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, MAY 13, 2026

The Council met at 6:02 P.M.

that notice of this regular meeting of the Municipal Council of the City of Bayonne of APRIL 15, 2026, 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 Star Ledger. An additional Notice of time and place was posted and filed with the City Clerk and was forwarded to the Bergen Record and Star Ledger by on APRIL 10, 2026."

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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The public speaking portion -preceded prior to the hearing of ordinances.

William Opel, Esq. of McManimon, Scotland and Baummen addressed the Council and members of the public in attendance on the approval of Data Centers.

Doreen Dynega addressed the council on the data center and the continued "gassing" of the geese population in the City.

Doreen Frega addressed the council the gassing of the geese population.

Valerie DeVile also addressed the council the gassing of the geese population.

The following member of the audience addressed the Council of the subject of the proposed development of a Data Center in the City and the health and environmental issues concerning them:

Kaitlin Pangilinan
Joseph Pangilinan
Jill Pusterino
Diane Stein
Mussah Ali
Omar Elgarhi
Christina Napolitano
Natalie Ramos
Jennah Reddick
Christopher McCarthy
Liam Piava Acosta
Den Dziobeck
Caleb Hansen
George Waters
Joe Ameen
Melissa Godesky- Rodriguez

Leroy Truth addressed the council on various issues.

Jason Gass addressed the Council on the election process

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01. The Clerk announced:

AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 301 AND 300-302 CONSTITUTION AVENUE, WHICH IS IDENITIFIED AS BLOCK 803, LOT 1 AND

BLOCK 815, LOT 1 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 12A-1 ET SEQ., which was introduced and passed a first reading at a meeting January 21, 2026 and was published and post as required by law, with notice that it would be the subject of a public hearing at this meeting of May 13, 2026.

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

WHEREAS, an ordinance entitled, "AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 301 AND 300-302 CONSTITUTION AVENUE, WHICH IS IDENTIFIED AS BLOCK 803, LOT 1 AND BLOCK 815, LOT 1 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 12A-1 ET SEQ." was introduced and passed a first reading at a meeting held January 21, 2026, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at the meeting of February 18th,. March 18 and April. 15, 2026; and

WHEREAS, said ordinances has been referred to the Planning Board for review; and

WHEREAS, the Planning Board had not reviewed said ordinance, it is necessary to postpone second reading and final passage to the meeting of May 13, 2026; and

WHEREAS, further consideration is still pending review from the Planning Board

NOW BE IT RESOLVED, that this ordinance be postponed for a second reading and a public hearing to the meeting of June 17, 2026.

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, STATE OF NEW JERSEY ADDRESSING THE REQUIREMENTS OF THE FAIR HOUSING ACT AND THE UNIFORM HOUSING AFFORDABILITY CONTROLS," which was introduced and passed a first reading at a meeting held March 18, 2026, was published in the Bergen Record and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at the meeting of April 18, 2026 was postponed to this meeting of May 13, 2026, is now before the council for its consideration and a public hearing.

Council Member Perez moved the following resolution for second reading, seconded by President LaPelusa, which was read by the clerk and adopted

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

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

The Clerk read the ordinance by title, "AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, STATE OF NEW JERSEY ADDRESSING THE REQUIREMENTS OF THE FAIR HOUSING ACT AND THE UNIFORM HOUSING AFFORDABILITY CONTROLS,"

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

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

The Clerk made the following statement: "No protest against, objections to or statements in favor of this ordinance or 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, Perez, Carroll, Weimmer and President LaPelusa

Council Member Perez moved the following resolution for final passage, seconded by Council Member Booker, 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 ADDRESSING THE REQUIREMENTS OF THE FAIR HOUSING ACT AND THE UNIFORM HOUSING AFFORDABILITY CONTROLS." was introduced and passed a first reading at a meeting held March 18, 2026, and was published and posted as required by law, with notice that it would be considered for final passage following a public hearing at the meeting of February 18th,. March 18 and April. 15, 2026; and

WHEREAS, said ordinances has been referred to the Planning Board for review; and

WHEREAS, the Planning Board had not reviewed said ordinance, it is necessary to postpone second reading and final passage to the meeting of May 13, 2026; and

WHEREAS, the Planning Board had not reviewed said ordinance by the thirty-five (35) period after referral by this council, 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-26-59

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

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03. The Clerk announced:

AN ORDINANCE ENTITLED, "A BOND ORDINANCE PROVIDING FOR PHASE 2 OF THE LEAD SERVICE LINE REPLACEMENT PROJECT IN AND BY THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, NEW JERSEY, APPROPRIATING $25,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $25,000 BONDS OR NOTES OF THE CITY TO FINANCE THE COST THEREOF," which was introduced and passed a first reading at a meeting held March 18, 2026, was published in the Bergen Record and posted on the bulletin board as required by law, with notice that it would be further considered for final passage following a public hearing at the meeting of April 18, 2026 was postponed to this meeting of May 13, 2026, is now before the council for its consideration and a public hearing.

President LaPelusa moved the following resolution for second reading, seconded by Council Member Perez, which was read by the clerk and adopted

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

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

The Clerk read the ordinance by title, "A BOND ORDINANCE PROVIDING FOR PHASE 2 OF THE LEAD SERVICE LINE REPLACEMENT PROJECT IN AND BY THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, NEW JERSEY, APPROPRIATING $25,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $25,000 BONDS OR NOTES OF THE CITY TO FINANCE THE COST THEREOF,"

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

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

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

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

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

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

WHEREAS, an ordinance entitled, "A BOND ORDINANCE PROVIDING FOR PHASE 2 OF THE LEAD SERVICE LINE REPLACEMENT PROJECT IN AND BY THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, NEW JERSEY, APPROPRIATING $25,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $25,000 BONDS OR NOTES OF THE CITY TO FINANCE THE COST THEREOF." was introduced and passed a first reading at a meeting held April 18, 2026, 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 May 13, 2026; 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-26-60.

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, IN THE COUNTY OF HUDSON, NEW JERSEY CREATING A SPECIAL IMPROVEMENT DISTRICT FOR THE PENINSULA AT BAYONNE HARBOR," which was introduced and passed a first reading at a meeting held April 15, 2026, was published in the Bergen Record 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 May 13, 2026 is now before the council for its consideration and a public hearing.

Council Member Carroll moved the following resolution for second reading, seconded by Council Member Perez, which was read by the clerk and adopted

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

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

The Clerk read the ordinance by title, "AN ORDINANCE OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, NEW JERSEY CREATING A SPECIAL IMPROVEMENT DISTRICT FOR THE PENINSULA AT BAYONNE HARBOR,"

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

The following persons spoke:
Joseph Paparo, Esq-attorney for Centerpoint
David Nenner – Centerpoint
William Opel, Esq., McManimon, Scotland & Baumman
Mike Rescigno – 64 West 23rd Street

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

President LaPelusa motioned to close the hearing and postpone for further consideration, seconded by Council Member Perez, which motion was adopted.

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

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05. The Clerk announced:

AN ORDINANCE ENTITLED, "AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES, CHAPTER 7 TRAFFIC," which was introduced and passed a first reading at a meeting held April 15, 2026, was published in the Bergen Record 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 May 13, 2026 is now before the council for its consideration and a public hearing.

Council Member Booker moved the following resolution for second reading, seconded by Council Member Perez, which was read by the clerk and adopted

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

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

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

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

The following persons spoke: Melissa Godesky-Rodriguez- 147 Avenue F

The Clerk made the following statement: "No protest against, objections to or statements in favor of this ordinance or 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, Perez, Carroll, Weimmer and President LaPelusa

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

WHEREAS, an ordinance entitled, "AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES, CHAPTER 7 TRAFFIC," was introduced and passed a first reading at a meeting held April 18, 2026, 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 May 13, 2026; 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-26-62.

Yeas – Council Members Booker, Perez, Carroll, 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, NEW JERSEY AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES, CHAPTER 7 TRAFFIC," which was introduced and passed a first reading at a meeting held April 15, 2026, was published in the Bergen Record 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 May 13, 2026 is now before the council for its consideration and a public hearing.

Council President LaPelusa moved the following resolution for second reading, seconded by Council Member Booker, which was read by the clerk and adopted

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

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

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

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

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

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

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

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

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

WHEREAS, an ordinance entitled, "AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES, CHAPTER 7 TRAFFIC," was introduced and passed a first reading at a meeting held April 18, 2026, 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 May 13, 2026; 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-26-63.

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

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07. Public Comments moved to the beginning of the meeting

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08. Council President LaPelusa introduced:

CALENDAR YEAR 2026
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Municipal Council of the City of Bayonne in the County of Hudson finds it advisable and necessary to increase its CY 2026 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Municipal Council hereby determines that a 1.5% increase in the budget for said year, amounting to $1,939,449 in excess of the increase in final appropriations otherwise permitted by the Local ,Government Cap Law, is advisable and necessary; and,

WHEREAS, the Municipal Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Municipal Council of the City of Bayonne, in the County of Hudson, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2026 budget year, the final appropriations of the City of Bayonne shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to $4,525,507 and that the CY 2026 municipal budget for the City of Bayonne be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, June 17, 2026 at 6:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

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09. Council Member Perez introduced:

AN ORDINANCE OF THE CITY OF BAYONNE AMENDING CHAPTER 24 (WATER AND SEWER SERVICE) BY ADDING A NEW ARTICLE 24-3 ADOPTING AMENDED AND RESTATED WATER AND SEWER UTILITY RULES AND REGULATIONS AND CAPACITY ALLOCATION, RESERVATION, AND VESTING REQUIREMENTS

WHEREAS, the City of Bayonne is the owner of water, sewer, and related utility systems, including those governed by Chapter 24 and the Rules and Regulations adopted herein (collectively, the "Systems"); and

WHEREAS, the Rules and Regulations and standard specifications governing the operation, maintenance, and construction of the Systems were last comprehensively updated on August 6, 2012 by the former Bayonne Municipal Utilities Authority ("BMUA"), which operated the Systems until December 20, 2012; and

WHEREAS, operation and maintenance of the Systems were thereafter transferred to a Concessionaire and Operator pursuant to a 40-year public-private Concession Agreement authorized under the New Jersey Water Supply Public-Private Contracting Act (N.J.S.A. 58:26-19 et seq.) and the New Jersey Wastewater Treatment Public-Private Contracting Act (N.J.S.A. 58:27-19 et seq.); and

WHEREAS, the Concession Agreement provides that Bayonne Water Joint Venture, LLC (the "Concessionaire") and its designated Operator, currently Veolia Water Contract Operations USA, Inc. (the "Operator"), are responsible for the day-to-day operation, regulatory compliance, and capital improvement of the Systems, while the City retains ultimate regulatory authority; and

WHEREAS, the City dissolved the BMUA effective December 31, 2016 and assumed all rights, duties, and obligations relating to the Systems, including ownership, oversight of the Concession Agreement, and exclusive authority over the allocation and control of System Capacity; and

WHEREAS, the City's existing Water and Sewer Rules and Regulations, last updated in 2012, require comprehensive modernization to reflect current regulatory requirements, operational conditions, engineering standards, and technological advancements; and

WHEREAS, the updated Rules and Regulations constitute a complete technical and administrative modernization, including updated engineering design criteria, construction standards, inspection and testing requirements, environmental and safety provisions, and standard construction details, as well as modern GIS, CAD, and digital as-built data requirements necessary for accurate system mapping and long-term asset management; and

WHEREAS, the available potable water supply, sewer conveyance, and treatment capacity (collectively, "System Capacity" or "Capacity") is finite and subject to physical infrastructure limitations, NJDEP regulatory constraints, upstream supply conditions, and operational considerations, and must therefore be managed and allocated in a fair, consistent, and legally defensible manner; and

WHEREAS, the City finds it necessary to establish a clear and predictable framework governing applications for water and sewer service, including a targeted review process for projects that materially increase demand, including projects exceeding three (3) equivalent dwelling units (EDUs), or otherwise impacting System Capacity; and

WHEREAS, the Rules and Regulations and this Ordinance are intended to ensure that all approvals relating to water and sewer service are revocable, conditional administrative determinations that do not create any vested rights, property interests, or entitlements to System Capacity or service, except as expressly provided herein; and

WHEREAS, the City further finds that Planning Board and Zoning Board approvals do not and shall not confer any right to water or sewer service or

System Capacity, and shall not bind the City in its independent exercise of regulatory authority over such matters; and

WHEREAS, the updated Rules and Regulations establish strict requirements for construction, inspection, documentation, and acceptance of infrastructure, including the submission of accurate as-built and GIS data as a condition precedent to acceptance, in order to protect the City from premature dedication, system deficiencies, and long-term liability; and

WHEREAS, the purpose of this Ordinance and the Rules and Regulations adopted herein is to:

- update and clarify administrative procedures and technical standards governing the Systems;
- protect public health, safety, and welfare;
- ensure compliance with NJDEP and applicable law;
- provide a predictable and transparent framework for applicants and the public;
- preserve and equitably allocate limited System Capacity;
- prevent the creation of unintended or implied rights to capacity or service; and
- support orderly, sustainable development consistent with system capabilities; and

WHEREAS, the City further finds that, in order to facilitate orderly development and access to capital, it is necessary to establish a framework under which System Capacity may be conditionally reserved and, upon satisfaction of defined conditions, vested in a manner that is reliable and capable of being relied upon by Applicants and their lenders, while preserving the City's regulatory authority, NJDEP compliance obligations, and protection of System integrity; and

WHEREAS, the Municipal Council intends that such Reservation and Vesting framework be legally enforceable but limited in scope, subject to the express conditions and limitations set forth in this Ordinance; and

WHEREAS, the City further finds that Reservation or Vesting of System Capacity shall not exempt any project from its proportionate share of infrastructure
costs, and that any future assessments or charges shall be imposed on a nondiscriminatory basis and bear a reasonable relationship to the services or capacity provided.

WHEREAS, the Municipal Council finds that adoption of these updated Rules and Regulations is necessary and appropriate to protect the public interest, ensure regulatory compliance, and preserve the integrity and long-term functionality of the City's water and sewer systems;

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

Section 1. Amendment to Chapter 24.

Chapter 24 of the Code of the City of Bayonne, entitled "Water and Sewer Service," is hereby amended to add a new Article 24-3 immediately following Section 24-2, to be entitled:

"Article 24-3 – Water and Sewer Utility Rules and Regulations; Capacity Allocation, Reservation, and Vesting."

Said Article 24-3 hereby adopts amended and restated Water and Sewer Utility Rules and Regulations, and establishes comprehensive requirements governing the allocation, reservation, and vesting of water and sewer system capacity, as more fully set forth herein and in Exhibit A attached hereto and incorporated by reference.

SECTION 24-3.1. Definitions

The following terms, when capitalized in this Ordinance, shall have the meanings set forth below. Headings and alphabetical organization are for convenience only and shall not affect interpretation. Capitalized terms not defined herein shall have the meanings set forth in the Water and Sewer Utility Rules and Regulations adopted by this Ordinance, as may be amended from time to time.

The Water and Sewer Utility Rules and Regulations adopted as Exhibit A and incorporated herein by reference also includes defined terms for technical, engineering, operational, and administrative purposes. Certain defined terms in the Rules and Regulations may be identical to, or overlap with, definitions set forth in this Ordinance.

A. Controlling Definitions.

In the event of any conflict, inconsistency, or difference between a definition set forth in this Ordinance and a definition set forth in the Rules and Regulations, the definition set forth in this Ordinance shall control for all purposes related to:

- allocation, reservation, or vesting of System Capacity;
- the existence or scope of any right to water or sewer service; and
- interpretation or enforcement of this Ordinance.

