs provides grants to eligible law enforcement agencies to offset the costs of purchasing body vests for their officers; and

WHEREAS, the Patrick Leahy Bulletproof Vest Partnership (BVP) is one such grant provided to eligible law enforcement agencies for the purpose of reimbursing states, local governments and federally recognized Indian tribes for up to fifty percent (50%) of the cost of the body armor vests purchased for law enforcement officers; and

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

WHEREAS, the City of Bayonne has applied for and has been awarded a grant in the amount of \$46,922.40 from the U.S Department of Justice, Office of Justice Programs FY2023 Patrick Leahy Bulletproof Vest Partnership Grant Program; and

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

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

1. The City of Bayonne accepts \$46,922.40 from the U.S Department of Justice, Office of Justice Programs Patrick Leahy Bulletproof Vest Partnership grant program.
2. The Division of Finance is hereby authorized to establish the proper accounts for these funds.

* * * * *

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

WHEREAS, the Director of Public Safety has established a need for the purchase of forty-five (45) SCBA air cylinders for the Fire Department ("Air Cylinders"); and

WHEREAS, Firefighter One, 34 Wilson Drive, Sparta, NJ 08742 ("Firefighter One") is capable of providing said Air Cylinders through State Contract 17-FLEET-00819; and

WHEREAS, the Director of Public Safety is in receipt of Quote SQ-00239211 dated September 26, 2023 from Firefighter One for said Air Cylinders for the amount of \$48,814.50; and

WHEREAS, funds are certified as available in Account #3-01-20-265-0000-030; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Purchasing Agent and/or his/her designee(s) is/are hereby authorized to take any and all actions and execute any and all documents necessary to procure the aforesaid Air Cylinders from Firefighter One, 34 Wilson Drive, Sparta, NJ 08742 pursuant to its Quote SQ-00239211 dated September 26, 2023 through State Contract No. 17-FLEET-00819.
2. Funds shall be chargeable to #3-01-20-265-0000-030.

* * * * *

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

WHEREAS, the Director of Public Safety has established a need for the purchase of a fully integrated live scan fingerprint and mug shot processing system, the implementation thereof and maintenance and warranties for a three (3) year period ("Fingerprint and Mugshot Processing System"); and

WHEREAS, Idemia, 11951 Freedom Drive, Suite 1800, Reston, Virginia 20190 (“Idemia”) is capable of supplying said Fingerprinting and Mugshot Processing System under State Contract #T-3085; and

WHEREAS, the Director of Public Safety is in receipt of a proposal from Idemia dated September 5, 2023 for said Fingerprint and Mugshot Processing System dated September 5, 2023 for the amount of \$28,258.00; and

WHEREAS, funds are certified as available in Account #3-01-25-240-0000-029; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Purchasing Agent of the City of Bayonne is hereby authorized to execute any and all documents and take any and all actions necessary to effectuate the purchase of the aforesaid Fingerprint and Mugshop Processing System pursuant to Idemia’s proposal dated September 5, 2023 through State Contract #T-3085 for the amount of \$28,258.00.
2. Funds shall be chargeable to Account #3-01-25-240-0000-029.

* * * * *

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

WHEREAS, the Director of Public Safety has determined that the following vehicles and/or equipment is/are out of service and no longer needed for public use:

Brand	Type	Year	Vin # / Serial #
Chevrolet	Impala	2006	2G1WB58K169330793
Pierce Mfg, Inc	Rescue	1993	1FDYR82AON YA36015
American La France	Pumper	2001	4Z3AAABS01RJ30500
ESPORTA	Washing Machine	2000	ES-32/032/1200
Hurst Tools	Various	xxxx	xxxx

; and

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

RESOLVED, by the Municipal Counsel as follows:

The Director of Public Safety and/or his designee is/are hereby authorized to sell as scrap or at auction to the highest bidder the aforementioned vehicles and/or equipment.

* * * * *

38. 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 to procure eight (8) sets of structural firefighting turnout protective gear and four (4) pairs of structural firefighting boots for the Fire Department (“Turnout Gear and Boots”); and

WHEREAS, Skylands Area Fire Equipment & Training, LLC, 23 Hamburg Turnpike, Unit A, Riverdale, NJ 07457 (“Skylands”) is capable of supplying said Turnout Gear and Boots under State Contract #’s 17-FLEET-00809 and 17-FLEET-00810; and

WHEREAS, the Director of Public Safety is in receipt of Sales Quote #7688 dated September 21, 2023 for the aforesaid Turnout Gear and Boots for the amount of \$30,726.56; and

WHEREAS, funds are available in Account Fire Department – O.E.; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Purchasing Agent of the City of Bayonne is hereby authorized to execute any and all documents and take any and all actions necessary to effectuate the purchase of the aforesaid Turnout Gear and Boots from Skylands pursuant to Quote #7688 dated September 21, 2023 received from Skylands through State Contract #'s 17-FLEET-00809 and 17-FLEET-00810 for the amount of \$30,726.56.

