

O-26-72
8/12/26

**CITY OF BAYONNE
COUNTY OF HUDSON**

CAPITAL ORDINANCE AMENDING IN PART CAPITAL ORDINANCE NO. O-25-25 ADOPTED ON APRIL 16, 2025 AND PROVIDING FOR CONSTRUCTION OF AND IMPROVEMENTS TO A PORTION OF THE HUDSON RIVER WATERFRONT WALKWAY IN THE PORTION OF THE CITY KNOWN AS THE PENINSULA, TO DECREASE THE APPROPRIATION THEREFOR BY \$187,320 FOR A TOTAL APPROPRIATION OF \$3,312,680, AUTHORIZED IN AND BY THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, NEW JERSEY

WHEREAS, the City of Bayonne, in the County of Hudson, New Jersey (the "City") finally adopted Capital Ordinance No. O-25-25 on April 16, 2025 (the "Prior Ordinance"), providing for construction of and improvements to a portion of the Hudson River Waterfront Walkway in the portion of the City known as The Peninsula; and

WHEREAS, the City has determined that the costs associated with said improvements are lower than anticipated and has determined to decrease the total appropriation therefor; and

WHEREAS, the City no longer wishes to appropriate \$437,320 from the City's Capital Fund balance for said improvements authorized by the Prior Ordinance; and

WHEREAS, the City received or expects to receive an additional \$250,000 in grant proceeds from the County of Hudson, New Jersey through the Hudson County Open Space, Recreation, and Historic Preservation Trust Fund (hereinafter, the "Open Space Trust Fund") for said improvements, in addition to the \$500,000 Open Space Trust Fund grant proceeds authorized by the Prior Ordinance.

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

Section 1. The improvements authorized by the Prior Ordinance to be undertaken by the City consist of construction of and improvements to a portion of the Hudson River Waterfront Walkway in the portion of the City known as The Peninsula, including, but not limited to, landscaping and lighting improvements, including earthwork, a concrete and paver walkway, electric conduit, light pole foundations, decorative railings, ornamental street furniture, and various landscaping improvements, and may also include a walking, bike path and landscaped median, benches and trash receptacles, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with contracts, plans, specifications or requisitions therefor on file with or through the City Clerk, as finally approved by the governing body of the City.

Section 2. For the improvements authorized by the Prior Ordinance and stated in Section 1 of this ordinance, there is hereby appropriated the total sum of \$3,312,680, said sum being inclusive of the following amounts: (i) \$2,357,280 received or to be received by the City as

a contribution for such purpose from Prologis, Inc.; (ii) \$205,400 received or to be received by the City as a contribution for such purpose from Bayonne Energy Center; and (iii) \$750,000 received or to be received by the City as a grant for such purpose from the County of Hudson, New Jersey through the Open Space Trust Fund.

Section 3. The 2026 capital budget of the City will conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the City Clerk and is available there for public inspection.

Section 4. An aggregate amount not exceeding \$250,000 authorized by the Prior Ordinance for engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

Section 5. Any grant or similar moneys from time to time received by the City for the improvements or purposes described in Section 1 hereof, shall be applied to direct payment of the cost of the improvements within the appropriation herein authorized.

Section 6. The City Attorney and other City officials and representatives are hereby authorized to do all things necessary to accomplish the purposes of the appropriation made herein.

Section 7. All other provisions of the Prior Ordinance remained unchanged.

Section 8. This ordinance shall take effect as provided by law.