B. Technical Definitions.

Definitions contained in the Rules and Regulations shall govern solely for technical, engineering, operational, and administrative matters, to the extent not inconsistent with this Ordinance.

C. No Expansion of Rights.

No definition, interpretation, or provision contained in the Rules and Regulations shall be construed to:

- create, expand, or modify any right to water or sewer capacity;
- establish vesting, reservation, or allocation of capacity; or
- override or conflict with the provisions of this Ordinance.

D. Harmonization.

To the extent reasonably possible, definitions in this Ordinance and the Rules and Regulations shall be interpreted in a consistent and complementary manner; however, no such interpretation shall override the express provisions of this Ordinance.

“2012 Rules” shall mean the Rules and Regulations previously adopted on August 6, 2012 under which the City, Concessionaire and Operator have been maintaining and operating the Systems.

“Allocation” shall mean a determination by the City, through the Director or Municipal Council as applicable, that a specified quantity of System Capacity, expressed in EDUs or other appropriate units, is identified for a proposed project. Allocation is an administrative or legislative determination only and shall not constitute a reservation, guarantee, or vesting of capacity.

“Applicant” shall mean a property owner, developer, or authorized agent seeking water and/or sewer service, capacity Allocation, Reservation, or Vesting.

"Application for Service" shall mean a submission by an Applicant requesting water and/or sewer service in accordance with the Rules and Regulations.

"BDMS Engineer" shall mean the Licensed Professional Engineer designated by the Director or Municipal Council to evaluate engineering standards and regulatory compliance.

"Capacity" shall have the same meaning as "System Capacity" below, the terms are used interchangeably herein and in the included Rules and Regulations.

"Certificate of Vesting" shall mean the written certification issued by the Director, as a ministerial act, confirming that all conditions required for Vesting under this Ordinance have been satisfied.

"City" shall mean the City of Bayonne, acting through its Municipal Council, Department of Municipal Services, or authorized officials.

"City Engineer" shall mean the Licensed Professional Engineer designated or retained by the City of Bayonne, acting through the Department of Municipal Services, to provide engineering review, analysis, and recommendations in connection with the City's water and sewer systems and related applications. The City Engineer may also serve as the BDMS Engineer, or such roles may be performed by separate individuals or firms as designated by the Director. The City Engineer and BDMS Engineer shall act in an advisory and technical capacity and shall not have independent authority to approve or deny Applications with respect to applications involving an increase in system capacity, which authority is reserved exclusively to the City as provided in the Ordinance and these Rules and Regulations.

"Concession Agreement" shall mean the agreement between the City and the Concessionaire for the operation and maintenance of the City's water and sewer systems, as may be amended.

"Concessionaire" shall mean the entity party to the Concession Agreement with the City, including its successors and assigns.

"Developer Agreement" or "Redevelopment Agreement" shall mean any agreement between the City and an Applicant governing the terms and conditions of development, including, where applicable, provisions relating to water and sewer capacity, infrastructure, or service.

"Director" shall mean the Director of the Department of Municipal Services, or such other designee authorized by the City, responsible for administration and implementation of this Ordinance.

"Equivalent Dwelling Unit" or "EDU" shall mean a unit of measure equal to 300 gallons per day of average flow, used to quantify water demand or sanitary sewer discharge for purposes of capacity evaluation and connection fees. EDUs shall be calculated separately for water and sewer systems based on applicable engineering standards and regulatory requirements.

"Final Approval" shall mean a valid, unexpired approval granted under the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.) or other applicable law authorizing a specific development. Final Approval shall not, by itself, constitute an Allocation, Reservation, or Vesting of System Capacity.

"Ministerial Act" shall mean an action performed in a prescribed manner without the exercise of discretion, upon verification that all required conditions have been satisfied.

"Municipal Council" shall mean the governing body of the City of Bayonne.

“Non-Binding Determination” shall mean any communication, review, or determination by the City or Operator that does not constitute an Allocation, Reservation, or Vesting and does not create any legal right or entitlement.

“Operator” shall mean the entity designated by the Concessionaire to operate and maintain the City’s water and sewer systems on a day-to-day basis.

“Reservation” shall mean a time-limited, conditional designation of System Capacity that is exclusively set aside for a specific project during the Reservation Period, and shall not be reallocated by the City to other applicants during such period, provided that the Applicant remains in compliance with all applicable conditions.

A Reservation:

1. Does not constitute a vested right;
2. May be relied upon by the Applicant and its lenders for financing purposes,
subject to the terms and conditions of this Ordinance;
3. Establishes priority for the specified capacity during the Reservation Period;
4. Is subject to expiration, revocation, and all conditions set forth herein; and
5. Does not guarantee service except upon Vesting in accordance with this Ordinance and the applicable Rules and Regulations.

“System Capacity” also cited herein as “Capacity” shall mean the available potable water supply, distribution capacity, sewer collection capacity, and treatment capacity of the City’s water and sewer systems, including, where applicable, combined sanitary and stormwater flows, as determined by the City, with input from the Operator, based on limitations, including but not limited to: physical infrastructure; contractual supply arrangements; regulatory limitations and/or operational constraints.

“Vesting” or “Vested Capacity” shall mean the limited, enforceable right to utilize a specified quantity of System Capacity for a defined project, arising only upon satisfaction of all conditions set forth in this Ordinance and issuance of a Certificate of Vesting or adoption of a Municipal Council Resolution.

Upon Vesting:

1. Such right shall constitute a binding and enforceable contractual right of the Applicant, running with the project and enforceable against the City;
2. Such right may be relied upon by lenders and successors in interest;
3. The City shall not reallocate such vested capacity to other applicants;
4. Such right shall remain subject only to:
    (a) NJDEP and other applicable regulatory requirements,
    (b) force majeure or emergency system conditions,
    (c) compliance with approvals and agreements governing the project.

“Will Serve Letter” shall mean a written communication issued by the Operator, the Director of Municipal Services or the City Engineer stating that System Capacity appears to be available for a proposed project as of a specific date. A Will Serve Letter is informational and tracking purposes only, does not constitute an Allocation, Reservation, or Vesting, creates no right to service or reliance, shall not be relied upon as a guarantee of any capacity, service, priority of allocation or other approval. It shall expire in accordance with the terms this Ordinance and be subject to the Rules and Regulations adopted hereunder. In the event of a conflict between this

definition and that in the Rules and Regulation, the definition in this Ordinance shall control.

SECTION 24-3.2. Adoption of Utility Rules and Regulations

A. The City hereby adopts the Water and Sewer Utility Rules and Regulations, attached hereto as Exhibit A and incorporated herein by reference.
B. These Rules and Regulations, Amend and Restate the Rules and Regulations last adopted on August 6, 2012 (the "2012 Rules") pursuant to which the City and its Operator have been operating.
C. The 2012 Rules shall remain in full force and effect until this Ordinance is effective at which time the 2012 Rules shall be superseded and replaced, except as expressly preserved herein. In avoidance of doubt, this means that obligations arising prior to the effective date of this Ordinance may still be fully pursued and enforced pursuant to the terms and provisions of the 2012 Rules. Obligations arising after said effective date shall be subject to this Ordinance and the Rules and Regulations adopted and incorporated herein.
D. Any actions previously taken or ongoing under those prior 2012 Rules and Regulations are expressly confirmed and ratified. Any fees owed or obligations accrued prior to the effective date of this Ordinance shall remain in full force and effect and subject to collection, regulatory action and civil prosecution pursuant to those 2012 Rules.
E. Any violation or non-compliance occurring prior to the effective date of this Ordinance can be acted upon, enforced and otherwise prosecuted in accordance with those Prior Rules and Regulations and applicable law.

SECTION 24-3.3. Water and Sewer Capacity; Applicability; Tracking; "Will Serve" Letters; Reservation and Vesting

A. Purpose; Authority.

The City retains sole authority over the allocation, reservation, and vesting of water and sewer capacity. The Operator shall implement this section in accordance with the concession agreement and City rules. Nothing herein shall be construed to modify or impair the Concession Agreement. All actions shall be consistent with the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.) and applicable NJDEP requirements.

B. Applicability.

1. This section applies to any project that requires new or additional water and/or sewer capacity, including new construction, expansion, or change in use resulting in increased demand or EDUs.
2. Projects requiring approvals from the New Jersey Department of Environmental Protection, including but not limited to Water Extension Permits (WEP) or Treatment Works Approvals (TWA), shall be subject to this section; however, applicability shall not be limited to such projects.
3. All development approvals issued by any municipal board shall be deemed conditioned upon compliance with this section.
4. No municipal board approval shall be deemed to allocate, reserve, or vest Capacity.
5. Nothing in any resolution, memorialization, or condition of approval of a municipal board shall bind the City with respect to System Capacity.

C. Exemptions.

The Reservation requirements of this section shall not apply to the following, provided that all applicable application, technical review, fee, permit, connection, and Rules and Regulations requirements remain applicable:

1. In-kind replacements or repairs with no increase in demand;
2. Projects that do not increase EDUs or flow as determined by the City Engineer;
3. Routine alterations or tenant fit-outs that do not change use or intensity.
4. For projects resulting in an increase of three (3) EDUs or less, processing may occur administratively and no Reservation shall be required. The City may aggregate related, phased, commonly owned, or functionally integrated applications for purposes of applying this threshold. No right to capacity shall vest for projects of three (3) EDUs or less unless and until all applicable conditions for Vesting under subsection G have been satisfied, including issuance of a building permit and payment of all applicable fees where required.

D. Capacity Tracking (Administrative Only).

The Operator shall maintain records of available, reserved, committed (unvested), and vested capacity based on system conditions, regulatory constraints, "Will Serve" letters issued by the Operator, and notification from the City (by the Director, City Engineer or their designee) of Reservation and Vesting approved by the Director or the Municipal Council. Such tracking is administrative only and creates no rights.

E. "Will Serve" Letters (Conditional; Non-Binding).

1. The Operator or Director may issue "Will Serve" letters.
2. Each letter shall be labeled "CONDITIONAL – NON-BINDING – NON-VESTING" and shall:
   a. Identify the project and estimated EDU demand;
   b. Reflect only a snapshot of apparent capacity;
   c. State that it does not reserve or allocate capacity, does not create a right to service, does not guarantee service, and creates no reliance or estoppel rights;
   d. Be subject to City ordinances, approvals under the Municipal Land Use Law, NJDEP requirements, payment of fees, and system availability at vesting and connection;
   e. Shall not be relied upon as a guarantee of capacity, service, or approval, including for financing, planning, or land use purposes.
   f. Expire 180 days from issuance and be void upon material change.
3. All such letters shall be logged by the Operator.
4. Issuance of a 'Will Serve' letter shall not establish priority in the allocation of capacity.

F. Reservation (Administrative; Time-Limited).

Upon application, and subject to the Applicant obtaining and maintaining all required approvals under the Municipal Land Use Law, and subject to revocation if such approvals are not obtained or maintained or are denied, the Director may issue a conditional Reservation, which:

1. Shall constitute a time-limited, conditional reservation of System Capacity
   exclusively set aside for the identified project;
2. Shall not constitute a vested right unless and until Vesting occurs;
3. Shall establish priority for the reserved capacity during the Reservation Period;

4. May be relied upon by the Applicant and its lenders for financing purposes,
   subject to compliance with all applicable conditions;
5. Shall not be reallocated to other applicants during the Reservation Period,
   provided the Applicant remains in compliance;
6. Shall expire in accordance with the terms set forth herein unless extended;
7. Automatically lapses upon expiration of underlying approvals or failure to proceed within 18 months of issuance unless expressly extended by Resolution of the Municipal Council.
8. A Reservation shall not survive expiration of underlying land use approval(s).

- Vesting of Capacity.

1. Exclusive Method.
   Vesting does not guarantee the timing or availability of service and remains subject to System Capacity at the time of connection.
   Capacity shall vest only upon:
   a. Issuance of a Certificate of Vesting by the Director (ministerial), or
   b. Adoption of a Municipal Council resolution acknowledging vesting, including through a redevelopment agreement approved by resolution.

   No correspondence, including "Will Serve" letters, shall create vesting. However, Vesting shall create a binding and enforceable right as expressly provided herein and shall not be construed to create a general property right beyond the specific and limited right to utilize the vested System Capacity for the approved project.
   Once all conditions for Vesting are satisfied, the City shall recognize such
   capacity as Vested and shall not deny or revoke such Vesting based on subsequent allocation of capacity to other users.

   In the event that physical or operational constraints temporarily limit the
   ability to provide service, the vested project shall retain priority for service
   as capacity becomes available, subject to applicable regulatory and operational constraints.

2. Mandatory Conditions (All Required).
   All of the following must be satisfied:
   a. Valid, unexpired final approval under the Municipal Land Use Law;
   b. Execution of any required Developer or Redevelopment Agreement;
   c. Full payment of all applicable connection fees, capacity-related charges, review fees, escrows, and other charges lawfully imposed by ordinance, agreement, or the Rules and Regulations;
   d. Issuance of a Building Permit;
   e. Approval of final utility design by the City Engineer;
   f. Confirmation by the City Engineer, with input from the Operator, that sufficient physical, contractual, regulatory, and operational System Capacity exists at the time Vesting is sought;
   g. The Applicant shall proceed with construction in accordance with applicable approvals and within such timeframes as may be established in any Developer Agreement or approval; failure to do so may result in expiration of Vesting as provided therein.
   h. No lapse or material change in approvals or project scope, including but not limited to changes in use, intensity, unit count, or EDU demand; and

i. Compliance with all NJDEP permits, including but not limited to WEP and TWA approvals, where applicable.

3. Director Certification (Ministerial).
Upon verification of all conditions, the Director shall issue a Certificate of Vesting. The Operator shall provide supporting data but shall not grant or deny vesting.

4. Council Acknowledgment.
The Municipal Council may, by resolution (including approval of a redevelopment agreement), acknowledge vesting, provided the resolution:
a. Makes a finding that all conditions set forth in subsection G(2) have been satisfied;
b. Specifies the vested use and EDUs; and
c. Does not waive or modify ordinance requirements except by separate ordinance.

H. Scope and Expiration.
1. All vested capacity remains subject to system availability including regulatory and operational constraints existing at the time of physical connection.
2. Vested capacity is limited to the approved use and EDUs.
3. Vested capacity expires if construction does not commence within 18 months as evidenced by issuance of footing or foundation inspections or if the building permit expires or is revoked, unless that time is extended by the Municipal Council.
4. Upon expiration, capacity reverts automatically without compensation.
5. Vested capacity shall not be assigned, transferred, or reallocated without approval of the City.

I. No Estoppel; No Implied Rights.
Except as expressly provided in Section 107 of the Rules and Regulations adopted by this Ordinance, no act, omission, statement, review, determination, approval, conditional approval, technical review, Will Serve Letter, capacity tracking, or other communication or conduct by the City, the Director, the Operator, the City Engineer, or any other officer, employee, or agent shall:
1. create or give rise to any vested right, property interest, or entitlement to System Capacity or service;
2. constitute a Reservation or Vesting of System Capacity;
3. be relied upon to establish any right to water or sewer service or capacity;
4. give rise to any claim of estoppel, waiver, or detrimental reliance against the City; or
5. limit or impair the City's authority to allocate, reserve, condition, deny, or revoke capacity or approvals in accordance with this Ordinance.
The sole source of any enforceable right to System Capacity shall be a valid Reservation or Vesting granted in strict accordance with Section 107 of the Rules and Regulations adopted hereunder.