2. Funds shall be chargeable to Account Fire Department – O.E.

* * * * *

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

WHEREAS, the City of Bayonne (hereinafter referred to as the “Employer”) by resolution adopted a Deferred Compensation Plan (hereinafter referred to as the “Plan”) effective September 25, 1989, for the purpose of making available to eligible employees the accrual of tax benefits under a Section 457 Deferred Compensation Plan; and

WHEREAS, the Employer desires to provide for Designated Roth Contributions and/or In-plan Roth Conversions under it Plan;

NOW, THEREFORE, BE IT RESOLVED that the Employer hereby adopts the attached Amendment which Amendment has been approved by the Division of Local Government Services and assigned identifier 83-PD-VALIC-061912, to Deferred Compensation Plan Document, identifier 81-PD-VALIC-103111, to be part of and incorporated into its existing Deferred Compensation Plan Document.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be forwarded to the Director of the Division of Local Government Services.

* * * * *

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

WHEREAS, the New Jersey Division of Highway and Traffic Safety (DHTS) provides funding to law enforcement agencies for additional DWI enforcement activities for the health and safety of the general public, and

WHEREAS, the NJ DHTS has announced the FY2024 Drunk Driving Enforcement Fund Grant for qualifying law enforcement agencies in the state, which purpose is to supplement the efforts of law enforcement agencies in reducing motor vehicle crashes, injuries, and fatalities on the roads of New Jersey, and

WHEREAS, the City of Bayonne’s Police Department is desirous to utilize these funds as a supplement to its continuing efforts to protect and serve the community, and

WHEREAS, it is to the public benefit that the City of Bayonne considers this grant opportunity, and

WHEREAS, the Director of Public Safety has requested authorization to prepare and submit a grant application for the FY24 Drunk Driving Enforcement Fund Grant for the purpose of supplementing the Police Department’s mission to protect and serve the community, and

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

1. The Director of Public Safety and/or his designee is/are hereby authorized to take any and all actions necessary to prepare and submit a grant application for grant funding from the New Jersey Division of Highway and Traffic Safety’s FY2024 Drunk Driving Enforcement Fund Grant.

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

* * * * *

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

WHEREAS, Resolution No. 23-08-16-083 adopted by the Municipal Council on August 16, 2023 authorized an amendment to Agreement No. CY23-044 with T & M Associates, 400 Broadacres Drive, Suite 250, Bloomfield, NJ 07003 ("T&M") for Professional Engineering Services as more particularly described therein for an amount of \$390,000.00 amending same to allow that hydraulic modeling work connected with or necessitated by the review and analysis of a particular development application ("Professional Engineering Services in Connection with Developers' Applications") be paid from the applicable developer's escrow account as part of the engineering review costs associated with their application for an additional amount of \$50,000.00 payable from the applicable developer's escrow account as part of the engineering review costs associated with their application in accordance with the rates in the fee schedule submitted within the response to the City's Request for Qualifications/Proposals submitted by T&M dated January 3, 2023 which is on file with the City Clerk; and

WHEREAS, said Resolution No. 23-08-16-083 contained a scrivener's error insofar as the rates for said Professional Engineering Services in Connection with Developers' Applications shall be payable pursuant to the fee schedule submitted by T&M for said professional engineering services attached hereto and made a part hereof; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. Resolution No. 23-08-16-083 is hereby amended to reflect that the rates for said Professional Engineering Services in Connection with Developers' Applications shall be paid from the applicable developer's escrow accounts at the rates set forth in the Hourly Fee Schedule submitted by T&M for said professional engineering services attached hereto and made a part hereof.

* * * * *

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

WHEREAS, by way of Resolution No. 20-07-15-051 adopted by the Municipal Council on July 15, 2020, the City entered into the New Jersey Cooperative Purchasing Alliance ("Cooperative Purchasing Alliance"); and

WHEREAS, the Director of Public Safety has established a need for the procurement of a Parking Permit System for the City of Bayonne Parking Utility, the installation thereof, and maintenance and support for same; and

WHEREAS, SHI International Corp., is capable of providing said Parking Permit System through the aforesaid Cooperative Purchasing Alliance through Contract # CD04, Subcontract #22-24; and

WHEREAS, SHI International Corp. has provided the Administrator of the City's Parking Utility with Quotation # 24008646 dated October 2, 2023 for said Parking Permit System and maintenance and support for same for the period commencing December 1, 2023 through November 30, 2024 for the amount of \$52,248.05; and

WHEREAS, funds are certified as available in Account – #3-05-55-501-0000-199, now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Purchasing Agent is hereby authorized to procure the aforesaid Parking Permit System, the installation thereof, and maintenance and support for same for the period commencing December 1, 2023 through November 30, 2023 from SHI International Corp., pursuant to its Quotation # 24008646 dated October 2, 2023 for said Parking Permit System for the amount of \$52,248.05 through the New Jersey Cooperative Purchasing Alliance Contract #CD04, Subcontract #22-24.