J. Enforcement.
Unauthorized use or connection and non-compliance with the City's Utility Rules and Regulations adopted by the City consistent with this Ordinance shall be subject to enforcement as provided by Section 24-3.7 of this Ordinance and applicable law, including but not limited to N.J.S.A. 40:49-5 and N.J.S.A. 40:148-40.43.

SECTION 24-3.4. Relationship Between Ordinance and Rules and Regulations

The Rules and Regulations adopted as Exhibit A are intended solely to implement and administer the provisions of this Ordinance.
In the event of any conflict between this Ordinance and the Rules and Regulations, this Ordinance shall control.
The Rules and Regulations shall not alter, waive, or modify the capacity allocation, reservation, or vesting requirements established herein.

SECTION 24-3.5. Authority to Amend Rules and Regulations

The Director of Municipal Services (or such other City Officer or Official designated by subsequent resolution of the Municipal Council) may, on notice to the Operator in accordance with the Concession Agreement, and after soliciting advice from the Operator and the BDMS or City Engineer, amend the Rules and Regulations from time to time to address administrative, procedural, or technical matters, provided that such amendments do not affect the allocation, reservation, or vesting of capacity; and are consistent with all applicable laws and this Ordinance.
The Director (or such other City officer or official designated by resolution of the Municipal Council) shall have authority to:

a. Interpret, apply, and administer the provisions of this Article and the Rules and Regulations;

b. Make determinations necessary to implement the same;

c. Require such additional information, studies, or documentation as reasonably necessary to evaluate capacity, compliance, and system impacts; and

d. Approve, condition, or deny a Reservation based on system capacity, compliance, or other requirements of this Ordinance.

All such amendments must be in writing and shall be maintained on file and made available to the public.

SECTION 24-3.6. Incorporation into Land Use Approvals.

All approvals granted by any municipal board shall be deemed conditioned upon full compliance with the requirements of Section 24-3.3 of this Ordinance (Water and Sewer Capacity; Applicability; Tracking; 'Will Serve' Letters; Reservation and Vesting).

SECTION 24-3.7. Fees, Charges, and Enforcement

A. Collection of Fees and Utility Charges.

Utility service charges, connection fees, tapping fees, meter replacement costs, where applicable, and any related water and sewer utility charges allowed under applicable law shall be billed and collected by the Operator on behalf of the City in accordance with the terms of the Concession Agreement and applicable law.

B. Enforcement by City of Fines and Penalties.

1. All enforcement actions seeking civil fines or penalties and the prosecution of offenses for violation of this Ordinance shall be undertaken exclusively by the City and not by the Operator and pursued in the Municipal Court. Nothing herein limits the City's right to seek injunctive or equitable relief in Superior Court.
2. The Operator is, however, expressly allowed and encouraged to report violations and assist in providing evidence for the City's prosecution. The Operator also retains authority to refuse or suspend service for non-compliance in accordance with this Ordinance, the Utility Rules and Regulations, and applicable law, including where necessary to protect system operations in accordance with applicable standards.

C. Violations.
Any violation of this Ordinance or the Utility Rules and Regulations adopted hereunder shall constitute a violation of this Ordinance.

D. Penalties.
Violations shall be subject to penalties as permitted by N.J.S.A. 40:49-5 and the City's General Penalty Ordinance.

E. Additional Remedies.
The City may also enforce compliance by denial or termination of service; withholding permits, certificates of occupancy, or other municipal approvals; stop-work actions; and/or any other legal or equitable remedies available under law.

SECTION 24-3.8. No Guarantee of Service

Nothing in this Ordinance shall be construed to guarantee the availability or timing of water or sewer service.

SECTION 24-3.9. Repealer

All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 24-3.10. Savings and Severability

A. Severability.
If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The Municipal Council hereby declares that it would have adopted this Ordinance, and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more portions may be declared invalid.

B. Savings Clause.
Nothing in this Ordinance shall be construed to:
1. Affect any vested rights lawfully obtained prior to the effective date of this Ordinance;
2. Impair any existing contract or obligation of the City, including but not limited to any concession agreement or duly authorized redevelopment agreement;
3. Waive or limit the City's authority to enforce prior ordinances, approvals, or conditions applicable to any project; or
4. Create any right to water or sewer capacity except as expressly provided herein.

C. Continuation of Existing Approvals.

Any application, approval, or agreement existing as of the effective date shall remain subject to its terms; however, to the extent not inconsistent therewith, such applications and approvals shall also be subject to the provisions of this Ordinance.

SECTION 24-3.11. Effective Date

This Ordinance shall take effect upon final passage and publication in accordance with law.

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

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES, CHAPTER 24, WATER AND

SEWER SERVICE " just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, June 17, 2026 at 6:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

* * * * * * * * * *

10. Council Member Perez introduced:

AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN PREPARED BY THE CITY OF BAYONNE DIVISION OF PLANNING AND ZONING, FOR THE PROPERTY LOCATED AT 80 WEST 47TH STREET AND 979-993 AVENUE C AND IDENTIFIED AS BLOCK 76, LOTS 17.01 AND LOTS 17.02 (PORTION) AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.

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

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

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

WHEREAS, by Resolution No. 24-01-21-102 dated January 21, 2026, the Municipal Council of the City (the "Municipal Council") designated the property identified as Block 76, Lots 17.01 and 17.02 (portion) on the Tax Map of the City of Bayonne as an area in need of redevelopment under the Redevelopment Law in accordance with the provisions of N.J.S.A. 40A:12A-6 of the Redevelopment Law (the "Redevelopment Area"); and

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Municipal Services is preparing a redevelopment plan for the Redevelopment Area (the "Redevelopment Plan"); and

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

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

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

Section 2. The Redevelopment Plan for property identified as Block 76, Lot 17.01 and Lot 17.02 (portion) on the Tax Map of the City of Bayonne is hereby adopted pursuant to the terms of N.J.S.A. 40A:12A-7 of the Redevelopment Law.

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

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

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

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

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

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE OF THE CITY OF BYAONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING A REDEVELOPMENT PLAN FOR 80 W. 47TH STREET AND 979-993 AVENUE C, WHICH IS IDENTIFIED AS BLOCK 76, LOTS 17.01 AND 17.02 AS SHOWN ON THE OFFICIAL TAX MAP, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 12A-1 ET SEQ," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, June 17, 2026 at 6:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

Yeas – Council Members Booker, Perez, Carroll, Weimmer.

Abstain – Council President LaPelusa.

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11. Council President LaPelusa introduced:

AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN PREPARED BY THE CITY OF BAYONNE DIVISION OF PLANNING AND ZONING, FOR THE PROPERTY LOCATED AT 190 WEST 63RD STREET AND IDENTIFIED AS BLOCK 2, LOT 1 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.

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

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

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

WHEREAS, on January 21, 2026, the Municipal Council of the City of Bayonne adopted a resolution which designated certain property located at 190 West 63rd Street and identified as Block 2, Lot 1 on the Bayonne Tax Map (the "Property"), as a non-condemnation "area in need of redevelopment" in accordance with the provisions of the LRHL; and

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Municipal Services is preparing a redevelopment plan for the Redevelopment Area (the "Redevelopment Plan"); and

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

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

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

Section 2. The Redevelopment Plan for property identified as Block 2, Lot 1 on the Tax Map of the City of Bayonne is hereby adopted pursuant to the terms of N.J.S.A. 40A:12A-7 of the Redevelopment Law.

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

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

Section 5. A copy of this Ordinance and the Redevelopment Plan (upon completion) 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 the following resolution, seconded by Council Member Booker, which was read by the Clerk and adopted.

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPROVING A REDEVELOPMENT PLAN FOR THE PROPERTY 190 WEST 63RD STREET, WHICH IS IDENTIFIED AS BLOCK 2, LOT 1 AS SHOWN ON THE OFFICIAL TAX MAP, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ." just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, June 17, 2026 at 6:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

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12. Council Member Booker introduced:

AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING THE SECOND AMENDMENT TO THE HARBOR STATION NORTH REDEVELOPMENT PLAN FOR THE PROPERTY IDENTIFIED AS BLOCK 660.01, LOT 1 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.

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

the City constitute an area in need of rehabilitation and/or an area in need of redevelopment; and

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

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

WHEREAS, on August 24, 2001, the Municipal Council adopted by Ordinance the Redevelopment Plan for the Peninsula at Bayonne Harbor (the "Property"), which was superseded by a subsequent Redevelopment Plan adopted on December 15, 2004 with subsequent amendments through October 21, 2021; and

WHEREAS, the Municipal Council adopted Resolution 25-06-18-056 which authorized and directed the Planning Board (the "Planning Board") to re-open and amend the Redevelopment Plan and sub-Redevelopment Plans to provide for enhanced flexibility in design, density, and uses within Block 660 to encourage and facilitate further redevelopment at the Property; and

WHEREAS, in order to effectuate the redevelopment of the Redevelopment Area, and pursuant to the authority granted under the Redevelopment Law, the City Council directed Clarke Caton Hintz to prepare a redevelopment plan entitled "Second Amendment to the Harbor Station North Redevelopment Plan," a copy of which is on file with the City Clerk, that the City wishes to adopt for the Redevelopment Area ("Redevelopment Plan"); and

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

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

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

Section 2. The Redevelopment Plan for property identified as Block 660.01, Lot 1 on the Tax Map of the City of Bayonne is hereby adopted pursuant to the terms of *N.J.S.A.* 40A:12A-7 of the Redevelopment Law.

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

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

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

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

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

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AMENDING THE REDEVELOPMENT PLAN FOR THE PENINSULA OF BAYONNE HARBOR, HARBOR STATION NORTH FOR THE PROPERTY KNOWN AS BLOCK 660.01, LOT," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, June 17, 2026 at 6:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further

considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

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13. Council Member Perez introduced:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, COUNTY OF HUDSON, STATE OF NEW JERSEY APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND [CENTRE STREET REDEVELOPER URBAN RENEWAL, LLC] FOR THE PROPERTY IDENTIFIED AS BLOCK 660.01, LOT 1 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE

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

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

WHEREAS, the former Military Ocean Terminal of Bayonne was designated an "area in need of redevelopment" in accordance the Redevelopment Law (the "Redevelopment Area"), and the Redevelopment Area has undergone a transformational process of redevelopment in accordance with the Peninsula at Bayonne Harbor Redevelopment Plan (the "Peninsula Redevelopment Plan"); and

WHEREAS, the Municipal Council duly adopted an ordinance determining that a portion of the Redevelopment Area which includes the property designed on the tax maps of the City as Block 660.01, Lot 1 (the "Property"), should be governed by a sub-area redevelopment plan within the Peninsula Redevelopment Plan entitled the Harbor Station North Redevelopment Plan (the "Redevelopment Plan"); and

WHEREAS, in order to implement the development, financing, construction, operation and management of the project to be constructed on the Property, the Municipal Council by Resolution 14-08-13-090, authorized that certain "Amended and Restated Redevelopment and Purchase and Sale Agreement," dated March 16, 2015, between the City and Fidelco Bayonne Realty, LLC, as Redeveloper (the "Fidelco Agreement"), which was thereafter amended as authorized by the Municipal Council by Resolution 17-02-15-056, adopted February 15, 2017 (the "First Amendment") and by Resolution 17-1108-048, adopted November 8, 2017 (the "Second Amendment"); and

WHEREAS, the Municipal Council, by Resolution 18-06-20-069, adopted June 20, 2018, authorized the assignment of the Fidelco Agreement to Centre Street Redeveloper LLC (the "Redeveloper"), and the Municipal Council authorized an additional amendment to the Fidelco Agreement by Resolution 25-08-13-077, adopted August 13, 2025 (the "Third Amendment" collectively with the Fidelco Agreement, the First Amendment, and the Second Amendment, the "Original Redevelopment Agreement"); and

WHEREAS, the Original Redevelopment Agreement contemplated a project involving phases of multi-family residential apartment construction and associated site improvements (the "Original Project"); and

WHEREAS, Redeveloper has completed Phase IA, Phase IB, and Phase II of the Original Project and, in consultation with the City, has proposed an alternative concept for Phase III: the design, finance and construction of a commercial recreational and entertainment venue, along with associated parking and site improvements (the "Project"), which is now permitted by the Plan Amendment; and

WHEREAS, the Municipal Council adopted a resolution authorizing a Redevelopment Agreement with the Redeveloper to provide for the construction of the Project on the Property; and

WHEREAS, the Redevelopment Agreement permitted the Redeveloper to transfer its interest in the Redevelopment Agreement, the Property and the Project, to a qualified urban renewal entity which is an affiliate of the Redeveloper (the "Transfer"); and

WHEREAS, Centre Street Redeveloper Urban Renewal, LLC (the "Entity") is the recipient of the Transfer; and

WHEREAS, the Entity, and has assumed the responsibilities of the Redeveloper to undertake development, redevelopment, and construction of the Project on the Property in accordance with the Redevelopment Plan; and

WHEREAS, the Entity will be the owner of the Property, which Property is more particularly described by the legal description set forth in the application submitted by the Entity as further described herein (the "Application"); and

WHEREAS, the Entity is or will be the designated redeveloper of the Property; and

WHEREAS, the Entity proposes to redevelop the Property with the Project; and

WHEREAS, the Entity submitted an application to the City for approval of an exemption for the Project pursuant to the Long-Term Tax Exemption Law, *N.J.S.A.* 40A:20-1 *et seq.* (the "LTTE Law"), which Application is on file with the City Clerk; and

WHEREAS, the City and the Entity reviewed the application and negotiated the terms of a financial agreement pursuant to the LTTE Law (the "Financial Agreement"); and

WHEREAS, the Municipal Council finds that the requested tax exemption will benefit the City and its inhabitants by improving the use of the Property and providing economic opportunities for residents through construction and permanent job creation, and the benefits would substantially outweigh the costs, if any, associated with the tax exemption; and

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

WHEREAS, the Municipal Council deems it to be in the best interest of the City to adopt an Ordinance authorizing the City to enter into the proposed Financial Agreement with the Entity on the terms and conditions stated in the applicable form of Financial Agreement attached to this Ordinance.

NOW THEREFORE, BE IT ORDAINED THAT THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE DOES HEREBY ADOPT THE TAX EXEMPTIONS FOR THE ENTITY AS FOLLOWS:

Section 1. The development of the Project is hereby approved for the grant of a long-term tax exemption pursuant to the LTTE Law, in conformity with the provisions of the LTTE Law.

Section 2. The Mayor is hereby authorized to execute the Financial Agreement with the Entity in substantially the form on file with the City Clerk and subject to any further review, analysis or modifications that the Mayor, in consultation with counsel, may deem appropriate.

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

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

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

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING AND AMENDED AND RESTATED FINANCIAL AGREEMENT WITH CENTRE STREET REDEVELOPERS, LLC FOR THE PROPERTY KNOWN AS BLOCK 660.01, LOT 1 " just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, June 17, 2026 at 6:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

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14. Council Member Perez 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 J. PAR REALTY, LLC AND PKD, LLC FOR PROPERTY LOCATED AT 21-29, 35 & 37 WEST 25TH STREET AND IDENTIFIED AS BLOCK 183, LOTS 5, 6 AND 8.01 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, J. PAR REALTY, LLC and PKD, LLC are limited liability companies licensed to do business in the State of New Jersey, having an address at 21-29 West 25th Street, Bayonne, New Jersey 07002 (collectively, the "Grantee"); and

WHEREAS, Grantee is the owner of the property designated as Block 183, Lots 5, 6 and 8.01 on the official tax map of the City of Bayonne and more commonly known as 21-29, 35 & 37(the "Property"); and

WHEREAS, the Grantee has requested that the City permit the encroaching improvements to facilitate the permitted uses of the new apartment building, which include the installation of: (1) two (2) canopies that extend four (4) feet into and twenty-eight (28) feet along the West 25th Street, where each canopy would total approximately 112 square feet; and (2) a proposed 8 foot x 23 foot (approximately 184 square foot) "pull-in" space located on West 25th Street (the Encroaching Improvements"); and

WHEREAS, the proposed Encroaching Improvements 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 an 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 Grantee is necessary, and as such execution of said agreement is appropriate.

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

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

Section 2. An Encroachment Agreement between the City of Bayonne and J. Par Realty, LLC and PKD, LLC for the benefit of J. Par Realty, LLC and PKD, 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 J. Par Realty, LLC and PKD, 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 Member Perez moved the following resolution, seconded by Council President LaPelusa, which was read by the Clerk and adopted.

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING THE EXECUTION OF AN ENCROACHMENT AGREEMENT WITH J. PAR REALTY, LLC AND PKD, LLC FOR PROPERTY LOCATED AT 21-29, 35 & 37 WEST 25TH STREET AND IDENTIFIED AS BLOCK 183, LOTS 5, 6 AND 8.01 ON THE OFFICIAL TAX MAP OF THE CITY**,** " just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, June 17, 2026 at 6:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

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15. Council President LaPelusa introduced:

AN ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AMENDING AND SUPPLEMENTING THE GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 35, ZONING REGULATIONS, SECTION 35-5.16a, IL-A AND IL-B LIGHT INDUSTRIAL DISTRICTS, PERMITTED PRINCIPAL USES

WHEREAS, the Municipal Council of the City of Bayonne desires to amend Chapter 35, Zoning Regulations, Section 35-5.16a, IL-A and IL-B Light Industrial Districts, Permitted Principal Uses of the General Ordinances of the City of Bayonne to establish a film production use in the IL-A and IL-B Light Industrial Districts of the City of Bayonne.

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

Section 1. The aforementioned recital is incorporated herein as though fully set forth at length.

Section 2. Chapter 35, Zoning Regulations, Section 35-5.16a, IL-A and IL-B Light Industrial Districts, Permitted Principal Uses of the General Ordinances of the City of Bayonne is hereby amended and supplemented to include the following:

As used in this section, "Film production Use" means a film studio, professional stage, sound stage, television studio, recording studio, screening room, or other production support space or infrastructure used for producing films or other commercial audiovisual products, including, but not limited to, production offices, mill space, or backlots, provided that the predominant use shall not be administrative or

back-office use and that backlots shall not exceed 20 percent of the required minimum size of the production facility.

8. Film Production Use.

Section 3. If any part of the Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

Section 4. A copy of this Ordinance shall be available for public inspection at the office of the City Clerk during regular business hours.

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

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

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AMENDING AND SUPPLEMENTING, CHAPTER 35, ZONING REGULATIONS" just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, June 17, 2026 at 6:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

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16. Council President LaPelusa introduced:

AN ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AMENDING AND SUPPLEMENTING THE GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 35, ZONING REGULATIONS

WHEREAS, the Municipal Council of the City of Bayonne desires to amend Chapter 35, Zoning Regulations, Section 35-5.10a, CBD Central Business District (Broadway Corridor), Permitted Uses; Sections 35-5.11a, Uptown Business District (Broadway Corridor), Permitted Uses; and Sections 35-5.12a, ORS Office/Retail Service District (Broadway Corridor), Permitted Uses of the General Ordinances of the City of Bayonne to permit a recreational use in the CBD Central Business, Uptown Business ORS Office/Retail Service Districts of the City of Bayonne.

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

Section 1. The aforementioned recital is incorporated herein as though fully set forth at length.

Section 2. Chapter 35, Zoning Regulations, Section 35-5.10a, CBD Central Business District (Broadway Corridor), Permitted Uses, of the General Ordinances of the City of Bayonne is hereby amended and supplemented to include the following:

14. Recreational Use.

Section 3. Chapter 35, Zoning Regulations, Section 35-5.11a, Uptown Business District (Broadway Corridor), Permitted Uses, of the General Ordinances of the City of Bayonne is hereby amended and supplemented to include the following:

8. Recreational Use.

Section 4. Chapter 35, Zoning Regulations, Section 35-5.12a, ORS Office/Retail Service District (Broadway Corridor), Permitted Uses, of the General Ordinances of the City of Bayonne is hereby amended and supplemented to include the following:

* * *

9. Recreational Use.

Section 5. If any part of the Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

Section 6. A copy of this Ordinance shall be available for public inspection at the office of the City Clerk during regular business hours.

Section 7. This Ordinance shall take effect in accordance with all applicable laws.

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

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AMENDING AND SUPPLEMENTING, CHAPTER 35, ZONING REGULATIONS" just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, June 17, 2026 at 6:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

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17. Council Member Perez introduced:

AN ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AMENDING AND SUPPLEMENTING THE GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC, SECTION 7-17.1, CREATION OF PARKING PERMIT AREAS

WHEREAS, the Municipal Council of the City of Bayonne desires to amend Chapter 7, Traffic, Section 7-17.1, Creation of Parking Permit Areas, of the General Ordinances of the City of Bayonne authorizing seven (7) on-street parking permits adjacent to the property located at 33 Prospect Avenue and identified as Block 455, Lot 1.01 on the Tax Map of the City of Bayonne.

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

Section 1. The aforementioned recital is incorporated herein as though fully set forth at length.

Section 2. Chapter 7, Traffic, Section 7-17.1, Creation of Parking Permit Areas, of the General Ordinances of the City of Bayonne is hereby amended and supplemented to include the following:

Name of Street –Prospect Avenue

Location – Seven (7) on-street parking spaces adjacent to the Property located at 33 Prospect Avenue and identified as Block 455, Lot 1.01 on the Tax Map of the City of Bayonne.

Section 3. If any part of the Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

Section 4. A copy of this Ordinance shall be available for public inspection at the office of the City Clerk during regular business hours.

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

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

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AMENDING AND SUPPLEMENTING, CHAPTER 7, TRAFFIC," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, June 17, 2026 at 6:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

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18. Council Member Booker introduced:

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

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

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

RESTRICTIVE PARKING ZONES
ADD

027. Andrew Zykkiewicz – 69 Avenue F
West Side. Beginning at a point 70 feet north of the northeast corner of East 19th Street & Avenue F and extending to a point 18 feet north thereof.

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

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AMENDING AND SUPPLEMENTING, CHAPTER 7, TRAFFIC," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, June 17, 2026 at 6:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

RESOLVED, that the City Clerk be and is hereby authorized and directed to publish said ordinance according to law, with a notice of its introduction and passage

on first reading, and the time and place when and where said ordinance will be further considered for final passage.

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

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19. Council Member Perez introduced:

AN ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AMENDING AND SUPPLEMENTING THE GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC, SECTION 7-29, LOADING ZONES

WHEREAS, the Municipal Council of the City of Bayonne desires to amend Chapter 7, Traffic, Section 7-29, Loading Zones, of the General Ordinances of the City of Bayonne to establish a loading zone along Church Street adjacent to the property located at 15-21 East 23rd Street and identified as Block 198, Lots 1 and 2 on the Tax Map of the City of Bayonne.

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

Section 1. The aforementioned recital is incorporated herein as though fully set forth at length.

Section 2. Chapter 7, Traffic, Section 7-29, Loading Zones, of the General Ordinances of the City of Bayonne is hereby amended and supplemented to include the following:

Name of Street – 21-29, 35 & 37 West 25th Street

Sides – North

Hours – Monday through Friday, 7:00 a.m. to 7:00 p.m. and Saturday and Sunday, 8:00 a.m. to 4:00 p.m.

Location –

Section 3. If any part of the Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

Section 4. A copy of this Ordinance shall be available for public inspection at the office of the City Clerk during regular business hours.

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

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

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AMENDING AND SUPPLEMENTING, CHAPTER 7, TRAFFIC," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, June 17, 2026 at 6:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

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20. Council Member Perez introduced:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, COUNTY OF HUDSON, STATE OF NEW JERSEY AUTHORIZING A PUCHASE AND SALE AGREEMENT WITH CENTRE STREET REDEVELOPER, LLC FOR THE SALE OF PROPERTY IDENTIFIED AS BLOCK 660.01, LOT 1 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.

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

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

WHEREAS, the former Military Ocean Terminal of Bayonne was designated an "area in need of redevelopment" in accordance the Redevelopment Law (the "Redevelopment Area"), and the Redevelopment Area has undergone a transformational process of redevelopment in accordance with the Peninsula at Bayonne Harbor Redevelopment Plan (the "Peninsula Redevelopment Plan"); and

WHEREAS, the Municipal Council duly adopted an ordinance determining that a portion of the Redevelopment Area which includes the property designed on the tax maps of the City as Block 660.01, Lot 1 (the "Property"), should be governed by a sub-area redevelopment plan within the Peninsula Redevelopment Plan entitled the Harbor Station North Redevelopment Plan, as same has been amended from time to time (the "Redevelopment Plan"); and

WHEREAS, in order to implement the development, financing, construction, operation and management of the project to be constructed on the Property, the Municipal Council by Resolution 14-08-13-090, authorized that certain "Amended and Restated Redevelopment and Purchase and Sale Agreement," dated March 16, 2015, between the City and Fidelco Bayonne Realty, LLC, as Redeveloper (the "Fidelco Agreement"), which was thereafter amended as authorized by the Municipal Council by Resolution 17-02-15-056, adopted February 15, 2017 (the "First Amendment") and by Resolution 17-1108-048, adopted November 8, 2017 (the "Second Amendment"); and

WHEREAS, the Municipal Council, by Resolution 18-06-20-069, adopted June 20, 2018, authorized the assignment of the Fidelco Agreement to Centre Street Redeveloper LLC (the "Redeveloper"), and the Municipal Council authorized an additional amendment to the Fidelco Agreement by Resolution 25-08-13-077, adopted August 13, 2025 (the "Third Amendment" collectively with the Fidelco Agreement, the First Amendment, and the Second Amendment, the "Original Redevelopment Agreement"); and

WHEREAS, the Original Redevelopment Agreement contemplated a project involving phases of multi-family residential apartment construction and associated site improvements (the "Original Project"); and

WHEREAS, Redeveloper has completed Phase IA, Phase IB, and Phase II of the Original Project and, in consultation with the City, has proposed an alternative concept for Phase III: the design, finance and construction of a commercial recreational and entertainment venue, along with associated parking and site improvements (the "Project"), which is now permitted by the Plan Amendment; and

WHEREAS, the Municipal Council adopted a resolution authorizing a Redevelopment Agreement with the Redeveloper to provide for the construction of the Project on the Property; and

WHEREAS, the Redevelopment Agreement includes a requirement for the Redeveloper to purchase the Property from the City and, pursuant to the requirements of the Redevelopment Law and the Local Lands and Buildings Law, *N.J.S.A.* 40A:12-1 *et seq.*, the City may sell the Property to the Redeveloper in accordance with the terms of

the Redevelopment Agreement; and

WHEREAS, the Redeveloper and the City wish to enter into a Purchase and Sale Agreement in order to effectuate the terms of the Redevelopment Agreement and set forth the terms and conditions of the sale of the Property to the Redeveloper.

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

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

Section 2. The Municipal Council approves the sale of the Property by the City to the Redeveloper and authorizes the execution of a Purchase and Sale Agreement, in substantially the form on file with the City Clerk, together with any changes, insertions, and omissions, after the Mayor's consultation with counsel.

Section 3. 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 4. A copy of this Ordinance and the Redevelopment Plan (upon completion) shall be available for public inspection at the office of the City Clerk during regular business hours.

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

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

BE IT RESOLVED, that an ordinance entitled "AN ORDINANCE AUTHORIZING A PURCHASE AND SALE AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND CENTRE STREET REDEVELOPERS, LLC FOR THE PROPERTY KNOWN AS BLOCK 660.01, LOT," just introduced, do now pass a first reading and that a meeting of this Council to be held Wednesday, June 17, 2026 at 6:00 P.M., or as soon thereafter as the matter can be reached, and the Dorothy E. Harrington Council Chamber, Municipal Building, 630 Avenue, Bayonne, New Jersey, are hereby fixed as the time and place when and where such ordinance will be further considered for final passage, at which time and place all persons interested shall be given an opportunity to be heard concerning the same; and, be it further

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

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

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

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

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

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

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

From MARY E. MOORE, filing a notice of claim alleging damage to her car when it was struck by a fire truck while parked.

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

From JENNIFER VENTRONE, filing notice of claim alleging damage to her car when it struck pot holes at 35th Street and Broadway

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

From LYNN MARIE PAWLOWSKI, filing notice of claim alleging damage to her car when it was struck by a snow plow.

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

From WALTER REYNA, filing notice of claim alleging injuries sustained resulting in a slip and fall on West 16th Street.

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

From MAHER ABDELMASIH, filing notice of claim alleging injuries sustained resulting from accident with a City owned vehicle.

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

From PATRYK FILIPCZUK, filing notice of claim alleging damage to his car when it was struck by a City owned vehicle while parked.

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

From CHRISTINE ALVAREZ, filing notice of claim alleging property damage to her yard resulting from a water line leak.

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

From the Superior Court of New Jersey in the matter of HESTON HAZELWOOD vs. SUZANNE CAVANAUGH.

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

From United States District Court in the matter of JOSHUA BATISTA vs. the CITY OF BAYONNE, et als.

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

From Superior Court of New Jersey in the matter of MICHAEL BARANOK, ESPERANZA PENARANDA, RAFAEL OCASIO, MATTHEW DUGAN & ANTHONY PELLICCIO, et als vs. CITY OF BAYONNE, BAYONNE POLICE DEPARTMENT, et als.

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

From the Tax Court of New Jersey in the matter of NEW JERSEY TURNPIKE AUTHORITY vs. CITY OF BAYONNE

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

From the Tax Court of New Jersey in the matter of 327-374 BROADWAY, LLC by Bridgestone Americas Inc. vs. CITY OF BAYONNE.

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

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

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

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

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35. 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.

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

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

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

From Donna L. Mauer, Chief Financial Officer submitted the Supplemental Debt Statement as of May 6, 2026.

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37. 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, Perez, Carroll, Weimmer and President LaPelusa

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38. 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, April 15, 2026 be and the same are hereby approved.

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39. 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, April 8, 2026, be and the same are hereby approved.

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40. 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
178	25.01	577-583 BROADWAY LLC	43,322.39
258	8	304 BROADWAY LLC	68,838.76
TOTAL:			$112,161.15

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

WHEREAS, it is necessary to provide additional appropriations in the CY 2026 temporary budget to make available the funds necessary for the continuance of City services during the temporary budget; and

WHEREAS, no adequate provision has been made in the CY 2026 temporary budget for the aforesaid purpose, and N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose mentioned above; and

WHEREAS, the total temporary budget resolutions adopted in CY 2026 pursuant to the provisions of N.J.S.A. 40A:4-19,20, including this resolution totals:

Current Fund $95,386,478.20

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Bayonne (not less than two-thirds of all members therefore affirmatively concurring) that in accordance with the aforementioned statutes:

1.) An emergency temporary appropriation is hereby created for the purposes set forth in the attached schedule; and
2.) Said emergency temporary appropriation will be provided for in the CY 2026 Municipal Budget.

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

WHEREAS, due to the delay in the adoption of the CY 2026 Municipal Budget it has become necessary to prepare and mail estimated third quarter tax bills; and

WHEREAS, the Chief Financial Officer, Tax Collector and Municipal Clerk are required to certify the estimated third quarter tax levy;

RESOLVED, that the certification of the estimated third quarter tax levy for the CY 2026 is hereby approved and the a copy of said certification along with this resolution shall be forwarded to the Director of the Division of Local Government Services and the County Board of Taxation.