2. Funds shall be charged to the following Account – Account – #3-05-55-501-0000-199.

* * * * *

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

WHEREAS, pursuant to Resolution No. 23-01-18-023 adopted January 18, 2023 the City entered into Agreement No. CY23-042 with Sims Municipal Recycling, 1 Linden Avenue East, Jersey City, NJ 07306 for a LICENSED RECYCLING FACILITY to receive and market certain recyclable materials from the City and from the City's private recycling collection contractor(s), specifically for the following recyclable materials: Recycling Commodity, Comingled which includes glass, metal cans and plastics (collectively referred to as ("Recycling Commodity") pursuant to the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A-20.4 and 5 for the period commencing January 1 2023 and ending December 31, 2023 with two (2) possible one (1) year options to renew at the City's sole discretion, at a cost not to exceed \$150,000 annually/per year; and

WHEREAS, the Director of Public Works has advised that, due to increases in market rates for said Recycling Commodity, it is necessary to increase said Agreement No. CY23-042 with Sims Municipal Recycling in the amount of \$100,000, thereby making the total contract amount not to exceed \$250,000 for said period; and

WHEREAS, said additional funds in the amount of \$100,000 are certified as available in Account #T-12-56-804-0001-99; 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 aforesaid Agreement No. CY23-042 with Sims Municipal Recycling increasing same in the amount of \$100,000, thereby making the total contract amount not to exceed \$250,000 for the initial contract term commencing January 1, 2023 and ending December 31, 2023.

- 3.** Said Additional Funds shall be chargeable to Account #T-12-56-804-0001-99.

* * * * *

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

WHEREAS, Resolution No. 23-03-15-106 adopted on March 15, 2023 authorized an agreement with Integrated Micro Systems, Inc., 74 Lee Avenue, Haledon, New Jersey 07508-1208 ("Integrated") for Information Technology (IT) Maintenance, Support and Procurement Consulting Services ("IT Services") commencing March 16, 2023 and ending December 31, 2023 for an amount of \$100,000 (\$50,000 for IT maintenance and support consulting services and \$50,000 for IT procurement consulting services) pursuant to the fees set forth in the response of Integrated Microsystems, Inc. chargeable to Account #3-01-460-0000-029; and

WHEREAS, the Chief Financial Officer has advised that it is necessary to increase same in the amount of \$20,000 for additional IT maintenance and support consulting services that were not anticipated at the time of the original contract award ("Additional Work"), thereby making the total contract amount not to exceed \$120,000; and

WHEREAS, said additional funds in the amount of \$20,000 are certified as available in Account #3-01-31-460-0000-029; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Municipal Council hereby authorizes the aforesaid increase in the amount of \$20,000 ("Additional Funds") to the aforesaid original contract award for the Additional Work, thereby making the total amount not to exceed \$120,000.

2. Mayor and City Clerk are hereby authorized to take any and all actions and/or execute any and all documents necessary to effectuate same.

- 3.** Said Additional Funds shall be chargeable to Account #3-01-31-460-0000-029.

* * * * *

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

WHEREAS, the City is a member of the New Jersey Cooperative Purchasing Alliance Bergen County COOP #11-BeCCP (the “Cooperative Purchasing Alliance”); and

WHEREAS, the Director of Public Safety has established a need for a new e-mail system for the Police Department inclusive of: Proofpoint Essentials – Professional (300 users); Exchange Online (Plan 1) (300 Users); M365 Business Standard (Yearly Commit) (90 Users); and BitTitan Migration license Blanket (“New E-mail System”) and the installation thereof; and

WHEREAS, Integrated Micro Systems, 74 Lee Avenue, Haledon, NJ 07508, is capable of providing said New E-mail System through the aforesaid Cooperative Purchasing Alliance, Bid #22-24; and

WHEREAS, Integrated Micro Systems has provided the Director of Public Safety with a proposal for said New E-mail System and the installation thereof dated October 3, 2023 for the amount of \$91,994.00; and

WHEREAS, funds are certified as available in Account – C-04-55-925-1666-990; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Purchasing Agent is hereby authorized to procure the aforesaid New E-mail System and the installation thereof from Integrated Micro Systems pursuant to its proposal dated October 3, 2023 for the amount of \$91,994.00 through the aforesaid Cooperative Purchasing Alliance, Bid #22-24.

2. Funds shall be charged to Account – C-04-55-925-1666-990.

* * * * *

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

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

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

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

WHEREAS, by way of resolution #611-9-2023, passed by the Hudson County Board of Commissioners at their regularly scheduled meeting, it was determined that additional funds would be reallocated to various governmental agencies in the amount of \$100,000.00, and

WHEREAS, as a result of the forgoing resolution, the City has been awarded the CY2023 Peer Grouping Grant in the additional amount of \$7,895.00, and

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

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

1. The City of Bayonne accepts \$7,895.00 from the County of Hudson
2. The Division of Finance is hereby authorized to establish the proper accounts for these funds.

* * * * *

47. 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 (NJDEP), Division of Watershed Protection and Restoration offered a Notice of Funding Availability (NOFA) to assist New Jersey municipalities in upgrading their MS4 Stormwater Programs to comply with the requirements of the 2023 Tier A MS4 Permit renewal, and

WHEREAS, the City of Bayonne is desirous to facilitate a stormwater control plan in an effort to improve water quality and mitigate the impacts of flooding caused by climate change, and

WHEREAS, the City of Bayonne, as a Tier A municipality, is eligible for the NOFA offered by the NJDEP, and

WHEREAS, the funding availability for Tier A Municipalities is in the amount of \$25,000.00 to be awarded as Stormwater Assistance Grants to qualifying municipalities in the State, and

WHEREAS, the City of Bayonne has applied for and has been awarded the grant in the amount of \$25,000.00 from the New Jersey Department of Environmental Protection (NJDEP), Division of Watershed Protection and Restoration Stormwater Assistance Grant Program; and

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

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

1. The City of Bayonne accepts \$25,000.00 from the New Jersey Department of Environmental Protection (NJDEP), Division of Watershed Protection and Restoration Stormwater Assistance Grant.
2. The Division of Finance is hereby authorized to establish the proper accounts for these funds.