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

Resolution Approving Required Modifications for Engineering Design for Long Term Control Plan Implementation – Phase 1-3.

WHEREAS, the City of Bayonne's (the "City") water and sewer systems are maintained and operated by Bayonne Joint Water Venture, LLC ("BWJV" also referred to as the "Concessionaire") and Veolia Water Contract Operations, USA, Inc. ("Veolia") pursuant to a 40 year concession agreement entered into on December 20, 2012; and

WHEREAS, pursuant to that agreement, water and sewer projects that exceed the required annual capital expenditures to be made by the Concessionaire or any voluntary financing or other contribution by the City, are to be paid from water and sewer revenue (rate) adjustments as provided in said December 20, 20212 Concession Agreement, pursuant to modification agreements reached under Section 5 of that agreement; and

WHEREAS, the City is served by a combined sewer system that includes twenty-eight combined sewer overflow (CSO) outfalls discharging combined sanitary and stormwater flow to Newark Bay, the Kill Van Lull and Upper New York Bay, pursuant to a New Jersey Pollutant Discharge Elimination System (NJPDES) Permit No. NJ0109240 (the "Permit") under certain conditions; and

WHEREAS, as a condition of the City's Permit, the City was required to cooperatively develop a CSO Long Term Control Plan (LTCP) along with the Passaic Valley Sewerage Commission and several other CSO permittee, which LTCP provided certain CSO control measures intended to capture eighty-five percent (85%) of all CSO discharges in accordance with the United Stated Environmental Protection Agency's CSO Control Policy; and

WHEREAS, in October 2020 (revised in August 2021), the City and the other CSO permittees submitted a single, coordinated LTCP, which sets forth several CSO control measure projects – some of which are to be performed as a group and others by individual CSO permittees; and

WHEREAS, on November 11, 2025, the City, Concessionaire and Veolia held an Operating Committee meeting wherein the LTCP was discussed, including the City's

anticipated CSO control measure capital projects and the schedule for implementing same; and

WHEREAS, the City directed Veolia to seek engineering services to support compliance with the City's Permit and the initial implementation of the City-specific capital projects required by the LTCP to be performed by Veolia (through Hazen and Sawyer, D.P.C., HDR, INC. & T & M Associates); and

WHEREAS, a modification agreement for the LTCP engineering services has been negotiated and proposed in the form attached hereto; and

WHEREAS, the Director of Municipal Services has recommended adoption of said modification agreement by this municipal council and execution by the Mayor, in a form approved by the City Law Director; and

RESOLVED, by the Municipal Council as follows:

1. The above recitals are incorporated herein.

2. This Mayor and Clerk are hereby authorized to execute an "Required Modification for Long Term Control Plan Engineering Design – Phases 103" on behalf of the City of Bayonne in accordance with the terms and conditions of the form of agreement attached to this resolution, in a final form acceptable to the Law Director for the City of Bayonne.

3. The City Law Director is authorized to make such ministerial changes and to take and authorize such further actions as may be necessary to effectuate said agreement following both approval by this Council and execution by the Mayor of the final form of agreement.

4. The City's chief financial officer (CFO), business administrator(BA), director of municipal services, utility engineer, financial advisor and legal counsel and such subordinate as they may direct, are authorized to take actions to effectuate the agreements approved by this Resolution, with all prior actions taken by them in this regard hereby ratified and confirmed.

5. This resolution shall take effect immediately.

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

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

WHEREAS, the Director of Public Works has established need for the purchase and installation of one (1) new Stellar Slider 40 Hooklift, one (1) Snowdogg Reversible Snow Plow, one (1) Snowdogg Mid Mount Patrol Wing Plow, one (1) Saltdogg Stainless Steel Salt Spreader and one (1) Enterprise Standard Duty Container ("Snow Plow Equipment and Installation"); and

WHEREAS, it is in the best interest of the City to procure the Snow Plow Equipment and Installation through the aforesaid Cooperative Pricing Agreement; and

WHEREAS, the Public Works Director is in receipt of a price quote #EG041026B in the amount of $188,263.00 dated April 10, 2026 from Cliffside Body Corporation for said Snow Plow Equipment and Installation, and

WHEREAS, the aforementioned price quote from Cliffside Body Corporation dated April 10, 2026 in the amount of $188,263.00 was received pursuant to Bid #ESCNJ 23/24-04 through the aforesaid Cooperative Pricing Agreement; and

WHEREAS, funds are certified as available in Account C-04-55-986-2467-994; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Purchasing Agent is hereby authorized to procure the aforesaid Snow Plow Equipment and Installation from Cliffside Body Corporation for the total amount of $188,263.00, pursuant to the aforesaid price quote #EG041026B dated April 10, 2026 which was received pursuant to Bid #ESCNJ 23/24-04, through the aforesaid Cooperative Pricing Agreement.

2. Funds shall be charged to Account C-04-55-986-2467-994.

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

WHEREAS, the City of Bayonne has a continuing need for heating oil for the 4th Street Senior Center and the 16th Street Garage throughout Calendar Year 2026; and

WHEREAS, Majora Fuel, 256 Kennedy Boulevard, Bayonne, NJ has provided the City with said fuel oil since January 1, 2026 and is willing to provide same through December 31, 2026 at current market rates; and

WHEREAS, the Chief Financial Officer anticipates the cost to purchase said fuel oil through December 31, 2026 will exceed $17,500.00; and

WHEREAS, Majora Fuel has completed and submitted a Business Entity Disclosure Certification certifying that it has not made any reportable contributions to a political or candidate committee in the City of Bayonne in the one (1) year preceding January 1, 2026, and, furthermore, the contract and/or aggregate purchases throughout Calendar Year 2026 will prohibit Majora Fuel from making any reportable contributions through the term in accordance with N.J.S.A. 19:44A-20.5; and

WHEREAS, N.J.S.A. 40A:11-3(a), allows for the award of a contract and/or contracts 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 $53,000.00; and

WHEREAS, this contract and/or purchases in the aggregate is/are being authorized pursuant to the Non-fair and Open process pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.5(e), the award of the contract and/or purchases in the aggregate shall be subject to the availability and appropriation of funds in the CY2026 budget in account #6-01-31-430-0000-071; 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 said fuel oil through December 31, 2026 at a total cost not to exceed $25,000.00 for Calendar Year 2026.

2. Funds shall be chargeable to account #6-01-31-430-0000-071.

3. Pursuant to N.J.A.C. 5:30-5.5(e), the award of the contract and/or purchases in the aggregate shall be subject to the availability and appropriation of funds in the CY2026 budget in account #6-01-31-430-0000-071.

4. The Business Entity Disclosure Certification shall be placed on file with this resolution.

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

WHEREAS, by way of Resolution No. 17-02-15-050 adopted by the Municipal Council on February 15, 2017, the City entered into Cooperative Pricing Agreement No. 65MCESCCPS with the Educational Services Commission of New Jersey (the “Co-op”) formerly the Middlesex Regional Educational Services Commission) (the “Cooperative Pricing Agreement”) pursuant to N.J.S.A. 40A:11-1(5); and

WHEREAS, the City is in need of HVAC Services for Various City Buildings ("HVAC Services") for the period commencing January 1, 2026 through December 31, 2026; and

WHEREAS, In-Line Air Conditioning Co., Inc. ("In-Line"), 85 East 21st Street, Bayonne, NJ 07002 is capable of providing said HVAC Services through the aforesaid Cooperative Pricing Agreement HVAC – Time and Material Bid #ESCNJ 23/24-23; and

WHEREAS, it is in the best interest of the City to procure the aforesaid HVAC Services from In-Line through the Cooperative Pricing Agreement pursuant to the bid award to In-Line for HVAC – Time and Material Bid #ESCNJ 23/24-23 for the period commencing January 1, 2026 through December 31, 2026; and

WHEREAS, the Director of Public Works anticipates the cost of said HVAC Services for the period commencing January 1, 2026 through December 31, 2026 will not exceed $150,000.00; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.5(e), the award of the contract and/or purchases in the aggregate shall be subject to the availability and appropriation of funds in the CY2026 budget in account #6-01-26-310-0000-029; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Mayor and/or his designee(s) are hereby authorized to take any and all actions and execute any and all documents necessary to effectuate the procurement of said HVAC Services from In-Line through the Cooperative Pricing Agreement pursuant to the bid award to In-Line for HVAC – Time and Material Bid #ESCNJ 23/24-23 for the period commencing January 1, 2026 through December 31, 2026 for an amount not to exceed $150,000.00.

2. Funds shall be charged to Account #6-01-26-310-0000-029 and future budgets.

3. Pursuant to N.J.A.C. 5:30-5.5(e), the award of the contract shall be subject to the availability and appropriation of funds in the CY2026 budget in account #6-01-26-310-0000-029.

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

WHEREAS, Resolution No. 26-03-18-046 adopted by the Municipal Council on March 18, 2026 authorized the Mayor and City Clerk to exercise its second (2nd) one (1) year option to renew said Agreement CY22-060 with Russell's Auto Body, LLC 487-493 Avenue C, Bayonne, NJ 07002 ("Russell's Auto Body") for vehicle collision repairs under the same terms and conditions for the period commencing May 1, 2026 through April 30, 2027; and

WHEREAS, said Resolution No. 26-03-18-046 should have reflected that Russell's Auto Body would perform vehicle collision repairs for both Police vehicles and all other City vehicles for said period; and

WHEREAS, said Resolution No. 26-03-18-046 contained a scrivener error insofar as the correct accounts that funds to be charged for said vehicle collision repairs should be split between two (2) separate City Accounts; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.5(e), the award of the contract shall be subject to the availability and appropriation of funds in the CY2026 temporary and permanent budgets in Account #T-12-56-825-0000-199 for police vehicles and Account #6-01-26-315-0000-030 for all other City vehicles; now, therefore, be it

RESOLVED, by the Municipal Council that Resolution No. 26-03-18-046 is hereby amended to read as follows:

1. The Mayor and City Clerk are hereby authorized to exercise its second (2nd) one (1) year option to renew said Agreement CY22-060 with Russell's Auto Body, LLC 487-493 Avenue C, Bayonne, NJ 07002 ("Russell's Auto Body") for vehicle collision repairs for both Police vehicles and all other City vehicles under the same terms and conditions for the period commencing May 1, 2026 through April 30, 2027.

2. Funds for repairs to City Police vehicles in the amount of $30,000.00 shall be payable via Account #T-12-56-825-0000-199 and repairs for all other City vehicles in the amount of $20,000.00 shall be payable via Account #6-01-26-315-0000-030.

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

4. Pursuant to N.J.A.C. 5:30-5.5(e), the award of the contract shall be subject to the availability and appropriation of funds in the CY2026 temporary and permanent budgets in Account #T-12-56-825-0000-199 for police vehicles and Account #6-01-26-315-0000-030 for all other City vehicles.

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

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

WHEREAS, the City of Bayonne has been a member of the OMNIA Partners (formerly National IPA) Public Sector Cooperative Pricing System since October 2, 2012; and

WHEREAS, the Director of Public Works established a need for the installation and maintenance of a galvanized steel mesh bird barrier under various bridges throughout the City of Bayonne ("Galvanized Steel Mesh Bird Barrier") throughout Calendar Year 2026 ("CY2026"); and

WHEREAS, Rentokill North America, d/b/a J.C. Ehrlich Pest Control, 1125 Berkshire Boulevard, Suite 150, Reading, PA 19610 ("J.C. Ehrlich Pest Control") is capable of providing the installation and maintenance of the galvanized steel mesh bird barrier under various bridges throughout the City through OMNIA Partners Coop Contract #3280-20-7210; and

WHEREAS, the Director of Public Works is in receipt of a proposal dated March 19, 2026 from J.C. Ehrlich Pest Control for the installation and maintenance of the galvanized steel mesh bird barrier to the City for the amount of $64,215.00 through said OMNIA contract; and

WHEREAS, the City advertised a Notice of Intent to Award a Contract Under a National Cooperative Purchasing Agreement to Rentokill North America, d/b/a J.C. Ehrlich Pest Control, 1125 Berkshire Boulevard, Suite 150, Reading, PA 19610 through OMNIA Partners Coop Contract #3280-20-7210; and

WHEREAS, said Notice provides for a ten (10) day comment period ending April 15, 2026; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.5(e), the award of the contract shall be subject to the availability and appropriation of funds in the CY2026 budget in account #C04-55-987-2467-994; now therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The Purchasing Agent is hereby authorized to take any and all actions and execute any and all documents necessary to enter into an Agreement with Rentokill North America, d/b/a J.C. Ehrlich Pest Control, 1125 Berkshire Boulevard, Suite 150, Reading, PA 19610 ("J.C. Ehrlich Pest Control") to provide the installation and maintenance of the galvanized steel mesh bird barrier under various bridges throughout the City through OMNIA Partners Coop Contract #3280-20-7210 for a total amount not to exceed $64,215.00 throughout CY2026, provided that no negative comments and/or objections have been filed with the City Clerk at the expiration of the aforesaid comment period.

2. Funds shall be charged to Account #C04-55-987-2467-994.

3. Pursuant to N.J.A.C. 5:30-5.5(e), the award of the contract shall be subject to the availability and appropriation of funds in the CY2026 budget in Account #C04-55-987-2467-994.

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50. 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 long sleeve and short sleeve Class B Police Uniforms and embroidered shirts for use by Bayonne Police uniformed personnel ("Police Uniforms"); and

WHEREAS, Turnout Uniforms, 195 Paterson Avenue, Little Falls, New Jersey 07424 ("Turnout Uniforms") is capable of supplying said Police Uniforms under the Bergen County Co-op #BC-24-62; and

WHEREAS, the Director of Public Safety is in receipt of two (2) price quotes from Turnout Uniforms for the aforesaid Police Uniforms for the total amount of $46,436.50; and

WHEREAS, funding for said Police Uniforms will be charged to the Police Forfeiture Account #T-12-56-948-0000-199; 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 Police Uniforms from Turnout Uniforms, 195 Paterson Avenue, Little Falls, New Jersey 07424 pursuant to its quote through the Bergen County Co-op #BC-24-62 for the amount of
$46,436.50.

2. Funds for the purchase of the aforesaid Police Uniforms will be charged to the Police Forfeiture Account #T-12-56-948-0000-199.

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

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

LICENSEE	RAFFLE #
Get Gutsy	RL: 9693
Friends of Special Children	RL: 9694
Bayonne Irish Festival, Inc.	RL: 9695
Sodality of the Children of Mary of St. Teresa	RL: 9696

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

WHEREAS, the Director of Public Works has determined that the following vehicles are out of service and are no longer needed for public use:

1994 International Boom Truck VIN#1HTSCACN7RH574433
2003 GMA/VAN VIN#1GTGG25V631104176

; and

WHEREAS, the Director of Public Works has further determined that the City no longer has a need for the aforesaid vehicles and that said vehicles should be sold as scrap; now, therefore be it

RESOLVED, by the Municipal Council as follows:

The Director of Public Works and/or his designee is/are hereby authorized to sell as scrap the aforementioned vehicles.