* * * * *

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

WHEREAS, on September 23rd, 2020, the Municipal Council passed Resolution No. 20-09-23-046 authorizing an Agreement with the Bayonne PAL Day Care Center, Inc., 550 Avenue A Bayonne, NJ 07002 to provide CDBG COVID-19 funds in the amount of \$15,000.00 for the purpose of providing after school program and summer camp program PPE supplies for same (Agreement No. CY23-095); and

WHEREAS, on November 9th, 2022 the Municipal Council passed Resolution No. #22-11-09-040, authorizing an amendment to said Agreement CY23-095 with the Bayonne PAL Day Care Center, Inc., increasing same in the amount of \$8,000.00 for the purpose of providing two (2) additional teachers for the after school homework program for a total contract amount not to exceed \$23,000.00 and extending said agreement through August 31, 2023; and

WHEREAS, these funds were awarded from the Community Development Block Grant CARES Act (CDBG-CV) funding for the purposes of addressing the long-term impacts of the COVID-19 Pandemic beginning in CY2020; and

WHEREAS, the COVID-19 Pandemic uniquely affected school children and additional resources must be utilized to mitigate the impacts to children's health, development and academic success, and

WHEREAS, the Bayonne PAL Day Care Center, Inc. employs teachers to facilitate the academic development of its students and supplement the academic support from the overall community; and

WHEREAS, due to the exigent circumstances arising from the COVID-19 Pandemic, it is now more imperative that children are provided additional resources in their academic endeavors; and

WHEREAS, the Bayonne PAL Day Care Center, Inc. has requested additional funding in the amount of \$15,000.00 from the CDBG-CV funds for the purpose of employing and retaining additional instructional staff to supplement the Bayonne PAL Day Care Center, Inc.’s after school homework program; and

WHEREAS, in order to provide said additional CDBG-CV funds to the Bayonne PAL Day Care Center, Inc., it is necessary to extend the term of said Agreement No. CY20-095 through August 31, 2024; and

WHEREAS, the Director of the Community Development Block Grant program has advised that said CDBG-CV funds in the amount of \$15,000.00 are available in Account CDBG-CV 1073; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to execute a 2nd amendment to the aforementioned Agreement No. CY20-095 with the Bayonne PAL Day Care Center, Inc., 550 Avenue A, Bayonne, NJ 07002 extending same through August 31, 2024 and increasing same in the amount of \$15,000.00 for the purpose of providing additional teachers for the after school homework program, thereby making the total contract amount \$38,000.00.
2. Funds shall be charged to Account CDBG-CV 1073.

* * * * *

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

WHEREAS, the City of Bayonne has a need to acquire professional engineering services to perform traffic data collection along Route 440, Avenue E and The Peninsula at Bayonne Harbor (“Traffic Data Collection”) as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44a-20.5; and

WHEREAS, the City’s Special Project Engineer solicited three (3) proposals for said Traffic Data Collection from the following firms:

Techniquet Corporation	\$47,134.64;
Traffic Databank, LLC	\$19,471.00; and
Dolan & Dean Consulting Engineers	\$106,000.00

; and

WHEREAS, the City’s Special Project Engineer and the City Planner have examined the responses and have determined that the response received from Traffic Databank is the most advantageous to the City; and

WHEREAS, the Director Planning, Zoning and Development has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, Traffic Databank, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Traffic Databank, LLC has not made any reportable contributions to a candidate committee in the City of Bayonne in the previous one year, and that the contract will prohibit Traffic Databank, LLC from making any reportable contributions through the term of the contract, and

WHEREAS, funds are available in Various Redeveloper Escrow Accounts; now therefore be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and City Clerk are hereby authorized to execute an agreement with Traffic Databank, LLC, 91 Linden Avenue, Shirley, NY 11967 for the aforesaid professional engineering services to perform said Traffic Data Collection for an amount of \$19,471.00.
2. Funds for same are chargeable to Various Redeveloper Escrow Accounts.

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

* * * * *

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

WHEREAS, The City of Bayonne is the owner in fee simple of certain real property designated as Block 48, Lot 1 and Block 50, Lot 1 on the tax map of the City of Bayonne¹, Hudson County; and

WHEREAS, The New Jersey Department of Environmental Protection Program Interest Number ("Preferred ID") for the contaminated site (referred to by the NJDEP as Hudson County Chromate Site No. 144 Bayonne Pipeline) which includes this property is G000008760; and

WHEREAS, The New Jersey Department of Environmental Protection ("NJDEP") Bureau of Case Management is the program responsible for the oversight of the remediation of chromium- related impacts at the Property and has approved Deed Notices as an institutional control for the Property, which is part of the remediation of the Property for chromium-related impacts; and

WHEREAS, The Property is subject to a Consent Judgment between the NJDEP and Honeywell International Inc. ("Honeywell") et al. filed September 7, 2011, Superior Court of New Jersey, Chancery Division-Hudson County, Docket No. C-77-05 ("Consent Judgment"); and