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

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

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

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT
TO BE EXECUTED BY THE CITY OF BAYONNE AND THE
NEW JERSEY INFRASTRUCTURE BANK,
AND FURTHER AUTHORIZING THE EXECUTION AND DELIVERY OF AN
ESCROW AGREEMENT AND A CONTINUING DISCLOSURE AGREEMENT,
ALL PURSUANT TO THE STATE FISCAL YEAR 2026
NEW JERSEY TRANSPORTATION INFRASTRUCTURE FINANCING PROGRAM

WHEREAS, the City of Bayonne (the "Local Unit"), in the County of Hudson, New Jersey, has determined that there exists a need within the Local Unit to finance or refinance the acquisition, construction, improvement, repair or reconstruction of the Project (the "Project") as defined in that certain Loan Agreement (the "Loan Agreement") to be entered into by and between the Local Unit and the New Jersey Infrastructure Bank (the "I-Bank"), pursuant to the State Fiscal Year 2026 New Jersey Transportation Infrastructure Financing Program;

WHEREAS, the Local Unit has determined to finance or refinance the acquisition, construction, improvement, repair or reconstruction of the Project with the proceeds of a loan to be made by the I-Bank (the "Loan") pursuant to the Loan Agreement;

WHEREAS, to evidence and secure the Loan, the I-Bank requires the Local Unit to authorize, execute, attest and deliver the Local Unit's General Obligation Bond, Series 2026A, to the I-Bank (the "Local Unit Bond") in an aggregate principal amount not to exceed $3,300,000, pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), other applicable law and the Loan Agreement;

WHEREAS, in order to comply with Rule 15c2-12 promulgated by the Securities and Exchange Commission (the "SEC") pursuant to the Securities Exchange Act of 1934, as amended (the "Securities Exchange Act"), including any successor regulation or statute thereto ("Rule 15c2-12"), the I-Bank has determined or may in the future determine that the Local Unit is a material "obligated person" (as such term is defined in Rule 15c2-12) in connection with the issuance of the bonds of the I-Bank to be issued to fund or refund the I-Bank Loan (the "I-Bank Bonds");

WHEREAS, as a result of such determination, the Local Unit may be required to enter into a Continuing Disclosure Agreement (the "Continuing Disclosure Agreement") with the trustee for the I-Bank Bonds and the I-Bank for the purpose of satisfying Rule 15c2-12 and the purposes and intent thereof, as Rule 15c2-12, its purposes and intent may hereafter be interpreted from time to time by the SEC or any court of competent jurisdiction; and

WHEREAS, the I-Bank may require closing in escrow the making of the Loan, the issuance of the Local Unit Bond and the execution and delivery of the Loan Agreement and the Continuing Disclosure Agreement, if necessary, all pursuant to the terms of an Escrow Agreement (the "Escrow Agreement") to be entered into by and among the I-Bank, the Local Unit and the escrow agent named therein.

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

Section 1. The Loan Agreement, the Continuing Disclosure Agreement, if necessary, and the Escrow Agreement, if necessary, (collectively, the "Financing Documents") are hereby authorized to be executed and delivered on behalf of the Local Unit by either the Mayor or the Chief Financial Officer in substantially the forms attached hereto as Exhibits A and B, respectively, with such changes as the Mayor or the Chief Financial Officer (each an "Authorized Officer"), in their respective sole discretion, after consultation with counsel and any advisors to the Local Unit (collectively, the "Local Unit Consultants") and after further consultation with the I-Bank and its representatives, agents, counsel and advisors (collectively, the "Program Consultants", and together with the Local Unit Consultants, the "Consultants"), shall determine, such determination to be conclusively evidenced by the execution of such

Financing Documents by an Authorized Officer as determined hereunder. The Local Unit Clerk is hereby authorized to attest to the execution of the Financing Documents by an Authorized Officer of the Local Unit as determined hereunder and to affix the corporate seal of the Local Unit to such Financing Documents.

Section 2. If necessary in connection with the issuance of I-Bank Bonds, the Local Unit hereby authorizes the preparation and distribution of financial statements and demographic and other information concerning the Local Unit contained in a "Preliminary Official Statement" and final "Official Statement" to be issued in connection with the marketing of the I-Bank Bonds. In furtherance of such authorization, the Local Unit hereby severally directs the Authorized Officers to take such action as the particular Authorized Officer, after consultation with the Consultants, deems necessary, desirable or convenient in connection with the preparation and distribution of such information for inclusion in the Preliminary Official Statement and the final Official Statement.

Section 3. The Authorized Officers of the Local Unit are hereby further severally authorized to (i) execute and deliver, and the Local Unit Clerk is hereby further authorized to attest to such execution and to affix the corporate seal of the Local Unit to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers or the Local Unit Clerk, as applicable, in their respective sole discretion, after consultation with the Consultants, to be executed in connection with the execution and delivery of the Financing Documents and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution and delivery thereof. Such closing certificates shall include, without limitation, if necessary, (a) a determination that any information provided by the Local Unit to the I-Bank in connection with the preparation and distribution of the (i) Preliminary Official Statement is "deemed final" for the purposes and within the meaning of Rule 15c2-12 and (ii) Official Statement constitutes a final Official Statement for the purposes and within the meaning of Rule 15c2-12, (b) a determination that the Continuing Disclosure Agreement complies with Rule 15c2-12, and (c) a determination that any information provided to the I-Bank by or on behalf of the Local Unit or relating to the Local Unit, the Loan Agreements, the Escrow Agreement, the Continuing Disclosure Agreement or the transactions contemplated thereby in connection with the preparation and distribution of the Preliminary Official Statement and the Official Statement complies with Section 10 and Rule 10b-5 of the Securities Exchange Act.

Section 4. This resolution shall take effect immediately.

Section 5. Upon the adoption hereof, the Local Unit Clerk shall forward certified copies of this resolution to Dilworth Paxson LLP, bond counsel to the Local Unit, and Tricia M. Gasparine, Esq., Chiesa Shahinian Giantomasi PC, bond counsel to the I-Bank.

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

* * * * * * * * * *

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

GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE
UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S
"Enforcement Guidance on the Consideration of Arrest and Conviction Records in
Employment Decisions Under Title VII of the Civil Rights Act of 1964"

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local

unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the Municipal Council of the City of Bayonne, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

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

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

R-4

RESOLUTION OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, NEW JERSEY, DETERMINING THE FORM AND OTHER DETAILS OF ITS NOTE RELATING TO THE CONSTRUCTION FINANCING LOAN PROGRAM OF THE NEW JERSEY INFRASTRUCTURE BANK, TO BE ISSUED IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO $25,000,000, PROVIDING FOR THE ISSUANCE AND SALE OF SUCH NOTE TO THE NEW JERSEY INFRASTRUCTURE BANK, AND AUTHORIZING THE EXECUTION AND DELIVERY OF SUCH NOTE BY THE CITY IN FAVOR OF THE NEW JERSEY INFRASTRUCTURE BANK, ALL PURSUANT TO THE NEW JERSEY INFRASTRUCTURE BANK CONSTRUCTION FINANCING LOAN PROGRAM

WHEREAS, the City of Bayonne, in the County of Hudson, New Jersey (the "Local Unit"), intends to undertake various replacements of water service lines and investigation of lead status for service lines at various locations throughout the Local Unit, including all work and costs necessary and ancillary thereto (collectively, the "Project"), and it is the desire of the Local Unit to obtain financing for such Project through participation in the New Jersey Water Bank of the New Jersey Infrastructure Bank (the "I-Bank");

WHEREAS, the Local Unit has determined to temporarily finance the undertaking of the Project prior to the closing with respect to the New Jersey Water Bank, and to undertake such temporary financing with the proceeds of a short-term loan (or loans) to be made by the I-Bank (collectively the "Construction Loan") to the Local Unit, pursuant to the Construction Financing Loan Program of the I-Bank (the "Construction Financing Loan Program");

WHEREAS, in order to (i) evidence and secure the repayment obligation of the Local Unit to the I-Bank with respect to the Construction Loan and (ii) satisfy the requirements of the Construction Financing Loan Program, it is the desire of the Local Unit to issue and sell one or more short term notes to the I-Bank in an aggregate principal amount of up to $25,000,000 (each, a "Note" and collectively, the "Notes");

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

WHEREAS, on May 6, 2026, the Local Unit adopted a bond ordinance, entitled, "Bond Ordinance Providing for Phase 2 of the Lead Service Line Replacement Project In and By the City of Bayonne, in the County of Hudson, New Jersey, Appropriating $25,000,000 Therefor and Authorizing the Issuance of $25,000,000 Bonds or Notes of the City to Finance the Cost Thereof" to finance the Project (the "Local Unit Bond Ordinance"), pursuant to the provisions of the Local Bond Law;

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

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

Section 1. In accordance with the provisions of the Local Bond Law, the Infrastructure Trust Act and the Local Unit Bond Ordinance, the Local Unit hereby authorizes the issuance, sale and award of the Notes in accordance with the provisions hereof. The obligations represented by the Notes have been appropriated and authorized by the Local Unit Bond Ordinance, which was finally adopted by the Local Unit at a meeting duly called and held and at which time a quorum was present and acted throughout, all in accordance with the Local Bond Law and other applicable law.

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

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

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

(a) the aggregate principal amount of all Notes to be issued shall be an amount not to exceed $25,000,000;
(b) the maturity of each Note shall be as determined by the I-Bank;
(c) the interest rate of each Note shall be as determined by the I-Bank;
(d) the purchase price for each Note shall be par;
(e) each Note shall be subject to prepayment prior to its stated maturity in accordance with the terms and conditions of each such Note;
(f) each Note shall be issued in a single denomination and shall be numbered "NJWB – CFP – [YEAR-___]";
(g) each Note shall be issued in fully registered form and shall be payable to the registered owner thereof as to both principal and interest in lawful money of the United States of America; and
(h) each Note shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Local Unit Clerk; and
(i) each Note may be issued in one or more series as may be deemed necessary by the I-Bank.

Section 5. Each Note shall be substantially in the form required by the I-Bank, together with such additions, deletions and other modifications required by the I-Bank and agreed to by the Local Unit upon consultation with counsel and any advisors to the Local Unit, such determinations being conclusively evidenced by the execution of each such Note by the Authorized Officers (as defined herein).

Section 6. The law firm of McManimon, Scotland and Baumann, LLC is hereby authorized to arrange for the printing of each Note, which law firm may authorize McCarter & English, LLP, bond counsel to the I-Bank for the Construction Loan Financing Program, to arrange for same.

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

Section 8. This resolution shall take effect immediately.

Section 9. Upon the adoption hereof, the Local Unit Clerk shall forward certified copies of this resolution to McManimon, Scotland & Baumann, LLC, bond counsel to the Local Unit, David Zimmer, Executive Director of the I-Bank, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the I-Bank.

Date Adopted: May 6, 2026,

CERTIFICATION

I, Madelene C. Medina, City Clerk, of the City of Bayonne, County of Hudson, State of New Jersey, do hereby certify that the foregoing resolution was duly adopted by the City Council at the regular meeting held on the 6th day of May 2026, in the Council Chambers of the Municipal Building, 630 Avenue C, Bayonne, New Jersey.

_____
Madelene C. Medina
City Clerk

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

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

RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPOINTING A MUNICIPAL HOUSING LIAISON

WHEREAS, in accordance with P.L. 2024, Chapter 2 and the New Jersey Uniform Housing Affordability Controls ("UHAC")(N.J.A.C. 5:80-26.1 *et seq.*), the City of

Bayonne, County of Hudson, New Jersey (the "City") is required to adopt an Affirmative Marketing Plan to ensure that all affordable housing units created are affirmatively marketed to very low-, low- and moderate-income households, particularly those living and/or working within Housing Region 1, the Housing Region encompassing the City.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, NEW JERSEY THAT THE CITY OF BAYONNE DOES HEREBY ADOPT THE FOLLOWING AFFIRMATIE MARKETING PLAN:

Affirmative Marketing Plan

A. The Affirmative Marketing Plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, English-speaking ability, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children, source of lawful income, or any other characteristic described in the New Jersey Law Against Discrimination, to housing units which are being marketed by a developer or sponsor of affordable housing. The Affirmative Marketing Plan is also intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. It is a continuing program that directs all marketing activities toward the Housing Region in which the municipality is located and covers the entire period of the deed restriction for each restricted housing unit. The City of Bayonne is located in Housing Region 1, consisting of Bergen, Hudson, Passaic and Sussex Counties.

B. The City of Bayonne has a plan to address both its Prior Round Obligation (1987-2025) and its Fourth Round Obligation (2025-2035). This Affirmative Marketing Plan shall apply to all developments that contain or will contain very low-, low- and moderate-income units, including those that are part of the municipality's Housing Element and Fair Share Plan, and those that may be constructed in future developments not yet anticipated by the Housing Element and Fair Share Plan.

C. The Affirmative Marketing Plan shall be implemented by the Administrative Agent under contract to the City of Bayonne, or the Administrative Agent of any specific developer approved by the municipality.

D. All of the costs of advertising and affirmatively marketing affordable housing units shall be borne by the developers/sellers/owners of affordable unit(s), and all such advertising and affirmative marketing shall be subject to approval and oversight by the designated Administrative Agent.

E. The implementation of the Affirmative Marketing Plan for a development that includes affordable housing shall commence at least 120 days prior to expected occupancy. The implementation of the Affirmative Marketing Plan shall continue until all very low-, low- and moderate-income housing units are initially occupied and for as long as the affordable units remain deed restricted such that qualifying new tenants and/or purchasers continues to be necessary.

F. The Affirmative Marketing Plan is a continuing program that shall be followed throughout the entire period of affordability restrictions. In implementing the Affirmative Marketing Plan, the Administrative Agent, whether acting on behalf of the City of Bayonne or on behalf of a specific developer, shall meet the following requirements at a minimum:

1. The paid primary marketing and advertising must be employed at the start of the marketing program and continue until all units are leased or sold or until the number of applications received is at least three times the number of units. Additional advertising and publicity shall be on an "as needed" basis. The developer/owner shall disseminate all public service announcements and pay for display advertisements. The developer/owner shall provide proof of all publications to the

Administrative Agent. All press releases and advertisements shall be approved in advance by the Administrative Agent.

2. Applications must be accepted for no less than 45 days following the initial advertisement on the New Jersey Housing Resource Center, except for the resale of for-sale units, in which case, applications must be accepted for no less than 30 days.

3. The advertisements shall, at a minimum, include:

a. The name and location of the housing project;

b. An address sufficient to find directions to the housing units;

c. A range of prices or rents for the affordable housing units;

d. The sizes, as measured in number of bedrooms of the affordable housing units;

e. The types (that is, family, age-restricted, or supportive) and number of affordable units available;

f. The number of units available to very low-, low-, and moderate-income households;

g. The accessibility features, if any, of the affordable housing units;

h. The maximum income permitted to qualify for the affordable housing units;

i. The population(s), if any, given preference in the selection process pursuant to N.J.A.C. 5:80-26.17(k)2;

j. Where applications (paper and online) for the affordable housing units may be found;

k. The expected lease-up/closing date(s) for the affordable housing units;

l. The expected date of the random selection;

m. The business hours when interested households may obtain paper applications for the affordable housing units;

n. Contact information, including an email address and phone number that are regularly monitored by the administrative agent;

o. The name of the sales agent and/or rental manager; and

p. Application fees, if any.

4. Affirmative fair marketing of affordable units must be completed in accordance with the requirements set forth in UHAC at N.J.A.C. 5:80-26.16 in all media and outlets required by the rules. All newspaper articles, announcements and requests for application for low and moderate income units shall appear in the Trenton Times and the Star Ledger.

5. Each affordable housing development must complete worksheet substantially in the form of the model affirmative marketing worksheet published by the state.

6. Affordable units must be listed on the New Jersey Housing Resource Center's website (www.njhrc.gov) in accordance with N.J.A.C. 5:80-26.16(f)1 upon commencing affirmative marketing activities at least 60 days before the random selection.

7. Within one business day of listing the affordable housing units on the New Jersey Housing Resource Center, the Administrative Agent marketing the units must notify the local Continuum of Care of any supportive housing rental units that are reserved for individuals and

families that are homeless and of any permanent supportive housing rental units.