WHEREAS, Pursuant to the Consent Judgment, Hudson County Chromate Site 144 is designated as a sewer site and Honeywell has responsibility for remediation of chromium-related contamination in accordance with the Consent Judgment; and

WHEREAS, Honeywell, whose post office address is 115 Tabor Road, Morris Plains, New Jersey 07950, implemented a remedial action that is consistent with the provisions of the Sewer Protocol referenced in the Consent Judgment; and

WHEREAS, Remedial actions for chromium-related impacts were addressed in accordance with a Remedial Action Report dated November 2019, prepared by Honeywell and approved by the NJDEP on February 2, 2020; and

WHEREAS, Honeywell is responsible for remediation of the Property to address chromium-related contamination and the remedial action is consistent with the provisions of the Sewer Protocol referenced in the Consent Judgment, such that soil contamination will remain in certain areas of the Property in concentrations that do not allow for the unrestricted use of the Property; and

WHEREAS, there is a statutory requirement for this Deed Notice and engineering controls in accordance with N.J.S.A. 58:10B-13.

WHEREAS, Consistent with the applicable laws and regulations, Honeywell has prepared the attached Deed Notice which documents the required engineering and institutional controls;

WHEREAS, it is in the best interest of the citizens of the City of Bayonne to agree to the use restriction(s) and maintenance and monitoring requirements on the Property and to execute the Deed Notice and related documents; now, therefore, be it

RESOLVED, By the City of Bayonne, Hudson County in the State of New Jersey, that:

1. The proper officials of the City of Bayonne are hereby authorized to execute a Deed Notice and all related documents required now and in the future for the Property and by attaching a copy of this Resolution to the document; and

2. The use restrictions on the Property detailed in the Deed Notice will be honored; and

3. Any operation, maintenance, and monitoring tasks assigned to the Owner in the Deed Notice will be performed in accordance with applicable statutes and requirements.

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

* * * * *

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

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions: and

WHEREAS, the Annual Report of Audit for the year ended December 31, 2022 has been filed by a Registered Accountant with the Municipal Clerk as pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs, as per; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled “Comments and Recommendations”; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations” as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 - to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a dated fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW THEREFORE, BE IT RESOLVED, that the Municipal Council of the City of Bayonne, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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

* * * * *

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

WHEREAS, Resolution No. 23-08-16-079 adopted by the Municipal Council on August 16, 2023 designated the property located at Newark Bay – 1st to 3rd Street, 4-22 Avenue A, 247-251 West 1st Street and 218-222 West 2nd Street and designated as Block 332, Lots 1, 6 and 7; Block 333.01, Lot 7 and Block 373, Lots 1, 2, 13 and 14 as a Non-Condemnation Area pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (“LRHL”) and authorized and directed the Planning Board of the City of Bayonne to prepare a Redevelopment Plan; and

WHEREAS, said Resolution No. 23-08-16-079 contained a scrivener's error insofar as the Resolution which authorized the Planning Board to undertake a Preliminary Investigation to determine whether said property may be designated as a Non-Condensation Area In Need Of Redevelopment in accordance with the provisions of the LRHL was erroneously stated as "(R-7)" and should be stated as Resolution No. 22-12-14-057; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

The fourth whereas clause is amended to replace "(R-7)" with Resolution "22-08-16-079" and should read as:

WHEREAS, on December 14, 2022, the City Council of the City of Bayonne adopted a resolution 22-08-16-079 which authorized and directed the Bayonne Planning Board to undertake a preliminary investigation to determine whether the certain property located at Newark Bay – 1st to 3rd Street, 4-22 Avenue A, 247-251 West 1st Street and 218-222 West 2nd Street identified as Block 332, Lots 1, 6 and 7; Block 333.01, Lot 7 and Block 373, Lots 1, 2, 13 and 14 on the Bayonne Tax Map (the "Property"), may be designated as a non-condemnation "area in need of redevelopment" in accordance with the provisions of the LRHL; and

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

* * * * *

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

Whereas, Tax Counsel for the City of Bayonne with the agreement of the City Tax Assessor has reached proposed settlement agreements with respect to certain multiyear State Court Tax Appeals on the following properties as detailed on the attached Schedule A :

AMV Esposito Group, LLC. (2020-2022 tax years)

Block 220, Lot 24: 435-437 Broadway
Block 220, Lot 26: 10-12 W. 20th Street
Block 220, Lot 18: 11-13 W. 19th Street

Whereas, the tax assessor of the City of Bayonne in consultation with the City's expert appraiser recommend this settlement;

Now therefore be it resolved as follows:

1. The above recitals are incorporated herein.
2. Tax Counsel for the City of Bayonne is authorized to enter into and execute Stipulation of Settlement on behalf of the City of Bayonne consistent with the terms provided on the attached Schedule A with respect to the outstanding appeals listed in that schedule for: Block 220, Lots 24, 26 & 18 (435-437 Broadway, 10-12 W. 20th Street; 11-13 W. 19th Street).
3. The terms of such Stipulation to provide for the resulting refund to be in the form of refunds.
4. The City's Tax Counsel, City Attorney, CFO, Treasurer and Tax Collector are authorized to take any action necessary to effectuate this resolution and the resulting judgment(s).
5. This resolution shall take effect immediately.