8. Applications, or notices thereof, used as part of the affirmative marketing program must be available in the following locations:

a. Bayonne City Hall

b. City of Bayonne Website

c. Developer's Sales/Rental offices

d. Bergen County Administration Building

e. Hudson County Administration Building

f. Passaic County Administration Building

g. Sussex County Administration Building

h. City of Bayonne Library

i. Bergen County Library Headquarters

j. Hudson County Library Headquarters

k. Passaic County Library Headquarters

l. Sussex County Main Library

9. The municipality's Administrative Agent, or the Administrative Agent of a specific developer, shall comply with all requirements set forth in N.J.S.A. 52:27D-321.3 et seq. with regard to the affirmative marketing of affordable housing units.

G. The municipality's Administrative Agent shall maintain and update a list of community contact person(s) and/or organizations(s) in Bergen, Hudson, Passaic and Counties, in conjunction with DCA's Marketing Outreach Tool, that will aid in the affirmative marketing program with particular emphasis on contacts that will reach out to groups that are least likely to apply for housing within the region, including major regional employers.

H. The municipality's Administrative Agent shall maintain and update a list of major employers in Bergen, Hudson, Passaic and Sussex Counties, in conjunction with DCA's Marketing Outreach Tool, that will aid in the affirmative marketing program.

I. A random selection method to select occupants of very low-, low- and moderate-income housing will be used by the municipality's Administrative Agent, or the Administrative Agent of any specific developer, in conformance with N.J.A.C. 5:80-26.16(d).

J. All developers/owners of very low-, low- and moderate-income housing units shall be required to undertake and pay the costs of the marketing of the affordable units in their respective developments, subject to the direction and supervision of the municipality's Administrative Agent.

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

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

Section 2. The City of Bayonne hereby adopts an Affirmative Marketing Plan.

Section 3. The Mayor or his designee, the City Clerk and all appropriate officials, employees and professionals of the City are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Resolution.

Section 4. A copy of this Resolution shall be available for public inspection at the office of the City Clerk during regular business hours.

Section 5. This Resolution shall take effect immediately.

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

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

RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF NOT EXCEEDING $3,300,000 GENERAL OBLIGATION BONDS, SERIES 2026A, OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, NEW JERSEY, AND PROVIDING FOR THEIR SALE TO THE NEW JERSEY INFRASTRUCTURE BANK PURSUANT TO THE STATE FISCAL YEAR 2026 NEW JERSEY INFRASTRUCTURE BANK TRANSPORTATION INFRASTRUCTURE FINANCING PROGRAM

WHEREAS, the City of Bayonne (the "Local Unit"), in the County of Hudson, New Jersey, has determined that there exists a need within the Local Unit to finance or refinance the acquisition, construction, renovation or installation of the Project (the "Project") as defined in that certain Loan Agreement (the "Loan Agreement") to be entered into by and between the Local Unit and the New Jersey Infrastructure Bank (the "I-Bank"), pursuant to the State Fiscal Year 2026 New Jersey Transportation Infrastructure Financing Program (the "Program");

WHEREAS, the Local Unit has determined to finance or refinance the acquisition, construction, improvement, repair or reconstruction of the Project with the proceeds of a loan to be made by the I-Bank (the "Loan") pursuant to the Loan Agreement;

WHEREAS, to evidence and secure the Loan, the I-Bank requires the Local Unit to authorize, execute, attest and deliver the Local Unit's General Obligation Bonds, Series 2026A, to the I-Bank (the "Local Unit Bond") in an aggregate principal amount not to exceed $3,300,000, pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), other applicable law and the Loan Agreement; and

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

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

Section 1. In accordance with Section 27(a)(2) of the Local Bond Law and N.J.S.A. 58:11B-9(a), the Local Unit hereby authorizes the issuance, sale and award its Local Unit Bond to the I-Bank, in an aggregate principal amount not to exceed $3,300,000, all in accordance with the provisions hereof. The obligation represented by the Local Unit Bond has been appropriated and authorized by bond ordinance #O-20-19 of the Local Unit, which bond ordinance is entitled "Bond Ordinance Providing For Various Pedestrian Bridge, Roadway and Traffic Calming Improvements, By and In the City of Bayonne, In the County of Hudson, State of New Jersey (the "City"); Appropriating $10,000,000 Therefor and Authorizing the Issuance of $9,523,809 Bonds or Notes of the City to Finance Part of the Costs Thereof" and was finally adopted by the Local Unit at a meeting duly called and held on March 18, 2020, at which time a quorum was present and acted throughout, all pursuant to the terms of the Local Bond Law and other applicable law.

Section 2. The Chief Financial Officer of the Local Unit (the "Chief Financial Officer") is hereby authorized to determine, in accordance with the Local Bond Law and pursuant to the terms and provisions established by the I-Bank pursuant to the Loan Agreement and the terms and provisions hereof, the following terms with respect to the Local Unit Bond:

(a) The aggregate principal amount of the Local Unit Bond to be issued, which aggregate principal amount of the Local Unit Bond to be issued shall not exceed $3,300,000;

(b) The maturity and annual principal installments of the Local Unit Bond, which maturity shall not exceed thirty (30) years;

(c) The date of the Local Unit Bond;

(d) The interest rate of the Local Unit Bond;

(e) The purchase price for the Local Unit Bond; and

(f) The terms and conditions under which the Local Unit Bond shall be subject to redemption prior to its stated maturity.

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

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

(a) The Local Unit Bond shall be issued in a single denomination and shall be numbered R-1;

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

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

Section 5. The Local Unit Bond shall be substantially in the form set forth in the Loan Agreement.

Section 6. The law firm of Dilworth Paxson LLP is hereby authorized to arrange for the printing of the Local Unit Bond, which law firm may authorize Chiesa Shahinian Giantomasi PC, bond counsel to the I-Bank for the Program, to arrange for same. The Local Unit auditor is hereby authorized to prepare the financial information necessary in connection with the issuance of the Local Unit Bond. The Mayor, Chief Financial Officer and the Local Unit Clerk are hereby authorized to execute any certificates necessary or desirable in connection with the financial and other information.

Section 7. Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and delivery of an award certificate by the Chief Financial Officer (in the form prescribed by the I-Bank with such changes as the Local Unit, together with its professional advisor shall approve), and the execution and attestation of the Local Unit Bond by the parties authorized under Section 4(c) hereof.

Section 8. The Mayor and the Chief Financial Officer are hereby severally authorized to execute any certificates or documents necessary or desirable in connection with the issuance, sale and award of the Local Unit Bond, and are further authorized to deliver same to the I-Bank, upon delivery of the Local Unit Bond and the receipt of payment therefor in accordance with the Loan Agreement.

Section 9. This resolution shall take effect immediately.

Section 10. Upon the adoption hereof, the Local Unit Clerk shall forward certified copies of this resolution to Dilworth Paxson LLP, bond counsel to the Local Unit, and Tricia M. Gasparine, Esq., Chiesa Shahinian Giantomasi PC, bond counsel to the I-Bank.

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

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

RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AMENDING RESOLUTION NO. 26-01-21-103 TO CORRECT A SCRIVENER'S ERROR WHERE THE REDEVELOPER WAS INCORRECTLY IDENTIFIED AS 1954 55 STREET BAYONNE URBAN RENEWAL, LLC AND THE CORRECT REDEVELOPER ENTITY IS 1945 55 STREET BAYONNE, LLC

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

WHEREAS, on January 21, 2026, pursuant to the Redevelopment Law, the Municipal Council of the City of Bayonne (the "City Council") adopted Resolution No. 26-01-21-103 entitled " Resolution Of The Municipal Council Of The City Of Bayonne, County Of Hudson, New Jersey Designating 1954 55 Street Bayonne Urban Renewal, LLC as Redeveloper of the Property Located at 45 West 55th Street and Identified as Block 28, Lots 2 and 3 on the Official Tax Map of the City of Bayonne and Authorizing the Negotiation and Preparation of a Redevelopment Agreement"; and

WHEREAS, Resolution No. 26-01-21-103 contained a scrivener's error where the Redeveloper was incorrectly identified as 1954 55 Street Bayonne Urban Renewal, LLC and the correct Redeveloper entity is 1945 55 Street Bayonne Urban Renewal, LLC and

WHEREAS, the City Council desires to correct the scrivener's error contained in Resolution No. 26-01-21-103.

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

Section 1. Resolution No. 26-01-21-103 is hereby amended to correct the scrivener's error and set forth that the Redeveloper is identified therein as 1945 55 Street Bayonne Urban Renewal, LLC.

Section 2. This Resolution shall take effect immediately.

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

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60. 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 AMENDING RESOLUTION NO. 25-12-17-104 TO CORRECT A SCRIVENER'S ERROR WHERE THE PROJECT DESCRIPTION WAS INCORRECTLY STATED

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

WHEREAS, on December 17, 2025, pursuant to the Redevelopment Law, the Municipal Council of the City of Bayonne (the "City Council") adopted Resolution No. 25-12-17-104 entitled " Resolution Of The Municipal Council Of The City Of Bayonne, County Of Hudson, New Jersey Authorizing the Execution of a Redevelopment Agreement with 2843 East 22 Urban Renewal, LLC for Redevelopment of Property located at 28-34 East 22nd Street and Identified as Block 212, Lots 30, 31 and 32 on the Official Tax Map of the City of Bayonne"; and

WHEREAS, Resolution No. 25-12-17-105 contained a scrivener's error where the Project description was incorrectly stated as 5-story residential building containing 40 residential units, 44 parking spaces, approximately 1,540 square feet of rooftop terrace, and the correct Project description is a 6-story residential building containing 166 units and 126 parking spaces; and

WHEREAS, the City Council desires to correct the scrivener's error contained in Resolution No. 25-12-17-104.

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

Section 1. Resolution No. 25-12-17-104 is hereby amended to correct the scrivener's error and set forth that the Project description is a 6-story residential building containing 166 units and 126 parking spaces.

Section 2. This Resolution shall take effect immediately.

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

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

RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AMENDING RESOLUTION NO. 25-02-19-078 TO CORRECT A SCRIVENER'S ERROR WHERE THE REDEVELOPER WAS INCORRECTLY IDENTIFIED AS 218-220 BROADWAY URBAN RENEWAL, LLC AND THE CORRECT REDEVELOPER ENTITY IS NOVA GROUP URBAN RENEWAL, LLC

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

WHEREAS, on February 19, 2025, pursuant to the Redevelopment Law, the Municipal Council of the City of Bayonne (the "City Council") adopted Resolution No. 25-02-19-078 entitled " Resolution Of The Municipal Council Of The City Of Bayonne, County Of Hudson, New Jersey Designating Nova Group Urban Renewal, LLC as Redeveloper of the Property Located at 474-476 Broadway and Identified as Block 205, Lot 10.01 on the Official Tax Map of the City of Bayonne and Authorizing the Negotiation and Preparation of a Redevelopment Agreement"; and

WHEREAS, Resolution No. 25-02-19-078 contained a scrivener's error where the Redeveloper was incorrectly identified in the 6th Whereas clause as 218-220 Broadway Urban Renewal, LLC and the correct Redeveloper entity is Nova Group Urban Renewal, LLC; and

WHEREAS, the City Council desires to correct the scrivener's error contained in Resolution No. 25-02-19-078.

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

Section 1. Resolution No. 25-02-19-078 is hereby amended to correct the scrivener's error and set forth that the Redeveloper is identified therein as Nova Group Urban Renewal, LLC.

Section 2. This Resolution shall take effect immediately.

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

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

RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AMENDING RESOLUTION NO. 25-11-12-058 TO CORRECT A SCRIVENER'S ERROR WHERE THE REDEVELOPER WAS INCORRECTLY IDENTIFIED AS MW URBAN RENEWAL, LLC AND THE CORRECT REDEVELOPER ENTITY IS KENNEDY BOULEVARD MW URBAN RENEWAL, LLC

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

WHEREAS, on November 12, 2025, pursuant to the Redevelopment Law, the Municipal Council of the City of Bayonne (the "City Council") adopted Resolution No. 25-11-12-058 entitled " Resolution Of The Municipal Council Of The City Of Bayonne, County Of Hudson, New Jersey Designating MW Urban Renewal, LLC as Redeveloper of the Property Located at 361-373 John F. Kennedy Boulevard and Identified as Block 262, Lots 7, 8 and 9 on the Official Tax Map of the City of Bayonne and Authorizing the Negotiation and Preparation of a Redevelopment Agreement"; and

WHEREAS, Resolution No. 25-11-12-058 contained a scrivener's error where the Redeveloper was incorrectly identified as MW Urban Renewal, LLC and the correct Redeveloper entity is Kennedy Boulevard MW Urban Renewal, LLC; and

WHEREAS, the City Council desires to correct the scrivener's error contained in Resolution No. 25-11-12-058.

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

Section 1. Resolution No. 25-11-12-058 is hereby amended to correct the scrivener's error and set forth that the Redeveloper is identified therein as Kennedy Boulevard MW Urban Renewal, LLC.

Section 2. This Resolution shall take effect immediately.

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

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63. Council Member Booker 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 AMENDING RESOLUTION NO. 25-02-19-079 TO CORRECT A SCRIVENER'S ERROR WHERE THE REDEVELOPER WAS INCORRECTLY IDENTIFIED AS 211-127 BROADWAY, LLC AND THE CORRECT REDEVELOPER ENTITY IS 211-217 BROADWAY, LLC

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

WHEREAS, on February 19, 2025, pursuant to the Redevelopment Law, the Municipal Council of the City of Bayonne (the "City Council") adopted Resolution No. 25-02-19-079 entitled " Resolution Of The Municipal Council Of The City Of Bayonne, County Of Hudson, New Jersey Designating 211-217 Broadway, LLC as Redeveloper of the Property Located at 211-217 Broadway and Identified as Block 305, Lot 20 on the Official Tax Map of the City of Bayonne and Authorizing the Negotiation and Preparation of a Redevelopment Agreement"; and

WHEREAS, Resolution No. 25-02-19-079 contained a scrivener's error where the Redeveloper was incorrectly identified in Section 1 as 211-127 Broadway, LLC and the correct Redeveloper entity is 211-217 Broadway, LLC; and

WHEREAS, the City Council desires to correct the scrivener's error contained in Resolution No. 25-11-12-058.

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

Section 1. Resolution No. 25-11-12-058 is hereby amended to correct the scrivener's error and set forth that the Redeveloper is identified therein as Kennedy Boulevard MW Urban Renewal, LLC.

Section 2. This Resolution shall take effect immediately.

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

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64. Council Member Booker 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 AMENDING RESOLUTION NO. 26-01-21-099 AND ORDINANCE NO. O-26-28 TO CORRECT A SCRIVENER'S ERROR WHERE THE REDEVELOPMENT PLAN WAS INCORRECTLY IDENTIFIED AS "KESSLER/FITNESS REDEVELOPMENT PLAN" AND THE CORRECT REDEVELOPMENT PLAN NAME IS "958-968 BROADWAY REDEVELOPMENT PLAN"

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

WHEREAS, on January 21, 2026, pursuant to the Redevelopment Law, the Municipal Council of the City of Bayonne (the "City Council") adopted Resolution No. 26-01-21-099 entitled "Resolution Of The Municipal Council Of The City Of Bayonne, County Of Hudson, New Jersey Designating 958-968 Broadway Urban Renewal, LLC as Redeveloper of the Property Located at 958-968 Broadway and Identified as Block 78, Lot 44 on the Official Tax Map of the City of Bayonne and Authorizing the Negotiation and Preparation of a Redevelopment Agreement" (the "Resolution"); and

WHEREAS, on February 18, 2026, pursuant to the Long-Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq., the Municipal Council of the City of Bayonne adopted Ordinance O-26-28 entitled "Ordinance Of The Municipal Council Of The City Of Bayonne, County Of Hudson, State Of New Jersey Approving A Financial Agreement By And Between The City Of Bayonne And 958-968 Broadway Urban Renewal, LLC For The Property Located At 958-968 Broadway Which Property Is Identified As Block 78, Lot 44 As Shown On The Official Tax Map Of The City Of Bayonne" (the "Ordinance"); and

WHEREAS, the Resolution and Ordinance contained a scrivener's error where the Redevelopment Plan was incorrectly identified as the "Kessler/Fitness Redevelopment Plan" and the correct Redevelopment Plan name is the "958-968 Broadway Redevelopment Plan"; and

WHEREAS, the City Council desires to correct the scrivener's error contained in the Resolution and the Ordinance.

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

Section 1. Resolution No. 26-01-21-099 and Ordinance No. O-26-28 is hereby amended to correct the scrivener's error and set forth that the Redevelopment Plan is identified therein as the "958-968 Broadway Redevelopment Plan."

Section 2. This Resolution shall take effect immediately.

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

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

RESOLUTION OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, NEW JERSEY, AUTHORIZING THE CONDITIONAL DESIGNATION AND EXECUTION OF AN ESCROW AGREEMENT

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Redevelopment Law") provides municipalities with broad powers to ameliorate blighted areas, including the powers to investigate whether a property constitutes an "area in need of redevelopment", to prepare and adopt a redevelopment plan for such area, to contract with redevelopers for the planning, replanning, construction or undertaking of any project or redevelopment work, and arrange by contract for the provision of professional services for the carrying out of redevelopment projects; and

WHEREAS, JD Homes Investment LLC (the "Potential Redeveloper") approached the City to discuss various development options for the potential redeveloper parcels to be identified in the future and further requested that such Potential Redeveloper Parcels be investigated as an area in need of redevelopment pursuant to the Redevelopment Law; and

WHEREAS, it is in the best interest of the City and its residents for the costs of any investigations, planning, studies, pre-development and development activities relating to the Potential Redeveloper Parcels to be borne by the Potential Redeveloper, and not by the City from its general municipal budget for which there is no appropriation; and

WHEREAS, Potential Redeveloper understands that the City makes no representation, warranty, assurance or guarantee: (i) as to the outcome of any investigation, study or determination as to whether the Potential Redeveloper Parcels meet the criteria pursuant to the Redevelopment Law as an area in need of redevelopment; (ii) if one or more Potential Redeveloper Parcels are designated as an area in need of redevelopment, that a redevelopment plan will be adopted by the City Council; and/or (iii) that the City will enter into a financial agreement with the Potential Redeveloper; and

WHEREAS, Potential Redeveloper has agreed to deposit with the City the initial amount of Fifteen Thousand Dollars ($15,000.00) (the "Escrow Deposit"), to be deposited in an escrow account and disbursed in accordance with the provisions of the hereinafter defined Escrow Agreement to defray certain costs incurred by or on behalf of the City arising out of or in connection with any investigations, planning, studies, pre-development and development activities relating to the Potential Redeveloper Parcels, including but not limited to, an investigation and preparation of a report to determine whether the Potential Redeveloper Parcels constitute an area in need of redevelopment, the preparation of a redevelopment plan and the adoption of same by the applicable governing body(ies), the designation of a redeveloper, the review, negotiation and/or preparation of any necessary agreements, assistance to the City on any prospective project and due diligence and with the City's efforts to assist Potential Redeveloper with project development, capital formation and implementation, and the preparation of any other documents or actions related to this project; and

WHEREAS, the City desires to authorize the execution of the Escrow Agreement to memorialize the terms of the Escrow Deposit.

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

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The Mayor of the City is hereby authorized and directed to execute the Escrow Agreement, in the form attached hereto as Exhibit A (the "Escrow Agreement"), with such changes, omissions or amendments as the Mayor deems appropriate in consultation with the City's redevelopment counsel, planning consultant and other professionals. The Clerk of the City is hereby authorized and directed to attest to the Mayor's signature and affix the seal of the City to the Escrow Agreement. Upon execution and attestation of same, the Mayor is hereby authorized to deliver the Escrow Agreement to the other party thereto.

Section 3. This Resolution shall take effect immediately.

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

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

RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING THE EXECUTION OF A LICENSE AGREEMENT WITH MAHALAXMI BAYONNE URBAN RENEWAL, LLC AS REDEVELOPER OF THE PROPERTY WHICH IS IDENTIFIED AS BLOCK 751, LOTS 1.13, 1.14 AND 1.16 ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE

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

WHEREAS, MAHALAXMI BAYONNE URBAN RENEWAL, LLC, is a limited liability company licensed to do business in the State of New Jersey, having an address of 1 Flagship Street, Suite 100, Bayonne, New Jersey 07002 ("Licensee"); and

WHEREAS, the City is the owner of Block 751, Lots 1.13,1.14 & 1.16 (the "City Property") located within the Harbor Station South Redevelopment Plan (the "Redevelopment Plan") area in the City of Bayonne, Hudson County, New Jersey as more particularly shown on the subdivision plan titled "Harbor Station South Subdivision Plat", dated April 10, 2024 prepared by Matrix New World; and

WHEREAS, pursuant to that certain Redevelopment and Purchase and Sale Agreement (the "RDA") between the City and Licensee dated February 21, 2017, Licensee is the designated redeveloper of various parcels within the Harbor Station South Redevelopment Area; and

WHEREAS, the RDA requires that Licensee construct a park (the "Park Use") on the Lot 1.14 portion of the City Property as more fully set forth therein; and

WHEREAS, it is Licensee's intention to activate the City Property with an outdoor beer garden and related parking and improvements (the "Interim Use") on a temporary basis pending the future development of the City Property as required under the RDA. Pursuant to its proposal, Licensee is proposing to utilize the entirety of Lot 1.14, and portions of Lots 1.13 and 1.16 (hereinafter the "License Area") in conjunction with the Interim Use; and

WHEREAS, Licensee has requested a temporary license to access the License Area and to utilize the License Area for the Interim Use in accordance with the terms and conditions of a License Agreement between the City and the Licensee (the "License Agreement"); and

WHEREAS, the Municipal Council of the City of Bayonne (the "City Council") is amenable to the City providing Licensee a revocable license to access and utilize the License Area for the purpose of carrying out the Interim Use in accordance with the terms and provisions of the RDA, the License Agreement, the Redevelopment Plan, the Code of the City of Bayonne and other applicable laws ("Applicable Law"); and

WHEREAS, the City Council believes that the entry of a License Agreement over and on the City's Property to activate the Interim Use will allow for a use that offers an improved planning and zoning perspective that will benefit the City and its residents.

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

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

Section 2. A License Agreement between the City of Bayonne and Mahalaxmi Bayonne 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 Interlocal Affordable Housing 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. A copy of this Resolution and License Agreement by the City of Bayonne for the benefit of Mahalaxmi Bayonne Urban Renewal, LLC, shall be available for public inspection at the office of the City Clerk during regular business hours.

Section 5. This Resolution shall take effect immediately.

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

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

WHEREAS, the City of Bayonne is in need of 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, Commingled Recyclables which includes glass, metal cans and plastics (collectively referred to as ("Recycling Commodity"); and

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

WHEREAS, Sims Municipal Recycling, 165 Linden Avenue East, Jersey City, NJ 07305, has submitted to the City of Bayonne a formal, written response to the City's Request for Qualifications/Proposals for said services; and

WHEREAS, Sims Municipal Recycling is ready, willing and able to provide said services for the period commencing May 1, 2026 and ending April 30, 2027 for an amount not to exceed $125,000.00 payable pursuant to the fee schedule as set forth in the response to the City's Request for Qualifications/Proposals attached hereto as Schedule A and made a part hereof; and

WHEREAS, recycling markets are statutorily exempt under the Local Public Contract's Law, N.J.S.A. 40A:11-5(1)(s); and

WHEREAS, this contract is being authorized pursuant to the Fair and Open process pursuant to the provisions of N.J.S.A. 19:44A-20.4 and 5; and

WHEREAS, funds 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 enter into an agreement with Sims Municipal Recycling, 1 Linden Avenue East, Jersey City, New Jersey 07306 for the receipt and marketing of the City's Recycling Commodity for the period commencing May 1, 2026 and ending April 30, 2027 for an amount not to exceed $125,000.00 payable pursuant to the fee schedule as set forth in the response to the City's Request for Qualifications/Proposals attached hereto as Schedule A with two (2) possible one) year options to renew at the City's sole discretion.

2. Funds shall be charged to Account T-12-56-804-0001-99.

3. A notice of this action shall be printed once on the website for the City of Bayonne or in a newspaper of general circulation within the boundaries of the City of Bayonne and the contract shall be made available for public inspection in the City Clerk's office.

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

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

WHEREAS, the Hudson County Open Space, Recreation and Historic Preservation Trust Fund ("Hudson County Trust Fund"), provides matching grants to municipal governments and to nonprofit organizations who are sponsored by the local municipality for assistance in the development or redevelopment of park improvements; and

WHEREAS, the City of Bayonne (the "City") desires to further the public interest by obtaining a matching grant of $695,000.00 from the Hudson County Trust Fund to fund the following project: Improvements to W 24th Street Playground (the "Project"); and,

WHEREAS, the City of Bayonne had to submit an Application to the County Trust Fund for the amount of said matching funds in the amount of $695,000.00 dollars for the Project; and

WHEEREAS, said application was to be electronically submitted to the Hudson County Open Space Advisory Board prior to 5:00 p.m. on Friday, May 6, 2026; and

WHEREAS, the County of Hudson shall determine whether the application is complete and in conformance with the scope and intent of the Hudson County Trust Fund; and

WHEREAS, it was in the best interests of the citizens of Bayonne that this application be submitted in a timely manner; and

WHEREAS, the City is willing to use the Hudson County Trust Fund in accordance with such rules and regulations and applicable statues, and is willing to enter into an agreement with the County of Hudson for the above named project and ensure its completion on or about the project contract expiration date; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The actions of the City Engineer in submitting the aforesaid Application to the County Trust Fund for the amount of $695,000.00 for the Project are hereby ratified, affirmed and endorsed by the Municipal Council.

2. In the event of a Hudson County Trust Fund award that may be less than the grant amount requested above, the City of Bayonne has, or will secure, the balance of funding necessary to complete the project, or modify the project as necessary.

3. That the City of Bayonne is committed to providing the match for the Project in the amount of two-hundred forty one thousand ($241,000.00) dollars.

4. Only those park improvement identified and approved in the project application its Trust Fund contract, or other documentation will be considered eligible for reimbursement.

5. The City of Bayonne agrees to comply with all applicable federal, state, and local laws and regulations in its performance of the project.

6. This resolution will take effect immediately.

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

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

WHEREAS, the City Clerk, advertised in the Star Ledger on March 18, 2026 that sealed bids for RECREATION SUMMER CAMP/EVENT TRANSPORTATION would be received on April 2, 2026; and

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

Bidders:	Total amount:
BELOVED COMMUNITY CHARTER SCHOOL 508 GRAND STREET JERSEY CITY, NJ 07302	$156,600.00

WHEREAS, the Purchasing Agent and the Director of Public Works have examined the bid and have determined that the bid of BELOVED COMMUNITY CHARTER SCHOOL, 508 Grand Street, Jersey City, NJ 07302 in the amount of $156,600.00 is a regular bid and is advantageous to the City; and

WHEREAS, funds are certified as available in Account – T-12-56-930-7004-199; now, therefore, be it

RESOLVED, by the Municipal Council as follows:

1. The contract for RECREATION SUMMER CAMP/EVENT TRANSPORTATION be awarded to:

BELOVED COMMUNITY CHARTER SCHOOL
508 GRAND STREET
JERSEY CITY, NJ 07302

for the total contract amount of $156,600.00.

3. Funds shall be chargeable to Account – T-12-56-930-7004-199.

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

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

May 7, 2026

Dear Council President LaPelusa
And Honorable Members of City Council

I hereby appoint the following individuals to the Historic Preservation Commission of the City of Bayonne:

Jesse Wolleon	Term expiring on December 31, 2026 (Appointment as Commissioner Replacing Lisa Glover, Formerly as Alternate #1)
Michael Fatouros	Term expiring on February 28, 2027 (Appointment as Alternate #1, Formerly as Alternate #2)
Stephanie Petersen	Term expiring on April 30, 2028 (Appointment as Alternate #2)

In conjunction with this appointment the City Clerk has been directed to add an accompanying item on the May 13, 2026 Council meeting agenda to be received and filed by the City Council

Sincerely,
Robert Kubert
Mayor
(signed)

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

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

RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY APPOINTING A MUNICIPAL HOUSING LIAISON

WHEREAS, pursuant to P.L. 2024, c.2, the City of Bayonne, County of Hudson, New Jersey is required to appoint a Municipal Housing Liaison for the oversight of administration of the City of Bayonne's affordable housing program to enforce the requirements of the law and N.J.A.C. 5:80-26.1 et. seq.; and

WHEREAS, the City of Bayonne has amended Chapter 2-10.5 of the City of Bayonne Code entitled "Municipal Housing Liaison/RCA Administrator" to provide for the appointment of a Municipal Housing Liaison to administer the City of Bayonne's affordable housing program.

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

1. Suzanne Mack, PP, AICP, AHP, City of Bayonne Planner, is hereby appointed by the Municipal Council of the City of Bayonne as the Municipal Housing Liaison for the administration of the affordable housing program, pursuant to and in accordance with Chapter 2-10.5 of the City of Bayonne Code.
2. This resolution shall take effect immediately.

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

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

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

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

NOW, THEREWFORE, BE IT RESOLVED, that the Municipal Council of the City of Bayonne authorize the Chief Financial Officer to use a three (3) year average of 99.53% using the rates of prior cash collection of 99.25%, 99.48% and 99.86% for the calculation of the 2026 budget appropriation "Reserve for Uncollected Taxes."

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

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

AUTHORIZING THE BAYONNE UEZ TO APPLY FOR ADDITIONAL FUNDS FROM THE NEW JERSEY URBAN ENTERPRISE ZONE AUTHORITY -ZONE ASSISTANCE FUND (ZAF)FOR THE BAYONNE UEZ STREETSCAPE.

WHEREAS, the City of Bayonne Urban Enterprise Zone is requesting authorization to apply for additional funds for Bayonne UEZ Streetscape.

WHEREAS, the City of Bayonne Urban Enterprise Zone now seeks authorization to submit a separate application for additional UEZ funding in an amount not to exceed $400.000 (Four Hundred thousand) to address the documented funding shortfall between the previously approved project budget and the lowest responsible bid received for the Bayonne UEZ Streetscape project

Project	Amount Requested
Bayonne UEZ Streetscape	not to exceed $400,000

BE IT FURTHER RESOLVED pursuant to N.J.S.A. 52:27h-88(c) in order to utilize funds available for the project costs, the governing body must adopt a resolution approving said project costs and authorizing the submission for additional funding; and that the application for additional funds for the project cost of Bayonne UEZ Streetscape. May be submitted to the Urban Enterprise Zone Authority by the UEZ Coordinator.

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

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At 8:18 P.M., Council Member Perez motioned to adjourn to Wednesday, June 10, 2026 at 6:00 P.M., seconded by Council Member LaPelusa, which motion was adopted.

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

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President – Gary LaPelusa

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City Clerk – Madelene C. Medina