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

* * * * *

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE REDEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF

BAYONNE AND 746 AVE E BAYONNE URBAN RENEWAL LLC, FOR THE PROPERTY LOCATED AT 736-742 AVENUE E AND IDENTIFIED AS BLOCK 393, LOT 3.01 (FORMERLY LOTS 3, 4 AND 5) FOR THE REDEVELOPMENT OF SUCH PROPERTY 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 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 “Redevelopment Law”); and

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

WHEREAS, on December 16, 2020, the Municipal Council passed a resolution designating 746 Ave E Bayonne Urban Renewal LLC as the redeveloper of the Property (the “Redeveloper”) and authorized the execution of a Redevelopment Agreement by and between the City of Bayonne as Redevelopment Entity and 746 Ave E Urban Renewal LLC (the “Redevelopment Agreement”); and

WHEREAS, the City entered into the Redevelopment Agreement with the Redeveloper on November 12, 2021 (the “Redeveloper”), which Redevelopment Agreement specifies the rights and responsibility of the City and the Redeveloper with respect to certain aspects of the Project; and

WHEREAS, the Redevelopment Agreement contains a Redevelopment Project Schedule (Exhibit C) where the Redeveloper was required to commence construction of the Project Improvements on August 1, 2023 and substantially complete the Project and Project Improvements by September 1, 2025; and

WHEREAS, the Redeveloper has advised the City that the Project commencement date has been delayed by nearly two (2) years due to the yet unresolved environmental remediation of a neighboring property where access to which was requested of the Redeveloper in order to complete the environmental remediation on the neighboring property; and

WHEREAS, the Redeveloper has also advised the City that the commencement of the Project Improvements was delayed due the COVID-19 pandemic; and

WHEREAS, Section 9.04, Force Majeure, of the Redevelopment Agreement states that “each day of delay caused by reason of the following shall be deemed to extend the Redevelopment Project Schedule by the same amount of time [] . . . declaration of a health or any other emergency, including an epidemic or a pandemic, by the United States of America, the State of New Jersey and/or any other governmental agency;” and

WHEREAS, the Redeveloper now requests that the Project Commencement Date and the date to complete the Project be extended to November 12, 2024 and November 12, 2026, respectively; and

WHEREAS, Section 11.11, Modification of Redevelopment Agreement, of the Redevelopment Agreement states that “no modification, waiver, amendment, discharge, or change of this Redevelopment Agreement shall be valid unless the same is in writing . . .”; and

WHEREAS, the City and Redeveloper now desire to amend the Redevelopment Agreement in order to extend the construction commencement and deadline dates in accordance with Section 9.04 of the Redevelopment Agreement and this resolution; and

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

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

Section 1. The Municipal Council of the City of Bayonne hereby authorizes the execution of an amendment to the Redevelopment Agreement concerning the Property identified as Block 393, Lot 3.01 (formerly Lots 3, 4 and 5) to revise the Project Commencement Date and the date to complete the Project to November 12, 2024 and November 12, 2026, respectively, in such a form deemed advisable by the City Attorney, or Special Redevelopment Counsel to the

City, subject to any and all conditions contained herein and such revisions as deemed advisable by the City Attorney, or Special Redevelopment Counsel to the City.

Section 2. The Mayor and Clerk are hereby authorized to execute the Amended 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 Property by 746 Ave E Bayonne Urban Renewal LLC.

Section 3. The Mayor and Clerk are hereby authorized to take such action and to execute such other documents, on behalf of the City of Bayonne, as is necessary to effectuate the terms of the amendment to the Redevelopment Agreement, as deemed advisable by the City Attorney or Special Redevelopment Counsel.

Section 4. This Resolution shall take effect immediately.

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

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

* * * * *

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

RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY, AUTHORIZING AND DIRECTING THE PLANNING BOARD OF THE CITY OF BAYONNE TO CONDUCT A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER CERTAIN PROPERTY LOCATED AT 120-122 WEST 33rd STREET AND DESIGNATED AS BLOCK 143, LOT 28 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 120-122 West 33rd Street, which property is identified as Block 143, Lot 28 as shown on the official Tax Map of the City (the "Property"), constitutes 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, constitutes 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 143, Lot 28 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 Municipal 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.

* * * * *

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

WHEREAS, the City Clerk is responsible for the conduct of the 2023 Primary Elections which were held on June 6, 2023, including the printing of ballots and related printing needs; and

WHEREAS, Royal Printing Service, West New York, New Jersey is the official printer for elections in Hudson County as designated by the Hudson County Clerk, and has provided such services to the City of Bayonne in past Elections; and

WHEREAS, Royal Printing Services did provide said printing services in connection with the 2023 Primary Election; and

WHEREAS, Royal Printing Services has provided the City Clerk with an Invoice for said printing services in the amount of \$41,500.00 dated June 15, 2023; 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, pursuant to N.J.S.A. 40A:11-5(1)(l), those goods and services necessary or required to prepare and conduct an election are exempt from public bidding; and

WHEREAS, the City Clerk has determined and certified in writing that the value of the acquisition does exceed \$17,500; and

WHEREAS, Royal Printing Service 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 the invoice date, and, furthermore, the contract will prohibit Royal Printing Service from making any reportable contributions through the term in accordance with N.J.S.A. 19:44A-20.5; and

WHEREAS, funds are available in Account #3-01-20-122-0000-036; now therefore be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and/or his designee(s) is/ are hereby authorized to execute any and all documents and take any and all actions necessary to effectuate payment to Royal Printing Services in the amount of \$41,500.00 representing payment for the printing of the aforesaid 2023 Primary Election.

2. Funds for same are chargeable to Account #3-01-20-122-0000-036.

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

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

* * * * *

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

WHEREAS, by way of Resolution No. 23-09-20-053 adopted by the Municipal Council on September 20, 2023, the City entered into a License Agreement with the Bayonne Youth Center ("BYC") to hold the 2023 BYC Arts and Music Festival on Saturday, October 14, 2023 to be located throughout designated areas p Dennis P. Collins Park from 11:00 a.m. to 7:00 p.m. (with access for load-in and load-out activities beginning at 6:00 a.m. and ending 8:30 p.m.) during which various activities were to be offered including, but not limited to, art exhibitions, musical events, dance exhibitions, vendors, and a V.I.P. area where alcohol was to be offered (the "Festival"); and

WHEREAS, due to inclement weather said Festival was canceled; and

WHEREAS, the BYC requested that said License be amended to allow said Festival to be held on Sunday, October 22, 2023 to be located at G. Thomas DiDomenico Park under the same terms and conditions as the original Festival; and

WHEREAS, the BYC has and/or shall provide a revised Social Affairs Permit, Site Map and certificate(s) of insurance reflecting the new date and location of said Festival; and

WHEREAS, it is the opinion of the members of the Municipal Council that it is important to support local community activities such as this and that this event will prove to be a desirous event for the citizens of the City; 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 aforesaid License Agreement, in form and substance as is acceptable to the Law Director, allowing the BYC, Inc. to hold the Bayonne Arts and Music Festival on Sunday, October 22, 2023 from 11:00 a.m. to 7:00 p.m. (with access for load-in and load-out activities beginning at 6:00 a.m. and ending 8:30 p.m.) throughout designated areas of G. Thomas DiDomenico Park located at West 16th Street between Avenue A and Newark Bay.

2. All other terms and conditions of the said License shall remain the same.

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

* * * * *

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

WHEREAS, the Director of Public Works established a need for the purchase of a used 2020 Glutton Electric Vacuum Model # U006434, Serial # 213187826906; ("Used Glutton Street Vacuum"); and

WHEREAS, the Director of Public Works purchased said Used Glutton from Joe Johnson Equipment, 4519 Old Charlotte Hwy., Monroe, NC 28110 and is in receipt of an Invoice from Joe Johnson Equipment dated October 10, 2023 for the amount of \$15,000.00 representing the cost of same; and

WHEREAS, pursuant to Resolution No. 23-02-15-027 adopted by the Municipal Council on February 15, 2023, the City purchased a New Glutton Street Vacuum from Joe Johnson Equipment for the amount of \$28,900.00; and

WHEREAS, at the time of said purchase Joe Johnson Equipment LLC completed and submitted a Business Entity Disclosure Certification certifying that it has not made any reportable contributions to a political or candidate committee in the City of Bayonne in the one (1) year preceding January 1, 2023, and, furthermore, the contract will prohibit Joe Johnson Equipment LLC from making any reportable contributions through the term in accordance with N.J.S.A. 19:44A-20.5; and

WHEREAS, Joe Johnson Equipment has completed and submitted a second Business Entity Disclosure Certification which certifies that Joe Johnson Equipment has not made any reportable contributions to a candidate committee in the City of Bayonne in the one (1) year preceding October 1, 2023, and that the contract will prohibit Joe Johnson Equipment from making any reportable contributions through the term of the contract, and

WHEREAS, the Director of Public Works has determined and certified in writing that the value of the aforesaid acquisitions in the aggregate will exceed \$17,500; and,

WHEREAS, N.J.S.A. 40A:11-3(a), allows for the award of a contract and/or purchases in the aggregate 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, funds for said Used Glutton Street Vacuum are certified as available in Account #C 04-55-941-1956-944; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The actions of the Director of Public Works in procuring the aforesaid Used Glutton Street Vacuum from Joe Johnson Equipment for the amount of \$15,000.00 are hereby ratified and affirmed.
2. The Municipal Treasurer and/or his or her designee(s) are hereby authorized to make payment to Joe Johnson Equipment in the amount of \$15,000.00 representing the Cost of said Used Glutton Street Vacuum.
3. Funds shall be chargeable to #C 04-55-941-1956-944.
4. The Business Entity Disclosure Certification and Determination and Certification of Value shall be placed on file with this resolution.

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

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

WHEREAS, By way of Resolution No. 22-12-14-074 adopted on December 14, 2022 as amended by Resolution No. 23-02-15-041 adopted February 15, 2023, the City entered into Agreement No. CY23-023 with Christopher D. Adams, Esq. of the Law Firm of Greenbaum, Rowe, Smith, Davis, LLP, River Centre Building 1, Suite 122, 331 Newman Springs Road, Red Bank, NJ 07701 for professional legal services in furtherance of regulatory compliance issues involving the State of New Jersey for the period commencing July 12, 2022 and ending March 30, 2023 for a total amount not to exceed \$27,500 pursuant to the Non-fair and Open Process consistent with the provisions set for the in N.J.S.A. 19:44A-20.4 and 5; and

WHEREAS, the Law Director has advised that it is necessary to increase said Agreement No. CY23-023 through December 31, 2023 and increase same in the amount of \$17,000 as said regulatory compliance issues involving the State of New Jersey are still ongoing; and

WHEREAS, additional funds in the amount of \$17,000 are certified as available 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 aforesaid agreement No. CY23-023 with Christopher D. Adams, Esq. of the Law Firm of Greenbaum, Rowe, Smith, Davis, LLP, River Centre Building 1, Suite 122, 331 Newman Springs Road, Red Bank, NJ 07701 extending same through December 31, 2023 for an additional amount of \$17,000, thereby making the total contract amount not to exceed \$44,500.

2. Said additional funds in the amount of \$17,000 shall be chargeable to Account #3-01-156-20-0000-028.

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

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

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY FOR THE EXPRESSION OF SUPPORT FOR NEED AND COMMUNITY BENEFITS FOR THE NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY'S "ASPIRE" PROGRAM FOR BLOCK 830 LOT 2.01

WHEREAS, BAYONNE PARTNERS URBAN RENEWAL, LLC (hereinafter referred to as the "Sponsor") proposes to construct a 240-unit mixed-income project (hereinafter referred to as the "Project") pursuant to the provisions of the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended (N.J.S.A. 55:14K-1 et seq.), the rules promulgated thereunder at N.J.A.C. 5:80-1.1 et seq., and all applicable guidelines promulgated thereunder (the foregoing hereinafter collectively referred to as the "HMFA requirements") within the City of Bayonne (hereinafter referred to as the "Municipality") on a site described as Lot 2.01 Block 830 as shown on the Official Assessment Map of the City of Bayonne, Hudson County; and

WHEREAS, the Project will be subject to the HMFA Requirements and the mortgage and other loan documents executed between the Sponsor and the New Jersey Housing and Mortgage Finance Agency (hereinafter referred to as the "Agency"); and

WHEREAS, pursuant to the HMFA Requirements, the governing body of the Municipality hereby determines that there is a need for this housing project in the Municipality.

WHEREAS, the Aspire Funding ("Aspire") from the New Jersey Economic Development Authority ("EDA") will also be utilized to fund the development,

WHEREAS, the City has shown strong support for the project by adopting the Bayonne Bay East Redevelopment Plan, allowing the project to be built as proposed.

WHEREAS, the City has determined the Project provides social and economic benefits to the community by adopting the Second Amended Redevelopment Agreement between the City and BAYONNE PARTNERS URBAN RENEWAL, LLC, dated October 4, 2023.

WHEREAS, and in accordance with the Second Amended Redevelopment Agreement will serve as a community benefit agreement as defined in the New Jersey Aspire Program, as this project will provide additional community benefits by providing jobs training, First Source Hiring Agreement and a ten (10%) percent good faith local hiring commitment, AND the construction of the Hudson River Waterfront Walkway and for the Center Street right of way.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Bayonne (the "Council") that:

Section 1. The recitals are hereby incorporated into the resolution.

Section 2. The Council finds and determines that the 240 unit mixed-income housing Project proposed by the Sponsor meets or will meet an existing housing need.

Section 3. The Council does hereby adopt the within Resolution and makes the determination and findings herein contained by virtue of, pursuant to, and in conformity with the provisions of the HMFA Law to enable the Agency to process the Sponsor's application for Agency funding to finance the Project.

Section 4. The Council does hereby adopt the within Resolution in Support of the NJEDA Aspire Application on behalf of the Project;

Section 5. The Council does hereby adopt the within Resolution to satisfy the requirements to provide Community Benefits in lieu of entering into a Community Benefits Agreement with the New Jersey Economic Development Authority (“NJEDA”)

Section 6. This Resolution shall take effect immediately.

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

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

WHEREAS, pursuant to Resolution No. 23-06-14-036 adopted June 14, 2023, the City Clerk, advertised in the Jersey Journal on September 27, 2023 that sealed bids for the G. THOMAS DIDOMENICO MUNICIPAL POOL BUILDING ROOF would be received on September 8, 2023; and

WHEREAS, pursuant to said advertisement, one (1) proposal was received from:

<u>Bidders:</u>	<u>Total amount</u>
GRAYSON CONTRACTING CO. INC. 395 MILLSTONE ROAD MILLSTONE, NJ 08510	\$310,875.00

; and

WHEREAS, the Purchasing Agent and the City Engineer have examined the bids and have determined that the bid of Grayson Contracting Co. Inc. Construction, 395 Millstone Road, Millstone, NJ 08510 in the amount of \$310,875.00 is a regular bid and is the most advantageous to the City; and

WHEREAS, funds are certified as available in Account – C-04-55-960-2141-993; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The contract for G. THOMAS DIDOMENICO MUNICIPAL POOL BUILDING ROOF be awarded to:

GRAYSON CONTRACTING CO. INC.
395 MILLSTONE ROAD
MILLSTONE, NJ 08510

for the total contract amount of 310,875.00.

3. Funds shall be chargeable to Account – C-04-55-960-2141-993.

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

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At 7:50 P.M., Council Member Booker motion to adjourn, second by Council Member Carroll.

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

President – Gary LaPelusa

Clerk – Madelene C. Medina